

CITY OF COLUMBIA, TENNESSEE

ZONING ORDINANCE



COLUMBIA FOR YOU



CHARACTER · PROPORTION · PATTERN · PRINCIPLES

ORDINANCE
4400

APRIL VER 1.0

2025

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ARTICLE 1: GENERAL

ARTICLE 1 GENERAL

SECTION 1.1 TITLE

1.1.1 LONG TITLE

AN ORDINANCE, IN PURSUANCE OF THE AUTHORITY GRANTED BY TENNESSEE CODE ANNOTATED ("TCA") SECTION 13 - 7 - 201, TO PROVIDE THE ESTABLISHMENT OF DISTRICTS WITHIN THE CITY OF COLUMBIA, TENNESSEE: TO REGULATE WITHIN SUCH DISTRICTS THE LOCATION, HEIGHT, BULK, NUMBER OF STORIES AND *SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT OCCUPANCY, THE SIZE OF OPEN SPACES,* THE DENSITY OF POPULATION, AND THE USES OF LAND, BUILDINGS, AND OTHER STRUCTURES FOR TRADE, INDUSTRY, RESIDENCE, RECREATION, PUBLIC ACTIVITIES AND SIMILAR PURPOSES TO INCLUDE SPECIAL DISTRICTS FOR AREAS SUBJECT TO FLOODING AND AREAS DEVELOPED AS A PLANNED UNIT: TO PROVIDE REGULATIONS GOVERNING NONCONFORMING USES AND STRUCTURES; TO PROVIDE FOR A BOARD OF ZONING APPEALS AND FOR ITS POWERS AND DUTIES: TO PROVIDE FOR PERMITS: TO ESTABLISH AND PROVIDE FOR THE COLLECTION OF FEES; TO PROVIDE FOR THE ADMINISTRATION OF THIS ORDINANCE AND FOR THE OFFICIAL WHOSE DUTY IT SHALL BE TO ENFORCE THE PROVISIONS THEREOF; TO PROVIDE PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; AND TO PROVIDE FOR CONFLICTS WITH OTHER ORDINANCES OR REGULATIONS; AND TO REPEAL AND REPLACE ORDINANCE NO. 3638, ADOPTED OCTOBER 5, 2006, AS AMENDED THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE.

1.1.2 SHORT TITLE

This Ordinance, as the same may be amended from time to time, shall be known and may be cited as the "Columbia, Tennessee Zoning Ordinance." This Ordinance is referred to herein as "this Ordinance" or "these Regulations".

SECTION 1.2 LEGISLATIVE ENACTMENT & AUTHORITY

1.2.1 ENACTMENT

WHEREAS, TCA Section 13 – 7 – 201 empowers the City to enact a zoning ordinance and to provide for its administration, enforcement, and amendment;

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals, and general welfare of the City to enact such an ordinance;

WHEREAS, the City Council, pursuant to the provisions of TCA Section 13 – 4 -201 has appointed a Planning Commission to recommend the boundaries of the various Districts and appropriate regulations to be enforced therein;

WHEREAS, the Planning Commission has divided the City into districts and has prepared regulations pertaining to such Districts in accordance with a Comprehensive Plan designed to lessen congestion in the streets; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;

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WHEREAS, the Planning Commission has given reasonable consideration among other things, to the character of the Districts and their peculiar suitability for particular Uses, with a view to conserving the value of Buildings and encouraging the most appropriate Uses for the land throughout City;

WHEREAS, a public hearing before the Planning Commission was held, notice of which was published in the Daily Herald of Columbia 15 days or more prior to said hearing; and

WHEREAS, all the requirements of TCA Sections 13 – 7 – 202 through 13 – 7 – 211, with regard to the preparation of the report of the Planning Commission and subsequent action of the City Council have been met;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE:

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this the 14th day of July, 2022.

Signatures on file with the City Records office.

Charles (Chaz) M. Molder, Mayor

ATTEST:

Thad H. Jablonski, City Recorder

LEGAL FORM APPROVED:

C. Tim Tisher, City Attorney

Passed on 1st consideration: May 12, 2022 Ordinance 4400

Passed on 2nd consideration: July 14, 2022 Ordinance 4400

1.2.2 AUTHORITY

This Ordinance has been adopted pursuant to TCA Section 13 - 7 - 201.

SECTION 1.3 EFFECTIVE DATE; REPEAL

1.3.1 EFFECTIVE DATE

The Effective Date of this Ordinance (the “Effective Date”) shall be the date on which it is passed and adopted pursuant to Section 8.5.18, the public welfare requiring it.

1.3.2 REPEAL

A. Existing Zoning Ordinance

The existing zoning regulations of the City (Ordinance No. 3638, adopted October 5, 2006, as amended) are hereby repealed.

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B. Conflicting Ordinances

All ordinances or parts of ordinances in conflict herewith are hereby repealed. The adoption of this Ordinance, however, shall not affect or prevent any pending or future prosecution of an action to abate any existing violation of said existing regulation, as amended, if the violation is also a violation of this Ordinance.

C. Continuing Effect

Notwithstanding their repeal, the current zoning ordinances and related amendments shall remain in effect to the extent necessary to implement the transitional provisions of Section 1.23. Binding rules, regulations, standards, and requirements governing Planned Unit Developments (PUDs) existing prior to the Effective Date and approved under prior zoning ordinances shall continue with each such existing PUD; however, expansions, changes of Use, and other modifications to a PUD not explicitly contained in the rules, regulations, standards, and requirements applicable to a PUD existing immediately prior to the Effective Date shall be subject to the standards, procedures, and requirements of this Ordinance.

SECTION 1.4 COMPREHENSIVE PLAN

1.4.1 ADOPTION

By action of the City Council, the City of Columbia, Tennessee (the “City”) has adopted the Connect Columbia Framework Plan (2018) (collectively, the Comprehensive Plan”).

1.4.2 IMPLEMENTATION

The Comprehensive Plan and other City plans adopted by the City Council indicate desired Development of various characters and intensities. This Ordinance is intended to implement the Comprehensive Plan and such other City plans. Accordingly, the Comprehensive Plan and such other City plans shall be used in the application of this Ordinance.

SECTION 1.5 PURPOSES, INTENT & OBJECTIVES

1.5.1 GENERAL

This Ordinance has been adopted for the following general purposes:

A. Protection & Promotion

To protect and promote the public health, safety, morals, comfort, convenience, and general welfare of welfare of the people and community:

B. Districts

To divide the City into zones and Districts restricting and regulating therein the location, construction, reconstruction, Alteration, and use of Buildings, Structures, and land for Residential, Business, Commercial, Industrial, manufacturing, and other specified uses;

C. Character & Stability

ARTICLE 1: GENERAL

To protect the character and maintain the stability of Residential, Business, Commercial, and manufacturing areas within the City's jurisdiction, and to promote the orderly and beneficial development of such areas;

D. Light, Air, Privacy & Access

To provide adequate light, air, privacy, and convenience of access to property;

E. Open Space

To regulate the intensity of Open Spaces surrounding Buildings that are necessary to provide adequate light and air and protect the health;

F. Building Lines & Locations

To establish building lines and the location of Buildings designated for Residential, Business, Commercial, Industrial, manufacturing, or other uses within such lines;

G. Standards

To fix reasonable standards to which Buildings or structures shall conform;

H. Prohibit Incompatible Character & Use

To prohibit uses, buildings, or structures which are incompatible with the character of development or the permitted uses within specified zoning districts;

I. Restrict Noncomplying Changes

To restrict such additions to, and alterations or remodeling of, existing buildings or structures as would not comply with the restrictions and limitations imposed hereunder;

J. Congestion, Parking & Loading

To limit congestion in the streets and to protect the public health, safety, convenience, and general welfare by providing for the parking of vehicles and for the loading and unloading of vehicles;

K. Protect Against Hazards

To provide protection against fire, explosion, noxious fumes, and other hazards in the interest of the public health, safety, comfort, and general welfare;

L. Prevent Overcrowding

To prevent overcrowding of land and undue concentration of Structures so far as is possible and appropriate in each District by regulating the use and bulk of Buildings in relation to the land surrounding them and the form and character of Development;

M. Conserve Value

To conserve the taxable value of land and buildings throughout the City;

ARTICLE 1: GENERAL

N. Gradually Eliminate Nonconformities

To provide for the gradual elimination of those uses of land, Buildings and other Structures which do not conform to the standards of the Districts in which they are respectively located and which are adversely affecting the Development and taxable value of property in each District;

O. Define Powers & Duties

To define and limit the powers and duties of the administrative officers and bodies as provided herein; and

P. Beneficial Use of Property

To protect and in general allow for the beneficial uses of property.

1.5.2 OTHER PURPOSES AND OBJECTIVES

In addition to the purposes and objectives set forth in Section 1.5.1 above, this Ordinance has been adopted for other purposes and objectives provided elsewhere in this Ordinance.

SECTION 1.6 APPLICABILITY

1.6.1 GENERAL

This Ordinance, the Zoning Map, and the standards and requirements of this Ordinance, are applicable to and shall govern all Development, re-Development, Improvements, land, Structures, Alterations, modifications, construction, re-construction, Buildings, Lots, Building Sites, Development Parcels, and land use within the jurisdiction of the City.

No Structure shall be erected or structurally Altered, and none of the foregoing activities shall take place, except in accordance with the provisions of this Ordinance.

1.6.2 EFFECT ON PRIOR ORDINANCE

Except as otherwise expressly provided in this Ordinance, this Ordinance supersedes and replaces in its entirety the City zoning ordinance that was in effect immediately prior to the Effective Date.

1.6.3 EXCLUSIVE & MANDATORY

This Ordinance shall be the exclusive and mandatory zoning regulation for the City.

SECTION 1.7 PLANS UNDER THIS ORDINANCE

This Ordinance contemplates several types of plans, as follows:

1.7.1 DEVELOPMENT PLANS

A. Purpose

A Development Plan is a Plan that includes the information required by Section 8.5.6, as applicable to Sketch Development Plans and Site Development Plans, and demonstrates compliance with all requirements of this Ordinance.

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B. Condition to Building Permit

A Development Plan certified by the Zoning Administrator pursuant to Section 8.5.6.M as being in compliance with all requirements of this Ordinance is a condition to issuance of a Building Permit.

1.7.2 MASTER PUD DEVELOPMENT PLANS

A. Meaning

A Master PUD Development Plan is a Plan that includes the information required by Section 8.5.21 and demonstrates compliance with all requirements of this Ordinance.

B. Purpose

A Final Master PUD Development Plan approved pursuant to Section 8.5.21 is required for Development of a Planned Unit Development and issuance of a Building Permit.

1.7.3 ZONING MAP

A. Official Map

When adopted, the Zoning Map, as may be amended from time to time, shall be the City's Official Zoning Map.

B. Map Elements

The adopted Zoning Map, and any proposed Zoning Map amendment, shall include designations of Districts and any Special Requirements.

C. Additional Provisions

Additional provisions regarding the Zoning Map and requirements therefor are set out in Article 2 (Zoning Map).

1.7.4 SIGN PLANS

A. Purpose

A Sign Plan is a plan that includes the information required by Section 7.1 and demonstrates compliance with Sign standards of Article 7 (Signs).

B. When Sign Plan Required

A Sign Plan is required as part of each Sign Permit Application.

SECTION 1.8 RELATIONSHIP TO PRIVATE COVENANTS AND AGREEMENTS

1.8.1 EFFECT OF CHAPTER

It is not intended by this Ordinance to interfere with or abrogate or annul any Easement, covenant or other agreement between parties; provided, however, that when this Ordinance imposes a greater restriction upon the Use of Structures, premises, Lots, Building Sites, Development Parcels, or other land, or upon height of Structures, or requires larger Lots, Yards, or other Open Spaces than imposed or required by such other provision of law, ordinance or regulation, or by any such Easement, covenant, or agreement, the provisions of this Ordinance shall control.

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1.8.2 NO ENCROACHMENT

Except as otherwise expressly provided in this Ordinance, no provision contained herein shall be construed as justifying the Encroachment of any Structure within any right-of-way, Thoroughfare, or Internal Drive lines now or hereafter shown on any plat recorded in the Maury County Register of Deeds office or any Development Plan or Master PUD Development Plan.

SECTION 1.9 RELATIONSHIP TO OTHER LAWS, ETC.

1.9.1 PRECEDENCE OF ORDINANCE

The provisions of this Ordinance shall take precedence over those of other City, codes, ordinances, regulations, and standards that may be in conflict with this Ordinance.

1.9.2 COMPLIANCE WITH OTHER CHAPTERS & SUBDIVISION REGULATIONS

Reference is hereby made to the City Subdivision Regulations and the following Chapters of the Columbia Municipal Code (2004), as amended:

Fire Prevention Code (Title 7, Sections 7-201 - 7-207)

Alcoholic Beverages (Title 8, Chapters 1 and 2)

Peddlers (Title 9, Sections 9-121 - 9-212)

Temporary Vending Permits (Title 9, Sections 9-501 - 9-510)

Animal Control, In General, Dogs & Cats (Title 10, Chapters 1 and 2)

Offenses Against the Peace & Quiet (Title 11, Chapter 4)

Building, Utilities, etc. (Title 12, Chapters 1-10)

Property Maintenance Regulations (Title 13, Chapter 1)

Zoning and Land Use Controls-Mobile Homes (Title 14, Chapter 3)

Zoning and Land Use Controls-Stormwater Management (Title 14, Chapter 4)

Zoning and Land Use Controls-Aquatic Buffer Regulations (Title 14, Chapter 5)

Without limitation to any other means by which a violation of any of the City Subdivision Regulations or the above-listed Chapters or Appendices of the Municipal Code may be enforced, any such violation shall constitute a violation of this Ordinance and may be enforced as such under Article 8 (Administration, Procedures, and Enforcement).

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SECTION 1.10 COMPLIANCE WITH CHAPTER

Except for non-conformances allowed pursuant to Section 1.22 or as otherwise provided in this Ordinance, all Development, re-Development, land, Lots, Building Sites, Development Parcels, Improvements, Structures, and all Uses, construction, re-construction, modifications, Alterations, raising, moving, extension, and enlargements thereof, and all parts thereof, and all Plans, applications, requests, and submissions required or made under this Ordinance, must comply with this Ordinance and the applicable standards, requirements, and conditions of this Ordinance, including without limitation (a) the provisions for the District in which the same or any part thereof are located on the Zoning Map, (b) any license, permit, approval, certification, or authorization issued pursuant to this Ordinance, and (c) any applicable Plan approved or certified under this Ordinance.

SECTION 1.11 DEVELOPMENT RESTRICTED WITHIN CERTAIN AREAS

Notwithstanding anything to the contrary contained or implied in this Ordinance, unless specifically approved by action of the City Council, no Development shall occur within the bounds of any existing or future Thoroughfare, Internal Drive, Civic Space, or any other public facility shown in the Comprehensive Plan, the City Official Map, or other planning documents.

SECTION 1.12 RESTORATIONS & REPAIRS

When any Building is declared unsafe by a Code Enforcement Officer or Building Inspector, nothing in this Ordinance shall prevent compliance with lawful requirements or strengthening or restoring the same to a safe condition.

SECTION 1.13 DEFINED TERMS; CONSTRUCTION OF TERMS

Certain capitalized terms used throughout this Ordinance are defined in Article 9 (Definitions) and elsewhere in this Ordinance. Such definitions are integral to this Ordinance. Uncapitalized terms and terms not so defined shall be accorded their commonly accepted meanings unless otherwise provided in this Ordinance. In the event of conflicts between the definitions in this Ordinance and the definitions of the Existing Local Codes, those of this Ordinance shall take precedence as applied to this Ordinance.

SECTION 1.14 TABLES, MAPS, PHOTOGRAPHS, IMAGES, ILLUSTRATIONS, FIGURES, GRAPHICS, DIAGRAMS, & DEPICTIONS

1.14.1 TABLE & MAP STANDARDS / REQUIREMENTS

The standards and requirements of Tables herein and the adopted Zoning Map are integral parts of this Ordinance.

1.14.2 EFFECT OF GRAPHICAL MATERIAL

A. Table Graphics

The diagrams, photographs and illustrations in **Table 4.3.1-A-4.3.1-M (District Standards)**, **Table 4.3.7.A (Private Frontage Types)**, **Table 4.3.8.A (Principal Building Types Summary)**, **Table 4.3.8.B (Principal Building Types - Specific Standards)**, **Table 5.2.2.F (Thoroughfare / Internal Drive Types - Summary)**, **Table 5.2.2.G-1 (Thoroughfare / Internal Drive Assemblies & Standards)**, **Table 5.2.2.L (Alley Assembly and Standards)**, **Table 5.2.4.B (Bikeway Types)**, **Table 5.2.5 (Public Lighting Types)**, **Table 5.2.5 (Public Planting)**, **Table 5.3.3-A (Civic Space Types - Summary)**, **Table 4.3.17.B (Private Lighting Standards)** and **Table 5.3.2-B (Civic Space Types - Specific Standards)** are provided only to indicate the general character or placement of and/or reference to the various Districts and Civic Spaces, and elements thereof, shown thereon, and they shall have regulatory force and effect only to that extent.

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B. Illustrations, Figures, & “Illustrative” Material

All depictions entitled “Illustration” or “Figure”, or denoted as “illustrative” are provided for illustrative, explanatory purposes only and are not regulatory.

1.14.3 CONFLICT BETWEEN METRICS

Where in conflict, numerical metrics shall take precedence over graphic metrics.

SECTION 1.15 PREPARATION & ADOPTION OF ZONING MAP

1.15.1 CONFORMANCE WITH ARTICLE 2

Each Zoning Map, Zoning Map amendment, and any proposed Zoning Map or Zoning Map amendment must conform to the requirements of Article 2 (Zoning Map).

1.15.2 PREPARATION

The Zoning Map for the City that shall be applicable upon the Effective Date of this Ordinance shall be prepared by or on behalf of the City and adopted simultaneously with this Ordinance.

SECTION 1.16 DETERMINATION OF STANDARDS

The City Council has established the standards in this Ordinance and, upon approval of the Zoning Map or any amendment thereof, such standards are applicable to the City.

SECTION 1.17 ADMINISTRATION

Except as otherwise expressly provided herein, this Ordinance shall be administered by the Zoning Administrator, as more specifically provided in Section 8.2 hereof.

SECTION 1.18 APPLICATIONS

1.18.1 REQUIRED APPLICATIONS, APPROVALS, CERTIFICATES

No Development, re-Development, Improvement, subdivision, re-subdivision, construction, re-construction, modification or Alteration of or on any Structure, Lot, Building Site, Development Parcel, or other land shall occur without prior submission of all completed applications and Plans, and obtaining all approvals and certifications, as applicable, pursuant to Article 8 (Administration, Procedures, and Enforcement).

1.18.2 BUILDING PERMITS

An application for issuance of a Building Permit shall be processed, reviewed, and acted upon in accordance with City Code Title 12, Chapter 1 (Building Code) and applicable state law; provided that no Building Permit shall be issued unless and until all certifications and approvals required pursuant to this Ordinance have been issued or granted, as applicable.

1.18.3 DEVELOPMENT PLANS & MASTER PUD DEVELOPMENT PLANS

An application for approval of a Development Plan, a Preliminary Master PUD Development Plan, or a Final Master PUD Development Plan, as applicable, shall be processed, reviewed, and acted upon pursuant to Article 8 (Administration, Procedures, and Enforcement).

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1.18.4 ZONING MAPS & AMENDMENTS

Applications for approval of Zoning Map amendments that are determined by the Zoning Administrator to be complete shall be certified as such and forwarded for further processing, review, consideration and/or action, as applicable, by the City Council as a Zoning Map amendment under Article 8 (Administration, Procedures, and Enforcement).

1.18.5 ORDINARY MAINTENANCE / REPAIR EXEMPT

No Development Plan or Master PUD Development Plan is required for Ordinary Maintenance or Repair of an existing Structure.

SECTION 1.19 ADMINISTRATIVE ADJUSTMENTS, CONDITIONAL USES, AND VARIANCES

1.19.1 ADMINISTRATIVE ADJUSTMENTS

To the extent expressly provided in this Ordinance with respect to any standard or requirement hereof, an Administrative Adjustment of such standard or requirement may be granted pursuant to Section 8.5.8 by the Zoning Administrator upon written request of an Applicant if allowance of such Administrative Adjustment is determined by the Zoning Administrator to be consistent with the intent of this Ordinance and the Comprehensive Plan.

1.19.2 CONDITIONAL USE

A Conditional Use may be permitted by the Board of Zoning Appeals for those Conditional Uses indicated for a District as “CU” on Table 4.3.9.A-1 (Building, Lot, & Building Site Principal Uses), Table 4.3.9.A-2 (Building, Lot, & Building Site Accessory Uses), or Table 4.3.9.A-3 (Building, Lot, & Building Site Temporary Uses) in accordance with Section 8.5.16.

1.19.3 VARIANCES

Variances may be granted by the Board of Zoning Appeals pursuant to Section 8.5.16 to deviate from a standard or requirement otherwise applicable under this Ordinance, or otherwise applicable to any land, Lot, Building Site, Development Parcel, Improvement, Building, or Structure regulated under this Ordinance.

SECTION 1.20 APPEALS

Appeals from decisions or determinations under this Ordinance may be taken in accordance with Sections 8.5.17 or 8.3.4.K.

SECTION 1.21 VIOLATIONS

Penalties for and enforcement of any violation of this Ordinance shall be as provided in Section 8.6.

Any violation of a previous zoning ordinance will continue to be a violation under this Ordinance and be subject to penalties and enforcement under this Ordinance unless the Use, Development, or activity complies, in its entirety, with the provisions of this Ordinance.

The prosecution of violations which occurred under previous zoning ordinances shall continue until resolved.

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SECTION 1.22 NONCONFORMITIES

1.22.1 GENERAL

A. Continuation

1. Except as otherwise provided in this Ordinance, a Use, Structure, Lot, or Sign that legally existed immediately prior to a Zoning Change, may be continued as a legal Nonconformity in accordance with the provisions of this Section 1.22.
2. Without limitation to the preceding paragraph, any Industrial, Commercial, or Business establishment legally in operation and permitted to operate immediately prior to a Zoning Change shall be allowed to continue in operation and be permitted; provided that
 - a. no change in Use is undertaken by such establishment; and
 - b. such operation is on land owned and in use by such affected establishment prior to the Zoning Change and not on additional land acquired by such Industrial, Commercial, or other Business establishment.
3. Uses, Structures, Lots, or Signs that were previously legal Nonconformities, but which become conforming because of the adoption of this Ordinance, shall no longer be considered Nonconformities provided that all applicable provisions of this Ordinance are complied with.

B. Burden of Proof

Except as otherwise provided in Section 1.22.2.C.3.d, the burden of establishing the legal status of a Nonconformity shall be on the owner of property on which the purported Nonconformity exists.

1.22.2 NONCONFORMING USES & NONCONFORMING STRUCTURES

A. Applicability

This Section applies to Nonconforming Uses and Nonconforming Structures.

B. Effect of Certain Changes

1. Except as otherwise provided in this Section 1.22.2.B, if any Nonconforming Use or Nonconforming Structure is changed, Altered, enlarged, increased, or extended to occupy more land than that occupied thereby immediately prior to a Zoning Change, or is moved in whole or in part to any other portion of the Lot or parcel of land occupied thereby at such time or to any other Lot or parcel of land, the legal status of such Nonconforming Use or Nonconforming Structure shall cease and any future Use of such land or Structure must conform with the provisions of this Ordinance.
2. Notwithstanding anything to the contrary contained or implied in this Section 1.22, Industrial, Commercial, or other Business establishments legally in operation on property and permitted to operate immediately prior to a Zoning Change shall be allowed, without losing the legal status of a Nonconforming Use or Nonconforming Structure, to expand operations and construct additional facilities, which involve an actual continuance and expansion of the activities of establishment that were permitted and being conducted immediately prior to Zoning Change; provided, that:
 - a. such expansion and construction are on land owned and in use by such affected establishment prior to the Zoning Change and not on additional land acquired by such Industrial, Commercial, or other Business establishment; and
 - b. there is a reasonable amount of space for such expansion and construction on such property so as to avoid nuisances to Adjoining landowners.

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No Building Permit or like permission for construction or landscaping shall be denied to an establishment seeking to expand and continue activities conducted by that establishment on property pursuant to Section 1.22.2.B.2.a, which were permitted prior to a Zoning Change.

3. A change in occupancy or ownership shall not, by itself, constitute a change of Use.

C. Cessation of Nonconforming Use

1. Except as provided in Section 1.22.2.C.2, if a Nonconforming Use of land or a Structure, or any portion thereof, ceases for any reason for any continuous period of 12 months, is changed to a conforming Use, or if the Structure in or on which such Nonconforming Use is conducted or maintained is removed or moved for any distance whatever, for any reason, the legal status of such Nonconforming Use shall cease and thereafter any future Use of the property must conform with the provisions of this Ordinance.
2. Sections 1.22.1.A, 1.22.2.B.2, 1.22.2.C.1, 1.22.2.D.1, 1.22.2.D.3, 1.22.2.D.4, and 1.22.4 shall not apply to a Nonconforming Use if an Industrial, Commercial, or other Business establishment ceases to operate for a period of thirty (30) continuous months. Any time after the thirty-month cessation, any Use proposed to be established on the site, including any existing or proposed on-site Sign, must conform to the provisions of this Ordinance.
3. For the purposes of Section 1.22.2.C.2, the thirty-month period of continuous ceased operation shall be tolled by:
 - a. The period in which an Industrial, Commercial, or other Business establishment is party to any action in a court of competent jurisdiction regarding the use of the property until such time that a final settlement, order, decree, or judgment has been rendered;
 - b. Any period in which a facility is being constructed, reconstructed, renovated, or refurbished, provided that all necessary Building Permits were obtained within thirty months of cessation of continuous use;
 - c. The filing of an application for a Building Permit for the Alteration, renovation or reconstruction of a Nonconforming Structure or of a Structure in which or out of which an Industrial, Commercial or other Business Nonconforming Use operates or is located; or
 - d. The reactivation of the Nonconforming Use any time prior to the end of the thirty-month period; provided, however, that the restrictions of subsection 1.22.2.C.2 and subsections 1.22.2.D.3.2 and 1.22.2.D.4.2 shall only apply if the property owner intentionally and voluntarily abandons the Nonconforming Use of the property. In any contested matter on the use of such property, the City has the burden of proving an overt act of abandonment in such matter.

D. Damage or Destruction

1. Except as otherwise provided in Section 1.22.2.D.3 and Section 1.22.2.D.4, if any Nonconforming Structure or any Structure used for a legal Nonconforming Use, which legally existed prior to a Zoning Change and which is damaged or destroyed by flood, explosion, wind, earthquake or other natural disaster, involuntary fire, war, riot, or insurrection:
 - a. To an extent of more than 50% of the Full Value of the Structure, the legal status of such Nonconformity shall terminate and no reconstruction or repairs may be made unless the Structure and Use of every portion of the Structure conform this Ordinance; or

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- b. To an extent of 50% or less of the Full Value of the Structure, the legal status of such Nonconformity will not be lost if the reconstruction or repair of the Structure is started within one (1) year, such reconstruction or repair is diligently pursued to completion, and the legal Nonconforming Use of such Structure, if any, is continued immediately upon completion; provided, however, that
 1. such reconstructed facilities (other than an off-site Sign) must not exceed the original height, bulk, density, setback, or square footage of the original facilities in existence immediately prior to the damage; and
 2. such reconstructed facilities (other than an off-site Sign) must comply with all architectural design standards of this Ordinance and be consistent with the architectural context of the immediate and Adjacent Block faces. For purposes of this Section 1.22.2.D.1, the percentage of damage for Nonconforming Buildings shall be calculated by dividing the estimated cost of restoring the Building as nearly as possible to its condition prior to the occurrence, by the appraised fair market value of the Building (excluding the value of the land) immediately prior to the occurrence.
2. Except as otherwise provided in Section 1.22.2.D.4, a Nonconforming Structure shall not be intentionally damaged or demolished and rebuilt as a Nonconforming Structure.
3. Notwithstanding anything to the contrary contained or implied in this Section 1.22, in the event of damage, whether partial or complete, by involuntary fire or wind damage or other natural disaster to facilities of Multifamily Residential establishments, whether used as owner-occupied property or rental property, which were permitted to operate immediately prior to a Zoning Change, new facilities necessary to the conduct of such establishment may be reconstructed without losing the legal status of the Nonconforming Use or Nonconforming Structure, subject to the following:
 - a. Such new facilities (other than an off-site Sign) may not exceed the original height, density, setback, or square footage of the original facilities in existence immediately prior to the damage;
 - b. Such new facilities (other than an off-site Sign) must also conform to this Ordinance as to setbacks, height, bulk, and requirements as to the physical location of a Structure upon the site;
 - c. Such new facilities (other than an off-site Sign) must comply with all architectural design standards required under this Ordinance and be consistent with the architectural context of the immediate and Adjacent Block faces; and
 - d. Such reconstruction is on land owned and in use by such affected establishment prior to the Zoning Change and not on additional land acquired by such Multifamily Residential establishment.

As used in this Section 1.22.2.D.3, the amount of partial damage that is sustained and which would allow reconstruction of new facilities in accordance with Subsection 1.22.2.D.3.a shall be greater than 50% of the Full Value of such facilities. For purposes of this 1.22.2.D.3, the percentage of partial damage for Nonconforming Structures shall be calculated by dividing the estimated cost of restoring such damaged facilities as nearly as possible to their condition prior the occurrence, by the Full Value of such facilities (excluding the value of the land) immediately prior to the occurrence.

4. Notwithstanding anything to the contrary contained or implied in this Section 1.22, Industrial, Commercial, or other Business establishments legally in operation on property and permitted to operate immediately prior to a Zoning Change shall be allowed, without losing the legal status of a Nonconforming Use or Nonconforming Structure, to destroy present facilities and reconstruct new facilities necessary to the conduct of such establishment subsequent to the Zoning Change; provided, that

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- a. no destruction and rebuilding shall occur which shall act to change the use classification of the land as classified under the predecessor to this Ordinance or exceptions thereto in effect immediately prior to the Zoning Change;
- b. such new facilities (other than an off-site Sign) must conform to this Ordinance as to setbacks, height, bulk, and requirements as to the physical location of a Structure upon the site;
- c. such destruction and reconstruction are on land owned and in use by such affected establishment prior to the Zoning Change and not on additional land acquired by such Industrial, Commercial, or other Business establishment; and
- d. there is a reasonable amount of space for such destruction and reconstruction on such property so as to avoid nuisances to Adjoining landowners. No Building Permit or like permission for demolition, construction or landscaping shall be denied to such establishment seeking to destroy and reconstruct such facilities, where such conduct was permitted prior to a Zoning Change.

E. Repair & Maintenance

Notwithstanding any other provision of this Ordinance, routine maintenance, repair, stabilization, or restoration to a safe condition of any part of a legally existing Nonconforming Structure shall be permitted without the loss of the legal status thereof, provided that the cost of such maintenance, repair, stabilization, or restoration shall not exceed 50% of the Full Value of such Structure at the time of such maintenance, repair, stabilization, or restoration. If the cost of such maintenance, repair, stabilization, or restoration exceeds such percentage of the Full Value of such Structure, it must be brought into conformance with the requirements of this Ordinance.

For purposes of this 1.22.2.E, the percentage of partial damage for Nonconforming Structures shall be calculated by dividing the estimated cost of restoring such damaged facilities as nearly as possible to their condition prior the occurrence, by the Full Value of such facilities (excluding the value of the land) immediately prior to the occurrence.

F. Specific as to Nonconforming Short-Term Rental Unit Use

Notwithstanding anything to the contrary contained in this Ordinance, the Use of property as a Short-Term Rental Unit, which Use legally existed immediately prior to the enactment of this Ordinance, any amendment hereto, or any Zoning Change, may be continued as a legal Nonconformity until the property subsequently is sold, transferred, or ceases being used as a Short-Term Rental Unit for a period of thirty (30) continuous months, or is or has been in violation of a generally applicable local law three (3) or more separate times as provided by TSA Section 13-7-604. Prior to such sale, transfer, cessation of Use, or violations, the ordinance governing the Use of the property as a Short-Term Rental Unit shall apply to such Use.

G. Continuation of Conditional Use, Use Permitted Subject to Limited Use Standards, or Special Exception Use

Whenever any legally existing Use has been permitted as a Conditional Use, Use Permitted Subject to Limited Use Standards, or a special exception prior to a Zoning Change, which Zoning Change has not resulted in such Use being rendered Nonconforming, such authorization shall be continued subject to any time period approved for said Conditional Use, Use Permitted Subject to Limited Use Standards, or special exception.

H. Buildings Nonconforming as to Lot Area

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If a Residential or Mixed-Use Nonconforming Building that legally existed immediately prior to a Zoning Change does not comply with applicable standards for Lot Area per Dwelling Unit (i.e., the Lot Area is smaller than required for the number of Dwelling Units on the Lot) or other Density measurement under this Ordinance, such Building may be Altered to have such fewer number of Dwelling Units as would comply with such Density measurement (and in Mixed-Use Buildings, the Residential Use may be extended, except when in a Floodplain Overlay District), provided that the deficiency in the required Lot Area or other Density measurement is not thereby increased.

1.22.3 NONCONFORMING LOTS

A. Created by Plat

A Lot that legally existed immediately prior to a Zoning Change and was created by Final Plat recorded prior to the Zoning Change, which Lot does not meet the Lot standards or requirements of this Ordinance, may, without losing its legal status, be Developed in accordance with the Uses permitted in the applicable District under this Ordinance, provided that the dimensional standards and minimum Open Space requirements that were applicable at the time of subdivision are met.

B. Created by Deed, etc. Prior to Subdivision Regulation

A Lot that existed immediately prior to a Zoning Change and was created by deed or other means prior to being in the City or prior to the initial adoption of applicable subdivision regulations, which Lot does not meet the dimensional standards of the applicable District under this Ordinance, may, without losing its legal status, be Developed in accordance with the Uses permitted in the applicable District under this Ordinance, provided that it meets as closely as possible the dimensional standards of the applicable District and meets all other applicable requirements of this Ordinance.

C. Creation of Nonconforming Lot by Merger of Legal Nonconforming Lots

Two or more legally existing Lots may be merged to create a Lot or Building Site that more closely meets the requirements of this Ordinance, which resulting Lot shall be a legal Nonconforming Lot if it does not meet the requirements of this Ordinance.

D. Single Family Residential Lots of Record

A single-family Structure may be built on a legally existing Nonconforming Lot without loss of the legal status of the Lot if the Lot is increased in width and/or size to meet the requirements of this Ordinance; provided that enlargement is not required and the Lot shall retain its legal status if the Lot is:

1. in a District permitting single-family Residential Use;
2. located on a Street that has been accepted, and is maintained by, the City, County, or TDOT, and has either City water/sewer or approval for septic and/or well service; and
3. not part of Development in which a new subdivision plat, Development Plan, or Master PUD Development Plan that is being approved to allow Development of the subject Lot and Adjacent Lots.

E. Governmental Acquisition Not to Render Lot Nonconforming

Governmental acquisition of a portion of a Lot, which results in a reduction in area, setbacks, or dimensions below that required by this Ordinance shall not render the Lot Nonconforming.

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1.22.4 NONCONFORMING SIGNS

A. General

A Sign that legally existed immediately prior to a Zoning Change, which does not meet the standards or requirements of this Ordinance, shall continue as a legal Nonconforming Sign in accordance with this Ordinance, subject to Sections 1.22.4.B.D below.

B. Changes Resulting in Loss of Legal Status

The following shall result in the loss of the legal status of a Nonconforming Sign:

1. Structural Alteration;
2. Any change that increases the extent of the Nonconformity;
3. Except with respect to an Off-Premises Sign, a change of the Use of the Business or property;
4. The redevelopment of the property including the demolition of the principal structure, or
5. The Sign is destroyed or damaged to the extent that repairing it would cost fifty percent (50%) or more of the current cost to replace the Sign, including labor and materials.

C. Changes Not Resulting in Loss of Legal Status

The following shall not result in the loss of the legal status of a Nonconforming Sign:

1. Minor repairs and maintenance;
2. With respect to an Off-Premises Sign, any operation, enlargement, increase, extension, expansion, rebuilding, enlargement, or addition to a legally existing Nonconforming Use or Nonconforming Structure, or the establishment or building of a new Nonconforming Use or Nonconforming Structure on the same property as the Sign or on any Adjacent property under the same ownership, which is allowed without loss of the legal status of such Nonconformity pursuant to this Section 1.22, provided that such operation, enlargement, increase, extension, expansion, rebuilding, enlargement, addition to, or the establishment or building of a new Nonconforming Use or Nonconforming Structure:
 - a. complies with this Ordinance other than those Nonconformities associated with such Off-Premises Sign, and
 - b. is on land owned and in use by the applicable owner prior to the Zoning Change and not on additional land acquired by such owner.

D. Applicability of Certain Nonconformity Provisions to Off-Premises Signs

Subsections 1.22.1.A.2, 1.22.2.B.2, 1.22.2.C.2, 1.22.2.D.3, 1.22.2.D.4, and this Section 1.22.4 shall apply to an Off-Premises Sign; provided, however, that any expansion shall be limited as follows:

1. Any Off-Premises Sign smaller than a standard 8-sheet poster which, for the purposes of this subsection 1.22.4.D.4 means an off-site Sign with overall dimensions of at least five feet four inches (5' 4") to six feet two inches (6' 2") in height and eleven feet four inches (11' 4") to twelve feet two inches (12' 2") in width, shall not be expanded to a size greater than a standard 8-sheet poster;
2. Any standard 8-sheet poster shall not be expanded to a size greater than a 30-sheet poster which, for the purposes of this subsection 1.22.4.D means an Off-Premises sign with overall dimensions of twelve feet three inches (12' 3") in height and twenty-four feet six inches (24' 6") in width;

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3. Any standard 30-sheet poster shall not be expanded to a size greater than any standard bulletin which, for the purposes of this subsection 1.22.4.D.4, means any Off-Premises Sign with overall dimensions of ten feet (10') to fourteen feet (14') in height and thirty-six feet (36') to forty-eight feet (48') in width;
4. Any standard bulletin shall not be expanded to a size greater than any super bulletin which, for the purposes of this subsection 1.22.4.D means any Off-Premises Sign with overall dimensions of sixteen feet (16') to twenty feet (20') in height and sixty feet (60') in width;
5. Any super bulletin shall not be expanded;
6. Any Off-Premises Sign with a height larger than standard 8-sheet poster height or width larger than standard 8-sheet poster width but not meeting the definition of a standard 8-sheet poster, a standard 30-sheet poster, a standard bulletin, or a standard super bulletin shall not be expanded by more than one- hundred percent (100%) of its surface area; or
7. Any operation, rebuilding, or expansion of an Off-Premises Sign that has been in existence for ten (10) years or more shall not be denied solely on the basis that the original permit for the Sign does not exist to prove that it was a lawful use when constructed.

1.22.5 SPECIAL PROVISIONS GOVERNING NONCONFORMING STRUCTURES AND NONCONFORMING IMPROVEMENTS WITHIN FLOODPLAIN OVERLAY DISTRICTS

A. General Provisions

In all Districts or portions thereof, which extend into a Floodplain Overlay District as established by Section 3.7.3.B, any Structure or Use that is not permitted by the Floodplain District provisions of Section 6.12, which do not conform to the requirements of this Ordinance, shall become Nonconforming upon the Effective Date of this Ordinance, the effective date of any amendment of this Ordinance, or any amendment to the Zoning Map, as applicable.

B. Enlargement of Buildings within the Floodplain

A Structure that is Nonconforming by reason of location within the Floodplain shall not be enlarged or expanded but may be Altered or repaired as set forth in Section 1.22.2.E or as may be expressly authorized by the Board of Zoning Appeals in order to incorporate flood – proofing measures; provided that such Alteration will not increase the level of the 100 - Year Flood / Base Flood or extend the normal life of such Nonconforming Structure.

C. Special Provisions Governing Reconstruction of Structures Within Floodway Overlay Districts

Within any designated Floodway Overlay District, any Structure in existence immediately prior to the Effective Date of this Ordinance or the effective date of any amendment of this Ordinance or any amendment to the Zoning Map, which is involuntarily destroyed or substantially damaged by any means, may be reconstructed and used as before only if the following requirements are met:

1. No reconstruction or Alteration permitted in this Section shall result in any increase in the level of the 100 - Year Flood / Base Flood;
2. The reconstruction does not exceed the volume and external dimensions of the original Structure or offer any greater obstruction to the flow of floodwaters than did the original Structure;

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3. Non-Residential Structures may be reconstructed only if the lowest floor (including Basement) elevation is at least two feet above the level of the 100 - Year Flood / Base Flood or the Structure is flood – proofed (in accordance with the requirements of Section 6.12 to a height of at least two feet above the level of the 100 - Year Flood / Base Flood; and
4. Residential Structures may be reconstructed only if the lowest floor (including Basement) of the Structure is elevated to a point at least two feet above the level of the 100 - Year Flood / Base Flood.

SECTION 1.23 TRANSITION RULES

1.23.1 APPLICABILITY

The following transitional regulations will resolve the status of properties with pending or approved applications at the time of adoption of this Ordinance.

1.23.2 PENDING APPLICATION

A. Complete Application without Final Action

Any application that has been determined by the Zoning Administrator to be complete as of the Effective Date of this Ordinance that has been submitted or accepted for approval, but upon which no final action has been taken by the appropriate Decision-Making Authority prior to the Effective Date of this Ordinance, shall be reviewed in accordance with the provisions of the City zoning ordinance in effect on the date the application was determined to be complete.

B. Failure to Comply with Procedural Requirements

If the Applicant fails to comply with any applicable required period for submittal or other procedural requirements, the application shall expire and subsequent applications shall be subject to the requirements of this Ordinance.

C. Re-application

Any re-application after the Effective Date of this Ordinance must meet the standards and requirements of this Ordinance.

D. Applicant Waiver

An Applicant with a pending application may waive review available under the prior zoning ordinance through a written letter to the Zoning Administrator and request review under the provisions of this Ordinance.

E. Timely Submission of Information

Applicants who have submitted complete applications as provided above shall comply with all requests for further information and submit all necessary revisions of submitted Plans in a timely manner. A delay of more than 90 days in submission of information or revisions requested shall constitute effective withdrawal of the application, with loss of all fees paid. Any new application must then conform to the provisions of this Ordinance.

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1.23.3 APPROVED PROPOSALS

Approved Development Plans, Master PUD Development Plans, Site Plans, Variances, Conditional Use Permits, and Building Permits, which are valid immediately prior to the Effective Date of this Ordinance, shall remain valid until their expiration date, where applicable.

1.23.4 EFFECT OF ORDINANCE ON APPROVED PUDS

Any Use, Plan, Structure, or Lot that was lawfully approved as a Planned Unit Development (PUD) or portion thereof, with binding regulations and standards under the provisions of a previous zoning ordinance shall continue as a Planned Unit Development subject to the conditions and standards established by the applicable approved Master PUD Development Plan.

1.23.5 ADMINISTRATIVE ADJUSTMENT

Administrative adjustments to Development Plans, Master PUD Development Plans, Preliminary Plats, or Site Plans submitted pursuant to approved Development Plans, Master PUD Development Plans, Preliminary Plats may be made in order bring such submissions into conformance with this Ordinance or to other ordinances adopted for environmental purposes. These adjustments are authorized without the necessity of City Council approval of a change in the approved zoning.

SECTION 1.24 VESTED PROPERTY RIGHTS

1.24.1 ESTABLISHMENT OF VESTED PROPERTY RIGHT

A. Approvals Establishing Right

A vested property right shall be established with respect to any property upon the approval by the applicable Decision-Making Authority of

1. A Preliminary Master PUD Development Plan or a Development Plan; or
2. If there is no Preliminary Master PUD Development Plan or Development Plan, a Preliminary Plat.

B. Approvals Not Establishing Right

In no event shall a vested property right be established by

1. Approval of a Variance;
2. Approval of a plan with the condition that a Variance be obtained unless and until the necessary Variance is obtained; or
3. Approval of a sketch plan or any other document that fails to describe with reasonable certainty the type of use, the intensity of use, and the ability to be served with essential utilities and road infrastructure for a specified parcel or parcels of property.

C. Standards Applicable During Vesting

During the vesting period described in subsection 1.24.2, the Development standards and requirements that are in effect on the date of approval of such plan or plat the approval of which established the vested property right, shall remain the Development Standards applicable to such property during the vesting period.

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1.24.2 VESTING PERIOD

A. General

Upon establishment of a vested property right pursuant to Section 1.24.1, such right shall remain in effect as set forth in this Section 1.24.2.

B. Initial Period; Permitting & Site Preparation

The vesting period applicable to a plan or plat the approval of which established the vested property right shall be three (3) years, beginning on the date of the Decision-Making Authority's approval of such plan or plat; provided, that the applicant obtains Decision-Making Authority approval of a final Development Plan, a Final Master PUD Development Plan, or a Final Plat, as applicable, secures any necessary permits, and commences Site Preparation within the vesting period. If the applicant obtains such approval, secures any necessary permits, and commences Site Preparation within the vesting period, the vesting period shall be extended an additional two (2) years to commence Construction from the date of the expiration of the three-year period. During the two-year period, the applicant must commence Construction and maintain any necessary permits to remain vested.

C. Construction Commencement; Maximum Vesting Period

If Construction commences during the vesting period, the Development standards and requirements applicable during the vesting period shall remain in effect until the Decision-Making Authority has certified final completion of the Development or project; provided, the total vesting period for the project shall not exceed ten (10) years from the date of the approval of the plan or plat the approval of which established the vested property right unless the Decision-Making Authority grants an extension pursuant to an ordinance or resolution; provided further, that the applicant maintains any necessary permits during the ten-year period.

D. Rules for Section or Phased Development

1. In the case of a Development which proceeds in two (2) or more sections or phases as described in the Preliminary Master PUD Development Plan or Development Plan, as applicable, there shall be a separate vesting period applicable to each section or phase; provided, that the total vesting period for all phases shall not exceed fifteen (15) years from the date of the approval of the plan the approval of which established the vested property right for the first section or phase unless the Decision-Making Authority grants an extension pursuant to an ordinance or resolution; provided further, that the applicant maintains any necessary permits during the fifteen-year period.
2. The Development standards and requirements that are in effect on the date of approval of the plan the approval of which established the vested property right for the first section or phase of the Development shall remain the Development standards and requirements applicable to all subsequent sections or phases of the Development.

E. Termination of Vested Property Right

1. Notwithstanding the vesting period described in subsections 1.24.2.B-D, a vested property right shall terminate upon a written determination by Decision-Making Authority under the following circumstances pursuant to subdivision 1.24.E.2:
 - a. When the applicant violates the terms and conditions specified in the approval of plan or plat the approval of which established the vested property right; provided, that the applicant is given ninety

ARTICLE 1: GENERAL

- (90) days from the date of notification to cure the violation; and provided further, that the Decision-Making Authority may, upon a determination that such is in the best interest of the community, grant, in writing, an additional time period to cure the violation;
- b. When the applicant violates any of the terms and conditions of this Ordinance or any applicable approval; provided, the applicant is given ninety (90) days from the date of notification to cure the violation; and provided further, that the Decision-Making Authority may, upon a determination that such is in the best interest of the community, grant, in writing, an additional time period to cure the violation;
 - c. Upon a finding by the Decision-Making Authority that the applicant intentionally supplied inaccurate information or knowingly made misrepresentations material to the approval of the plan or plat the approval of which established the vested property right or intentionally and knowingly did not construct the Development in accordance with plan or plat or any approved amendment thereof; or
 - d. Upon the enactment or promulgation of a state or federal law, regulation, rule, policy, corrective action or other governance, regardless of nomenclature, that is required to be enforced by the City and that precludes Development as contemplated in the plan or plat the approval of which established the vested property right, unless modifications to such plan or plat can be made by the applicant, within ninety (90) days of notification of the new requirement, which will allow the applicant to comply with the new requirement.
2. A written determination by the Decision-Making Authority of the occurrence of any of the circumstances described in subsection 1.24.2.E.1 shall cause a vested property right to terminate; provided, however, that the Decision-Making Authority may allow a property right to remain vested despite such a determination if a written determination is made that such continuation is in the best interest of the community.

1.24.3 WHEN VESTED DEVELOPMENT STANDARDS DO NOT PRECLUDE ENFORCEMENT

A vested Development Standard shall not preclude City enforcement of any other applicable Development standard or requirement when:

- 1. The Decision-Making Authority obtains the written consent of the applicant or owner;
- 2. The Decision-Making Authority determines, in writing, that a compelling, countervailing interest exists relating specifically to the plan or plat the approval of that established the vested property right, which seriously threatens the public health, safety or welfare of the community and the threat cannot be mitigated within a reasonable period of time, as specified in writing by the Decision-Making Authority, by the applicant using vested property rights;
- 3. Upon the written determination by the Decision-Making Authority of the existence of a natural or man-made hazard on or in the immediate vicinity of the subject property, which hazard is not identified in the plan or plat the approval of which established the vested property right, and which, if uncorrected, would pose a serious threat to the public health, safety, or welfare and the threat cannot be mitigated within a reasonable period of time, as specified in writing by the Decision-Making Authority, by the applicant using vested property rights;
- 4. A Development standard or requirement is required by federal or state law, rule, regulation, policy, corrective action, order or other type of governance that is required to be enforced by local governments, regardless of nomenclature; or

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5. The City is undertaking an action initiated or measure instituted in order to comply with a newly enacted federal or state law, rule, regulation, policy, corrective action, permit, order or other type of governance, regardless of nomenclature.

1.24.4 EMINENT DOMAIN UNAFFECTED

A vested property right does not preclude, change, amend, alter, or impair the authority of the City to exercise its eminent domain powers as provided by law.

1.24.5 ZONING AUTHORITY UNAFFECTED

This Section 1.24 shall not preclude, change, amend, alter, or impair the authority of City to exercise its zoning authority, except a vested property right, once established as provided for in this Section, precludes the effect of any zoning action by City which would change, alter, impair, prevent, diminish, or otherwise delay the Development of the property, while vested, as described in the approved plan or plat, as applicable, the approval of which established the vested property right.

1.24.6 EFFECT OF MORATORIUM

In the event the City enacts a moratorium on Development or Construction, the vesting period authorized pursuant to this section shall be tolled during the moratorium period.

1.24.7 AMENDMENT OF APPROVED PLAN OR PLAT

A. Amendment Subject to Approval

An amendment proposed by the applicant, amending the plan or plat the approval of which established the vested property right, shall be subject to approval by the Decision-Making Authority in order to retain the protections of the vested property right. An amendment proposal may be denied based upon a written finding by the Decision-Making Authority that the amendment:

1. Changes the proposed Use;
2. Increases the overall area of the Development;
3. Changes the size of any non-Residential Structures included in the Development Plan or Master PUD Development Plan;
4. Increases the Density of the Development so as to affect traffic, noise or other environmental impacts;
or
5. Increases any City expenditure necessary to implement or sustain the proposed Use.

B. Effect of Amendment Disapproval

If an amendment is denied by the Decision-Making Authority based upon a written finding pursuant to Section 1.24.7.A, then the applicant may either proceed under the prior approved plan or plat with the associated vested property right or, alternatively, allow the vested property right to terminate and submit a new application under this section. Notwithstanding this Section 1.24.7, a vested property right shall not terminate if the Decision-Making Authority determines, in writing, that it is in the best interest of the community to allow the Development to proceed under the amended plan or plat without terminating the vested property right.

1.24.8 WAIVER NOT ALLOWED AS APPROVAL CONDITION

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The Decision-Making Authority shall not require an applicant to waive the applicant's vested rights as a condition of approval or as a consideration of approval of a plan or plat.

1.24.9 VESTED PROPERTY RIGHT RUNS WITH LAND

A vested property right shall attach to and run with the applicable property and shall confer upon the applicant the right to undertake and complete the Development and use such property under the terms and conditions of plan or plat the approval of which established the vested property right, including any amendments thereto.

1.24.10 TERMS USED IN SECTION

As used in this Section 1.24:

A. "Applicant"

"Applicant" means a landowner or developer who is responsible for filing with the City an application for approval of a Preliminary Master PUD Development Plan, a Development Plan, or a Preliminary Plat, or the representatives, assigns, successors, transferees, heirs or agents of such landowner or developer;

B. "Construction"

"Construction" means the erection of construction materials in a permanent position and fastened in a permanent manner. Where excavation, demolition or removal of an existing Building has been substantially begun prior to rebuilding, such excavation, demolition or removal shall be deemed to be Construction; provided, that work shall be carried on diligently and complies with all applicable requirements;

C. "Development Plan"

"Development Plan" means both a Preliminary Master PUD Development Plan and a Development Plan;

D. "Development Standards"

"Development Standards" means all City-adopted or -enforced standards, regulations, requirements, or guidelines applicable to the Development of property, including, but not limited to, planning; local storm water requirements, layout, and design; City construction standards for Buildings, streets, alleys, curbs, sidewalks; zoning as provided for in Section 1.24.5; Lot or Building Site size; Lot or Building Site configuration; Yard or Setback dimensions; and off-site Improvements, including public or private infrastructure, in which an applicant may acquire vested rights or vested property rights according to this Section 1.24. The term does not include standards required by federal or state law; or building construction safety standards which are adopted pursuant to authority granted under TCA § 68-120-101; and

E. "Site Preparation"

"Site Preparation" means excavating, grading, demolition, removing excess debris to allow for proper grading, or providing a surface for a proper foundation, drainage, and settling for a development project, and physical improvements including, but not limited to, water and sanitary sewer lines, footings, or foundations installed on the site for which construction permits are required.

ARTICLE 1: GENERAL

SECTION 1.25 PROFESSIONAL EXPENSES

1.25.1 PURPOSES

The City Council hereby finds that the City incurs significant expenses related to professional consultant review of Plans and land use and Development applications. For such reviews, the expertise of professional consultants may be necessary to assist the Zoning Administrator, City staff, and Decision-Making Authorities in making a determination in compliance with law. Therefore, it is the purpose of this Section to authorize the Zoning Administrator, the City Council, the Planning Commission, the Board of Zoning Appeals, the Zoning Administrator, and the City Engineer to require Applicants to reimburse the City for the reasonable expenses of professional consultants, such as engineers, planners, attorneys, surveyors, or other experts, that have been retained. This expense shall be in addition to any fee required by other law, regulation or resolution of the City.

1.25.2 CONSULTANT REVIEWS

A. Expense

The expense of such professional consultants shall be in accord with fees usually charged for such services in the middle Tennessee region and pursuant to a contractual agreement of the City and such consultant. All such charges shall be paid by the City upon submission of a City voucher.

B. Reimbursement

The Applicant shall reimburse the City for the cost of such services in accordance with the procedures described in Sections 1.25.2.C and 1.25.2.D.

C. Payment as Condition to Issuance / Action

Full payment of such fees shall be a condition of issuing any permit or certification or taking any final action pursuant to this Ordinance.

SECTION 1.26 PERFORMANCE GUARANTEES

1.26.1 SECURITY FOR PAYMENT & PERFORMANCE OF OBLIGATIONS, MAINTENANCE OF LANDSCAPING, & COMPLETION OF IMPROVEMENTS

To ensure compliance with this Ordinance and any conditions imposed under this Ordinance, the City may require that a cash deposit, certified check, irrevocable letter of credit, or other security acceptable to the City and securing the owner's or developer's payment and performance of all obligations to the City, maintenance of landscaping, and completion of all public Improvements, (each, a "Performance Guarantee"), covering the estimated costs of such obligations, landscaping maintenance, and completion, payment, performance, and/or compliance be deposited with the City Clerk and shall be subject to approval by the City Attorney. The Performance Guarantee shall be deposited at the time of the issuance of the permit authorizing the activity or project.

1.26.2 PERFORMANCE GUARANTEE FOR PUBLIC IMPROVEMENTS

Upon approval of a Plan or plat, the Applicant shall file with the City Clerk a Performance Guarantee to cover the full cost of required public Improvements in an amount set by the Planning Commission. If the value of the public Improvements is less than \$5,000, the Planning Commission may waive this requirement.

ARTICLE 1: GENERAL

1.26.3 CONDITION OF PERFORMANCE GUARANTEE

Any Performance Guarantee provided pursuant to Section 1.26.1 or 1.26.2 shall be conditioned upon the property owner's or developer's payment or performance of all obligations to the City and completion of all required public Improvements enumerated in the approved Plan or plat approval in a manner satisfactory to the City, and said Improvements must be functioning properly for a period of one year from their completion. In default thereof, said Performance Guarantee shall be forfeited, and the City shall be entitled to the full amount thereof as necessary to satisfy the owner's or developer's obligations to the City, complete the required public Improvements, and/or to replace or repair any Improvements that are not functioning properly. If any amount of money remains after the City has satisfied such obligations, completed such work, and replaced or repaired any non-functioning Improvements, such excess security shall be returned to the surety or person putting up the required bonds.

SECTION 1.27 AMENDMENT

This Ordinance may be amended from time to time in accordance with Section 8.5.18.

SECTION 1.28 SEPARABILITY

In case any provision of this Ordinance shall be held invalid or unenforceable by a court of competent jurisdiction, it shall not affect any other Article, Section or provision hereof as long as the invalid or unenforceable portion can be separated from the remainder of the provisions.

If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular property, Building, or other Structure, such judgment shall not affect the application of said provision to any other property, Building, or Structure not specifically included in said judgment.

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ARTICLE 2: ZONING MAP

ARTICLE 2 ZONING MAP

SECTION 2.1 ZONING MAP

2.1.1 ESTABLISHMENT OF DISTRICTS

Districts are established in Section 3.7. Establishment of any other Districts shall be in accordance with Section 3.8.

2.1.2 DESIGNATIONS ON ZONING MAP

Districts, Thoroughfares, Internal Drives, and any Special Requirements, as referred to in this Ordinance and approved by the City Council, shall be bounded and designated on the Zoning Map and any amendment thereto, as adopted by the City Council pursuant to this Ordinance.

2.1.3 INCORPORATION INTO ORDINANCE

The Zoning Map, as may be subsequently amended from time to time, and all notations, references and explanatory and other matter thereon, is incorporated into and made a part of the Ordinance by reference.

2.1.4 MAINTENANCE OF ZONING MAP

The adopted Zoning Map shall be kept on file in the City offices and the Zoning Administrator shall maintain a copy of the Zoning Map (which may be in a digital format), reflecting all amendments approved by the City Council.

2.1.5 DISTRICT BOUNDARIES

A. Establishment of Boundaries

The boundaries of each of the Districts identified in Section 3.7 are hereby established as shown on the duly adopted Zoning Map.

B. Intent

The District boundary lines, unless shown otherwise, are intended generally to follow Thoroughfare center lines, railroad right-of-way boundary lines or their center lines, other similar right-of-way lines, or Lot Lines or Building Site Lines, boundaries of subdivisions or City boundary lines, all as shown on the Zoning Map. Where a District boundary line does not follow such a line, but is shown parallel to such a line on the Zoning Map, the distance between the parallel lines shall be as dimensioned on the Zoning Map. Such dimensions shall be construed to read from the outside edge of all right-of-way rather than from their center lines.

C. Discrepancy in Map and Physical Boundaries

Where the Thoroughfare layout actually on the ground varies from the Thoroughfare layout shown on the Zoning Map, the designation shown on the mapped Thoroughfare shall be applied in such a way as to carry out the Zoning Administrator's determination as to the purpose and intent of the Zoning Map for the particular area in question.

D. Determination of Boundary Location

When the location of a District boundary line cannot be otherwise determined, the determination thereof shall be made by the Zoning Administrator by scaling the distance on the Zoning Map from a line of known location to such District boundary line.

ARTICLE 2: ZONING MAP

E. Interpretation of District Boundaries

When uncertainty exists as to the boundaries of Districts shown on the Official Zoning Map, the following shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
3. Boundaries indicated as approximately following city limits shall be construed as following such city limits;
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
5. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;
6. Boundaries indicated as parallel to, or extensions of features indicated in Sections 2.1.5.E.1 – 2.1.5.E.5 above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of map;
7. Where physical or cultural features existing on the ground are different than those shown on the official zoning map, or in other circumstances not covered by Sections 2.1.5.E.1 – 2.1.5.E.6, the Board of Appeals shall interpret the district boundaries;
8. Where a district boundary line divides a lot which was in single ownership at the time of the passage of this ordinance, the Board of Appeals may permit the extension of the regulations for either portion of the lot not to exceed 500 feet beyond the district line into the remaining portion of the lot.

F. Appeal to Board of Zoning Appeals

In the case of uncertainty as to the true location of a District boundary line in a particular instance, an appeal of the Zoning Administrator's determination may be taken to the Board of Zoning Appeals, as provided in Article 8 (Administration, Procedure & Enforcement).

G. Boundary Dividing Lot

When a District boundary line divides a Lot in a single ownership at the Effective Date of this Ordinance, any amendment thereto, or any amendment of the Zoning Map, the Board of Zoning Appeals may permit extension into one District of a lawful conforming Use and the standards applicable existing in the other District, as provided in Article 8 (Administration, Procedure & Enforcement).

H. Lot or Parcel in More than One Jurisdiction

If any Lot or parcel of land is situated partially within the City and partially within one or more other jurisdictions, the portion of such Lot or parcel of land situated within the City must comply with City standards and requirements for the applicable City District.

ARTICLE 2: ZONING MAP

2.1.6 ADOPTION BY CITY COUNCIL

The Zoning Map shall be adopted by the City Council upon the Effective Date.
The Zoning Map may be amended from time to time in accordance with Section 8.5.19.

2.1.7 IDENTIFICATION & LOCATION OF OFFICIAL ZONING MAP

A. Identification

The official Zoning Map shall be identified by the signature of the Mayor, attested by the City Recorder, bear the seal of the City under the following words: “This is to certify that this is the Official Zoning Map referred to in Article 2 of the Zoning Ordinance of the City of Columbia, Tennessee” and bear the date of the adoption of this Ordinance.

B. Location

Regardless of the existence of purported copies of the official Zoning Map, which may be from time to time be made or published, the official Zoning Map maintained by the Zoning Administrator pursuant to Section 2.1.4 shall be the final authority as to the current zoning status of land and water areas, Buildings, and other Structures within the City’s zoning jurisdiction.

2.1.8 REPLACEMENT OF OFFICIAL ZONING MAP

In the event that the official Zoning Map becomes damaged, destroyed lost, or difficult to interpret because of the nature of number of changes and additions, the City Council may, by resolution, adopt a new official Zoning Map, which shall supersede the prior official Zoning Map. The City may use the resolution process to address minor drafting, omissions, or other errors but must use the rezoning process described in Section 8.5.19 to make substantive modifications to the official Zoning Map. The new official Zoning Map shall be identified by the signature of the Mayor, attested by the City Recorder, and bear the seal of the City under the following words:

“This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted ----
-----, by the City of Columbia, Tennessee,” and bear the date on which the new official Zoning Ordinance replaced the prior official Zoning Ordinance.

2.1.9 PRESERVATION OF MAPS

All prior official Zoning Maps and any significant portions of official Zoning Maps shall be preserved, together with all available records pertaining to their adoption or amendment.

SECTION 2.2 CHANGES TO ZONING MAP

Any change to the adopted Zoning Map shall be subject to compliance with the requirements and procedures of this Ordinance, which shall include without limitation in cases where the change was initiated by any Person other than the City, submission, review, and approval of an application for approval of a proposed Zoning Map Amendment that complies with all standards, conditions, and requirements of this Ordinance, in accordance with Section 8.5.19 and related provisions of Article 8 (Administration, Procedure & Enforcement).

SECTION 2.3 NEWLY ANNEXED PROPERTIES

Newly annexed properties shall have an initial zoning of CD-3L. However, an application for rezoning to any other District may be considered concurrently with the action for annexation, subject to Section 8.5.19.

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ARTICLE 3: ZONING DISTRICTS

ARTICLE 3 ZONING DISTRICTS

SECTION 3.1 GENERAL

3.1.1 APPLICABILITY

This Article 3 applies to Districts to the extent provided herein.

3.1.2 COMPLIANCE

Except for non-conformances allowed pursuant to Section 1.22, or as otherwise provided in this Ordinance, with respect to each District, as applicable, all Development, re-Development, land, Lots, improvements, Structures, and all Uses, construction, re-construction, modifications, Alterations, and enlargements thereof, and all parts thereof, and all Plans, applications, requests, and submissions for proposals required, or made under this Ordinance must include the elements required by and must comply with Article 3 and the applicable standards, requirements, and conditions of this Article and any license, permit, approval, certification, or authorization issued pursuant to this Ordinance, any applicable approved Development Plan, Master PUD Development Plan, or other approval under this Ordinance.

SECTION 3.2 CHARACTER DISTRICT DEFINED

Character District is defined in Article 9 (Definitions).

SECTION 3.3 SPECIAL DISTRICTS & PUD DISTRICTS

3.3.1 DEFINED

Special District and PUD District are defined in Article 9 (Definitions).

3.3.2 EFFECT OF DESIGNATION

If a Special District or PUD District is designated for an area on the Zoning Map or any amendment thereof, such area is subject to the applicable Special District or PUD District Development, parcel, Lot, Building Site, or Building standards for such District.

3.3.3 SURVIVAL OF PUD DISTRICTS ESTABLISHED PRIOR TO EFFECTIVE DATE

Parcels zoned to any PUD District prior to the Effective Date will continue to be regulated by the previous applicable to them under the zoning ordinance and Master PUD Development Plan pursuant to which they were established.

Notwithstanding anything to the contrary contained or implied in this Ordinance, zoning or re-zoning, of land to any PUD District as described in any previous zoning ordinance shall not be available from or after the Effective Date.

SECTION 3.4 CIVIC DISTRICT DEFINED

Civic District is defined in Article 9 (Definitions).

ARTICLE 3: ZONING DISTRICTS

SECTION 3.5 CHARACTER DISTRICT, SPECIAL DISTRICT, AND PUD DISTRICT DESCRIPTIONS

Character District, Special District, and PUD District descriptions are set forth in **Table 3.7.1 (District Descriptions)** and **Tables 4.3.1-A – 4.3.1-O (District Standards)**.

SECTION 3.6 CIVIC DISTRICT DESCRIPTION

Civic District is described in **Table 4.3.1-O (Civic District Standards)**.

Civic Spaces are described in **Table 5.3.2.A (Civic Space Types Summary)**.

SECTION 3.7 ESTABLISHMENT OF DISTRICTS

3.7.1 BASE DISTRICTS

For the purpose of this Ordinance, there are hereby established within the City, and the City is hereby divided into the following districts; which are described in Sections 3.5-3.6 and **Table 3.7.1 (District Descriptions)** referenced therein, and the District standards for which are set forth for Buildings, Lots, and Building Sites in Section 4.3, and for Development Parcels in Sections 5.1-589 and **Tables 4.3.1-A – 4.3.1-O (District Standards)**.

A. Character Districts

1. Character District CD-2 (Rural)
2. Character District CD-3L (Neighborhood – Large Lot)
3. Character District CD-3 (Neighborhood)
4. Character District CD-4 (General Urban)
5. Character District CD-4C (General Urban – Corridor)
6. Character District CD-5 (Urban Center)
7. Character District CD-5C (Urban Center – Corridor)

B. Special Districts

1. Special District – SD-MHP (Manufactured Home Park Residential)
2. Special District – SD-INT (Interstate Service)
3. Special District – SD-LI (Light Industrial)
4. Special District – SD-HI (Heavy Industrial)

C. Planned Unit Development Districts

1. Planned Unit Development District – PUD-R (Residential)Planned Unit Development District – PUD-MU (Mixed Use)
2. Planned Unit Development District – PUD-RES (Residential) (Applicable and only available to PUDs Established prior to Effective Date)
3. Planned Unit Development District – PUD-C (Commercial) (Applicable and only available to PUDs Established prior to Effective Date)
4. Planned Unit Development District – PUD-I (Industrial) (Applicable and only available to PUDs Established prior to Effective Date)
5. Planned Unit Development District – PUD-OP (Office Park) (Applicable and only available to PUDs Established prior to Effective Date)
6. Planned Unit Development District – PUD-VC (Village Center) (Applicable and only available to PUDs Established prior to Effective Date)

ARTICLE 3: ZONING DISTRICTS

7. Planned Unit Development District – PUD-B1 (Applicable and only available to PUDs Established prior to Effective Date)
8. Planned Unit Development District – PUD-B2 (Applicable and only available to PUDs Established prior to Effective Date)
9. Planned Unit Development District – PUD-B3 (Applicable and only available to PUDs Established prior to Effective Date)
10. Planned Unit Development District – PUD-CEG (Commercial Enterprise - General) (Applicable and only available to PUDs Established prior to Effective Date)
11. Planned Unit Development District – PUD-CRS (Convenience Retail/Service) (Applicable and only available to PUDs Established prior to Effective Date)
12. Planned Unit Development District – PUD-GRS (General Retail Sales and Service) (Applicable and only available to PUDs Established prior to Effective Date)
13. Planned Unit Development District – PUD-R1 (Applicable and only available to PUDs Established prior to Effective Date)
14. Planned Unit Development District – PUD-R2 (Applicable and only available to PUDs Established prior to Effective Date)
15. Planned Unit Development District – PUD-R6 (Applicable and only available to PUDs Established prior to Effective Date)
16. Planned Unit Development District – PUD-RM1 (Applicable and only available to PUDs Established prior to Effective Date)
17. Planned Unit Development District – PUD-RM2 (Applicable and only available to PUDs Established prior to Effective Date)
18. Planned Unit Development District – PUD-RS6 (Applicable and only available to PUDs Established prior to Effective Date)
19. Planned Unit Development District – PUD-RS10 (Applicable and only available to PUDs Established prior to Effective Date)
20. Planned Unit Development District – PUD-Other (Applicable and on available to PUDs Established prior to Effective Date)

D. Civic District

3.7.2 BASE DISTRICT GROUPINGS

A. Residential

Where the phrase “Residential District” or Residentially-zoned” is used in this Ordinance, the phrase shall be construed to include the following Districts: Character District CD-2 (Rural)

1. Character District CD-2 (Rural)
2. Character District CD-3L (Neighborhood - Large Lot)
3. Character District CD-3 (Neighborhood)
4. Any portion of Character District CD-4 (General Urban) used or available for Residential Use
5. Any portion of Character District CD-4C (General Urban - Corridor) used or available for Residential Use
6. Any portion of Character District CD-5 (Urban Center) used or available for Residential Use
7. Any portion of Character District CD-5C (Urban Center-Corridor) used or available for Residential Use

ARTICLE 3: ZONING DISTRICTS

8. Special District SD-MHP
9. Any portion of Special District SD-INT (Interstate Service) used or available for Residential Use
10. Planned Unit Development District PUD-R
11. Any portion of Planned Unit Development District PUD-MU used or available for Residential Use
12. Any portion of Planned Unit Development District Other (Applicable and only available to PUDs Established prior to Effective Date) used or available for Residential Use

B. Commercial

Where the phrase “Commercial District” or “Commercially-zoned” is used in this Ordinance, the phrase shall be construed to include the following Districts:

1. Any portion of Character District CD-4 (General Urban) used or available for Commercial Use
2. Any portion of Character District CD-4C (General Urban - Corridor) used or available for Commercial Use
3. Any portion of Character District CD-5 (Urban Center) used or available for Commercial Use
4. Any portion of Character District CD-5C (Urban Center-Corridor) used or available for Commercial Use
5. Any portion of Planned Unit Development District PUD-COMUMF used or available for Commercial Use
6. Any portion of Planned Unit Development District PUD-VC used or available for Commercial Use
7. Planned Unit Development District PUD-C
8. Planned Unit Development District PUD-OP

C. Industrial

Where the phrase “Industrial District” or “Industrially zoned” is used in this Ordinance, the phrase shall be construed to include the following districts:

1. Any portion of Special District – SD-LI (Light Industrial) used or available for Industrial Use
2. Special District - SD-HI (Heavy Industrial)
3. Planned Unit Development District PUD-I.

D. Non-Residential

Where the phrase “Non-residential District” is used in this Ordinance, the phrase shall be construed to include any of the Districts or portions thereof listed in Sections 3.7.2.B and 3.7.2.C.

3.7.3 OVERLAY DISTRICTS

A. General

In addition to the base Districts established pursuant to Section 3.7.1 (excluding those established under previous zoning ordinances), property may be subject to regulation as one of the Overlay Districts established pursuant to Section 3.7.3.B, as designated on the Official Zoning Map. Within an applicable Overlay District, the additional regulations, standards, and requirements of such Overlay District either supplement or replace those of the underlying base District, as provided for each Overlay District.

B. Establishment

The following Overlay Districts are hereby established, each of which shall be subject to the standards and regulations referenced below:

ARTICLE 3: ZONING DISTRICTS

1. Floodway Overlay District Flood Fringe Overlay District

Development within the Floodway Overlay District and Flood Fringe Overlay District, as designated on the Official Zoning Map, shall conform to the standards and regulations established in Section 6.12. A Floodplain Development Permit, as described in Section 8.5.7, may be required in addition to other applicable permits.

2. Historic Overlay District

Each Historic District designated as such pursuant to Section 8.5.12 shall be placed within the Historic Overlay District and shall be subject to all requirements thereof in addition to the requirements of Section 8.5.12-8.5.14.

Without limitation, projects and activities within the Historic Overlay District, as designated on the Official Zoning Map, may be subject to additional standards and require additional permits, including a Certificate of Appropriateness pursuant to Section 8.5.13.

All activities that require a Certificate of Appropriateness are subject to review and recommendation by the Historic Commission.

A copy of the standards applicable to each approved Historic District may be obtained from the Zoning Administrator.

3. Arts District Overlay

The Arts District Overlay is established in order to encourage the enhancement of Arts-Related Uses. The Arts District Overlay is also intended to enhance the community and region as a cultural center for a variety of Uses such as educational services, housing, small scale retail, and office uses to promote the growth of creative industries while supporting strong pedestrian character and scale throughout the Arts District Overlay.

This is intended for properties within the approved Arts District Overlay boundaries as presented and ratified by City Council. The regulations of the Arts District Overlay either supplement or replace the regulations of the underlying zoning district as described herein.

All appeal applications for Arts-Related Uses within the Arts District Overlay outside the underlying base District allotments for Arts Related Uses shall be reviewed by the Columbia Arts Council (CAC). The CAC may approve, approve with conditions, or deny any application.

There shall be no underlying base District Variances within the Arts District Overlay except as granted separately by the Board of Zoning Appeals.

SECTION 3.8 ESTABLISHMENT OF ADDITIONAL DISTRICTS

A. City Council Approval

Districts in addition to those established and described in Section 3.7, **Table 3.7.1 (District Descriptions)**, and **Tables 4.3.1-A - 4.3.1-O (District Standards)** shall be subject to City Council establishment and assignment of standards and requirements by Zoning Ordinance Amendment pursuant to Section 8.5.19.

ARTICLE 3: ZONING DISTRICTS

B. Map Amendment

Zoning or re-zoning of property to any District established pursuant to this Section shall be subject to approval of a Zoning Map Amendment pursuant to Section 8.5.19.

SECTION 3.9 ELEMENTS AND STANDARDS

Development, re-Development, land, Structures, Buildings, Improvements, Lots, Building Sites, and Development Parcels within each District must include the elements indicated for such District throughout this Ordinance and must comply with the applicable District general description and intent thereof and the standards applicable to such District set forth in **Table 3.7.1 (District Descriptions)**, **Tables 4.3.1-A - 4.3.1-O (District Standards)**, and elsewhere in this Ordinance.

SECTION 3.10 ADDITIONAL REQUIREMENTS

In addition to all standards and requirements that are applicable to a specific District, all Development, re-development, land, Structures, Buildings, Improvements, Lots, and Building Sites within Districts must comply with all other applicable standards and requirements of this Ordinance, including without limitation, the Supplemental Standards set forth in Article 6 and the Sign Standards set forth in Article.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

ARTICLE 4 BUILDING, LOT & SITE STANDARDS

SECTION 4.1 GENERAL

This Article applies to all Buildings, Lots, and Building Sites located or proposed within the City, except as otherwise provided in Section 1.22 with respect to Nonconformities.

SECTION 4.2 PLAN REQUIRED

No Building shall be constructed, re-constructed, Altered, modified, raised, moved, extended, reduced, or enlarged, and no Lot or Building Site or other land shall be Developed, re-Developed, Improved, subdivided, or re-subdivided, and none of the same shall be used, except in compliance with this Article 4, the Official Zoning Map, and pursuant to a Development Plan or Master PUD Development Plan that conforms with and has been prepared, submitted, reviewed and approved in accordance with Article 8 (Administration, Procedures & Enforcement), this Article 4, and all other standards and requirements applicable thereto.

SECTION 4.3 BUILDING, LOT & BUILDING SITE STANDARD

4.3.1 CIVIC DISTRICT BUILDINGS & LOTS

A. Definitions

The terms Civic District, Civic Space, and Civic Building are defined in **Article 9 (Definitions)**.

B. Design; Compliance

If a Building, Lot, or Building Site is located within an area designated on the Official Zoning Map as Civic District, Civic Space, or Civic Building.

1. Civic Space shall be designed generally as described in **Table 5.3.3-A (Civic Space Types - Summary)** and **Table 5.3.2-B (Civic Space Types - Specific Standards)**, as related to the Adjacent District, or if Adjacent more than one, as related to the Adjacent District with the largest number of linear feet of common boundary with the Civic Space.
2. Development, re-Development, Lots, Buildings, Building Sites, Structures, and Improvements and Use thereof within Civic Districts must comply with the applicable standards and requirements of **Table 4.3.1-M (District Standards-Civic)**, subject, however, to Section 4.3.2.B.4.
3. Without limitation to Section 4.3.2.B.2, Civic Buildings within Civic Districts must comply with the standards and requirements of Table 4.3.1-M (District Standards-Civic) and any other requirements as may be determined by the City Council.
4. Buildings operated for Civic purposes but not located within a Civic District must comply with the applicable District standards of the District in which they are situated.

4.3.2 DISTRICT BUILDINGS, LOTS & BUILDING SITES

The standards for Buildings, Lots, and Building Sites within Districts are set forth in this Section 4.3 and elsewhere in this Ordinance.

LEGEND	 Permitted	 Not Permitted	 Not Applicable	 Required	 Not Regulated
The following notations are utilized in this table.					

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-2

TABLE 4.3.1-A DISTRICT STANDARDS RURAL CHARACTER DISTRICT



General Description

The CD-2 Rural Character District consists of large-lot semi-rural estates, open spaces, and legacy agricultural operations in low density single-family detached Residential areas. CD-2 is an appropriate District for the Rural Transition and Hillside & Natural Spaces future land use Character Areas described in the Comprehensive Plan.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Density / Floor Area Ratio (FAR) **Applicable only to Development Parcels*

1 Density Unit per acre max

BLOCK SIZE* **Applicable only to Development Parcels*

Block Perimeter **NR**

Private Frontage Types

Common Yard	P	Stepfront	NP
Porch	P	Shopfront	NP
Fence	P	Gallery	NP
Terrace/Lightwell	NP	Arcade	NP
Forecourt	NP	Officefront	NP
Stoop	NP		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types* **Applicable only to Development Parcels.*

Natural Area	P	Playground	P
Green	P	Sport Field	P
Square	NP	Pocket Park	NP
Plaza	NP		

See Table 5.3.2.A (Civic Space Types - Summary) and Table 5.3.2-B (Civic Space - Specific Standards)

Permitted Uses

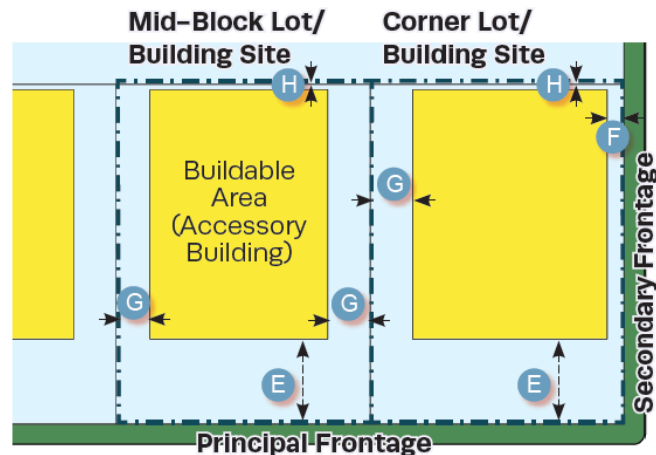
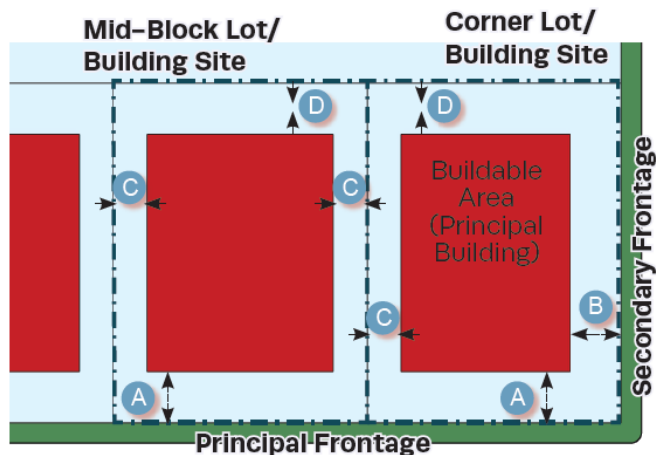
See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).

Number of Buildings

Principal Building	1 max
Accessory Buildings	2 max

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-2 **TABLE 4.3.1-A DISTRICT STANDARDS:**
RURAL CHARACTER DISTRICT



Lot Occupation

Lot/ Building Site Width	125 ft. min.
Frontage Buildout	NR
Lot/ Building Site Area	12,500 sp. ft. min.
Impervious Surface Coverage	NR
Lot/ Building Site Enfrontment	Must enfront a vehicular Thoroughfare
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback / Yard, Principal Frontage	30 ft. min	A	Front Setback / Yard, Principal Frontage	20 ft. min + Principal Building Front Setback / Yard	E
Front Setback / Yard, Secondary Frontage	30 ft. min	B	Front Setback / Yard, Secondary Frontage	30 ft. min	F
Side Setback / Yard, each side	20 ft. min	C	Side Setback / Yard, each side	20 ft. min	G
Rear Setback	30 ft. min; or 15 ft. min from center line of Rear Alley	D	Rear Setback	5 ft. min	H

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-2 **TABLE 4.3.1-A DISTRICT STANDARDS:**
RURAL CHARACTER DISTRICT

Building Standards

Building Height*

Principal Building	3 Stories max

Accessory Building	2 Stories max

*Stories and height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from the stipulations made by the Fire Department in accordance with the above cited codes shall be required.

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height

NR

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap

Finished Floor Level	NR

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages, located no further than 50% of the total Façade width for the Principal Frontage from the First Layer

Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line

Façade & Façade Element Design Proportions	NR

Blank Walls	NP at Frontage

Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features

Roof Type & Pitch

Flat	NP

Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed rood anywhere on the Building.

Hip	P

Gable	P

Pitch	6:12 – 6:14, except for shed roofs which may be 3:12 – 14:12 and except rood pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.

Gable end rakes shall overhang at least six inches.

Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.

Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-2 **TABLE 4.3.1-A DISTRICT STANDARDS:**
RURAL CHARACTER DISTRICT

Building Materials

Brick	P	Exposed concrete	NP
Natural stone	P	Vinyl siding	P
Wood	P	Aluminum siding	NP
Cementitious siding	P	Corrugated and/or sheet metal	NP
Authentic stucco over masonry	P		

Changes in Building Materials Primary materials must continue alongside Elevations through 2nd layer. Primary materials shall continue for entire length of all Facades facing a frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of any such change.

Building Colors **NR**

Foundation Cladding **Required**; brick, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.

Porch Pier Cladding **Required**; brick or stone, with any space under Porch concealed by painted or stained latticework between piers, except renovations and minor expansions of existing structures, pier cladding, or absence of cladding, may match current material.

Chimney Cladding **Required**; brick, natural stone, with material matching primary material of Façade

Building Types

House	P	Commercial	NP
Duplex	NP	Mixed Use	NP
Townhouse	NP	Flex	NP
Small Multifamily	NP	Mid-Rise	NP
Large Multifamily	NP	Large Scale Commercial	NP
Live/Work	NP	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.6 (Building Type Mix).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-2 **TABLE 4.3.1-A DISTRICT STANDARDS:**
RURAL CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd Layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd Layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd Layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	NP
All other vehicles	NP	P in 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	P Prepared surface of gravel, asphalt, concrete, or other hard surface
Garage Location	In 2 nd or 3 rd Layer only; Min interior dimensions 10 ft. x 20 ft. per vehicle Parking space
Garage Design	If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10' – 20' in 1 st Layer
Parking Structure	NP
Parking Structure Pedestrian Exit Location	N/A

Bicycle Parking

See Section 4.3.13

Thoroughfare & Internal Drive Types*

** Only applicable to Development Parcels*

See Article 5 (Development Parcel Standards) for additional requirements

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	NP	P
Solar Panels	P if coplanar to and integrated into roof design	P if coplanar to and integrated into roof design	P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	P	P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP	P	P
Transmitting and/or receiving towers, or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types- Specific Standards)

Lighting

See Private Lighting Requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-2

TABLE 4.3.1-A DISTRICT STANDARDS:
RURAL CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

In compliance with Section 4.3.16; with one (1) tree min per 50 ft. of Frontage

Walls & Fencing (not including Screens)

Height	4 ft. max at Frontage; otherwise, 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line.
Construction	Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody
Maintenance	Must be well maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/ Razor/ Concertina Wire	NP
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	P	Smooth or Split-faced Block	NP

Additional Standards

Pedestrian Connections through to Adjacent Neighborhoods or Uses	Required
Locations of Retaining Walls	P within required Yards, per Section 4.3.10

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-2 TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT

Screens, Street-Screens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Street-Screen Height	3ft. to 3.5ft.	5ft. to 6ft; Minimum 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5ft. to 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3ft. to 3.5ft at installation	5ft. to 6ft. at installation

Materials

Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen/ Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	N/A (Uses not permitted in District)
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/ Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property.	R ; except as Driveways. Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen, Screening must be by Building wall, hedge, or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antenna Screening	NR
HVAC, Mechanical and other Equipment Screening	R ; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse	N/A (not permitted in District)
Streetscreen Location	2 nd Layer
Parcel Buffer	Sections 4.3.11.H
Project Buffer	Section 5.5

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3L

TABLE 4.3.1-B DISTRICT STANDARDS

NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT



General Description

The CD-3L Neighborhood Large Lot Character District consist of primarily a low density single-family detached Residential area in which House is the predominant Building type. It has large Lotor Building Sites, medium deep front Setback and medium to wide side Setbacks. Its Thoroughfares and Internal Drives have curbs and may include Sidewalks, and/or street tress, and form medium to large blocks. CD-3L is an appropriate District for the Suburban Neighborhoods future land use Character Area described in the Comprehensive plan.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3L TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels

2 Density Unit per acre max

BLOCK SIZE* *Applicable only to Development Parcels

Block Perimeter 3600 ft. max

Private Frontage Types

Common Yard	P	Stepfront	NP
Porch	P	Shopfront	NP
Fence	P	Gallery	NP
Terrace/Lightwell	NP	Arcade	NP
Forecourt	NP	Officefront	NP
Stoop	NP		
See Table 4.3.7.A (Private Frontage Types)	NP		

Civic Space Types*

*Applicable only to Development Parcels.

Natural Area	P	Playground	P
Green	P	Sport Field	P
Square	NP	Pocket Park	P
Plaza	NP		

See Table 5.3.2-A (Civic Space Types - Summary) and Table 5.3.2-B (Civic Space - Specific Standards)

Permitted Uses

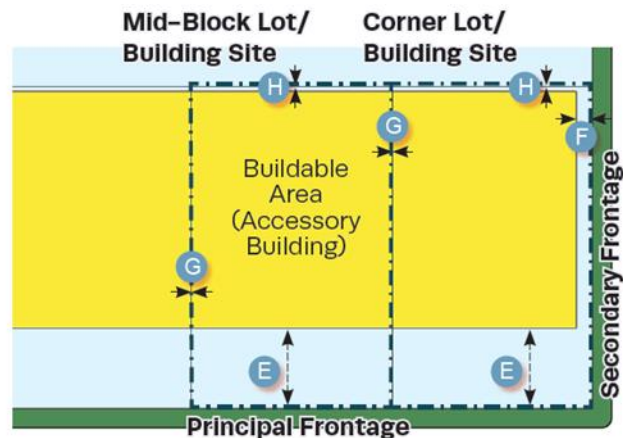
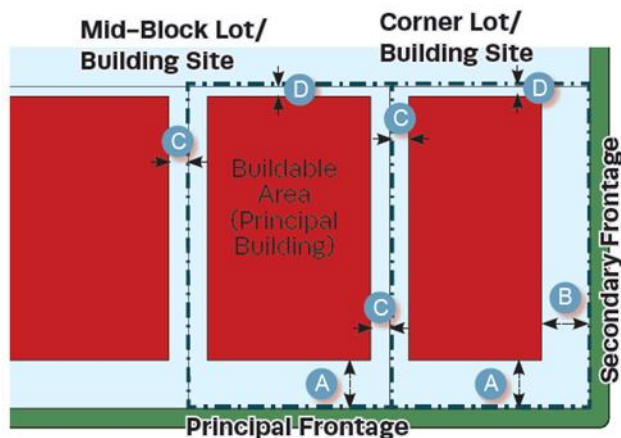
See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).

Number of Buildings

Principal Building	1 max
Accessory Buildings	2 max

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS:**
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT



Lot Occupation

Lot/ Building Site Width	100 ft. min.
Frontage Buildout	NR
Lot/ Building Site Area	NR
Impervious Surface Coverage	NR
Lot/ Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except $\leq 20\%$ of the Lots or Building Sites within each type of Character District of a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback / Yard, Principal Frontage	30 ft. min	A	Front Setback / Yard, Principal Frontage	20 ft. min behind Principal Building Frontage	E
Front Setback / Yard, Secondary Frontage	30 ft. min	B	Front Setback / Yard, Secondary Frontage	30 ft. min	F
Side Setback / Yard	12 ft. min	C	Side Setback / Yard	10 ft. min	G
Rear Setback / Yard	30 ft. min; or 15 ft. min from center line of rear Alley.	D	Rear Setback / Yard	5 ft. min; or 15 ft. min from center line of rear Alley.	H

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS:**
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Building Standards

Building Height*

Principal Building 3 Stories Max

Accessory Building 2 Stories Max

*Stories/ Height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height

NR

Building Composition

Vertical Composition Each Principal Building must have an identifiable Base, Middle, & Cap

Finished Floor Level **NR**

Façade

Main Entrance Main Entrance must be in Façade of Principal Frontages, located no further than 50% of total Façade width for the Principal Frontage from the First Layer

Façade Position Parallel to straight Frontage Line or to tangent of curved Frontage Line

Blank Walls **NP** at Frontage

Façade Articulation **NR**

Porch Frontages Min. 6 ft. clear depth, excluding rails, pillars, columns or other features

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3L TABLE 4.3.1-B DISTRICT STANDARDS:
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Building Standards (continued)

Roof Type & Pitch

Flat	NP
Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building.
Hip	P
Gable	P
Pitch	6:12 – 6:14, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.

Gable end rakes shall overhang at least six inches.

Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.

Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Brick	P	Exposed concrete	NP
Natural stone	P	Vinyl siding	P
Wood	P	Aluminum siding	NP
Cementitious siding	P	Corrugated and/or sheet metal	NP
Authentic stucco over masonry	P		

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd layer. Primary materials shall continue for entire length of all Facades facing a frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of any such change.
Building Colors	NR
Foundation Cladding	Required ; brick, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.
Porch Pier Cladding	Required ; brick or stone, with any space under Porch concealed by painted or stained latticework between piers, except renovations and minor expansions of existing structures, pier cladding, or absence of cladding, may match current material.
Chimney Cladding	Required ; brick, natural stone, with material matching primary material of Façade

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3L TABLE 4.3.1-B DISTRICT STANDARDS:
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Building Types

House	P	Commercial	NP
Duplex	NP	Mixed Use	NP
Townhouse	NP	Flex	NP
Small Multifamily	NP	Mid-Rise	NP
Large Multifamily	NP	Large Scale Commercial	NP
Live/Work	NP	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.6 (Building Type Mix).

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor Trailers (including trailers for Storage)	NP on Street, except for delivery and Temporary Use of Trailers	NP
All Other Vehicles	NP	P in 3 rd layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	P Prepared surface of, asphalt, concrete, or another hard surface for 30 feet from Thoroughfare or Internal Drive, gravel permitted for any remaining depth of driveway.
Garage Location	P In 2 nd or 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 – 20 ft. in 1 st Layer
Parking Structure	NP
Parking Structure Pedestrian Exit Location	N/A

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3L TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Bicycle Parking

See Section 4.3.13

Thoroughfare & Internal Drive Types*

** Only applicable to Development Parcels*

See Article 5 (Development Parcel Standards) for additional requirements

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	NP	P
Solar Panels	P if coplanar to and integrated into roof deign		P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception		P
Recreation or Paly Equipment	NP	P	P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP	P	P
Transmitting and/or receiving towers, or antennas and wind- generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types- Specific Standards)

Lighting

See Private Lighting Requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3L TABLE 4.3.1-B DISTRICT STANDARDS:
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Private Landscaping and Fencing
Landscaping

In compliance with Section 4.3.16; with one (1) tree min per 50 ft. of Frontage and continuous shrubs around foundation at Frontage

Walls & Fencing (not including Screens)

Height	4 ft. max at Frontage; otherwise, 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody.
Maintenance	Must be well-maintained, in up-right condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/ Razor/ Concertina Wire	NP
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	P	Smooth or Split-faced Block	NP

Additional Standards

Pedestrian Connections through to Adjacent Neighborhoods or Uses	Required
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at property line, must be set back 10 ft. from property line.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS:**
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Screens, Street-Screens & Buffers		
Height	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Street-Screen Height	3ft. to 3.5ft.	5ft. to 6ft; Minimum 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5ft. to 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3ft. to 3.5ft at installation	5ft. to 6ft. at installation

Materials	
Wall Screen or Streetscreen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Streetscreen	Natural Wood, painted or unpainted
Hedge Screen or Streetscreen	Evergreen plants with min. 80% opacity

Additional Standards	
Non-Residential & Multi-Family Residential Screen / Streetscreen Adjacent to or across Throughfare from Non-Multi-Family Residential	N/A (Uses not permitted in District)
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment screened from Frontage, Civic Space and Adjacent Property	R ; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; otherwise, Screening must be by Building, wall, hedge, or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antenna Screening	NR
HVAC, Mechanical and other Equipment Screening	R ; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	N/A (not permitted in District)
Streetscreen Location	2 nd Layer
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.5

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3 TABLE 4.3.1-C DISTRICT STANDARDS NEIGHBORHOOD CHARACTER DISTRICT



General Description

The CD-3 Neighborhood Character District consist of primarily medium density single-family detached Residential area in which House is the predominant Building type. It has medium to deep front Setback and medium to wide side Setbacks. Its Thoroughfares has curbs and may include Sidewalks, and/or street trees, and form medium to large blocks. CD-3 is an appropriate District for the Suburban Neighborhoods Future Land Use Character Area described in the Comprehensive plan; it is also appropriate for City Center Urban Village Future Land Use Character Area where the Planning Commission determines that is compatible with the established land use pattern in the surrounding area.



ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3 TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

Density / Floor Area Ratio (FAR)

*Applicable only to Development Parcels

4 Density Unit per acre max

BLOCK SIZE*

*Applicable only to Development Parcels

Block Perimeter

2800 ft. max

Private Frontage Types

Common Yard	P	Stepfront	NP
Porch	P	Shopfront	NP
Fence	P	Gallery	NP
Terrace/Lightwell	NP	Arcade	NP
Forecourt	NP	Officefront	NP
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types*

*Applicable only to Development Parcels.

Natural Area	P	Playground	P
Green	P	Sport Field	P
Square	NP	Pocket Park	P
Plaza	NP		

See Table 5.3.2-A (Civic Space Types - Summary) and Table 5.3.2-B (Civic Space - Specific Standards)

Permitted Uses

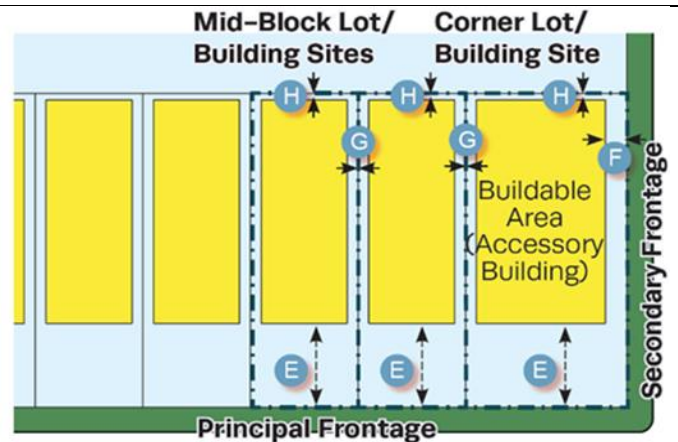
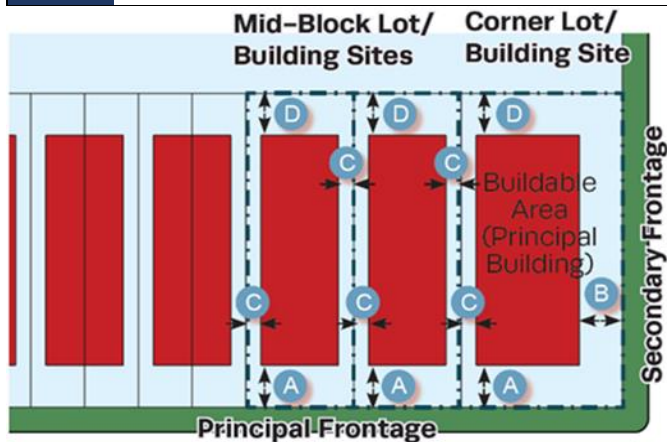
See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).

Number of Buildings

Principal Building	1 max
Accessory Buildings	2 max

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3 **TABLE 4.3.1-C DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT



Lot Occupation

Lot/ Building Site Width

House: 40 ft. min if Alley located at rear, otherwise 65 ft. min
Duplex: 50 ft. min for each unit of Duplex
Civic: 50 ft. min

Frontage Buildout

NR

Lot/ Building Site Area

NR

Impervious Surface Coverage

50% max

Lot/ Building Site Enfrontment

Must enfront a vehicular Thoroughfare or Internal Drive, except $\leq 20\%$ of the Lots or Building Sites within each type of Character District of a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O.

Lot/ Building Site Access

All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building

Setbacks / Yards – Accessory Building

Front Setback /
Yard, Principal
Frontage

25 ft. min

A

Front Setback /
Yard, Principal
Frontage

20 ft. min behind
Principal Building
Frontage

E

Front Setback /
Yard, Secondary
Frontage

20 ft. min

B

Front Setback /
Yard, Secondary
Frontage

10 ft. min

F

Side Setback / Yard

8 ft. min

C

Side Setback / Yard

5 ft. min

G

Rear Setback /
Yard

25 ft. min; or 15 ft.
min from center
line of rear Alley.

D

Rear Setback /
Yard

5 ft. min; or 15 ft.
min from center
line of rear Alley.

H

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3 TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

Building Standards

Building Height*

Principal Building	3 Stories max

Accessory Building	2 Stories max

*Stories/ Height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height

NR

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap

Finished Floor Level	NR

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages, located no further than 50% of total Façade width for the Principal Frontage from the First Layer

Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line

Façade & Façade Element Design Proportions	NR

Blank Walls	NP at Frontage

Façade Articulation	NR at Frontage

Façade Openings	NR

Façade Glazing	NR

Window Shape	NR

Window Alignment	NR

Window Types	NR

Window Glazing Material	NR

Window Trim in 1 st Layer	NR

Shutters	NR

Façade Window Sill Height	NR

Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features

Shopfront Frontages	NR

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3 **TABLE 4.3.1-C DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT

Building Standards (continued)

Roof Type & Pitch

Flat	NP
Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building.
Hip	P
Gable	P
Pitch	6:12 – 6:14, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.

Gable end rakes shall overhang at least six inches.

Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.

Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Brick	P	Exposed concrete	NP
Natural stone	P	Vinyl siding	P for Residential Use
Wood	P	Aluminum siding	NP
Cementitious siding	P	Corrugated and/or sheet metal	NP
Authentic stucco over masonry	P		

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd layer. Primary materials shall continue for entire length of all Facades facing a frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of any such change.
Building Colors	NR
Foundation Cladding	Required ; brick, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.
Porch Pier Cladding	Required ; brick or stone, with any space under Porch concealed by painted or stained latticework between piers, except renovations and minor expansions of existing structures, pier cladding, or absence of cladding, may match current material.
Chimney Cladding	Required ; brick, natural stone, with material matching primary material of Façade

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3 **TABLE 4.3.1-C DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT

Building Types			
House	P	Commercial	NP
Duplex	P	Mixed Use	NP
Townhouse	NP	Flex	NP
Small Multifamily	NP	Mid-Rise	NP
Large Multifamily	NP	Large Scale Commercial	NP
Live/Work	NP	Civic	P

See **Table 4.3.8.A (Principal Building Types - Summary)** and **Table 4.3.8.B (Principal Building Types - Specific Standards)**. For Development Parcels, see also **Table 5.1.6 (Building Type Mix)**.

Vehicular Parking Requirements		
Parking Location		
	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor Trailers (including trailers for storage)	NP on Street, except for delivery and Temporary Use of Trailers	NP
All other Vehicles	NP	P in 3 rd layer only, and in Driveway

Additional Parking Requirements	
Off-Street Parking Surface	P Prepared surface of, asphalt, concrete, or another hard surface for 100 feet from Thoroughfare or Internal Drive, gravel permitted for any remaining depth of driveway.
Garage Location	P In 2 nd or 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	20 ft. max. in 1 st Layer; 10 ft. min.
Parking Structure	NP
Parking Structure Pedestrian Exit Location	N/A

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3 TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

Bicycle Parking

See Section 4.3.13

Thoroughfare & Internal Drive Types*

** Only applicable to Development Parcels*

See Article 5 (Development Parcel Standards) for additional requirements

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P	P
Solar Panels	P if coplanar to and integrated into roof design	P if coplanar to and integrated into roof design	P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	P	P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP	P	P
Transmitting and/or receiving towers, or antennas and wind- generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types- Specific Standards)

Lighting

See Private Lighting Requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3

TABLE 4.3.1-C DISTRICT STANDARDS:
NEIGHBORHOOD CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

In compliance with Section 4.3.16; with one (1) tree min per 50 ft. of Frontage and continuous shrubs around foundation at Frontage

Walls & Fencing (not including Screens)

Height	4 ft. max at Frontage; otherwise, 6 ft. max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare or Internal Drive, Path, Passage or Waterbody.
Maintenance	Must be well-maintained, in up-right condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/ Razor/ Concertina Wire	NP
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	P	Smooth or Split-faced Block	NP

Additional Standards

Pedestrian Connections through to Adjacent Neighborhoods or Uses	Required
Location of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than grade at property line, must be set back 10 ft. from property line.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3 **TABLE 4.3.1-C DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT

Screens, Street-Screens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Street-Screen Height	3ft. to 3.5ft.	5ft. to 6ft; Minimum 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5ft. to 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3ft. to 3.5ft at installation	5ft. to 6ft. at installation

Materials

Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen / Streetscreen Adjacent to or across Throughfare from Non-Multi-Family Residential	N/A (Uses not permitted in District)
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment screened from Frontage, Civic Space and Adjacent Property	R ; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; otherwise, Screening must be by Building, wall, hedge, or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
Rooftop Antenna Screening	NR
HVAC, Mechanical and other Equipment Screening	R ; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	N/A (not permitted in District)
Streetscreen Location	2 nd Layer
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.5

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4 TABLE 4.3.1-D DISTRICT STANDARDS GENERAL URBAN CHARACTER DISTRICT



General Description

The CD-4 General Urban Character District consists of a medium density area that has a mix of Building Types and primarily Residential, Retail/ Personal Service/ Artisan, Office, Lodging and Civic Uses. There are medium, shallow or no front Setbacks and narrow to medium side Setbacks. It has variable private landscaping; and it has Thoroughfares and Internal Drives with curbs, Sidewalks and trees that define medium-sized blocks. CD-4 is an appropriate District for the City Center Urban Village Future Land Use Character Area described in the Comprehensive Plan.



ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4 TABLE 4.3.1-D DISTRICT STANDARDS: GENERAL URBAN CHARACTER DISTRICT

Density / Floor Area Ratio (FAR) *Applicable only to Development Parcels

12 Density Units per acre max

BLOCK SIZE* *Applicable only to Development Parcels

Block Perimeter 2400 ft. max

Private Frontage Types

Common Yard	P	Stepfront	P
Porch	P	Shopfront	P
Fence	P	Gallery	P
Terrace/Lightwell	P	Arcade	NP
Forecourt	P	Officefront	P
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types* *Applicable only to Development Parcels.

Natural Area	P	Playground	P
Green	P	Sport Field	NP
Square	P	Pocket Park	P
Plaza	P		

See Table 5.3.2-A (Civic Space Types - Summary) and Table 5.3.2-B (Civic Space - Specific Standards)

Permitted Uses

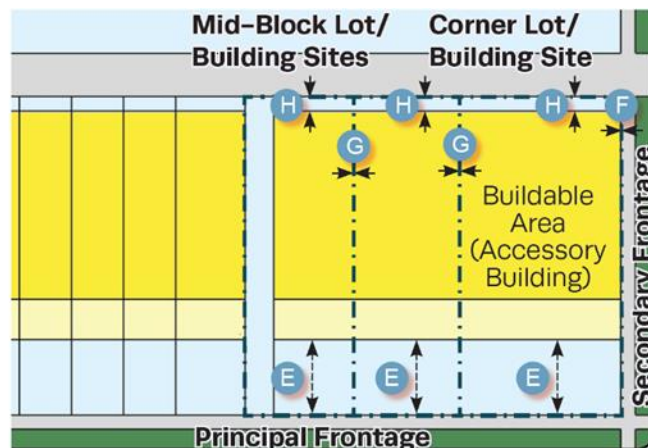
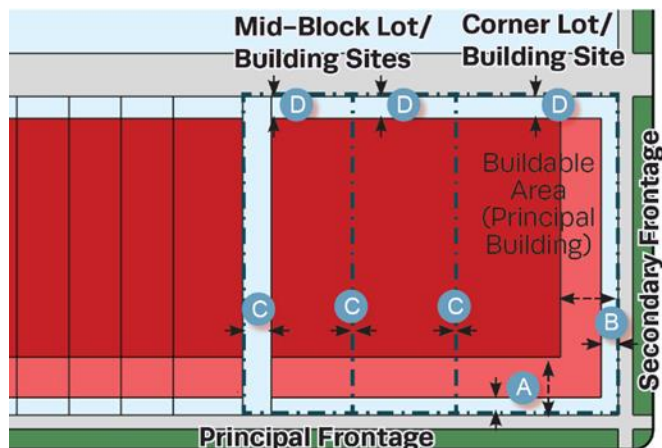
See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).

Number of Buildings

Principal Building	1 max
Accessory Buildings	1 max

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT



Lot Occupation

Lot/ Building Site Width

House: 38 ft. min if Alley loaded Garage at rear, otherwise 50 ft. min
Duplex: 30 ft. min for each unit of Duplex
Townhouse: For Townhouses with each unit on its own Lot or Building Site: 18- 36 ft. for single Townhouse unit attached to other
Townhouse units x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit X 8max. attached Townhouse units
All other Building Types: 18 ft. max
All Building Types: 120 ft max

Frontage Buildout

60% min

Lot/ Building Site Area

NR

Impervious Surface Coverage

80% max

Lot/ Building Site Enfrontment

Townhouse: Must enfront a vehicular Thoroughfare, Internal Drive, or Courtyard, except $\leq 20\%$ of the Lots or Building Sites within a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

All others; Must enfront a vehicular Thoroughfare or Internal Drive, except $\leq 20\%$ of the Lots or Building Sites within each type of Character District of a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.J.

Lot/ Building Site Access

All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Setbacks / Yards					
Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback / Yard, Principal Frontage	6 ft. min, 20 ft. max	A	Front Setback / Yard, Principal Frontage	20 ft. min behind Principal Building Frontage	E
Front Setback / Yard, Secondary Frontage	6 ft. min, 20 ft. max	B	Front Setback / Yard, Secondary Frontage	6 ft. min	F
Side Setback / Yard	0 ft. min. between individual Townhouse Units & Duplex Units; otherwise, 6 ft. min.	C	Side Setback / Yard	0 ft. min	G
Rear Setback / Yard	3 ft. min; or 15 ft. min from center line of rear Alley.	D	Rear Setback / Yard	3 ft. min; or 15 ft. min from center line of rear Alley.	H

Building Standards	
Building Height*	
Principal Building	3 Stories max
Accessory Building	2 Stories max

*Stories/ Height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height
May not exceed 14 ft. from finished floor to finished ceiling, except for a first floor Shopfront Facade, which may not exceed 25ft.

Building Composition	
Vertical Composition	Each Principal Building must have an identifiable Base, Middle & Cap
Finished Floor Level	If Residential: 18 ft., 48 in. max above average grade at façade

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Façade	
Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade Articulation	A Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See Illustration 4.3.5.A-3)
Façade Openings	Windows, and/or doors spaced ≤ 20 ft. apart In Stories above first Façade openings must be $\leq 50\%$ of the total Façade area
Façade Glazing	20% - 60% of total ground floor Façade area
Window Shape	Square or vertical in proportion, except transoms
Window Alignment	Upper floor windows and other features must be aligned with those of first floor
Window Types	Except for transoms and sidelights, Windows in Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rowlock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	12 in. – 24 in. knee wall required at Frontage
Façade Variety	Within a Development Parcel no Façade may exist more than once in a Block Face
Roof Type & Pitch	
Flat	P
Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building.
Hip	P
Gable	P
Pitch	If pitched, 6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12
Roof Design	
Eaves shall extend no less than nine inches beyond the supporting walls.	
Gable end rakes shall overhang at least six inches.	
Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.	
Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).	

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Building Materials

Brick	P	Exposed concrete	NP
Natural stone	P	Vinyl or Aluminum siding	NP
Wood	P	Aluminum siding	NP
Cementitious siding	P	Corrugated and/or sheet metal	NP
Authentic stucco over masonry	P		

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd layer. Primary materials shall continue for entire length of all Facades facing a frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of any such change.
Building Colors	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required ; brick, stone, or stucco except foundation cladding, or absence of cladding, may match current material on renovations and minor expansions of existing structures.
Porch Pier Cladding	Required ; brick or stone, with any space under Porch concealed by painted or stained latticework between piers, except pier cladding, or absence of cladding, may match current material on renovations and minor expansions of existing structures.
Chimney Cladding	Required ; brick, stone, or material matching primary material of Façade

Building Types

House	P	Commercial	P
Duplex	P	Mixed Use	P
Townhouse	P	Flex	P
Small Multifamily	P	Mid-Rise	NP
Large Multifamily	P	Large Scale Commercial	NP
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.6 (Building Type Mix).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Vehicular Parking Requirements		
Parking Location		
	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor Trailers (including trailers for storage)	NP on Street, except for delivery and Temporary Use of Trailers	NP
All other Vehicles	NP	P in 3 rd layer only, and in Driveway

Additional Parking Requirements	
Off-Street Parking Surface	Asphalt, concrete, or another hard surface
Garage Location	P In 3 rd Layer only
	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space
Garage Design	If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width; Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft. max in 1 st Layer if Residential; 36 ft. max in 1 st layer if non-Residential; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking
See Section 4.3.13

Thoroughfare & Internal Drive Types*

** Only applicable to Development Parcels*

See Article 5 (Development Parcel Standards) for additional requirements

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception		P
Recreation or Play Equipment	NP	NP	P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers, or antennas and wind- generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and **Table 7.12.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types- Specific Standards)**

Lighting

See Private Lighting Requirements in Section 4.3.17 and **Table 4.3.17.B (Private Lighting Standards)**

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4 TABLE 4.3.1-D DISTRICT STANDARDS:
GENERAL URBAN CHARACTER DISTRICT

Private Landscaping and Fencing
Landscaping

Required continuous shrubs around foundation at Frontage if 1st Layer ≥ 3ft. deep, plus if 1st Layer is ≥ 15ft. deep, 1 tree planted in 1st Layer every 50’ ft of Frontage. Drive aisles within 1st Layer, continuous shrubs Landscaping must comply with Section 4.3.16

Walls & Fencing (not including Screens)

Height	4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody
Maintenance	Must be well maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P only Picket type allowed at Frontage; other types allowed on sides and rear	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/ Razor/ Concertina Wire	NP
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	P	Smooth or Split-faced Block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	Required
	P within required Yards, per Section 4.3.10
Location of Retaining Walls	If supporting grade 8 ft. or higher than grade at property line, must be set back 10 ft. from property line

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Screens, Street-Screens & Buffers

Height

	At Frontage or Adjacent to Civic Space Civic Space	Not at Frontage or Adjacent to
Wall Screen/Street-Screen Height	3 ft. to 5 ft.	5ft. to 6ft; Minimum 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5ft. to 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3 ft. to 5 ft at installation	5ft. to 6ft. at installation

Materials

Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen / Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	N/R
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment screened from Frontage, Civic Space and Adjacent Property	R ; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; otherwise, Screening must be by Building, wall, hedge, or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space.
HVAC, Mechanical and other Equipment Screening	R ; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	N/A (not permitted in District)
Streetscreen Location	2 nd Layer
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.5

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C TABLE 4.3.1-E DISTRICT STANDARDS GENERAL URBAN CORRIDOR CHARACTER DISTRICT



General Description

The CD-4C General Urban – Corridor Character District consists of a medium density area along a corridor. It provides for a balanced automobile and pedestrian-oriented built environment and a mix of Building Types and primarily Residential, Retail/ Personal Service/ Artisan, Office, Lodging and Civic Uses; there are variable setbacks. It has variable private landscaping and it has Thoroughfares and Internal Drives with curbs, Sidewalks and trees that define medium-sized blocks. CD-4C is an appropriate District for parcels identified as Facilitate or Activate on the Areas of Change map of the Comprehensive Plan, which have access onto a public right-of-way classified as principal arterial or minor arterial in the Transportation element of the Plan and are located in Suburban Neighborhoods and City Center Urban Village Future Land Use Character Areas described in the Comprehensive Plan.



ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C		TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT	
Density / Floor Area Ratio (FAR)		*Applicable only to Development Parcels	
24 Density Units per acre max			

BLOCK SIZE*		*Applicable only to Development Parcels	
Block Perimeter		2400 ft. max	

Private Frontage Types			
Common Yard	P	Stepfront	NP
Porch	P	Shopfront	P
Fence	P	Gallery	P
Terrace/Lightwell	P	Arcade	NP
Forecourt	P	Officefront	P
Stoop	P		
See Table 4.3.7.A (Private Frontage Types)			

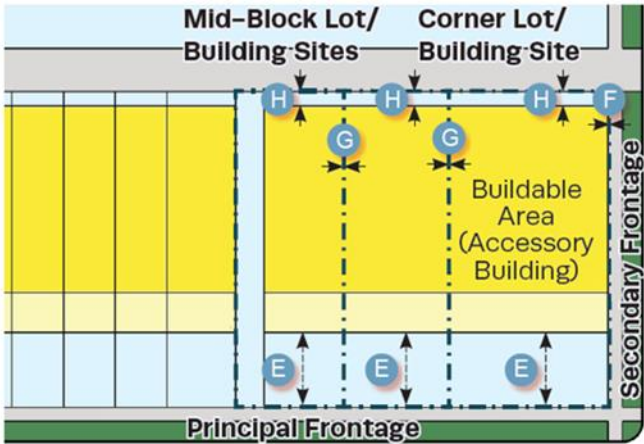
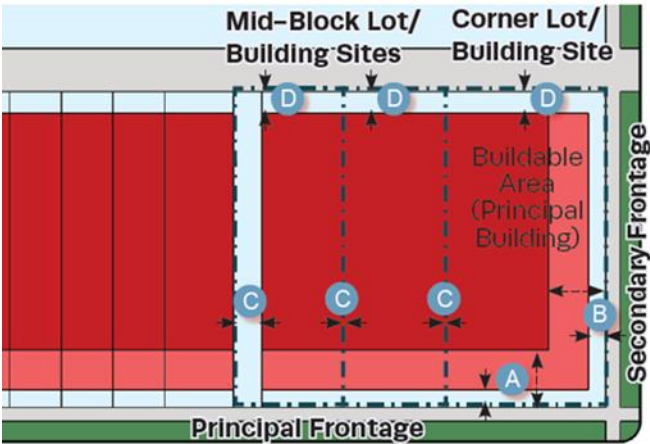
Civic Space Types*		*Applicable only to Development Parcels.	
Natural Area	P	Playground	P
Green	P	Sport Field	NP
Square	P	Pocket Park	P
Plaza	P		
See Table 5.3.2-A (Civic Space Types - Summary) and Table 5.3.2-B (Civic Space - Specific Standards)			

Permitted Uses	
See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).	

Number of Buildings	
Principal Building	1 max
Accessory Buildings	1 max

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C TABLE 4.3.1-E DISTRICT STANDARDS:
GENERAL URBAN CORRIDOR CHARACTER DISTRICT



Lot Occupation

Lot/ Building Site Width	House: 38' min if Alley loaded Garage at rear, otherwise 50 ft. min Duplex: 30 ft. min for each unit of Duplex Townhouse: For Townhouses with each unit on its own Lot or Building Site: 18- 36 ft. for single Townhouse unit attached to other Townhouse units x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x6max. attached Townhouse units Large Scale Commercial: 600 ft max All other Building Types: 18 ft. min – 200 ft. max
Frontage Buildout	60% min except commercial 40% min
Lot/ Building Site Area	NR
Impervious Surface Coverage	80% max
Lot/ Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except ≤ 20% of the Lots or Building Sites within each type of Character District of a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.J
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C **TABLE 4.3.1-E DISTRICT STANDARDS:**
GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback / Yard, Principal Frontage	6 ft. min, 40 ft. max; except where the Lot or Building Site enfronts a thoroughfare with a functional classification of Arterial and parking is located in the First Layer, max 85 ft.	A	Front Setback / Yard, Principal Frontage	20 ft. min behind Principal Building Frontage; except where the Lot or Building Site enfronts a thoroughfare with a functional classification of Arterial and parking is located in the First Layer, max 85 ft.	E
Front Setback / Yard, Secondary Frontage	6 ft. min, 40 ft. max; except where the Lot or Building Site enfronts a thoroughfare with a functional classification of Arterial and parking is located in the First Layer, max 85 ft.	B	Front Setback / Yard, Secondary Frontage	5 ft. min	F
Side Setback / Yard, each side	0 ft. min. per side	C	Side Setback / Yard, each side	5 ft. min	G
Rear Setback / Yard	3 ft. min; or 15 ft. min from center line of rear Alley.	D	Rear Setback / Yard	3 ft. min; or 5 ft. min if Garage faces rear Alley.	H

Building Standards

Building Height*

Principal Building	4 Stories max
Accessory Building	2 Stories max

*Stories/ Height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height

May not exceed 14 ft. from finished floor to finished ceiling, except for a first floor Shopfront Facade, which may not exceed 25 ft.

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle & Cap
Finished Floor Level	NR

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Façade	
Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade Articulation	Except for House Building Types, A Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See Illustration 4.3.5.A-3)
Façade Openings	Windows, and/or doors spaced ≤ 20 ft. apart In Stories above first Façade openings must be $\leq 50\%$ of the total Façade area
Façade Glazing	Non-Shopfront: 20% - 60% of total ground floor Façade area for Shopfront: min. 50% of total ground floor Façade area, min. 20% of total Façade area on upper floors and secondary elevations
Window Shape	Square or vertical in proportion, except transoms
Window Alignment	Upper floor windows and other features must be aligned with those of first floor
Window Types	Except for transoms and sidelights, Windows in Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rowlock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	12 in. – 24 in. knee wall required at Frontage
Façade Variety	Within a Development Parcel no Façade may exist more than once in a Block Face

Roof Type & Pitch	
Flat	P
Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building.
Hip	P
Gable	P
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.

Gable end rakes shall overhang at least six inches.

Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.

Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Brick	P	Authentic stucco over masonry	P
Natural stone	P	Exposed concrete	NP
Wood	P	Vinyl or Aluminum siding	NP
Cementitious siding	P	Corrugated and/or sheet metal	NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd layer. Primary materials shall continue for entire length of all Facades facing a frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of any such change.
Building Colors	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required ; brick, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.
Porch Pier Cladding	Required ; brick or stone, with any space under Porch concealed by painted or stained latticework between piers, except renovations and minor expansions of existing structures, pier cladding, or absence of cladding, may match current material.
Chimney Cladding	Required ; brick, natural stone, with material matching primary material of Façade

Building Types

House	P	Commercial	P
Duplex	P	Mixed Use	P
Townhouse	P	Flex	P
Small Multifamily	P	Mid-Rise	NP
Large Multifamily	P	Large Scale Commercial	P
Live/Work	P	Civic	P

See **Table 4.3.8.A (Principal Building Types - Summary)** and **Table 4.3.8.B (Principal Building Types - Specific Standards)**. For Development Parcels, see also **Table 5.1.6 (Building Type Mix)**.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway Driveway except where the Lot or Building Site utilizing Commercial, Large-Scale Commercial, Mixed Use, or Flex buildings enfronts a Thoroughfare with an Arterial functional classification, a maximum of two bays of on-site parking and a drive aisle between the building and the Thoroughfare is permitted.
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor Trailers (including trailers for storage)	NP	P in 3 rd layer only, and in Driveway
All other vehicles	NP	P in 3 rd layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street: max Garage door width 33% of total Garage + Façade width; Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft. max in 1 st Layer if Residential; 36 ft. max in 1 st layer if non-Residential; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage
Pedestrian connections through to Adjacent Neighborhoods or Uses	Where parking is located in the First Layer, a continuous pedestrian connection shall be provided from the Main Entrance of the Building to the Frontage Line and adjacent uses by way of an elevated crosswalk traversing the parking area and connected sidewalks.

Bicycle Parking

See Section 4.3.13

Thoroughfare & Internal Drive Types*

** Only applicable to Development Parcels*

See Article 5 (Development Parcel Standards) for additional requirements

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C **TABLE 4.3.1-E DISTRICT STANDARDS:**
GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception		P
Recreation or Play Equipment	NP	NP	P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers, or antennas and wind- generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types- Specific Standards)

Lighting

See Private Lighting Requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

Required continuous shrubs around foundation at Frontage if 1st Layer $\geq$ 3ft. deep, plus if 1st Layer is $\geq$ 15ft. deep, 1 tree planted in 1st Layer every 50' ft of Frontage. Drive aisles within 1st Layer, continuous shrubs Landscaping must comply with Section 4.3.16

Walls & Fencing

Height	3.5 - 4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody
Maintenance	Must be well maintained, in upright condition and free of missing or broken parts and graffiti

Materials

Natural Wood	P only Picket type allowed at Frontage; other types allowed on sides and rear	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/ Razor/ Concertina Wire	NP
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	P	Smooth or Split-faced Block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	Required; Where parking is located in the First Layer, a continuous pedestrian connection shall be provided from the Main Entrance of the Building to the Frontage Line and adjacent uses by way of an elevated crosswalk traversing the parking area and connected sidewalks. P within required Yards, per Section 4.3.10
Location of Retaining Walls	If supporting grade 8 ft. or higher than grade at property line, must be set back 10 ft. from property line.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C **TABLE 4.3.1-E DISTRICT STANDARDS:**
GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Screens, Street-Screens & Buffers		
Height		
	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to
Wall Screen/Street-Screen Height	3 ft. to 5 ft.	5ft. to 6ft; Minimum 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5ft. to 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3 ft. to 5 ft at installation	5ft. to 6ft. at installation

Materials	
Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity

Additional Standards	
Non-Residential & Multi-Family Residential Screen / Streetscreen Adjacent to or across Thoroughfare from Non-Multi-Family Residential	N/R
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacles/Dumpsters, HVAC and other equipment screened from Frontage, Civic Space and Adjacent Property	R ; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Streetscreen; otherwise, Screening must be by Building, wall, hedge, or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent to Civic Space. Where parking is located in the First Layer, it shall be screened by a landscape buffer at least 10 feet in width consisting of two canopy trees and two accent trees per 100 linear feet of property frontage.
HVAC, Mechanical and other Equipment Screening	R ; must be Screened from Frontage and Civic Space by Building parapet or other Building Element
Self-Storage Warehouse Screening	N/A (not permitted in District)
Streetscreen Location	2 nd Layer
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.5

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 TABLE 4.3.1-F DISTRICT STANDARDS URBAN CENTER CHARACTER DISTRICT



General Description

The CD-5 Urban Center Character District consists of medium to high density Mixed Use areas. It has a tight network of Thoroughfares and Internal Drives with Sidewalks, streetlights, and regular tree spacing, defining medium sized blocks. Buildings are set close to the Sidewalks. CD-5 is an appropriate District for the City Center Urban Village Future Land Use Character Area described in the Comprehensive Plan.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 TABLE 4.3.1-F DISTRICT STANDARDS URBAN CENTER CHARACTER DISTRICT

Density / Floor Area Ratio (FAR)

**Applicable only to Development Parcels*

NR

BLOCK SIZE*

**Applicable only to Development Parcels*

Block Perimeter

2000 ft. max or 3000 ft max if a parking structure provided within Block

Private Frontage Types

Common Yard	NP	Stepfront	P
Porch	NP	Shopfront	P
Fence	NP	Gallery	P
Terrace/Lightwell	P	Arcade	P
Forecourt	P	Officefront	P
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types*

**Applicable only to Development Parcels.*

Natural Area	NP	Playground	P
Green	NP	Sport Field	NP
Square	P	Pocket Park	P
Plaza	P		

See Table 5.3.2-A (Civic Space Types - Summary) and Table 5.3.2-B (Civic Space - Specific Standards)

Permitted Uses

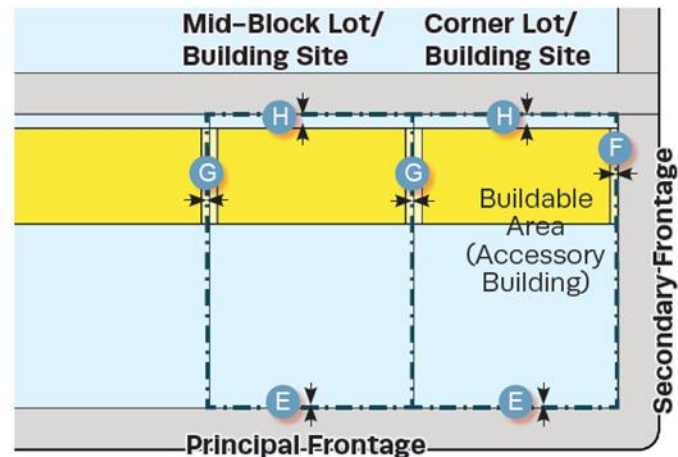
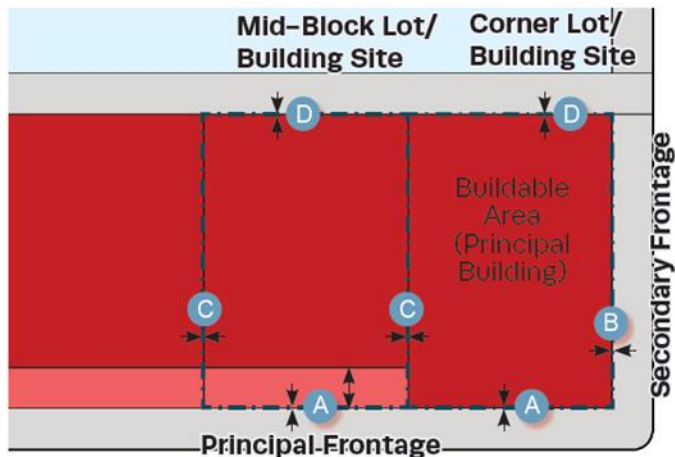
See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).

Number of Buildings

Principal Building	1 max
Accessory Buildings	1 max

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT



Lot Occupation

Lot/ Building Site Width

House: 38 ft min if Alley loaded Garage at rear, otherwise 50 ft. min

Duplex: 30 ft. min for each unit of Duplex

Townhouse:

For Townhouses with each unit on its own Lot or Building Site: 18-36 ft. for single Townhouse unit attached to other Townhouse units x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x6max. attached Townhouse units

All other Building Types: 18 ft. min – 120 ft. max

Frontage Buildout

80% min except House and Duplex 60% min

Lot/ Building Site Area

NR

Impervious Surface Coverage

100% max

Lot/ Building Site Enfrontment

Must enfront a vehicular Thoroughfare or Internal Drive, except $\leq 20\%$ of the Lots or Building Sites within each type of Character District of a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Lot/ Building Site Access

All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT

Setbacks / Yards					
Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback / Yard, Principal Frontage	0 ft. at corners; 0 ft. min; 15 ft. max. elsewhere	A	Front Setback / Yard, Principal Frontage	40 ft. max from rear property line;	E
Front Setback / Yard, Secondary Frontage	0 ft. at corners; 0 ft. min; 15 ft. max. elsewhere	B	Side Setback / Yard	3 ft. max	F
Side Setback / Yard, each side	0 ft. min; 24 ft. max per side	C	Rear Setback / Yard	5 ft. min	G
Rear Setback / Yard	NR	D			

Building Standards	
Building Height*	
Principal Building	2 Story min; 5 Stories max. adjacent to CD-5; all other areas 3 stories max
Accessory Building	2 Stories max

*Stories/ Height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height
May not exceed 14 ft. from finished floor to finished ceiling, except for a first floor Business/ Commercial, Office, Retail/ Personal Service, or Accommodation/ Lodging Use, which must be a minimum of 11ft. with a maximum of 25 ft.

Building Composition	
Vertical Composition	Each Principal Building must have an identifiable Base, Middle & Cap
Finished Floor Level	If Residential: 18 in. min., 48 in. max. above average grade at Façade

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT

Façade	
Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade Articulation	A Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See Illustration 4.3.5.A-3)
Façade Openings	Windows, and/or doors spaced ≤ 20 ft. apart In Stories above first Façade openings must be $\leq 50\%$ of the total Façade area
Façade Glazing	Non-Shopfront 20% - 60% of total ground level Façade area; for Shopfront: min 50% of total ground level Façade area, min. 20% of total Façade area on upper floors and secondary elevations
Window Shape	Square or vertical in proportion, except transoms
Window Alignment	Upper floor windows and other features must be aligned with those of first floor
Window Types	Except in Shopfront or Gallery Frontage, and except for Transoms and sidelights, Windows in Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be $\leq 50\%$ of total Façade area.
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rowlock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	12 in. – 24 in. knee wall required at Frontage
Façade Variety	No Façade may exist more than once in a Block Face or within view of the same Façade
Roof Type & Pitch	
Flat	P
Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building.
Hip	P
Gable	P
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 TABLE 4.3.1-F DISTRICT STANDARDS URBAN CENTER CHARACTER DISTRICT

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.

Gable end rakes shall overhang at least six inches.

Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.

Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Brick	P	Authentic stucco over masonry	P
Natural stone	P	Exposed concrete	NP
Wood	P	Vinyl or Aluminum siding	NP
Cementitious siding	P	Corrugated and/or sheet metal	NP

Changes in Building Materials Primary materials must continue alongside Elevations through 2nd layer. Primary materials shall continue for entire length of all Facades facing a frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of any such change.

Building Colors Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim

Building Types

House	P	Commercial	P
Duplex	P	Mixed Use	P
Townhouse	P	Flex	P
Small Multifamily	P	Mid-Rise	P
Large Multifamily	P	Large Scale Commercial	NP
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.6 (Building Type Mix).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 TABLE 4.3.1-F DISTRICT STANDARDS URBAN CENTER CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd Layer only Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space
Garage Design	If Garage faces Street: max Garage door width 33% of total Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	24 ft. max in 1 st Layer; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfare & Internal Drive Types*

**only applicable to Development Parcels*

See Article 5 (Development Parcel Standards) for additional requirements

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 TABLE 4.3.1-F DISTRICT STANDARDS URBAN CENTER CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof deign	P if coplanar to and integrated into roof deign	P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Play Equipment	NP	NP	P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers, or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types- Specific Standards)

Lighting

See Private Lighting Requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 TABLE 4.3.1-F DISTRICT STANDARDS URBAN CENTER CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

NA if paved or $\leq$ 3ft front Setback/ Yard; Otherwise, shrubs continuous around foundation at Façade. Landscaping must comply with Section 4.3.16

Walls & Fencing

Height	3.5 - 4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody
Maintenance	Must be well maintained, in upright condition and free of missing or broken parts and graffiti

Materials

Natural Wood	P at sides and rear only	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P at sides and rear only	Barbed/ Razor/ Concertina Wire	NP
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	NP	Smooth or Split-faced Block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	Required
	P within required Yards, per Sections 4.3.10
Location of Retaining Walls	If supporting grade 8 ft. or higher that grade at property line, must be set back 10 ft. from property line

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT

Screens, Street-Screens & Buffers

Height

	At Frontage or Adjacent to Civic Space Civic Space	Not at Frontage or Adjacent to
Wall Screen/Street-Screen Height	3 ft. to 5 ft.	5ft. to 6ft; Minimum 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5ft. to 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3 ft. to 5 ft at installation	5ft. to 6ft. at installation

Materials

Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen. Street-Screen Adjacent to or across Thoroughfare from Non-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacle/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	Required ; except at Driveways: Parking Lots and Parking Areas must be Screened from Frontage and Civic Space by Building or Street-Screen; otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building wall, hedge or fence not at Frontage or Adjacent to Civic Space.
Rooftop Antenna Screening and HVAC, Mechanical and other Equipment Screening	Required ; must be Screened from Frontage and Civic Space by Building Parapet or other Building element
Self-Storage Warehouse Screening	N/A (not permitted in District)
Street-Screen Location	2 nd Layer
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.5

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5C TABLE 4.3.1-G DISTRICT STANDARDS URBAN CENTER CORRIDOR CHARACTER DISTRICT



General Description

The CD-5C Urban Center Corridor Character District consists of medium to higher density Mixed Use areas. It provides for a balanced automobile and pedestrian oriented built environment, a mix of Building Types and primarily has a tight network of Thoroughfares and Internal Drives with Sidewalks, street lights, and regular tree spacing defining medium-sized blocks. Buildings are set close to Sidewalks. CD-5C is limited to parcels identified as Active on the Areas of Change map of the Comprehensive Plan which have access to a Principal Arterial identified in the Transportation Plan located in the City Center Urban Village Character Area described in the Comprehensive Plan.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5C **TABLE 4.3.1-G DISTRICT STANDARDS**
URBAN CENTER CORRIDOR CHARACTER DISTRICT

Density / Floor Area Ratio (FAR) **Applicable only to Development Parcels*

NR

BLOCK SIZE* **Applicable only to Development Parcels*

Block Perimeter 2000 ft. max or 3000 ft max if a parking structure provided within Block

Private Frontage Types

Common Yard	NP	Stepfront	NP
Porch	NP	Shopfront	P
Fence	NP	Gallery	P
Terrace/Lightwell	P	Arcade	P
Forecourt	P	Officefront	P
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types* **Applicable only to Development Parcels.*

Natural Area	NP	Playground	P
Green	NP	Sport Field	NP
Square	P	Pocket Park	P
Plaza	P		

See Table 5.3.2-A (Civic Space Types - Summary) and Table 5.3.2-B (Civic Space - Specific Standards)

Permitted Uses

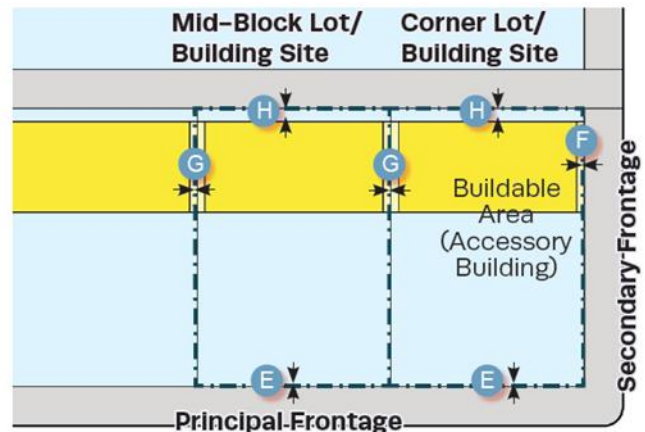
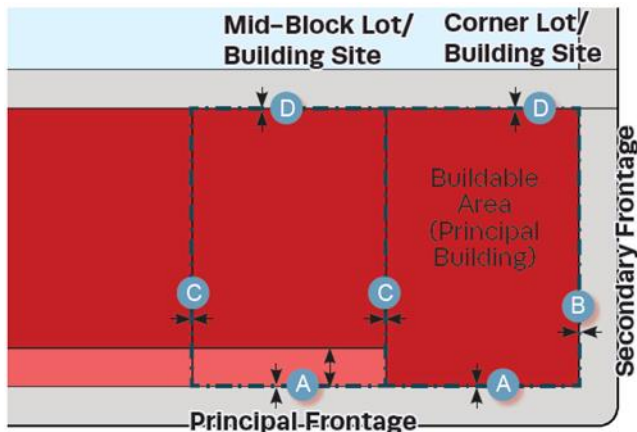
See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).

Number of Buildings

Principal Building	1 max
Accessory Buildings	1 max

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5C **TABLE 4.3.1-G DISTRICT STANDARDS**
URBAN CENTER CORRIDOR CHARACTER DISTRICT



Lot Occupation

Lot/ Building Site Width

Townhouse: For Townhouses with each unit on its own Lot or Building Site: 18- 36 ft. for single Townhouse unit attached to other Townhouse units x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x8 max. attached Townhouse units
 All other Building Types: 18 ft. min
 All Building Types: 120 ft. max

Frontage Buildout

80% min.

Lot/ Building Site Area

NR

Impervious Surface Coverage

100% max

Lot/ Building Site Enfrontment

Must enfront a vehicular Thoroughfare or Internal Drive, except $\leq 20\%$ of the Lots or Building Sites within each type of Character District of a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Lot/ Building Site Access

All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building

Front Setback / Yard, Principal Frontage

0 ft. at corners; 0 ft. min; 15 ft. max elsewhere

A

Front Setback / Yard, Secondary Frontage

0 ft. at corners; 0 ft. min; 15 ft. max elsewhere

B

Side Setback / Yard, each side

0 ft. min; 24 ft. max. per side

C

Rear Setback

NR

D

Setbacks / Yards – Accessory Building

Front Setback / Yard, Principal Frontage

40 ft. max. from rear property line

E

Side Setback / Yard

3 ft. max.

F

Rear Setback / Yard

3 ft. min. or 5 ft. min. if Garage door faces Rear Alley

G

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5C

TABLE 4.3.1-G DISTRICT STANDARDS

URBAN CENTER CORRIDOR CHARACTER DISTRICT

Building Standards

Building Height*

Principal Building 2 Story min; 4 Stories max

Accessory Building 2 Stories max

*Stories/ Height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height

May not exceed 14 ft. from finished floor to finished ceiling, except for a first floor Business/ Commercial, Office, Retail/ Personal Service, or Accommodation/ Lodging Use, which must be a minimum of 11ft. with a maximum of 25 ft.

Building Composition

Vertical Composition Each Principal Building must have an identifiable Base, Middle & Cap

Finished Floor Level If Residential: 18 in. min., 48 in. max. above average grade at Façade

Façade

Main Entrance Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.

Façade Position Parallel to straight Frontage Line or to tangent of curved Frontage Line

Façade & Façade Element Design Proportions Must be vertically proportioned

Blank Walls **NP** at Frontage

Façade Articulation Except for House Building Types, a Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See **Illustration 4.3.5.A-3**)

Façade Openings Windows, and/or doors spaced ≤ 20 ft. apart
In Stories above first Façade openings must be $\leq 50\%$ of the total Façade area

Façade Glazing 20% - 60% of total Façade area for non-Shopfront; 70% of total Façade area, min. for Shopfront

Window Shape Square or vertical in proportion, except transoms

Window Alignment Upper floor windows and other features must be aligned with those of first floor

Window Types Except in Shopfront or Gallery Frontage, and except for Transoms and sidelights, Windows in Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be $\leq 50\%$ of total Façade area.

Window Glazing Material Clear glass is **Required** for all Elevations

Window Trim in 1st Layer Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rowlock course below sill if brick or stone surrounds window

Shutters If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs

Façade Window Sill Height If Residential, 5 ft. min above average grade at Façade

Porch Frontages Min. 6 ft. clear depth, excluding rails, pillars, columns or other features

Shopfront Frontages 12 in. – 24 in. knee wall required at Frontage

Façade Variety No Façade may exist more than once in a Block Face or within view of the same Façade

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5C **TABLE 4.3.1-G DISTRICT STANDARDS**
URBAN CENTER CORRIDOR CHARACTER DISTRICT

Building Standards (continued)

Roof Type & Pitch

Flat	P
Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building.
Hip	P
Gable	P
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.

Gable end rakes shall overhang at least six inches.

Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.

Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

	Brick	P	Authentic stucco over masonry	P
	Natural stone	P	Exposed concrete	NP
	Wood	P	Vinyl or Aluminum siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP
Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd layer. Primary materials shall continue for entire length of all Facades facing a frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of any such change.			
Building Colors	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim			
Foundation Cladding	Required ; brick, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.			
Porch Pier Cladding	Required ; brick or stone, with any space under Porch concealed by painted or stained latticework between piers, except renovations and minor expansions of existing structures, pier cladding, or absence of cladding, may match current material.			
Chimney Cladding	Required ; brick, natural stone, with material matching primary material of Façade			

Building Types

House	NP	Commercial	P
Duplex	NP	Mixed Use	P
Townhouse	P	Flex	P
Small Multifamily	P	Mid-Rise	P
Large Multifamily	P	Large Scale Commercial	P
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.6 (Building Type Mix).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5C **TABLE 4.3.1-G DISTRICT STANDARDS**
URBAN CENTER CORRIDOR CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery	P in 3 rd layer only, and in Driveway and Temporary Use of trailers
All Other Vehicles	NP	P in 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd Layer only Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space
Garage Design	If Garage faces Street: max Garage door width 33% of total Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	24 ft. max in 1 st Layer; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfare & Internal Drive Types*

**Only applicable to Development Parcels*

See Article 5 (Development Parcel Standards) for additional requirements

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5C **TABLE 4.3.1-G DISTRICT STANDARDS**
URBAN CENTER CORRIDOR CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof deign		P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception		P
Recreation or Paly Equipment	NP	NP	P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers, or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and **Table 7.12.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types- Specific Standards)**

Lighting

See Private Lighting Requirements in Section 4.3.17 and **Table 4.3.17.B (Private Lighting Standards)**

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5C TABLE 4.3.1-G DISTRICT STANDARDS URBAN CENTER CORRIDOR CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

NA if paved or $\leq$ 3ft front Setback/ Yard; Otherwise, shrubs continuous around foundation at Façade. Landscaping must comply with Section 4.3.16

Walls & Fencing

Height	3.5 - 4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody
Maintenance	Must be well maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P at sides and rear only	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P at sides and rear only	Barbed/ Razor/ Concertina Wire	NP
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	NP	Smooth or Split-faced Block	NP

Additional Standards

Pedestrian Connections through to Adjacent Neighborhoods or Uses	Required
Locations of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5C **TABLE 4.3.1-G DISTRICT STANDARDS**
URBAN CENTER CORRIDOR CHARACTER DISTRICT

Screens, Street-Screens & Buffers

Height

	At Frontage or Adjacent to Civic Space Civic Space	Not at Frontage or Adjacent to
Wall Screen/Street-Screen Height	3.5 ft. to 5 ft.	5ft. to 6ft; Minimum 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5ft. to 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3 ft. to 5 ft at installation	5ft. to 6ft. at installation

Materials

Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen. Street Screen Adjacent to or across Thoroughfare from Non-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacle/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	Required ; except at Driveways: Parking Lots and Parking Areas must be Screened From Frontage and Civic Space by Building or Street-Screen; otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building wall, hedge or fence not at Frontage or Adjacent to Civic Space.
Rooftop Antenna Screening and HVAC, Mechanical and other Equipment Screening	Required ; must be Screened from Frontage and Civic Space by Building Parapet or other Building element
Self-Storage Warehouse Screening	N/A (not permitted in District)
Street-Screen Location	2 nd Layer
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.5

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-MHP

TABLE 4.3.1-H DISTRICT STANDARDS
MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

General Description

This District is designed to provide suitable areas for Manufactured Home Parks where sufficient urban facilities are available prior to Development. Manufactured Homes and Buildings necessary to support the Residential occupancy of Manufactured Homes are permitted. This District is intended also to permit community facilities and public utility installations that are necessary to service specifically the residents of this District, or which are benefited by and compatible with a Residential environment. SD-MHP is appropriate for the Suburban Neighborhoods Future Land Use Character Area described in the Comprehensive Plan.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-MHP

TABLE 4.3.1-H DISTRICT STANDARDS

MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Density / Floor Area Ratio (FAR)

**Applicable only to Development Parcels*

6 Density Unites per acre max

BLOCK SIZE*

**Applicable only to Development Parcels*

Block Perimeter

2,400 ft. max

Private Frontage Types

Common Yard	P	Stepfront	NP
Porch	P	Shopfront	NP
Fence	P	Gallery	NP
Terrace/Lightwell	NP	Arcade	NP
Forecourt	NP	Officefront	NP
Stoop	NP		
See Table 4.3.7.A (Private Frontage Types)			

Civic Space Types*

**Applicable only to Development Parcels.*

Natural Area	NP	Playground	P
Green	P	Sport Field	NP
Square	P	Pocket Park	P
Plaza	P		

See Table 5.3.2-A (Civic Space Types - Summary) and Table 5.3.2-B (Civic Space - Specific Standards)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).

Number of Buildings Per Lot or Building Site

Principal Building	1 max. per Manufactured Home Site or Building Site
Accessory Buildings	1 max. per Manufactured Home Site or Building Site

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-MHP

TABLE 4.3.1-H DISTRICT STANDARDS

MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Manufactured Home Site / Building Site / Manufactured Home Park Occupation

Manufactured Home / Building Site Width	Residential: ⁽¹⁾ Non-Residential Use: 60 ft. min.
Manufactured Home Park Minimum Street / Highway Frontage	50 ft. min.
Frontage Buildout	if non-mobile: 40% min; otherwise NR
Manufactured Home Site / Building Site Depth	NR
Manufactured Home Site / Building Site Area	Residential Use: 6,000 sf. Min. Non-Residential Use: 10,000 sf. min.
Manufactured Home Stand	max. 25% of Manufactured Home Site
Impervious Surface Coverage	35% max
Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except $\leq 20\%$ of the Manufactured Home Site if a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or waterbody if such Manufactured Home Sites have legal and Physical vehicular access to a vehicular Thoroughfare via Driveway or Easement. All Manufactured Home Sites must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Street Yard-Arterial	Residential: ⁽¹⁾ Non-Residential: 50 ft. min.	A	Side Yard-Per side	Residential: ⁽¹⁾ Non-Residential: 2 Stories or less 15 ft. min 3 or more Stories 25 ft. min	B
Street Yard-Collector	Residential: ⁽¹⁾ Non-Residential: 50 ft. min.	A	Side Yard-Total	Residential: ⁽¹⁾ Non-Residential: NR	B
Street Yard-Minor	Residential: ⁽¹⁾ Non-Residential: 50 ft. min.	A	Rear Yard	Residential: ⁽¹⁾ Non-Residential: 20 ft. min	?

⁽¹⁾ Within a manufactured Home Park, dimensional standards shall be required for the park. All other Residential uses of a Manufactured Home (including a Manufactured Home not in a park) shall conform to the standards of the CD-3 Character District.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-MHP

TABLE 4.3.1-H DISTRICT STANDARDS

MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Building Standards

Building Height*

Principal Building	2 Stories max
Accessory Building	2 Stories max

*Stories/ Height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height

NR

Building Composition

Vertical Composition	NR

Finished Floor Level	NR

Required to be concealed by apron between floor level and ground on all sides, including beneath Porch or Stoop

Support piers,
plumbing, HVAC,
hitch and Wheels

Façade

Main Entrance	If non-mobile: Required prominently located on Façade at Principal Frontage; otherwise, NR
Façade Position	If non-mobile: Parallel to straight Frontage Line or tangent of curved Frontage Line; otherwise, NR
Blank Walls	NP at Frontage
Façade Glazing	20% - 60% of total Façade area

Roof Type & Pitch

NR

Building Materials

NR except **Required** clear glass for windows at Frontage

Building Types

Manufactured Homes & Associated Buildings	P
Civic	P

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-MHP

TABLE 4.3.1-H DISTRICT STANDARDS

MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Vehicular Parking Requirements

Parking Location	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In Rear Yard only
Garage Design	NR
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft. max. single lane; 20 ft. max. width double lane
Parking Structure	N/A
Parking Structure Pedestrian Exit Location	N/A

Bicycle Parking

NR

Thoroughfare & Internal Drive Types*

**Only applicable to Development Parcels*

See Article 5 (Development Parcel Standards) for additional requirements

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-MHP

TABLE 4.3.1-H DISTRICT STANDARDS

MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Trash Receptacle Locations – Manufactured Home Sites	P in 3 rd Layer only, except when moved to 1 st or 2 nd Layer for pickup
Community Trash Receptacle or Dumpster Locations	P in 3 rd Layer only, must be screened from Frontage and fully enclosed on 3 sides and enclosed on the 4 th side with self-closing gate
Drive- Through Locations	N/A

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	NP	P
Solar Panels	P if coplanar to and integrated into roof deign		P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception		P
Recreation or Paly Equipment	NP	NP	P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers, or antennas and wind- generating machines	NR		

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types- Specific Standards)

Lighting

See Private Lighting Requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-MHP

TABLE 4.3.1-H DISTRICT STANDARDS

MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Private Landscaping and Fencing

Landscaping

Required Street Yard and any required Side Yard of a corner Manufactured Home Site must be landscaped in compliance with Section 4.3.16., including 1 tree per Manufactured Home Site and continuous shrub plantings around foundation facing Frontage.

Walls & Fencing

Height	4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody
Maintenance	Must be well maintained, in upright condition and free of missing or broken parts and graffiti.

Materials			
Natural Wood	P	Chain Link	NP
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/ Razor/ Concertina Wire	NP
Wrought Iron or Aluminum	NP	Exposed or Painted Aggregate Concrete	NP
Vinyl	NP	Smooth or Split-faced Block	NP

Additional Standards	
Pedestrian Connections through to Adjacent Neighborhoods or Uses	Required
Locations of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-MHP **TABLE 4.3.1-H DISTRICT STANDARDS**
MANUFACTURED HOME PARK RESIDENTIAL SPECIAL DISTRICT

Screens, Street-Screens & Buffers

Height

	At Frontage or Adjacent to Civic Space Civic Space	Not at Frontage or Adjacent to
Wall Screen/Street-Screen Height	3.5 ft. to 5 ft.	5ft. to 6ft; Minimum 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5ft. to 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3 ft. to 5 ft at installation	5ft. to 6ft. at installation

Materials

Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen. Street Screen Adjacent to or across Thoroughfare from Non-Family Residential	N/A (Uses not permitted in District)
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacle/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	Required ; except at Driveways: Parking Lots and Parking Areas must be Screened From Frontage and Civic Space by Building or Street-Screen; Parking Structures must be Screened from Frontages and Civic Space by Liner Buildings otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building wall, hedge or fence not at Frontage or Adjacent to Civic Space.
Rooftop Antenna Screening and HVAC, Mechanical and other Equipment Screening	Required ; must be Screened from Frontage and Civic Space by Building Parapet or other Building element
Self-Storage Warehouse Screening	N/A (Uses not permitted in District)
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.5

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-INT

TABLE 4.3.1-I DISTRICT STANDARDS
INTERSTATE SERVICE SPECIAL DISTRICT

General Description
This District is designed to provide space along I-65 to serve the needs of the motoring public. Automobile and other vehicular service establishments, transient sleeping accommodations, and eating and drinking establishments to primarily characterize this District. Appropriate locations for this District are along I-65 in an environment of general Commercial and Mixed Use activity. Due to the high traffic volumes and general incompatibility between some of the Uses permitted within this District and those in CD-3L and CD-3 areas, this District shall not be located in or Adjacent to a CD-3L or CD-3 District. The SD-INT District is an appropriate District for the Technology Employment Center Future Land Use Character Area described in the Comprehensive Plan. SD-INT is limited to Parcels within 3,690 feet of an Interstate, Freeway, or other limited access highway identified in the Transportation element of the Plan,

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-INT	TABLE 4.3.1-I DISTRICT STANDARDS	
	INTERSTATE SERVICE SPECIAL DISTRICT	
Density / Floor Area Ratio (FAR)		*Applicable only to Development Parcels
24 Density Unites per acre max		
Parcel Size		
Parcel Size	Min. 1 gross acre	
Block Size*		*Applicable only to Development Parcels
Block Perimeter	NR	
Private Frontage Types		
NR		
Civic Space Types*		*Applicable only to Development Parcels.
Square	P	
Plaza	P	
Permitted Uses		
See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).		
Number of Buildings Per Lot or Building Site		
Principal Building	1 max. per Lot or Building Site	
Accessory Buildings	1 max.	

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-INT **TABLE 4.3.1-I DISTRICT STANDARDS**
INTERSTATE SERVICE SPECIAL DISTRICT

Lot Occupation

Lot/ Building Width	100 ft. min
Lot Frontage on Street / Highway	100 ft. min
Lot Depth	NR
Frontage Buildout	NR
Lot/ Building Site Area	20,000 SF min.
Impervious Surface Coverage	NR
Usable Open Space	Min. 7% of gross site area
Lot/ Building Site Enfrontment	Must enfront a vehicular Thoroughfare, Internal Drive, or Driveway. Lots or Building Sites within a Development Parcel may enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.
Lot/ Building Site Access	All Lots and Building Sites must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement

Setback / Yards

Setback / Yards – Principal Building

As applicable:

Street Yard – Min	1. For sites Adjacent to a District which a Residential use is allowed:	
	a) An Addition to an existing Building with a Façade of variable distance from the Street may be extended to the plane of the existing Façade closest to the Street.	
	b) Except for an addition to an existing Building described in 1.a above, the lesser of	A
	i) The Average depth of Street Yards of existing Buildings within 100 ft. on each side of a Lot or Building Site or	
	ii) 60 ft.	
	2. Otherwise, 30 ft.	
Side Yard – Per side	0 ft. min along Lot Lines or Building Site Lines Adjacent to a Lot or Building Site on which no Mixed Use or Residential Use is located, or is being constructed; Otherwise, 10 ft. min ⁽¹⁾⁽²⁾⁽³⁾	B
Rear Yard	0 ft. min along Lot Lines or Building Site Lines Adjacent to a Lot or Building Site on which no Mixed Use or Residential Use is located, or is being constructed; Otherwise, 10 ft. min ⁽¹⁾⁽²⁾⁽³⁾	C

Notes: *See Article 9 (definitions) for FAR measurement information

- (1) Additional Side Yard or Rear Yard depth may be necessary to accommodate Buffers and landscaping required in Sections 4.3.11, 4.3.16, and 5.5
- (2) The Required Rear Yard Depth shall be reduced as provided below if the Lot does not abut a different District and is owned separately and individually from all other tracts of land, both on the Effective date of this Ordinance and on the date of application for a Zoning Permit. Such reduction shall be as follows:
 - a. For all interior Lots between 80 ft. and 100 ft. deep, the required Rear Yard shall be reduced by an amount equal to the lesser of (1) 100 ft. minus the depth of the Lot or (2) 10ft.
 - b. For Interior Lots < 80 ft. deep within Non-Residential Districts, the required Rear Yard depth shall be 0 ft., but if any Rear Yard is provided, it must be at least 10 ft. deep.
- (3) Buffering requirements are not applicable to Side Yards or Rear Yards with zero depth.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-INT **TABLE 4.3.1-I DISTRICT STANDARDS**
INTERSTATE SERVICE SPECIAL DISTRICT

Building Standards

Building Height*

	Initial Stepback = depth of required Front Setback / Street Yard, within which no Structure is allowed
Principal Building	Max, height within 1 st 30 ft. beyond initial Stepback ("Secondary Stepback"): 45 ft. + 1.5 ft. (Y) for every additional 1 ft. (X) Building is Stepped back from Initial Stepback (slope of Sky Exposure Plane (x:y) = 1:1.5). From and beyond 40 ft. from back of sidewalk ("Total Stepback"), greater of 75 ft. max or height permitted by Conditional Use Permit, if total Impervious Surface Coverage is 40% or less.
Accessory Building	45 ft. max

*Stories/ Height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height

May not exceed 14 ft. from finished floor to finished ceiling, except for a first floor Business/Commercial, Office, Retail/ Personal Service, or Accommodation/ Lodging Use, which must be a minimum of 11 ft. with a maximum if 25 ft.

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle & Cap
Finished Floor Level	NR

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line.
Façade & Façade Element Design Proportions	Must be vertically proportioned.
Blank Walls	NP at Frontage
Façade Articulation	A façade greater than 100 ft. in width must be differentiated so that it appears to be compromised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice detail; (d) a change of wall material or wall color; a change in trim courses and other horizontal element (e) a change in dormer or balcony design, if any; and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed of a defined center and edges. (See Illustration 4.3.5.A-3)
Façade Openings	Windows and/or doors spaced $\leq$ 20 ft. apart. In Stories above first, Façade openings must be $\leq$ 50% of total Façade area.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-INT **TABLE 4.3.1-I DISTRICT STANDARDS**
INTERSTATE SERVICE SPECIAL DISTRICT

Façade Glazing	20% - 60% of total Façade Area for non-Shopfront; 70% of total Façade Area, min. for Shopfront.
Window Shape	Square or vertical in proportion, except transoms.
Window Alignment	Upper floor windows and other features must be aligned with those of first floor.
Window Types	Except in Shopfront or Gallery Frontage, and except for transoms and sidelights, Windows in Façade and 1 st & 2 nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be ≤ 50% of total Façade area.
Window Glazing Material	Clear glass Required for windows at Frontage.
Window Trim in 1 st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window, soldier course above lintel and rowlock course below sill if brick or stone surrounds window.
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs.
Façade Window Sill Height	If Residential: 5 ft. min. above average grade at Frontage.
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features.
Shopfront Frontages	12 in. – 24 in. knee wall required at Frontage.
Façade Variety	No Façade may exist more than once on a Block Face or within view of the same Façade.

Roof Type & Pitch

NR

Roof Design

NR

Building Materials

Brick	P	Authentic stucco over masonry	P
Natural stone	P	Exposed concrete	NP
Wood	P	Vinyl or Aluminum siding	NP
Cementitious siding	P	Corrugated and/or sheet metal	NP

Changes in Building Materials **NR**

Building Colors **NR**

Foundation Cladding **NR**

Porch Pier Cladding **NR**

Chimney Cladding **NR**

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-INT **TABLE 4.3.1-I DISTRICT STANDARDS**
INTERSTATE SERVICE SPECIAL DISTRICT

Building Types			
House	NP	Commercial	P
Duplex	NP	Mixed Use	P
Townhouse	NP	Flex	P
Small Multifamily	NP	Mid-Rise	P
Large Multifamily	P	Large Scale Commercial	P
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.6 (Building Type Mix).

Vehicular Parking Requirements		
Parking Location		
	On-Street Parking	Off-Street Parking
All Vehicles	NR	P behind first 10 ft. from Frontage Lot Line if site not abutting Residential District; Otherwise, P only in Side Yard or Rear Yard

Additional Parking Requirements	
Off-Street Parking Surface	Asphalt, concrete, or other hard surface
Garage Location	P In Rear Yard only
Garage Design	NR
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft. max. in 1 st Layer if Residential; 36 ft. max. in 1 st Layer if non-Residential, regardless if shared or not
Parking Structure	P , if screened from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking
See Section 4.3.13

Thoroughfare & Internal Drive Types*	*Only applicable to Development Parcels
See Article 5 (Development Parcel Standards) for additional requirements	

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-INT **TABLE 4.3.1-I DISTRICT STANDARDS**
INTERSTATE SERVICE SPECIAL DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Trash Receptacle Locations – Manufactured Home Sites	P in 3 rd Layer only, except when moved to 1 st or 2 nd Layer for pickup
Community Trash Receptacle or Dumpster Locations	P in 3 rd Layer only, must be screened from Frontage and fully enclosed on 3 sides and enclosed on the 4 th side with self-closing gate
Drive- Through Locations	N/A

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception		P
Recreation or Paly Equipment	NP	NP	P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers, or antennas and wind- generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and **Table 7.12.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types- Specific Standards)**

Lighting

See Private Lighting Requirements in Section 4.3.17 and **Table 4.3.17.B (Private Lighting Standards)**

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-INT **TABLE 4.3.1-I DISTRICT STANDARDS**
INTERSTATE SERVICE SPECIAL DISTRICT

Private Landscaping and Fencing

Landscaping

Required continuous shrubs around foundation facing Frontage if 1st Layer is $\geq$ 3 ft. deep, plus if 1st Layer is $\geq$ 15 ft. deep, 1 tree planted in 1st Layer. Landscaping must comply with Section 4.3.16.

Walls & Fencing

Height	3.5- 4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody
Maintenance	Must be well maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P at sides and rear only	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P at sides and rear only	Barbed/ Razor/ Concertina Wire	NP
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	NP	Smooth or Split-faced Block	NP

Additional Standards

Pedestrian Connections through to Adjacent Neighborhoods or Uses	NR
Locations of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-INT **TABLE 4.3.1-I DISTRICT STANDARDS**
INTERSTATE SERVICE SPECIAL DISTRICT

Screens, Street-Screens & Buffers

Height

	At Frontage or Adjacent to Civic Space Civic Space	Not at Frontage or Adjacent to
Wall Screen/Street-Screen Height	3.5 ft. to 5 ft.	5ft. to 6ft; Min. 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5ft. to 6ft; Min. 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3 ft. to 5 ft at installation	5ft. to 6ft. at installation

Materials

Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen. Street Screen Adjacent to or across Thoroughfare from Non-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacle/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	Required ; except at Driveways: Parking Lots and Parking Areas must be Screened From Frontage and Civic Space by Building or Street-Screen; Parking Structures must be Screened from Frontages and Civic Space by Liner Buildings; Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building wall, hedge or fence not at Frontage or Adjacent to Civic Space.
Rooftop Antenna Screening and HVAC, Mechanical and other Equipment Screening	Required ; must be Screened from Frontage and Civic Space by Building Parapet or other Building element
Self-Storage Warehouse Screening	N/A (Use not permitted in District)
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.5

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-LI	TABLE 4.3.1-J DISTRICT STANDARDS LIGHT INDUSTRIAL SPECIAL DISTRICT

General Description
This District is intended to provide space for a wide range of wholesale trade, warehousing of a wide variety of products or materials, manufacturing processes, and industrial and related uses that conform to a high level of performance criteria and have few objectionable characteristics. All operations must be carried on within completely enclosed Buildings, thus providing a standard of Development that removes most adverse characteristics that affect neighboring properties. This District may provide a buffer between other Districts and other industrial activities that have more objectionable influences. This District may require types of Structures and have Uses and other characteristics that cannot be facilitated in other Districts. New Residential Development, Commercial establishments, Retail establishments, personal service Uses, and community facilities and utilities, are permitted, as well as additional Uses that provide needed complementary services or are necessary for the general community welfare. SD-LI is an appropriate District for Technology Employment Center Future Land Use Character Area described in the Comprehensive Plan.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-LI TABLE 4.3.1-J DISTRICT STANDARDS LIGHT INDUSTRIAL SPECIAL DISTRICT

Density / Floor Area Ratio (FAR) **Applicable only to Development Parcels*

NR

Parcel Size

Parcel Size Min. 1 acre

Block Size* **Applicable only to Development Parcels*

Block Perimeter 2,000 ft. max. or 3,000 ft. max. if a Parking Structure provided within Block

Private Frontage Types

NR

Civic Space Types* **Applicable only to Development Parcels.*

NR

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).

Number of Buildings Per Lot or Building Site

Principal Building

Accessory Buildings

Lot Occupation

Lot/ Building Width 50 ft. min

Lot Depth **NR**

Frontage Buildout **NR**

Lot/ Building Site Area 40,000 SF min.

Impervious Surface Coverage 70% max

Usable Open Space Min. 7% of gross site area

Lot/ Building Site Enfrontment Must enfront a vehicular Thoroughfare, Internal Drive, or Driveway. Lots or Building Sites within a Development Parcel may enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.

Lot/ Building Site Access All Lots and Building Sites must have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-LI **TABLE 4.3.1-J DISTRICT STANDARDS**
LIGHT INDUSTRIAL SPECIAL DISTRICT

Setback / Yards

Setback / Yards – Principal Building

As applicable:

Street Yard – Min	1. For sites Adjacent to a District which a Residential use is allowed: a. An Addition to an existing Building with a Façade of variable distance from the Street may be extended to the plane of the existing Façade closest to the Street. b. Except for an addition to an existing Building described in 1.a above, the lesser of I. The Average depth of Street Yards of existing Buildings within 100 ft. on each side of a Lot or Building Site or II. 40 ft. ⁽¹⁾ 2. Otherwise 20' ft.	A

As applicable:

Side Yard – Per side	1. For sites abutting a Residential District, 50 ft. along the common boundary; 2. Otherwise, 10 ft. min ⁽¹⁾⁽²⁾⁽³⁾⁽⁴⁾	B

As applicable:

Rear Yard	1. For sites abutting a Residential District, 50 ft. along the common boundary; 2. Otherwise 20' ft. ⁽¹⁾⁽²⁾⁽³⁾⁽⁴⁾ 3. Otherwise, 20 ft. min ⁽¹⁾⁽²⁾⁽³⁾⁽⁴⁾	C

Building Standards

Building Height*

Principal Building	45 ft. max

Accessory Building	45 ft. max

Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Notes:

- (1) Additional Side Yard or Rear Yard depth may be necessary to accommodate Buffers and landscaping required in Sections 4.3.11, 4.3.16, and 5.5
- (2) The Required Rear Yard Depth shall be reduced as provided below if the Lot does not abut a different District and is owned separately and individually from all other tracts of land, both on the Effective date of this Ordinance and on the date of application for a Zoning Permit. Such reduction shall be as follows:
 - a. For all interior Lots between 80 ft. and 100 ft. deep, the required Rear Yard shall be reduced by an amount equal to the lesser of (1) 100 ft. minus the depth of the Lot or (2) 10ft.
 - b. For Interior Lots < 80 ft. deep within Non-Residential Districts, the required Rear Yard depth shall be 0 ft., but if any Rear Yard is provided, it must be at least 10 ft. deep.
- (3) In Industrial Districts, the required Side Yard and Rear Yard depth for Lots along Lot Lines abutting other Industrial Districts or along a railroad Right-Of-Way is 0 ft.
- (4) In Industrial Districts, Buffering requirements are not applicable to Side Yards with zero depth.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-LI **TABLE 4.3.1-J DISTRICT STANDARDS**
LIGHT INDUSTRIAL SPECIAL DISTRICT

Ceiling Height	
NR	
Building Composition	
Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	NR
Façade	
Main Entrance	Main Entrance must be in Façade of Principal Frontages.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	NR Flex Building with Industrial Category Use Other – Must be vertically proportioned
Blank Walls	NP at Frontage
Façade Articulation	NR Flex Building with Industrial Category Use Others- Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material, or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any; and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (see Illustration 4.3.5.A-3)
Façade Openings	NR Flex Building with Industrial Category Use Others – Windows and/or doors spaced < 20 ft. apart; in Stories above first, Façade openings must be < 50% of total Façade area.
Façade Glazing	NR Flex Building with Industrial Category Use Others – 20% - 60% of total Façade area.
Window Shape	NR Flex Building with Industrial Category Use Others - Square or vertical in proportion, except transoms
Window Alignment	NR Flex Building with Industrial Category Use Others - Upper floor windows and other features must be aligned with those of first floor
Window Types	NR Flex Building with Industrial Category Use Others - Except in Shopfront or Gallery Frontage, and except for Transoms and sidelights, Windows in Façade and 1 st & 2 nd Layers must be single-hung, double-hung, casement or awning types.
Window Glazing Material	Flex Building with Industrial Category Use - Clear glass is Required for windows at Frontage Others - Clear glass is Required for all Elevations
Window Trim in 1 st Layer	NR Flex Building with Industrial Category Use Others - Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rowlock course below sill if brick or stone surrounds window
Shutters	NR Flex Building with Industrial Category Use Others - If provided must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade Others - NR
Porch Frontages	NR Flex Building with Industrial Category Use Others – If provided, min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shop Frontages	NR Flex Building with Industrial Category Use For Shopfront Private Frontage – 12 in. – 24 in. knee wall required at Frontage
Façade Variety	NR Flex Building with Industrial Category Use Others – No façade may exist more than once on a Block Face or within view of the same Façade.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

Roof Type & Pitch

Flat	NR Flex Building with Industrial Category Use Others P
Shed	NR Flex Building with Industrial Category Use P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have shed roof anywhere on the Building
Hip	NR Flex Building with Industrial Category Use Others P
Gable	NR Flex Building with Industrial Category Use Others P
Pitch	If pitched, 6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.

Gable end rakes shall overhang at least six inches.

Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.

Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Brick	P	Authentic stucco over masonry	P
Natural stone	P	Exposed concrete	P Flex Buildings with Industrial Category Use NP Others
Wood	P	Vinyl or Aluminum siding	NP
Cementitious siding	P	Corrugated and/or sheet metal	P Flex Buildings with Industrial Category Use NP Others
Changes in Building Materials	NR		
Building Colors	NR		
Foundation Cladding	NR		
Porch Pier Cladding	NR		
Chimney Cladding	NR		

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-LI **TABLE 4.3.1-J DISTRICT STANDARDS**
LIGHT INDUSTRIAL SPECIAL DISTRICT

Building Types			
House	NP	Commercial	P
Duplex	NP	Mixed Use	P
Townhouse	NP	Flex	P
Small Multifamily	P	Mid-Rise	P
Large Multifamily	P	Large Scale Commercial	P
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.6(Building Type Mix).

Vehicular Parking Requirements		
Parking Location		
	On-Street Parking	Off-Street Parking
Domestic Vehicles	NP	P in any Required Yard, unless specifically prohibited* Except Residential and Commercial in 3 rd Layer only.
Recreational Vehicles	NP	P in any Required Yard, unless specifically prohibited* Except Residential and Commercial in 3 rd Layer only.
Heavy Equipment	NP	P in any Required Yard, unless specifically prohibited* Except Residential and Commercial in 3 rd Layer only.
Tractor Trailers (including trailers for storage)	NP	P in any Required Yard, unless specifically prohibited* Except Residential and Commercial in 3 rd Layer only.
All other Vehicles	NP	P in any Required Yard, unless specifically prohibited* Except Residential and Commercial in 3 rd Layer only.

*Driveways are not permitted within required Project Buffers & may penetrate required Lot/Building Site/ Parcel Buffers to minimum amount necessary to comply with this Ordinance.

Additional Parking Requirements	
Off-Street Parking Surface	Asphalt or concrete
Garage Location	P In 3 rd Layer only
	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space
Garage Design	If Garage faces Street: max Garage door width 33% of total Garage + Façade width; Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft max. in 1 st Layer and 2 nd Layer if Residential; 24 ft. max in 1 st Layer if non-Residential, regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-LI TABLE 4.3.1-J DISTRICT STANDARDS LIGHT INDUSTRIAL SPECIAL DISTRICT

Bicycle Parking

See Section 4.3.13

Thoroughfare & Internal Drive Types*

**Only applicable to Development Parcels*

See Article 5 (Development Parcel Standards) for additional requirements

Loading & Access

Off-Street Loading and Storage	P only in any Required Side Yard or Rear Yard, unless specifically prohibited
Utility Box & Service Meter* Locations (*Not including water meters)	P only in any Required Side Yard or Rear Yard, unless specifically prohibited
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only, must be Screened from Frontage and fully enclosed on 3 sides and enclosed on the 4 th side with self-closing gate
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception		P
Recreation or Paly Equipment	NP	NP	P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers, or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types- Specific Standards)

Lighting

See Private Lighting Requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-LI **TABLE 4.3.1-J DISTRICT STANDARDS**
LIGHT INDUSTRIAL SPECIAL DISTRICT

Private Landscaping and Fencing

Landscaping

Required continuous shrubs around foundation at Façade if 1st Layer id > 3 ft. deep, plus if 1st Layer is > 15 ft. deep, 1 tree per 50 ft. of Frontage width, planted in 1st Layer. Landscaping must comply with Section 4.3.16

Walls & Fencing (not including Screens)

Height	3.5 - 4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line		
Construction	Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody		
Maintenance	Must be well maintained, in upright condition and free of missing or broken parts and graffiti		
Materials			
Natural Wood	P only picket type allowed at Frontage; other types allowed at sides and at rear	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P at sides and rear only	Barbed/ Razor/ Concertina Wire	P at sides and rear only & only if not Adjacent to Residential Use
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	NP	Smooth or Split-faced Block	NP

Additional Standards

Pedestrian connections through to Adjacent Neighborhoods or Uses	Required
Location of Retaining Walls	P within required Yards, per Sections 4.3.10 If supporting grade 8 ft. or higher that grade at property line, must be set back 10 ft. from property line

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-LI **TABLE 4.3.1-J DISTRICT STANDARDS**
LIGHT INDUSTRIAL SPECIAL DISTRICT

Screens, Street-Screens & Buffers		
Height	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Street-Screen Height	3.5 ft. to 5 ft.	5ft. to 6ft; Minimum 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5ft. to 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3 ft. to 5 ft at installation	5ft. to 6ft. at installation

Materials	
Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity

Additional Standards	
Non-Residential & Multi-Family Residential Screen. Street Screen Adjacent to or across Thoroughfare from Non-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacle/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	Required; except at Driveways: Parking Lots and Parking Areas must be Screened From Frontage and Civic Space by Building or Street-Screen; Parking Structures must be Screened from Frontages and Civic Space by Liner Buildings otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building wall, hedge or fence not at Frontage or Adjacent to Civic Space.
Rooftop Antenna Screening and HVAC, Mechanical and other Equipment Screening	Required; must be Screened from Frontage and Civic Space by Building Parapet or other Building element
Self-Storage Warehouse Screening	Required; except at Driveways; Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent tom Civic Space.
Street-Screen Location	2 nd Layer
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.5

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-HI TABLE 4.3.1-K DISTRICT STANDARDS
HEAVY INDUSTRIAL SPECIAL DISTRICT

General Description

This District is intended to provide suitable areas for intense or potentially noxious Industrial operations, including open land operations. It is specifically intended that all newly created Districts be so located and Buffered as to prevent possible negative impact upon Adjacent land and Uses. SD-HI is an appropriate District for Technology Employment Center future land Use Character Area described in the Comprehensive Plan.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-HI	TABLE 4.3.1-K DISTRICT STANDARDS HEAVY INDUSTRIAL SPECIAL DISTRICT

Density / Floor Area Ratio (FAR)	*Applicable only to Development Parcels
NR	

Parcel Size
Parcel Size NR

Block Size*	*Applicable only to Development Parcels
Block Perimeter	Not Regulated

Private Frontage Types
NR

Civic Space Types*	*Applicable only to Development Parcels.
NR	

Permitted Uses
See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).

Number of Buildings
Principal Building
Accessory Buildings

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-HI **TABLE 4.3.1-K DISTRICT STANDARDS**
HEAVY INDUSTRIAL SPECIAL DISTRICT

Lot Occupation	
Lot/ Building Width	100 ft. min.
Lot/ Building Site/ Parcel Frontage on Street/ Highway	24 ft min.
Lot Depth	NR
Frontage Buildout	NR
Lot/ Building Site Area	As required to meet all other applicable requirements of this Ordinance
Impervious Surface Coverage	70% max
Usable Open Space	Min. 7% of gross site area
Lot/ Building Site Enfrontment	Must enfront a vehicular Thoroughfare, Internal Drive, or Driveway. Lots or Building Sites within a Development Parcel may enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.
Lot/ Building Site Access	All Lots and Building Sites must have legal and physical vehicular access to a vehicular Thoroughfare vis Driveway or Easement
Setback / Yards	
Setback / Yards – Principal Building	
	As applicable:
Street Yard – Min	1. For sites Adjacent to a District which a Residential use is allowed:
	a. An Addition to an existing Building with a Façade of variable distance from the Street may be extended to the plane of the existing Façade closest to the Street.
	c. Except for an addition to an existing Building described in 1.a above, the lesser of
	I. The Average depth of Street Yards of existing Buildings within 100 ft. on each side of a Lot or Building Site or
	III. 40 ft. ⁽¹⁾
	2. Otherwise, 20 ft.
Side Yard – Per side	As applicable:
	1. For sites abutting a Residential District, 50 ft. along the common boundary;
	2. Otherwise, 10 ft. min ⁽¹⁾⁽²⁾⁽³⁾⁽⁴⁾

Notes:

- (1) Additional Side Yard or Rear Yard depth may be necessary to accommodate Buffers and landscaping required in Sections 4.3.11, 4.3.16, and 5.5
- (2) The Required Rear Yard Depth shall be reduced as provided below if the Lot does not abut a different District and is owned separately and individually from all other tracts of land, both on the Effective date of this Ordinance and on the date of application for a Zoning Permit. Such reduction shall be as follows:
 - a. For all interior Lots between 80 ft. and 100 ft. deep, the required Rear Yard shall be reduced by an amount equal to the lesser of (1) 100 ft. minus the depth of the Lot or (2) 10ft.
 - b. For Interior Lots < 80 ft. deep within Non-Residential Districts, the required Rear Yard depth shall be 0 ft., but if any Rear Yard is provided, it must be at least 10 ft. deep.
- (3) In Industrial Districts, the required Side Yard and Rear Yard depth for Lots along Lot Lines abutting other Industrial Districts or along a railroad Right-Of-Way is 0 ft.
- (4) In Industrial Districts, Buffering requirements are not applicable to Side Yards with zero depth.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-HI **TABLE 4.3.1-K DISTRICT STANDARDS**
HEAVY INDUSTRIAL SPECIAL DISTRICT

Building Standards

Building Height*

Principal Building	45 ft. max
Accessory Building	45 ft. max

Any Building exceeding 35 feet in height must obtain approval from the Fire Department prior to the issuance of a Building Permit.

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height

NR

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	NR

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	NR
Blank Walls	NP at Frontage
Façade Articulation	NR
Façade Openings	NR
Façade Glazing	NR
Window Shape	NR
Window Alignment	NR
Window Types	NR
Window Glazing Material	Clear glass is Required for windows at Frontage
Window Trim in 1 st Layer	NR
Shutters	NR
Façade Window Sill Height	NR
Porch Frontages	NR
Shopfront Frontages	NR
Façade Variety	NR

Roof Type & Pitch

NR

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-HI TABLE 4.3.1-K DISTRICT STANDARDS HEAVY INDUSTRIAL SPECIAL DISTRICT

Roof Design

NR

Building Materials

Brick	P	Authentic stucco over masonry	P
Natural stone	P	Exposed concrete	NP
Wood	P	Vinyl or Aluminum siding	NP
Cementitious siding	P	Corrugated and/or sheet metal	P
Changes in Building Materials	NR		
Building Colors	NR		
Foundation Cladding	NR		
Porch Pier Cladding	NR		
Chimney Cladding	NR		

Building Types

NR

Vehicular Parking Requirements

Parking Location

On-Street Parking

Off-Street Parking

Domestic Vehicles

NP

P in any Required Yard, unless specifically prohibited*
Except Residential and Commercial in 3rd Layer only.

Additional Parking Requirements

Off-Street Parking Surface	Asphalt or concrete
Garage Location	P In 3 rd Layer only
Garage Design	NR
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft max. in 1 st Layer and 2 nd Layer if Residential; 36 ft. max in 1 st Layer if non-Residential, regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

Parking Structure Pedestrian Exit
Location Via pedestrian access to Frontage

SD-HI TABLE 4.3.1-K DISTRICT STANDARDS HEAVY INDUSTRIAL SPECIAL DISTRICT

Bicycle Parking

See Section 4.3.13

Thoroughfare & Internal Drive Types*

**Only applicable to Development Parcels*

See Article 5 (Development Parcel Standards) for additional requirements

Loading & Access

Off-Street Loading and Storage	P only in any Required Side Yard or Rear Yard, unless specifically prohibited
Utility Box & Service Meter* Locations (*Not including water meters)	P only in any Required Side Yard or Rear Yard, unless specifically prohibited
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only, must be Screened from Frontage and fully enclosed on 3 sides and enclosed on the 4 th side with self-closing gate
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof deign		P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception		P
Recreation or Paly Equipment	NP	NP	P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers, or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types- Specific Standards)

Lighting

See Private Lighting Requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

Private Landscaping and Fencing

Landscaping

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

Required if 1st Layer $\geq$ 10 ft, minimum of 30% of 1st Layer must be landscaped in compliance with Section 4.3.16, with continuous shrubs around foundation at Façade if 1st Layer is $\geq$ 3 ft. deep, plus if 1st Layer is $\geq$ 15 ft. deep, 1 tree per 50 ft. of Frontage width, planted in 1st Layer. Landscaping must comply with Section 4.3.16

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-HI **TABLE 4.3.1-K DISTRICT STANDARDS**
HEAVY INDUSTRIAL SPECIAL DISTRICT

Walls & Fencing (not including Screens)			
Height	3.5 - 4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line		
Construction	Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody		
Maintenance	Must be well maintained, in upright condition and free of missing or broken parts and graffiti		
Materials			
Natural Wood	P only picket type allowed at Frontage; other types allowed at sides and at rear	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P at sides and rear only	Barbed/ Razor/ Concertina Wire	P at sides and rear only & only if not Adjacent to Residential Use
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	NP	Smooth or Split-faced Block	NP
Additional Standards			
Pedestrian connections through to Adjacent Neighborhoods or Uses	NR		
	P within required Yards, per Sections 4.3.10		
Location of Retaining Walls	If supporting grade 8 ft. or higher than grade at the interior edge of a required Buffer, it must be set back 10 ft. from such interior edge.		
Screens, Street-Screens & Buffers			
Height			
	At Frontage or Adjacent to Civic Space Civic Space		Not at Frontage or Adjacent to
Wall Screen/Street-Screen Height	3.5 ft. to 5 ft.		5ft. to 6ft; Minimum 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP		5ft. to 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3 ft. to 5 ft at installation		5ft. to 6ft. at installation

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

SD-HI **TABLE 4.3.1-K DISTRICT STANDARDS**
HEAVY INDUSTRIAL SPECIAL DISTRICT

Materials	
Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity
Additional Standards	
Non-Residential & Multi-Family Residential Screen. Street Screen Adjacent to or across Thoroughfare from Non-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacle/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	Required; except at Driveways: Parking Lots and Parking Areas must be Screened From Frontage and Civic Space by Building or Street-Screen; Parking Structures must be Screened from Frontages and Civic Space by Liner Buildings otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building wall, hedge or fence not at Frontage or Adjacent to Civic Space.
Rooftop Antenna Screening and HVAC, Mechanical and other Equipment Screening	Required; must be Screened from Frontage and Civic Space by Building Parapet or other Building element
Self-Storage Warehouse Screening	Required; except at Driveways; Screening must be by Building, wall, hedge or fence at Frontage or Building, Wall, hedge or fence not at Frontages or Adjacent tom Civic Space.
Street-Screen Location	2 nd Layer
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.5

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-R

TABLE 4.3.1-L DISTRICT STANDARDS
PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT

General Description

This District permits utilization of the Planned Unit Development process under TCA Section 13-4-310, implementation of the Comprehensive Plan, and review and approval of a Master PUD Development Plan that complies with these standards and establishes them and other standards as entitlements for a property, including a customized combination of Permitted Uses, Building Types, Private Frontage Types, Setbacks and Yards, and Throughfares and Internal Drives.

Specifically, this District is intended for predominantly Residential areas on sites with sufficient existing infrastructure, services, and utilities available for a proposed Development. Development in this District (a) is walkable and provides a diverse mixture of housing choices and Building Types, (b) is necessary to implement and is consistent with the Comprehensive Plan, (c) cannot under any circumstances, plan, or design conform to on or more of the other Districts and standards therefore due to its necessary and intrinsic Uses or size or form, (d) provides ab innovative plan and design, (e) is harmonious with and respects the land use, character, and natural or man-made features of both the subject property and Adjacent property, (f) promotes quality and environmentally sensitive planning and design by taking advantage of special site characteristics, locations, and land uses, (g) provides Civic Space, (h) is the best use of the site consistent with the goals of protecting and enhancing the natural environment. There are specific Development standards provided for this District, which may be supplemented by additional standards approved in the applicable Final Master PUD Development Plan. The Planning Commission may determine that a specific PUD-R Master Plan is consistent with the future land map use of the Comprehensive Plan.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-R TABLE 4.3.1-L DISTRICT STANDARDS PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT

Density / Floor Area Ratio (FAR)

**Applicable only to Development Parcels*

12 Density Units per acre max

Parcel Size

Parcel Size

Min. more than 10 gross acres

BLOCK SIZE*

**Applicable only to Development Parcels*

Block Perimeter

2000 ft. max or 3000 ft max if a parking structure provided within Block

Private Frontage Types

Common Yard	P	Stepfront	P
Porch	P	Shopfront	P
Fence	P	Gallery	NP
Terrace/Lightwell	P	Arcade	NP
Forecourt	P	Officefront	NP
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types*

**Applicable only to Development Parcels.*

Natural Area	P	Playground	P
Green	P	Sport Field	NP
Square	P	Pocket Park	P
Plaza	P		

See Table 5.3.2-A (Civic Space Types - Summary)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-R **TABLE 4.3.1-L DISTRICT STANDARDS**
PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT

Number of Buildings Per Lot or Building Site

Principal Building	6 max per Lot / Building Site for attached Townhouse Buildings; otherwise, 1 max. per Lot / Building Site
Accessory Buildings	1 max per Building Site

Lot Occupation

	18 ft. min; 180 ft. max;
Lot/ Building Site Width	For Townhouses with each unit on its own Lot or Building Site: 18-36 ft. for single Townhouse unit attached to other Townhouse units x 8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site: 18-20 ft. per Townhouse unit x 8 max. attached Townhouse units.
Frontage Buildout	38 ft. min for House, 25 ft. min, for each Duplex unit or 50 ft. min for both units of Duplex, and 100 ft. max. for small Multifamily Building. 60% min.
Lot/ Building Site Area	NR
Impervious Surface Coverage	70% max; except 90% max. for each group of attached Townhouse units.
Lot/ Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except $\leq 20\%$ of the Lots / Building Sites within a Development Parcel may Enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots / Building Sites have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback / Yard, Principal Frontage	15 ft. – 35 ft.	A	Front Setback / Yard, Principal Frontage	40 ft. max. from Rear Lot / Building Site Line	E
Front Setback / Yard, Secondary Frontage	15 ft. – 35 ft.	B	Side Setback / Yard	0 ft. min.	F
Side Setback / Yard, each side	0 ft. min. on attached side(s) of attached Building Types; otherwise, 10 ft. min; 24 ft. max. per side	C	Rear Setback / Yard	3 ft. max	G
Rear Setback	10 ft. min.	D			

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-R TABLE 4.3.1-L DISTRICT STANDARDS
PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT

Building Standards

Building Height*

Principal Building	1-2 Stories for House and Duplex Building Types; 2-3 Stories for Townhouse, Live/ Work and Small Multifamily Building Types; 2-4 Stories for Large Multifamily Building Type.
Accessory Building	2 Stories max; Allowed in 3 rd Layer only.

*Stories/ Height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height

May not exceed 14 ft. from finished floor to finished ceiling.

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base, Middle & Cap
Finished Floor Level	Min. 18 in. above average grade at Façade

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade Articulation	Except for House Building Types, a Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See Illustration 4.3.5.A-3)
Façade Openings	Façade windows, and/or doors spaced ≤ 20 ft. apart In Stories above first Façade openings must be $\leq 50\%$ of the total Façade area
Façade Glazing	20% - 60% of total Façade area for non-Shopfront; 70% of total Façade area, min. for Shopfront
Window Shape	Square or vertical in proportion, except transoms
Window Alignment	Upper floor windows and other features must be aligned with those of first floor
Window Types	Except in Shopfront or Gallery Frontage, and except for Transoms and sidelights, Windows in Façade and 1 st & 2 nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be $\leq 50\%$ of total Façade area.
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rowlock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Façade Window Sill Height	If Residential: 5 ft. min above average grade at Façade
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	12 in. – 24 in. knee wall required at Frontage
Façade Variety	No Façade may exist more than once in a Block Face or within view of the same Façade

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-R

TABLE 4.3.1-L DISTRICT STANDARDS

PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT

Building Standards (continued)

Roof Type & Pitch

Flat	NP
Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building.
Hip	P
Gable	P
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.

Gable end rakes shall overhang at least six inches.

Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.

Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Brick	P	Authentic stucco over masonry	P
Natural stone	P	Exposed concrete	NP
Wood	P	Vinyl or Aluminum siding	NP
Cementitious siding	P	Corrugated and/or sheet metal	NP
Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd layer. Primary materials shall continue for entire length of all Facades facing a frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of any such change.		
Building Colors	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim		
Foundation Cladding	Required; brick or stone.		
Porch Pier Cladding	Required; brick or stone, with any space under Porch concealed by painted or stained latticework between piers.		
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade		

Building Types

House	P	Commercial	NP
Duplex	P	Mixed Use	NP
Townhouse	P	Flex	NP
Small Multifamily	P	Mid-Rise	NP
Large Multifamily	P	Large Scale Commercial	NP
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.6 Building Type Mix).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-R

TABLE 4.3.1-L DISTRICT STANDARDS
PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT

Vehicular Parking Requirements		
Parking Location		
	On-Street Parking	Off-Street Parking
All Vehicles	P	P in any Required Yard, unless specifically prohibited

Additional Parking Requirements	
Off-Street Parking Surface	Asphalt, concrete, or another hard surface
Garage Location	P In 3 rd Layer only
	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space
Garage Design	If Garage faces Street: max Garage door width 33% of total Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft. max in 1 st Layer if Residential; 24 ft. max in 1 st Layer if non-Residential, regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfare & Internal Drive Types*

See Article 5 (Development Parcel Standards) for additional requirements

**Only applicable to Development Parcels*

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-R

TABLE 4.3.1-L DISTRICT STANDARDS
PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT

All Development in PUD-R District must comply with all applicable standards of this Ordinance, the Engineering Standards and Specifications, and engineering best practices.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-R

TABLE 4.3.1-L DISTRICT STANDARDS

PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT

Loading & Access

Off-Street Loading and Storage	Required for Large Multifamily Building per Table 4.3.14.b (Loading Requirements); P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	Required for Large Multifamily Building per Table 4.3.14.b (Loading Requirements); P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only, must be Screened from Frontage and fully enclosed on 3 sides and enclosed on the 4 th side with self-closing gate
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception		P
Recreation or Paly Equipment	NP	NP	P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers, or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types- Specific Standards)

Lighting

See Private Lighting Requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-R

TABLE 4.3.1-L DISTRICT STANDARDS

PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT

Private Landscaping and Fencing

Landscaping

Required if 1st Layer $\geq$ 3ft, 30% of 1st Layer must be landscaped, with continuous shrubs along foundation at Façade and additionally if 1st Layer $\geq$ 15 ft, sod, and 1 tree per 50 ft. of Frontage, width, planted in 1st Layer. Landscaping must comply with Section 4.3.16.

Walls & Fencing

Height	3.5 - 4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody
Maintenance	Must be well maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P at sides and rear only	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/ Razor/ Concertina Wire	NP
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	NP	Smooth or Split-faced Block	NP

Additional Standards

Pedestrian Connections through to Adjacent Neighborhoods or Uses	Required
Locations of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-R

TABLE 4.3.1-L DISTRICT STANDARDS

PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT

Screens, Street-Screens & Buffers

Height

	At Frontage or Adjacent to Civic Space Civic Space	Not at Frontage or Adjacent to
Wall Screen/Street-Screen Height	3.5 ft. to 5 ft.	5ft. to 6ft; Minimum 6ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5ft. to 6ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3 ft. to 5 ft at installation	5ft. to 6ft. at installation

Materials

Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen. Street Screen Adjacent to or across Thoroughfare from Non-Family Residential	NR
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacle/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	Required ; except at Driveways: Parking Lots and Parking Areas must be Screened From Frontage and Civic Space by Building or Street-Screen; Parking Structures must be Screened from Frontages by Liner Buildings; Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building wall, hedge or fence not at Frontage or Adjacent to Civic Space.
Rooftop Antenna Screening and HVAC, Mechanical and other Equipment Screening	Required ; must be Screened from Frontage and Civic Space by Building Parapet or other Building element
Self-Storage Warehouse Screening	N/A (not permitted in District)
Street-Screen Location	2 nd Layer
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.5

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-MU

TABLE 4.3.1-M DISTRICT STANDARDS
PLANNED UNIT DEVELOPMENT – MIXED USE

General Description

This District allows utilization of the Planned Unit Development process under TCA Section 13-4-310, implementation of the Comprehensive Plan, and review and approval of a Master PUD Development Plan that complies with these standards and establishes them and other standards as entitlements for a property, including a customized combination of permitted Uses, Building Types, Private Frontage Types, Setbacks and Yards, and Thoroughfares and Internal Drives.

Specifically, this District is intended for Commercial, Office, Mixed Use, and Multifamily Uses on sites with sufficient existing infrastructure, services, and utilities available for a proposed Development. Development in this District (a) is walkable and provides a diverse mixture of housing choices and Building Types, (b) is necessary to implement an is consistent with the Comprehensive Plan, (c) cannot under any circumstances, plan, or design conform to one or more of the other Districts and standards therefore due to its necessary and intrinsic Use or size or form,)d) provides an innovative plan and design, (e) is harmonious with both the subject property and Adjacent property, (f) promotes quality and environmentally sensitive planning and design by taking advantage of special site characteristics, locations, and land uses, (g) provides Civic Space, (h) is the best use of the site consistent with the goals of protecting and enhancing the natural environment. There are specific Development standards provided for this District, which may be supplemented by additional standards approved in the applicable Final Master PUD Development Plan. The Planning Commission may determine that a specific PUD-MU Master Plan is consistent with the future land use map of this Comprehensive Plan.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-MU

TABLE 4.3.1-M DISTRICT STANDARDS
PLANNED UNIT DEVELOPMENT – MIXED USE

Density / Floor Area Ratio (FAR)

**Applicable only to Development Parcels*

12 Density Units per acre max

Parcel Size

Parcel Size

Min. more than 10 gross acres

BLOCK SIZE*

**Applicable only to Development Parcels*

Block Perimeter

2000 ft. max or 3000 ft max if a parking structure provided within Block

Private Frontage Types

Common Yard	NP	Stepfront	P
Porch	NP	Shopfront	P
Fence	NP	Gallery	P
Terrace/Lightwell	P	Arcade	P
Forecourt	P	Officefront	P
Stoop	P		

See Table 4.3.7.A (Private Frontage Types)

Civic Space Types*

**Applicable only to Development Parcels.*

Natural Area	NP	Playground	P
Green	NP	Sport Field	NP
Square	P	Pocket Park	P
Plaza	P		

See Table 5.3.2-A (Civic Space Types - Summary)

Permitted Uses

See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-MU

TABLE 4.3.1-M DISTRICT STANDARDS

PLANNED UNIT DEVELOPMENT – MIXED USE

Number of Buildings Per Lot or Building Site

Principal Building	1 max
Accessory Buildings	1 max

Lot Occupation

Lot/ Building Site Width	18 ft. min; 180 ft. max; except for Townhouses, 18-24 ft. for single Townhouse unit attached to other Townhouse units or 18 -24 ft. per Townhouse unit X number of attached Townhouse units on single Lot or Building Site, with max of 6 units; 100 ft. max. for small Multifamily Building. Large Scale Commercial: 600 ft. max
Frontage Buildout	60% min.
Lot/ Building Site Area	NR
Impervious Surface Coverage	100% max
Lot/ Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except $\leq 20\%$ of the Lots / Building Sites within a Development Parcel may enfront a Pedestrian Path, Passage, pedestrian walkway or water body if such Lots / Building Sites have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or Easement.
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback / Yard, Principal Frontage	0 – 20 ft.	A	Front Setback / Yard, Principal Frontage	40 ft. max. from rear property line.	E
Front Setback / Yard, Secondary Frontage	0 – 20 ft.	B	Side Setback / Yard	0 ft. min.	F
Side Setback / Yard, each side	0 ft. min. for attached Buildings; Otherwise, 10-24 ft.	C	Rear Setback / Yard	3 ft. max	G
Rear Setback	NR	D			

If the District abuts property zoned for Residential Uses that is not included within the District, all Buildings shall be setback as follows:

- Where the property is zoned, but not currently utilized, for Residential purposes, a distance equal to the setback established for the Residential District.
- Where property is currently utilized for Residential purposes, a distance equal to the lesser of (i) the present average setback of properties located 200 feet from the nearest point on the subject property and (ii) twice the minimum setback established for the CD-4C District.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-MU

TABLE 4.3.1-M DISTRICT STANDARDS
PLANNED UNIT DEVELOPMENT – MIXED USE

Building Standards

Building Height*

Principal Building	One story greater than the maximum height permitted in the adjacent character district, or as determined by the Planning Commission based on proposed use and site conditions
Accessory Building	2 Stories max, or as determined by the Planning Commission based on proposed use and site conditions

*Stories/ Height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height

May not exceed 14 ft. from finished floor to finished ceiling, except for first floor Commercial, Office, Retail/Personal Service, or Accommodation/ Lodging Use, which must be a minimum of 11 ft. with a maximum of 25 ft.

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base Middle & Cap
Finished Floor Level	Residential: 18 in. – 48 in. above finished grade at Façade Non-Residential & Mixed Use: 48 in. max. above finished grade at Façade.

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade Articulation	A Façade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Façade into two segments each of which includes a separate entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building or cornice height; (c) a change in cornice details; (d) a change of wall material or wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Façade elements; and (2) is composed with a defined center and edges. (See Illustration 4.3.5.A-3)
Façade Openings	Façade windows, and/or doors spaced $\leq$ 20 ft. apart In Stories above first Façade openings must be $\leq$ 50% of the total Façade area
Façade Glazing	Non-Shopfront 20% - 60% of total ground floor Façade area; Shopfront: min. 50% of total ground floor Façade area; min. 20% of total Façade area on upper floors and secondary elevations.
Window Shape	Square or vertical in proportion, except transoms
Window Alignment	Upper floor windows and other features must be aligned with those of first floor
Window Types	Except in Shopfront or Gallery Frontage, and except for Transoms and sidelights, Windows in Façade and 1 st & 2 nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be $\leq$ 50% of total Façade area.
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rowlock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Façade Window Sill Height	If Residential: 5 ft. min above average grade at Façade
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features
Shopfront Frontages	12 in. – 24 in. knee wall required at Frontage
Façade Variety	No Façade may exist more than once in a Block Face

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-MU

TABLE 4.3.1-M DISTRICT STANDARDS
PLANNED UNIT DEVELOPMENT – MIXED USE

Building Standards (continued)

Roof Type & Pitch

Flat	P
Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building.
Hip	P
Gable	P
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design

Eaves shall extend no less than nine inches beyond the supporting walls.

Gable end rakes shall overhang at least six inches.

Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.

Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).

Building Materials

Brick	P	Authentic stucco over masonry	P
Natural stone	P	Exposed concrete	NP
Wood	P	Vinyl or Aluminum siding	NP
Cementitious siding	P	Corrugated and/or sheet metal	NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd layer. Primary materials shall continue for entire length of all Facades facing a frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of any such change.
Building Colors	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required; brick or stone.
Porch Pier Cladding	Required; brick or stone, with any space under Porch concealed by painted or stained latticework between piers.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

Building Types

House	NP	Commercial	P
Duplex	NP	Mixed Use	P
Townhouse	P	Flex	P
Small Multifamily	P	Mid-Rise	P
Large Multifamily	P	Large Scale Commercial	P
Live/Work	P	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.6 Building Type Mix).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-MU

TABLE 4.3.1-M DISTRICT STANDARDS
PLANNED UNIT DEVELOPMENT – MIXED USE

Vehicular Parking Requirements

Parking Location

On-Street Parking

Off-Street Parking

All Vehicles

P

P in 3rd Layer only.

Additional Parking Requirements

Off-Street Parking Surface Asphalt, concrete, or another hard surface

Garage Location P In 3rd Layer only

Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space

Garage Design

If Garage faces Street: max Garage door width 33% of total Garage + Façade width
Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.

Driveway/ Vehicular Entrance Location

P in any Layer

Driveway/ Vehicular Entrance Maximum Width

24 ft. max width, regardless if shared or not.

Parking Structure

P if Screen from Frontage by Liner Buildings

Parking Structure Pedestrian Exit Location

Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfare & Internal Drive Types*

**Only applicable to Development Parcels*

See Article 5 (Development Parcel Standards) for additional requirements

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-MU

TABLE 4.3.1-M DISTRICT STANDARDS PLANNED UNIT DEVELOPMENT – MIXED USE

Loading & Access

Off-Street Loading and Storage	Required per Table 4.3.14.b (Loading Requirements); P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	Required per Table 4.3.14.b (Loading Requirements); P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only, must be Screened from Frontage and fully enclosed on 3 sides and enclosed on the 4 th side with self-closing gate
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception		P
Recreation or Play Equipment	NP	NP	P
Animals Enclosures, Runs or Shelters	NP	NP	P
Swimming pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers, or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and **Table 7.12.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types- Specific Standards)**

Lighting

See Private Lighting Requirements in Section 4.3.17 and **Table 4.3.17.B (Private Lighting Standards)**

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-MU

TABLE 4.3.1-M DISTRICT STANDARDS PLANNED UNIT DEVELOPMENT – MIXED USE

Private Landscaping and Fencing

Landscaping

Required if 1st Layer $\geq$ 3ft., 30% of 1st Layer must be landscaped, with continuous shrubs along foundation at Façade and additionally if 1st Layer $\geq$ 15 ft., sod, and 1 tree per 50 ft. of Frontage, width, planted in 1st Layer. Landscaping must comply with Section 4.3.16.

NA in front if $\leq$ 3 ft front setback.

Additionally, any Yard Adjacent to a Street must be landscaped and maintained for a distance of 10 ft. from Lot Line or Building Site Line Adjacent to the Street, except for portions that adjoin Lots or Building Sites in Residential Use, which shall be so landscaped and maintained for the full width or depth of the required Yards within 25 feet of adjoining Lot Lines or Building Site Lines.

Side Yards Adjacent to Lots or Building Sites in Residential Use shall be similarly landscaped and maintained for their full required minimum width. No such required landscaped area shall be used for Parking or loading.

Walls & Fencing

Height	3.5 - 4 ft. max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody
Maintenance	Must be well maintained, in upright condition and free of missing or broken parts and graffiti.

Materials

Natural Wood	P at sides and rear only	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/ Razor/ Concertina Wire	NP
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	NP	Smooth or Split-faced Block	NP

Additional Standards

Pedestrian Connections through to Adjacent Neighborhoods or Uses	Required
	P within required Yards, per Section 4.3.10
Locations of Retaining Walls	If supporting grade 8 ft. or higher than grade at interior edge of a required Buffer, must be set back 10 ft. from such interior edge.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

PUD-MU

TABLE 4.3.1-M DISTRICT STANDARDS
PLANNED UNIT DEVELOPMENT – MIXED USE

Screens, Street-Screens & Buffers

Height

	At Frontage or Adjacent to Civic Space	Not at Frontage or Adjacent to Civic Space
Wall Screen/Street-Screen Height	3.5 ft. to 5 ft.	5 ft. to 6 ft; Minimum 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5 ft. to 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3 ft. to 5 ft. at installation	5 ft. to 6 ft. at installation

Materials

Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity

Additional Standards

Non-Residential & Multi-Family Residential Screen. Street Screen Adjacent to or across Thoroughfare from Non-Family Residential	NR
	Required; except at Driveways:
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacle/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	Parking Lots and Parking Areas must be Screened From Frontage and Civic Space by Building or Street-Screen; Parking Structures must be Screened from Frontages by Liner Buildings; Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building wall, hedge or fence not at Frontage or Adjacent to Civic Space.
Rooftop Antenna Screening and HVAC, Mechanical and other Equipment Screening	Required; must be Screened from Frontage and Civic Space by Building Parapet or other Building element
Self-Storage Warehouse Screening	N/A (not permitted in District)
Street-Screen Location	2 nd Layer
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.5

Market Analysis

The Planning Commission may require a market analysis for any proposed PUD-MU Development. The market analysis will be utilized, among other things, to determine the impact of the proposed Development on the long-range Development of the commercial land use in the Columbia area, to determine the timing of any proposed Development, to limit the extent of the PUD-Mu; to ascertain the effect of a proposed Development upon other lands used or zoned for similar purposes; to form a basis for evaluating the estimated effects on traffic, and other purposes which assist in an understanding of the public interest pertinent in the evaluation of a proposed Development. The market analysis, if required, shall be provided by the landholder and the landowner shall provide any other economic data or analysis as may be reasonably requested by the Planning Commission or City Council.

TABLE 4.3.1-N

**OTHER DISTRICTS FROM PREVIOUS ORDINANCES TO BE
REGULATED BY THEIR PUD APPROVALS.**

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CV

TABLE 4.3.1-O DISTRICT STANDARDS
CIVIC DISTRICT



General Description

Civic District (CV) is assigned to areas designed for Civic purposes. These may be one or more Civic Space Types allowed within or Adjacent to any specific Character District or Special District, as well as sites dedicated to significant Buildings to be used for Civic purposes, such as City Halls, Post Offices, Libraries, Places of Assembly, Places of Worship, and community centers. This District is appropriate to all future land use Character Areas described in the Comprehensive Plan as determined by the Planning Commission.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CV

TABLE 4.3.1-O DISTRICT STANDARDS
CIVIC DISTRICT

Density / Floor Area Ratio (FAR)	*Applicable only to Development Parcels
NR	

BLOCK SIZE*	*Applicable only to Development Parcels
Block Perimeter	NR

Private Frontage Types
NR

Civic Space Types*		*Applicable only to Development Parcels.	
Natural Area	P	Playground	P
Green	P	Sport Field	NP
Square	P	Pocket Park	P
Plaza	P		

See Table 5.3.2-A (Civic Space Types - Summary)

Permitted Uses
See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use), Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses). For Development Parcels, see also Table 5.1.7 (Principal Use Mix).

Number of Buildings Per Lot or Building Site	
Principal Building	1 max
Accessory Buildings	1 max

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CV

TABLE 4.3.1-O DISTRICT STANDARDS
CIVIC DISTRICT

Lot Occupation

Lot/ Building Site Width	NR
Frontage Buildout	NR
Lot/ Building Site Area	NR
Impervious Surface Coverage	80% max
Lot/ Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, Pedestrian Path, Passage, pedestrian walkway or water body.
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building

Front Setback / Yard, Principal Frontage	0 ft. min., 50 ft. of Lot Depth max.	A
Front Setback / Yard, Secondary Frontage	0 ft. min	B
Side Setback / Yard	0 ft. min	
Rear Setback / Yard	0 ft. min	

Building Standards

Building Height*

Principal Building	20 ft. higher than maximum Height of any Adjacent Character District, max.
Accessory Building	Not to exceed Principal Building Height

*Stories/ Height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerials, or antennas. Any Building exceeding 35 feet in height must obtain approval from stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height

14 ft. min. 1st floor; 10 ft. min. other floors.

Building Composition

Vertical Composition	Each Principal Building must have an identifiable Base Middle & Cap
Finished Floor Level	NR

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CV

TABLE 4.3.1-O DISTRICT STANDARDS
CIVIC DISTRICT

Façade	
Main Entrance	Main Entrance must be in Façade of Principal Frontages.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade Articulation	NR
Façade Openings	In Stories above first, Façade openings must be $\leq 50\%$ of the total Façade area
Façade Glazing	20% min. - 60% max.
Window Shape	Square or vertical in proportion, except transoms
Window Alignment	Upper floor windows and other features must be aligned with those of first floor
Window Types	Except in Shopfront or Gallery Frontage, and except for Transoms and sidelights, Windows in Façade and 1 st & 2 nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be $\leq 50\%$ of total Façade area.
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st Layer	Min. 4 in. trim with sill and top plate if siding surrounding window; soldier course above lintel and rowlock course below sill if brick or stone surrounds window
Shutters	If any, must be functional and proportioned to cover half of window width from each side or entire window width, with shutter dogs
Façade Window Sill Height	NR
Porch Frontages	NR
Shopfront Frontages	NR
Façade Variety	No Façade may exist more than once in a Block Face or within view of the same Façade

Roof Type & Pitch	
Flat	P
Shed	P at rear only and if ridge is attached to an exterior Building wall; except for porches, stoops or dormers which may have a shed roof anywhere on the Building.
Hip	P
Gable	P
Pitch	6:12 – 14:12, except for shed roofs which may be 3:12 – 14:12 and except roof pitch may match the primary roof pitch of an existing Building that is less than 6:12

Roof Design	
Eaves shall extend no less than nine inches beyond the supporting walls.	
Gable end rakes shall overhang at least six inches.	
Eaves and rakes on Accessory Buildings and dormers shall overhang at least six inches.	
Soffits shall be placed perpendicular to the Building wall, not sloping in plane with the roof (except for gable end rakes).	

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CV **TABLE 4.3.1-O DISTRICT STANDARDS**
CIVIC DISTRICT

Building Materials

Brick	P	Authentic stucco over	P
Natural stone	P	Exposed concrete	NP
Wood	P	Vinyl or Aluminum	NP
Cementitious siding	P	Corrugated and/or sheet	NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd layer. Primary materials shall continue for entire length of all Facades facing a frontage. Any material changes must coincide with form, structural, or massing changes and shall not occur at outside corner of any such change.
Building Colors	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required ; brick or stone.
Porch Pier Cladding	Required ; brick or stone, with any space under Porch concealed by painted or stained latticework between piers.
Chimney Cladding	Required ; brick, natural stone, with material matching primary material of Façade

Building Types

House	NP	Commercial	NP
Duplex	NP	Mixed Use	NP
Townhouse	NP	Flex	NP
Small Multifamily	NP	Mid-Rise	NP
Large Multifamily	NP	Large Scale Commercial	NP
Live/Work	NP	Civic	P

See Table 4.3.8.A (Principal Building Types - Summary) and Table 4.3.8.B (Principal Building Types - Specific Standards). For Development Parcels, see also Table 5.1.6 Building Type Mix).

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	NP
All Other Vehicles	NP	P in 3 rd Layer only, and in Driveway

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

CV

TABLE 4.3.1-O DISTRICT STANDARDS
CIVIC DISTRICT

Additional Parking Requirements	
Off-Street Parking Surface	Prepared surface of gravel, asphalt, concrete, or another hard surface
Garage Location	P In 3 rd Layer only
	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space.
Garage Design	If Garage faces Street: max Garage door width 33% of total Garage + Façade width. Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	24 ft. max in 1 st and 2 nd Layer
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

Bicycle Parking

See Section 4.3.13

Thoroughfare & Internal Drive Types*

**Only applicable to Development Parcels*

See Article 5 (Development Parcel Standards) for additional requirements

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only, must be Screened from Frontage and fully enclosed on 3 sides and enclosed on the 4 th side with self-closing gate
Drive- Through Locations	P in 3 rd Layer only

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

CV

TABLE 4.3.1-O DISTRICT STANDARDS
CIVIC DISTRICT

Non-Building Components			
	1 st Layer Layer	2 nd Layer	3 rd
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	P
Solar Panels	P if coplanar to and integrated into roof design		P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception		P
Recreation or Paly Equipment	NP	NP	P
Animals Enclosures, Runs or Shelters	NP	NP	NP
Swimming pools, Hot Tubs and Spas	NP	NP	P
Transmitting and/or receiving towers, or antennas and wind-generating machines	NP	NP	P

Signs

See Sign Standards in Article 7 (Sign Standards) and Table 7.12.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types- Specific Standards)

Lighting

See Private Lighting Requirements in Section 4.3.17 and Table 4.3.17.B (Private Lighting Standards)

Private Landscaping and Fencing

Landscaping

NR

Walls & Fencing (not including Screens)

Height	3.5 - 4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line
Construction	Finished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody
Maintenance	Must be well maintained, in upright condition and free of missing or broken parts and graffiti.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

CV

TABLE 4.3.1-O DISTRICT STANDARDS
CIVIC DISTRICT

Materials			
Natural Wood	P at sides and rear only	Chain Link	P at sides and rear only
Brick, Natural Stone, or Stucco over Masonry	P	Barbed/ Razor/ Concertina Wire	NP
Wrought Iron or Aluminum	P	Exposed or Painted Aggregate Concrete	NP
Vinyl	NP	Smooth or Split-faced Block	NP

Additional Standards	
Pedestrian Connections through to Adjacent Neighborhoods or Uses	Required
	P within required Yards, per Section 4.3.10
Locations of Retaining Walls	If supporting grade 8 ft. or higher than grade at interior edge of a required Buffer, must be set back 10 ft. from such interior edge.

Screens, Street-Screens & Buffers

Height		
	At Frontage or Adjacent to Civic Space or Adjacent to Civic Space	Not at Frontage
Wall Screen/Street-Screen Height	3.5 ft. to 5 ft.	5 ft. to 6ft; Minimum 6 ft. for Dumpsters and Trash Receptacles
Fence Screen/ Street-Screen Height	NP	5 ft. to 6 ft. for Dumpsters and Trash Receptacles
Hedge Screen/ Street-Screen Height	3 ft. to 5 ft. at installation	5 ft. to 6 ft. at installation

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

CV

TABLE 4.3.1-O DISTRICT STANDARDS
CIVIC DISTRICT

Materials	
Wall Screen or Street-Screen	Brick, Natural Stone or Stucco over Masonry
Fence Screen or Street-Screen	Natural Wood, painted or unpainted
Hedge Screen or Street-Screen	Evergreen plants with min. 80% opacity
Additional Standards	
Non-Residential & Multi-Family Residential Screen.	NA
Street Screen Adjacent to or across Thoroughfare from	
Non-Family Residential	
	Required ; except at Driveways:
Screening of Parking, Loading Areas, Service Areas, Outdoor Storage, Drive-Throughs, Trash Receptacle/Dumpsters, HVAC and other equipment Screened from Frontage, Civic Space and Adjacent Property	Parking Lots and Parking Areas must be Screened From Frontage and Civic Space by Building or Street-Screen; Parking Structures must be Screened from Frontages by Liner Buildings; Otherwise, Screening must be by Building, wall, hedge or fence at Frontage or Building wall, hedge or fence not at Frontage or Adjacent to Civic Space.
Rooftop Antenna Screening and HVAC, Mechanical and other Equipment Screening	Required ; must be Screened from Frontage and Civic Space by Building Parapet or other Building element
Self-Storage Warehouse Screening	N/A (not permitted in District)
Street-Screen Location	2 nd Layer

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

4.3.3 LOTS & BUILDING SITES

A. Layers

1. Lots and Building Sites are comprised of three Layers, the First Layer, the Second Layer, and the Third Layer, as related to the Frontage(s), as shown in **Illustration 4.3.3.A (Layers)** and as defined in **Article 9 (Definitions)**.
2. Layers are used to regulate the placement of, Structures and Uses on a Lot or Building Site, as set forth in **Tables 4.3.1-A - 4.3.1-O (District Standards)**.
3. For Lots and Building Sites, which have both a Principal Frontage and Secondary Frontage(s), typically Corner Lots:
 - a. Standards and prescriptions for the First Layer apply to the First Layer as related to all Frontages, except for Through Lots and Building Sites where they are permitted by this Ordinance or exist as legal non-conforming lots of record, and
 - b. Standards and prescriptions for the Second Layer pertain only to such Layers as related to the Principal Frontage.
4. Standards and prescriptions for the First Layer apply to a depth of (twenty) 20 feet as related to the secondary frontage of a Through Lot or Building Site, which is parallel to the Principal Frontage.

ILLUSTRATION 4.3.3.A (LAYERS)



B. Dimensions

Lots and Building Sites within each District must be dimensioned according to **Tables 4.3.1-A - 4.3.1-O (District Standards)**.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

C. Enfrontment

Within all Districts, each Lot or Building Site must have Frontage along a Thoroughfare or Internal Drive, except as provided in **Tables 4.3.1-A - 4.3.1-O (District Standards)**.

D. Through Lots

1. Through Lots and Building Sites are prohibited, except
 - a. Blocks entirely comprised of Civic Spaces;
 - b. Lots and Building Sites enfronting a roadway with a functional classification of Principal Arterial; and
 - c. Lots and Building Sites within 3,000 feet of and Interstate interchange.
2. In any case in which a Nonconforming Lot is a Through Lot or Building Site, or a Through Lot or Building Site is permitted by this Ordinance the Frontage and Front Setback regulations shall apply to both Frontages.
3. The Façade of each Principal Building located on a Through Lot and Building Site, where they are permitted by this Ordinance or exist as legal non-conforming lots of record, shall face the same Principal Frontage as Buildings on any adjacent Lot or Building Site. Where adjacent Lots and Building Sites are vacant, or the appropriate Principal Frontage cannot be determined, the Zoning Administrator shall determine which Frontage is the Principal Frontage, typically the roadway with the lesser functional classification.

E. Required Spaces or Areas

1. The Setback and Yard requirements in **Tables 4.3.1-A - 4.3.1-O (District Standards)** shall be applicable to each Lot, Building Site, or parcel of land
2. Il required Setbacks and Required Yards shall be maintained and have no obstructions or Encroachments except as allowed in **Tables 4.3.1-A - 4.3.1-O (District Standards)**
3. Existing interior Lots or Building Sites may be permitted a reduction in required Rear Yard depth by Administrative Adjustment, subject to meeting the following:
 - a. The Lot must be located in a single District and not about another District
 - b. The Lot must be owned separately and individually from all other tracts of land, both on the Effective Date of this Ordinance and on the date of application for a Zoning Permit, if applicable.
 - c. For a Lot between 80 - 100 feet deep, the required Rear Yard may be reduced by the lesser of (i) 100 Feet minus the depth of the lot, or (ii) Example: if Lot is 95 ft. deep, the required Rear Yard may be reduced by five feet (5 ft.) [100 ft. – 95 ft. = 5 ft.], but if a Lot is 80 ft. deep, the required Rear Yard may only be reduced by ten feet (10 ft.).
 - d. Within all Non-Residential Districts and for all Non-Residential Uses, interior Lots or Building Sites that are less than 80 ft. deep may be permitted a reduction in required Rear Yard depth to reduce the required Rear Yard depth to zero; however, if any Rear Yard is provided, the minimum required depth shall be 10 ft.
4. No Lot shall be divided or reduced so as to result in its area or dimensions not complying with the standards required by this Section 4.3.3, nor shall any Setback required for a Principal Building be included as part of a Setback required under this Ordinance for any other Building.
5. A minimum required Lot or Yard size for one Structure shall not be used in whole or in part as any part of a required Lot or Yard for a second Structure.
6. The required Lot or Yard for an existing Structure shall not be diminished below the minimum requirements of this Ordinance.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

7. Where a Structure has zero clearance from an Adjacent Lot or Building Site, as defined in the International Building Code, at all points of attachment along the shared Lot Line or Building Site Line, Buildings shall be separated from each other by fire-rated walls, as defined by the latest adopted version of the International Building Code and fire prevention codes, extending from footings to the underside of the roof deck without openings which would permit the spread of fire.
8. In addition to the requirements listed in paragraph 7 above, the following shall apply to common or Party Walls:
 - a. A firewall shall bisect the line dividing each portion of the Building, Lot, or Building Site so that 1/2 of the firewall is held by each of the abutting properties.
 - b. If a firewall is destroyed or damaged by fire or other casualty, any owner may restore said wall and if other owners thereafter make use of the wall, they shall contribute to the cost of the restoration thereof in proportion to such use without prejudice, however, to the right of any such owner to call for a larger contribution from the others under applicable law requiring liability for negligent or willful acts and omissions.
 - c. Each abutter who may share in the ownership of any firewall shall have an Easement on the property of other owner(s) for the purpose of reconstruction and protection of remaining property from the elements.

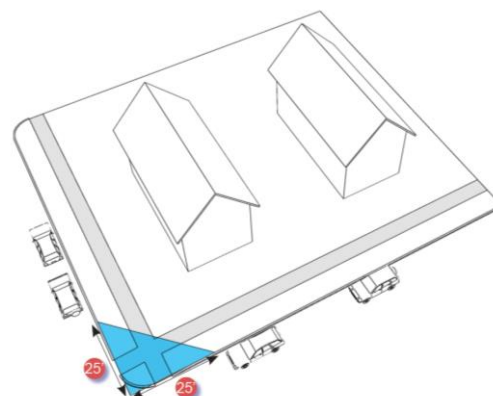
F. Lots in Two Districts

Where a District boundary divides a Lot, Building Site, or parcel in a single ownership of record at the time when such line is adopted, regulations for the less restricted portion of such Lot, Building Site, or parcel may extend not more than 30 feet into the more restricted portion, provided that the Lot, Building Site, or parcel has Frontage on a Thoroughfare or Internal Drive in a less restricted District.

G. Visibility

1. On a Corner Lot or Building Site, no Fence, Wall, hedge, Structure, or planting more than 3 feet in height, measured above the Curb level shall be erected, placed, or maintained within the triangular area formed by the intersecting lines of the curbs of the enfronting Thoroughfares or Internal Drives and a line drawn between points along such Thoroughfare or Internal Drive Lines that are 25 feet distant from their point of intersection.

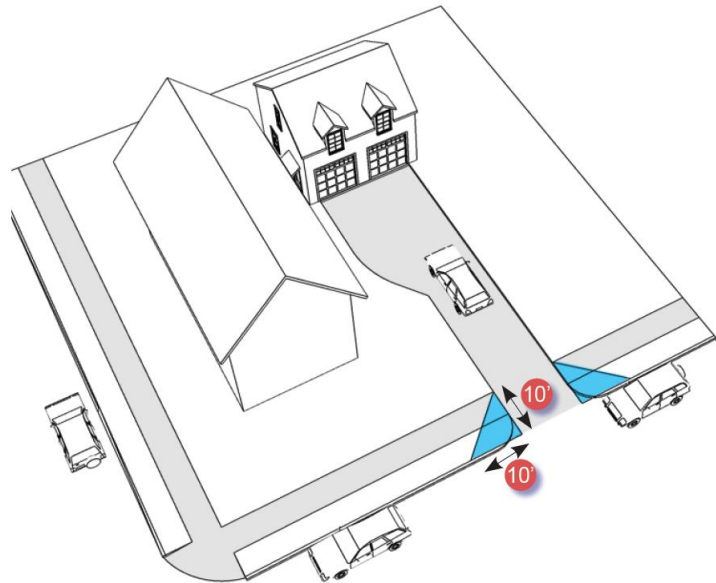
ILLUSTRATION 4.3.3.G.1 (SIGHT TRIANGLE - CORNER)



ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

2. For any Driveway, no Fence, Wall, hedge, Structure, or planting more than 3 feet in height, measured above the Curb level, shall be erected, placed, or maintained within the triangular area formed on each side of the Driveway by a line drawn between a point that is 10 feet from the back of the curb and extends 10 feet to its point of intersection with the Thoroughfare or Internal Drive.

ILLUSTRATION 4.3.3.G.2 (SIGHT TRIANGLE - DRIVEWAY)



H. Access Requirements.

1. No Building shall be erected on a Lot or Building Site that does not Abut an open public Thoroughfare, an approved private Thoroughfare or Internal Drive, or an approved private vehicular access Easement.
2. Where access is provided by an approved private street or Easement, an Easement for the same is required for each Lot, Building Site, or tract of land across which it traverses.
3. Additional access requirements may be found in Sections 4.3.12, 4.3.14, and 6.7, and elsewhere in this Ordinance, including City adopted Access Management Plan.

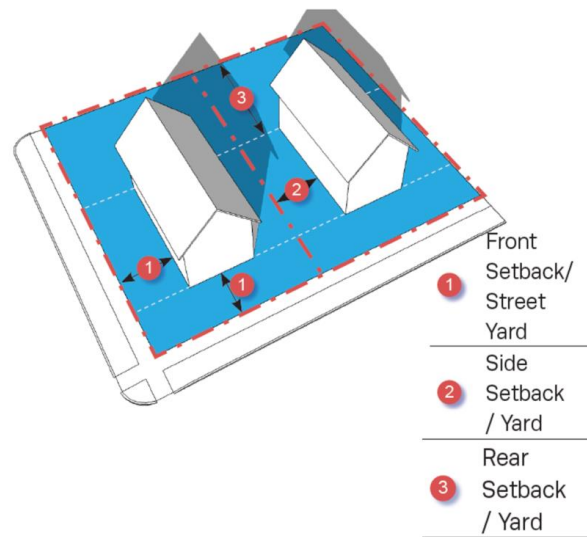
4.3.4 BUILDING PLACEMENT & NUMBER

A. Building Placement

1. Every Building shall be located on a Lot or Building Site. Buildings shall be located in relation to the boundaries of their Lots or Building Sites and shall comply with the Setback or Yard standards within each District according to **Tables 4.3.1-A - 4.3.1-O (District Standards)**.
2. To accommodate slopes over ten percent (10%), relief from front Setback or Yard requirements may be granted by Administrative Adjustment by the Zoning Administrator.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

ILLUSTRATION 4.3.4.A SETBACK /YARD DESIGNATIONS

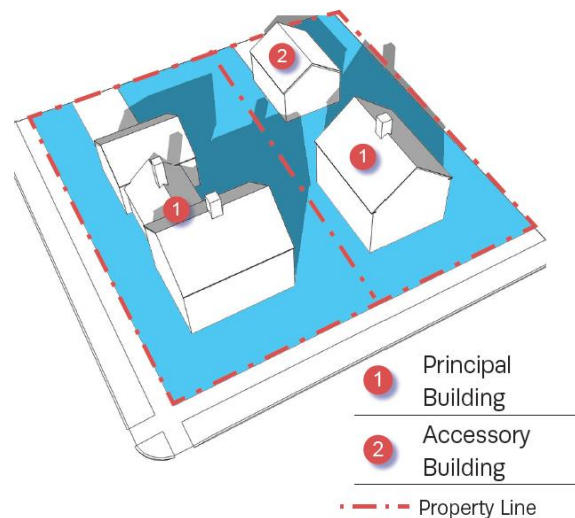


B. Principal Buildings

Within each District:

1. The number of Principal Buildings on each Lot or Building Site shall not exceed that indicated in **Tables 4.3.1-A - 4.3.1-O (District Standards)** and
2. Principal Buildings shall be oriented and situated as specified in **Tables 4.3.1-A - 4.3.1-O (District Standards)** and illustrated in **Illustration 4.3.4.B (Principal Building / Accessory Building)**.

ILLUSTRATION 4.3.4.B PRINCIPAL BUILDING / ACCESSORY BUILDING



ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

C. Accessory Buildings & Accessory Structures

1. Within each District:
 - a. The number of Accessory Buildings on each Lot or Building Site must not exceed that indicated in **Tables 4.3.1-A - 4.3.1-O (District Standards)**; and
2. Any such Accessory Buildings must be located as specified in **Tables 4.3.1-A - 4.3.1-O (District Standards)** as applicable and illustrated generally in **Illustration 4.3.4.B (Principal Building / Accessory Building)**.
3. Except within Civic Districts and Agricultural uses, Accessory Buildings or other Structures may not be erected on a Lot or Building Site on which there is no Principal Building.
4. Where Accessory Buildings and Structures are permitted:
 - a. Except within Civic Districts and CD-2, the footprint of a detached Accessory Building shall not exceed 60% of the building footprint of the Principal Building on the Lot;
 - b. Any Accessory Building shall be located in the Layer indicated in **Tables 4.3.1-A - 4.3.1-O (District Standards)**;
 - c. Except for Communications Towers, transmitting and/or receiving towers or antennas and wind turbines shall not be located in the First Layer or Second Layer; and
 - d. Guy wires or any other structural supports shall not Encroach upon any right-of-way, Adjoining property, Easements, Setback, or Yard areas.
5. An Accessory Building or Accessory Structure may be detached from or constructed as a structural part of a Principal Building, including those attached by means of a breezeway or a roofed passageway with open or latticed sides. If constructed as a structural part of a Principal Building, its walls shall be regarded as walls of the Principal Building in applying the standards and requirements of this Ordinance.
6. Where more than one Building exists or is proposed to be constructed on a single Lot or Building Site, all zoning requirements applicable to Principal Buildings or Accessory Buildings, respectively shall be applicable to each of such Buildings.

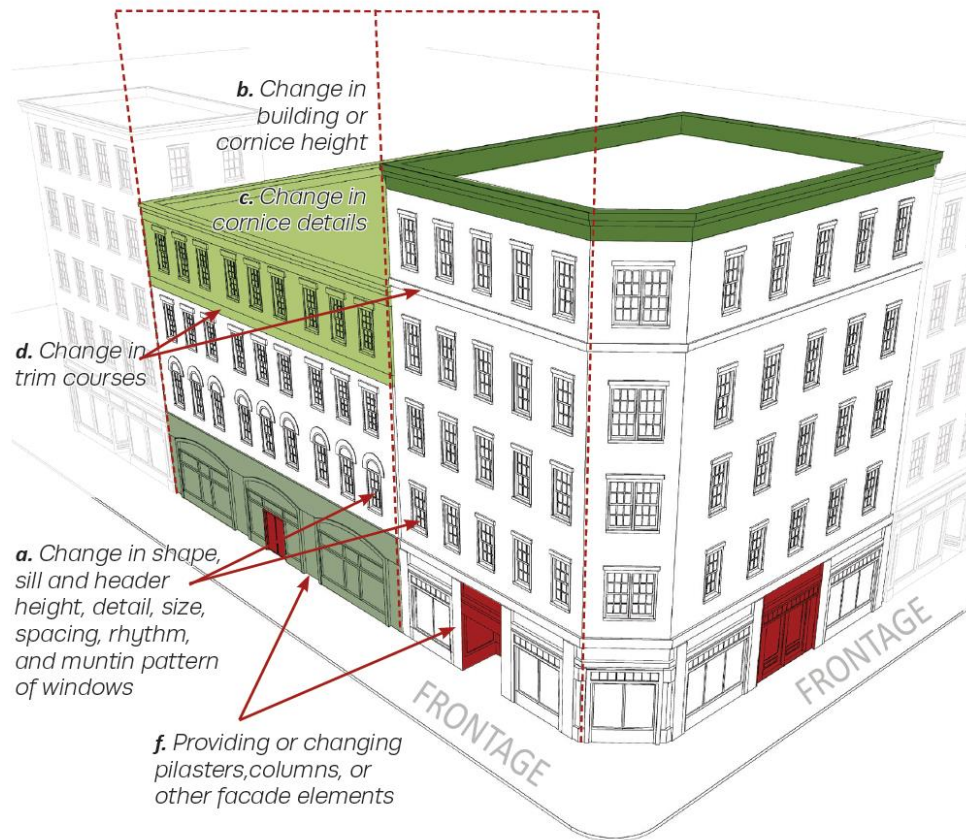
4.3.5 BUILDING STANDARDS

A. Facade

1. Principal Building Facades shall conform to **Tables 4.3.1-A - 4.3.1-O (District Standards)**.
2. The Façade of the Principal Building shall be built along the minimum percentage of the Front Lot Line or Building Site Line width at the Setback or back Street Yard line, specified as Frontage Buildout on **Tables 4.3.1-A - 4.3.1-O (District Standards)**. A Streetscreen may be substituted for a Façade for up to twenty percent (20%) of the applicable Frontage Buildout requirement. Required driveways may be subtracted from the Front Lot Line or Building Site Line where Alley access or cross access with an adjacent property is not available.
3. Principal Building Facades shall be articulated as shown in **(See Illustration 4.3.5.A-3)**.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

ILLUSTRATION 4.3.5.A-3 (FACADE ARTICULATION)



B. Building Design & Materials

The design and exterior materials of Buildings shall conform to **Tables 4.3.1-A - 4.3.1-O (District Standards)**.

C. Building Height, Ceiling Height & Ground Floor Finish Elevation

Building Height, ceiling height, and ground floor finish elevation must conform to **Tables 4.3.1-A - 4.3.1-O (District Standards)**.

D. Roof Type & Pitch

Building roof type and pitch must conform to **Tables 4.3.1-A - 4.3.1-O (District Standards)**. See **Illustration 4.3.5.D-1 (Roof Types)** and **Illustration 4.3.5.D-2 (Roof Pitch)**.

E. Vertical Composition

Vertical composition must conform to **Tables 4.3.1-A - 4.3.1-O (District Standards)** provided that:

1. The discernable Base of all new structures, where regulated, must be at least 8 (eight) inches high; and
2. The discernable Base of all new non-residential structures, where regulated, must be at least twelve (12) inches high.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

ILLUSTRATION 4.3.5.D-1 (ROOF TYPES)

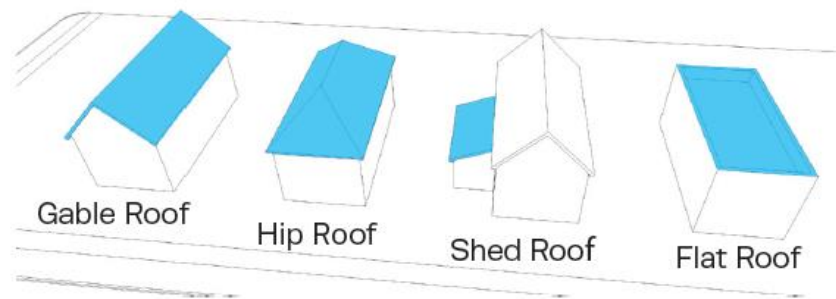
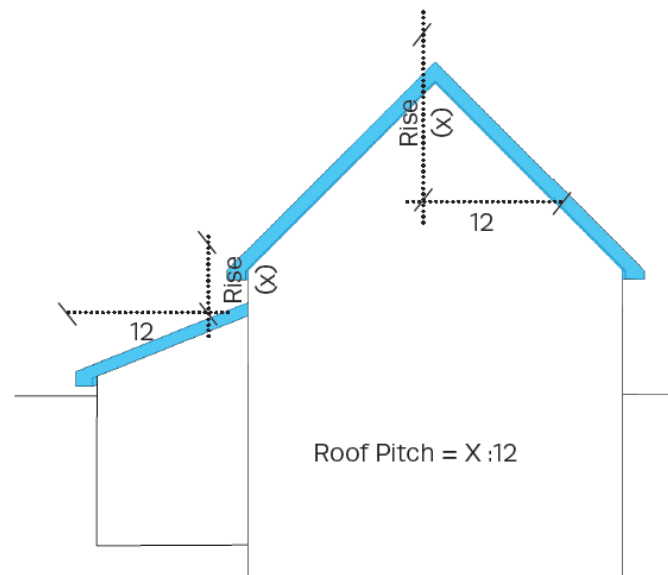


ILLUSTRATION 4.3.5.D-2 (ROOF PITCH)



4.3.6 FENCES & WALLS

A. Fences and non-Building Walls

1. Fences and non-Building Walls shall not:
 - a. Encroach a public right-of-way, including Alleys, or in areas reserved or dedicated for public right-of-way;
 - b. Obstruct sight distance visibility of intersections or driveways;
 - c. Block access within an access easement; or
 - d. Block access to fire hydrants, mechanical equipment, or utility equipment.
2. A finished side of all fences shall face off site
3. Within each District, Fences and non-Building Walls may be installed within Public Utility and Drainage Easements where permitted by the City Engineer, but shall not block or divert water

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

flow onto or off of any other property. Fences erected within Public Utility and Drainage Easements may be removed by the City or utility providers at any time without notice.

B. Height

1. Within each District, Fences and non-Building Walls must comply with the height standards in **Tables 4.3.1-A - 4.3.1-O (District Standards)**.
2. Fence and wall height shall be measured from the lowest adjacent grade to the top of the fence or wall. The use of a berm to increase a fence or wall height is prohibited, unless used in accordance with Section 8.1.2 Transition Areas Abutting Residential Lots.

C. Material

1. Within each District, Fences and non-Building Walls must comply with the material standards in **Tables 4.3.1-A - 4.3.1-O (District Standards)**.
2. Where chain link is permitted, it shall be coated with dark green or black material; plastic or metal slats in chain link are prohibited.

D. Retaining Walls

1. Within required yards on individual single-family CD-2, CD-3L, and CD-3 Lots and Building Sites, retaining walls shall conform to the limitations at Table 4.3.10 Encroachments.
2. In all other districts, and within CD-2, CD-3L, and CD-3 common areas and Civic Spaces, retaining walls shall conform to the following:
 - a. Retaining walls in CD-2, CD-3L, and CD-3 shall not exceed fifteen (15) feet in height.
 1. Where the overall grade change exceeds fifteen (15) feet, walls may be terraced with a minimum horizontal separation of ten (10) feet from face of wall to face of wall, provided no individual wall may exceed fifteen (15) feet in height.
 2. Where the overall grade change exceeds ten (10) feet, walls shall be terraced with a minimum horizontal separation of six (6) feet, provided no individual wall may exceed fifteen (15) feet in height.
 - b. Retaining walls in all other districts shall not exceed twenty (20) feet in height.
 1. Where the overall grade change exceeds twenty (20) feet, walls may be terraced with a minimum horizontal separation of ten (10) feet from face of wall to face of wall, provided no individual wall may exceed fifteen (20) feet in height.
 2. Where the overall grade change exceeds ten (10) feet, walls shall be terraced with a minimum horizontal separation of six (6) feet, provided no individual wall may exceed twenty (20) feet in height. The Zoning Administrator may approve a waiver to this requirement if the City Engineer has determined that no other practicable or feasible alternatives exist; and, the Zoning Administrator determines that there will be no harmful impact to adjacent property owners or the public
3. Each retaining wall shall be screened by a row of evergreen shrubs, planted every five feet on center, at the base of the wall. Shrubs shall be a minimum of 30 inches in height at the time of planting. The Zoning Administrator may permit alternative trees or groundcover which provide equivalent all-seasons screening.
4. Retaining walls shall be clad in brick, or stone. Where not visible from a Thoroughfare, Internal Drive, or Civic Space, stained or stamped concrete and split-face block are also permitted.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

4.3.7 PRIVATE FRONTAGE, BUILDING FORM & BUILDING TYPE; FLOOR ELEVATION

A. Private Frontage – General

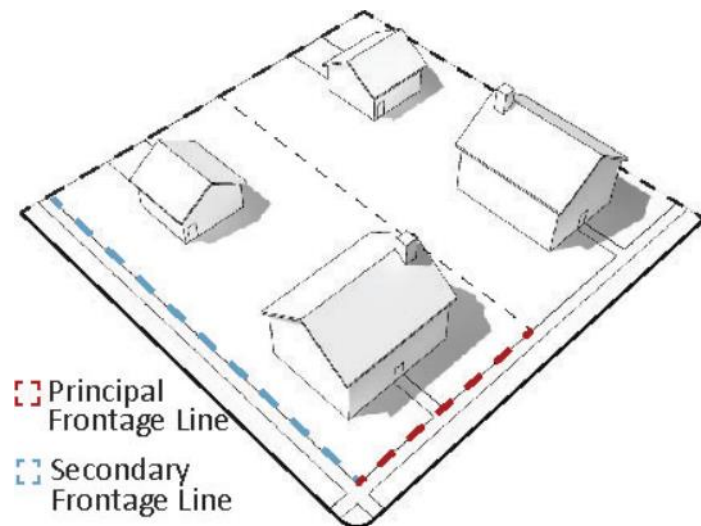
The Private Frontage of each Lot or Building Site must conform to and be allocated in accordance with **Table 4.3.7.A (Private Frontage Types Summary)** **Table 4.3.7.A (Private Frontage Types)**, and **Tables 4.3.1-A - 4.3.1-O (District Standards)**.

B. Private Frontage – Corner Lots / Building Sites

Principal Buildings on Corner Lots or Building sites shall have two Private Frontages:

1. a Principal Frontage and
2. a Secondary Frontage(s), as illustrated generally in Illustration 4.3.7.B-2 (Frontage & Lot / Building Site Lines).

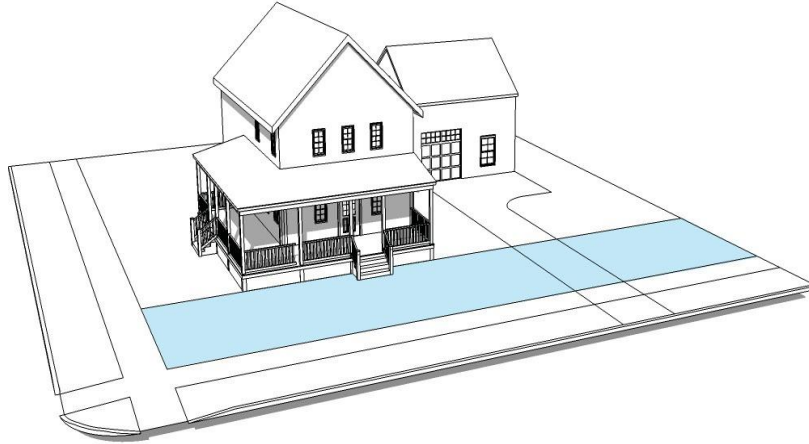
ILLUSTRATION 4.3.7.B-2 (FRONTAGE & LOT / BUILDING SITE LINES)



ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

COMMON YARD

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-2	CD-3L	CD-3	CD-4	CD-4C	SD-MHP	PUD-R

A planted Frontage wherein the Facade is set back substantially from the Frontage Line, and the Front Yard so created remains unfenced and is visually continuous with Adjacent yards, supporting a common landscape. This may be used with or without a Porch.



ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

PORCH

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-2	CD-3L	CD-3	CD-4	CD-4C	SD-MHP	PUD-R

A planted Frontage wherein the Facade is set back from the Frontage Line with an attached exterior covered area large enough to accommodate outdoor furniture and/or gathering, which is permitted to Encroach into the Front Setback. This may be used with or without a Fence to maintain Thoroughfare / Internal Drive spatial definition.



ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

FENCE TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-2	CD-3L	CD-3	CD-4	CD-4C	SD-MHP	PUD-R

A Frontage wherein the Facade is set back from the Frontage Line, and the Front Yard so created is separated from the Public Frontage by a Fence. This may be used with or without a Porch



ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TERRACE/LIGHTWELL

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-4

CD-4C

CD-5

CD-5C

PUD-R

PUD-MU

A Frontage wherein the Facade is set back from the Frontage Line by an elevated landing and a sunken Lightwell. This type buffers Residential Uses from urban Sidewalks with the first Story elevated from the Sidewalk for privacy, and may allow for activation of space below grade. An exterior stair and landing provides access to the entrance. This type is recommended for ground-floor Residential Use.



ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

FORECOURT

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-4	CD-4C	CD-5	CD-5C	PUD-R	PUD-MU

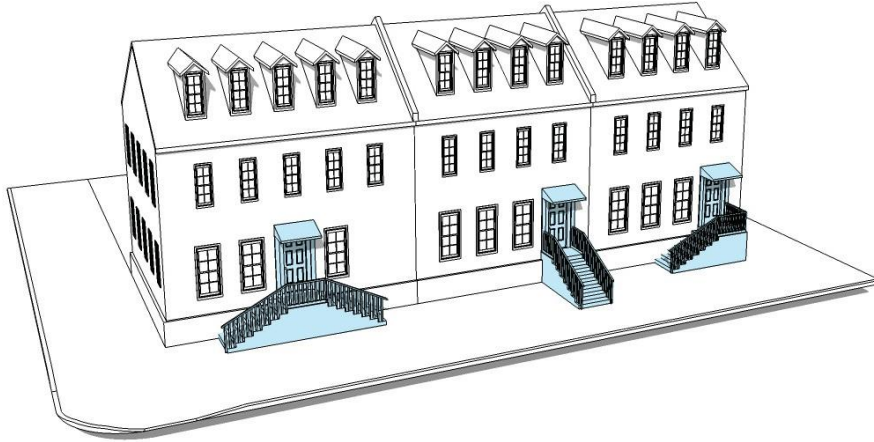
A Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back creating a gathering space for residents or additional shopping or restaurant seating area within Retail / Personal Service / Repair / Art / Artisan Use areas. This type should be used sparingly and may be used in conjunction with other Frontage types.



ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

STOOP

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-3

CD-4

CD-4C

CD-5

CD-5C

SD-MHP

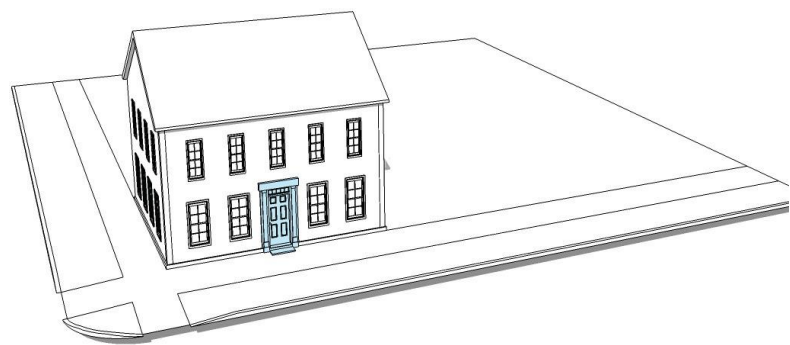
PUD-MU

PUD-R

A Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy. An exterior stair and landing provide access to the entrance. This type is recommended for ground-floor Residential Use.



STEPFRONT TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-4	CD-5	PUD-R	PUD-MU

A Frontage wherein the Facade is aligned very close to the Frontage Line. The entrance is usually an exterior single step without a landing. This type is recommended for ground floor Residential / Retail / Personal Service / Art / Artisan Use.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

SHOPFRONT

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-4

CD-4C

CD-5

CD-5C

PUD-MU

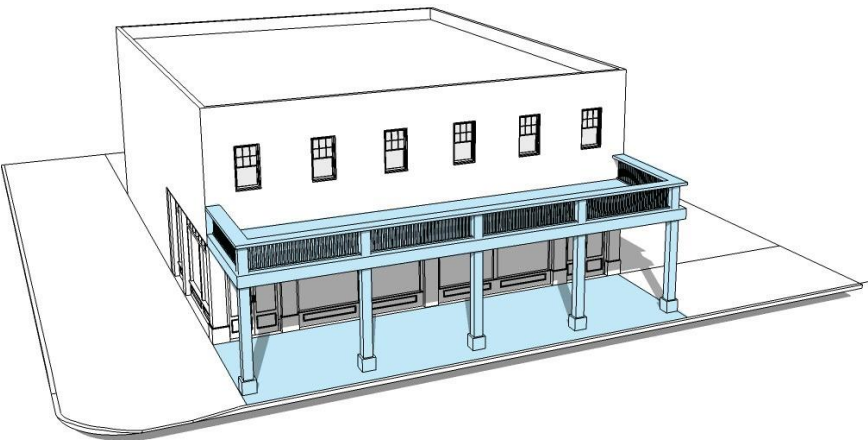
PUD-R

A Frontage conventional for Retail / Personal Service / Repair / Art / Artisan Use, wherein the Facade is aligned close to or at the Frontage Line with the Building entrance at Sidewalk grade. This Frontage has substantial glazing at the Sidewalk level and may include an awning overlapping the Sidewalk.



ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

GALLERY TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-4	CD-4C	CD-5	CD-5C	PUD-MU

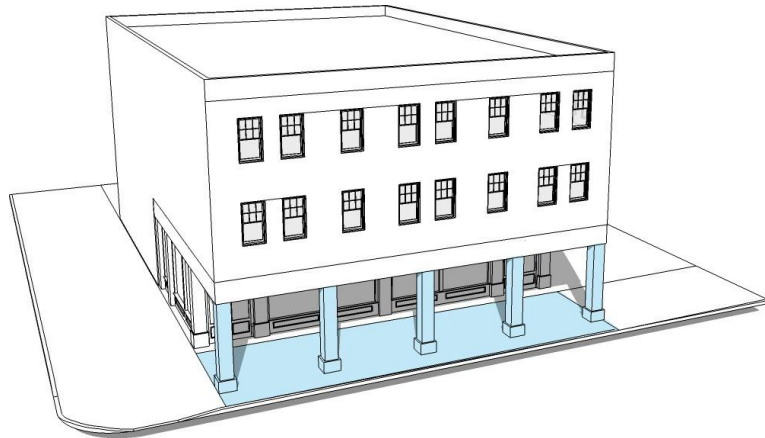
A Private Frontage conventional for Retail / Personal Service / Repair / Art / Artisan Use, wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk.



ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

ARCADE

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-5

CD-5C

PUD-MU

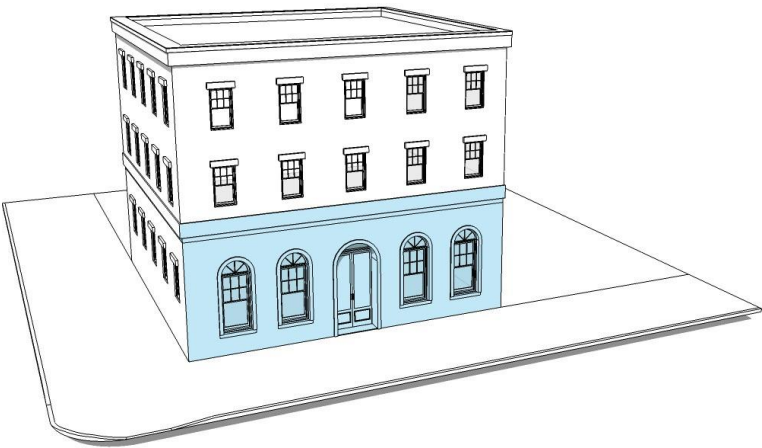
A Private Frontage conventional for Retail / Personal Service / Repair / Art / Artisan Use, wherein a colonnade supporting habitable space in one or more upper levels overlaps the Sidewalk, while the Façade at the first level remains at the Frontage Line.



ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

OFFICEFRONT

TABLE 4.3.7.A PRIVATE FRONTAGE TYPES



Permitted Districts

CD-4	CD-4C	CD-5	CD-5C	PUD-MU

A Frontage wherein the Facade is aligned close to or at the Frontage Line with the Building entrance at or above Sidewalk grade. This type is conventional for Office Use. It may have a substantial glazing on the Facade.



ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

4.3.8 BUILDING TYPES

A. General

Principal Buildings must be of one or more of the Principal Building Types specified for such District in **Table 4.3.8.A (Principal Building Types - Summary)** and **Table 4.3.8.B (Principal Building Types – Specific Standards)**. The mix of Building Types on each Development Parcel is further regulated under Section 5.1.10.

TABLE 4.3.8.A PRINCIPAL BUILDING TYPES - SUMMARY

PRINCIPAL BUILDING TYPE		PERMITTED DISTRICTS	
MANUFACTURED HOME			
A detached one family dwelling constructed as a single self-contained unit and mounted on a single chassis transportable after fabrication on its own wheels or detachable wheels, as further defined in Article 9 (Definitions).		SD-MHP	
House			
	A medium-sized Building designed as a Single-Family Detached Dwelling, situated on a medium or large Lot or Building Site with an Edgeyard, often shared with an Accessory Building in the rear.	CD-2	CD-3L
		CD-3	CD-4
		CD-4C	PUD-R
		CD-5	
Duplex			
	A small- to medium- sized Principal Building, other than a manufactured housing unit, situated on a small-to-medium sized Lot or Building Site with an Edgeyard or side yard which Building contains two Dwelling Units with separate entrances at least one of which faces the Thoroughfare or Internal Drive. Both Dwelling Units, whether side-by-side, front-to-back, or over-and-under, are contained within a single Building Massing.	CD-3	CD-4
		CD-4C	PUD-R
		CD-5	

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

	Townhouse	A Principal Building in a collection of very narrow- to medium-sized attached Buildings on contiguous Lots or Building Sites with a rear yard (or side yard if an end unit), which collection consists of side-by-side Dwelling Units with individual entries facing the Thoroughfare or Internal Drive. Each Building occupies the full Frontage Line of its Lot or Building Site and shares at least one party Wall with another Building of the same type.	CD-4 CD-5 PUD-MU	CD-4C CD-5C PUD-R
	Small Multi-Family Building	A Principal Building that incorporates between three (3) and six (6) side-by-side and/or horizontally stacked Dwelling Units, typically with one or more shared entries.	CD-4 CD-5 SD-LI PUD-MU	CD-4C CD-5C PUD-R
	Large Multi-Family Building	A Principal Building that incorporates between seven (7) and TWENTY-FOUR (24) side-byside and/or horizontally stacked Dwelling Units, which may have one or more shared entries.	CD-4 CD-5 SD-LI PUD-MU	CD-4C CD-5C PUD-R SD-INT
	Live/Work Building	A small- to medium-sized attached or detached Principal Building, which includes a flexible space for Commercial Use and an internally connected Residential Dwelling Unit above and/or behind the flexible space.	CD-4 CD-5 SD-LI PUD-MU	CD-4C CD-5C PUD-R SD-INT
	Commercial Building	A small- to medium-sized attached or detached non-Residential Building, typically designed to facilitate pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan Uses and Office Uses.	CD-4 CD-5 SD-INT SD-LI	CD-4C CD-5C PUD-MU
	Mixed-Use Building	A typically attached Principal Building, which provides a vertical and/or horizontal mix of Uses typically designed to facilitate	CD-4 CD-5 PUD-MU SD-LI	CD-4C CD-5C SD-INT

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan, Lodging, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses.



Flex Building

A large footprint Principal Building designed to accommodate either a single Use or a vertical or horizontal mix of Uses.

CD-4	CD-4C
CD-5	CD-5C
SD-LI	SD-HI
PUD-MU	SD-INT



Mid-Rise Building

An attached or detached Building that may provide a vertical and/or horizontal mix of Uses, typically designed to facilitate pedestrian-oriented Retail/Personal Service, Lodging, Business/Commercial, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses.

CD-5	CD-5C
SD-LI	PUD-MU
SD-INT	



Large-Scale Commercial Building

A building of 50,000 square feet or more that is most commonly associated with a large-format retailer. It has in-line Retail or Liner Buildings along the front of the Building.

CD-4C	CD-5C
SD-INT	SD-LI
PUD-MU	



Civic Building

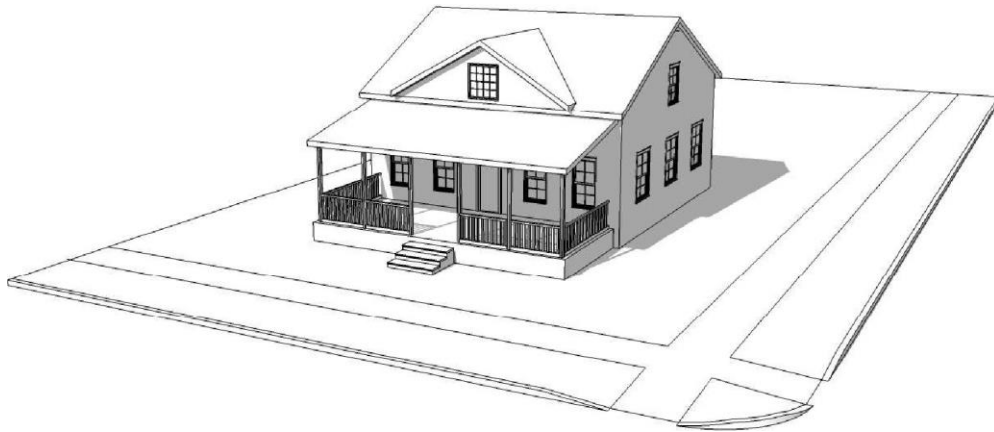
A medium- to large-sized attached or detached Principal Building, which is operated by a not-for-profit organization or governmental entity dedicated to Civic activities, and is designed to stand apart from its surroundings due to the specialized nature of its Civic purpose. Examples include Libraries, Places of Worship, Places of Assembly, Courthouses, schools, centers of government, Performing Arts Venues, and Museums. Civic Buildings are often the

CD-2	CD-3L
CD-3	CD-4
CD-4C	CD-5
CD-5C	SD-LI
SD-HI	SD-INT
PUD-R	PUD-MU
CV	

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

HOUSE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-2, CD-3L, CD-3, CD-4, CD-4C, CD-5,
PUD-R,

General Description

A medium-sized Building designed as a Single-Family Detached Dwelling having an Edgeyard yard type that may be shared with an Accessory Building in the backyard. This Building type typically incorporates a single Residential unit.

Lot/Building Site

Width Per District Lot/Building Site Width

Number of Units

Units per Building 1 max.

Allowed Private Frontages

Common Yard	P
Fence	P
Porch	P
Stoop	P

Building Size & Massing

Height

2 Stories max

Width

Not Regulated

Pedestrian Access

Main Entrance Principal Frontage
Location

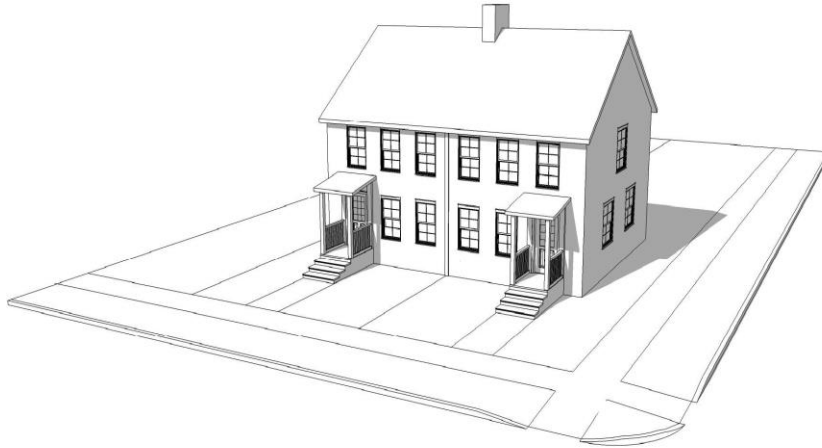
Vehicle Access & Parking

Parking may be accessed from an Alley, side Thoroughfare or Front Thoroughfare

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

DUPLEX

**TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS**



Permitted Districts

CD-3, CD-4, CD-4C, CD-5, PUD-R

General Description

A small- to medium- sized Principal Building, other than a manufactured housing unit, situated on a small-to-medium sized Lot or Building Site with an Edgeyard or side yard which Building contains two Dwelling Units with separate entrances at least one of which faces the Thoroughfare or Internal Drive. Both Dwelling Units, whether side-by-side, front-to-back, or over-and-under, are contained within a single Building Massing.

Lot/Building Site

Width	Per District lot/Building site width

Number of Units

Units / Building	2

Allowed Private Frontages

Common Yard	P
Fence	P
Porch	P
Stoop	P

Building Size & Massing

Height

2 Stories max

Width

Per District standards

Pedestrian Access

Main Entrance Location	Principal Frontage

Vehicle Access & Parking

Parking may be accessed from an Alley, side Thoroughfare or front Thoroughfare

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TOWNHOUSE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4, CD-4C, CD-5, CD-5C, PUD-R,
PUD-MU

General Description

A Principal Building in a collection of very narrow- to medium-sized attached Buildings on contiguous Lots or Building Sites with a rear yard (or side yard if an end unit), which collection consists of side-by-side Dwelling Units with individual entries facing the Thoroughfare or Internal Drive. Each Building occupies the full Frontage Line of its Lot or Building Site and shares at least one Party Wall with another Building of the same type.

Lot/Building Site

Width	Per District lot/building site width

Number of Units

Units per townhouse	1 max
Number of townhomes connected to another	3 min – 8 max

Allowed Private Frontages

Porch	P
Stoop	P
Terrace/Lightwell	P

Building Size & Massing

Height

Per Character District Height Standards

Width

18 ft. min per Townhouse

Pedestrian Access

Main Entrance Location	Principal Frontage

Vehicle Access & Parking

Parking may be accessed from an Alley, side Thoroughfare, or front Thoroughfare

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

SMALL MULTIFAMILY

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4, CD-4C, CD-5, CD-5C, PUD-R,
SD-LI, PUD-MU

General Description

A Principal Building that incorporates three (3) to six (6) side-by-side, and/or, horizontally stacked Dwelling Units typically with one or more shared entries.

Lot/Building Site

Width	Per district lot/building site width

Number of Units

Units per building	3 min

Allowed Private Frontages

Porch	P
Stoop	P
Forecourt	P
Terrace/ Lightwell	P

Building Size & Massing

Height

Per District height standards

Width

Per district lot/building site width and side setback/ yard standards

Pedestrian Access

Main Entrance Location	Principal Frontage

Vehicle Access & Parking

Parking may be accessed from an Alley, Thoroughfare or internal drive at frontage

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

LARGE MULTIFAMILY

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4, CD-4C, CD-5, CD-5C, PUD-R,
SD-LI, PUD-MU

General Description

A Principal Building that incorporates seven (7) side-by-side, and/or horizontally stacked Dwelling Units typically with one or more shared entries.

Lot/Building Site

Width	Per district lot/building site width

Number of Units

Units per building	7 min

Allowed Private Frontages

Porch	P
Stoop	P
Forecourt	P
Terrace/Lightwell	P

Building Size & Massing

Height

Per district height standards

Width

Per district lot/building site width and setback/ yard standards

Pedestrian Access

Main Entrance	Principal Frontage
Location	

Vehicle Access & Parking

Parking may be accessed from an Alley, Thoroughfare or drive at frontage

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

LIVE/WORK

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4, CD-4C, CD-5, CD-5C, PUD-R,
SD-LI, PUD-MU, SD-INT

General Description

A small to medium sized attached or detached Principal Building which includes a flexible space for commercial use and an internally connected residential Dwelling unit above, and/or behind the flexible space.

Lot/Building Site

Width	Per district lot/building site width

Number of Units

Units per building	1 residential unit per 1 flexible space

Allowed Private Frontages

Stoop	P
Terrace/Lightwell	P
Shopfront	P
Officefront	P

Building Size & Massing

Height

Per district height standards

Width

18 ft min – 36 ft max

Pedestrian Access

Main Entrance	Principal frontage

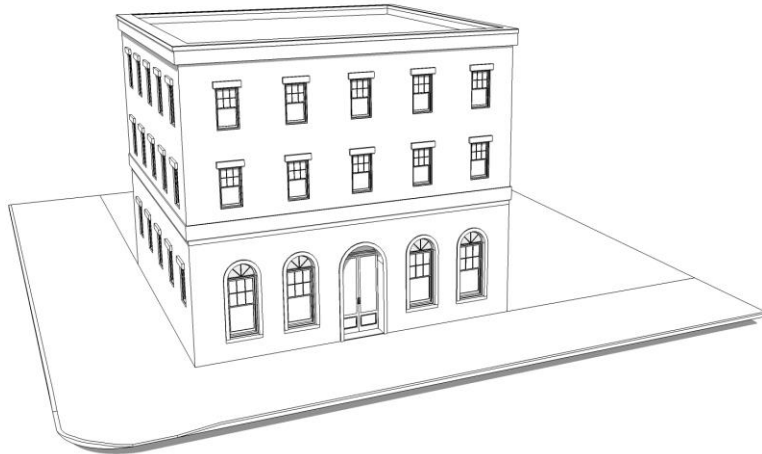
Vehicle Access & Parking

Parking may be accessed from an Alley, Thoroughfare or internal drive at frontage

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

COMMERCIAL

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4, CD-4C, CD-5, CD-5C, SD-INT,
SD-LI PUD-MU

General Description

A small to medium sized attached or detached non-residential building, typically designed to facilitate pedestrian-oriented Retail/Personal Service/ Repair/ Art/ Artisan Uses and Office Uses.

Lot/Building Site

Width	Per district lot/building site width

Number of Units

Units per Building	Unrestricted, except as may be due to building code

Allowed Private Frontages

Stoop	P
Terrace/Lightwell	P
Shopfront	P
Officefront	P

Building Size & Massing

Height

Per district height standards

Width

Per district lot/building site width and side setback/ yard standards

Pedestrian Access

Main Entrance	Principal Frontage

Vehicle Access & Parking

Parking may be accessed from an Alley, a Thoroughfare, or internal drive at frontage

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

MIXED-USE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4, CD-4C, CD-5, CD-5C, SD-INT, SD_LI, PUD-MU

General Description

A typically attached Principal Building which provides a vertical and/or horizontal mix of uses typically designed to facilitate pedestrian-oriented Retail/ Personal Service/ Repair/ Art/ Artisan, Accommodations/ Lodging, or Office uses on the ground floor, with upper floors typically designed for residential or office uses.

Lot/Building Site

Width Per district lot/building site width

Number of Units

Units per Building 2 min., which must accommodate Principal Uses

Allowed Private Frontages

Stoop	P	Terrace	P
Forecourt	P	Officefront	P
Terrace/Lightwell	P	Gallery	P
Shopfront	P	Arcade	P

*Only used in conjunction with a shopfront or officefront type

Building Size & Massing

Height

2 stories min, 3 stories max in CD-4, CD-5 per district height

Width

Per district lot/building width and yard/side setback standard

Pedestrian Access

Ground floor Principal Frontage

Upper floor Principal or secondary

Upper floors must be accessed by a common entry

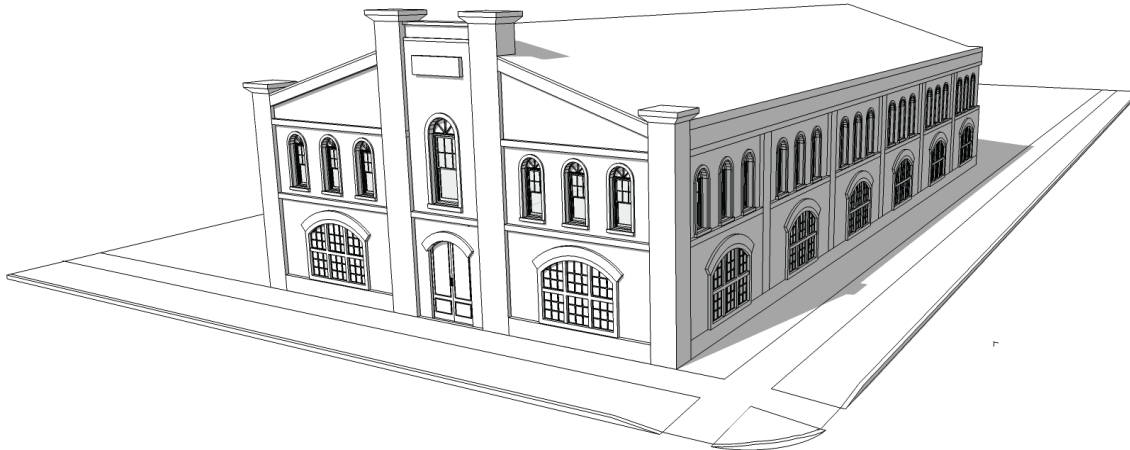
Vehicle Access & Parking

Parking may be accessed from an Alley, Thoroughfare, or internal drive at frontage

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

FLEX

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4, CD-4C, CD-5, CD-5C, SD-LI, SD-HI,
PUD-MU, SD-INT

General Description

A typically attached Principal Building which provides a vertical and/or horizontal mix of uses typically designed to facilitate pedestrian-oriented Retail/ Personal Service/ Repair/ Art/ Artisan, Accommodations/ Lodging, or Office uses on the ground floor, with upper floors typically designed for residential or office uses.

Lot/Building Site

Width Per District lot/building site width

Number of Units

Units per building 2 min, which must accommodate different principal uses

Allowed Private Frontages

Stoop	P	Terrace	P
Forecourt	P	Officefront	P
Terrace/Lightwell	P	Gallery	P
Shopfront	P	Arcade	P

*Only used in conjunction with shopfront or officefront type

Building Size & Massing

Height

2 stories min, 3 stories max in
CD-4, CD-5 per district height

Width

Per district lot/building width
and yard/side setback standard

Pedestrian Access

Ground floor	Principal Frontage
Upper floor	Principal or secondary frontage

Upper floors must be accessed
by a common entry

Vehicle Access & Parking

Parking may be accessed from an
alley, thoroughfare, or internal drive
at frontage

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

MID-RISE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-5, CD-5C, SD-LI, SD-INT, PUD-MU

General Description

An attached or detached building that may provide a vertical and/or horizontal mix of uses. Typically designed to facilitate a pedestrian-oriented Retail/ Personal Service/ Repair/ Art/ Artisan Accommodations/ Lodging, Commercial, or Office uses on the ground floor, with upper floors typically designed for Residential or Office use.

Lot/Building Site

Width	Per District lot/building Site Width

Number of Units

Units per Building	2 min, which may be residential or non-residential

Allowed Private Frontages

Stoop	P	Terrace	P
Forecourt	P	Officefront	P
Terrace/Lightwell	P	Gallery	P
Shopfront	P	Arcade	P

*Only used in conjunction with Shopfront or Officefront type

Building Size & Massing

Height

4 stories min, 5 max per district
table 4.3.1

Width

Per district lot/building site width
and side yard/ setback standards

Pedestrian Access

Ground Floors	Principal Frontage

Upper Floors	Principal or secondary frontage

Upper floors must be accessed by common entry

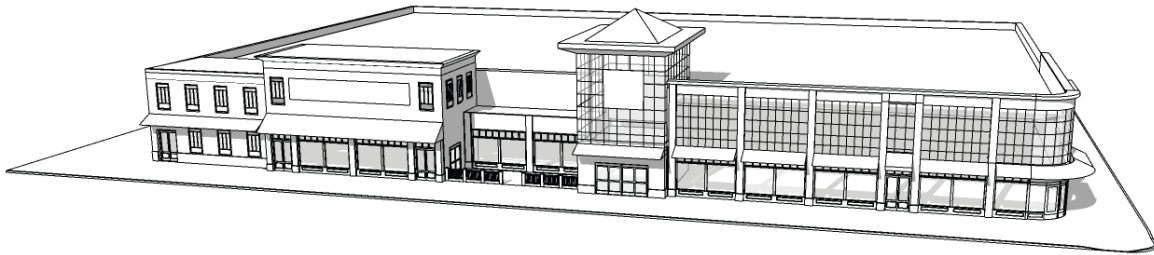
Vehicle Access & Parking

Parking may be accessed from an alley, thoroughfare, or drive at frontage

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

LARGE SCALE COMMERCIAL

**TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS**



Permitted Districts

CD-4C, CD-5C, SD-INT, SD-LI, PUD-MU

General Description

A building of 50,000 square feet, or more, that is most commonly associated with a large-format retailer. It has in-line Retail or Liner Buildings along the front of the building.

Lot/Building Site

Width Per District lot/Building site width

Number of Units

Units per Building Not regulated

Allowed Private Frontages

Stoop	P	Terrace	P
Forecourt	P	Officefront	P
Terrace/Lightwell	P	Gallery	P
Shopfront	P	Arcade	P

*Only used in conjunction with Shopfront or Officefront type

Building Size & Massing

Height

Per district height standards

Width

Per district lot/building site width and side yard/ setback standards

Pedestrian Access

Ground floors	Principal frontage
Upper floors	Principal or secondary frontage

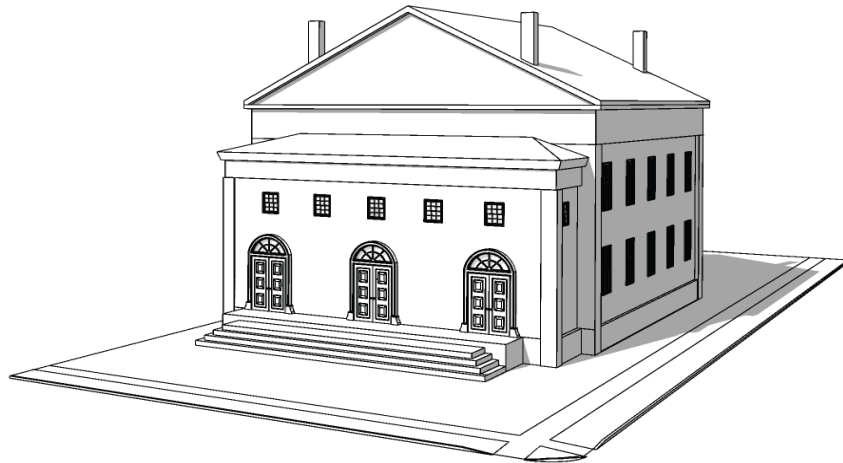
Vehicle Access & Parking

Parking may be accessed from an alley, thoroughfare, or internal drive at frontage

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

CIVIC

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

All Districts

General Description

A medium to large-sized attached or detached Principal Building which is operated by a not-for-profit organization or governmental entity dedicated to Civic activities, and is designed to stand apart from its surroundings due to the specialized nature of its Civic purpose. Examples include Libraries, Places of Worship, Places of Assembly, Courthouses, City Halls, schools, centers of government, Performing Arts Venues, and Museums. Civic buildings are often the most prominently sited and architecturally significant Buildings in a community.

Lot/Building Site

Width N/A

Number of Units

N/A

Building Size & Massing

Height

The height of Civic Buildings should be limited to 20 additional feet above the maximum allowed height in any adjacent district.

Width

Not Regulated.

Pedestrian Access

Except as specifically provided in this chapter, Civic Buildings are not subject to Building lot/Building site or Private frontage requirements of this chapter.

Vehicle Access & Parking

Parking may be accessed from an Alley, Thoroughfare, or internal drive at frontage.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

B. Manufactured Homes

1. No Manufactured Home shall be placed on any Lot or Building Site within a Residential District, unless it is used actively for Residential purposes, except as provided in Section 4.3.8. A.2.
2. Non-Residential use of a Manufactured Home may be permitted as a Temporary Use as a construction office during construction, subject to issuance of an annual permit by the Zoning Administrator subject to limitations pursuant to Section 4.3.9.E and **Table 4.3.9.A-3 (Temporary Uses)**.
3. Pursuant to TCA, Section 13-24-201, the provisions of Section 4.3.8.A shall not apply to Double-Wide Manufactured Homes used as single-family residences, which shall instead be considered a single-family home; provided that, pursuant to TCA, § 13-24-202, such Double-Wide Manufactured Homes must have the same general appearance as required for site-built homes and shall comply with all standards and requirements of this Ordinance.

4.3.9 USES

A. General

1. Buildings, Lots, and Building Sites must comply with the Use standards and requirements of this Section 4.3.9. For Development Parcels, the mix of Principal Uses in each District is further regulated under Section 5.1.7.
2. Principal Uses, Accessory Uses, and Temporary Uses are Permitted by Right ("P"), Permitted Subject to Limited Use Standards ("PL"), as Conditional Uses ("CU"), or Not Permitted ("NP") within each District, in each case as indicated in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**, **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**, and **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)**.
3. Principal Uses, Accessory Uses, or Temporary Uses, as applicable, of Buildings, Lots, and Building Sites, which are indicated in **Table 4.3.9.A-1 (Building & Lot Principal Uses)**, **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**, or **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)** as Permitted ("P"), Permitted Subject to Limited Conditions ("PL"), or as Conditional Use ("CU"), are permitted within each District, subject to compliance with all applicable standards, conditions and requirements thereof and obtaining all applicable approvals and permits therefor, including without limitation in the case of Uses Permitted Subject to Limited Use Standards ("PL") and Conditional Uses ("CU"), compliance with the applicable Use standards of Section 4.3.11.D, and in the case of Conditional Uses ("CU"), Board of Zoning Appeals approval pursuant to Article 8 (Administrative, Procedural, and Enforcement).
4. Accessory Uses of Buildings, Lots, and Building Sites in each District must conform to the Accessory Uses specified on **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)** for such District and are subject to compliance with all other applicable standards and requirements of this Ordinance.
5. Temporary Uses of Buildings, Lots, and Building Sites in each District must conform to the Temporary Uses specified on **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)** for such District and are subject to compliance with all other applicable standards and requirements of this Ordinance.
6. Without limitation, Accessory Uses must be subordinate and customarily incidental to a permitted Principal Use on the Lot.
7. If multiple Principal Uses are allowed within a District, they may exist within a single Building, Lot, or Building Site, subject to compliance with all other applicable standards and requirements.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Farming	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Greenhouse	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Other Agricultural Uses Not Listed Under any Use Category	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Sand, Stone, and Gravel Quarrying	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Other Extractive Uses Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
House for Single-Family Dwelling	P	P	P	P	P	P	NP	NP	NP	NP	NP	P	NP	NP
Attached Dwelling - Duplex for 2-Family Dwelling	NP	NP	PL	PL	PL	PL	NP	NP	NP	NP	NP	NP	NP	NP
Attached Dwelling - Townhouses	NP	NP	NP	PL	PL	PL	PL	NP	PL	NP	NP	PL	PL	NP
Attached Dwelling -Small Multifamily Building	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	PL	PL	NP
Attached Dwelling -Large Multifamily Building	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	PL	PL	NP
Attached Dwelling -Residence Portion of a Live/Work, Mixed-Use, or Flex Building, if Building Type permitted in District	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	PL	PL	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Attached Dwelling -Assisted Living Apartment	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	PL	NP
Attached Dwelling - Independent Living Apartment	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	PL	NP
Retirement Community or other Congregate Living Facility with individual Dwelling Units	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	PL	PL	NP
Manufactured Home	PL	PL	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Manufactured Home- Class A	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Manufactured Home Park	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Other Household Living Uses Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	NP	NP
Adult Care Home	P	P	P	P	P	NP	NP	NP	NP	NP	NP	P	NP	NP
Boarding or Rooming House, not including Group Home for Persons with Disabilities	NP	NP	NP	NP	NP	P	P	NP	P	P	NP	NP	NP	NP
Dormitory not associated with Educational Institution	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP	NP
Fraternity or Sorority House	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Group Home for Persons with Disabilities or other Group Living Home	P	P	P	P	P	NP	NP	NP	NP	NP	NP	P	NP	NP
Monastery or Convent	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP	NP
Orphanage	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP	NP
Other Group Living Uses not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Civic Building	NP	P	P	P	P	P	NP	NP	NP	NP	NP	NP	NP	P
Philanthropic Institution	NP	NP	NP	P	P	P	P	NP	NP	NP	NP	NP	P	P
Recreation Facility (Civic)	NP	P	P	P	P	P	P	P	NP	P	NP	P	P	P
Other Community Service Use Not Listed Under any Use Category	NP	NP	NP	P	P	P	P	P	NP	P	NP	P	P	P
Adult Day Care Facility (Civic)	P	P	P	P	P	P	P	P	P	P	NP	P	P	P
Children Day Care Facility (Civic)	P	P	P	P	P	P	P	P	P	P	NP	P	P	P
Group Day Care or Family Day Care or Facility (Civic)	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	NP	PL	PL	PL
Other Day Care Facility Use (Civic) Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Correctional Facilities	NP	NP	NP	NP	NP	NP	NP	NP	CU	CU	CU	NP	NP	CU

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Other Government Facility Use (Civic) Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	P
Civic Space – Community Garden	P	P	P	P	P	P	NP	P	P	P	NP	P	P	P
Civic Space – Green	NP	P	P	P	P	P	NP	P	P	P	NP	P	P	P
Civic Space – Square or Plaza	NP	NP	NP	P	P	P	NP	NP	NP	NP	NP	NP	P	P
Civic Space – Park or Playground	P	P	P	P	P	P	NP	P	P	P	NP	P	P	P
Civic Space - Sports Field	NP	P	P	P	NP	NP	NP	P	NP	P	NP	P	NP	P
Other Civic Space Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Botanical Garden	P	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Nature Preserve	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreational Trail	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Game Preserve	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Wildlife Management Area	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Refuge	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Wild Animal Sanctuary	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Water Conservation Area	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Reservoir	P	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Drainage Well	P	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Water Supply	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Water Well	P	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Zoo	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Other Open Space Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Place of Worship or other Religious Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Cemetery / Mausoleum / Columbarium / Memorial Garden	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Funeral Services	NP	NP	NP	P	P	P	P	NP	NP	NP	NP	NP	P	P
Fire / EMS Station	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Police Station	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Adult Continuing Education	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Personal Improvement Education	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Business, trade, or vocational school, other than Truck Driving School	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Truck Driving School	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Pre-School or Nursery School	P	P	P	P	P	P	P	NP	P	P	NP	P	P	P
Kindergarten	P	P	P	P	P	P	P	NP	P	P	NP	P	P	P
Elementary School	P	P	P	P	P	P	P	NP	P	P	NP	P	P	P
Middle School	P	P	P	P	P	P	P	NP	P	P	NP	P	P	P
High School	P	P	P	P	P	P	P	NP	P	P	NP	P	P	P
College or University	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	P
Community College	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	P
Graduate / Professional School	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	P
Nursing or Medical Schools not accessory to a Hospital	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	P
Seminary	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	P
Other Educational Use Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Hospital	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PL
Rehabilitation Facility or Center for Observation	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PL
Other Health Care Institution Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Long Term Care Facility	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	PL	NP
Continuum of Care Facility	NP	NP	NP	PL	PL	PL	PL	NP	NP	PL	NP	NP	PL	NP
Bed & Breakfast	P	NP	NP	P	P	P	P	NP	NP	NP	NP	NP	P	NP
Extended Stay Hotel	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Inn	P	NP	NP	P	P	P	P	NP	NP	NP	NP	NP	P	NP
Hotel, not including Extended Stay Hotel	NP	NP	NP	PL	PL	PL	PL	NP	PL	NP	NP	NP	PL	NP
Motel	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Short-Term Rental Unit	NP	NP	NP	PL	PL	PL	PL	NP	NP	NP	NP	NP	NP	NP
Other Accommodation / Lodging Uses Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Adult Day Care Facility (non-Civic)	P	P	P	P	P	P	P	P	P	P	NP	P	P	NP
Child Care Facility (non-Civic), excluding Child Care in Home	P	P	P	P	P	P	P	P	P	P	NP	P	P	NP
Children's Day Camp (non-Civic)	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Group Day Care Facility, Family Day Care Facility or other Group Care Facility (non-Civic)	NP	NP	NP	CU	CU	CU	CU	NP	CU	CU	NP	CU	CU	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Hospice (non-Civic)	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Retirement Center or Life Care Community without individual Dwelling Units (non-Civic)	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Other Personal & Group Care Facilities Use Not Listed Under any Use Category (non-Civic)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Bowling Alley	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Game Arcade	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Gymnastics Facility	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Commercial Indoor Athletic Training Facility	NP	PL	PL	PL	P	P	P	NP	P	P	NP	NP	P	NP
Indoor firing range	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	NP
Indoor Sports Academy	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Membership Club or Lodge	P	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Movie or other Theater	NP	NP	NP	P	P	P	P	NP	P	NP	NP	NP	P	NP
Pool Hall	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Recreation Facility (non-Civic)	NP	P	P	P	P	P	P	NP	P	P	NP	P	P	NP
Skating rink	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Social Club, Lodge, or Organization (non-Civic)	NP	CU	CU	P	P	P	NP	NP	P	P	NP	NP	P	NP
Other Commercial Indoor Recreation Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Group Assembly (non-Civic)	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
Other Commercial Group Assembly Use (non-Civic) Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Amphitheater	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
Sports Field	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
BMX Bicycle Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Campground	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Drive-in Theater	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Firing Range such as Rifle Range, Archery Range, Handgun, or Skeet Shooting	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Golf Course, Country Club, Swim Club, and Tennis Club	PL	PL	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Marina / Boating Facility	PL	PL	PL	PL	PL	PL	PL	PL	NP	NP	NP	PL	PL	NP
Recreational Vehicle (RV) Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Paintball Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Outdoor Entertainment Activity such as Batting Cage, Golf Driving Range, Amusement Park, Miniature Golf Facility	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Skateboard Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Stadium / Arena	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP
Summer Camp (overnight)	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Swimming Pool	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	NP	PL	PL	NP
Tennis Court	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	NP	PL	PL	NP
Water Park	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Other Commercial Outdoor Recreation Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Parking Lot	NP	NP	NP	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL
Parking Structure	NP	NP	NP	P	P	P	P	NP	P	P	P	NP	P	P
Restaurant or other Food Service Business without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Small-scale Catering Establishment without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Drive-in Restaurant and Any Restaurant with Drive-Through	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
Bar, Tavern, or Nightclub	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
Alcoholic Beverage Retail Sales	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Artisan Establishment, with or without Retail Sales, & without Drive-Through	NP	NP	NP	P	P	P	P	NP	NP	P	NP	NP	P	NP
Arts-Related Uses	NP	NP	NP	P	P	P	P	NP	NP	P	NP	NP	P	NP
Convenience Store with Gasoline Sales Facility without Drive-Through	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	PL	NP
Retail, Personal Service, Repair, Arts, or Artisan Establishment with Drive-Through	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
Food Truck Court	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	NP	NP
Personal Services, other than Motor Vehicle Body Shop, and Motor Vehicle Maintenance, Repair, Fuel Sales, Service, or Cleaning, without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Repair Services, other than Motor Vehicle Body Shop,	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
and Motor Vehicle Maintenance, Repair, Fuel														
Retail Membership Club	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Retail Food Sales, with or without on-premises preparation or processing, without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Retail Sales, Rental, or Leasing, other than Motor Vehicle - Related Uses, Retail Food Sales, Retail Membership Club, Restaurant, and Warehouse Retail	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Other Retail Sales, Rental, or Leasing Not Listed Above without Drive-Through	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Tobacco, Vape, and Cannabinoid Retailers	NP	NP	NP	PL	PL	NP	PL	NP	PL	PL	NP	NP	PL	NP
Veterinary Clinic, Animal Hospital, or Non-Agricultural Kennel	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Other Personal Service or Repair Uses Not Listed Under any Use Category	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Other Art or Artisan Uses Not Listed Under any Use	NP	P	P	P	P	P	P	NP	P	P	NP	NP	P	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Category without Drive-Through														
Self-Service Storage Facilities	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	PL	NP	NP	NP
Motor Vehicle Body Shop	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP	NP	NP
Motor Vehicle Maintenance, Repair, Fuel Sales, Service or Cleaning, other than Car Wash	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	NP	NP
Car Wash	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	PL	NP
Gasoline Sales Facility or Fuel Sales	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	PL	NP
Motor Vehicle Sales, Rental, or Leasing	NP	NP	NP	NP	PL	NP	PL	NP	PL	PL	NP	NP	NP	NP
Motor Vehicle Storage	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP	NP	NP
Tire Sales	NP	NP	NP	NP	P	NP	P	NP	P	P	P	NP	NP	NP
Towing Service	NP	NP	NP	NP	NP	P	NP	P	P	P	NP	NP	NP	NP
Other Motor Vehicle - Related Use Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Manufactured Home Sales	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP
Sale of building and construction materials, special trade tools, welding supplies, machine parts,	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
electrical supplies, janitorial supplies, restaurant equipment, store fixtures, Other Wholesale Sales Uses Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP	NP
Business Office, Business Incubator or Professional Office	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Conference Center or Office with Conference Center (non-Civic)	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Co-Working Space	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Financial Institution or Financial Services	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Office with Drive-Through Facilities	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
Non-Banking Financial Institution	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	NP
Radio / Television / Recording Studio or Station without Communications Tower	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Other Business / Government / Non-Profit Office Uses Not Listed Under any Use Category	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Dental Office / Dental Clinic, Medical Office / Medical Clinic / Outpatient Clinic, or Medical or Dental Lab	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP
Asphalt Plant or other Facilities for Manufacture and Storage of Chemicals, Petroleum Products, Explosives, and Allied Products	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP
Concrete Batch or Concrete Manufacturing Plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP
Hazardous & Low-Level Nuclear Disposal & Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP
Wrecking, Junk, & Salvage Yards, & Scrap Operations	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP
Tile or Brick Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP
Automobile, Truck, or Tire Manufacturing or Assembly	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP
Ammonia or Chlorine Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Metal Casting or Foundries	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Gas Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Metal or Metal Ore Production, Refining, Smelting, or Alloying	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Petroleum or Petroleum Product Storage or Refining	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Boat, Pool, or Spa Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NN	NP	NP
Keeping, Selling, or Slaughtering of Animals	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Glass Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Paper Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Manufacturing of Materials into Compost	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Rail Equipment Storage / Repair	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Railroad Freight Yard	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Sawmill	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Wood or Lumber Processing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Animal processing, Rendering, Packing, Treating, and Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Livestock Slaughtering	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Processing of Food and Related Products	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Sale of Farm Equipment and Machinery and Earth Moving and Heavy Construction Equipment	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	CU	NP	NP	NP
Production of Chemical, Rubber, Leather, Clay, Bone, Plastic, Stone, or Glass Materials or Products	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Other Heavy Industrial Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CU	NP	NP	NP
Brewery, excluding Brewpubs	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Bottling Plants	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Building Systems / Construction Business	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Carpet cleaning plants or manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Catering Service or Catering Events Establishment	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Textile Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Commercial bakery	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Contractor Materials Sales	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Crematorium	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Dairy Plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Distillery	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Distribution / Distribution Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Dry Cleaning Plants	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Equipment Rental	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Fabrication, work, or storage on-site by building, heating, plumbing, electrical, or general contractors, and others who preform off site services	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Food Processing plants	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Horticulture and Landscaping Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Ice plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Institutional bakeries	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Laundry Plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Light Manufacturing Plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Machine Shop / Woodworking Shop, other than Artisan Establishment	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Maintenance yard or facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Manufacture or assembly of equipment, instruments (including musical instrument	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Non-Hazardous Waste Treatment or Disposal	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Outdoor Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Printing, Publishing, and lithography	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Production of artwork	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Rail Equipment Storage / Repair	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Recycling Processing Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Repair of scientific or professional instruments, electric motors;	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Regional recycling center;	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Research Laboratory / Research & Development	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Sheet metal shop	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Soft drink bottling	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Solid Waste Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Warehouse / Warehousing	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Welding, machine, tool repair shop	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Winery	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Woodworking, including cabinet makers and furniture manufacturing, but excluding Artisan Establishments	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Other Light Industrial Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Bulk storage, including nonflammable liquids, feed and grain storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Bus barn	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Cold storage plants, frozen food lockers,	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Household moving and general freight storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Separate warehouse used by Retail store such as a furniture or appliance store	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Stockpiling of sand, gravel, or other aggregate materials	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP
Transfer and storage Business with no individual storage areas or where employees are the primary movers of the goods	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Other Warehouse & Freight Movement Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP
Animal waste processing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Septic Equipment Installation, Service, or Cleaning	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Landfill	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Incinerator	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Manufacture and production of goods from composting organic material	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Recyclable material storage, including construction material	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Recycling center	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP
Transfer station	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP
Recycling Station	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-1 BUILDING, LOT & BUILDING SITE PRINCIPAL USE

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Other Waste-Related Service Not Listed in any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Utility Facilities	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL
Utility Transmission Line	PL	PL	NP	NP	NP	NP	NP	NP	PL	PL	PL	PL	PL	NP
Wireless Communication Facility	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU
Other Utilities Use Not Listed Under any other Category	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Adult - Oriented Establishment	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	NP

B. Uses Permitted by Right

Principal Uses, Accessory Uses, or Temporary Uses, as applicable, of Buildings, Lots, and Building Sites, which are indicated for each District in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**, **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**, or **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)** as Permitted (“P”) are allowed by right, subject to compliance with all other applicable provisions of this Ordinance.

C. Required Uses

1. Commercial Corridors

Within the CD-4C Character District, Principal Buildings on any Lot or Building Site located within 400 feet of a Thoroughfare with a Functional Classification of Arterial must contain a Retail Sales or Service use, Restaurant use, Arts-Related Use, or Office use for the entire ground floor. Any permitted use may be established on second, third, and fourth stories of a Principal Building.

2. Downtown Pedestrian Streets

Buildings enfronting the following rights of way must contain a retail sales or service use, restaurant use, arts-related use, or office use at the sidewalk level through the depth of the second layer for at least 80 percent of the building frontage.

- Public Square;
- North Main Street between West 4th Street and Public Square;

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

- c. South Main Street between Public Square and West 9th Street, inclusive of all building sites with frontage at the corners of South Main and West 9th street;
- d. North Garden Street between West 6th Street and West 7th Street, inclusive of all building sites with frontage at the corners of North Garden Street and West 6th Street;
- e. North Garden Street between West 7th Street and West 9th Street, inclusive of all building sites with frontage at the corners of South Garden Street and West 9th Street;
- f. South High Street between West 7th Street and West 9th Street, inclusive of all building sites with frontage at the corners of South High Street and West 7th Street, all building sites with frontage at the corners of South High Street and West 8th Street, and all building sites with frontage at the corners of South High Street and West 9th Street;
- g. West 7th Street between Public Square and Frierson Street, inclusive of all building sites with frontage at the corners of Frierson Street and West 7th Street;
- h. East 7th Street between Public Square and North Water Street, inclusive of all building sites with frontage at the corners of South Glade Street and East 7th Street;
- i. West 6th Street between North Main Street and Woodland Street, inclusive of all building sites with frontage at the corners of West 6th Street and Woodland Street;
- j. West 6th Street between North Main Street and North Garden Street; and
- k. West 8th Street between South Garden and South Glade Street, inclusive of all building sites with frontage at the corners of West 8th Street and South Garden Street as well as all building sites with frontage at the corners of West 8th Street and South Glade Street.

D. Prohibited Uses

1. Except as otherwise determined by the Zoning Administrator pursuant to Section 8.5.8 with respect to a Use that is not specifically listed as Permitted (“P”), Permitted Subject to Limited Conditions (“PL”), or as a Conditional Use (“CU”) in **Table 4.3.9.A-1 (Building & Lot Principal Uses)**, **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**, or **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)**, as applicable, any Use that is not specifically listed as Permitted (“P”), Permitted Subject to Limited Conditions (“PL”), or as a Conditional Use (“CU”), and any Use that is specifically listed Not Permitted (“NP”) in such applicable Table or is otherwise prohibited pursuant to any other provision of the City Code, is prohibited.
2. In the CD-4C Character District, all uses listed under the heading Residential Uses Category on **Table 4.3.9.A-1** are prohibited on the entire ground floor of any Building located within 400 feet of a Thoroughfare with a Functional Classification of Arterial. Any permitted use may be established on second, third, and fourth stories of a Principal Building.

E. Uses Permitted Subject to Limited Use Standards & Conditional Uses

1. Any Principal Use, Accessory Use, or Temporary Use shown for the applicable District as Permitted Subject to Limited Use Standards (“PL”) on **Table 4.3.9.A-1 (Building & Lot Principal Uses)**, **Table 4.3.9.A-2 (Building & Lot Accessory Uses)**, or **Table 4.3.9.A-3 (Building & Lot Temporary Uses)**, is allowed subject to compliance with all applicable conditions and requirements imposed by this Section 4.3.9.D and Section 4.3.9.4.h.
2. Any Principal Use, Accessory Use, or Temporary Use shown for the applicable District as Conditional Use (“CU”) on **Table 4.3.9.A-1 (Building, Lot, & Building Site Principal Uses)**, **Table 4.3.9.A-2 (Building, Lot, & Building Site Accessory Uses)**, or **Table 4.3.9.A-3 (Building, Lot, & Building Site Temporary Uses)**, is allowed subject to

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

compliance with all applicable conditions and requirements imposed by this Section 4.3.9.E in addition to Conditional Use approval and issuance of a Conditional Use permit pursuant to Article 8 (Administration, Procedures & Enforcement).

3. The conditions, standards, and requirements of each Use Permitted Subject to Limited Use Standards or Conditional Use shall be applicable, irrespective of the Use being a Principal Use, an Accessory Use, or a Temporary Use.
4. The conditions and requirements applicable to any Use Permitted Subject to Limited Use Standards or Conditional Use shall be enforceable, and failure to comply with any condition or requirement of a Use Permitted Subject to Limited Use Standards or as a Conditional Use shall subject such Use Permitted Subject to Limited Use Standards or Conditional Use to revocation pursuant to Section 8.6.1.J.
5. No Use Permitted Subject to Limited Use Standards or Conditional Use shall commence or exist, or be conducted or engaged in, on any Lot or Building Site, or within any Building except in accordance with all applicable conditions and requirements for such Use, including without limitation in the case of a Conditional Use, review, approval, and issuance of a Conditional Use Permit by the Board of Zoning Appeals.
6. The following standards shall apply only to those Districts and Uses where the “PL” and / or “CU” is designated on the applicable **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**, **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**, or **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)**, as applicable:

a. Accessory Dwelling

1. Only one Accessory Dwelling is permitted on any Lot or Building Site.
2. The Accessory Dwelling must be accessory to a House or Townhouse used for Household Living.
3. If the Accessory Dwelling is not attached to the primary dwelling, it must be separated a minimum of ten (10) feet from the primary dwelling.
4. In all districts except CD-2, an Accessory Dwelling may not exceed 600 square feet of habitable space; in a CD-2 Character District, an Accessory Dwelling may not exceed 1,000 square feet of habitable space.
5. The Accessory Dwelling must share ownership and utility connections with the primary dwelling.

b. Adult - Oriented Establishments shall be permitted in accordance with the applicable Use Table, subject to the following:

1. No Adult - Oriented Establishment shall be operated or maintained in the City within 1,000 feet, measured from property line to property line, of a school, religious facility, public recreation facility, or licensed day care facility.
2. No Adult - Oriented Establishment shall be operated or maintained in the City within 1,000 feet, from property line to property line, of a boundary of a Residential District or a Residential Use.
3. No Building or Structure associated with the Adult - Oriented Establishment shall be closer than 50 feet to a property line of an adjacent Non-Residential District or Use.
4. No Adult - Oriented Establishment shall be operated or maintained in the City within 1,000 feet, measured from property line to property line, of another Adult - Oriented Establishment.

c. Agricultural Activities, except as certain enterprises that produce the majority of their income from agricultural activities may be exempted from certain zoning restrictions pursuant to TCA. Section 44-18-104(c)(4) shall be subject to the following:

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

1. Barns, feed Lot or Building Sites, pens, and stockyards may be permitted in accordance with the applicable Use Table, subject to the following:
 - (a) Barns, feed Lot or Building Sites, pens and stockyards shall require a minimum separation of 200 feet from all property lines.
 - (b) The location of such an activity shall be in an area sparsely developed during the length of time the Use as a stockyard or feed Lot or Building Site is anticipated;
 - (c) The site area shall be a minimum of twice the minimum required for the applicable District. Sites containing outdoor animal pens shall require a minimum site area of four acres.
 - (d) All proposals shall include a site plan which contains, at minimum, the following information:
 - Existing and proposed contours of the site and up to 100 feet beyond the site boundary. Contour intervals shall be at two foot intervals;
 - Location of the area in which the proposed keeping of animals is to be conducted;
 - Location of all proposed buildings, animal pens, roadways and other facilities proposed on the site;
 - Proposed method of drainage of the animal pens and any proposed waste lagoons;
 - Proposed fencing of the site; and
 - Location of all existing or platted residences on adjacent properties.
- d. **Asphalt Plants and Other Facilities for the Manufacture and Storage of Chemicals, Petroleum Products, Explosives, and Allied Products** shall be permitted in accordance with the applicable Use Table, subject to the following:
 1. A Heavy Manufacturing Permit shall be required (See Section 8.5.22) in addition to a Conditional Use Permit.
 2. The boundary of the property shall be at least 1,500 feet from any Residential Use or District.
 3. The Use shall be totally enclosed by a security fence or wall at least 8 feet high or enclosed within a fire proof Building.
 4. All plans shall be reviewed by Fire and Emergency staff prior to approval in order to determine that existing services provide adequate protection for citizens.
 5. Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.
- e. **Attached Dwellings, which includes Apartments, the Residence portion of a Live/Work Building, Mixed Use Building, or Flex Building, Multifamily Dwellings, Two-Family Dwellings, Duplexes, Rowhouses, Large Multi-family Buildings and Small Multi-Family Buildings, shall be permitted in accordance with the applicable Use Table, subject to the following:**
 1. Within the CD-2, CD-3L, and CD-3 District no more than one (1) Duplex Building (each Duplex Building containing two Dwellings) may be located on any Block Face.
 2. Within the CD-3 District, Duplex Buildings shall have only one entrance along the frontage, with any additional exterior entrances located within the 3rd layer.
 3. Party walls, subject to the provisions of the Standard Building Code and National Fire Protection Association Fire Code, shall be provided along all points of attachment.
 4. Additional Use limitations may be applicable to specific types of Attached Dwellings.

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5. Within the CD-5 District buildings enfronting the rights of way identified in Section 4.3.9.C must contain a retail sales or service use, restaurant use, arts-related use, or office use at the sidewalk level through the depth of the second layer for at least 80 percent of the building frontage.
6. In all districts, Townhouses shall be subject to the following limitations:
 - (a) Garages, when they are provided, must be located at the rear of the Building facing an Alley or Driveway;
 - (b) Individual unit parking and driveways must be located at the rear of the Building;
 - (c) On-street parallel parking is permitted;
 - (d) Parking Lots and Parking Areas are permitted in accordance with 4.3.9. E.6.jj and 4.3.12.
- f. **Bar, Tavern, or Nightclub** shall be permitted in accordance with the applicable Use Table, subject to the following:
 1. With the exception of nightclubs, taverns, or bars located within the District CD-5 and the Columbia Arts District Overlay, the applicant shall demonstrate that no pre-existing Place of Worship, Schools or public park is located within 500 feet of the proposed nightclub or similar establishment. Within the Columbia Arts District Overlay the applicant shall demonstrate that no pre-existing Place of Worship, Schools or public park is located within 200 feet of the proposed nightclub or similar establishment.
 - (a) The distance shall be measured in a straight line from the front door of the building to the front door of the church.
 - (b) For public parks, said distance shall be measured in a straight line from the front door of the building to the closest point of the park property.
 - (c) For schools, said distance shall be measured in a straight line from the front door of the building to the front door of the school.
 2. No nightclub, tavern, or bar shall be located on a Lot or Building Site Adjoining any property zoned CD-2, CD-3L, CD-3, SD-MHP, or PUD-R.
 3. No outside storage shall be located on the site.
- g. **Car Wash** shall be permitted in accordance with the applicable Use Table, subject to the following:
 1. No storage, repair, or sales of vehicles shall be allowed on the site.
 2. Provisions shall be made for an on-site drainage system to capture water used to wash vehicles. This water shall be discharged into a sanitary sewer system or another approved on-site system and shall not be discharged into the stormwater system.
 3. No wash bay shall face or be located in the 1st or 2nd Layer or the Frontage.
- h. **Civic Buildings** in all districts may utilize the lot occupation, building, and other standards of the Civic District listed at **Table 4.3.1-M**.
- i. **Concrete Batch Plants and Concrete Manufacturing Plants** shall be permitted in accordance with the applicable Use Table, subject to the following:
 1. A Heavy Manufacturing Permit shall be required (See Section 8.5.22) in addition to a Conditional Use Permit.
 2. The facility shall be at least 1,500 feet from any Residential Use or Residential District.
 3. The property may not be adjacent to an existing Hospital, Day Care Facility, Educational facility, Religious Facility, Long Term Care Facility, Continuum of Care Facility, or Assisted Living Facility.
 4. The site shall be at least four acres in size and shall have access on a major or minor thoroughfare.

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5. Property boundaries facing public streets shall be fenced with a six foot high fence.
6. Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.
- j. **Correctional Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:
 1. In order to accommodate outdoor recreational facilities and to allow for potential building expansion, the site size for facilities located outside the CD-5 Character District shall be a minimum of one acre in size or the minimum of the District, whichever is larger; provided that County and City jail facilities have no minimum site size.
 2. The facility shall be at least 650 feet from the nearest property which is Residentially zoned or used.
 3. The facility shall not be established within 1,320 feet of a public or private school, day care, or Place of Worship.
 4. Site Development shall be in conformance with the landscaping and dimensional requirements of the applicable District.
 5. The Use requires a Conditional Use Permit, which may be denied when the Use would be detrimental to nearby properties or may add conditions or safeguards to the approval in order to protect the health and welfare of citizens.
- k. **Drive-Through Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:
 1. Where no street separates the Use and a Residentially zoned or Residentially used property, at least 40 feet of separation shall be maintained between such Residential property Line and the Drive-Through facility.
 2. Drive-through Facilities must be located in the 3rd Layer and the location of Drive-Through Facilities and associated facilities (for example: communications systems and access aisles) shall be identified on all submitted Plans.
 3. Any speaker systems associated with a Drive-Through Facility shall be designed and located so as not to be audible beyond the Lot or Building Site on which the Drive-Through Facility is located.
 4. Vehicular access to a Drive-Through Facility that is between a Thoroughfare or Internal Drive and a Building shall require a Parcel Buffer pursuant to Section 4.3.11 if such access is within 50 feet of, and visible from, the Thoroughfare or Internal Drive. Such Buffer shall be installed and maintained along the entire length of such vehicular access and the Adjacent Thoroughfare or Internal Drive
 5. Vehicle stacking areas shall be provided in accordance with Section 4.3.12.H.
 6. All other requirements for Drive-Throughs in this Code must be met.
- l. **Extractive Uses** may be permitted in accordance with the applicable Use Table, subject to the following:
 1. The application for the Use shall include a plan for restoration procedures once the operation ceases.
 2. The location of such an activity shall be in an area sparsely developed during the length of time the mining or quarrying activity is anticipated;
 3. Any permit or approval issued or granted hereunder shall be based on a Development Plan or other documents submitted with an application which shall provide, together with all other requirements for such Development Plan, the following:

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- (a) Existing contours of the site and up to 100 feet beyond the site boundary. Contour intervals shall be at two foot intervals.
 - (b) Location of the area in which the proposed quarrying activity is to be conducted.
 - (c) Location of all proposed buildings, crusher and screening equipment, roadways, and other facilities proposed on the site.
 - (d) Proposed method of drainage of the quarry area.
 - (e) Proposed fencing of the quarry area. Fencing shall be provided around all open excavations.
 - (f) Methods proposed for blasting. Open blasting commonly referred to as “pop shots” shall be prohibited.
 - (g) Methods proposed to control noise, vibration and other particulate matter in order to meet the performance standards as set out in this Ordinance.
 - (h) Finished contours of the site after the quarrying operation has been terminated. The site shall be graded and / or filled so as to be in substantial conformity with the topography of the surrounding lands. All fill material shall be nontoxic, nonflammable, and noncombustible solids. All areas that are back – filled shall be left so that adequate drainage is provided.
4. Approval for mining and quarrying activity may also include accessory concrete batching plants, asphaltic cement mixing plants and/ or rock crushing activities on the same or Abutting Lots or Building Sites, which may have directly opposing Frontages on the same public street. If such accessory activities are included on the quarry site, the total site must meet all of the Conditional Use requirements for mining and quarrying activities; however, in conditions of multiple Lots or Building Sites, the outer perimeter of the site shall be considered the Lot Line or Building Site Line;
5. Before issuing a Conditional Use permit, the Board of Zoning Appeals shall require the owner of the quarry facility to execute a bond not less than \$1,000 per acre or more than \$2,000 per acre of active quarry throughout a five year period to restore the lands in the manner prescribed herein, including the removal of all Structures and machinery;
6. Any permit issued hereunder shall not be for a period exceeding five years. After the expiration date of such permit, the Board of Zoning Appeals may review and grant an extension of time in the manner and procedure as prescribed for an original application.
- m. **Family Day Care Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:
- 1. A maximum of 12 clients may be served at any one time.
 - 2. Overnight accommodation shall not be permitted.
 - 3. No outdoor public address systems shall be allowed.
 - 4. The facility shall contain twice the minimum Lot area for the underlying District.
 - 5. When the facility is located within a Non-Residential area, the Fire Marshall shall review the proposal prior to approval and make a recommendation.
 - 6. A client drop off area shall be provided. All required Parking shall be in the Rear Yard or Side Yards; however, required Parking may be located in the Street Yard if the Zoning Administrator finds that such Parking is safe, not detrimental to the neighborhood, accessible, and compatible with surrounding properties.
 - 7. All other standards of the applicable District shall be met.
- n. **Food Truck Courts** shall be permitted as a Principal Use on any Lot or Building Site in accordance with **Table 4.3.9.A-1**, subject to the following:

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1. Approval of a Development Plan pursuant to Section 8.5.6. As part of the Development Plan application, the Zoning Administrator shall review the items listed below and may request review by other City of Columbia officials.
2. Each Food Truck operating within a Food Truck Court must hold a current Mobile Vending permit from the City of Columbia.
3. A designated manager must be responsible for the orderly organization of the site, the cleanliness of the site, and compliance with all City of Columbia regulations.
4. The Food Truck Court must be kept clear of litter and debris at all times.
5. Waste receptacles must be provided on site during all hours of operation.
6. At least 30 percent of the lot or building site area must be shared common area not utilized for Food Truck stalls or parking.
7. The common area shall be designed for customer use and must include designated seating for patrons.
8. Electrical service must be provided on-site.
9. Food Truck Courts on lots or building sites greater than or equal to 0.50 acres in area must provide on-site accessible restroom facilities available for both customers and employees within a permanent structure.
10. Food Truck Courts on lots or building sites less than 0.50 acres in area must either provide on-site accessible restroom facilities; or a written agreement granting use of restrooms within 300 feet of the Food Truck Court for customers and employees during hours of operation.
11. Temporary or portable toilet facilities are not permitted.
12. Each Food Truck shall occupy a designated Food Truck Stall.
13. Food Truck stalls shall conform to the dimensional standards of a parallel parking stall in **Table 4.3.12.C-1** and to the off-street parking surface requirements of the applicable Character District or Special District.
14. There shall be at least ten feet of unobstructed clearance between each Food Truck.
15. Food, drink, and other merchandise must be sold directly from Food Trucks or other Mobile Vending Apparatuses.
16. Except in Character District CD-5, the sale of alcohol in a Food Truck Court is prohibited.
17. Food Truck Courts with more than five Food Truck stalls must utilize a single point of sale system associated with a business entity with a situs and current business license and in the City of Columbia.
18. Required parking shall be provided as described at § 4.3.12.B.3; on another lot or building site within 1,320 feet of the Food Truck Court by parking agreement or easement, provided the principal use on the shared site shall maintain minimum required parking;
19. On street space within 1,320 feet of the Food Truck Court; or a combination of all above.
20. The Food Truck Court operator shall provide a detailed operating plan which includes:
 - (a) The maximum number of Food Trucks that can operate on the site at one time;
 - (b) A copy of the rules of operation to which Food Trucks operating on the site must adhere;
 - (c) A plan for the appropriate disposal of fats, oils, and grease which prevents release into the city sanitary sewer;
 - (d) Hours of operation of the Food Truck Court;
 - (e) Contact information for the designated manager;
 - (f) An explanation of how required parking will be provided; and

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- (g) An explanation of how required restroom facilities will be provided.
- 21. The Food Truck Court operator shall provide a plot or building site plan which depicts:
 - (a) The location of all seating areas, trash receptacles and other movable and permanent physical elements of the Food Truck Court; and
 - (b) All other information deemed necessary by the Zoning Administrator.
- o. Fuel Sales and Gasoline Sales Facilities, including Convenience Store with Gasoline Sales Facility,** shall be permitted in accordance with the applicable Use Table, subject to the following:
 - 1. Fuel pumps shall be located at least 15 feet from any property line.
 - 2. No outdoor storage shall be allowed.
 - 3. Storage of vehicles for more than 24 hours is prohibited.
 - 4. A spill prevention and counter measures plan shall be provided prior to construction plan approval that includes, at a minimum:
 - (a) Clean up procedures for fuel (or other hazardous material) spills occurring inside and outside the Building;
 - (b) Counter measures for use in preventing fuel (or other hazardous material) spills from entering the stormwater collection system;
 - (c) Routine cleanup procedures for work area and Parking Areas; and
 - (d) Washdown water shall not be permitted to enter the stormwater collection system.
 - 5. Pumps shall be located in the 3rd Layer.
 - 6. Within Districts CD-4, CD-4C, CD-5C, and PUD-MU, the maximum number of fuel dispensing pumps shall be eight per Lot or Building Site. Within District CD-5, the maximum number of fuel-dispensing pumps shall be eight for the entire District.
- p. Golf Course, Country Club, Swim Club, and Tennis Club** shall be permitted in accordance with the applicable Use Table, subject to the following:
 - 1. No maintenance Building or clubhouse shall be closer than 100 feet from any Residentially zoned or Residentially used land.
- q. Group Assembly Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:
 - 1. The locations, size and design of such facilities shall be situated so that the proposed Development shall be compatible with the Development within the surrounding area thus reducing the impact upon the surrounding area;
 - 2. The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets; and
 - 3. When an application for a Group Assembly permit includes an amusement park, sports arena, fairground, racetrack, or similar recreational pursuits, the following requirements shall be observed:
 - (a) The minimum site area shall 25 acres;
 - (b) The minimum setback of all Structures from all public roads shall be 100 feet;
 - (c) Such facility shall be situated so that no Residentially zoned or Residentially used property is located closer than 500 feet from the Building entrance of such facility;
 - 4. Access to such facility shall be by a paved public major arterial or major collector thoroughfare. Traffic shall not be directed through Residentially zoned or Residentially used property, through areas that are Adjacent to Residentially zoned or Residentially used property, or on minor Residential

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streets traversing Residentially zoned or Residentially used property areas or areas that are Adjacent thereto;

5. Any lighting provided at such facilities shall be designed so that no direct light falls on Adjacent Residential property; and
6. Accessory Uses may be permitted in conjunction with the Principal Use of the property provided that such uses are physically designed as a part of or within the principal Structure. Such Uses may include food sales, beverage sales, gift or souvenir shops, and similar activities.
- r. **Group Living Uses** indicated on the applicable Use Table as Uses Permitted with Limited Conditions are permitted subject to following:
 1. The home shall be operated in a manner that is compatible with the neighborhood and shall not be detrimental to Adjacent properties as a result of traffic, noise, refuse, parking, or other activities.
 2. When located in a Residential neighborhood, the home shall maintain a residential appearance compatible with the neighborhood.
 3. The home shall meet all state requirements, and all applicable housing and building codes.
- s. **Hazardous and Low Level Nuclear Material Disposal and Storage Areas** shall be permitted in accordance with the applicable Use Table, subject to the following:
 1. A Heavy Manufacturing Permit shall be required (See Section 8.5.22) in addition to a Conditional Use Permit.
 2. The facility shall comply with all applicable State and federal regulations.
 3. The facility shall be located at least 1,500 feet from any Residential property.
 4. Maps and engineering drawings shall be provided showing proposed drainage, proposed sewer system design, the depth of the water table, soil composition, all existing surface water, and all existing uses within ¼-mile of the property line.
 5. The site shall be enclosed by a fence or wall at least 6 feet high. Entrance and exit shall be through a gate which shall be locked during non-business hours.
 6. Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.
- t. **Heavy Industrial Facilities, Not Otherwise Classified** may be permitted in accordance with the applicable Use Table, subject to the following:
 1. A Heavy Manufacturing Permit shall be required (See Section 8.5.22) in addition to a Conditional Use Permit.
 2. The facility shall comply with all applicable State and federal regulations.
 3. Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.
- u. **Home Occupation**, the following standards are intended to ensure that home occupations are compatible with the residential character of neighborhoods where they are located.
 - (1) There are two classes of Home Occupation:
 - a. A Minor Home Occupation shall be permitted upon approval of a Minor Home Occupation permit by the Zoning Administrator. The Zoning Administrator shall establish a process for review and issuance of permits for minor home occupations.
 - b. A Major Home Occupation shall be allowed only with the approval of the Board of Zoning Appeals. Such approval shall follow the process of a conditional use permit.

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The Zoning Administrator shall review such Major Home Occupation requests and recommend appropriate conditions of approval to the Board of Zoning Appeals.

- (2) The Zoning Administrator may refer Minor Home Occupations to the Board of Zoning Appeals upon a determination that the proposed home occupation presents a risk to the residential character of the neighborhood or quiet enjoyment of other property owners.
- (3) If the Zoning Administrator denies a request for a Minor Home Occupation, or revokes a previously issued permit, the applicant may appeal the decision to the Board of Zoning Appeals. Such a request shall be evaluated as a Conditional Use for a Major Home Occupation permit.
- (4) The following limitations apply to all Home Occupations:
 - a. The home occupation shall be clearly incidental and secondary to the use of the property for residential purposes;
 - b. A home occupation shall not be established prior to the residents conducting the home occupation taking possession of, and residing in, the dwelling;
 - c. Outside storage or display of materials, merchandise, or inventory is prohibited;
 - d. Exterior alteration that changes the residential character of the principal building is prohibited;
 - e. No exterior building signs shall be permitted except as specifically provided in Article 7 of this ordinance;
 - f. Receipt, sale or shipment to and from the premises is permitted by regular U.S. Mail and express shipping service characteristic of residential neighborhoods; large-volume, business-to-business commercial deliveries are prohibited; and
 - g. The applicant shall obtain all appropriate licensure required by the State of Tennessee.
- (5) The following limitations apply to Minor Home Occupations:
 - a. The Home Occupation must be conducted entirely within the principal structure;
 - b. The Home Occupation shall not exceed fifty percent of the total floor area of the principal building;
 - c. No person other than a family member residing on the premises shall be employed as part of a minor home occupation unless such employee(s) works off-premises;
 - d. There shall be no customers or clients on the premises of a minor home occupation; and
 - e. No commercial vehicles or trailers, other than ordinary passenger vehicles; shall be permitted on premises.
- (6) The following limitations apply to Major Home Occupations:
 - a. A Major Home Occupation may be conducted within an accessory building;
 - b. A major home occupation may include two employees who do not reside in the home;
 - c. Except in-home childcare licensed by the State of Tennessee, a major home occupation may have no more than two customers or clients on the premises at one time;
 - d. Shipment and delivery to and from the premises are prohibited between the hours of 9 pm and 7 am;

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- e. No employees, customers, or clients may be on the premises between the hours of 9 pm and 7 am;
- f. Trailers, equipment, and commercial vehicles, when permitted by the Board of Zoning Appeals, must be stored in the Third Layer and screened from view; and
- g. The Board of Zoning Appeals may further restrict the number of employees, hours of operation, deliveries, and parking of commercial vehicles and equipment on site.

(7) Revocation

- a. The Zoning Administrator may revoke the Home Occupation permit for failure to comply with these limited use standards, conditions imposed by the Board of Zoning Appeals, or other violations of City of Columbia ordinances.

v. Hospitals, Rehabilitation Facilities, and Centers for Observation shall be permitted in accordance with the applicable Use Table, subject to the following:

1. The minimum Side Yards and Rear Yards for Hospitals and Centers for Observation or Rehabilitation Facility shall be 50 feet for one or two Story Buildings, increased by five feet for each Story above two Stories.
2. The location and operation of such facility shall be in keeping with the character of the surrounding area and shall not have an adverse effect on the properties in the surrounding area.
3. All public utilities including a Central Sewage Collection and Treatment System shall be available to the site.

w. Hotels, Motels, and Extended Stay Hotels shall be permitted in accordance with the applicable Use Table, subject to the following:

1. The parcel shall be accessed from a Thoroughfare or Internal Drive.
2. Where the property line of a Motel is Adjacent to Residentially zoned or Residentially used property, the minimum depth for the required Yard along such Adjacent property shall be 50 feet and no Structures or Parking shall be permitted in the required Yard.
3. Any Accessory Uses such as restaurants and outdoor recreational activities shall not be located on the side of Adjacent to Residentially zoned or Residentially used property.

x. Long Term Care Facilities, Continuum of Care Facilities and Group Care Facilities shall be permitted in accordance with the applicable Use Table, subject to the following:

1. The purpose(s) of the facility must be clearly established by the agency responsible and the appropriate staff services must be provided to achieve the stated purpose(s).
2. Group Care Facilities accommodating from seven to 12 individuals shall have 24-hour staff and professional services in the behavioral sciences available.
3. Group Care Facilities accommodating more than 12 individuals shall have resident 24-hour staff, and shall provide professional services in the behavioral sciences.
4. The Planning Commission must make a written finding to the Board of Zoning Appeals regarding the foregoing requirements based on advice from such agencies as the Tennessee Department of Human Services.
5. An appropriate license must be secured for any activity regulated by any public agency, including the Tennessee Department of Human Services. Any activity lawfully regulated by any public agency may be permitted for only that time period for which a valid license is obtained. Where grades or classes of approvals are granted, only the most restrictive may be permitted.

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6. No more than one of either a Long Term Care Facility, Continuum of Care Facility, or Group Care Facility may be permitted on a single Block.
7. A Family Care Facility may not accommodate more than one individual (excluding staff) per living room.
8. The home shall be operated in a manner that is compatible with the neighborhood and shall not be detrimental to Adjacent properties as a result of traffic, noise, refuse, Parking or other activities.
9. The home shall maintain a Residential appearance compatible with the neighborhood.
10. The home shall meet all state requirements, and all applicable housing and building code requirements.
11. A Group Care Facility must contain 1,500 square feet of net floor space for the first six residents, including resident staff, and 150 square feet of net floor space per person above six residents.
12. Necessary utilities including a Central Sewage Collection and Treatment System shall be available to the site.
13. Group Care Facilities accommodating from seven to 12 persons, and Family Care Facilities accommodating from one to six persons shall meet all bulk regulations for a Residence in the applicable District.
14. Group Care Facilities accommodating from 13 to 50 persons shall have a minimum Lot/Building Site Area of five acres. When more than 50 persons are accommodated, there shall be one additional acre is required for each ten persons accommodated.
15. The minimum Side Yards and Rear Yards for Group Care Facilities accommodating 13 or more persons shall be 50 feet for a one – or two – story building, increased by five feet for each story above two.
16. The Development Plan shall be subject to approval by the Planning Commission, taking into account but not limited to the following considerations:
 - (a) Compatibility with the surrounding area;
 - (b) Any adverse impact of the proposed activity on the character of the area;
 - (c) Needed fencing and screening;
 - (d) Adequate open space and recreation space if appropriate; and
 - (e) All other requirements of this Section.
17. Notwithstanding the factors listed above, the Board of Zoning Appeals shall be permitted to vary the Required Yards or Setbacks and the Screening for Parking when the application involves a change in activities in existing Structures. The Development Plan shall provide for compensating features to offset any potentially adverse conditions that might be brought about by said modification to the requirements.
- y. **Manufactured Homes** shall be permitted in accordance with the applicable Use Table, subject to the following:
 1. No person shall place a Manufactured Home on any Lot or Building Site within a Residential District, unless it is used actively for Residential purposes. Non-Residential Use of a Manufactured Home may be permitted as a Temporary Use subject to Section 4.3.8.B, Temporary Construction Offices.
- z. **Manufactured Home Parks** shall be permitted in accordance with the applicable Use Table, subject to the following:
 1. Applications for a Multi-family Dwelling shall be subject to the Site Development Plan Review requirements of Section 8.5.6 and shall require Planning Commission approval.

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2. Manufactured Home Parks must be designed and constructed to the same standards as a site-built subdivision to assure a safe, healthy Residential environment.
3. Where permitted, Manufactured Homes within a Manufactured Home Park shall be located to minimize hazards due to possible subsidence, flood or erosion, and insect or rodent infestation.
4. Landscaping and Buffering shall be provided in conformance with Section 4.3.11. A planting plan shall be submitted with the final Development Plan.
5. Publication "NCSBCS Standard for Manufactured Home Installations" (ANSI A 225.1 – 1982), including NFPA Standard for Fire safety Criteria for Manufactured Home Installations, Sites and Communities (NFPA 501A – 1982), shall be applicable to Manufactured Home Parks, and is hereby adopted by reference.
6. Each Manufactured Home Park shall be served by a public water supply of adequate quantity, quality and pressure.
7. Adequate fire protection, as determined by the Municipal Fire Department, shall be provided for each Manufactured Home located within a Manufactured Home Park.
8. Each Manufactured Home within a Manufactured Home Park shall be served by a Central Sewage Collection and Treatment System.
9. Solid waste collection stands shall be provided for waste facilities. Such stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them. Stands shall be screened in accordance with Section 4.3.11.
10. Service Buildings housing sanitation and laundry facilities shall be permanent Structures complying with all applicable Ordinances and statutes regulating buildings, electrical installations, and plumbing and sanitation systems.
11. All Manufactured Home Stands shall be located within reasonable proximity to a fire hydrant or similar fire protection facilities.
12. A safe, convenient, all-season pedestrian circulation system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have an adequate gradient and a minimum width of three feet.
13. Direct vehicular access to the Manufactured Home Park shall be provided by means of an abutting improved public street or way and access to each Manufactured Home site shall be by a permanently maintained private street or way which is protected by a permanent Easement. Sole vehicular access shall not be by an Alley.
14. All Vehicular Use Areas used for common access for two or more residents shall be suitably paved and maintained as a condition of approval of the Manufactured Home Park.
15. The limits of each Manufactured Home Site shall be marked on the ground by suitable means. Location of Manufactured Home Site limits on the ground shall be the same as shown on accepted plans.
16. Manufactured Homes shall have a minimum side-to-side clearance of 25 feet and a minimum end-to-end clearance of 15 feet.
17. There shall be a minimum distance of ten feet between the nearest edge of any Manufactured Home Stand and an Abutting Street or Internal Drive.
18. Each Manufactured Home Site shall be provided with an outdoor living and service area. Such area shall be improved as necessary to assure reasonable privacy and comfort. The minimum area of such

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outdoor living and service area shall be at least 300 square feet, with a minimum dimension of 15 feet. This area shall not be counted towards required Civic Space.

aa. **Manufactured Home Sales** shall be permitted in accordance with the applicable Use Table, subject to the following:

1. The boundary of the property shall be a minimum of 500 feet from any Residentially zoned or Residentially used property.
2. The display area shall be set back a minimum of 25 feet from the street right-of-way and shall be Screened from the Frontage in accordance with Section 4.3.11.
3. In addition to the landscaping requirements in Sections 4.3.11 and 4.3.16, the following landscaping shall be provided within any Front (Street) Yard:
 - (a) An evergreen hedge which is at least 24 inches in height; or
 - (b) Plantings which meet the requirements for plantings under Section 4.3.9.D.6.y(5).
 - (c) Storage and repair activities shall be screened from off-site views.
4. A minimum separation of at least 10 feet shall be maintained between display homes. Display homes which are visible off-site shall be provided with some type of material and/or landscaping around the base which will prevent open views underneath the Manufactured Home.

bb. **Mobile Vending** shall be permitted in accordance with **Table 4.3.9.A-3**, subject to the following:

1. Issuance of a Temporary Use Permit pursuant to Section 8.5.9.
2. All Mobile Vending shall be subject to the following requirements and limitations:
 - (a) Access, ingress, egress, and interior vehicular or pedestrian circulation at the vending location shall not be impeded.
 - (b) Mobile vendors may not obstruct corner or driveway sight triangles depicted in **Tables 4.3.3.G.1 and 4.3.3.G.2**.
 - (c) The primary use on site shall maintain an adequate parking supply.
 - (d) Upon request of the Zoning Administrator or the Columbia Police Department the Mobile Vendor shall provide a written and signed agreement from the property owner, or owner's authorized agent, granting permission for the temporary use of the property, which shall include a provision for the usage of onsite restroom facilities when tables and/or chairs are incorporated.
 - (e) Trash receptacle of adequate size shall be provided by the vendor.
 - (f) All signage shall be on located on the mobile vending apparatus.
 - (g) With the exception of special events, vending shall only take place on a hard surface conforming to Section 4.3.12.C-7 or on properties with existing non-conforming parking areas with an approved driveway entrance.
 - (h) With the exception of Food Trucks, mobile vendors shall not remain on a single site for more than four (4) consecutive days.
 - (i) Food Trucks and shall remain movable at all times and may not be permanently secured to the site; upon request of the Zoning Administrator, each operator of a Food Truck must show current registration to operate the apparatus on public roads and demonstrate that the apparatus is movable.
 - (j) Mobile vendors must dispose of fats, oils, and grease appropriately and may not connect to city sanitary sewer.
 - (k) Any Mobile Vendor serving alcohol must by licensed by the Tennessee Alcoholic Beverage Commission and must comply with all regulations related to the sale of alcohol. Restroom facilities required for employees.

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- (l) Mobile Vendors operating at a location for a duration of more than four hours must have a written agreement, available upon request by the Zoning Administrator or the City of Columbia Police Department, that permits employees to have access to a restroom no more than 300 feet from the vending location during all the hours of operation.
- 3. Within Character District CD-5, Food Trucks and Pushcarts may be permitted to set up for service or to conduct business in the public right of way under the following criteria:
 - (a) Mobile Vending locations shall be limited to street segments designated as appropriate for Mobile Vending by the Zoning Administrator; the Zoning Administrator shall create a map of street segments designated for mobile vending at least quarterly; Mobile Vendors who set up for service in the right of way must verify allowable vending locations;
 - (b) Hours of operation shall be limited to 7:00 am to 10:00 pm;
 - (c) Only one parking space shall be occupied;
 - (d) Such Food Truck shall be removed from the parking space each day; no Food Truck may remain in the public rights of way for more than six (6) consecutive hours;
 - (e) Mobile Vendors shall not reserve, obstruct, or otherwise limit the use of parking spaces while not actually occupying the space;
 - (f) The Zoning Administrator, the Department of Public Works, or the City of Columbia Police Department may direct the Mobile Vendor to vacate the right of way at any time, the Mobile Vendor must immediately comply with directions to leave a parking space;
 - (g) The mobile vendor shall clearly identify the mobile vending area with traffic cones or similar device.
- 4. Within CIVIC Districts, Food Trucks may be permitted to set up for service or to conduct business under the following criteria:
 - (a) The Mobile Vendor holds a current Mobile Vending Permit
 - (b) The City of Columbia, or a person or organization that has entered into a use agreement with the City of Columbia, has invited the Mobile Vendor to cater a community event;
 - (c) The serving window of the Food Truck must face away from any right of way; and
 - (d) The mobile vendor shall clearly identify the mobile vending area with traffic cones or similar device.
- 5. Except as set forth in Section 4.3.9.D.6.x(3) with respect to Character District CD-5, in order to maintain the safe movement of vehicles and pedestrians on the City's roadways, Mobile Vendors, excluding Ice Cream Truck and Canteen Truck operations, shall not be permitted to set up for service or to conduct business on any public right-of-Way.
- 6. In addition to the circumstances under which Mobile Vendors may be permitted to set up for service or to conduct business in the public right of way of Character District CD-5 under Section 4.3.9.D.6.x(5), Mobile Vendors shall be permitted to set up for service or to conduct business in Character District CD-5 for a special event that includes full or partial street closures, or mass gathering permits sanctioned by the City.
- 7. A canteen truck with a current mobile food vending permit may operate on private property or from the right of way adjacent to a construction site with an active building permit in order to cater to on-site workers: between the hours of 6:00 a.m. and 6:00 p.m. on week days; a Canteen Truck may not remain on any one site for more than one (1) hour each day; the serving window of the Canteen Truck must face private property.
- 8. An Ice Cream Truck with a current mobile food vending permit may operate on private property or from the right of way; an Ice Cream Truck may not remain at any one location for more than 15

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minutes before relocating to another location not less than one- quarter mile from the previous location; the serving window of the Ice Cream Truck must face private property.

9. The Zoning Administrator may revoke the annual temporary use permit found to be in violation of any provision of this Ordinance.

cc. **Motor Vehicle Maintenance, Repair, Fuel Sales, Service or Cleaning, other than Car Wash** shall be permitted in accordance with the applicable Use Table, subject to the following:

1. Fuel and oil pumps, if present, shall be at least 15 feet from property lines.
2. Pump island canopies shall be so located that a vertical downward projection of the edge nearest the Front Lot Line or Building Line shall not be closer than 1/2 the required yard depth for the District in which the Use is located.
3. Any repair, servicing, maintenance or other work on vehicles shall be conducted within an enclosed Structure.
4. No outdoor storage shall be allowed.
5. Storage of vehicles for 15 days or more shall be prohibited.
6. A spill prevention and counter measures plan shall be provided prior to construction plan approval that includes, at a minimum:
 - (a) Cleanup procedures for spills occurring inside and outside the Building;
 - (b) Counter measures for use in preventing spills from entering the stormwater collection system;
 - (c) Routine cleanup procedures for work areas and Parking areas; and
 - (d) Wash-down water shall not be permitted to enter the stormwater collection system.

dd. **Motor Vehicle Sales, Leasing, and Rentals** shall be permitted in accordance with the applicable Use Table, subject to the following:

1. All Junk Vehicles or inoperable vehicles or equipment shall be within a completely enclosed Building.
2. Vehicle or equipment repairs made on-site shall be conducted within an enclosed Structure.
3. Adequate on-site area shall exist for the loading and unloading of vehicles from car carriers to ensure that no such loading or unloading occurs in any Right-of-Way.
4. No vehicles shall be displayed in required landscaping or in Rights-of-Way.
5. Vehicle sales, leasing, and rental facilities shall meet the following Parking Area landscaping standards rather than those of Section 4.3.12.C:
 - (a) Trees shall be planted at the rate of one tree per 50 linear feet, and shrubs at the rate of one shrub per five linear feet of display area.
 - (b) Plants may be grouped together, provided that at least 250 square feet of contiguous growing area, not encroached upon by impervious surfaces, surrounds each planted tree.
6. The provisions of Section 4.3.9.D.6.a shall not apply.

ee. **Non-Banking Financial Institution** shall be permitted in accordance with the applicable Use Table, subject to the following:

1. A Non-Banking Financial Institution shall be located no less than 1,320 linear feet from the property line of another property upon which another Non-Banking Financial Institution is located.

ff. **On-Street Vending** shall be permitted in accordance with the applicable Use Table, subject to the following:

1. Issuance of a Temporary Use Permit pursuant to Section 8.5.9.

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gg. **Outdoor Display** shall be permitted in accordance with the applicable Use Table, subject to the following:

1. Outdoor Display shall be permitted only through the Administrative Adjustment process in Section 8.5.8.
2. A binding site plan illustrating the extent of the permitted area for outdoor display shall be required.
3. Vehicles for sale, lease or rent as part of a properly permitted Use (including boats and manufactured housing) shall not be considered merchandise, material or equipment subject to the restrictions of this Section.
4. Plant material at a Plant Nursery or Plant Nursery with Landscape Supply shall not be considered merchandise, material or equipment subject to the restrictions of this Section.
5. Waste generated on-site and deposited in ordinary refuse containers shall not be subject to the restrictions of this Section.
6. Temporary uses permitted by these zoning regulations are not subject to the requirements of this Section.
7. The requirements of this Section do not supersede any previously issued Conditional Use or special exception for outdoor display or storage.
8. The outdoor location of soft drink or similar vending machines shall be considered outdoor display where the location is visible from Adjacent Residential Development.
9. Outdoor acceptance of payment or other remittance (including cash registers or similar devices) shall not be permitted, except for activities permitted through a Temporary Use permit.

hh. **Outdoor Recreation** shall be permitted in accordance with the applicable Use Table, subject to the following:

1. The use shall have direct access from a major or minor thoroughfare.
2. Food sales shall be provided for patrons of the recreational activity only.
3. Passive recreational activities may use alternative Parking surfaces as approved by the City Engineer.

ii. **Outdoor Storage**, where permitted by this Ordinance, shall be located at least 15 feet from the public right-of-way and any Abutting Residential Use or Residential District. All areas utilized for outdoor storage should be screened from view from the public right-of-way.

jj. **Parking Lots** shall be permitted in accordance with the applicable Use Table, subject to the following:

1. No storage, repair, or sales of vehicles shall be allowed on the site.
2. A wall or continuous evergreen hedgerow of at least 24 inches and fence no more than 48 inches in height shall be placed around the perimeter of the Parking area to prevent Encroachment of vehicles into the surrounding area. Openings for pedestrian and vehicular access are permitted.
3. Compliance with all other applicable provisions of this Code related to Parking Lots.

kk. **Self-Service Storage Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

1. Except when located within District SD-LI or SD-HI, there shall be a Parcel Buffer provided pursuant to Section 4.3.11.H, which shall include a perimeter fence no less than four feet and no more than eight feet in height. Such fence shall be Screened in accordance with Section 4.3.1.
2. Barbed-wire, razor wire, or similar accoutrements may not be used on portions of the fence visible from a roadway. Acceptable materials include wrought iron, aluminum, stone, brick or other materials with similar appearance.

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3. One Loading Space shall be provided for each 10,000 square feet of enclosed storage area.
4. When located within a PUD District, the Use shall maintain a minimum 300 foot Setback from any property line along arterial roadways.

II. **Short-Term Rental Units** shall be permitted in accordance with the applicable Use Table, subject to the following:

1. Permit Required

(a) No dwelling unit, accessory dwelling unit, or portion thereof shall be offered for rent as a Short-Term Rental unless the Zoning Administrator has first issued a short-term rental permit to the owner.

(b) Where the Building, Lot and Building Site Principal Uses Table identifies the principal use of a dwelling as a Short-Term Rental as permitted subject to limited use standards (PL), a Short-Term Rental may be established upon approval of a Short-Term Rental permit by the Zoning Administrator. The Zoning Administrator shall establish a process for review and issuance of permits for Short Term Rentals.

(c) Where the **Building, Lot and Building Site Accessory Uses Table** identifies accessory use of a dwelling, portion of a dwelling, or an accessory dwelling unit as permitted subject to limited use standards (PL), a Short-Term Rental may be established upon approval of a Short-Term Rental permit by the Zoning Administrator.

(d) If the Zoning Administrator denies a request for a Short-Term Rental permit, or revokes a previously issued permit, the applicant may appeal the decision to the Board of Zoning Appeals.

(e) A Short-Term Rental Permit shall expire one year from the date of issuance. Failure to renew the permit shall constitute a cessation of the Short-Term Rental and immediate change of use to Household Living.

(f) A Short-Term Rental Permit is granted to a specific operator for a specific dwelling unit or portion thereof and may not be sold or otherwise transferred. Changes in the ownership will result in revocation of the Short-Term Rental permit. A new Short-Term Rental Permit is required when the dwelling unit is sold or conveyed.

2. Short Term Rental Local Point of Contact Designation

(a) The owner of a short-Term Rental shall designate a permanent local point of contact for each short-term rental property.

(b) If the owner is a natural person, the owner may serve as the local point of contact. Alternatively, the owner may designate another natural person over the age of eighteen as the short-term rental point of contact.

(c) Where Short-Term Rental is the principal use of a dwelling, the name and telephone number of the local point of contact shall be conspicuously posted where it can be seen by guests and law enforcement.

(d) The short-term rental local point of contact must be available to be contacted by the City at all times

(e) Failure of the local contact person to be available at all times for contact by the City constitutes an instance of non-compliance which may result in revocation of the Short-Term Rental permit

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(f) When the local point of contact is notified by phone or email that the guests at a short-term rental are violating City ordinances or policies, the local contact person shall communicate with the owner, and the owner shall immediately commence remedial action and cause the violation to cease.

3. Short-Term Rental operators shall provide a parking plan demonstrating sufficient parking for guests.

(a) Where Short-Term Rental is the principal use of the dwelling, the minimum number of parking spaces shall be equivalent to that required by **Table 4.3.12.B-1 Vehicular Parking Requirements** for a Single-Family Detached Dwelling.

(b) Where Short-Term Rental is the accessory use of dwelling, portion of the dwelling, or accessory dwelling unit, the minimum number of parking spaces shall be equivalent to that required by **Table 4.3.12.B-1 Vehicular Parking Requirements** for the principal use, plus one.

4. Events are not permitted in conjunction with a short-term rental use. Examples of events include, but are not limited to, weddings, receptions, anniversaries, private parties, banquets, and business seminars.

5. External alterations or site improvements that change the residential character of the Lot or Building Site upon which a Short-Term Rental is located are prohibited.

6. Short-Term Rental properties must meet all applicable requirements of the state and local building, fire safety, and property maintenance codes.

7. Short-Term Rental operators and their guests shall comply with the laws of the state of Tennessee and all ordinances of the City of Columbia.

8. The Zoning Administrator may revoke a Short-Term rental permit for violations of these standards or violation of any City of Columbia Ordinances.

9. Any property used as a short term rental unit prior to April 10, 2025 where the owner remitted taxes pursuant to T.C.A. title 67, chapter 6, part 5 for filing periods that cover at least six (6) months within the twelve (12) month period immediately preceding April 10, 2025 shall be allowed to continue use as a short term rental unit until the property is sold, transferred, ceases being used as a short term rental unit for a period of thirty (30) continuous months, or has been in violation of a generally applicable local law three (3) or more separate times as provided by T.C.A. 13-7-604. The permit requirement of 4.3.9.E.6.11(1) shall apply to any property to which this sub-section is applicable, and as a condition of permit issuance the owner shall provide evidence that taxes were remitted pursuant to T.C.A. title 67, chapter 6, part 5 for filing periods that cover at least six (6) months within the twelve (12) month period immediately preceding April 10, 2025. Any owner seeking a permit under this section shall do so no later than December 31, 2025 or forfeit all rights under this sub-section.

mm. **Tobacco, Vape, and Cannabinoid Retailers** shall be permitted where the Building, Lot and Building

Site Principal Uses Table permits Retail Sales subject to the following limitations:

- (1) Tobacco, Vape, and Cannabinoid retailers shall be located no less than one thousand feet from
 - a. A existing Tobacco, Vape, and Cannabinoid retailer;
- (2) Tobacco, Vape, and Cannabinoid retailers shall be located no less than five hundred feet from

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- a. Private school serving any grades between kindergarten and twelfth grade;
 - b. A city or county park;
 - c. A daycare center; or
 - d. A church.
 - (3) Tobacco, Vape, and Cannabinoid retailers shall be located no less than two hundred feet from any property zoned CD-2, CD-3, CD-3L, SD-MHP, or PUD-R.
 - (4) Tobacco, Vape, and Cannabinoid retailers shall be located no less than fifty feet from any property used as a Single-Family or Two-Family home or Townhouse.
 - (5) Required distances shall be measured from property line to property line.
 - (6) The hours of operation for a Tobacco, Vape, and Cannabinoid Retailers shall be no earlier than six A.M. and no later than ten P.M.
- nn. **Townhouses or Rowhouses** shall be permitted in accordance with the applicable Use Table, subject to the following:
1. Party walls, subject to the provisions of the Standard Building Code and National Fire Protection Association Fire Code, shall be provided along all points of attachment.
- oo. **Transfer Stations and Recycling Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:
1. The transfer station shall handle only waste that can be legally handled or disposed of in a solid waste landfill facility. This limitation shall not preclude use of the transfer station site for collection, processing, storage, and transfer of recyclable materials or for other waste reduction activities.
 2. Recycling facilities shall handle only recyclable materials for which a permit has been obtained through the appropriate regulatory agency.
 3. The entrance Driveway shall be located on a major thoroughfare located within 2,000 feet of an interstate highway interchange.
 4. There shall be at least 500 feet of separation between the facility [building and vehicular use areas adjacent to the building] and the nearest Residential Structure.
 5. The facility shall conform to all applicable State and federal regulations.
- pp. **Utility Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:
1. Utility Facilities in Residential areas or adjoining Residential Uses shall maintain Residential area Setbacks or Required Yards, be fenced (unless totally enclosed with a Structure), and either be screened from view or designed to have a Residential appearance.
 2. Expansion of Utility Facilities originally approved through the issuance of a Conditional Use Permit pursuant to Section 8.5.16 of up to 20% or 1,000 square feet, whichever is greater, may be approved administratively by the Zoning Administrator.
- qq. **Waste Handling Facility, Not Otherwise Classified** may be permitted in accordance with the applicable Use Table, subject to the following:
1. A Heavy Manufacturing Permit shall be required (See Section 8.5.22) in addition to a Conditional Use Permit.
 2. The facility shall comply with all applicable State and federal regulations.
 3. Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.

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rr. **Wireless Communication Facilities other than Communications Towers** shall be permitted in accordance with the applicable Use Table, subject to the following:

1. The requirements set forth in this Section 4.3.9.D.6.n. shall govern the location of Towers that exceed, and antennas that are installed at a height in excess of 70 feet. The height limitations applicable to Buildings and Structures shall not apply to Towers and Antennas.
2. Antennas or Towers located on property owned, leased, or otherwise controlled by the CITY shall be exempt from the requirements of this subsection, provided a license or lease authorizing such Antenna or Tower has been approved by City Council.
3. This Section shall not govern any Tower, or the installation of any Antenna, that is under 70 feet in height and is owned and operated by a federally – licensed amateur radio station operator or is used exclusively for receive – only Antennas.
4. The following requirements must be met:
 - (a) Site and landscape plans drawn to scale and landscape plans drawn to scale;
 - (b) A report including a description of the Tower with technical reasons for its design;
 - (c) Documentation establishing the structural integrity for the Tower’s proposed uses, certified by a professional engineer licensed in the State of Tennessee competent in such design, the general capacity of the Tower and information necessary to assure that ANSI (American National Standard Institute) standards are met;
 - (d) A statement of intent whether excess space on the Tower will be leased;
 - (e) Proof of ownership of the site or a copy of the owner’s authorization to use the site;
 - (f) Copies of any Easements necessary to gain access or limited Development areas;
 - (g) An analysis of the site containing existing topographical contours;
 - (h) A written opinion from an appropriate authority that the soils and underlying materials will support the intended Structure;
 - (i) Evidence that the Tower facility meets technical emissions standards set by the FCC (Federal Communication Commission);
 - (j) Evidence of “Determination of No Hazard” from the FAA (Federal Aviation Administration), as well as all required FCC permit information;
 - (k) Alternatives to the Tower location and why this site was selected; and
 - (l) Evidence that the site complies with requirements of the NEPA (National Environmental Policy Act) in regard to impact on wildlife, endangered species, historical sites, Native American religious sites, floodplains, wetlands, high intensity white lights in Residential neighborhoods ,and frequency emissions in excess of FCC guidelines.
5. Towers may be built on the same Lot or Building Site with another Principal Use. A separation a minimum of the Tower height between the Tower and any other Principal Use is required in order to provide for the health, safety and welfare of individuals and Structures occupying the same site. Joint use is prohibited on a Lot or Building Site where a proposed or existing Principal Use includes the storage, distribution or sale of volatile, flammable, explosive or hazardous wastes such as LP gas, propane, gasoline, natural gas and corrosive or dangerous chemicals.
6. Towers 80 feet or more in height shall be located on the Lot so that the distance from the base of the Tower to any adjoining property line or supporting Structure of another Tower is a minimum of 100% of the proposed Tower height. No Variance shall be granted from this minimum setback requirement.

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7. Except as specifically required by the FAA (Federal Aviation Administration) or the FCC (Federal Communication Commission), transmission Structures shall:
 - (a) use colors such as gray, blue or green which reduce their visual impacts; provided, wooden poles do not have to be painted; and
 - (b) not be illuminated, except equipment shelters may use lighting for security reasons which is compatible with the surrounding neighborhood;
 - (c) not use strobe lights unless specifically required by FAA.
8. Any proposed Tower shall be structurally designed so as to accommodate the minimum number of foreseeable shared users.
9. No advertising or display is permitted on any Communication Tower.
10. Any Accessory Buildings or Structures shall be located a minimum of 50 feet from any adjoining property line. Except for emergency purposes, the accessory facilities may not include offices, long-term vehicular storage, other outdoor storage, or broadcast studios, unless the Use is permitted in the District.
11. The Tower base and equipment area shall be enclosed with a fence no less than six feet in height. Access shall be locked at all times when the site is not occupied.
12. Where the Tower site abuts or is contiguous to any Residential District, there shall be provided a continuous, solid Screening and it shall be of such plant material as will provide an evergreen Screen. Screening as required herein shall be not less than four feet in height at the time of planting and shall be permanently maintained.
13. Location on any other Structure other than a Tower (i.e., water tank, utility poles, roof tops, etc.) is permitted subject to the provisions listed above relating to a Tower location.
14. Co – location on Towers is encouraged. The Zoning Administrator has authority to approve a co – location on an existing Tower subject to:
 - (a) receipt of a letter from a licensed engineer stating that the Tower is structurally adequate to handle the additional load; and
 - (b) the FCC technical emissions standards not being exceeded.
15. Any Antenna or Tower that is not operated for a continuous period of 12 months shall be considered abandoned and the owner of such antenna or tower, as well as any shared user(s) of the Tower or Antenna, shall remove same within 90 days of receipt of notice from the City notifying the owner and shared user(s) of such abandonment. If such Antenna or Tower is not removed within said 90 days, the City may remove or have the Structure removed at the owner's expense.
- ss. **Wrecking, junk, and salvage yards** shall be permitted in accordance with the applicable Use Table, subject to the following:
 1. A Heavy Manufacturing Permit shall be required (See Section 8.5.22) in addition to a Conditional Use Permit.
 2. The facility shall not be within 1,000 feet of Residentially zoned or Residentially used property; however, intervening highways, streets, railroads, and similar Rights-of-Ways shall be included in the 1,000-foot measurement.
 3. The facilities shall be enclosed by a fence and shall be Screened from view. The fence shall be six-feet high, measured from the lowest point of grade. The fence shall be maintained in good condition. No stored materials shall be visible from ground level immediately outside the fence.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

4. A spill prevention and countermeasures plan shall be provided prior to construction plan approval that includes, at a minimum:
 - (a) Cleanup procedures for spills occurring inside and outside the Building;
 - (b) Countermeasures to prevent spills from entering the stormwater collection system; and
 - (c) Routine cleanup procedures for work areas and parking areas. Washdown water shall not be permitted to enter the stormwater collection system.
5. Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.

F. General Performance Standards for All Uses

1. Any activity which releases smoke, particulate matter, gases or contaminants into the atmosphere shall comply with all applicable federal and State regulations.
2. All activities shall comply with the City Fire Codes.
3. All activities shall comply at a minimum with all applicable State and federal regulations as well as the appropriate County Health Department regulations and City and County fire department regulations for hazardous materials and wastes.
4. All activities shall control electromagnetic frequencies so that there is no interference in the operation of equipment off-site and no adverse effects to persons off-site.
5. Any activity which discharges material or liquids into sanitary sewers shall conform to all federal, state and local discharge and release regulations. City sanitation ordinances may also apply. The drainage of waste or stored materials onto adjacent properties or directly into creeks and watercourses or into the stormwater conveyance system is prohibited. Only uncontaminated stormwater runoff may be discharged into the stormwater conveyance system.
6. All activities shall comply with all federal and State regulations which apply to the handling, storage, and disposal of nuclear material.
7. All activities shall comply with all City regulations which pertain to the emanation of sound waves.

G. Accessory Uses

1. Accessory Uses are Permitted by Right, Permitted Subject to Limited Use Standards, as Conditional Uses, or Not Permitted, as indicated in **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**.
2. Those Uses shown in **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)** as “P” (Permitted Accessory Use) are permitted in the applicable District, as indicated, if subordinate and customarily incidental to a permitted Principal Use existing on the Lot or Building Site.
3. Those Uses shown in **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)** as “CU” (Conditional Use) are permitted in the applicable District, as indicated, if compliant with all applicable standards, requirements and conditions of Section 4.3.9.D, and subject to issuance of a Conditional Use Permit pursuant to Section 8.5.16.
4. Those Uses shown in **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)** as “PL” (Permitted Subject to Limited Use Standards) are permitted in the applicable District, as indicated, if compliant with all applicable standards, requirements and conditions of Section 4.3.9.D.

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TABLE 4.3.9.A-2 BUILDING, LOT & BUILDING SITE ACCESSORY USES

ACCESSORY USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Accessory Building	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Dwelling Unit	PL	PL	PL	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PL
Accessory Garden Center	NP	NP	NP	NP	P	NP	P	NP	P	P	NP	NP	NP	NP
Parish House, Rectory, Parsonage, Monastery, or Convent on Site with Place of Worship	P	P	P	P	P	P	P	P	P	P	NP	P	NP	P
Dormitory on Site with Educational Institution	NP	NP	NP	P	P	P	P	P	P	P	NP	NP	NP	P
Hazardous Materials Storage	NP	NP	NP	NP	NP	NP	NP	NP	CU	CU	CU	NP	NP	NP
Minor Home Occupation	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	NP	PL	PL	NP
Major Home Occupation	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	NP	CU	CU	NP
Child Care for 4 or fewer In Home	P	P	P	P	P	P	P	P	NP	P	NP	P	P	NP
Outdoor Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP
Parking Area	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreation, refreshment and service uses of Structures in Civic Space incidental to the Civic Principal Use	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P
Retail Sales Accessory to Light Manufacturing or Warehouse	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP

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TABLE 4.3.9.A-2 BUILDING, LOT & BUILDING SITE ACCESSORY USES

ACCESSORY USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Mobile Vending	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PL
Motor Vehicle Maintenance that is routine, periodic and incidental, if inside Garage or in 3rd Layer& vehicle is owned and registered occupant of Dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P	NP
Outdoor Display	NP	NP	NP	PL	PL	PL	PL	PL	PL	PL	NP	NP	PL	PL
School on site with Place of Worship	P	P	P	P	P	P	P	P	P	P	NP	P	NP	P
Seminary on site with Place of Worship	P	P	P	P	P	P	P	P	P	P	NP	P	NP	P
Short-Term Rental Unit	NP	NP	NP	PL	PL	PL	PL	NP	NP	NP	NP	NP	NP	NP
Solar Panels	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Sports Court, Swimming Pool, Hot Tub in 3rdLayer	P	P	P	P	P	P	P	P	P	P	NP	P	NP	NP
Tasting Room on site with Brewery, Distillery, Winery	NP	NP	NP	P	P	P	P	P	P	P	P	NP	NP	NP
Telecommunications Receiving Equipment	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunications Facility	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU

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H. Temporary Uses

1. Temporary Uses indicated in **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)** as Permitted (“P”) are allowed by right, subject to the issuance of a Temporary Use Permit by the Zoning Administrator.
2. Temporary Uses indicated in **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)** as Permitted Subject to Limited Use Standards (“PL”) are allowed by right provided that the applicable standards and requirements are met, subject to the issuance of a Temporary Use Permit by the Zoning Administrator.
3. Temporary Uses indicated in **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)** as Conditional Use (“CU”) are allowed by Conditional Use Permit, subject to compliance with the Conditional Use requirements of this Article and the issuance of a Temporary Use Permit by the Zoning Administrator.
4. Temporary Uses indicated in **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)** as Not Permitted (“NP”), not allowed as Permitted (“P”) or allowed as a Conditional Use (“CU”), or otherwise prohibited by this Ordinance are prohibited as Temporary Uses.

TABLE 4.3.9.A-3 BUILDING, LOT & BUILDING SITE TEMPORARY USES

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD -5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD - R	PUD-MU	CV
Trailers in Third Layer for Storage of Goods Associated with Commercial Principal Use, for up to 6 months with possible extension to 12 months	NP	NP	NP	CU	CU	CU	CU	CU	CU	CU	CU	NP	CU	NP
Seasonal Uses or Uses for Unusual Non- Recurrent Events, for no more than 30 days	P	P	P	P	P	P	P	P	P	P	P	P	P	P
New Subdivision Sales & Management Office, until development completion	P	P	P	P	P	P	P	P	NP	P	P	P	P	NP

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.9.A-3 BUILDING, LOT & BUILDING SITE TEMPORARY USES

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD-5C	SD-MHP	SD-INT	SD-LI	SD-HI	PUD-R	PUD-MU	CV
Construction Office Trailer	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Mobile Vending	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL

4.3.10 ENCROACHMENTS

Encroachments of Building Elements are allowed within each District and Civic District only as set forth in **Table 4.3.10 (Encroachments)**.

TABLE 4.3.10 ENCROACHMENTS

ENCROACHMENTS - REQUIRED SETBACKS & YARDS*

**ENCROACHMENTS SHALL MEET REQUIREMENTS FOR A CLEAR SIGHT TRIANGLE.*

Encroachment Type	FRONT/STREET	SIDE	REAR
Steps to Building Entrance	P	P	P
Open Porches, including Steps	P	P	P
	≤ 25% Setback/Yard		
Patios, in permitted applicable Layer	NP	P	P
Decks, in permitted applicable Layer	NP	P	P
		≤ 25% Setback/Yard	≤ 25% Setback/Yard
Openwork Fire Escapes & Fire Balconies	NP	P	P
		≤ 6 ft.	≤ 6 ft.
Chimney flues, sills, belt courses, cornices, buttresses eaves and other Architectural Features	P	P	P
Satellite dishes/ antennae	NP	NP	P
Mechanical equipment, including HVAC	NP	P	P

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ENCROACHMENTS - REQUIRED SETBACKS & YARDS*

**ENCROACHMENTS SHALL MEET REQUIREMENTS FOR A CLEAR SIGHT TRIANGLE.*

Encroachment Type	FRONT/STREET	SIDE	REAR
Underground utility lines, wires and associated Structures (e.g. poles)	P	P	P
Fences, hedges, walls, Shrubbery, and other landscape features	P	P	P
Parking Areas, Loading Areas and Driveways in 3rd Layer	NP	P	P
Bicycle Parking	P	P	P
Stoops	P	P	P
Balconies and Bay Windows	P	P	P
Driveways & Sidewalks	P	P	P
Retaining walls	P ≤ 3 ft. in height	P ≤ 4 ft. in height	P ≤ 6 ft. in height
Awnings or canopies w/out support other than integral or wall support	P ≤ 6 ft.	P	P
Signs permitted by Article 7 (Signs)	P	P	P
Eaves, gutters, or Downspouts	P ≤ greater of 24" or 20% of Setback / Yard	P ≤ greater of 24" or 20% of setback / Yard	P ≤ greater of 24" or 20% of Setback /Yard
Flagpoles w/ < 1 structural ground member	P	P	P
Clothes poles or lines	NP	NP	P
Mailboxes	P	P	P
Sculptures or similar artistic Objects	P	P	P
Street furniture, such as benches, drinking fountains, trash receptacles, ash trays, & lighting standards	P	P	P

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

4.3.11 SCREENS, STREETSCREENS, & LOT/BUILDING SITE/PARCEL BUFFERS

A. Compliance with Standards

Any Screen, Streetscreen, or Buffer required under this Ordinance shall comply with the applicable standards and requirements in **Tables 4.3.1-A - 4.3.1-O (District Standards)**, and this Section 4.3.11.

B. When Screening Required

Screening of the items and conditions indicated shall be provided as required for each applicable District in **Tables 4.3.1-A - 4.3.1-O (District Standards)**, and this Section 4.3.11, except in each case, at any Driveway.

C. Location of Streetscreen

Any Streetscreen must be located as set forth in **Tables 4.3.1-A - 4.3.1-O (District Standards)**.

D. Wall Screen / Streetscreen Material

A Wall Screen or Streetscreen shall be constructed of the materials specified in **Tables 4.3.1-A - 4.3.1-O (District Standards)**.

E. Fence Screen / Streetscreen Material

A Fence Screen or Streetscreen shall be constructed of the materials specified in **Tables 4.3.1-A - 4.3.1-O (District Standards)**.

F. Hedge Screen / Streetscreen Standards

A hedge Screen or Streetscreen shall consist of plants meeting the standards of **Tables 4.3.1-A - 4.3.1-O (District Standards)**.

G. Openings in Streetscreens

Streetscreens shall have openings no larger than necessary to allow vehicular and pedestrian access.

H. Lot/Building Site/Parcel Buffer Requirements

1. For Project Buffers applicable to Development Parcels, see Section 5.5.
2. If a Project Buffer exists or is required pursuant to Section 5.7, a Lot/Building Site/ Parcel Buffer is not required under this Section 4.3.11.H.
3. Except as provided in paragraph 4.3.11.H.2 or as otherwise specifically provided in this Ordinance, a Lot/Building Site/ Parcel Buffer must be provided for any new Development or Structure within Districts CD-4, CD-4C, CD-5C, PUD-R, PUD-MU, or any Special District, along the common Lot, Building Site, or parcel boundary of such Development or Structure and that of any Lot, Building Site, or parcel on which a single-family Dwelling or Two-Family Detached Residential Dwelling is located. Except as otherwise specifically provided in this Ordinance, all Lot/Building Site/ Parcel Buffers required under this Article 4 must meet the following requirements:

I. Modification

1. The Lot/Building Site/Parcel Buffer requirement at 4.3.11.H. may be modified by the Zoning Administrator upon a finding that:

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

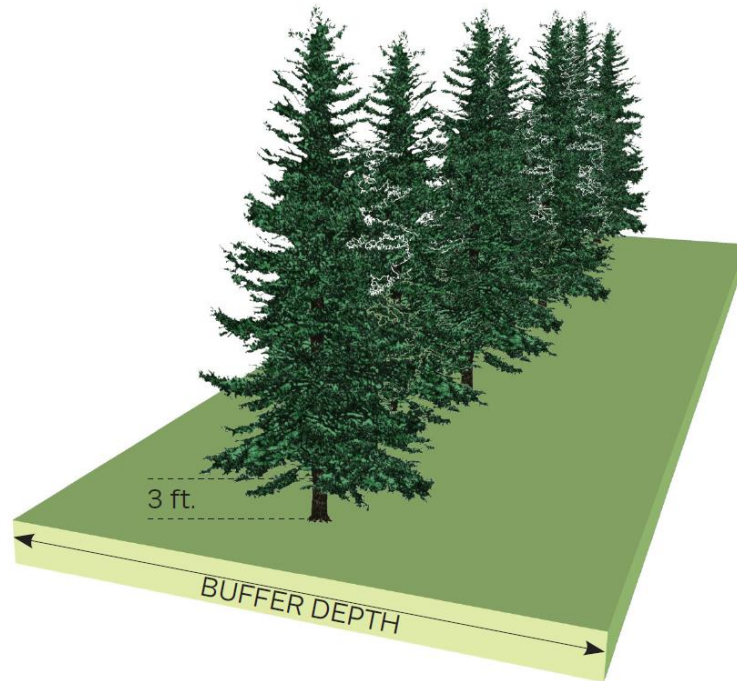
- a. a modification would be consistent with the purpose of protecting residential land uses from noise, odor, and unsightliness of adjacent higher intensity land uses;
 - b. the actual proposed use of the Lot or Building Site is not incompatible with the use of the abutting parcel;
 - c. a modified buffer, fence, or screening adequately mitigates any potential deleterious impact to abutting parcels; or
 - d. site conditions render the required buffer ineffective.
2. The applicant may appeal the Zoning Administrator's determination as described in 8.5.17.

TABLE 4.3.11.H.-1 LOT/BUILDING SITE/PARCEL BUFFER

District of New Dev/Structure	Buffer Depth	Buffer
CD-4	25 ft	Min. 90% opacity 3 ft. from ground and up; Evergreen plants $\geq$ 2.5 in, caliper measured 3 ft. from ground & 8 ft. tall @ installation & 20 ft. tall @ maturity, planted $\leq$ 10 ft. O.C
CD-4C	25 ft.	Same
CD-5C	25 ft.	Same
PUD-R or PUD-MU	75 ft.	Same
SD-MHP	50 ft.	Same
SD-INT, SD-LI, or SD-HI	100 ft.	Same

ILLUSTRATION 4.3.11.H-2 BUFFER

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS



4.3.12 PARKING

A. General

Within each District, all Parking Areas, Parking Structures, Parking Lots, Garages, and other Parking accommodations shall be provided, located, designed, accessed, constructed, maintained, operated, and otherwise meet the standards and requirements specified for the applicable District in **Tables 4.3.1-A–4.3.1-M (District Standards)**, **Table 4.3.12.B (Vehicular Parking Requirements)** and **Table 4.3.12.C (Off-Street Vehicular Parking Space Dimensions)** or **Table 4.3.12.A-3 (Off-Street Compact Vehicular Parking Space Dimensions)**, except as they may be modified by the handicapped Parking regulations found in Section 4.3.12.B.9 and 4.3.12.B.10.

B. Parking Required

Vehicular Parking shall be provided in accordance with this Section 4.3.12.B and **Table 4.3.12.B (Vehicular Parking Requirements)**, shall comply with and be located and in accordance with **Tables 4.3.1-A–4.3.1-M (District Standards)** and shall be designed in accordance with Section 4.3.12.C and **Table 4.3.12.C (Off-Street Vehicular Parking Space Dimensions)**.

1. Vehicular Parking required for each Lot or Building Site shall be determined based on the quantity of Principal Use(s) of the Lot or Building Site and the number of spaces available to the Lot or Building Site, as determined by Section 4.3.12.B, Section 4.3.12.4, and **Table 4.3.12.B-1 (Vehicular Parking Requirements)**.
2. The number of spaces of Parking available to a Lot or Building Site is the sum of:
 - a. All spaces within the Lot or Building Site;

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

- b. All spaces Adjacent to the Frontage Line on the same side of the Thoroughfare or Internal Drive as the Lot or Building Site, and
 - c. If elected by the Applicant, all spaces within the same or an Adjacent Block within a public Parking Lot or Parking Structure or by Parking agreement or Easement.
3. Any fractional spaces shall be rounded down to the nearest whole number.
4. Exemptions
- a. Within CD-5, the Columbia Arts District Overlay, and the Columbia West End Historic District, existing buildings and uses shall comply with the following:
 - ii. When a non-residential use is changed to another non-residential use, additional parking spaces are not required;
 - iii. A one-time building expansion of ten percent (10%) or less of the existing floor area, up to a maximum expansion of 1,000 square feet, shall not require additional parking spaces, provided that the number of existing parking spaces on the Lot or Building Site shall not be reduced to accommodate the expansion;
 - iv. When a building is demolished and a new building is constructed, or the area of the structure is expanded by more than ten percent (10%), parking shall comply with the standards of this section for the entire square footage of the building.
 - v. For new construction, the Zoning Administrator may approve counting all public and on-street spaces within 1,320 feet of the Lot or Building Site; and
 - vi. When a residential use is changed to a non-residential use, the Zoning Administrator may approve counting all public and on-street spaces within 1,320 feet of the Lot or Building Site.
5. The number of spaces of Parking available to a Lot or Building Site may not exceed, the number of spaces of Parking determined by **Table 4.3.12.B-1 (Vehicular Parking Requirements)** by more than thirty percent (30%) based on the quantity of Principal Use(s) on the Lot or Building Site, provided that the minimum number of spaces may be reduced pursuant to Section 4.3.12.B.5 and Section 4.3.12.B.6.

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
AGRICULTURAL & EXTRACTIVE USES CATEGORY	
Agricultural	
Any Agricultural Use	Not Regulated
Extractive	
Any Extractive Use	Not Regulated
RESIDENTIAL USES CATEGORY	
Household Living	

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TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
Attached Dwellings, except Two Family Dwelling	2 per Dwelling Unit in PUD-R & PUD-MU; 1.5 per Dwelling Unit in other Districts
Residence Portion of a Live/Work, Mixed-Use, or Flex Building	1.5 per Dwelling Unit
Single-Family Detached Dwelling	2 per Dwelling Unit, plus 1 per any rented room
Two Family Dwelling	2 per Dwelling Unit
Group Living	
Group Living Home	2 per Group Living Home + 1 per each Counselor
Other Residential Use Not Listed Under Any Use Category	1.5 per Dwelling Unit
CIVIC USES CATEGORY	
Community Service	
Auditorium (Civic)	1 per 200 square feet of total Usable Floor Area
Civic Building	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Civic Space- Community Garden, Green, Square, Plaza, Park, Playground, Sports Field	1 per 5,000 square feet of grass land area
Club or Lodge (Civic)	1 per 1,000 square feet of total Usable Floor Area
Conference/ Convention/ Exhibition Center	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Courthouse	1 per employee plus 1 per every 3 seats of seating available to the public in the courtrooms
Food Distribution Center (Civic)	1 per 1,000 square feet of total Useable Floor Area
Gallery/ Museum	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
Library	1 per 100 square feet of seating area
Parking Lot/ Parking Structure (Civic)	Not Regulated
Performing Arts Venue	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Place of Assembly	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Post Office	1 per 500 square feet of Usable Floor Area
Recreation Facility (Civic)	1 per 200 square feet of activity Usable Floor Area + 1 per 200 square feet of gross swimming water surface area + 2 spaces per tennis court + 5 spaces per basketball court + 15 spaces per athletic field
Sports Venue	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Transit Shelter	Not Regulated
Transit Station or Terminal	Transit vehicle storage space + 1 per 50 feet of waiting area + 1 per 2 employees
Day Care Facilities (Civic)	
All Day Care Facilities (Civic)	1 per employee + 1 per 10 clients accommodated
CIVIC USES CATEGORY CONTINUED	
Government Facilities	
Correctional Facilities	1 per employee and 1 per 20 inmates
Other Government Facility Use not listed under any Use Category	1 per employee + 1 per 500 square feet of public Usable Floor Area
Open space	
Any Open Space, excluding Civic Space	Not Regulated

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
Religious Facilities	
Any Place of Worship or other Religious Facility	1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Other Civic Uses	
Other Civic Use not listed under any Use Category	Not Regulated
CIVIL SUPPORT USES CATEGORY	
Cemetery/ Funeral Services	1 per full time employee + 1 per 40 square feet of public Usable Floor Area
Fire/ EMS Station or Police Station	Not Regulated
EDUCATIONAL USES CATEGORY	
Adult Education/ Personal Improvement/ Business, Trade & Vocational Schools	
Adult Continuing Education	1 per Teacher or other staff + .50 per Student seat
Business, Trade, or Vocational School other than truck driving	1 per Teacher or other staff + .50 per Student seat
Personal Improvement Education	0.50 per Student seat + 1 per Teacher or other staff
Truck Driving School	1 per Teacher or other staff + 1 per Student
Pre-school/ Primary/ Intermediate/ Secondary Schools	
Pre-school	1 per Teacher or other staff + 1 per 20 Students
Kindergarten	1 per Teacher or other staff + 1 per 20 Students
Elementary School	1 per Teacher or other staff + 1 per 20 Students
Middle School	1 per Teacher or other staff + 1 per 20 Students
High School	1 per Teacher or other staff + 0.50 per Student seat

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
Post-Secondary School	
College or University	1 per Teacher or other staff + 1 per Student
Community College	1 per Teacher or other staff + 1 per Student
Graduate or Professional School	1 per Teacher or other staff + 1 per Student
Nursing Por Medical School not accessory to a Hospital	1 per Teacher or other staff + 1 per Student
Seminary	1 per Teacher or other staff + 1 per Student
Other Educational Use	
Other Educational Use Not Listed in Any Other Category	1 per Teacher, Instructor, Care Giver or other staff + 1 per 20 Students or Children
INSTITUTIONAL USE CATEGORY	
Health Care	
Clinic	2 per patient rooms
Hospice, other than at-home care	.50 per bed
Hospital	.50 per bed
Rehabilitation Facility or Facility for Observation	.50 per bed
Long Term Care	
Long Term Care Facility or Continuum of Care Facility	1 per 3 beds
Other Institutional Use	
Other Institutional Uses Not Listed in any Use Category	1 per patient or Client room
COMMERCIAL USES CATEGORY	
Accommodations / Lodging	
Bed & Breakfast or Inn	1 per Dwelling Unit + 1 per guest bedroom + 1 per each 2 employees on the premises at one time

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
Boarding or Rooming House	1 per guest bedroom + 1 per each 2 employees on the premises at one time
Hotel, Extended Stay Hotel, or Motel	1 per guest bedroom + 1 per each 2 employees on the premises at one time
Other Accommodation/ Lodging/ Use Not Listed Under any Use Category	Not Regulated
Day Care/ Personal & Group Care (non-Civic)	
Adult Day Care (non-Civic)	1 per staff member + 1 per 3 seats or 1 per 200 square feet of activity Usable Floor Area, whichever is greater
Child Care Facility (non-Civic), excluding Child Care in Home	1 per staff member + .50 per child
Children's Day Camp	1 per staff member + .50 per child
Group Day Care or Facility or Family Day Care	1 per staff member + .50 per client
Other Day Care/ Personal & Group Care (non-Civic)	
Other Day Care/ Personal & Group Care (non-Civic)	Not Regulated
Indoor Recreation- Commercial	
Bowling Alley	1 per 500 square feet of total Usable Floor Area
Commercial Indoor Athletic Training Facility	1 per 1,000 square feet of total Usable Floor Area
Game Arcade	1 per 100 square feet of total Usable Floor Area
Gymnastics Facility	1 per 1,000 square feet of total Usable Floor Area
Indoor Firing Range	1 per 500 square feet of total Usable Floor Area
Indoor Sports Academy	1 per 1,000 square feet of total Usable Floor Area
Movie or other Theater (non-Civic)	1 per theater, bar, or dining seat or 1 per 100 square feet of total Usable Floor Area, whichever is greater

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
Pool Hall	1 per 300 square feet of total Usable Floor Area
Recreation Facility	1 per 200 square feet of activity Usable Floor Area + 1 per 200 square feet of gross swimming water surface area + 2 spaces per tennis court + 5 spaces per basketball court + 15 spaces per athletic field
Skating Rink	1 per 300 square feet of total Usable Floor Area
Social (or Civic) Club, Lodge, or Organization	1 per 200 square feet of gathering or activity Usable Floor Area
Other Indoor Recreation- Commercial Use Not Listed Under any Use Category	1 per 500 square feet of total Usable Floor Area
Group Assembly (non-Civic)	
Any Group Assembly (non-Civic)	1 per 4 seats
Outdoor Recreation - Commercial	
Amphitheater	1 per 2 seats + 1 per 20 square feet of standing area
BMX Bicycle Park	1 per biker accommodated or 1 per 5,000 square feet, whichever is greater
Campground	1 per campsite
Drive-In Theater	1 per vehicle accommodation
Firing Range, such as a Rifle Range, Archery Range, Handgun Range, or Skeet Shooting	1 per customer firing squad
Golf Course, Swim club, Tennis Club, Country Club	Per Planning Commission Approval
Marina/ Boating Facility	1 per Boat Slip
Recreational Vehicle (RV) Park	1 per motorized RV space + 1 per non-motorized vehicle space
Paintball Park	Per Planning Commission Approval

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
Outdoor Entertainment Activity, such as Batting Cage, Golf Driving Range, Amusement Park, Miniature Golf Facility	Per Planning Commission Approval
COMMERCIAL USES CONTINUED	
Skateboard Park	Per Planning Commission Approval
Sports Field	Per Planning Commission Approval
Stadium / Arena	Per Planning Commission Approval
Summer Camp (overnight)	Per Planning Commission Approval
Swimming Pool	Per Planning Commission Approval
Tennis Club	Per Planning Commission Approval
Water Park	Per Planning Commission Approval
Other Outdoor Recreational Use – Commercial not listed under any other Use Category	Per Planning Commission Approval
Parking – Commercial	
Parking Lot	Not Regulated
Parking Structure	Not Regulated
Restaurant	
Restaurant without Drive-Through Facility or Drive-In Facility	1 per 100 square feet of total Usable Floor Area
Restaurant with Drive-Through Facility or Drive-In Facility	1 per 100 square feet of total Usable Floor Area
Small-scale without Drive-Through Facility	1 per 300 square feet of total Usable Floor Area
Bars, Taverns, or Nightclub	
Bar, Tavern, or Nightclub	1 per 100 square feet of total Usable Floor Area
Retail/ Personal Service/ Repair/ Art/ Artisan	
Alcoholic Beverage Retail Sales	1 per 300 square feet of total Usable Floor Area

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
Artisan Establishment, with or without Retail Sales	1 per 500 square feet of total Usable Floor Area
Arts-Related Uses	1 per 500 square feet of total Usable Floor Area
Mail-Order or On-Line Retail Sales	1 per 1,000 square feet of total Usable Floor Area
Motor Vehicle Sales, Rental, leasing, or Motor Vehicle Maintenance/ Cleaning/ Repair/ Service	1 per 500 square feet of total Usable Floor Area
Retail Membership Club	1 per 500 square feet of total Usable Floor Area
Retail Food Sales, with or without on-premises preparation or processing	1 per 200 square feet of total Usable Floor Area
Recreation Facility (non-Civic)	1 per 1,000 square feet of total Usable Floor Area
Veterinarian Clinic, Animal Hospital, or non-Agricultural Kennel	1 per treatment, procedure, or surgical room + 100 square feet of total Usable Floor Area
Warehouse Retail	1 per 1,000 square feet of total Usable Floor Area
Other Retail Sales, Rental, or Leasing uses not listed above	1 per 500 square feet of total Usable Floor Area
Self Service Storage	
Self Service Storage	1 per 2,000 square feet of storage space
Boat-Related Uses	
All Boat-Related uses other than Marina/ Boating Facility	1 per 200 square feet of administrative space + 1 per Boat storage spaces + 2 per Boat ramp + 1 per Boat available for rental + 1 per employee work station + 2 per work day
Motor Vehicle-Related Uses	
All motor vehicle-related uses, other than Gasoline or motor vehicle sales, rental or leasing, motor vehicle maintenance/ cleaning/ repair/ service par sales and tire sales	1 per 500 square feet for Usable Floor Area + .25 per vehicle available for rental + 1 per employee work station + vehicle storage space + 1 per work bay
Tire Sales	2 per work station or service bay + 1 per 200 square feet of customer waiting area

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
Towing Service	1 per 500 square feet of Usable Floor Space + spaces for towed vehicles
Manufactured Home Sales	
Manufactured home Sales	1 per 500 square feet of Usable Floor Area + 1 per employee work station + inventory space + 1 work bay
Wholesale Sales	
All Wholesales not listed under any other category	1 per 1,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
OFFICE USES CATEGORY	
All Office Uses not listed under any other Category	1 per 200 square feet of total Usable Floor Area
INDUSTRIAL USES CATEGORY	
Heavy Industrial	
All heavy industrial uses	Not regulated
Light Industrial	
Brewery, excluding Brewpubs	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Bottling Plants	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Building Systems / Construction Business	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Carpet Cleaning Plants or Manufacturing	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
Catering Service or Catering Event Establishment	1 per 400 square feet of food preparation area + 1 per 3 permanent seats, or 1 per each 40 square feet of seating area where fixed seating is not provided
Clothing or Textile Manufacturing	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Commercial or Institutional Bakery	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Contractor Material Sales	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Crematorium	1 per employee on the premise at one time, but no fewer than 2 spaces
Dairy Plant	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Distillery	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Distribution Facility	1 per 10,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Dry Cleaning Plant	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Equipment Rental	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
Fabrication, work or storage on-site by building, heating, plumbing, electrical, or general contractors and others who perform services off-site	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Food Processing for Wholesale Sales	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Horticulture & Landscaping Services	.50 space per employee on premises at one time, but no fewer than 2 spaces
INDUSTRIAL USES CONTINUED	
Ice Plant	1 per 5,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Information Services	.50 space per employee on premises at one time, but no fewer than 2 spaces
Janitorial & Building Maintenance Services	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Laundry Plant	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Light Manufacturing Plant with or without Retail Sales	1 space per 2,000 square feet of Usable Floor Area, with a minimum of 1 space per 2 employees on premises at one time, but no fewer than 2 spaces
Machine Shop/ Woodworking Shop, other than Artisan Establishment	1 space per 1,000 square feet of Usable Floor Area, with a minimum of 1 space per 2 employees on premises at one time, but no fewer than 2 spaces
Maintenance Yard or Facility	

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
Manufacture or assembly of equipment, instruments, appliances, precision items or electrical items, or toys	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Non-Hazardous Waste Treatment or Disposal	1 per 5,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Outdoor Storage	Not Regulated
Photo-Finishing or Photography Lab	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Printing, Publishing, and Lithography	1 space per 1,000 square feet of Usable Floor Area, with a minimum of 1 space per 2 employees on premises at one time, but no fewer than 2 spaces
Production of Artwork	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Rail Equipment Storage or Repair	1 per employee + 2 per acre
Recycling Collection	1 per collection container
Recycling Processing Facility	1 per 5,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Repair of scientific or professional instruments or electric motors	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Research Lab / Research Development	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Scrap or Salvage Yard	1 per employee + 2 per acre

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
Sheet Metal Shop	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Solid Waste Facility	Not Regulated
Towing Facility	Not Regulated
Welding, machine, tool repair shop	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Wholesale Sales	1 per 2,000 square feet of Usable Floor Area, with a minimum of 1 per employee on premises at one time, but no fewer than 2 spaces
Winery	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
INDUSTRIAL USES CONTINUED	
Woodworking, including cabinet makers and furniture manufacturing, but excluding Artisan Establishment	1 per 2,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Other Light Industrial Uses not listed in any other Use Category	1 per 2,000 square feet of Usable Floor Area, with a minimum of 1 per employee on premises at one time, but no fewer than 2 spaces
Warehouse & Freight Movement	
All Warehouse/ Warehousing & Freight Movement	1 per 10,000 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, but no fewer than 2 spaces
Waste-Handling	
All Waste-Handling Services	Not Regulated
UTILITIES USES CATEGORY	
All Utility Uses	Not Regulated

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

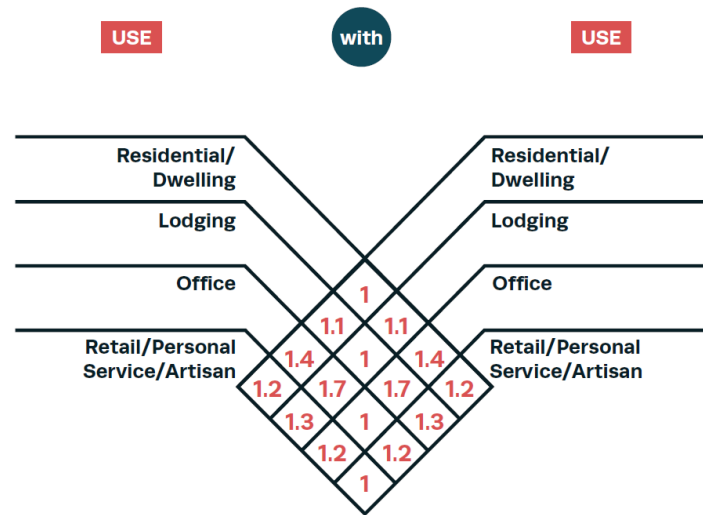
PRINCIPAL USE	MINIMUM NUMBER OF SPACES OF PARKING AVAILABLE TO LOT PER UNIT OF MEASUREMENT
OTHER USES CATEGORY	
Adult Entertainment	1 per 2,000 square feet of Usable Floor Area but no fewer than 2 spaces

6. For purposes of this Section 4.3.12.B-2, the number of Parking spaces available to a Lot or Building Site may be reduced, at the election of the Applicant, by dividing the number of spaces of Parking required to be available to the Lot or Building Site by the applicable Shared Parking Factor. The Zoning Administrator may assign an appropriate factor to uses not listed.

7. The applicable Shared Parking Factor is determined under **Table 4.3.12-B (Shared Parking Factor)** for any two Principal Uses within the Lot or Building Site or within the Lot or Building Site and any other Lot or Building Site within the same or any Adjacent Block.

TABLE 4.3.12.B-2 (SHARED PARKING FACTOR)

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS



8. In determining compliance with this Section 4.3.12.B, the following shall not be counted:
 - a. Accessory Dwelling Units; and
 - b. Liner Buildings fewer than 30 feet deep and no more than two Stories.
9. Up to 10% of the total number of Parking spaces in Parking Areas, Parking Lots, and Parking Structures that provide Parking for fifty (50) or more cars may be provided as Parking for compact cars, designed in compliance with Section 4.3.12.C.
10. Parking spaces to accommodate the needs of handicapped individuals shall be provided in accordance with the following **Table 4.3.12.B-3 (Off-Street Handicapped-Accessible Parking)**, designed in compliance with Section 4.3.12.C.
11. One out of every eight required handicapped accessible spaces shall be van-accessible. A minimum of one van-accessible space shall be provided.
12. Any Plan submitted under this Ordinance must show the proposed types, numbers, and arrangement of Parking accommodations, including access to such areas from the Thoroughfares and Internal Drives, with spaces complying with all requirements of this Section 4.3.12.B.

C. Design

1. In all Districts, Parking Lots shall be designed in accordance with this Section 4.3.12.C and other applicable provisions of this Article 4.
2. Except as otherwise provided for compact vehicle Parking accommodations under Section 4.3.12.C.3, the dimensional standards set forth in **Table 4.3.12.C-1 (Off-Street Vehicular Parking Space Dimensions)** are applicable to off-street Parking accommodations:

TABLE 4.3.12.C-1 (OFF-STREET VEHICULAR PARKING SPACE DIMENSIONS)

Angle of Parking	Width of Space (feet)	Length of Space (feet)	Aisle Width (feet)

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

(degrees)			
0	8 ft.	21 ft.	12 ft.
45	9 ft.	19 ft. except 18 ft if adjacent to curb	16 ft.
60	9 ft.	19 ft. except 18 ft if adjacent to curb	18 ft.
90	9 ft.	19 ft. except 18 ft if adjacent to curb	24 ft.

3. Any compact car spaces must be separately signed and marked in distinct, separate areas. The dimensional requirements for compact car spaces are as set forth in Table 4.3.12.C-2 (Off-Street Compact Vehicle Parking Space Dimensions):

TABLE 4.3.12.C-2 (OFF-STREET COMPACT VEHICLE PARKING SPACE DIMENSIONS)

Angle of Parking (degrees)	Width of Space (feet)	Length of Space (feet)	Aisle Width (feet)
0	7.5 ft.	17 ft.	12 ft.
45	7.5 ft.	17 ft.	12 ft.
60	7.5 ft.	18 ft.	15 ft.
90	7.5 ft.	16 ft.	21 ft.

4. Any ramps leading from a Thoroughfare or Internal Drive to a Parking Lot, Parking Area, Garage, or Parking Structure shall be at least twenty feet (20 ft.) wide for two-way traffic and 10 feet (10 ft.) wide for one-way traffic.
5. Curbs must be made of granite or concrete at heights between six inches (6 in.) and eight inches (8 in.) above the elevation of the Thoroughfare and must be at least six inches (6 in.) wide.
6. Curb cuts must be at least 20 feet (20 ft.) wide for two-way access and 10 feet (10 ft.) wide for one-way access. Except as otherwise expressly provided in this Ordinance with respect to numbers of Driveways, Lots and Building Sites shall be limited to one curb cut per Lot or Building Site.
7. Unless alternative Parking surfaces are otherwise permitted by this Ordinance, all off – street Parking Areas and Parking Lots shall be surfaced with asphalt or concrete. Asphalt Parking Areas and Parking Lots shall be compacted after sub-grade with a minimum six-inch stone

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

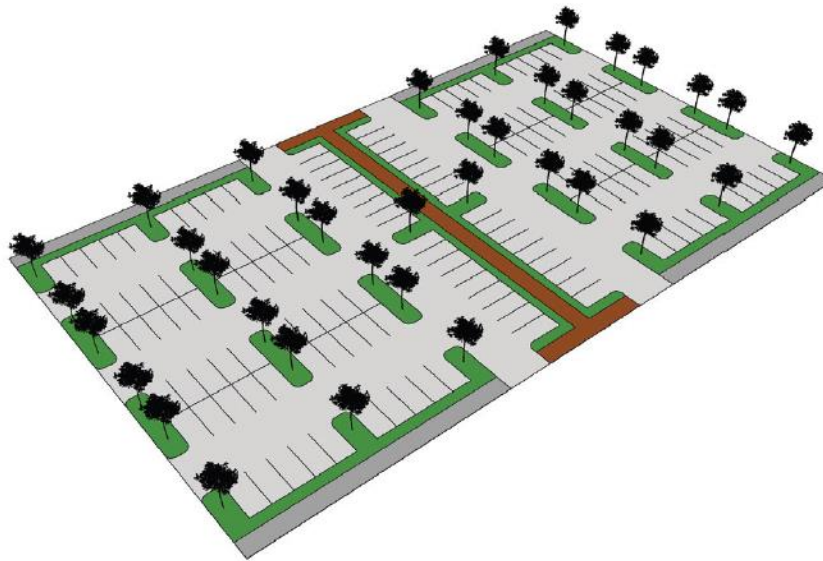
base, a minimum two inches of modified asphalt binder, and a minimum 1-½ inches of asphalt mix topping and must follow the construction detail provided below. Concrete Parking Areas and Parking Lots shall be constructed according to recognized construction standards. Construction plans for all Parking Areas and Parking Lots construction plans shall be subject to review and approval by the City Engineering Department.

8. Except in District CD-2, all Parking accommodations counted toward the applicable Parking requirements shall be paved and completed prior to issuance of the Final Certificate of Occupancy for the related Building(s).
9. Any Parking Area or Parking Lot in the First or Second Layer shall be Screened from view in accordance with Section 4.3.11 and **Tables 4.3.1-A - 4.3.1-O (District Standards)**.
10. Any Parking Area or Parking Lot having five (5) or more spaces shall include Curbs, paving, Sidewalks, drainage facilities and lighting in accordance with this Ordinance and all other applicable laws, regulations and specifications.
11. The maximum grade permitted for any required Parking shall not exceed 8%.
12. Except in Districts CD-2, CD-3L, and CD-3, all off-street Parking spaces shall be striped with paint or some other form of permanent marking.
13. All access to any City Street from a Driveway shall have a concrete Driveway apron as approved by the City Engineering Department.
14. Any Parking Area or Parking Lot having ten (10) or more parking spaces shall conform to the following:
 - a. Parking Areas and Parking Lots shall contain at least one landscape island for every ten (10) parking spaces. Parking Lots with more than one landscape island shall have such islands distributed throughout the Parking Lot.
 - b. Interior parking rows shall be terminated at both ends with landscape islands.
 - c. Each parking island shall be of a minimum size equal to a standard parking space; provided that each parking island abutting two rows of head-to-head parking spaces shall be of a minimum size and length equal to two (2) parking spaces.
 - d. Parking islands shall contain a minimum of one (1) shade tree for every single island. If a parking island is double length or width, then two (2) shade trees shall be required.
 - e. Rows of parking fronting on drive aisles including alleys shall be provided with a minimum five feet (5 ft.) (excluding curbs) landscaped buffer.
 - f. Root zones for existing trees to remain shall be a minimum of 48 square feet.
 - g. For every 2,000 square feet of Parking Area or Parking Lot, at least one tree shall be installed or preserved within the Parking Area or Parking Lot except to the extent that trees outside of the Lot containing the Parking Area or Parking Lot are allowed to satisfy this requirement as set forth below.
 - h. No parking space shall be more than seventy-two feet (72 ft.) from a tree within the Lot, as measured from the center of the Tree to the nearest line demarcating the space.
 - i. Except for trees allowed to be counted outside the Parking Area or Parking Lot, new trees shall be installed and/or existing trees preserved in Tree islands provided pursuant to this Section and/or at the perimeter of the Parking Area or Parking Lot, provided that the perimeter of the Parking Area or Parking Lot where trees are installed or preserved to meet this requirement lies within the Lot on which the Parking Area or Parking Lot is located.
 - j. Trees outside of the Parking Area or Parking Lot located within twenty feet (20 ft.) of the closest portion of such Parking Area or Parking Lot, including but not limited to Trees within Thoroughfare Rights-of-Way, Internal Drive Easements, and Civic Spaces, may be counted toward satisfying the requirements.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

- k. In addition to any walkway or Sidewalk around a Parking Area or Parking Lot, each such Parking Area or Parking Lot exceeding one hundred and twenty (120) spaces shall have least one pedestrian walkway bisecting the Parking Area or Parking Lot and connecting to adjoining sidewalks of a minimum width of eight feet (8 ft.) that is paved differently from the parking spaces with respect to texture, material, style, and/or color.
- l. Any Parking Area or Parking Lot in the First or Second Layer shall be Screened from view in accordance with Section 4.3.11.

ILLUSTRATION 4.3.12.C-3 PARKING AREA / LOT OR BUILDING SITE LANDSCAPING



- 15. Parking Areas and Parking Lots shall include Curbs, paving, Sidewalks, drainage facilities and lighting in accordance with this Article as well as any other applicable laws, regulations and specifications.
- 16. Parking Area paving shall be confined to the minimum area necessary to comply with the parking requirements of this Article.
- 17. Any Plan submitted under this Article shall show the proposed arrangement of Parking accommodations, including access to such areas from the Thoroughfares or Internal Drives, with Parking spaces to comply with the requirements of this Section 4.3.12.
- 18. Parking Structures must be Screened from view of any Frontage by one or more Liner Buildings as set forth in **Table 4.3.1-A– Table 4.3.1-M (District Standards)**. Such Liner Buildings must be the same or greater height as the associated Parking Structure that they Screen.
- 19. Lighting illuminating off-street Parking accommodations in all Districts other than Districts CD-2, CD-3L, and CD-3 must be installed within and directed only within the applicable Parking Area, Parking Lot, Garage, or Parking Structure.
- 20. Handicapped-accessible Parking shall comply with the following:

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

- a. Handicapped-accessible Parking shall be located as near as possible to the main public entrances of a single Building or centrally located in Parking Areas that serve more than one Building.
- b. All off-street handicapped-accessible Parking spaces shall be located in the closest Parking Area to a public entrance to the Building but no more than 250 feet from such entrance.
- c. No stairs or curbs are permitted between a handicapped-accessible Parking space and the entrance which it is intended to serve, and the slope along the accessible route shall not exceed 1:12.
- d. All off-street handicapped accessible Parking spaces shall be designated by a Sign or other means accepted by State requirements. Van- accessible spaces shall be designated by a sign indicating "Van Accessible" in addition to any other means used.
- e. A minimum width of 96 inches shall be required for all van-accessible spaces. Van- accessible spaces shall further require a minimum vertical clearance of 98 inches.
- f. An access aisle of 60 inches shall be provided for all handicapped accessible spaces and an aisle of 96 inches shall be provided for all van-accessible spaces one 96-inch aisle may serve both types of spaces. No ramps may project into this access aisle.
- g. No required Parking accommodation shall be Encroached upon by any Building, Structure, or Use.

D. Operation & Maintenance

1. No Parking space required for Dwelling Units shall be rented to Persons not living on the premises. All required Parking spaces or Dwelling Units must be made available to occupants of the Dwelling Units as an integral part of their occupancy.
2. Required Parking Accommodations must be available and maintained for such period as the Use or Structure exists that the facilities are designed to serve.

E. Access

1. All Parking Areas, Parking Structures, and Garages shall be accessed by Rear Alleys, when such are available on the Zoning Map or otherwise available.
2. Vehicular access to Parking Areas, Garages, and Parking Lots shall not conflict with general vehicular movement serving the site. Ingress and egress points must be at Curb cuts approved by City Engineer.
3. In all Districts, vehicular entrances and exits shall be designed to be easily identifiable by drivers and pedestrians. Any signage must be simple, clear, and concise. Any gates, arms, or booths must be set back at least 20 feet from the Frontage.
4. Off-street Parking accommodations other than those in Districts CD-2, CD-3L, and CD-3, and Single-family Residential Lots and Building Sites in Districts SD-MHP and PUD-R shall provide access so that backing directly onto a Thoroughfare or Internal Drive is unnecessary.
5. A Driveway, drive aisle, or Internal Drive must be provided for off-street Parking accommodations in all Districts.
6. Driveways and entrances and exits for off-street Parking accommodations in all Districts other than Districts CD-2, CD-3L, and CD-3 and Single-family Residential Lots and Building Sites in Districts SD-MHP and PUD-R, shall be at least 25 feet from a Thoroughfare or Internal Drive at an intersection.
7. Except in Districts CD-2, CD-3L, and CD-3, cross-access Easements must be provided between all contiguous Parking Areas and Parking Lots except where such areas and Lots are accessed from a Rear Alley.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

8. In all Districts, Driveways at Frontages must be no wider in the First Layer than the width specified for the applicable District in **Table 4.3.1-A– 4.3.1-M (District Standards)**.
9. For Residential Uses other than Townhomes and Multifamily, Driveways shall not be located within five feet of a Side Building Site Line or Rear Building Site Line unless a shared Driveway is used.
10. In all other Districts, except 4.3.12.E-9, no Driveway shall be constructed within 25 feet of an Adjacent Driveway. This dimension shall be increased to the greater of 40 feet Adjacent Driveways on State highways.
11. No Driveway curb return shall extend beyond an Adjacent Side Building Site Line or Rear Building Site Line or more than one-half (1/2) the distance to a Driveway located on the same property. This provision may require increased separation from Adjacent properties over the minimum indicated in Sections 4.3.12.E.10 or 4.3.12.E.11 above.
12. In all Districts, pedestrian exits from all Parking Lots, Parking Areas, Garages, and Parking Structures must conform to **Table 4.3.1-A– 4.3.1-M (District Standards)**, except for underground Parking accommodations.

F. Parking Restrictions

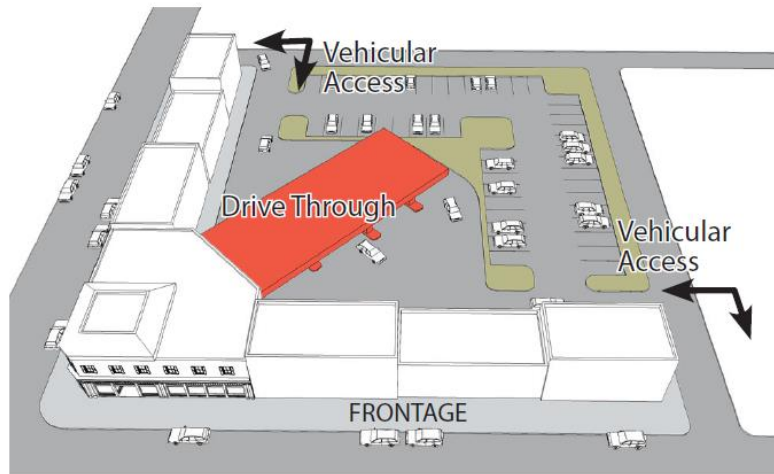
1. Domestic and recreational vehicles such as boats, camper trailers, and utility trailers shall be stored off - street, subject to the location requirements of **Table 4.3.1-A– 4.3.1-M (District Standards)**. Boats, camper trailers, and utility trailers may be stored on an unpaved surface, provided they are parked in the third layer and screened from view from the public right-of-way and adjacent properties.
2. Parking of buses on the site of and directly associated with a permitted Non-Residential Use shall be permitted.
3. Parking of heavy equipment or tractor trailers (including trailers as storage) shall not be permitted. This requirement shall not prohibit commercial vehicles from making deliveries. Trailers may be permitted for temporary storage in association with a construction with a Temporary Use Permit (Sec. 3.8).
4. Single and double axel trucks that exceed 90 inches in width and are greater than 12 feet in height are prohibited from Parking on a street for more than four (4) consecutive hours, unless it is related to performing a service for a property owner, i.e. construction, remodeling, etc.
5. Required Parking spaces and loading facilities shall not be used for the storage or sale of merchandise, vehicle storage, vehicles for sale, or vehicle repair. Non-required spaces proposed for these uses shall be designated on a site plan.
6. The private sale or storage of one vehicle per Dwelling Unit may be permitted as an Accessory Use in association with a Residential Use.
7. Any area designated for required off-street Parking or loading shall not be changed to another use until adequate Parking and/or loading facilities in conformance with this Article have been established.
8. Required Parking spaces may be temporarily used for uses other than Parking and loading with the issuance of a Temporary Use Permit pursuant to Section 8.5.9; provided such use does not negatively impact adjacent roadways, neighborhoods, or other uses and is clearly temporary in nature.

G. Drive-Through Locations & Standards

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

- Any drive-through facilities must be located and designed and comply with all standards as specified for the applicable District as set forth in **Tables 4.3.1-A– 4.3.1-M (District Standards)**. See **Illustration 4.3.12.G (Drive-Throughs)**.

ILLUSTRATION 4.3.12.G DRIVE-THROUGH



- Any drive-through locations must be accessed by Rear Alleys, when such are available on the Zoning Map or otherwise available.
- Off-street vehicular stacking spaces shall be provided for all drive-through facilities in accordance with Section 4.3.12.H.

H. Stacking Spaces

- Off-street vehicular stacking spaces shall be provided in accordance with **Table 4.3.12.H (Stacking Spaces)** for the activity type indicated as follows:

TABLE 4.3.12.H (STACKING SPACES)

Activity Type	Min. # of Stacking Spaces	Measured From
Automated Teller Machine	4	Machine
Drive-Through	3	Teller
Bank Teller Drive-Through	4	Teller or Window
Car Wash Bay, Full Service	6	Bay
Car Wash Bay, Self-Service	2	Bay
Dry Cleaning/ Laundry Drive-Through	2	Cleaner/ Laundry Window

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

Activity Type	Min. # of Stacking Spaces	Measured From
Gasoline Pump Island	1	Pump Island
Gatehouse, Staffed	4	Gatehouse
Gate, Unstaffed	2	Gate
Pharmacy Pickup	3	Pharmacy Windows
Restaurant Drive-Through	8	Pickup Window
Valet Parking	3	Valet Stand

*Other as determined by Zoning Administrator in consideration of approved study prepared by a registered engineer with expertise in Transportation Engineering

2. Required stacking spaces shall be subject to the following design and layout standards:
 - a. Stacking spaces shall be a minimum of eight feet in width by 25 feet in length.
 - b. Stacking spaces by shall not impede on- or off-site traffic movement or movement into or out of off-street Parking spaces.
 - c. Stacking spaces for each type of activity or accommodation shall be subject to any location standards applicable to the activity or accommodation itself.
 - d. Stacking spaces shall be separated from other drive aisles, Driveways, or Internal Drives by raised medians. if deemed necessary by the City Engineer for traffic movement and safety.

4.3.13 BICYCLE PARKING

Bicycle Parking Required:

Bicycle Parking shall be provided within CD-4, CD-4C, and CD-5 for a Lot or Building Site as set forth in Table 4.3.13 (Bicycle Parking).

A. Bicycle Parking Standards

1. Bicycle parking shall be provided using Bicycle Racks, Bicycle Lockers, restricted access bicycle enclosures, or similar secured facilities.
2. Bicycle Racks shall be securely anchored.
3. An aisle providing access to bicycle parking areas shall clear maneuverable access without limiting use of any sidewalk. Access aisles must be at least 4-feet wide.
4. Bicycle parking areas may be located in any layer and should be accessible from the main entrance by a continuous sidewalk connection.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

5. Bicycle parking areas shall be separated from automobile parking and circulation areas by a physical barrier or a distance of feet.

TABLE 4.3.13 BICYCLE PARKING

USE TYPE	BICYCLE PARKING REQUIREMENT
Residential/ Dwelling Uses	
Single Family Dwellings	None Required
Two Family Dwellings	None Required
Multi-Family Dwellings	1 space per 20 parking spaces
Mobile Home	None Required
Lodging Uses	
All Uses	None Required
Educational/ Institutional/ Civic Uses	
All Uses	1 space per 4,00 sq. ft. gross floor area
Medical Uses	
All Uses	None Required
Commercial/ Retail/ Professional & Service Uses	
All Uses	1 space per 4,00 sq. ft. gross floor area
Office Uses	
All Uses	1 space per 20 parking spaces
Communication Uses	
All Uses	None Required
Industrial Uses	
All Uses	None Required
Agricultural Uses	
All Uses	None Required
Utility Uses	
All Uses	None Required

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

USE TYPE	BICYCLE PARKING REQUIREMENT
Public or Private Uses	
All Uses	None Required

4.3.14 LOADING SPACE

A. General

1. Loading spaces shall be provided, designed, accessed, and located in accordance with this Section and **Table 4.3.14.B (Loading Space Requirement)** and **Tables 4.3.1-A– 4.3.1-M (District Standards)**.
2. Loading areas must be accessed by Rear Alleys, when such are available on the Zoning Map or otherwise available.

B. Loading Space Required

1. Each Lot or Building Site shall have the minimum number of loading spaces per quantity of the indicated Use as set forth in **Table 4.3.14.B (Loading Space Requirements)**.

TABLE 4.3.14.B LOADING SPACE REQUIREMENTS

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

Principal Use Category in District	Quantity of Use	# of Loading Spaces	Size of Loading Space(s)
Residential – Multifamily Building	≥100 Dwelling Units	1	10 ft. W x 50 ft. L x 15 ft. H
Commercial, Office, Retail/ Personal Service/ Artisan, Industrial	> 5,000-25,000sf	1	10.ft W x 50 ft. L x 15 ft. H
	25,001-60,000sf	2	
	60,001-120,000sf	3	
	120,001-200,000sf	4	
	201,000-290,000sf	5	
	≥ 290001sf	5+1 for each Additional 90,000sf	
Other	N/A	N/A	N/A

- Without limitation to the other requirements of this Section, loading spaces shall be provided for each delivery bay, loading dock or delivery entrance.
- Loading spaces must be available at all times without conflict with any Plan or Improvement element.
- Space allocated to any loading area or access thereto shall not be used to satisfy the requirements for any Parking or garbage, recycling, or trash facilities.
- Parking spaces may not be used or counted as meeting loading requirements.
- No required loading space shall be Encroached upon by Buildings, Structures, Open Storage or any other Use.
- Required loading facilities may be temporarily used for uses other than loading with the issuance of a Temporary Use Permit pursuant to Section 8.5.9, provided such use does not negatively impact adjacent roadways, neighborhoods, or other uses and is clearly temporary in nature

C. Location, Design & Access

- Except as otherwise provided in subparagraph 4.3.14.C.2 below, all required loading spaces shall be provided within the applicable Lot or Building Site.
- In Districts CD-4, CD-4C, CD-5, and CD-5C, required loading spaces may be provided either within the applicable Lot or Building Site or in the parking lane of the Enfronting Thoroughfare or Internal Drive.
- Off-street loading spaces shall be located in accordance with **Tables 4.3.1-A– 4.3.1-M (District Standards)**.
- Off-street loading areas must be accessed by Rear Alleys, when such are available on the Zoning Map or otherwise available.
- No loading facility shall be located within 30 feet of a Thoroughfare or Internal Drive intersection.
- Off-street loading areas shall include Curbs, paving, drainage facilities, and lighting in accordance with City standards and this Ordinance, as well as any other applicable laws, regulations and specifications.
- Each required loading space shall have the minimum dimensions set forth in **Table 4.3.14.B (Loading Space Requirements)**.
- Loading facilities may not obstruct facilities required for emergency access, including fire lanes.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

9. Each off-street loading space shall be directly accessible from a Thoroughfare, Driveway, drive aisle, Internal Drive, or Alley without crossing or entering any other required off-street loading facility. Such loading space shall be accessible from the interior of the Building it serves and shall be arranged for convenient and safe ingress and egress by motor truck and/or trailer combination.
10. The required dimensions of loading spaces shall not include any access or entrances to, or exits from, such spaces.
11. All off-street loading spaces shall be surfaced with asphalt, concrete, or other hard surfaced material, and constructed so as to support the heaviest anticipated load, including without limitation fire and sanitation equipment and delivery vehicles, and shall provide for adequate drainage, and prevent the release of dust.
12. Loading Spaces provided within a Thoroughfare or Internal Drive shall meet construction requirements of provided by the City Engineer.
13. Each loading space shall be permanently marked and identified as a loading space in which no Parking is allowed. Permanent wheel stops or curbing shall be provided for each off-street loading space to prevent any vehicle using the loading space from Encroaching on the required Yards or Adjacent property.
14. Off-street loading areas shall be Screened in conformance with Section 4.3.11.

4.3.15 REFUSE, SERVICE, EQUIPMENT & OTHER ITEMS

A. Trash Receptacle / Dumpster Requirement

Trash receptacles and dumpsters must be provided for each Lot or Building Site and must be located in accordance with Section 4.3.15.B.

B. Trash Receptacle/Dumpster Locations & Standards

1. Dumpsters and trash and recycling receptacles shall be located as specified for the applicable District in **Tables 4.3.1-A– 4.3.1-M (District Standards)**.
2. All dumpsters and trash and recycling receptacles shall be enclosed as required in this Section and **Tables 4.3.1-A– 4.3.1-M (District Standards)**. The enclosures shall be designed to prevent debris from leaving enclosure or being scattered by wind or animals. Except in Districts CD-2, CD-3L, and CD-3, dumpsters and garbage, trash, and recycling receptacles must be placed on concrete pads. The enclosure must be kept closed at all times other than for servicing. Except in Districts CD-2, CD-3L, and CD-3, bollards or posts must be placed on the interior of the enclosure to protect the walls from damage by the trash containers within.
3. Dumpsters and garbage, trash and recycling receptacle locations shall be accessed by Rear Alleys, when such are available on the Official Zoning Map or otherwise available.
4. Space allocated to any off-street garbage, trash, or recycling areas, receptacles, or dumpsters shall not be used to satisfy any Parking or loading requirements.
5. All Uses that generate food-related garbage shall provide water quality treatment to mitigate runoff.

C. Equipment & Other Items Locations & Standards

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

All heating, ventilation and air-conditioning equipment, utility meters (not including water meters) and equipment, mechanical equipment, antennas and satellite equipment, communications transmitting and receiving equipment, solar panels, recreation, play, and swimming pool, hot tub and spa locations shall be located and meet the other standards and requirements specified for the applicable District, as required in **Tables 4.3.1-A– 4.3.1-M (District Standards)**.

D. Service Areas

1. Service areas shall be located as required in **Tables 4.3.1-A– 4.3.1-M (District Standards)**.
2. Service areas shall be accessed by Rear Alleys, when such are available on the Zoning Map or otherwise available.

4.3.16 PRIVATE LANDSCAPE STANDARDS

A. General

1. Lots and Building Sites in Districts other than the Civic District shall be landscaped in accordance with **Table 4.3.1-A– 4.3.1-O (District Standards)** and this Section 4.3.16.
2. In Civic Districts, Lots and Building Sites shall be landscaped in accordance with **Table 4.3.1-A– 4.3.1-M (District Standards-Civic)** and this Section 4.3.16. Additionally, Civic Spaces shall be designed as set forth in **Table 5.3.2-B (Civic Space -Specific Standards)**.
3. Without limitation to any other provisions of this Section 4.3.16, all Screen, Streetscreen, Buffer, and Parking Area and Parking Lot landscape standards and requirements of this Ordinance must be met.
4. All bare or exposed ground on a Lots and Building Sites and/or in any other landscaped area shall be covered with live plant materials and/or mulch, with the following exceptions:
 - a. Naturally occurring river beds, rock outcroppings or similar landscape features typically lacking in vegetation.
 - b. Hiking trails and/or traces.
 - c. Clay or sand surfaces associated with recreation fields and facilities.
5. Buildings and Structures lawfully existing as of the Effective Date may be modified without providing or modifying landscaping in conformance with this Section 4.3.16, provided that the same does not constitute an Alteration and does not increase the degree by which the Building or Structure is Non-conforming. This shall not be construed as prohibiting the provision of landscaping in full conformance with this Ordinance.
6. The standards and requirements herein set out for landscaping shall not apply to temporary uses or to Development or site work on relatively undeveloped sites which do not involve significant ground disturbance.

B. Maintenance of Landscaping

1. All landscaping must be properly maintained by the property owner and his or her successors, heirs, assignees or any consenting grantee.
2. All plantings shall be maintained in an attractive and healthy condition. Maintenance shall include, but not be limited to, watering, mulching, fertilizing and pest management, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
3. Any required plantings that are dead or diseased plantings shall be removed and replaced with plants meeting all requirements of this Ordinance.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

4. Natural water courses within a Buffer shall be maintained in a natural condition consistent with any applicable regulations.
5. A water source shall be supplied within 100 feet of any planting requiring continuing watering. Where non-native or non-drought tolerant native vegetation is incorporated in the Buffer, an irrigation system shall be required.
6. Landscape structural features such as walls, fences, berms or water features shall be maintained in a structurally safe and attractive condition.
7. Where other uses, including pedestrian, bike or other trails, are allowed within a Buffer, these uses shall be maintained to provide for their safe use.
8. If any Person responsible for landscape maintenance fails to maintain same according to the standards of this Ordinance, these regulations shall be enforceable by the City with the right to recover the cost of enforcement, including reasonable attorney fees. The City may also, following reasonable notice and a demand that deficiency of maintenance be corrected, enter the area to maintain same. The cost of such maintenance shall be charged to those persons having the primary responsibility for maintenance of the area.
9. Without limitation to Section 4.3.16.B, a maintenance bond lasting one (1) year must be provided for all plantings required under this Section 4.3.16.

C. Removal of Walls or Trees

None of the following may be removed without the prior approval of the Decision-Making Authority: Walls or trees required or shown on an approved site plan, Development Plan, or Master PUD Development Plan.

D. Plant Material Standards and Sizes

1. Except as otherwise required by Sections 4.3.16.D.4, 4.3.16.D.5, 4.3.16.D.8, 4.3.16.D.9 and 4.3.16.D.10, all required plant materials must meet with the minimum sizes, class and other requirements outlined in American Standards for Nursery Stock (ANSI Z60.1-2004) published by the American Nursery and Landscape Association (ANLA) or other local Nursery Association Standards.
2. Trees shall be chosen from the following list of plant species contained within this Section and/or plants identified in the guide, "Native Plants of the Tennessee Valley", published by the Tennessee Valley Authority (TVA).

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.16.D-1 (NATIVE PLANTS OF THE TENNESSE VALLEY)

Common Name	Botanical Name
Canopy Trees	
American Beech	Fagus Grandifolia
Nuttall Oak	Q. Nuttalli
American Linden	Tilia Americana
Overcup Oak	Q. Lyrata
Baldcypress	Taxodium Distichum
Pecan	Carya Illinoensis
Black Cherry	Prunus Serotina
Persimmon	Diospyros Virginiana
Black Locust	Robinia Pseudoacacia
Post Oak	Q. Stellata
Black Oak	Q. Velutina
Red Maple	Acer Rubrum
Black Walnut	Juglans Nigra
River Birch	Betula Nigra
Blackgum	Nyssa Sylvatica
Sassafras	Sassafras Albidum
Buckeye	Aesculus Spp.
Scarlet Oak	Q. Coccinea
Bur Oak	Q. Marcocarpa
Shortleaf Pine	Pinus Echinata
Cherrybark Oak	Q. Pagoda
Shumard Oak	Q. Shumardii
Chestnut Oak	Q. Prinus
Silver Maple	Acer Saccharinum
Chinkapin Oak	Q. Muehlenbergii

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

Common Name	Botanical Name
Silverbell	Halesia Carolina
Cumcumbertree	Magnolia Acuminata
Southern Red Oak	Q. Falcata
Eastern Hemlock	Tsuga Candensis
Sugar Maple	Acer Saccharum
Eastern Red-Cedar	Juniperus Virginiana
Swamp Chestnut Oak	Q. Michauxii
Eastern White Pine	Pinus Strobus
Sweetgum	Liquidambar Stryaciflua
Green Ash	Fraxinus Pennsylvanica
Sycamore	Platanus Occcidentalis
Hickories	Carya Spp.
Water Oak	Q. Nigra
Kentucky Coffeetree	Gymnocladus Dioicus
White Ash	Fraxinus Americana
Loblolly Pine	Pinus Taeda
White Oak	Quercus Alba
Northern Catalpa	Catalpa Speciosa
Willow Oak	Q. Phellos
Northern Red Oak	Q. Rubra
Yellow-Poplar	Liriodendron Tulipifera
Accent Trees	
Alder	Alnus Serrulata
Red Buckeye	Aesculus Pavia
Allegheny Chinkapin	Castanea Pumila
Redbud	Cercis Canadensis

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

Common Name	Botanical Name
American Holly	Ilex Opaca
Serviceberry	Amelanchier Aborea
Buckthorn Bumelia	Bumelia Lyciodes
Shining Sumac	Rhus Copallina
Smoketree	Continus Obovatus
Devil's Walking Stick	Aralia Spinosa
Smooth Sumac	Rhus Galbra
Dogwood	Cornus Florida
Snowbell	Styrax Spp.
False Indigo	Amorpha Fruticosa
Sourwood	Oxydendron Arboreum
Fringetree	Chionanthus Virginicus
Staghorn Sumac	Rhus Typhina
Hawthorn	Crateagus Spp.
Striped Maple	Acer Pennsylvanicum
Hophornbeam	Ostrya Virginiana
Sweetbay	Magnolia Virginiana
Hornbeam	Carpinus Caroliniana
Sweetleaf	Symplocus Tinctoria
Mountain Maple	Acer Spicatum
Witch Hazel	Hamamelis Virginiana
Pawpaw	Asimina Triloba
Yellowwood	Cladrastis Lutea
Carolina Buckthorn	Rhamnus Caroliniana

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

3. When more than 20 trees are planted on used on a site to meet these regulations, a mix of trees (genera) shall be provided. The following table indicates the maximum percentage of same trees (same genus) that may be planted.

TABLE 4.3.16.D-2 (TREES - # PER GENERA)

Planted on Site	Minimum Number of Genera Required	Maximum Percentage of Any Genera
20 trees or less	1	Not Applicable
21 to 50 trees	2	70 percent
51 to 100 trees	3	50 percent
101 to 200 trees	4	40 percent
200 to 500 trees	5	30 percent
Over 500 trees	6	25 percent

4. Shrubs when planted as a hedge, the maximum spacing for shrubs shall be 40 inches on center.
5. Canopy trees shall have a planting area no less than 10 feet wide in all dimensions. Accent and substitution trees shall have a planting area no less than eight feet wide in all dimensions. This requirement may be modified administratively by the Zoning Administrator.
6. Plants shall be mulched a minimum of three inches deep. Where selected plant material is not tolerant of deep mulch, a specific note regarding shallower mulch shall be set forth on the final landscape plan and approved by the City as part of the landscape plan. Mulch shall be kept away from tree trunks.
7. Where specified, Building foundation planting shall meet the following requirements:
- a. Foundation plantings shall be placed within five feet of the building perimeter. If the Zoning Administrator determines that, due to site design considerations such as the location of sidewalks, plazas or service areas, this is not feasible, such plant materials may be located in planter boxes or in the areas of the site in a manner that enhances the overall landscape plan for the development.
 - b. One shrub shall be required as foundation planting for every ten (10) linear feet of Facade for Non-Residential Uses.
8. Any plant materials required for Screening must be evergreen and have an opacity of at least 90% from the ground through the full height of the plant.
9. At the time of installation, trees must be a minimum two and a half inches (2.5 in.) caliper measured three feet (3 ft.) from the base of the trunk.
10. At the time of installation, Shrubs must be a three (3) gallon container minimum and a minimum height above ground level of 30 in.
11. Plantings must not conflict at installation or maturity with the location of any other required Building and Building Site elements or other plantings.
12. Ground vegetation or Shrub plantings with spines, thorns or needles that may present hazards to pedestrians, bicyclists or vehicles are prohibited in the first two feet of the First Layer.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

E. Placement of Trees and Shrubs

1. Proposed trees and shrubs must be placed minimally 18 in. from any Sidewalk or pavement edge, measured from the center of the plant.
2. No trees shall be planted in wet retention ponds or drainage maintenance Easements.
3. Trees and shrubs shall be installed at least five feet away from the flow line of a drainage facility unless specifically designed as water quality measures adhering to best management practices.
4. Existing trees may remain in dry retention ponds provided that the natural grade is undisturbed to the tree line, they are a species adapted to seasonal flooding and the pond is adequately maintained.
5. Accent trees listed in **Table 4.3.16.D-1 (Native Plants of the Tennessee Valley)** and shrubs shall be allowed in access Easements, provided a minimum 20-foot-wide travel way is maintained clear of vegetation, and all clear sight triangle requirements are met.
6. Trees may be planted in Easements for underground utilities with approval by the City and any applicable utility provider, provided the root structure of the proposed tree is not anticipated to extend more than three feet below the ground. Shrubs may be planted, provided they are only within the outer three feet of the Easement. Where such trees and shrubs are planted, the property owner shall be responsible for replacement of such required vegetation if maintenance or other utility requirements require their temporary removal.

F. Artificial Plants / Turf

Artificial plants or artificial turf are prohibited, except on active recreation fields that are typically subject to intense use and soil compaction that prohibits the establishment of turfgrass.

G. Establishment

All required landscape areas must be watered and fertilized as necessary to ensure establishment within the first year planted in accordance with best landscape practices.

H. Screens

Screens must be provided in accordance with Section 4.3.11.

I. Soils

Soil shall be uncompacted coarse loam that is a minimum of 12 inches deep. Soils shall be appreciably free of gravel, stones, rubble or trash. All compacted soil, contaminated soil or road base fill shall be removed. Under no circumstances shall soils have greater than 5% or less than 0.5% organic matter.

J. Condition of Plants

Plants must have normal, well-developed branches and vigorous root systems.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

K. Pavement of First Layer

The First Layer shall not be paved, except for the following:

1. Driveways, and
2. Pavement matching the adjoining Public Frontage in Character Districts CD-4, CD-4C, CD-5, and CD-5C, where the Building is set back no more than five feet (5 ft.) from the Front Lot / Building Site Line.

L. Tree Protection

1. Exemptions. The following Tree Removal activities are exempt from this Section 4.3.16.N:

- a. The tree proposed for removal is located:

- a) On a single-family residential Lot or Building Site of one acre or less that is not noted as a Critical Lot or Building Site; or
- b) On a Lot or Building Site in Districts CD-5 or CV;

2. Tree Removal. Existing trees on a Lot or Building Site or Development site shall not be removed or disturbed unless:

1. Trees are removed in accordance with an approved Development Plan or Master PUD Development Plan, site plan, Preliminary Plat, Building Permit, or grading permit that meets Sections 4.3.16.L.3 and 4.3.16.L.4; or

3. Tree Preservation Plan as part of any Application required for a Development Plan or Master PUD Development Plan, site plan, or Preliminary Plat, the Applicant shall submit a Tree Preservation Plan with the following information:

1. The Lot or Building Site lines associated with the proposed development;
2. A recent aerial photograph with date photograph was taken;
3. The location and extent of the existing on-site tree canopy, including an estimate of the total percentage of the parcels covered by the existing on-site tree canopy;
4. The exact location, health, and size of all Specimen Trees; however, in the instances of large established tree stands, the Zoning Administrator may accept an approximation of the location, health, and size of Specimen Trees if the trees are not being counted towards landscape requirements, or if the trees are located within a designated Tree Save Area; and
5. The minimum tree canopy retention requirement.

4. Protection of Tree Canopy.

- a) Tree Removal activities associated with Agricultural Uses are exempt from this Section 4.3.16.L.3.
- b) A percentage of the existing tree canopy shall be retained on a Development or construction site in accordance with **Table 4.3.16.L (Tree Canopy Cover Retention)** below:

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

TABLE 4.3.16.L TREE CANOPY COVER RETENTION

Existing Tree Canopy Cover (as % of Total Development, Lot or Building Site Size)	Minimum Tree Canopy Retention by Zoning District (as % of Total Tree Canopy Cover)		
	CD-2 CD-3L CD-3 CD-4 CD-4C CD-5C SD-MHP SD-INT PUD-R PUD-MU	CD-4 CD-4C CD-5C SD-INT PUD-MU	SD-LI SD-HI
80% - 100%	30%	15%	10%
60% - 79%	36%	18%	11%
40% - 59%	45%	22%	12%
20% - 39%	48%	24%	13%
195 - Less	54%	26%	14%

1 Additional tree canopy retention may be required under other provisions of this Ordinance.

2 CD-5 and CV do not have a minimum tree canopy retention requirement.

3 Residential portions of Development or construction in noted Districts.

4 Non-Residential portion of Development or construction in noted Districts.

c) Designation of Tree Save Areas

1. The minimum tree canopy to be retained within a construction or Development site shall be located within designated Tree Save Areas, which shall include the areas occupied by the Critical Root Zones of all healthy trees being retained in accordance with this Section 4.3.16.L.3.
2. The location of Tree Save Areas shall be based on the presence of any one or more of the following:
 - a) Woodland forest;
 - b) Established tree stands;
 - c) Tree rows; or
 - d) Specimen Trees.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

3. Tree Save Areas shall be depicted as an open space, conservation easement, or Civic Space on the applicable Development Plan or Master PUD Development Plan, site plan, or Preliminary Plat, and recorded on the Final Plat, as applicable.

4. Each single-family residential Lot or Building Site with Tree Save Areas shall be identified on the applicable Development Plan or Master PUD Development Plan, site plan, or Preliminary Plat, and shall be platted on the Final Plat, if applicable.

d) Tree Save Area Priorities. Consideration shall be given to the following when determining locations for Tree Save Areas:

1. Woodland forests greater than five acres;
2. Riparian buffers or natural drainage courses;
3. Land with naturally occurring slopes of 20 percent or greater;
4. Habitat used by endangered or threatened species;
5. Scenic corridors and viewsheds;
6. Areas that could serve to extend existing greenways, trails, parks, or recreation areas; and
7. Areas needed for Buffers.

e) Removal of Trees in Tree Save Areas. The removal, damage, or destruction of trees within a Tree Save Area shall be a violation of this Ordinance and require mitigation in accordance with the following standards:

1. Any tree that is damaged or removed from the Tree Save Area shall be replaced at a rate of two caliper inches per one caliper inch removed, with each replacement tree having a minimum diameter of two caliper inches. If the total caliper inches removed cannot be determined, the area subject to Tree Removal shall be replanted at the rate of 80 trees per acre for each acre disturbed, or portion thereof. Replacement trees shall not be used to meet any other landscape requirements.
2. Replacement trees for trees removed from the Tree Save Area shall be planted in the Tree Save Area or, in cases where adequate room is not available, planted elsewhere on the Lot or Building Site or Development site. In cases where adequate room on the Lot or Building Site or Development site is not available as determined by the Decision-Making Authority for the applicable review mitigation may take the form of planting on a site within 1,320 feet of the Lot, Building Site, or Development Parcel
3. Following notice of violation from the Zoning Administrator related to this Section 4.3.16.L, no Decision-Making Authority shall review or approve any application for the site from the date of the violation until:

(a) A replacement plan has been approved by the Zoning Administrator and a performance guarantee for the associated replacement has been established in accordance with Section 1.26; or

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

5. Protection of Specimen Trees

a) General Protections.

1. Specimen Trees shall not be cut, removed, pushed over, killed, or otherwise harmed, except as exempted by Section 4.3.16.L.1 and allowed by Section 4.3.16.L.5.c.
2. The area within the Critical Root Zone, known as the Tree Protection Zone, of any Specimen Tree shall not be subject to any disturbance unless the disturbance is based on an ISA certified arborist report stating that the proposed construction shall cause no harm to the tree and is approved by the Zoning Administrator.

b) Designation on Plans and Plats.

Each single-family Residential Lot or Building Site with Specimen Trees shall be identified on each Development Plan, Master PUD Development Plan, and site plan and Final Plat, if applicable, noting that there is a Specimen Tree on such Lot or Building Site, which must be preserved and cannot be removed.

c) Removal and Replacement of Specimen Trees. The removal, damage, or destruction of Specimen Trees shall be a violation of this Ordinance and require mitigation in accordance with the following standards:

1. Two caliper inches of replacement trees shall be provided for each caliper inch of Specimen Tree removed. Each replacement tree shall be a minimum of two and a half caliper inches, and shall either be replanted within 12 months of the removal of the Specimen Tree, or within a timeframe approved by the Zoning Administrator. Performance guarantees for the associated replacement, if warranted in the opinion of the Zoning Administrator, shall be established in accordance with Section 1.26. Replacement trees shall not be used to meet any other landscape requirements.
2. Replacement trees shall be planted on the Lot or Building Site or as applicable, the Development Parcel, where the Specimen Tree was removed; however, in cases where space on the Lot or Building Site is insufficient, the Zoning Administrator may allow mitigation through planting on a site within 1,320 feet of the Lot or Building Site. In cases where space on the Development Parcel is insufficient, the Planning Commission may allow mitigation through planting on a site within 1,320 feet of the Development Parcel.

6. Tree Protection During Construction

a) Tree Protection Fencing

1. All Specimen Trees in a Tree Protection Zone and the perimeter of Tree Save Areas shall be fenced in accordance with this Subsection before any Development or construction activity begins. Fencing shall extend at least one foot in distance from the edge of the tree for each inch of diameter at breast height (DBH), so that, at a minimum, each tree's Critical Root Zone is protected, but no case shall the tree fence be less than ten feet from the trunk. The Zoning Administrator shall consider existing site conditions in determining the exact location of any tree protection fencing.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

2. All fencing required by this Subsection shall be chain link fencing at least four feet in height and secured using appropriate posts spaced not more than ten feet apart. Such chain link fencing is not required to be vinyl coated.
3. Signs that are visible on all sides of the fenced-in area shall be installed on the tree protection fence at a rate of at least one sign for every 150 linear feet. The size of each sign must be a minimum of two feet by two feet and shall contain the following language in English and Spanish: "TREE PROTECTION ZONE: KEEP OUT. ZONA DE LA PROTECCION DEL ARBOL. NO SE PERMITE ENTRAR".
4. All tree protection measures shall be inspected by and approved by the Zoning Administrator prior to start of any Development or construction activities. Failure to install tree protection measures prior to the commencement of construction is a violation of this Ordinance.
5. The tree protection fencing shall be clearly shown on the Development Plan, Master PUD Development Plan, and site plan. No construction, grading, equipment or material storage, or any other activity shall be allowed within the fenced area except in accordance with the standards in Section 4.3.16.L.6.b.
6. Fencing shall be maintained until the Development or construction activities are complete.

b) Encroachments into Critical Root Zones

1. Encroachments within the Critical Root Zones of trees protected in accordance with this Subsection shall occur only in rare instances where no alternatives exist, such as may be required for the installation of streets, internal drives, sidewalks, or utilities.
2. If unauthorized encroachments occur, leading to trees being damaged during construction activities, the trees shall be replaced at a one caliper inch to one caliper inch ratio.

c) Owner's Responsibility During Development.

The owner, or if the owner is different from the developer, the developer, shall be responsible for the erection of all barriers necessary to protect any existing or installed trees from damage both during and after construction in accordance with the standards of this Subsection.

4.3.17 PRIVATE LIGHTING STANDARDS

The following standards and requirements are applicable within all Districts and Civic Districts:

A. Areas to be Lighted

All Parking Areas, Parking Lots, Parking Structures, and access ways within the Lot or Building Site shall be lighted.

B. Lighting Standards

1. A lighting standard shall be no event higher than 30 feet in Non-Residential Parking Areas and Parking Lots or 15 feet in other areas.
2. Additional standards may apply within a Historic District, Historic Landmark District, or with respect to a Historic Structure.

ARTICLE 4: BUILDING LOT & BUILDING SITE STANDARDS

C. Illumination

1. Illumination at all Building Site Lines must meet the standards of Table 4.3.17.B (Private Lighting Standards); provided that a minimum of one foot-candle (1.0 fc) of illumination must be provided throughout all Parking Areas, Parking Lots, and Parking Structures.

TABLE 4.3.17.B (PRIVATE LIGHT STANDARDS)

District	Min./Max. Lighting Level at Frontage Line
CD-2, CD-3L & CD-3	0 – 1.0 FC
CD-4, CD-4C & SD-MHP	0 – 1.0 FC
CD-5, CD-5C, SD-LI, SD-HI, PUD-R & MU	1.0 - 2.0 FC
Others PUD's	Per approved PUD standards

2. Lighting fixtures shall be mounted in a manner so that the cone of illumination is contained on-site and does not cross any property line of the site.
3. Lighting shall not be oriented so that it directs glare or excessive illumination onto Streets in a manner that may distract or interfere with the vision of drivers.
4. Any fixtures used to accent architectural features, landscaping, or art shall be located, aimed or shielded to minimize light spill into the night sky.
5. Use of illuminated tubing or light strings outlining or defining property lines, sales areas, roof lines, doors, windows or similar areas or features in a manner that is not primarily for safety purposes, as determined by the Zoning Administrator, is prohibited. This paragraph shall not limit the use of lights illuminating outdoor dining or gathering areas.
6. Lighting for Internal Drives is not subject to this Section 4.3.17, but must comply with the Public Lighting Standards set forth in Article 5.

D. Building Spotlights

Spotlights on Buildings shall not be used to meet the lighting requirements of this Ordinance.

E. Limitation on Periods of Use

Outdoor recreation areas Adjacent to Residential Uses or Districts shall not be illuminated after 10 PM Sunday through Thursday, and 11 PM Friday and Saturday.

4.3.18 SIGNAGE

All signage must comply with the standards and requirements of Article 7 (Sign Standards).

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

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ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

ARTICLE 5 DEVELOPMENT PARCEL STANDARDS

SECTION 5.1 DEVELOPMENT PARCEL STANDARDS

5.1.1 DEFINITION OF DEVELOPMENT PARCEL

Development Parcel is defined in Article 9 (Definitions).

5.1.2 APPLICABILITY

This Article applies to all Development Parcels located or proposed within the City, except as otherwise provided in Section 1.22 with respect to Nonconformities.

5.1.3 PLANS APPLICABLE TO DEVELOPMENT PARCEL

Except as otherwise provided in Section 1.22 with respect to Nonconformities, none of the following shall occur with respect to any project or proposal involving a Development Parcel, except in compliance with this Article 5, the Official Zoning Map, and pursuant to a Development Plan or Master PUD Development Plan that conforms with and has been prepared, submitted, reviewed and approved in accordance with Section 8.5.6, this Article 5, and all other standards and requirements applicable thereto:

A. Construction Activities

Construction, re-construction, Alteration, modification, raising, moving, extending, reducing, or enlarging any Structure;

B. Development Activities

Development, re-Development, Improvement, of any Lot, Building Site, or other parcel of land;

C. Subdivision

Subdivision, or re-subdivision of any Lot, Building Site, or other parcel of land, except when approved by the Zoning Administrator and City Engineer in order to facilitate the orderly division of land for subsequent development review, any subsequent use of the property shall require review and approval of a Development Plan or Master PUD Development Plan;

D. Use

Use of any Structure, Lot, Building Site, or other parcel of land;

E. Applications and Actions

Filing, issuing, applying for, certifying, or approving any subdivision application or plat, Building Permit, Development Plan or Master PUD Development Plan, or other Zoning Permit, relating to, or subdividing, re-subdividing, except as provided in 5.3.1.C commencing Construction on, or Developing, or Improving any part of a Development Parcel.

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

5.1.4 PEDESTRIAN SHEDS

A. Parcel to be Based on Pedestrian Shed

Each Development Parcel shall be based upon one or several proposed or existing Standard or Linear Pedestrian Sheds, as applicable, located according to existing conditions, such as traffic intersections, Adjacent Development, and natural features.

B. Common Destination

Each Pedestrian Shed shall have a Common Destination near its center. See **Illustration 5.1.4.B-1 (Standard Pedestrian Shed)** and **Illustration 5.1.4.B-2 (Linear Pedestrian Shed)**.

C. Parcel / Site Size Relative to Pedestrian Shed Size

A Development Parcel and the overall plan may be smaller or larger than the Pedestrian Shed within which it is situated.

**ILLUSTRATION 5.1.4.B-1
STANDARD PEDESTRIAN SHED**

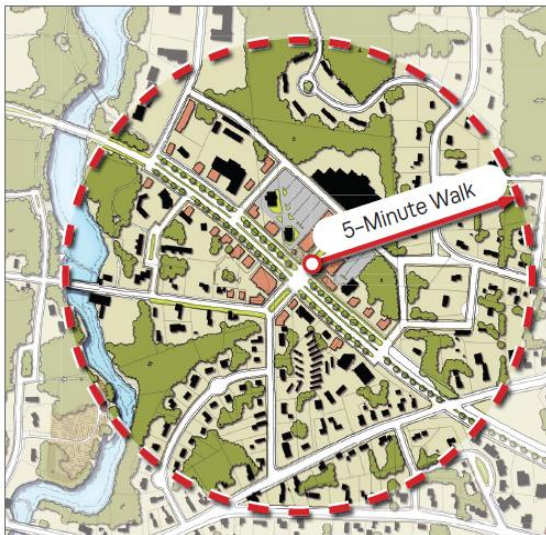
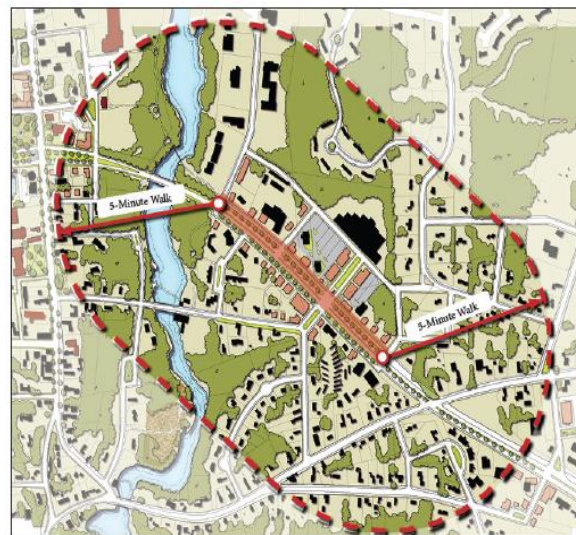


**ILLUSTRATION 5.1.4.B-2
LINEAR PEDESTRIAN SHED**



5.1.5 THOROUGHFARE / INTERNAL DRIVE NETWORK.

The Thoroughfare and Internal Drive network shall be laid out according to Section 5.2.

5.1.6 BUILDING TYPES

Within each District of a Development Parcel or Plan of 10 acres or more, there shall be a mix of Building Types in compliance with **Table 5.1.6 (Building Type Mix)**.

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

TABLE 5.1.6 (BUILDING TYPE MIX).

DISTRICT	BUILDING TYPES	PERMITTED SHARE OF TOTAL BUILDING FRONTAGE WIDTH
CD-4	Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily	85% max, with Large Multifamily < 20% of Total CD-4 Frontage width
	Total of Commercial, Mixed Use & Flex	15% min Frontage width
CD-4C	Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily	85% max, with Large Multifamily < 20% of Total CD-4C Frontage width
	Total of Commercial, Mixed Use & Flex	15% min Frontage width
CD-5	Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily	85% max, with Large Multifamily < 20% of Total CD-5 Frontage width
	Total of Commercial, Mixed Use & Flex	30% min Frontage width
CD-5C	Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily	85% max, with Large Multifamily < 20% of Total CD-5C Frontage width
	Total of Commercial, Mixed Use & Flex	15% min Frontage width
PUD-R	Any single permitted Building Type	Determined by Decision Making Authority
PUD-MU	Total of Commercial, Mixed Use, Flex & Mid-Rise	40% min

5.1.7 USES

Within each District of a Development Parcel or Plan of 10 acres or more, there shall be a mix of Principal Uses in compliance with **Table 5.1.7 (Principal Use Mix)**.

TABLE 5.1.7 (PRINCIPAL USE MIX)

MAX RESIDENTIAL USE % OF NET SITE AREA	
CD-4	85% max
CD-4C	85% max
CD-5	70% max
CD-5C	70% max
SD-INT	40% max
SD-LI	40% max
SD-HI	None Permitted
PUD-MU	40% max

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

SECTION 5.2 THOROUGHFARES, INTERNAL DRIVES & ALLEYS

5.2.1 GENERAL

Thoroughfares, Internal Drives, and Alleys shall be provided within and Adjacent to each Development Parcel, as necessary to comply with this Article 5.

5.2.2 THOROUGHFARE & INTERNAL DRIVE STANDARDS

Any Thoroughfares, Internal Drives, and Alleys within or Adjacent to a Development Parcel shall comply with the following standards:

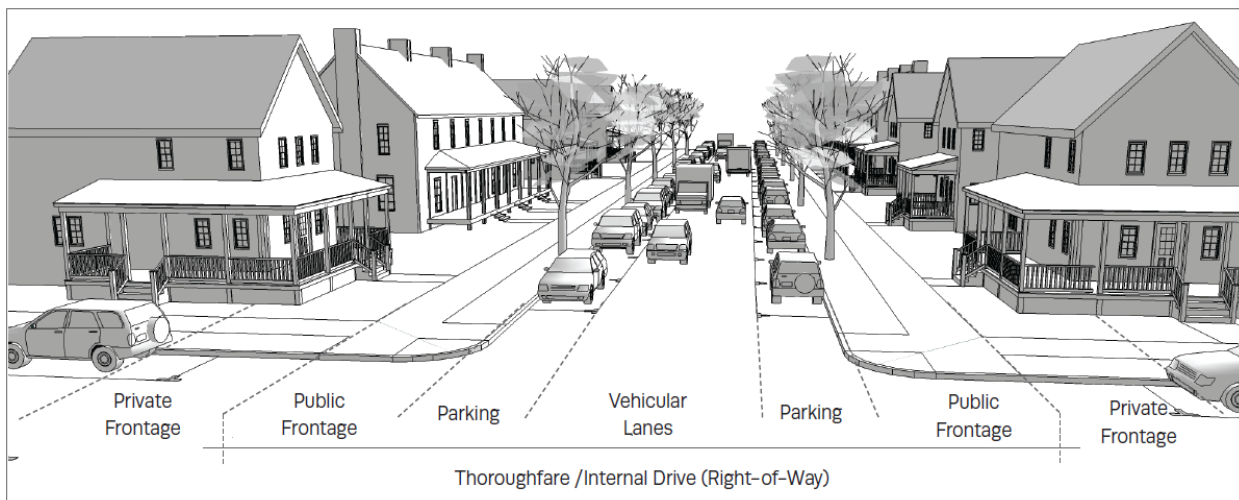
A. Access

Thoroughfares and Internal Drives shall provide for vehicular and non-vehicular traffic and provide Access to Lots or Building Sites and Civic Spaces. Alleys, where provided, shall provide for vehicular Access to the side or rear of Lots or Building Sites and Civic Spaces.

B. Components

1. Each Thoroughfare and Internal Drive shall consist of Public Frontage, Vehicular Travel Lanes, and any required Vehicular Parking Lanes, any allowed Loading Spaces, and any required Bicycle Accommodations. See **Illustration 5.2.2.B-1 (Thoroughfare / Internal Drive Components)** and details shown in the Engineering Standards & Specifications.

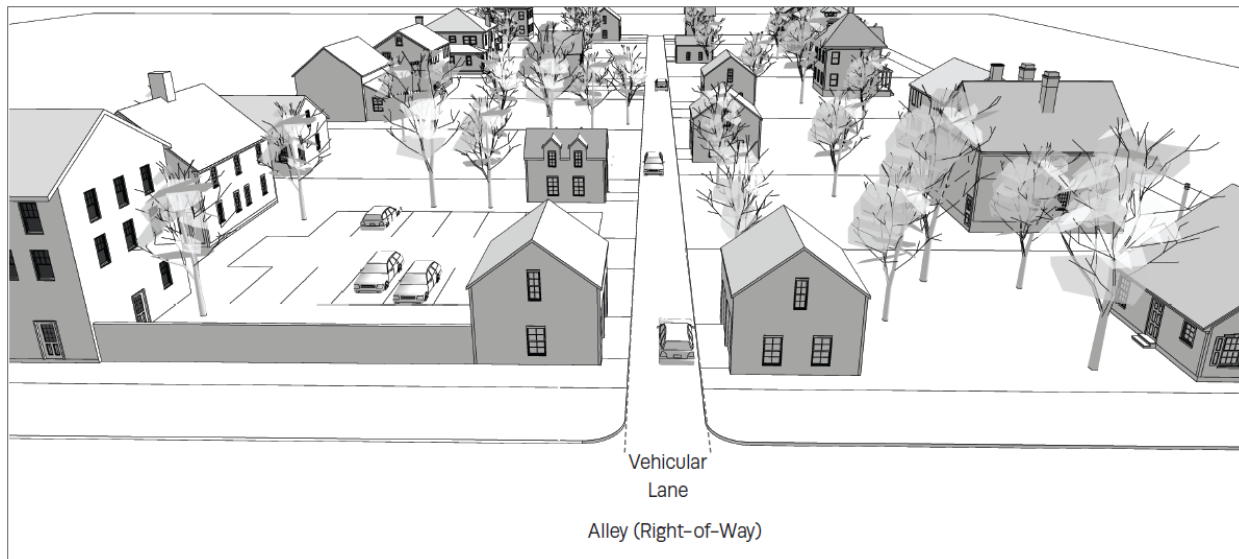
ILLUSTRATION 5.2.2.B-1 THOROUGHFARE / INTERNAL DRIVE COMPONENTS



Each Alley shall consist of the elements shown in the Engineering Standards & Specifications.

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

ILLUSTRATION 5.2.2.B-2 ALLEY COMPONENTS



C. Thoroughfares / Internal Drives in Multiple Districts

The Public Frontages of Thoroughfares that pass from one District to another shall be adjusted accordingly or, alternatively, may follow the alignment of the Thoroughfare to the depth of one Lot or Building Site, retaining a single Public Frontage throughout its trajectory.

D. Blocks

1. Thoroughfares and Internal Drives shall be provided and designed to define Blocks, subject to adjustment by Waiver of the Zoning Administrator at the edge of a Development Parcel or to accommodate specific site constraints.
2. Blocks shall not exceed the applicable perimeter size prescribed in **Table 5.2.2.D (Block Perimeter Standards)**, measured as the sum of Lot or Building Site Frontage Lines subject to adjustment by Waiver of the Zoning Administrator at the edge of a Development Parcel. **TABLE 5.2.2.D BLOCK**

PERIMETER STANDARDS

DISTRICT	MAX PERIMETER
CD-2	Not Regulated
CD-3L	3600 ft max
CD-3	2800 ft max
CD-4, CD-4C, SD-MHP	2400 ft max
CD-5, CD-5C, PUD-R & PUD-MU	2,000 ft. max or 3,000 ft. max if a Parking Structure provided within Block
SD-INT, SD-LI, SD-HI & CV	Not Regulated
OTHER PUDs	Per approved Master PUD Development Plan

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

E. Network / Connections

1. Thoroughfares and Internal Drives shall terminate at other Thoroughfares or Internal Drives, forming a network, connecting wherever possible to Thoroughfares or Internal Drives on Adjacent sites.
2. Cul-de-sacs are prohibited except where approved by Waiver of the Zoning Administrator to accommodate specific site conditions.

F. Thoroughfare / Internal Drive Types

Each Thoroughfare or Internal Drive shall be one of the types described in **Table 5.2.2.F (Thoroughfare/Internal Drive Types – Summary)** for the applicable District.

TABLE 5.2.2.F THOROUGHFARE / INTERNAL DRIVE TYPES – SUMMARY

ESS DETAIL	APPLICABLE DISTRICT	NAME
DS02	CD-2	RURAL NEIGHBORHOOD CURBED
DS06	CD-3L	LARGE LOT NEIGHBORHOOD
DS10	CD-3	SUBURBAN NEIGHBORHOOD PARALLEL BOTH SIDES
DS11	CD-3	SUBURBAN NEIGHBORHOOD PARALLEL PARKING ONE SIDE
DS12	CD-3	SUBURBAN NEIGHBORHOOD NO PARALLEL PARKING
DS13	CD-3	SUBURBAN BOULEVARD PARALLEL PARKING BOTH SIDES
DS14	CD-3	SUBURBAN BOULEVARD NO PARALLEL PARKING
DS18	CD-4	URBAN NEIGHBORHOOD PARALLEL PARKING BOTH SIDES
DS19	CD-4	URBAN NEIGHBORHOOD NO PARALLEL PARKING
DS20	CD-4C	URBAN CENTER PARALLEL PARKING BOTH SIDES
DS21	CD-4C	URBAN CENTER NO PARALLEL PARKING
DS22	CD-4/CD-4C	URBAN BOULEVARD PARALLEL PARKING BOTH SIDES
DS23	CD-4/CD-4C	URBAN BOULEVARD NO PARALLEL PARKING
DS24	CD-4/CD-4C	URBAN BOULEVARD 4 LANE
DS25	CD-4/CD-4C	URBAN AVENUE PARALLEL PARKING BOTH SIDES
DS26	CD-4/CD-4C	URBAN AVENUE NO PARALLEL PARKING
DS27	CD-4/CD-4C	URBAN AVENUE 4 LANE
DS34	SD-LI/SD-INT/SD-HI	INDUSTRIAL TWO LANE
DS35	SD-LI/SD-INT/SD-HI	INDUSTRIAL THREE LANE
DS39	CD-4/4-C/CD-5	INTERNAL DRIVE COMMERCIAL AND MIXED-USE
DS40	SD-LI/SD-INT/SD-HI	INTERNAL DRIVE INDUSTRIAL

Thoroughfares shall conform to the applicable standard detail in the City of Columbia Engineering Standards and Specifications (ESS). Where multiple standard details are available, the Zoning Administrator shall determine which standard is appropriate. The City Engineer may modify the composition of a Thoroughfare assembly as described in the ESS. The Zoning Administrator shall assign an appropriate Thoroughfare assembly for any Planned Unit Development based on the Character District with the most similar density, intensity, and character.

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

G. Assemblies & Standards

Thoroughfares and Internal Drives within Districts and Adjacent to Districts shall conform to the applicable standards for such Districts set forth in the City of Columbia Engineering Standards & Specifications. All street specifications shall meet engineering standards and are subject to approval by the Planning Commission. Elements of the street sections may be altered and approved by the City Engineer.

1. Boulevards and Avenues Required.
 - a) A portion of thoroughfares shall be Boulevards or Avenues for Development Parcels in character districts CD-3, CD-4, CD-4C, PUD-R, and PUD-MU, where:
 1. The total centerline length of all proposed Thoroughfares exceeds 19,999 linear feet;
 2. The number of residential units within the Development Parcel, or within a common scheme of development, exceeds 299; or
 3. Total frontage of all non-residential Lots and Building Sites exceeds 499 feet.
 - b) Boulevards and Avenues shall comprise a portion of the total Thoroughfare length in each Development Parcel with the following districts:
 - c) Boulevards and Avenues shall be continuous in nature where possible and generally provide a continuous path from the entrance through the site.
2. Where a Traffic Impact Study indicates Average Annual Daily Traffic exceeds 1,200 trips per day, a 4-Lane Avenue shall be provided.

TABLE 5.2.2.G.1

APPLICABLE DISTRICT	BOULEVARDS/AVENUES SHARE OF DEVELOPMENT PARCEL ROADWAYS
CD-3	10%
CD-4	10%
CD-4C	20%
PUD-R	20%
PUD-MU	20%

H. Additional Pedestrian Walkways

1. Pedestrian Access
 - a) Pedestrian ways, linkages and paths shall be provided from the Main Entrance of each principal Building to surrounding Thoroughfares, Internal Drives, external sidewalks, and Adjacent parcels.
 - b) Pedestrian ways shall be designed to provide access between Parking Lots and Parking Areas and Building public entrances.
 - c) At least one handicapped accessible route in accordance with all applicable regulations adopted by the City shall connect Buildings, facilities, elements and Parking spaces that are on the same Lot, Building Site, or Development Parcel.
2. Pedestrian Crosswalks

Crosswalks shall provide pedestrian access from Buildings to Parking Lots, Parking Areas and off-site Parking spaces, and shall be clearly designated with signage and variations in pavement materials or markings.

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

I. Sight Triangle

At all Thoroughfare and Internal Drive intersections, the visibility standard of Section 4.3.3.G or Section 7.1.7.D shall be met.

J. Internal Drives

Any Internal Drives shall be placed in a public access Easement and recorded as part of a Final Plat.

K. Alleys

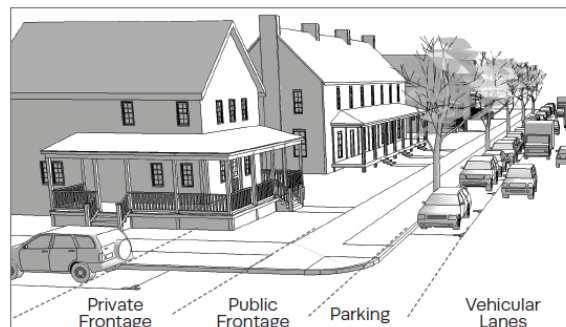
Alleys shall comply with the assembly and standards of the City of Columbia Engineering Standards & Specifications.

5.2.3 PUBLIC FRONTAGES

A. Elements

The Public Frontage of any Thoroughfare or Internal Drive shall include the Sidewalk, Curb, planter, trees, bicycle accommodations, and lights, as required and designed in accordance with this Article 5, **Table 5.2.4.B (Bikeway Types)**, **Table 5.2.2.F (Thoroughfare & Internal Drive Types Summary)** and the City of Columbia Engineering Standards & Specifications. Trees are not required along any side of a Thoroughfare that is contiguous to a Civic Space.

ILLUSTRATION 5.2.3 PUBLIC FRONTAGE



B. Civic Districts

Within Civic Districts, the Public Frontage shall comply with the Public Frontage standards applicable to any Adjacent Character District.

C. Plantings Provided by Owner

1. Within the Public Frontage, Public Planting, if any is required or is to be provided, shall be provided by the property Owner in accordance with the City of Columbia Engineering Standard & Specifications, provided that the spacing may be adjusted by Administrative Adjustment of the Zoning Administrator to accommodate specific site conditions.
2. Tree species shall be selected from **Table 4.3.16.D-1 (Native Plants of the Tennessee Valley)**; provided that coniferous trees are not allowed within the Public Frontage. The Zoning Administrator may approve alternative tree species where appropriate.

D. Tree Height at Maturity

The Public Frontage shall include trees with shade canopies of a height which, at maturity, leaves clear at least one Story.

E. Plant Species

Other than Public Frontage trees prescribed by this Section, the introduced landscape shall consist primarily of durable native species and hybrids that are tolerant of soil compaction and require minimal irrigation, fertilization and maintenance.

F. Sidewalk Construction Standards

Sidewalks meeting the technical standards of the City Engineer and the standards and requirements set forth in the City of Columbia Engineering Standards & Specifications are required to insure pedestrian movement and safety.

G. Placement of Trees

Landscaping within the Public Frontage and landscaping within Civic Spaces shall comply with the following standards:

1. Trees shall be centered horizontally; and
2. Trees shall be placed minimally:
 - a) At least two (2) feet from walkways, curbs, and other impervious surfaces if planted in a tree well or continuous planter;
 - b) At least three (3) feet from walkways, curbs, and other impervious surfaces if planted in a continuous Swale or uncontained area.
 - c) At least five (5) feet from street lights, utility meters and service lines, fences, walls and other ground level obstructions;
 - d) At least six (6) feet from porch eaves, awnings and similar overhead obstructions associated with the ground level of Buildings; and
 - e) At least eight (8) feet from balconies, verandas, Building eaves and cornices, and similar overhead obstructions associated with the upper stories of Buildings.

H. Tree Size - Installation

At installation, trees shall be a minimum of two and a half inches (2.5") in caliper, measured three feet (3') above the ground and a minimum of ten feet (10') tall.

I. Shrub Size

At installation, Shrubs shall be a three (3) gallon container minimum and a height of 30 inches minimum. Shrubs shall be 18" minimum clear from any Sidewalk or pavement edge at the Lot Line or Building Site Line.

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

J. Bare / Exposed Ground

All bare or exposed ground on the site and in landscaped areas shall be covered with live plant materials and/or mulch, with the following exceptions:

1. Naturally occurring creek beds, rock outcroppings or similar landscape features typically lacking in vegetation.
2. Hiking trails and/or traces.
3. Clay or sand surfaces associated with recreation fields and facilities.

K. Artificial Plants / Turf

Artificial plants and artificial turf are prohibited.

L. Water Features

Constructed water features such as fountains, streams and ponds that operate with water recirculation systems shall be designed to prevent seepage and leaks.

M. Minimum Requirements

Except as otherwise required by Sections 5.2.3.H and 5.2.3.I, all plant materials shall comply with the minimum container size, class and other requirements outlined in American Standards for Nursery Stock (ANSI Z60.1-2004) published by the American Nursery and Landscape Association (ANLA) or other local Nursery Association Standards.

N. Prevention of Compaction

The soil structure of planting strips shall be protected from compaction with a temporary construction fence. Standards of access, excavation, movement, storage and backfilling of soils in relation to the construction and maintenance of deep utilities and manholes shall be specified.

O. Compacted Soils

Landscape soils that have been compacted during construction activities shall be loosened and aerated to a depth of at least six (6) inches before planting.

5.2.4 BICYCLE ACCOMMODATIONS

A. Bicycle Parking

Bicycle Parking shall be provided in accordance with Section 4.3.13.

B. Bikeway Types

1. A bicycle network comprised of the various allowed Bikeway Types indicated in **Table 5.2.4.B (Bikeway Types)** shall be provided through each Development Parcel of 10 acres or more.
2. The total length of the bicycle network provided must meet or exceed the total combined centerline length of roadways with a functional classification of Major Local and Collector within the Development Parcel, as indicated by the Traffic Impact Study or designated by the City Engineer.
3. Development Parcels of 80 acres or more shall utilize a Bikeway Type of Shared Use Path, Bicycle Lane, or Protected Bicycle Lane. Shared Use Paths may be located in Civic Space.

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

C. Bikeway Network Connectivity

Bikeways established under this section shall connect to existing Bikeways within public rights-of-way and on Adjacent properties. Where no Bikeways currently exist, provision shall be made for future connections in the form of Bikeway Stubs. Such stubs should be placed in the location most suitable for continuation of the Bikeway in conjunction with development of the Adjacent property, as determined by the Zoning Administrator. The placement of Bikeways shall be consistent with the Parks & Greenways element of Connect Columbia.

D. Right of Way

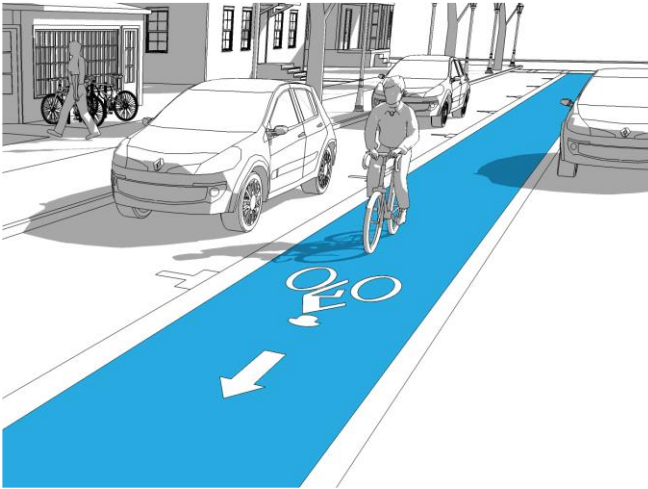
All Bikeways shall be placed in a public right-of-way or public access easement.

E. Bicycle Accommodation Standards – Civic Districts

Within Civic Districts, any bicycle accommodations shall comply with the standards applicable to any Adjacent Character District.

TABLE 5.2.4.B BIKEWAY TYPES

Bicycle Lane

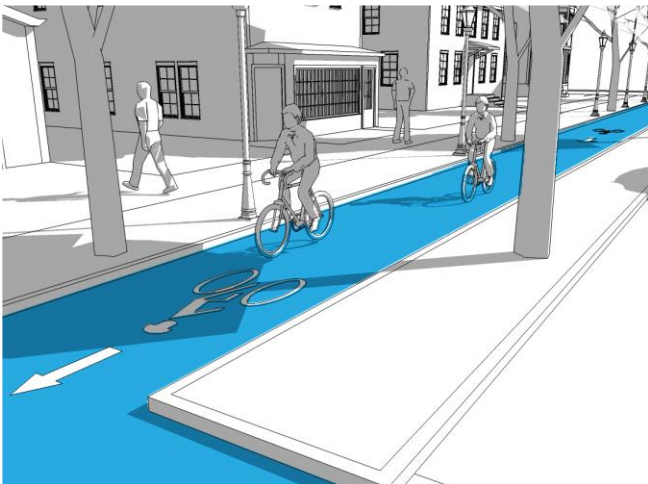


Permitted Districts

CD-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C
SD-MHP SD-INT SD-LI SD-HI PUD-R PUD-MU CV

Riding Surface Width	5 ft min
Buffer	None
Movement	With traffic
Intersection Detailing	Signalized, Peg-a-Track, colored, Bicycle Box
Bicycle Parking	Rack, bicycle shelter, bicycle station

Protected Bicycle Lane

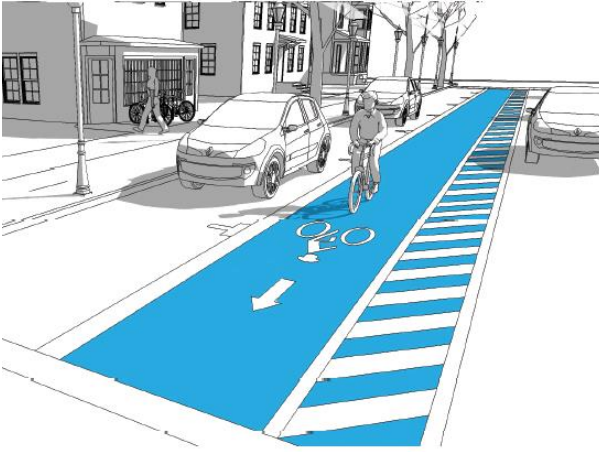


Permitted Districts

CD-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C
SD-MHP SD-INT SD-LI SD-HI PUD-R PUD-MU CV

Riding Surface Width	5 ft min
Buffer	3 ft min, painted buffer, curb, or planter strip
Movement	With traffic or dual direction
Intersection Detailing	Signalized, Peg-a-Track, colored, Bicycle Box
Bicycle Parking	Rack, bicycle shelter, bicycle station

Buffered Bicycle Lane

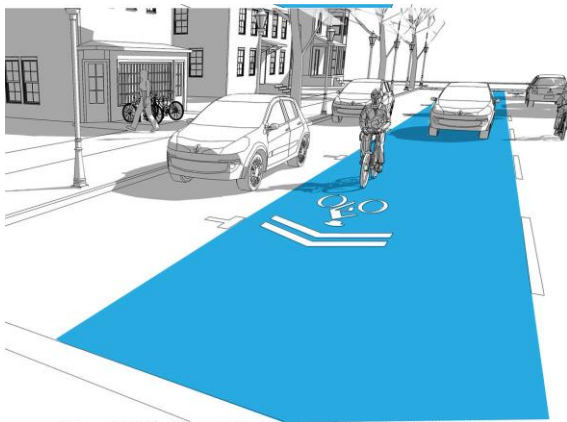


Permitted Districts

CD-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C
SD-MHP SD-INT SD-LI SD-HI PUD-R PUD-MU CV

Riding Surface Width	5 ft min each way
Buffer	2 ft min, painted buffer
Movement	With traffic or Contra-flow (2 lanes on the same side of the street or 1 lane on each side)
Intersection Detailing	Signalized, Peg-a-Track, colored, Bicycle Box
Bicycle Parking	Rack, bicycle shelter, bicycle station

Shared Use Lane

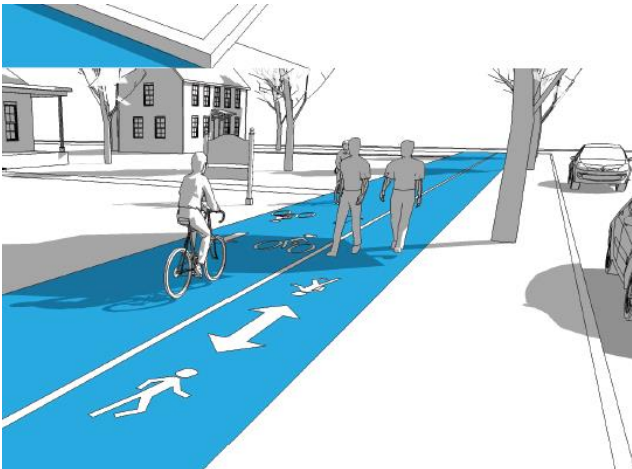


Permitted Districts

CD-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C
SD-MHP SD-INT SD-LI SD-HI PUD-R PUD-MU CV

Riding Surface Width	Same as Vehicular Lane with signs or sharrows at intervals established by the City Engineer
Buffer	None
Movement	With traffic
Intersection Detailing	Signed, Signalized
Bicycle Parking	Opportunistic, rack, Bicycle Shelter

Shared Use Path



Permitted Districts

CD-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C
SD-MHP SD-INT SD-LI SD-HI PUD-R PUD-MU CV

Riding Surface Width	10 ft min
Buffer	3 ft min, curb or planter strip
Movement	With traffic or dual direction
Intersection Detailing	Signed, Signalized, Peg-a-Track
Bicycle Parking	Rack, bicycle shelter, bicycle station

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

5.2.5 PUBLIC PLANTING

Public Planting shall be provided within the Public Frontage of Thoroughfares in accordance with **Table 5.2.2.F (Thoroughfare & Internal Drive Types - Summary)**, and **Table 5.2.5 (Public Planting)** and **Table 4.3.16.D-1 (Native Plants of the Tennessee Valley)**.

TABLE 5.2.5 PUBLIC PLANTING

TREE SHAPE		CD-2	CD-3L & CD3	CD-4 & CD4C	CD-5 & CD-5C	SD-MHP	SD-INT	SD-LI & SD-HI	PUD-R	PUC-MU	PUD-OTHERS	CV
Columnar		P	P	P	P	P	P	P	P	P	Per PUD approval	P
Oval		P	P	P	P	P	P	P	P	P	Per PUD approval	P
Rounded / Ball		P	P	P	P	P	P	P	P	P	Per PUD approval	P
Conical / Pyramid		P	P	P	NP, except in Civic Space or Open Space	P	P	P	NP, except in Civic Space or Open Space	NP, except in Civic Space or Open Space	Per PUD approval	NP, except in Civic Space or Open Space
Spreading / Umbrella		P	P	P	NP, except in Civic Space or Open Space	P	P	P	NP, except in Civic Space or Open Space	NP, except in Civic Space or Open Space	Per PUD approval	NP, except in Civic Space or Open Space
Vase		P	P	P	NP, except in Civic Space or Open Space	P	P	P	NP, except in Civic Space or Open Space	NP, except in Civic Space or Open Space	Per PUD approval	NP, except in Civic Space or Open Space
LEGEND The following notations are utilized in this table.		P Permitted		NP Not Permitted		PUD Per PUD Approval						

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

SECTION 5.3 CIVIC SPACES

5.3.1 CIVIC SPACE REQUIREMENT

A. PERCENTAGE OF CIVIC SPACE

Any Development Parcel shall include at least 5% of its gross acreage assigned as Civic Space(s). The Civic Space provided pursuant to this Section 5.3.1.A shall be in addition to all Yard, Setback, and Impervious Surface area required under this Ordinance and the Subdivision Regulations.

B. OTHER SPACES PERMITTED

These provisions do not restrict or prohibit supplemental open space and amenities in addition to the required Civic Space.

C. COMPLIANCE WITH CIVIC DISTRICT STANDARDS

All Lots, Building Sites, Buildings, Structures and Improvements within Civic Spaces shall comply with the standards applicable to Civic Districts in Table 4.3.1-M (District Standards-Civic).

D. CIVIC SPACE LOTS AND BUILDING SITE

1. Civic Spaces shall be located on Lots or Building Sites identified on a Final Plat, Site Development Plan, or Planned Unit Development Master Plan.
2. Civic Spaces are exempt from the prohibition of through-lots at Section 4.3.3.D.

5.3.2 CIVIC SPACES - DESIGN

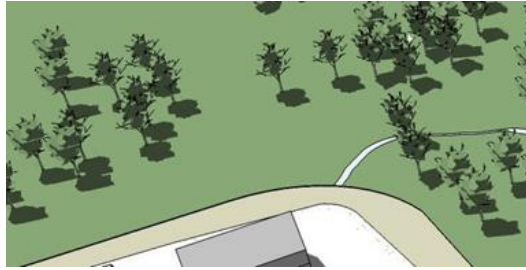
Civic Spaces shall be designed as generally described in **Table 5.3.2-A (Civic Space Types - Summary)** and **Table 5.3.2-B (Civic Space - Specific Standards)**. The Planning Commission may approve additional specifications for typical facilities within Civic Spaces. The selection of Civic Spaces and placement of Civic Spaces within a Development Parcel shall be consistent with the Parks & Greenways element of Connect Columbia.

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

TABLE 5.3.2-A CIVIC SPACE TYPES – SUMMARY

Natural Area

A natural area available for unstructured recreation. A Natural Area may be independent of surrounding Building Frontages. Its landscape shall consist of Paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Natural Areas may be lineal, following the trajectories of natural corridors. The minimum size is 8 acres.



CD-2
CD-3L
CD-3
CD-4
CD-4C

Green

An open area, available for unstructured recreation. A Green may be spatially defined by landscaping rather than Building Frontages. Its landscape shall consist of lawn and Trees, naturalistically disposed. The minimum size is 0.5 acre and the maximum is 8 acres



CD-2
CD-3L
CD-3
CD-4
CD-4C
SD-MHP
PUD-R

Square

An open area available for unstructured recreation and Civic purposes. A Square is spatially defined by Building Frontages. Its landscape shall consist of Paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares. The minimum size is 0.5 acre and the maximum is 5 acres.

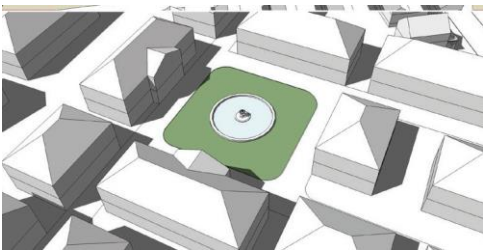


CD-4
CD-4C
CD-5
CD-5C
SD-MHP
SD-INT
SD-LI
SD-HI
PUD-R
PUD-MU

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

Plaza

An open area available for Civic purposes. A Plaza shall be spatially defined by Building Frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas shall be located at the intersection of important Thoroughfares. The minimum size shall be 0.5 acre and the maximum is 2 acres



CD-4
CD-4C
CD-5
CD-5C
SD-MHP
SD-INT
SD-LI
SD-HI
PUD-R
PUD-MU

Playground

An open area designed and equipped for the recreation of children. A Playground may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a Block. Playgrounds may be included within Natural Areas and Greens. There is no minimum or maximum size.



CD-2
CD-3L
CD-3
CD-4
CD-4C
CD-5
CD-5C
SD-MHP
SD-LI
PUD-R
PUD-MU

Sport Field or Court

An open area designed and equipped for team sports activities.



CD-2
CD-3L
CD-3
SD-LI
PUD-R

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

Pocket Park

A small predominantly green open area available for unstructured Passive Recreation.



- CD-3L
- CD-3
- CD-4
- CD-4C
- CD-5
- CD-5C
- SD-MHP
- SD-LI
- SD-HI
- PUD-R
- PUD-MU

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

TABLE 5.3.2-B CIVIC SPACE - SPECIFIC STANDARD

Natural Area



Permitted In / Adjacent to:

CD-2 CD-3L CD-3 CD-4 CD-4C

Intent

A natural area available for unstructured recreation. A natural area may be independent of surrounding Building Frontages. Its landscape shall consist of Paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Natural areas may be lineal, following the trajectories of natural corridors. The minimum size is 8 acres.

Specifications

Size 8 ac min.

Frontage Not Regulated

Character Natural

Typical Facilities

- Passive and active recreation
- Recreational and community facilities
- Playgrounds and play structures
- Paths and trails
- Accessory structures

Green



Permitted In / Adjacent to:

CD-2 CD-3L CD-3 CD-4 CD-4C

SD-MHP PUD-R

Intent

An open area, available for unstructured recreation. A Green may be spatially defined by landscaping rather than Building Frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size is 0.5 acre and the maximum is 8 acres.

Specifications

Size 0.5 ac min, 8 ac max

Frontage Independent

Character Informal

Typical Facilities

- Passive and active recreation
- Playgrounds and play structures
- Paths and trails
- Accessory structures

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

TABLE 5.3.2-B CIVIC SPACE - SPECIFIC STANDARD

Square



Permitted In / Adjacent to:

CD-4 CD-4C CD-5 CD-5C SD-MHP
SD-int SD-LI SD-HI PUD-R PUD-MU

Intent

An open area available for unstructured recreation and Civic purposes. A Square is spatially defined by Building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares. The minimum size is 0.5 acre and the maximum is 5 acres.

Specifications

Size 0.5 acres min.
5 acres max

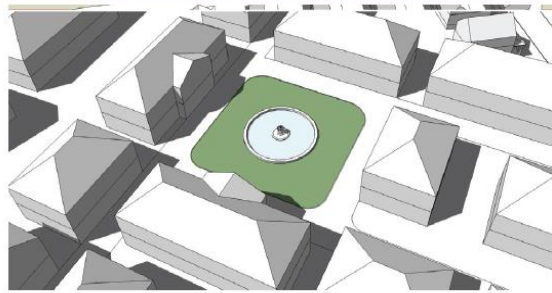
Frontage Buildings

Character Formal

Typical Facilities

- Passive Recreation
- Paths
- Accessory structures

Plaza



Permitted In / Adjacent to:

CD-4 CD-4C CD-5 CD-5C SD-MHP
SD-int SD-LI SD-HI PUD-R PUD-MU

Intent

An open area available for Civic purposes. A Plaza shall be spatially defined by Building Frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas shall be located at the intersection of important Thoroughfares. The minimum size is 0.5 acre and the maximum is 2 acres.

Specifications

Size 0.5 ac min.
2 ac max

Frontage Buildings

Character Formal

Typical Facilities

- Passive Recreation
- Paths
- Accessory structures
- Water features

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

TABLE 5.3.2-B CIVIC SPACE - SPECIFIC STANDARD

Playground



Permitted In / Adjacent to:

CD-2 CD-3L CD-3 CD-4 CD-4C CD-5

CD-5C SD-MHP SD-LI PUD-R

PUD-MU

Intent

An open area designed and equipped for the recreation of children. A Playground may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a Block. Playgrounds may be included within Natural Areas and Greens. There is no minimum or maximum size.

Specifications

Size	No min. No max
Frontage	Buildings
Character	Formal or Informal

Typical Facilities

- Active recreation
- Play structures
- Paths
- Water features

Sport Field or Court



Permitted In / Adjacent to:

CD-2 CD-3L CD-3 SD-LI PUD-R

Intent

An open area designed and equipped for team sports activities.

Specifications

Size	No min. No max
Frontage	Buildings
Character	Formal

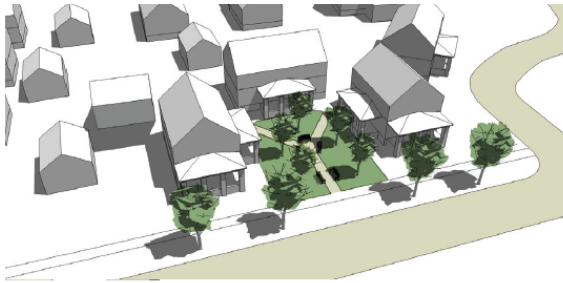
Typical Facilities

- Active recreation
- Play structures

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

TABLE 5.3.2-B CIVIC SPACE - SPECIFIC STANDARD

Pocket Park



Permitted In / Adjacent to:

CD-3L

CD-3

CD-4

CD-4C

CD-5

CD-5C

SD-MHP

SD-LI

SD-HI

PUD-R

PUD-MU

Intent

A small predominantly green open area available for unstructured Passive Recreation.

Specifications

Size	500 sq. ft. min. 0.5 acres max.
Frontage	Independent
Character	Formal

Typical Facilities

- Passive Recreation
- Community gardens
- Playgrounds and play Structures
- Paths and trails
- Limited transient commercial concessions

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

5.3.3 CIVIC SPACES REQUIRED

Each Development Parcel of 10 acres or more shall provide the following:

A. Main Civic Space

Each Pedestrian Shed within such Development Parcel shall contain at least one Main Civic Space of the Green, Square, or Plaza type, as permitted within the applicable District and conforming to **Table 5.3.2-A (Civic Space Types - Summary)** and **Table 5.3.2-B (Civic Spaces – Specific Standards)** 4.3.1-A– 4.3.1-O, within 800 feet of the geographic center of such Pedestrian Shed. Where topographic conditions, pre-existing Thoroughfare alignments or other circumstances prevent such location, the Zoning Administrator may approve an alternative location within the Pedestrian Shed.

B. Playground

A Civic Space designed and equipped as a Playground conforming to **Table 5.3.2-B (Civic Spaces – Playground)** (1) within 1,300 feet of each Lot or Building Site in Residential Use in all Districts CD-3, CD-4, CD-4C, CD-5; and

C. Thoroughfare Enfrontment

Each Civic Space shall have a portion of its perimeter equal to or greater than the minimum width of a Lot or Building Site in the applicable character district Enfronting a Thoroughfare, except for Sports Fields or Courts.

5.3.4 CIVIC BUILDINGS WITHIN CIVIC SPACES

Civic Buildings and community amenities, including mail kiosks, pool houses, and community centers may be located in Civic Spaces.

5.3.5 MAINTENANCE OF CIVIC BUILDINGS & CIVIC SPACE

Civic Buildings and Civic Space shall be owned and maintained by a property owners' association unless specifically dedicated to and accepted by the City. Any such property owner's association shall be organized under the laws of the State of Tennessee. The deed conveying a Civic Building or Civic Space to a property owners' association shall include covenants running with the land that permanently reserve it for Civic purposes and require the association to maintain and pay all expenses associated with such Civic Building or Civic Space.

SECTION 5.4 DISTRICT DENSITY

A. Density Calculations

Any proposed Development Parcel, shall require compliance with the following District Density provisions:

1. District Density shall be calculated based on the gross acreage of a specific District covered by the Development Parcel Plan.
2. Density shall be expressed in terms of Density Units per gross acre as specified for the area of each District by **Table 5.4.A-1 (District Density)**.

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

TABLE 5.4.A-1 DISTRICT DENSITY

DENSITY UNITS	
CD-2	1 Density Units per acre, gross, max
CD-3L	2 Density Units per acre, gross, max
CD-3	4 Density Units per acre, gross, max
CD-4	12 Density Units per acre, gross, max
CD-4C	24 Density Units per acre, gross, max
CD-5	Not Regulated
CD-5C	Not Regulated
SD-MHP	6 Density Units per acre, gross, max
SD-INT	24 Density Units per acre, gross, max
SD-LI	Not Regulated
SD-HI	Not Regulated
PUD-R	12 Density Units per acre, gross, max
PUD-MU	12 Density Units per acre, gross, max
Other PUDs	Per PUD Approval
CV	Not Regulated

3. For purposes of calculating District Density:

- The area shall include the Thoroughfares, Internal Drives, and Civic Space within the Development Parcel;
- The quantities of the Principal Uses indicated on **Table 5.4.A-2 (Density Equivalencies)** shall constitute the indicated number of Density Units or portion thereof.

B. Maximum Density

The Maximum Density per Character District of a Development Parcel, shall not exceed that set forth in **Table 5.4.A-1 (District Density)**.

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

SECTION 5.5 PROJECT BUFFERS

5.5.1 GENERAL

Project Buffers shall be provided for Development Parcels in accordance with this Section 5.5.

5.5.2 MODIFICATION OF EXISTING STRUCTURES

Buildings and Structures lawfully existing as of the Effective Date may be modified without providing or modifying or Buffers in conformance with this Section 5.5, provided that the same does not constitute an Alteration of the Building footprint size by more than 15% and does not increase the degree by which the Building or Structure is Non-conforming.

5.5.3 NOT APPLICABLE FOR CERTAIN USES / SITE WORK

The standards and requirements herein set out for Buffers shall not apply to Temporary Uses or to site work on undeveloped sites which does not involve significant ground disturbance.

5.5.4 MINIMUM STANDARDS / CONFLICTS

Required Buffers, as specified in these regulations, are minimum standards. In those instances where this Ordinance specifies different Buffering requirements, then the more restrictive provisions shall govern.

5.5.5 ADDITIONAL MEASURES PERMITTED

None of the provisions of this Ordinance shall be construed as prohibiting plant material, Screening, and/or Buffer area in addition to that required by this Ordinance; or prohibiting the modification of existing Buffers to perform to an equivalent degree as the Buffer required by this Ordinance.

5.5.6 BUFFER PLAN REQUIREMENTS

Buffer plans submitted for approval to satisfy the requirements of this Ordinance shall clearly indicate the name, location, and size of vegetation to be installed as well as trees to be preserved.

5.5.7 BUFFER NOT PART OF CIVIC SPACE

A Buffer area may not be included as part of the calculation of any required Civic Space.

5.5.8 WHEN REQUIRED

A Project Buffer shall be required for new Development in the Districts indicated in **Table 5.5.8 (Project Buffers)** along such parts of the project that Abut any land zoned District CD-2, CD-3L, CD-3, CD-4, CD-4C, CD-5, CD-5C, or SD-MHP, or Civic District.

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

TABLE 5.5.8. PROJECT BUFFERS

DISTRICT OF NEW DEVELOPMENT	BUFFER DEPTH	DEISGN PLANTS / 100 LINEAR FEET
SD-MHP (N/A if abutting another SD-MHP District)	75'	15 Canopy Trees $\geq$ 50% Evergreen, 15 Understory Trees $\geq$ 50% Evergreen & 90 Shrubs $\geq$ 75 % Evergreen*
SD-INT	75'	20 Canopy Trees $\geq$ 50% Evergreen, 20 Understory Trees $\geq$ 50% Evergreen & 120 Shrubs $\geq$ 75 % Evergreen
SD-LI	75'	20 Canopy Trees $\geq$ 50% Evergreen, 20 Understory Trees $\geq$ 50% Evergreen & 120 Shrubs $\geq$ 75 % Evergreen
SD-HI	75'	20 Canopy Trees $\geq$ 50% Evergreen, 20 Understory Trees $\geq$ 50% Evergreen & 120 Shrubs $\geq$ 75 % Evergreen
PUD-R	75'	15 Canopy Trees $\geq$ 50% Evergreen, 15 Understory Trees $\geq$ 50% Evergreen & 90 Shrubs $\geq$ 75 % Evergreen
PUD-MU	50'	15 Canopy Trees $\geq$ 50% Evergreen, 15 Understory Trees $\geq$ 50% Evergreen & 90 Shrubs $\geq$ 75 % Evergreen
*SD-MHP Project Buffer shall also include a continuous 100% opaque fence at least 6' feet high		

5.5.9 DESIGN

A. Plant Materials

A Project Buffer shall be designed and comprised of the plant materials indicated in **Table 5.5.8 (Project Buffers)**.

B. Fences & Walls

Fences and walls may be used in a Project Buffer in addition to the required plant materials, provided that they comply with the following:

1. Minimum 100% opacity;
2. Minimum 6' high; and
3. Include a brick, natural rock, or authentic stucco masonry column at any end visible from a Thoroughfare or Internal Drive.

C. Opacity

Plant materials and any fence or wall shall be arranged in a manner that creates a 100% opaque Project Buffer.

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

D. Retention of Heritage Trees

With the exception of clearing required for required Driveways, the retention of Heritage Trees within a Project Buffer area shall be required.

E. Credit for Existing Vegetation

Existing vegetation within a Project Buffer, which meets the requirements of **Table 5.5.8 (Project Buffers)** and Section 5.5.9.G and is not described in Section 5.5.9.F shall be credited toward the Project Buffer requirement.

F. Removal of Certain Vegetation

Existing vegetation listed on the Tennessee Exotic Plant Council list shall be removed from the Project Buffer and shall not be credited.

G. Compliance with Landscape Standards

1. With the exception of permitted existing vegetation, plant materials used in required Project Buffers shall comply with the standards of Section 4.3.16.
2. All Project Buffer areas shall have soils that comply with the standards of Section 4.3.16.
3. Installation of Project Buffer plants shall meet the minimum requirements set forth in Section 4.3.16.

H. Sign Visibility

Project Buffers shall be designed to address visibility of any permitted ground Signs.

5.5.10 LOCATION

A. Common Boundary

Any required Project Buffer shall be located along the common boundary of the abutting District.

B. Certain Locations Restricted

Project Buffers shall not be located on any portion of an existing, dedicated or reserved public or private street, Thoroughfare, Internal Drive, or right-of-way.

C. Location in Yard / Setback

Project Buffers may be constructed in any required Yard or Setback.

D. Location in Easement

Plantings in Project Buffers shall be subject to the same limitations regarding location in Easements as are applicable to landscape plantings under Section 4.3.16.E.

5.5.11 DEVELOPMENT / USE WITHIN BUFFER

A. Restrictions

Project Buffers shall not contain any:

1. Development;

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2. Parking Area, Parking Lot, Garage, or Parking Structure;
3. Street, Thoroughfare, Driveway, drive aisle, Internal Drive, or Alley except as permitted under Section 5.5.11.B;
4. Impervious surfaces;
5. Dumpsters or garbage, trash or recycling receptacles; or
6. Site features that do not function to meet the standards of this Section or that require removal of existing vegetation, unless otherwise permitted in this Ordinance.

B. Certain Development / Uses Allowed

Project Buffers may contain the following Uses and Structures, provided that the Screening intent of this Section is met:

1. Passive Recreation, Sidewalks, trails, multi-use paths, picnic facilities, and bike or equestrian trails;
2. Fences and walls;
3. Landscape plantings;
4. Stormwater retention or detention facilities, green infrastructure, provided they do not interfere with the performance or maintenance of the Project Buffer area;
5. Utilities, provided that additional width shall be added to the Project Buffer in an amount equal to that occupied by the utility lines and any associated Easements and any path cleared by utility installation or maintenance shall be replaced; and
6. Streets, Thoroughfares, Driveways, drive aisles, Internal Drives or Alleys, provided they only cross the Project Buffer at a 90-degree angle and do not otherwise Encroach into the Project Buffer;
7. Appurtenances that require high visibility and easy access, such as fire hydrants, public and emergency telephones, mail boxes, and bus or other shelters or benches, none of which shall be Screened.
8. Ingress and egress to such Uses, Structures, utility lines, and appurtenances, may cross the Project Buffer provided they minimize the amount of Project Buffer taken.
9. Identification signs, as specifically permitted in Article 7 (Signs).
10. Lighting, as specifically permitted in Sections 4.3.17 and Engineering Standards and Specifications.
11. Any other Uses as specifically permitted elsewhere in this Ordinance.

5.5.12 OWNERSHIP

Project Buffers may remain in the ownership of the original developer (and assignees) of a Lot, Building Site, or parcel of land; they may be subjected to deed restrictions and subsequently conveyed; or they may be transferred to any consenting grantees, such as a forest preserve, the City, Civic Space held by an association (homeowners, etc.), or conservation group. Any such conveyance shall adequately guarantee the protection and maintenance of the Project Buffer in accordance with the provisions of this Ordinance.

5.5.13 MAINTENANCE

A. Responsible Parties / Responsibilities

The responsibility for maintenance of a required Project Buffer shall be that of the owner of the property, such owner's successors, heirs, and assignees or any consenting grantee. Upon arrival of a Development Plan which includes Project Buffers required by this Ordinance, the property owner shall execute and record a maintenance agreement guaranteeing performance by all successors in interest and authorizing the City and its agents for purposes of enforcement in Section 5.5.13.G.

B. Plantings

Dead or diseased plantings shall be removed and replaced with plants meeting all requirements of this Ordinance.

C. Water Courses

Natural water courses within a Project Buffer shall be maintained in a natural condition consistent with any applicable regulations.

D. Water Source

A water source shall be supplied within 100 feet of any planting requiring continuing watering. Where non-native or non-drought tolerant native vegetation is incorporated in the Project Buffer, an irrigation system shall be required.

E. Structural Features

Landscape structural features such as walls, fences, or water features shall be maintained in a structurally safe and attractive condition.

F. Other Uses / Structures

Where other Uses or Structures are allowed within a Project Buffer, they shall be maintained to provide for their safe use.

G. Enforcement

If the Person or Persons responsible for maintaining a Project Buffer fails to maintain same according to this Ordinance, the City may, but shall not be obligated to, and after reasonable notice and a demand that deficiency of maintenance be corrected, enter the Project Buffer area, maintain the same, and recover the cost thereof, including reasonable attorney fees, from the Person or Persons having the responsibility for maintenance of the Buffer area.

5.5.14 HARDSHIP RELIEF

A. Modification

The Project Buffer requirement may be modified by the Zoning Administrator upon a finding that a modification would be consistent with the purpose and intent of this Ordinance, and any adopted land use plans, that such modification would not adversely affect the land use

ARTICLE 5: DEVELOPMENT PARCEL STANDARDS

compatibility or public interest, and the relief requested will comply with one or more of the criteria in Section 5.5.14.B.

B. Criteria

The criteria for relief are as follows:

1. The affected Project Buffer is parallel and adjacent to an existing utility or drainage easement of at least 75 feet in width;
2. The affected Project Buffer is between Uses that are to be developed under a common Development Plan or Master PUD Development Plan or series of such Plans;
3. The affected Project Buffer is Adjacent to a property that has a joint use agreement with the subject parcel;
4. The affected Project Buffer is parallel and Adjacent to an existing railroad right-of-way; or
5. The topography of the subject property or the Adjacent property is such that Buffering would not be effective.

5.5.15 TREE PROTECTION

The Tree Protection provisions in Section 4.3.16.L are applicable to all Development Parcels.

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ARTICLE 6: SUPPLEMENTAL STANDARDS

ARTICLE 6 SUPPLEMENTAL STANDARDS

SECTION 6.1 GENERAL

The following standards and requirements shall be complied with in addition to all other standards and requirements of the City Subdivision Regulations, the City Code and Engineering Regulations.

SECTION 6.2 PRESERVATION OF NATURAL FEATURES

Development shall preserve the natural features of the site, such as wetlands, unique wildlife habitats, Historic Structures, major trees and scenic views both from, and into the site.

SECTION 6.3 STREETScape REPAIRS, REPLACEMENTS & IMPROVEMENTS

6.3.1 APPLICABILITY

This Section applies to all Development of Lots, or Building Sites Enfronting existing Thoroughfares and Internal Drives.

6.3.2 STREETScape REPAIRS, REPLACEMENTS & IMPROVEMENTS

Prior to the issuances of any Certificate of Occupancy for a Building or Improvement, the following Streetscape improvements, repairs, or replacements, shall be provided by the Lot or Building Site owner with respect to each Building or Improvement, and the Streetscape that Enfronts the applicable Lot or Building Site:

A. Damage Repair

Any walkway, planter well or planter strip, street light, or curb, that exists in the Public Frontage, Thoroughfare or Internal Drive Adjacent to the applicable Lot prior to commencement of construction of such Building or Improvement, and which is damaged during such construction, shall be repaired so that it is at least good, or better condition as it was prior such damage, or shall be replaced.

B. Absent Elements

If the Public Frontage Adjacent to the applicable Lot, or Building Site, does not include a Sidewalk, Planter, Trees, Street Lights, or any such absent element shall be provided by the applicable Lot or Building Site owner in accordance with the following standards and requirements:

1. If there is an adjoining Sidewalk, a Sidewalk shall be constructed along the entire Front Lot or Building Site Line, which Sidewalk must match any existing Sidewalk Enfronting an Adjacent Lot or Building Site;
2. If there is an adjoining planter strip or plant well, planting accommodations shall be constructed along the entire Front Lot or Building Site Line, which planting accommodations must match any exiting planter strip or plant well Enfronting an Adjacent Lot; and
3. If there is no tree within the Frontage Adjacent to the Lot or Building Site, one or more trees shall be installed along the Front Lot or Building Site Line, which tree(s) must meet the tree shape, spacing and size standards for the applicable District as set forth in Section 5.2, s if such standards were applicable.

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C. Reservation of Right-of-Way

If there is not sufficient right-of-way area for all or any of the required Streetscape repairs, replacements, or improvements as set forth in this Section 6.3, such element, or elements, shall be provided within the Lot or Building Site Adjacent to the right-of-way within a reservation strip of land that all set-backs will recognize as planned future property lines for such Lot or Building Sites.

D. Minimum Standards

Each Streetscape, repair, replacement or Improvement made pursuant to this Section 6.3 must comply with the rules, regulations and requirements of the City that are applicable and in effect from time to time in respect of each element, so that it qualifies, or would qualify if within the public right-of-way, for dedication to the City.

E. Payment in Lieu

1. Where this section requires repair or installation of sidewalks within the public frontage, applicants may make Payment of fees in-lieu to the City Sidewalk Fund installing a required public side walk may only occur when: The timing of the installation of the sidewalk would result in its removal shortly thereafter due to a fully-funded street widening, streetscape project, or other capital improvement project; or
2. The right-of-way, developing lot, or lot abutting a required sidewalk is not suitable for sidewalks due to floodplain, wetlands, riparian buffers, tree save areas, PUDE, or slopes exceeding 20 percent.
3. The decision-making authority for the associated review shall determine whether payment of fees in-lieu are applicable. The decision-making authority shall consider the advice of the City Engineer in making the determination.
4. The fees in-lieu of sidewalks shall be paid prior to: Recording of the final plat, issuance of a building permit, or issuance of a grading permit.
5. Fees received pursuant to this Subsection shall be used in accordance with the City Sidewalk Fund as direct by the City Council.

SECTION 6.4 FIRE SAFETY

Any Multifamily, Mixed-Use, Non-Residential Use or Development shall be reviewed by the Fire Marshal, who shall make a recommendation to the Decision-Making Authority for the Development Plan or Master PUD Development Plan.

SECTION 6.5 TRAFFIC CIRCULATION

6.5.1 GENERAL

Development shall not negatively impact the traffic conditions of the surrounding roadway system and shall organize Thoroughfares or Internal Drives, as applicable, vehicular and pedestrian ingress/egress in a well-defined system in order to avoid conflicts.

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6.5.2 VEHICULAR CIRCULATION PLAN

Portions of the Development Plan or Master Development Plan relating to location and design of ingress/egress traffic control, arrangement of Parking and loading space, and internal circulation shall be referred to the City Engineer for review, and no Plan for a Development Parcel shall be approved without consideration of the recommendations of the City Engineer. Additional conditions and safeguards on such matters may be included by the Decision-Making Authority.

6.5.3 VEHICULAR ACCESS LOCATION

A vehicular access location shall consist of such entrance and exit Driveway, and/or Internal Drive openings so designed and located so as to minimize ingress and egress.

SECTION 6.6 FLOODPLAIN PROTECTION

The Areas of Special Flood Hazard identified on the Maury County, Tennessee, and Incorporated Areas, Federal Emergency Management Agency, Flood Insurance Study (FIS) Number 470123C0000E, dated April 16, 2007, and all subsequent amendments and revisions, and Flood Insurance Rate Map (FIRM), Community Panel Numbers 47119C0145E, 47119C0160E, 47119C0165E, 47119C0170E, 47119C0180E, 47119C0190E, 47119C0195E, 47119C0260E, 47119C0280, 47119C0285E dated April 16, 2007, and all subsequent amendments and revisions along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.

6.6.1 STATUTORY AUTHORIZATION

The Legislature of the State of Tennessee has in Sections 13-7-201 through 13-7-210; Tennessee Code Annotated delegated the responsibility to local governmental units to adopt regulations to protect the public health, safety, and general welfare of its citizenry. Therefore, the Columbia, Tennessee Mayor and City Council, does ordain as follows:

A. Findings of Fact

1. The Columbia Mayor and its Legislative Body wish to maintain eligibility in the National Flood Insurance Program in order to do so, must meet the requirements of 60.3 of the Federal Insurance Administration Regulations found at 44 CFR Ch. 1 (10-1-04 Edition).
2. Areas of Columbia are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, as well as impairment of the tax base; all of which affect the public health, safety and general welfare.
3. These flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods, or construction which is inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

B. Statement of Purpose

It is the purpose of this Ordinance to promote public health, safety and general welfare; and to minimize public and private loss due to flood conditions in specific areas. This Ordinance is designed to:

1. Restrict or prohibit uses which are vulnerable to water or erosion hazards; or which result in damaging increases in erosion, flood heights, or velocities;

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2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging, and other development which may increase flood damage or erosion, and;
5. Prevent, or regulate, the construction of flood barriers which will unnaturally divert flood waters, or which may increase flood hazards to other lands.

C. Objectives

The objectives of this Ordinance are:

1. To protect human life, health and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged Business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodable areas;
6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a floodable area; and
8. To maintain eligibility for participation in the National Flood Insurance Program.

6.6.2 DEFINITIONS

Unless specifically defined below, words or phrases used in this Section 6.6 shall be interpreted as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application given its stated purpose and objectives.

Accessory Structure: Shall represent a subordinate structure to the principal structure and, for the purpose of this section, shall conform to the following:

1. Accessory structures shall not be used for human habitation.
2. Accessory Structures shall be designed to have low flood damage potential.
3. Accessory Structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
4. Accessory Structures shall be firmly anchored to prevent flotation which may result in damage to other structures.
5. Service facilities such as electrical and heating equipment shall be elevated, or flood-proofed.

Act: The statutes authorizing the National Flood Insurance Program that are incorporated in 42 U.S.C 4001-4128.

Addition (to an existing building): Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall, other than a fire wall. Any walled and roofed addition, which is connected by a firewall, or separated by an independent perimeter load-bearing wall, shall be considered "New Construction".

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Appeal: A request for a review of the local enforcement officer's interpretation of any provision of this Ordinance, or a request for a variance.

Area of Shallow Flooding: A designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent, or greater, annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist; where the path of flooding is unpredictable and intermediate, and where velocity flow may be evident. (Such flooding is characterized by ponding or sheet flow).

Area of Special Flood-related Erosion Hazard: The land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation of the FIRM, Zone E may be further refined.

Area of Special Flood Hazard: The land in the floodplain within a community subject to a one-percent, or greater, chance of flooding in any given year. The area may be designated Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, or A99.

Base Flood: The flood having a one percent chance of being equaled, or exceeded, in a given year.

Basement: That portion of a building having its subgrade (below ground level) on all sides.

Breakaway Wall: A wall that is not part of the structural support of the building and is intended through its design, and construction, to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Building: Any structure built for support, shelter, or enclosure for any occupancy or storage (see "Structure").

Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings, or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of equipment or materials.

Elevated Building: A non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, piling, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

Emergency Flood Insurance Program or Emergency Program: The program as implemented on an emergency basis in accordance with section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

Erosion: The process of gradual wearing away of landmasses. This peril is not per se covered under the Program.

Exception: A waiver from the provisions of this Ordinance which relieves the applicant from requirements of a rule, regulation, order or other determination made or issued pursuant to this Ordinance.

Existing Construction: Any structure for which the "Start of Construction" commenced before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community's participation in the National Flood Insurance Program (NFIP).

Existing Manufactured Home Park or Subdivision: A manufactured home park, or subdivision, for which the construction of facilities for servicing the lots in which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, final grading site, or the pouring of concrete pads) is completed before the effective date of the first floodplain management code, or ordinance adopted by the community as the basis for that community's participation in the National Flood Insurance Program (NFIP).

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Existing Structures see Existing Construction.

Expansion to an Existing Manufactured Home Park or Subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Food or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters;
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Elevation Determination: A determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent, or greater, chance of occurrence in any given year.

Flood Elevation Study: An examination, evaluation and determined of flood hazards and, if appropriate, corresponding water surface evaluations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

Flood Hazard Boundary Map (FHBM): An official map of community, issued by the Federal Emergency Management Agency, where the boundaries of areas of special flood hazard have been designated as Zone A.

Flood Insurance Rate Map (FIRM): An official map of a community issued by the Federal Emergency Management Agency, delineating the areas of special flood hazard, or the risk premium zones applicable to the community.

Flood Insurance Study: The official report provided by the Federal Emergency Management Agency, evaluating flood hazards and containing flood profiles and water surface evaluation of the base flood.

Floodplain Management: The operation of an overall program of corrective and preventative measures for reducing flood damage, including, but not limited to, emergency preparedness plans, flood control works and floodplain management regulations.

Flood Protection Systems: Those physical structural works for which funds have been authorized, appropriated, expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Floodproofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce, or eliminate flood damage to real estate, or improved real property, water and sanitary facilities, structures and their contents.

Flood-related Erosion: The collapse, or subsidence of land along the shore of a lake, or other body of water as result of undermining caused by waves or currents of water exceeding anticipated cyclical levels, or suddenly caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood; or by some similarly unusual and unforeseeable event which results in flooding.

Flood-related Erosion Area or Flood-related Erosion Prone Area: A land adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank, and high-water levels, or wind-driven currents, is likely to suffer flood-related erosion damage.

Flood-related Erosion Area Management: The operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage. Including but not limited to, emergency preparedness plans, flood-related erosion control works and flood plain management regulations.

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Floodway: The channel of a river, or other watercourse, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively the water surface elevation more than a designated height.

Floor: The top surface of an enclosed building (including basement), i.e., top of slab in concrete slab construction, or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Freeboard: A factor of safety usually expressed in feet above a flood level for purpose of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions; such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Functionally Dependent Use: A use which cannot perform its intended purpose unless it is located, or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo, or passengers, ship building, and ship repair facilities; but does not include long-term storage or related manufacturing facilities.

Highest Adjacent Grade: The highest natural elevation of the ground surface, prior to construction adjacent to the proposed walls of a structure.

Historic Structure: Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified, or preliminary, determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district, or a district preliminary, determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed in a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 - a. By an approved state program, as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior.

Levee: A man-made structure, usually earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee System: A flood protection system, which consists of a levee, or levees, and associated structures, such as closure and drainage devices; which are constructed and operated in accordance with sound engineering practices.

Lowest Floor: The lowest floor of the lowest enclosed area, including a basement. An unfinished, or flood resistant enclosure used solely for parking of vehicles, building access, or storage, in an area other than a basement area is not considered a buildings lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable elevation design requirements of this Ordinance.

Manufactured Home: A structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle", unless such transportable structures are placed on a site for one hundred and eighty (180) consecutive days, or longer.

Manufactured Home Park or Subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

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Map: The Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Agency.

Mean Sea Level: The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD) or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

National Geodetic Vertical Datum (NGVD): As corrected in 1929 is a vertical control used as reference for establishing varying elevations within the floodplain.

New Construction: Any structure for which the "Start of Construction" commenced after the effective date of this Ordinance, or the effective date of the first floodplain management ordinance, and includes any subsequent improvements to such structure.

New Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of such facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading, or the pouring of concrete pads) is completed after the effective date of this Ordinance, or the effective date of the first floodplain management ordinance, and includes subsequent improvements to such structures.

North American Vertical Datum (NAVD): As corrected in 1988 is a vertical control used as a reference for establishing varying elevations within the floodplain.

100-year Flood see Base Flood.

Person: Includes any individual, or group of individuals, corporation, partnership, association, or any other entity including State, Local Governments and agencies.

Recreational Vehicle: A vehicle which is:

1. Built on a single chassis;
2. 400 square feet, or less, when measured at the largest horizontal projection;
3. Designed to be self-propelled, or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Floodway: The channel of a river, or other watercourse, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Riverine: Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Special Hazard Area: An area having special flood, mudslide (i.e., mudflow) and/or the flood-related erosion hazards are shown on an FHBM, FIRM as in Zone A, AO, A1-30, AE, A99 or AH.

Start of Construction: Includes substantial improvement, and means the date the building permit was issued; provided the actual Start of Construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred and eighty (180) days of the permit date. The actual start means either the first placement of the permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footing, the installation of piles, the construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation (permanent construction does not include initial land preparation, such as clearing,

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grading and filing; nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footing, piers, foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages, or sheds not occupied as dwelling units, or part of the main structure. For substantial improvement the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building; whether or not that alteration affects the external dimensions of the building.

State Coordinating Agency: The Tennessee Department of Economic and Community Development's local Planning Assistance Office as designated by the Governor of the State of Tennessee at the request of the Administrator to assist in the implementation of the National Flood Insurance Program for the state.

Structure: For the purpose of this section, a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

Substantial Damage: Means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal, or exceed, fifty (50) percent of the market value of the structure before the damage occurred.

Substantial Improvement: Any repairs, reconstructions, rehabilitations, additions, alterations, or other improvements to a structure, taking place during a five (5) year period, in which the cumulative cost equals, or exceeds, fifty (50) percent of the market value of the structure before the "Start of Construction" of the improvement. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to damage occurring. This term includes structures which have incurred "substantial damage", regardless of the actual repair worked performed. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences; whether or not that alteration affects the external dimensions of the building. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair; or (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Substantially Improved Existing Manufactured Home Park or Subdivision: Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty (50) percent of the value of the streets, utilities, and pads before the repair, reconstruction, or improvement commenced.

Variance: A grant of relief from the requirements of this Ordinance which permits construction in a manner otherwise prohibited by this Ordinance where specific enforcement would result in unnecessary hardship.

Violation: The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

Water Surface Elevation: The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

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6.6.3 General Provisions

A. Application

This Ordinance shall apply to all areas within the incorporated area of Columbia, Tennessee. Unless specifically exempted by this Ordinance, all Development and Construction must conform to the requirements of this Ordinance.

B. Requirement for Development Permit

A development permit shall be required in conformity with this Ordinance prior to the commencement of any development activities.

C. Compliance

No land, structure, or use, shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations.

D. Abrogation and Greater Restrictions

This Ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

E. Interpretation

In the interpretation and application of this Ordinance, all provisions shall be: (1) considered as minimum requirements, (2) liberally construed in favor of the governing body, and (3) deemed neither to limit or repeal any other powers granted under Tennessee statutes.

F. Warning and Disclaimer of Liability

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purpose and is based on scientific and engineering considerations. Larger floods can, and will happen on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the Areas of Special Flood Hazard, or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the City of Columbia, Tennessee or by any officer, or employee, thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made hereunder.

G. Penalties for Violation

Violations of the provisions of this Ordinance or failure to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Each day such violation continues shall be considered a separate offence. Nothing herein contained shall prevent the City of Columbia, Tennessee from taking such other lawful actions to prevent, or remedy, any violation.

6.6.4 ADMINISTRATION

A. Designation of Ordinance Administrator

The Director of Development Services Department and/or assignee is hereby appointed as the Administrator to implement the provisions of this Ordinance.

B. Permit Procedures

Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following; plans in duplicate drawn to scale and showing the nature, locations, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application Stage

Elevation in relation to main sea level of the proposed lowest floor, including basement, of all buildings where BFE's are available, or to the highest adjacent grade when applicable under this Ordinance.

2. Construction Stage

Within unnumbered A zones, where flood elevation data are not available, the Administrator shall record the elevation of the lowest floor on the development permit. The elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the regulatory floor elevation, or floodproofing level, upon the completion of the lowest floor or floodproofing. Within unnumbered A zones, where flood elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade.

Any work taken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification, or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

C. Duties & Responsibilities of Administrator

Duties of the Administrator shall include, but not limited to:

Review of all development permits to assure the permit requirements of this Ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.

Advice to permittee that additional federal or state permits may be required, and if specific federal or state permits are known, require that copies if such permits are provided and maintained on file with the development permit. This shall include Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C 1334.

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Notification to adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Assistance Office prior to any alteration or relocation of a watercourse; and submission of evidence of such notification to the Federal Emergency Management Agency.

For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to the Federal Emergency Management Agency to ensure accuracy of community flood maps through the Letter of Map Revision process. Assure the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.

Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable of the lowest floor including the basement of all new, or substantially improved Buildings, in accordance with Sections 6.6.4.B, 6.6.4.C, and 6.6.4.D.

Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable; to which the new or substantially improved Buildings have been flood-proofed, in accordance with this Section 6.6.

When flood-proofing is utilized for a structure, the Administrator shall obtain certification of design criteria from a registered professional engineer or architect; in accordance with this Section 6.6.

Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Administrator shall make the necessary interpretation. Any person contesting the location of a boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.

When Base Flood Elevation data or floodway data have not been provided by the Federal Emergency Management Agency then the Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State or other source, including data developed as a result of these regulations as criteria for requiring that new construction, substantial improvement, or other development in Zone A on the Community FIRM meet the requirements of this Ordinance.

Within unnumbered A zones, where Base Flood Elevations have not been established, and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated or flood-proofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Section 9.15 of this Ordinance). All applicable data including elevations or flood-proofing certifications shall be recorded as set forth in Section 6.6.4.B, 6.6.4.C, and 6.6.4.D.

All records pertaining to the provisions of this Ordinance shall be maintained in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Ordinance shall be maintained in a separate file, or marked expedited retrieval within combined files.

6.6.5 PROVISIONS FOR FLOOD HAZARD REDUCTION

A. General Standards

In all flood prone areas, the following provisions are required:

1. New construction and substantial improvements to existing buildings shall be anchored to prevent flotation, collapse, or lateral movement of the structure;
2. Manufactured homes shall be elevated and anchored to prevent flotation, collapse, or lateral movement. Methods may include, but are not limited to; use of over-the-top or frame ties to ground anchors. This standard shall be in addition to, and consistent with applicable state requirements for resisting wind forces;
3. New construction and substantial improvements to new buildings shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements to new buildings shall be constructed by methods and practices to minimize flood damage;
5. All electrical, heating ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed, and/or located so as to prevent water from accumulating within the components during conditions of flooding;
6. New and replaced water supply systems shall be designed to minimize, or eliminate, infiltration of flood waters into the system;
7. New and replaced sanitary sewage systems shall be designed to minimize, or eliminate, infiltration of flood waters into the systems, and discharges from the system into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction, or improvements to a building that is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Ordinance; and,
10. Any alteration, repair, reconstruction, or improvements to a building that is not in compliance with the provisions this Ordinance, shall be undertaken only if said non-conformity is not further extended or replaced.

B. Specific Standards

These provisions shall apply to ALL areas of Special Flood Hazard as provided herein:

1. Residential Construction:

Where Base Flood Elevation data is available, new construction or substantial improvement of any Residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than two (2) feet above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls, and to ensure unimpeded movement of floodwater shall be provided in accordance with Section 6.6.5.B.3.

Within unnumbered A zones, where Base Flood Elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated, or flood-proofed, to a level of at least three (3) feet above the highest adjacent grade (lowest

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floor and highest adjacent grade being defined in Section 6.6.2 of this Ordinance). All applicable data including elevations or flood-proofing certifications shall be recorded as set forth in this Section 6.6.

2. Non-Residential Construction:

New construction or substantial improvement of any commercial, industrial, or Non-Residential building, when BFE data is available, shall have the lowest floor, including basement, elevated, or flood-proofed, no lower than two (2) feet above the level of the Base Flood Elevation.

Within unnumbered A zones, where Base Flood Elevations have not been established, and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated, or flood-proofed, to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Section 6.6.2 of this Ordinance). All applicable data including elevations and flood-proofing certifications shall be recorded as set forth in this Section 6.6.

Buildings located in all A zones may be flood-proofed in lieu of being elevated, provided that all areas of the building below the elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components have the capability of resisting hydrostatic and hydrodynamic loads, and the effects of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with the accepted standards of practice for meeting the provisions above; and shall provide such certification to the Administrator as set forth by this Section 6.6.

Buildings located in all A zones may be flood-proofed in lieu of being elevated, provided that all areas of the building below the elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components have the capability of resisting hydrostatic and hydrodynamic loads, and the effects of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with the accepted standards of practice for meeting the provisions above; and shall provide such certification to the Administrator as set forth by this Section 6.6.

3. Elevated Building:

All new construction or substantial improvements to existing buildings that include ANY fully enclosed areas formed by foundation and other exterior walls below the Base Flood Elevation, or required height above the highest adjacent grade, shall be designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls. Designs for complying with this requirement must either be certified by a professional engineer or architect, or meet the following minimum criteria:

- a. Provide a minimum of two (2) openings having a total net area of no less than one (1) square inch for every square foot of enclosed area subject to flooding:
- b. The bottom of all openings shall be no higher than one foot above the finish grade, and
- c. Openings must be equipped with screens, louvers, valves, other coverings, or devices provided they limit the automatic flow of floodwaters in both directions.

- d. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with premises (standard exterior door), or entry to the elevated living area (stairway or elevator), and
- e. The interior portion of such enclosed area shall not be partitioned, or finished, into separate rooms in such a way as to impede the movement of floodwaters, and all such provisions shall comply with the provisions of Section 6.6.5.

4. Standards for Manufactured Homes and Recreational Vehicles:

- 1. All Manufactured Homes placed, or substantially improved on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) new or substantially improved manufactured home parks or subdivisions must meet all the requirements of new construction, including elevations and anchoring.
- 2. All Manufactured Home placed, or substantially improved, in an existing Manufactured Home Park or subdivision must be elevated so that either:
 - a) When Base Flood Elevations are available, the lowest floor of the Manufactured Home is elevated on permanent foundation no lower than two (2) feet above the level of the Base Flood Elevation, or;
 - b) Absent Base Flood Elevations the Manufactured Home chassis is elevated and supported by reinforced piers (or other foundation elements) at least three (3) feet in height above the highest adjacent grade.
- 3. Any Manufactured Home which has incurred “substantial damage” as the result of a flood, or that has substantially improved, must meet the standards of Section 6.6.5.B.4.
- 4. All Manufactured Homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- 5. All recreational vehicles placed on identified flood hazard sites must either:
 - a) Be on the site for fewer than one hundred eighty (180) consecutive days;
 - b) Be fully licensed and ready for highway use. (A recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions).
- 6. The recreational vehicle must meet all of the requirements for new construction, including anchoring, and elevation requirements of this section above if on the site for longer than one hundred eighty (180) consecutive days.

5. Standards for Subdivisions:

- Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposal shall be reviewed to ensure that:
- 1. All subdivisions proposals shall be consistent with the need to minimize flood damage.
 - 2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located, and constructed to minimize or eliminate flood damage.
 - 3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

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4. Base Flood Elevation data shall be provided for subdivision proposals and other proposed developments (including manufactured home parks and subdivisions) that are greater than fifty lots and/or five acres in area.

6.6.6 STANDARD FOR AREAS OF SPECIAL FLOOD HAZARD WITH ESTABLISHED BASE FLOOD ELEVATIONS AND WITH FLOODWAYS DESIGNATED

Located within the Areas of Special Flood Hazard established in Section 6.12.3.B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the floodwaters, debris, or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following shall apply:

A. Encroachments

Encroachments are prohibited, including earthen fill material, new structures, substantial improvements, or other developments within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the cumulative effect of the proposed encroachments or new development, when combined with all other existing and anticipated development, shall not result in ANY increase in the water surface elevation of the base flood level, velocities or floodway widths during the occurrence of a base flood discharge at any point within the community. A registered professional engineer must provide supporting technical data and certification thereof.

B. New Construction or Substantial Improvement

New construction or substantial improvements of buildings shall comply with all applicable flood hazard reduction provisions of this Section 6.6.5.

6.6.7 STANDARDS FOR AREAS OF SPECIAL FLOOD HAZARD ZONES AE WITH ESTABLISHED BASE FLOOD ELEVATIONS BUT WITHOUT FLOODWAYS DESIGNATED

Located within the Areas of Special Flood Hazard established in Section 6.6.3.B, where streams exist with base flood data provided, but where no floodways have been designated (Zones AE), the following provisions apply:

A. Encroachments

No encroachments, including fill material, new structures or substantial improvements shall be located within areas of special flood hazards unless a Tennessee registered professional engineer provides certification demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles. The administrator or assignee shall establish minimum standards for the format and content of such certification.

ARTICLE 6: SUPPLEMENTAL STANDARDS

B. New Construction or Substantial Improvements

New construction or substantial improvement of buildings shall be elevated or flood-proofed to elevations established in accordance with Section 6.6.5.B.

6.6.8 STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS OR FLOODWAYS (A Zones)

Located within the Areas of Special Flood Hazard established in Section 6.6.3.B, where streams exist, but no base flood data has been provided (A Zones), OR where a Floodway has not been delineated, the following provisions shall apply:

A. Data Not Provided

When Base Flood Elevation data or floodway data have not been provided in accordance with Section 6.6.3, the Administrator shall obtain, review, and reasonably utilize any specific or historic Base Flood Elevation and floodway data available from a Federal, State, or other source, in order to administer the provisions of Section 6.6.5. ONLY if data is not available from these sources, then the following provisions shall apply:

1. No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream, or twenty (20) feet, whichever is greater; measured from the top of the stream bank, unless certification by registered professional engineer is provided, demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of more than one (1) foot at any point in the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principals. The administrator or assignee shall establish minimum standards for the format and content of such certification
2. In special flood hazard areas without Base Flood Elevation data, new construction or substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of the standards of Section 6.6.5.B, and "Elevated Buildings".

6.6.9 STANDARDS FOR AREAS OF SHALLOW FLOODING (AO & AH Zones)

A. Designated Areas

Located within the Areas of Special Flood Hazard established in Section 6.6.3.B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet (1' – 3') where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefor the following provisions apply:

1. All new construction and substantial improvements of Residential and Non-Residential buildings shall have the lowest floor, including the basement, elevated to at least two (2) feet above the flood depth number specified on the Flood Insurance Rate Map (FIRM), in feet, above the highest adjacent grade.

2. If no flood depth number is specified, the lowest floor, including basement, shall be elevated, at least three (3) feet above the highest adjacent grade.
3. Openings sufficient to facilitate unimpeded movements of floodwaters shall be provided in accordance with standards of Section 6.6.5.B, and “Elevated Buildings”.

B. Flood Protection in Lieu of Evaluation

All new construction and substantial Improvements of Non-Residential buildings may be flood-proofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be flood-proofed to at least two (2) feet above the specified FIRM flood level, with walls substantially impermeable to the passage of water and with structural components having the capacity of resisting hydrostatic and hydrodynamic loads, and the effect of buoyancy. If no depth number is specified, the lowest floor, including basement, shall be flood-proofed to at least three (3) feet above the highest adjacent grade. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Ordinance, and shall provide such certification to the Administrator as set forth above and required on Section 6.6.4.

1. Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.
2. The Administrator shall certify the elevation or highest grade, where applicable, and the record shall become a permanent part of the permit file.

6.6.10 STANDARDS FOR AREAS PROTECTED BY FLOOD PROTECTION SYSTEM (A-99 Zones)

Located within the areas of special flood hazard established in Section 6.6.3.B, are areas of the 100-year floodplain protected by a flood protection system, but where Base Flood Elevations and flood hazard factors have not been determined. Within these areas (A-99 Zones) all provisions of Sections 6.6.4 and 6.6.5 shall apply.

6.6.11 STANDARDS FOR UNMAPPED STREAMS

Located within the City are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

1. In areas adjacent to such unmapped streams, no encroachments including fill material or structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless by a Tennessee registered professional engineer provides certification demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality. The administrator or assignee shall establish minimum standards for the format and content of such certification.
2. When new elevation data are available, new construction or substantial improvements of buildings shall be elevated, or flood-proofed to elevations established in accordance with Sections 6.6.4 through 6.6.10.

6.6.12 VARIANCE PROCEDURES

The provisions of this section shall apply exclusively to areas of Special Flood Hazard within Columbia, Tennessee.

A. Board of Zoning Appeals

1. The Columbia Board of Zoning Appeals shall hear and decide appeals, and requests for variances from the requirements of this Section 6.12
2. Variances may be issued for the repair or rehabilitation of historic structures (see definition) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.
 1. In passing upon such applications, the Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Section 6.6, and:
 2. The danger that materials may be swept onto other property to the injury of others;
 3. The danger to life and property due to flooding or erosion;
 4. The susceptibility of the proposed facility to the community;
 5. The importance of the service provided by the proposed facility to the community;
 6. The necessity of the facility to a waterfront location, in the case of a functionally dependent facility;
 7. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 9. The safety access to the property in times of flood for ordinary and emergency vehicles;
 10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, streets and bridges.
3. Upon consideration of the factors listed above and the purposes of this Ordinance, the Board of Zoning Appeals may attach such conditions to the granting of variances as it deems necessary to effectuate the purposes of this Ordinance.
4. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

B. Conditions for Variances

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard; and in the instance of a historical building, a determination that the variance is the minimum necessary so as to not destroy the historic character and design of the building.
2. Variances shall only be issued upon: showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

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3. Any applicant to whom a variance is granted, shall be given written notice that the issuance a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance, and that such construction below the base flood level increases risk to life and property.
4. The Administrator shall maintain the records if all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

6.6.13 LEGAL STATUS PROVISIONS

A. Conflict with Other Ordinances

In case of conflict between this Section 6.12 or any other part thereof, and the whole or part of any existing, or future ordinance of the City, the most restrictive shall prevail.

B. Validity

If any section, clause, provisions or portion of this Section 6.6 shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Section 6.6 which is not of itself invalid or unconstitutional.

SECTION 6.7 TREE PROTECTION

All Development and construction shall comply with the Tree Protection provisions of Section 4.3.16.L.

ARTICLE 7: SIGN STANDARDS

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ARTICLE 7: SIGN STANDARDS

ARTICLE 7 SIGN STANDARDS

SECTION 7.1 SIGN STANDARDS

7.1.1 Purpose.

The purpose of this Section 7.1 is to establish a comprehensive scheme for the regulation of Signs in the City. More specifically, this Section is intended to address aesthetic, traffic safety, and property value concerns for the benefit of the public health, safety and welfare, while allowing the use of signs as a medium for conveying messages.

A. Communication & Navigation

Encourage the effective use of Signs as a means of communication and to facilitate navigation from place to place within the City.

B. Conveyance of Information & Traffic Safety

Balance the need for information for motorists and pedestrians with the need for traffic safety by limiting Signs or characteristics of Signs that may be distracting to drivers.

C. Expression & Maintenance of Environment

Balance the desire and need of individuals to express themselves through Signs with the desire to maintain a pleasing, safe, and navigable environment for residents and visitors.

D. Means of Expression

Provide for the display of noncommercial messages in Residential areas, recognizing the unique value of Residential signage as a means of exercising constitutional freedom of expression.

E. Property Value

Protect and enhance the value of property in the City by providing for Signs consistent with the character of the area in which it is located.

7.1.2 Compliance.

A. General.

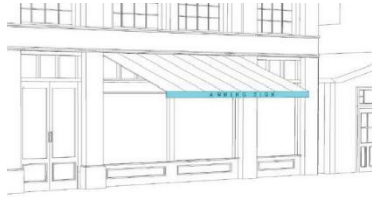
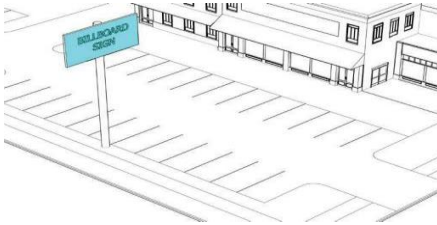
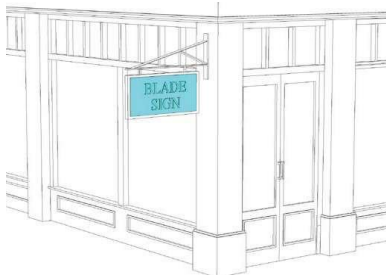
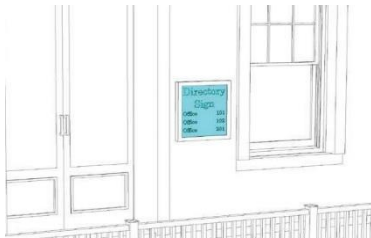
Signs must comply with the requirements of this Article

B. Sign Types, Standards, and Numbers

Within each District, the allowed types and numbers of Signs shall be as provided in **Table 7.1.2.B-1 (Sign Types - Summary)**, **Table 7.1.2.B-2 (Sign Types - Specific Standards)**, and **this Section 7.1**. Each Sign type shall be subject to the applicable standards and requirements of **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)**.

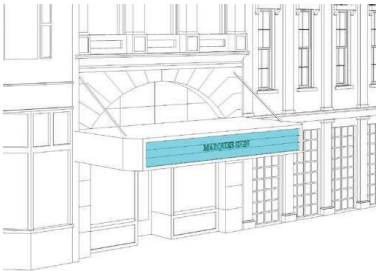
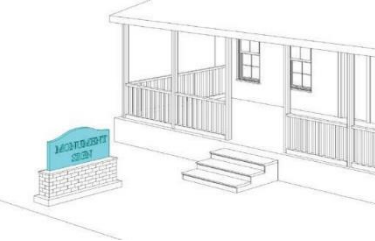
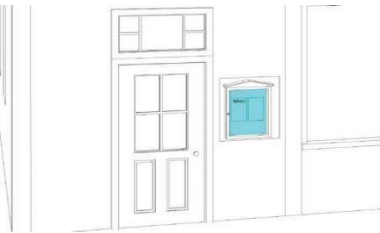
ARTICLE 7: SIGN STANDARDS

Table 7.1.2.B-1 SIGN TYPES - SUMMARY

Specific Sign Type	Illustration	Districts
Awning Sign An awning that contains lettering painted, screen printed, or applied on the awning valance.		CD-4, CD-4C CD-5, CD-5C SD-INT SD-LI SD-HI PUD-MU CV
Band Sign A Sign that is flat against the Facade and placed directly above the main entrance and often run horizontally along the entablature of traditional Buildings. Band Signs are typically intended to be seen from a distance and are often accompanied by additional pedestrian-scaled signage.		CD-4, CD-4C CD-5, CD-5C SD-INT SD-LI SD-HI PUD-MU CV
Billboard Sign A Sign intended for viewing from extended distances, which is mounted on one or two poles. A Pylon Sign is not a Billboard.		SD-INT
Blade Sign A Sign mounted on the first floor of a Building perpendicular to a Building Facade Wall, typically hung from decorative cast or wrought iron bracket in a manner that permits it to swing slightly. These Signs are small, pedestrian-scaled, and easily read from both sides.		CD-4, CD-4C CD-5, CD-5C SD-INT SD-LI SD-HI PUD-MU CV
Directory Sign A Sign that displays the tenant names and locations for a Building containing multiple tenants.		CD-4, CD-4C CD-5, CD-5C SD-INT SD-LI SD-HI PUD-MU CV
Illustrations are provided for illustrative purposes only.		

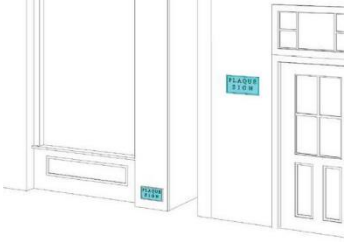
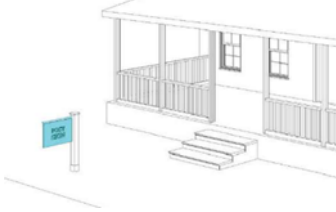
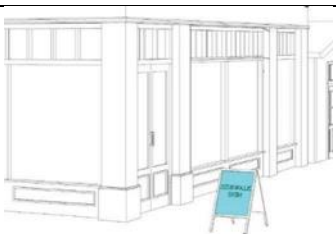
ARTICLE 7: SIGN STANDARDS

Table 7.1.2.B-1 SIGN TYPES - SUMMARY

Specific Sign Type	Illustration	Districts
Internal Campus Sign A small, ground-mounted sign for pedestrian and vehicular circulation within a large multibuilding site such as a church, hospital, or school. Campus signs direct visitors to parking and building locations.		ALL
Large Projecting Sign A Sign attached above the first floor of a multi-floor Building and projecting from a Building Facade at a 90-degree angle, or if oriented to a Block corner, a 45 degree angle.		CD-5, CD-5C SD-INT SD-LI SD-HI PUD-MU CV
Marquee Sign A Sign that is located either along the Facade where it projects perpendicular to the Facade or at the corner of a Building where it projects at a 45 degree angle. These Signs often extend beyond the parapet of the Building, but may also terminate below the cornice or eave. Marquee Signs may have neon lettering used in conjunction with painted colored or changeable lettering.		CD-4, CD-4C, CD-5, CD-5C SD-INT SD-LI SD-HI PUD-MU CV
Monument Sign A Sign that is erected on a solid base directly on the ground, and that is itself constructed of a solid material.		CD-2 CD-3L CD-3 CD-4 CD-4C SD-INT SD-LI SD-HI CV
Outdoor Display Case A Sign consisting of a lockable metal- or wood-framed cabinet with a hinged transparent door inside of which information may be viewed and accessed for maintenance and updating.		CD-4, CD-4C CD-5, CD-5C SD-INT SD-LI SD-HI PUD-MU CV

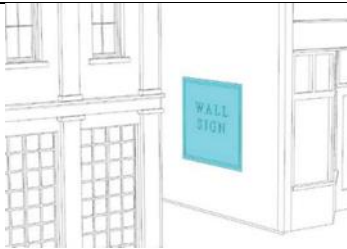
ARTICLE 7: SIGN STANDARDS

Table 7.1.2.B-1 SIGN TYPES - SUMMARY

Specific Sign Type	Illustration	Districts
Plaque Sign A Sign that identifies a Building or its builder, or on professional office Buildings, which might name the firm or partners in a firm. May also be referred to as an Architectural Sign.		CD-4, CD-4C CD-5, CD-5C SD-INT SD-LI SD-HI PUD-MU CV
Porch Sign Signs that are mounted on a porch. Signs must be placed parallel to the Building Facade.		CD-4, CD-4C SD-INT SD-LI SD-HI CV
Post Sign A Sign that is mounted on one or two posts in the First Lot Layer.		CD-4, CD-4C SD-INT SD-LI SD-HI CV
Pylon Sign A Freestanding Sign that is mounted on two poles.		CD-3 CD-4C CD-5C SD-INT SD-LI SD-HI
Sidewalk Sign A free-standing, double-sided Sign with lettering painted or applied to the surface, placed at the entrance to a Building in a primarily pedestrian environment. Sidewalk Signs provide secondary signage.		CD-4, CD-4C CD-5, CD-5C SD-INT SD-LI SD-HI PUD-MU CV

ARTICLE 7: SIGN STANDARDS

Table 7.1.2.B-1 SIGN TYPES - SUMMARY

Specific Sign Type	Illustration	Districts
Wall Sign A Sign that is flat against the Facade of a Secondary Frontage. These Signs are typically painted directly on the Building and contain a combination of text and graphic elements. They are intended to be visible from a greater distance and shall be accompanied by additional signage on the Facade at the Principal Frontage.		CD-4, CD-4C CD-5, CD-5C SD-INT SD-LI SD-HI PUD-MU CV
Window Sign A Sign that is professionally painted or applied directly on the inside of a window or hanging inside a window, consisting of individual letters and designs.		CD-4, CD-4C CD-5, CD-5C SD-INT SD-LI SD-HI PUD-MU CV
Illustrations are provided for illustrative purposes only.		

ARTICLE 7: SIGN STANDARDS

AWNING SIGN

**TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS**



Permitted Districts

CD-4	CD-4C	CD-5	CD-5C	SD-INT	SD-LI	SD-HI	PUD-MU	CV

General Description

An awning that contains letters painted, screen printed, or applied on the awning valance.

Additional Standards

In addition to all other applicable standards, each Awning Sign allowed under this Article:

- a. Shall be only on an awning that:
 - i. does not conceal an architectural feature
 - ii. has no side panels or soffit;
 - iii. is rectangular in elevation and triangular in cross-section with straight edges and is not quarter-round or domed; and
 - iv. has a metal structure covered in opaque authentic or synthetic canvas or painted metal; and
- b. shall be limited to the valance of the awning.

Dimensions

Quantity (max)	1 per window
Width / Height	max width = width of façade max height = n/a letters, numbers, and graphics covering no more than 70% of the valance area
Depth / Projection	min 8 ft. fully extended, back of curb, whichever is less
Clearance	min 8 ft.
Letter Height	min 5 in., max 10 in.
Valance Height	max 12 in.

ARTICLE 7: SIGN STANDARDS

BAND SIGN

**TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS**



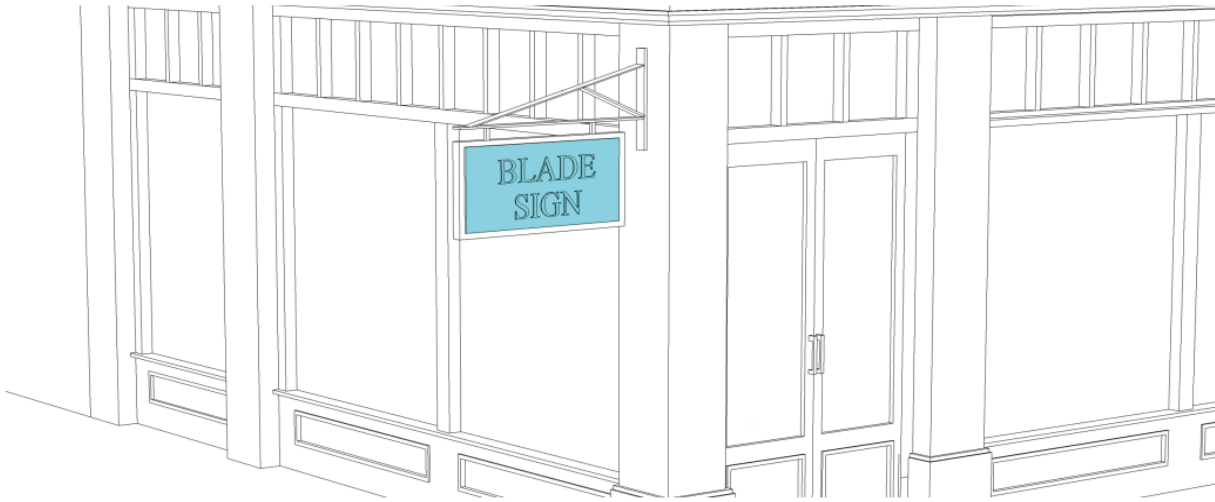
Permitted Districts

CD-4	CD-4C	CD-5	CD-5C	SD-INT	SD-LI	SD-HI	PUD-MU	CV
General Description		Additional Standards						
A Sign that is flat against the Façade and often run horizontally along the entablature of traditional Buildings. Band Signs are typically intended to be seen from a distance and are often accompanied by additional pedestrian-scaled signage.		In addition to all other applicable standards, each Band Sign allowed under this Article:						
		a. shall be applied to the first Story Façade and not project vertically above the roof line.						
		b. shall have letters individually attached to the wall, on a separate background panel affixed to the wall, or printed or etched on the same surface as the background.						
		c. shall not obscure any architectural element of the Building and shall be in vertical alignment with the center of an architectural element such as a storefront window or entrance, or centered over the bay or over all space occupied by the Business.						
		d. Where a Wall Sign is used on the same elevation as a Band Sign, the area of the Wall Sign shall be subtracted from the maximum allowable area of the Band Sign.						
Dimensions								
Quantity (max)		1 per Façade plus 1 per first floor Business Frontage						
Area		1.5 sf per linear ft of Façade						
Width / Height		Max 100% width of Façade, max 3 ft height, except CD-4C and SD-INT no max height						
Depth / Projection		Excluding mounting hardware, max 7 in						
Clearance		min 7 ft.						

ARTICLE 7: SIGN STANDARDS

BLADE SIGN

**TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS**



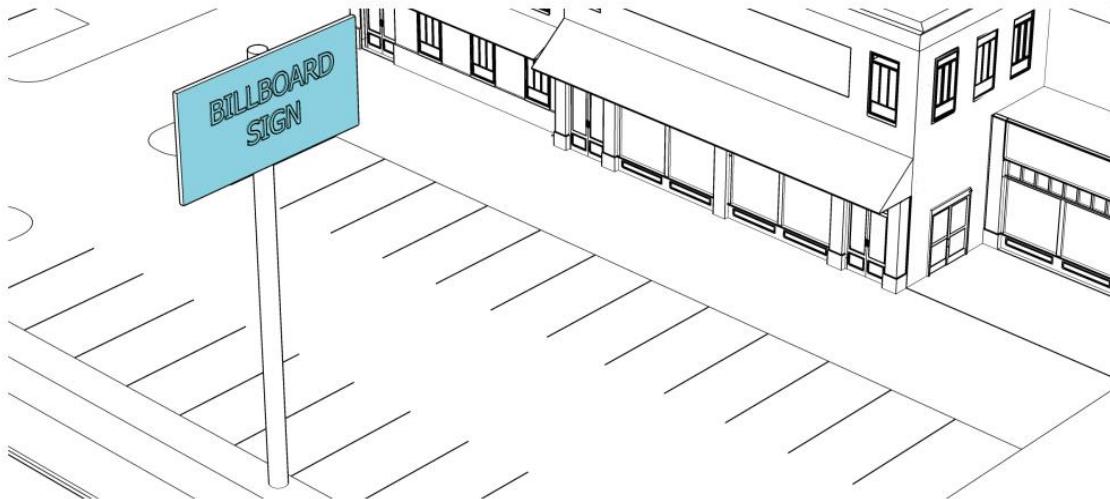
Permitted Districts

CD-4	CD-4C	CD-5	CD-5C	SD-INT	SD-LI	SD-HI	PUD-MU	CV
General Description			Additional Standards					
A Sign mounted on the first floor of a Building perpendicular to a Building Facade Wall, typically hung from decorative cast or wrought iron bracket in a manner that permits it to swing slightly. These Signs are small, pedestrian-scaled, and easily read from both.			In addition to all other applicable standards, each Blade Sign allowed under this Article:					
			a. shall be permanently installed perpendicular to the Façade; and b. all exposed edges of the sign shall be finished.					
Dimensions								
Quantity (max)			1 per Business, no closer than 18 ft. from another Blade Sign					
Area			8 sf.					
Width / Height			max 2 ft. / max 4 ft.					
Depth / Projection			Max 4 ft.					
Clearance			min 8 ft. clear above the Sidewalk					
Letter Height			Max 8 ft.					

ARTICLE 7: SIGN STANDARDS

BILLBOARD SIGN

**TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS**



Permitted Districts

SD-INT

General Description	Additional Standards
A Sign intended for viewing from extended distances, which is mounted on one or two poles. A Pylon Sign is not a Billboard.	In addition to all other applicable standards, each Billboard Sign allowed under this Article: - shall be on the same premises as the activity concerning which the Sign provides information is conducted; - shall be within 1320' of closest right-of-way line of an interstate, highway; and - shall be subject to TCA Title 54, Chapter 21.
Dimensions	
Quantity (max)	1 per Business
Area	50-300 sf.
Height	50 ft. max
Depth / Projection	Not Regulated
Clearance	Not Regulated
Letter Height	Not Regulated

ARTICLE 7: SIGN STANDARDS

DIRECTORY SIGN

**TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS**

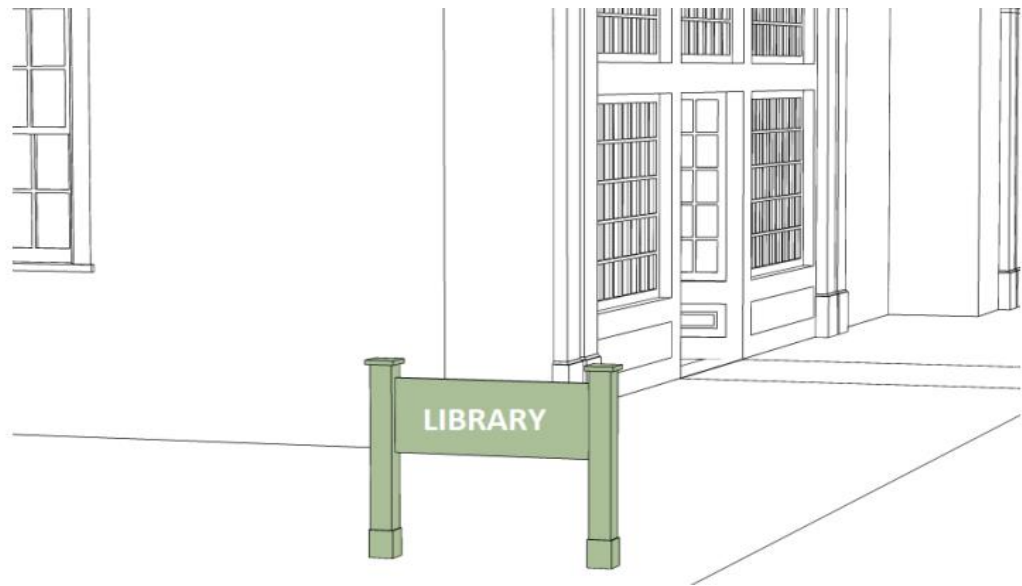


Permitted Districts

CD-4	CD-4C	CD-5	CD-5C	SD-INT	SD-LI	SD-HI	PUD-MU	CV
General Description			Additional Standards					
A Sign that displays the tenant names and locations for a Building containing multiple tenants.			In addition to all other applicable standards, each Directory Sign allowed under this Article:					
			a. shall be attached to and parallel with the first floor Façade; and b. shall not be attached to or places within shopfront or windows.					
Dimensions								
Quantity (max)			1 per ground floor entrance to upper floor Business(es)					
Area			6 sf. max					
Width / Height of Sign Panel			2 ft. max width / 3 ft. max height					

ARTICLE 7: SIGN STANDARDS

Internal Campus Sign	TABLE 7.1.2.B-2 SIGN TYPES SPECIFIC STANDARDS



Permitted Districts

ALL	
General Description	Additional Standards
A small, ground-mounted sign for pedestrian and vehicular circulation within a large multibuilding site such as a church, hospital, or school. Campus signs direct visitors to parking and building locations.	In addition to all other applicable standards, each Internal Campus Sign shall be: a. Conform to the minimum setback at the property line applicable to an accessory structure; and b. Shall not be internally illuminated.

Dimensions	
Quantity (max)	Internal campus signs are unregulated when they are not visible from the right-of-way.
Area	Unregulated where not visible from the right-of-way
Width / Height	Unregulated where not visible from the right-of-way
Depth / Projection	n/a
Clearance	n/a
Letter Height	n/a

ARTICLE 7: SIGN STANDARDS

LARGE PROJECTING SIGN

**TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS**



Permitted Districts

CD-5	CD-5C	SD-INT	SD-LI	SD-HI	PUD-MU	CV
General Description			Additional Standards			
A Sign attached above the first floor of a multi-floor Building and projecting from a Building Façade at a 90-degree angle, or if oriented to a Block corner, a 45-degree angle.			In addition to all other applicable standards, each Large Projecting Sign allowed under this Article:			
			a. shall be permanently installed to the Façade; and b. shall not be internally lighted or backlit except behind cut-out letters and otherwise shall be lighted with neon tubing or other external means.			
Dimensions						
Quantity (max)			1 per Building			
Height (max)			max width = width of façade max height = n/a letters, numbers, and graphics covering no more than 70% of the valance area			
Area (max)			min 8 ft. fully extended, back of curb, whichever is less			
Clearance			min 8 ft.			
Letter Height			min 5 in, max 10 in			
Depth (max)			max 12 in			
Projection (max)			7 ft over Sidewalk, but may not project past back of curb			

ARTICLE 7: SIGN STANDARDS

MARQUEE SIGN

**TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS**



Permitted Districts

CD-4	CD-4C	CD-5	CD-5C	SD-INT	SD-LI	SD-HI	PUD-MU	CV
General Description			Additional Standards					

A Sign that is located either along the Façade where it projects perpendicular to the Façade or at the corner of a Building where it projects at a 45-degree angle. These signs often extend beyond the parapet of the Building, but may also terminate below the cornice or eave. Marquee Signs may have neon lettering used in conjunction with painted colored or changeable lettering.

In addition to all other applicable standards, each Marquee Sign allowed under this Article:

- shall not be internally lighted or backlit except behind the panels from which changeable letters are hung and shall otherwise be lighted with neon tubing or other external means;
- shall be located only above the Principal Entrance of a Building and attached parallel to the Façade, or if such Building is located on a corner, then such Sign may be located at and attached perpendicular to the corner of the Building;
- shall not have any supports more than eight (8) feet deep and all anchors, bolts, and supporting rods must be concealed within its interior; and
- together with all anchors, bolts, supporting rods, and braces shall be constructed of high quality non-combustible or non-corrodible components and materials and shall be designed by a structural engineer and be subject to approval by the Building Inspector.

Dimensions

Quantity (max)	1 per Principal Frontage
Width / Height	Centered on and no more than 4 ft. wider than Principal Entrance bay
Depth / Projection	min 4 ft, max 10 ft over Sidewalk
Clearance	min 10 ft from Sidewalk
Letter Height	removable letter height max 6 in, permanent letter height max 36 in
Distance from Curb	min 3 ft

ARTICLE 7: SIGN STANDARDS

MONUMENT SIGN

**TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS**



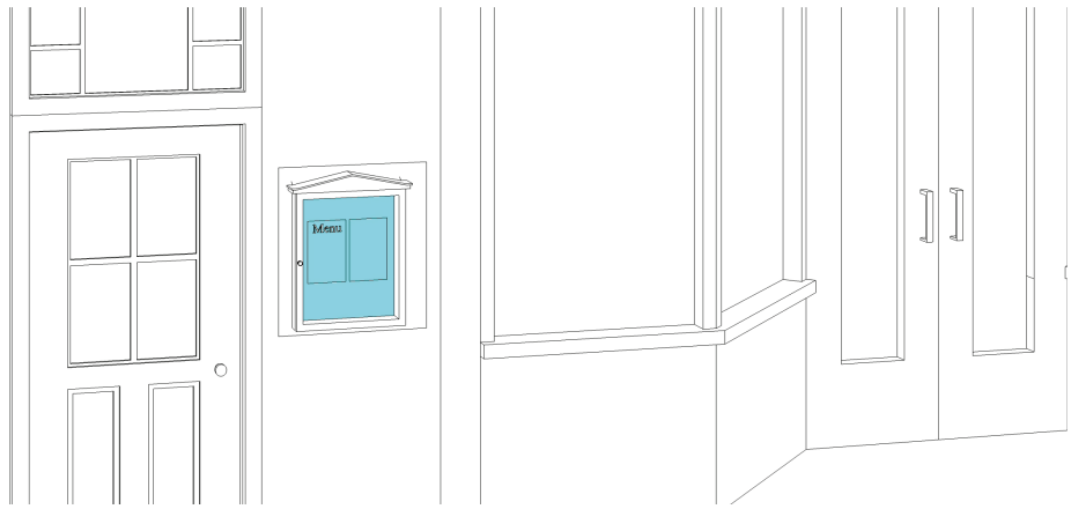
Permitted Districts

CD-2	CD-3L	CD-3	CD-4	CD-4C	SD-INT	SD-LI	SD-HI	CV
General Description			Additional Standards					
A Sign that is erected on a solid base directly on the ground, and that is itself constructed of a solid material.			In addition to all other applicable standards, each Monument Sign allowed under this Article:					
			a. shall be located at the Development Entrance, if applicable, otherwise within the 1st Lot Layer; b. shall incorporate a supporting base that is at least 75 percent of the width of the Sign face at its widest point; c. shall have a supporting base constructed of brick, stone, masonry, or scored concrete; and d. shall not be allowed at the Frontage if there is a Post Sign on the Lot. e. Large-scale commercial and multi-tenants (5 or more tenants) uses are allowed an additional 32 square feet. See Section 7.1.8 for additional residential subdivision sign standards					
Dimensions								
Quantity (max)			All Permitted Districts: 1 per Development Entrance; CD-2, CD-3L & CD-3: all other Permitted Districts other than CD-2, CD-3L & CD-3: 1 per Frontage					
Area (max)			CD-2, CD-3L & CD-3: 18 sf Other Permitted Districts: 50 sf					
Height (max)			CD-2, CD-3L, CD-3 & CD-4: 6 ft Others: 10 ft.					
Letter Height			Not Regulated					

ARTICLE 7: SIGN STANDARDS

OUTDOOR DISPLAY CASE

TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS



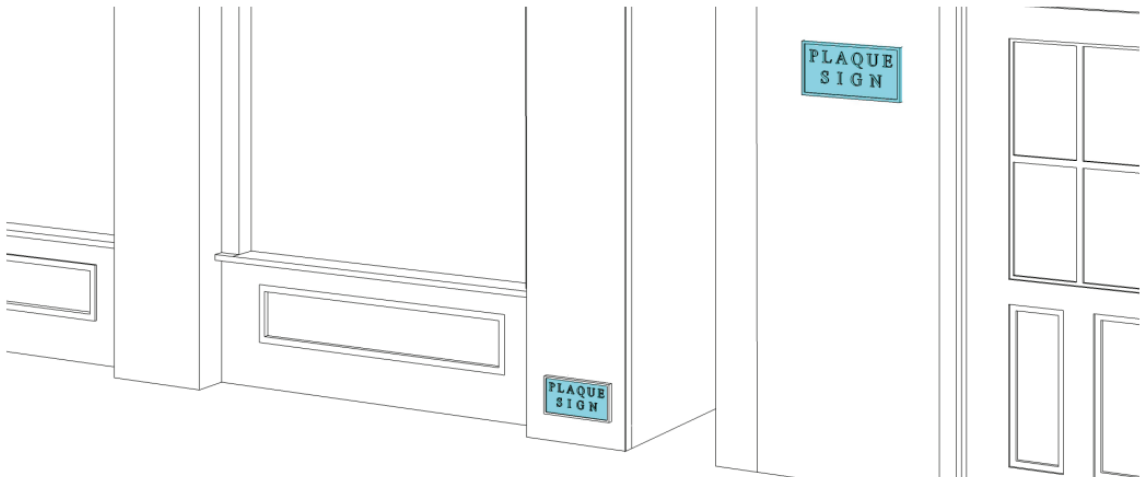
Permitted Districts

CD-4	CD-4C	CD-5	CD-5C	SD-INT	SD-LI	SD-HI	PUD-MU	CV
General Description			Additional Standards					
A Sign consisting of a lockable metal-or wood-framed cabinet with a hinged transparent door inside of which information may be viewed and accessed for maintenance and updating.			In addition to all other applicable standards, each Outdoor Display Case allowed under this Article:					
			a. shall be permanently attached to and parallel with the first floor Facade;					
			b. may be externally illuminated or lighted by a recessed light source within the cabinet; and					
			c. shall not be attached to or be placed within shopfront windows.					
Dimensions								
Quantity (max)		1 per Principal Frontage						
Area		max 8 sf, except in the case of theaters, which may not exceed 20 sf						
Depth / Projection		max 5 in.						
Clerance		min 30 in.						
Letter Height		Not Regulated						

ARTICLE 7: SIGN STANDARDS

PLAQUE SIGN

TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4	CD-4C	CD-5	CD-5C	SD-INT	SD-LI	SD-HI	PUD-MU	CV
General Description			Additional Standards					
A Sign that identifies a Building or its builder, or on professional office Buildings, which might name the firm or partners in a firm. May also be referred to as an Architectural Sign.			In addition to all other applicable standards, each Plaque Sign allowed under this Article shall consist of either a panel or individual letters inset or applied flush with a Building wall within ten (10) feet of an entrance to the Building.					
			No more than 1 Plaque Sign may be used for a Home Occupation in CD-3.					
Dimensions								
Quantity (max)			1 per Principal Frontage					
Area			max 1 sf					
Width / Height			max 18 in / max 2 ft					
Depth / Projection			max 3 in.					
Mounting Height max			7 ft.					

ARTICLE 7: SIGN STANDARDS

PORCH SIGN

**TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS**



Permitted Districts

CD-4	CD-4C	SD-INT	SD-LI	SD-HI	CV
General Description		Additional Standards			
Signs that are mounted on a porch. Signs must be placed parallel to the Building Façade.		In addition to all other applicable standards, each Porch Sign allowed under this Article:			
		c. shall be hung above the entrance to the porch or elsewhere on the architrave (beam at the top of the columns), and d. shall be permanently installed parallel to the Façade of the Building.			
Dimensions					
Quantity (max)		1 per address (2 for corner Building)			
Area		max 6 sq ft.			
Width / Height		max 100% width of entrance / max 2 ft			
Depth / Projection		n/a			
Clearance		min 7 ft.			
Letter Height		max 8 in.			

ARTICLE 7: SIGN STANDARDS

POST SIGN

**TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS**



Permitted Districts

CD-4	CD-4C	SD-INT	SD-LI	SD-HI	CV
General Description		Additional Standards			
A Sign that is mounted on one or two posts in the First Lot Layer.		In addition to all other applicable standards, each Post Sign allowed under this Article:			
		a. may be mounted on one or two posts; and b. shall be perpendicular to the Building Façade.			
Dimensions					
Quantity (max)		1 per Building.			
Area		12 sq ft.			
Width / Height of Sign panel		max 48 in / max 40 in			
Apex		6 ft			
Letter Height		max 10 in			

ARTICLE 7: SIGN STANDARDS

PYLON SIGN

**TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS**



Permitted Districts

CD-3	CD-4C	CD-5C	SD-INT	SD-LI	SD-HI
General Description			Additional Standards		
A Freestanding Sign that is mounted on two finished poles.			In addition to all other applicable standards, each Pylon Sign allowed under this Article:		
			a. shall not be allowed if there is another Sign in the First Layer b. poles shall be faced on each side with masonry, stone, or aluminum c. Large scale commercial and multi-tenants (5 or more tenants) uses are allowed an additional 32 square feet.		

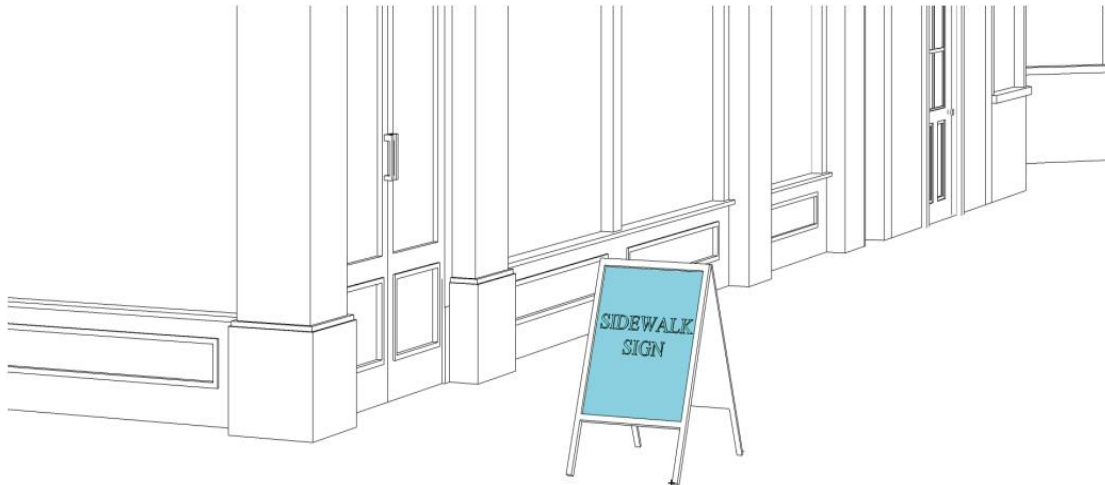
Dimensions

Quantity (max)	1 per Frontage
Area	SD-INT: 300 sf Others: 40 sf
Height including Poles	CD-3, CD-4C & CD-5C: 15 ft SD-LI & SD-HI: 20 ft SD-INT: Not Regulated
Letter Height	Not Regulated
Finished Pole Face Size (each face)	12.5% of the width of the Sign

ARTICLE 7: SIGN STANDARDS

SIDEWALK SIGN

TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4	CD-4C	CD-5	CD-5C	SD-INT	SD-LI	SD-HI	PUD-MU	CV

General Description

A free standing, double-sided Sign with lettering painted or applied to the surface, placed at the entrance to a Building in a primarily pedestrian environment.

Additional Standards

In addition to all other applicable standards, each Sidewalk Sign allowed under this Article:

- shall be located directly in front of the space occupied by the sign permit holder;
- shall not be placed so as to cause the width of the sidewalk to be reduced below five feet in width, nor shall they be erected or maintained in a manner that prevents free ingress or egress from any door, window, or fire escape;
- shall be marked with the approved permit or permit number. Sidewalk signs without permits shall be disposed of at owner's expense;
- shall not be illuminated or have any moving parts;
- shall only be displayed between 9:00 a.m. and 11:00 p.m. and shall be removed from public right-of-ways in the event of snow accumulation until such time that accumulation is removed;
- shall not be made of paper or cardboard; and
- may be removed by the City from right-of-way for municipal purposes.

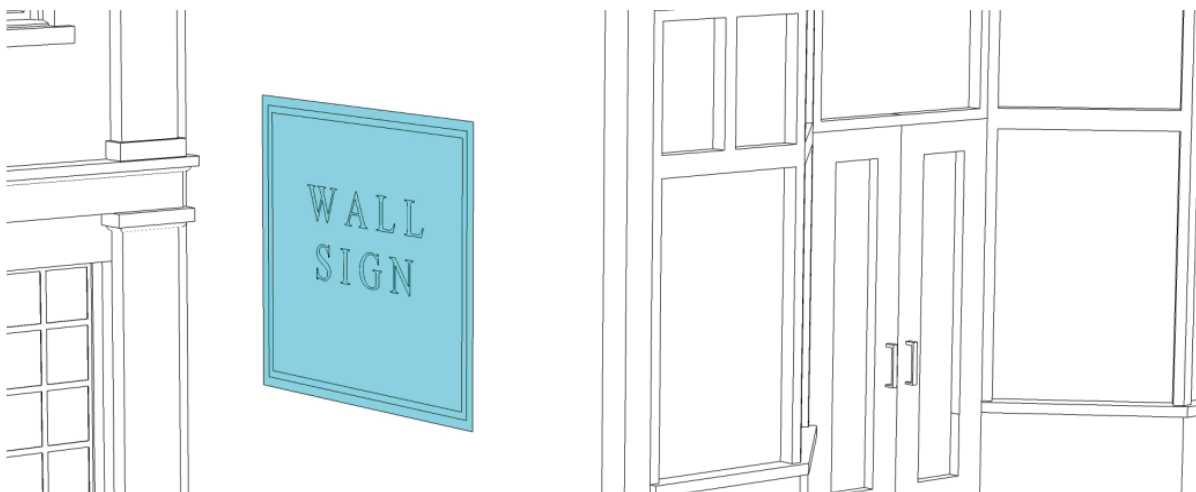
Dimensions

Quantity (max)	1 per Business
Area	max 10 sf
Width / Height	max 30 in / max 48 in

ARTICLE 7: SIGN STANDARDS

WALL SIGN

**TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS**



Permitted Districts

CD-4	CD-4C	CD-5	CD-5C	SD-INT	SD-LI	SD-HI	PUD-MU	CV
General Description		Additional Standards						
A Sign that is flat against a building elevation. These Signs are typically painted directly on the Building and contain a combination of text and graphic elements. They are intended to be visible from a greater distance and shall be accompanied by additional signage on the Façade at the Principal Frontage.		In addition to all other applicable standards, each Wall Sign allowed under this Article:						
		- shall not project vertically above the roof line; - shall include only letters, background, lighting, and an optional logo, with such information shall consist only of the name and/or logo of the Businesses located in such Building; - shall have letters individually attached to the wall, on a separate background panel affixed to the wall, or painted, printed, or etched on the same surface as the background; and - shall not obscure any architectural element and be in vertical alignment with the center of an architectural element such as a storefront window or entrance, or centered over the bay or overall space occupied by the Businesses. - When used on the same elevation as a Band Sign, the area of the Wall Sign shall reduce the maximum allowable size of the Band Sign.						

Dimensions

Quantity (max)	1 per Business
Area	max 32 sf
Depth / Projection	3 in.
Clearance	Not Regulated

ARTICLE 7: SIGN STANDARDS

WINDOW SIGN

**TABLE 7.1.2.B-2 SIGN TYPES
SPECIFIC STANDARDS**



Permitted Districts

CD-4	CD-4C	CD-5	CD-5C	SD-INT	SD-LI	SD-HI	PUD-MU	CV
General Description			Additional Standards					
A Sign applied directly on the inside of a window or hanging inside a window.			In addition to all other applicable standards, each Window Sign allowed under this Article:					
			a. shall be one of the following types: i. Letters painted or applied directly on the window; ii. Hanging Sign that hangs parallel to the window; iii. Neon sign; and iv. Door Sign applied to or hanging inside the glass portion of an entrance doorway. b. shall not interfere with the primary function of windows, which is to enable passersby and public safety personnel to see through the window into the premises and view product displays; and c. may list services and/or products sold on the premises, or provide phone numbers, operating hours or other messages, provided that the total aggregate area of these messages shall not exceed the area dimensional limit provided herein.					
Dimensions								
Area			max 33% of glass onto which it is applied					

ARTICLE 7: SIGN STANDARDS

7.1.3 Permit Required

Except for Exempt Signs, no Sign shall be erected on a Lot or Building Site, installed or placed on a Building, or otherwise exist on a Lot, Building Site or Building unless a Sign Permit has been issued for such Sign in accordance with Section 8.5.23 and such Sign Permit remains in full force and effect

7.1.4 Violation, Enforcement & Appeal

Any violation of this Section 7.1 shall be enforceable and appealable in accordance with the enforcement and appeal provisions of this Ordinance.

7.1.5 Allowed Signs

There shall be no signs allowed other than as specified in this Section 7.1.

7.1.6 Address Signs

An address sign is required for each Building in compliance with **Table 7.1.2.B-1 (Sign Types – Summary)** and **Table 7.1.2.B-2 (Sign Types – Specific Standards)**.

7.1.7 Temporary Signs

In addition to all other Signs allowed in accordance with **Table 7.1.2.B-1(Sign Types – Summary)** and **Table 7.1.2.B-2 (Sign Types – Specific Standards)**, non-illuminated Temporary Signs are allowed without a Sign Permit subject to the following:

A. Single-Family, Two-Family, Owner-Occupied Multi-Family Residential.

On any Lot or Building Site used as a single-family, two-family, or owner-occupied multi-family dwelling, up to 2 temporary Signs may be displayed on a pole or stake affixed to the ground. Such Signs shall not exceed 9 square feet in area per side, and the top of such Sign shall be no taller than 5 feet from ground.

B. Other Lots and Building Sites.

On any Lot or Building Site not used as a single-family, two-family, or owner occupied multi-family dwelling, up to 2 Temporary Signs may be displayed on either (1) a pole or stake affixed to the ground or on a banner affixed to a Building on the Lot or Building Site.

1. Temporary Ground Sign: One Ground Sign per Lot or Building Site shall be permitted. Such sign shall not exceed 24 square feet in area per side, unless the lot or site is greater than 10 acres, in which case, a sign of 32 square feet is permitted. The top of the sign shall be no more than 5 feet from ground level and affixed to the ground supported by posts.
2. Temporary Banner Sign: One (1) Temporary Banner Sign per Business shall be permitted. Such signs shall not exceed 32 square feet in size and shall be securely attached flat against the wall of the building.

C. Materials & Condition.

Temporary Signs must be made of waterproof materials and kept in good repair.

D. Setback & Visibility

Temporary Signs must be set back at least 5 feet from the property line and may not be placed in a manner that obstructs visibility for drivers on an adjacent street.

ARTICLE 7: SIGN STANDARDS

7.1.8 Residential Subdivision Signs

A. Permanent Residential Subdivision Signs

1. Residential subdivision signs shall be located at the primary entrance(s) to a development as identified on a Site Development Plan.
2. Such signs shall be located on private property and may be within any platted sign and/or landscape easement or within common open space.
3. Such signs shall be maintained by an established property owners' association or similar entity.
4. One sign shall be permitted for each entrance to the subdivision, up to a maximum of three entrances per subdivision. See Monument Sign for design standards.
5. Subdivision signs shall be setback at least ten (10) feet from the edge of pavement or the edge of the public right-of-way, whichever is greater, unless more space is necessary to preserve the sight distance triangle.

B. Temporary Residential Subdivision Signs

1. One (1) temporary residential subdivision sign may be erected on a site for the purpose of advertising the development of a subdivision and the sale of included lots. The sign may remain until sale of all subdivision lots is completed.
2. No other temporary development signs shall be permitted, including individual builder signs. The names of participating builders may be included on the subdivision temporary development sign.
3. Specifications:
 1. Maximum sign face area, thirty-two (32) square feet.
 2. If only one (1) sign face is used per sign and sixteen (16) square feet per sign face if two (2) faces are used on one (1) sign.
 3. Maximum height, six (6) feet.
4. Multiphase developments may utilize a temporary residential subdivision sign for each phase.

7.1.9 General Provisions Applicable to All Non-Exempt Signs

Without limitation to any applicable specific Sign standards, all Signs other than Exempt Signs shall comply with the following additional standards:

A. Materials, Fabrication & Condition.

Signs shall be constructed of durable and weather resistant material, shall be fabricated and installed by qualified Sign painters and mechanics, and shall be kept in good repair.

B. Lighting.

Certain signs may, but are not required to be, lighted unless otherwise specifically stated for the particular Sign type in **Table 7.1.2.B-2 (Sign Types - Specific Standards)**. Within districts CD-2, 3, and 3L signs shall not be internally illuminated or back-lighted. In all other districts, internal illumination is allowed for sign letters and insignias only. External illumination shall be allowed in all districts.

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C. Electrical Elements.

Except for the light fixture itself, all electrical elements such as wires, conduits, junction boxes, transformers, ballasts, switches and panel boxes shall be concealed to extent possible from public view.

D. Mounting.

Signs shall be mounted in such a way that their removal does not damage and/or alter the original surface of the Building. If the original surface of a Building is damaged during removal of a Sign, the damage must be repaired and the original surface condition restored concurrently.

E. Historic Signs.

In addition to Sign types allowed pursuant to **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B- 2 (Sign Types - Specific Standards)**, Signs that are original to the Building and have been placed on the Building for at least fifty (50) years may remain or be reproduced. New signs regulated by **8.3.5.G-21** that mimic the original building sign in all aspects may be allowed. Any such Signs shall be kept in good repair, both in terms of appearance and operation.

F. Design Drawings.

Design drawings of any proposed Sign must be submitted to the Building Official for review of compliance with this Section prior to fabrication and installation. Such drawings shall include Sign location and size and shall indicate materials, color(s), hanging or mounting device, illumination scheme, and example of lettering.

G. Off-Premises Signs & Billboards.

Billboards and Off-Premises Signs are prohibited except as otherwise permitted pursuant to this Article 7 or pursuant to TCA Title 54, Chapter 21.

H. Building Codes.

All Signs must comply with all applicable provisions of the Building Code.

I. Rights-of-Way.

Excepting as expressly allowed under this Article, Signs are not permitted in public Rights-of-Way.

J. Portable Signs.

Portable Signs other than Sidewalk Signs are not permitted.

K. Removal of Abandoned Signs.

Except for Signs allowed pursuant to Section 7.1.9.E above, Commercial Signs and supports for Commercial Signs erected by entities that are no longer operating on the premises shall be removed by the owner, agent, or Person having beneficial use of the Sign or the property upon which the Sign is located within 30 days of written notice from the Building Official.

L. Signs in Upper Floor Windows.

Signs in upper floor windows are not permitted, except for Window Signs for an occupant that is separate from the occupant of the ground floor.

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M. Removal of Non-Conforming Signs.

All Signs that do not conform to this Section 7.1 shall be removed pursuant to Section 1.22.

N. Occupant Rear Door Sign.

A Sign for the occupant shall be permitted at rear entrance doors if mounted flush against the Building and not exceeding six (6) square feet in size.

O. Compliance with Electrical Codes.

All Signs erected, altered, or maintained in the City shall conform to City and state electrical codes.

P. Certain Lighting Prohibited.

No Sign may be illuminated with or include animated, moving, intermittent, or flashing lights, or other active lighting.

Q. Moving Elements / Components.

No Sign may have any moving component or element.

R. Changeable Copy.

Signs may have changeable copy with physically changeable letters or an Electronic Message Board allowed pursuant to Section 7.1.9.

S. Imitation of Traffic Safety Control Sign.

No Sign may by design or arrangement imitate the size, color, lettering, illumination, word, phrase, or symbol of a Sign used as traffic safety control Sign.

ARTICLE 7: SIGN STANDARDS

T. Sign Setback Relative to Adjoining Lot or Building Site.

Where a Lot or Building Site adjoins another Lot or Building Site, no Freestanding Sign shall be permitted within a triangle formed by the Side Lot or Building Site Line, the Front Lot or Building Site Line and a line beginning on the Side Lot or Building Site Line at the required front Setback distance and extended at 45 degrees to the Front Lot or Building Site Line for an existing Building. The established front Setback of an Adjacent Building may be substituted for the required Street Yard prescribed within the applicable District.

U. Overhang into Right-of-Way.

No Sign may be within or overhang a public right-of-way or required Setback other than a Wall Sign that does not overhang such right-of-way more than 15 inches, a Blade Sign, a Vertical Projecting Sign, a Marquee Sign, or an Awning Sign.

V. Obstruction of Traffic Sign or Control Device, or Street Name Sign; Visibility Hazard.

No Sign may obstruct a traffic-control device, traffic Sign, or street name Sign, block the vision of drivers at any Driveway, street intersection or crosswalk, or be unsafe or constitute a hazard of any type.

W. Affixing on Improper Support; Attachment.

No Sign or Sign support may be affixed to a tree, rock, utility pole or other improper Sign support, or contain any attachment, other Sign, symbol, flag, pennant or other attention-getting device (other than the Sign itself).

7.1.10 Electronic Message Boards.

A. Districts Permitted.

Electronic Message Boards shall be permitted, only as part of a permitted Monument Sign, Pylon Sign, or Marquee Sign. Such Signs shall be subject to the following conditions:

1. The electronic lighting shall not exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (lux) meter at a pre-set distance depending on sign area. The measurement distance shall be calculated with the following formula: the square root of the product of the sign area (in square feet) and 100. For example, the brightness of a 12 square foot sign shall be measured at a distance of 34.6 feet. Light measurement shall be taken with the meter aimed directly at the sign message face, or the area of the sign emitting the brightest light.
2. The frequency of message and/or image change shall be no more than once every 8 seconds.
3. The transition or change sequence between messages and images shall appear instantaneous as perceived by the human eye, without any animation such as scrolling or flashing.

B. Area.

The area of an Electronic Message Board shall be considered a part of the Sign of which it is a part for purposes of calculating the total sign area of such sign, and the area of the Electronic Message Board itself shall not exceed 50% of the total Sign area.

ARTICLE 7: SIGN STANDARDS

C. Distance Between.

A new electronic message board may not be constructed or installed within 100 feet of any Residential structure, including Multi-Family Dwellings.

7.1.11 Exempt Signs Not Requiring a Sign Permit.

The following Signs are Exempt Signs and do not require a Sign Permit:

1. **Address Signs**

One Address Sign per tenant or owner.

2. **Certain Small Signs**

On-premises Signs not exceeding four (4) square feet in area that are located along the route to a place or location within such premises or are provided for safety.

3. **Governmental Signs**

Signs placed by the City or any other governmental unit with jurisdiction over the area where the Sign is placed.

4. **Certain Integrated Signs**

Signs carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent construction and made an integral part of the Structure.

5. **Temporary Signs**

Temporary Signs allowed under Section 7.1.7.

6. **Campus Signs**

Internally oriented on signs on large multi-building sites, adhering to the Campus Sign standards.

7. **Home Occupation Signs**

Small identification signs of no more than 4 square feet associated with a permitted Home Occupation.

7.1.12 Sign Area Computation.

The area of Sign as regulated herein shall be the computed area of the background upon which lettering, insignia or other devices are placed. Where said display area is the face of a Building, the area of such Sign shall be the product of the total width and the total height occupied by such lettering, devices or insignia. For Signs having two sides, the maximum display area shall be permitted on both sides and the total area of one side shall be deemed to be the total Sign area. The supporting Structures shall not be included in the area computation unless utilized as part of the total display area.

7.1.13 Responsibility for Signs.

All Signs located in the City shall be erected, altered and maintained by the owner of such Sign who shall assume full responsibility for any consequences or damage caused by the Sign. Signs and supports must be removed or

ARTICLE 7: SIGN STANDARDS

corrected within 30 days after the Building Official sends written notice that an unsafe or improperly maintained Sign condition exists.

7.1.14 Non-Conforming Signs.

Any existing non-conforming sign or any Sign that becomes non-conforming as a result of the enactment or amendment of this Chapter shall be subject to the provisions of Section 1.22.

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ARTICLE 8: ADMINISTRATION, PROCEDURE, & ENFORCEMENT

PURPOSE & INTENT.

It is the purpose and intent of this Article to provide for the proper and efficient administration of this Ordinance, for procedures for the implementation of this Ordinance, and for the enforcement of this Ordinance.

SECTION 8.1 ADMINISTRATION.

8.1.1 Zoning Administrator.

A. Authorization.

1. There is hereby created the Office of the Zoning Administrator. The Zoning Administrator shall be the executive head of such office. This Ordinance shall be administered by the Zoning Administrator.
2. The Zoning Administrator shall have all authority, take all actions, and discharge all duties and responsibilities under this Ordinance, as specified herein, under applicable law, or as directed by the Director of Development Services, the Planning Commission, the Board of Zoning Appeals, or the City Council.
3. The City Planner is hereby designated and appointed as the Zoning Administrator. The Zoning Administrator serves at the direction of the Director of Development Services. In the absence of a City Planner, the Zoning Administrator shall be such person as may be designated by the Director of Development Services, or in the absence of both the City Planner and the Director of Development Services, the City Manager.

B. Method of Acting.

The Zoning Administrator may act directly or through any one or more designees. The Zoning Administrator may designate any staff member to represent the Zoning Administrator in exercising or discharging any of the actions, duties, or responsibilities under this Ordinance, which are within the Zoning Administrator's authority. The Zoning Administrator shall remain responsible for any final action.

C. Powers & Duties.

In order to assure compliance with the provisions of this Ordinance, and in addition to the general authority of the Zoning Administrator pursuant to this section, the Zoning Administrator shall have the following specific powers and responsibilities:

1. Reviewing, making recommendations regarding, and certifying the completeness and compliance of the following:
 - a. Applications for Development Plans and Master PUD Development Plans
 - b. Applications for Certificates of Appropriateness;

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- c. Amendments to adopted Land Use Plans;
 - d. Amendments to the text of this Ordinance;
 - e. Applications for Rezoning;
 - f. Applications for Historic District designation; and
 - g. Vested rights determinations.
- 2. Making final administrative decisions on the following:
 - a. Interpretations of this Ordinance;
 - b. Issuing of all Zoning Permits, and the creating and maintaining all pertinent records;
 - c. Applications for Plot Plans;
 - d. Applications for certain Site Development Plans;
 - e. Applications for Floodplain Development Permits;
 - f. Administrative Adjustments;
 - g. Applications for Temporary Use Permits;
 - h. Applications for Home Occupation Permits;
 - i. Applications for Sign Permits.
 - j. Applications for Certificates of Occupancy, in consultation with the Chief Building Official;
 - k. Applications for Determination of Economic Hardship; and
 - l. Applications for the removal of Heritage Trees within a required Buffer area or credit for preservation of existing vegetation, including Heritage Trees.
- 3. Administering the provisions of any Development Plan or Master PUD Development Plan and any approved Conditional Use or approved site plan, except where administration is otherwise expressly provided in this Ordinance to be the responsibility of other City personnel;
- 4. Reviewing and certifying whether plans and applications submitted pursuant to this Ordinance are complete and in compliance with all standards and requirements hereof;
- 5. Together with Decision-Making Authorities and other City code enforcement personnel as provided herein, enforcing this Ordinance and the provisions of any Development approval, permit, or plan certified, approved, or issued under this Ordinance;
- 6. Taking all actions and discharging all duties and responsibilities as directed by the City Manager, Director of Development Services, Planning Commission, Board of Zoning Appeals, or City Council; and
- 7. Taking all other actions as the Zoning Administrator specified in this Ordinance.

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D. Additional Responsibilities.

The Zoning Administrator shall have the following additional responsibilities:

1. Provide information to the public on all matters relating to this Ordinance;
2. Receive, file, and forward to all necessary agencies all applications for Conditional Uses and amendments to this Ordinance;
3. Undertake a study of the provisions of this Ordinance, and make reports of his/her recommendations to the Planning Commission as necessary.
4. Receive, file, and forward to the Board of Zoning Appeals all applications for matters which the Board of Zoning Appeals is required to review under the provisions of this Ordinance;
5. Maintain permanent and current records of this Ordinance, including, but not limited to, all maps, amendments, Conditional Uses, Variances, appeals, and applications therefor;
6. Prepare an annual report summarizing annexation requests and subsequent action on such requests, and submit the same annually to the City Council;
7. Not make changes in the provisions of this Ordinance, excepting as provided in Section 8, and
8. Not refuse to issue a permit when conditions imposed by this Ordinance are complied with by the applicant, despite the violation of contracts such as deed covenants or private agreements which may occur upon the granting of said permit.

E. Procedures & Guidelines.

The Zoning Administrator shall develop, approve, and implement administrative procedures and guidelines to execute the provisions of this Ordinance. The Zoning Administrator shall develop deadlines, application forms, instructional sheets, checklists, and processes for the efficient administration of development review. The Zoning Administrator may update and revise such form time to time as necessary to maintain efficiency.

SECTION 8.2 REVIEW AND DECISION-MAKING AUTHORITIES.

8.3.1 General.

Authority under this Ordinance shall be vested in and delegated to the officials and Decision-Making Authorities designated in this Ordinance, the City Code, and Tennessee law. This authority shall be deemed supplemental to any other authority lawfully conferred upon the officials and Decision-Making Authorities.

The officials and Decision-Making Authorities shall have all implied authority necessary to carry out the duties and responsibilities expressly provided in this Ordinance to the extent the implied authority is not in conflict with the express authority.

ARTICLE 8: ADMINISTRATION, PROCEDURE, & ENFORCEMENT

8.3.2 City Council.

A. Creation & Membership.

Information regarding the creation, membership, and rules of procedure of the City Council is available in the City Code.

B. Powers & Duties.

In the execution of the provisions of this Ordinance, the City Council shall have the following powers and duties:

1. Final decision on amendments to this Ordinance;
2. Final decision on Rezoning;
3. Final decision on adoption of/or amendments to the Comprehensive Plan,
4. Final decision on the preliminary Master PUD Development Plan of a Planned Unit Development;
5. Final decision on a Heavy Manufacturing Permit; and
6. To perform all duties and functions assigned to City Councils under Tennessee law, this Ordinance, and any applicable Chapter of the City Code.

8.3.3 Planning Commission.

A. Creation & Membership.

Information regarding the creation and membership of the Planning Commission is available in the City Code.

B. Powers & Duties.

In the execution of the provisions of this Ordinance, the Planning Commission shall have the following powers and duties:

1. Final decision on certain Development Plans;
2. Make recommendations to the City Council on amendments to this Ordinance;
3. Make recommendations to the City Council on Rezoning;
4. Develop an official Comprehensive Plan for the physical Development of the City, including any area outside of its boundaries which, in the Planning Commission's judgment, bears relation to the planning of the City;

ARTICLE 8: ADMINISTRATION, PROCEDURE, & ENFORCEMENT

5. Make recommendations to the City Council to amend, extend, or add to the Comprehensive Plan or carry any part of subject matter into greater detail;
6. Submit an advisory opinion on any matter before the Board of Zoning Appeals, which opinion shall be made part of the record of such public hearing;
7. Make recommendations to the City Council on a preliminary Master PUD Development Plan; and
8. Make recommendations on compliance for a Final PUD Development Plan or Plat; and
9. To perform all duties and functions assigned to Planning Commissions under state law, this Ordinance, and any applicable Chapter of the City Code.

8.3.4 Board of Zoning Appeals.

A. Creation.

A Board of Zoning Appeals is hereby created for the City (referred to in this Ordinance as “Board of Zoning Appeals”).

B. Membership.

The Board of Zoning Appeals shall consist of five (5) members, all of whom shall be bona fide residents of the City both at the time of their appointment and for the duration of their tenure on the Board of Zoning Appeals. No person holding any public office or position within the City government shall be eligible for membership on the Board of Zoning Appeals. A member shall be removed from the Board of Zoning Appeals if found to be in violation of these membership requirements at any time during their tenure.

C. Term of Office, Removal & Vacancies.

Members of the Board of Zoning Appeals shall serve for three-year terms or until their respective successors are appointed and qualified, except that the members first appointed shall serve respectively for the following terms:

1. Two Members – One Year
2. Two Members – Two Years
3. One Member – Three Years

All members of the Board of Zoning Appeals shall serve with such compensation as may be fixed by the City Council and may be removed from membership on the Board of Zoning Appeals for continued absence or just cause. Vacancies of said Board of Zoning Appeals shall be filled for the unexpired term of those members whose positions have become vacant in the manner provided herein for the appointment of such member.

ARTICLE 8: ADMINISTRATION, PROCEDURE, & ENFORCEMENT

D. Election of Officers.

The Board of Zoning Appeals shall elect from its members a chairman and vice chairman, who shall serve for one year and may, upon election, serve succeeding terms. The City shall provide necessary secretarial services for members of the Board of Zoning Appeals.

E. Meetings.

Regular meetings of the Board of Zoning Appeals shall be held at such time and place as established by the Zoning Administrator on behalf of such Board. Special meetings may be held at the call of the chairman or at the request of two members, provided that notice of the special meeting is given to every member at least 24 hours before the time set, except that the announcement of a special session at any meeting at which a quorum is present shall be sufficient notice of such meeting.

F. Conflict of Interest.

Any member of the Board of Zoning Appeals who shall have a direct or an indirect interest in any property which is the subject matter of or affected by, a decision of the Board of Zoning Appeals shall be disqualified from participating in the discussion, decision, and proceedings of the Board of Zoning Appeals in connection therewith. The burden for revealing any such conflict rests with individual members of the Board of Zoning Appeals. Failure to reveal any such conflict shall constitute grounds for immediate removal from the Board of Zoning Appeals for cause.

G. Powers & Duties.

The Board of Zoning Appeals shall have the following powers and duties:

1. Final decision on appeals of any administrative decision made in the enforcement of this Ordinance;
2. Final decision on a Conditional Use Permit;
3. Final decision on an application for a Variance;
4. Interpret zoning District boundaries;
5. Interpret the boundaries of the Flood Hazard Districts on appeal from a decision of the Zoning Administrator;
6. Hear and decide all matters referred to it on which it is required to act under this Ordinance or by statute; and
7. To perform related duties as directed by the City Council;
8. To perform all duties and functions assigned to boards of appeal under state law, this Ordinance, and any other applicable Chapter of the City Code.
- 9.

ARTICLE 8: ADMINISTRATION, PROCEDURE, & ENFORCEMENT

H. Annual Report.

The Board of Zoning Appeals shall prepare an annual report and submit it to the City Council. The annual report shall include a comprehensive review of the activities, problems, and actions of the Board of Zoning Appeals and any budget requests or other recommendations.

I. Rules.

The Board of Zoning Appeals shall adopt rules for the conduct of its meetings, requiring at a minimum the requirements of Section 8.3.3.J.

J. Proceedings.

1. The presence of three members of the Board of Zoning Appeals shall constitute a quorum, and the concurring affirmative vote of at least three members of the Board of Zoning Appeals shall be necessary to deny or grant any application before the Board of Zoning Appeals.
2. No action shall be taken by the Board of Zoning Appeals on any case until after a public hearing and notice thereof. Said notice of public hearing shall be a legal notice published in a newspaper of general circulation in the City at least ten days before the hearing of an appeal. No appeal shall be considered and heard by the Board of Zoning Appeals earlier than 15 days after filing such appeal. If new information is uncovered regarding an action of the Board of Zoning Appeals that could not have been reasonably presented in public hearing before the Board of Zoning Appeals, the Board of Zoning Appeals shall establish a date for the purpose of rehearing in accordance with the appropriate procedures herein.
3. The Board of Zoning Appeals may call upon any other office or agency of the city government for information in the performance of its duties and it shall be the duty of such other agencies to render such information to the Board of Zoning Appeals as may be reasonably required.
4. All hearing sessions shall be open to the public.

K. Appeal.

Any officer, agency or department of the City or other aggrieved party may appeal any decision of the Board of Zoning Appeals to a court of competent jurisdiction as provided by State law.

An appeal shall stay all proceedings relating to the action under appeal, unless the Zoning Administrator certifies to the Board of Zoning Appeals, after such notice of appeal has been filed, that by reason of facts stated in the certificate, such stay would cause imminent peril to life or property. In such instance, the proceedings shall not be stayed otherwise than by a restraining order stating the justification for the stay, which may be granted by a court of competent jurisdiction, on notice to the Zoning Administrator.

ARTICLE 8: ADMINISTRATION, PROCEDURE, & ENFORCEMENT

L. Rehearing.

1. No Rehearing of a Decision by the Board of Zoning Appeals shall be had except:
 - a. On motion by Board of Zoning Appeals member to reconsider the vote; or
 - b. On a written request for a hearing by the property owner or authorized agent.
2. All rehearing requests must conform to the following:
 - a. All motions or requests to reconsider shall require a majority affirmative vote. Only then shall the Board of Zoning Appeals vote on the motion to grant the request for a rehearing, subject to such conditions as the Board of Zoning Appeals may by resolution in each case, stipulate.
 - b. No request to grant a rehearing will be entertained unless new evidence is submitted, which could not reasonably be presented at the previous hearing.
 - c. If the request for a rehearing is granted, the case shall be put on the calendar for a rehearing. In all cases, the request for a rehearing shall be in writing, reciting the reasons for the request, and shall be duly verified and accompanied by the necessary data and diagrams. The person(s) requesting the rehearing shall be notified to appear before the Board of Zoning Appeals on a date to be set by the Board of Zoning Appeals.
 - d. No rehearing for a Variance shall be granted to an applicant found by a court of competent jurisdiction to be in willful violation of the express provisions of a prior Variance granted under the authority of this Ordinance or any prior ordinance.

8.3.5 Historic Zoning Commission.

A. Creation.

A Historic Zoning Commission is hereby created for the City. The Historic Zoning Commission shall consist of seven members, each of who shall be a resident of, or property or Business owner within, the City prior to the appointment and who shall continue to be so as long as they serve.

B. Membership.

1. Membership on the Historic Zoning Commission shall be composed of the following members:
 - a. One member of the Planning Commission.
 - b. One member representing a local historical or patriotic organization.
 - c. One architect who is a member, or meets membership requirements, of the American Institute of Architects, if available; if such a qualified architect is

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unavailable, this position will be filled by another member selected from the community in general.

- d. Four members as selected from the City in general.
2. Members of the Historic Zoning Commission shall be appointed by the Mayor, subject to confirmation by the City Council.
3. Except as herein provided, the members of the Historic Zoning Commission shall serve for a five-year term. The members first appointed, shall serve respectively as follows:
 - a. One member for one year;
 - b. One member for two years;
 - c. One member for three years;
 - d. Two members for four years; and
 - e. Two members for five years.
4. The term of the member nominated from the Planning Commission shall be concurrent with the term on the Planning Commission, and in the event that any other member shall also be a member of the City Council, the term of such member shall be concurrent with the term of the elected office of the member.
5. All members shall serve without compensation and may be removed from membership by the Mayor and City Council.

C. Vacancies.

Vacancies on the Historic Zoning Commission shall be filled for the unexpired term of those members whose position has become vacant in the manner herein provided for the appointment of such member; vacancies shall be filled within 60 days.

D. Election of Officers.

The Historic Zoning Commission shall elect from its members its own chairman and other officers deemed appropriate to carry out its purpose.

E. Conflict of Interest.

Any member of the Historic Zoning Commission who shall have a direct or indirect interest in any property which is subject matter of or is affected by a decision of the Historic Zoning Commission shall be governed by the provisions of TCA Section 12 – 4 – 101.

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F. Rules & Meetings.

1. The Historic Zoning Commission shall adopt rules of order and establish regular meeting dates.
2. Four members of the Historic Zoning Commission shall constitute a quorum for the transaction of its business.
3. The concurring vote of a majority of the Historic Zoning Commission members present shall constitute final action of the commission on any matter before it.

G. Powers & Duties.

1. Subject to state law and the procedures prescribed hereunder, the Historic Zoning Commission shall have the following powers, functions, and duties:
2. To create and to recommend the adoption of legislation which will facilitate establishment of Historic Districts wherein the construction, repair, Alteration, rehabilitation, relocation or demolition of any Structure now located or to be located will be subject to special provisions as set forth herein and as further specified in TCA Section 13 – 7 – 402.
3. To create and recommend the enactment of legislation providing for the transfer of Development rights as a portion of the legislation which establishes any Historic District and as further specified in TCA Section 13 – 7 – 402 (C).
4. To testify before all boards and commissions, including the Planning Commission, City Council and the Board of Zoning Appeals, on any matter affecting historically and architecturally significant property, Structures and areas.
5. To conduct a survey of Buildings, places, or areas within the City for the purpose of identifying those of historic or cultural significance.
6. To develop and adopt, prior to the establishment of any Historic District, review guidelines as specified in Section 8.5.12.F.3, which the Historic Zoning Commission will apply in ruling upon the granting or denial of a Certificate of Appropriateness.
7. To submit and to review all applications designating Historic Districts.
8. To review and make decisions on any application for a Certificate of Appropriateness as specified in Section 8.5.13.C and to require the presentation of such plans, drawings, elevations and other information as may be necessary to make such decisions.
9. To determine an appropriate system of markers for designation of Historic Districts.
10. To prepare and publish maps, brochures and other descriptive material about the City's Historic Districts, Historic Landmarks and Historic Structures.

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11. To cooperate with and enlist the assistance of persons, organizations, corporations, foundations and public agencies in matters involving historic preservation, renovation, rehabilitation and property reuse.
12. To advise and assist owners of Historic Properties on physical and financial aspects of preservation, renovation, rehabilitation and reuse.
13. To accept gifts, grants and money as may be appropriate for the purposes of this Article.
14. To adopt, publish and make available Bylaws for the conduct of Historic Zoning Commission meetings.
15. To exercise such powers as may be delegated it by the Tennessee Historical Commission under the certified Local Government's Historic Preservation Program, to include participation in the review of nominations to National Register of Historic Places, and enforcement of appropriate state and local legislation for designation and protection of Historic Properties.
16. To review proposed zoning amendments, applications for Conditional Use Permits, Variances, and applications for subdivision that affect proposed or designated Historic Districts.
17. To retain such specialists or consultants or to appoint such citizen advisory committees as may from time to time be required.
18. To confer recognition upon the owners of property within Historic Districts.
19. To develop a preservation component in the Comprehensive Plan of the City and to recommend it to the Planning Commission.
20. To review periodically this Ordinance and to recommend to the Planning Commission and City Council any amendments appropriate for the protection of Historic Properties..
21. To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to implementation of the purposes of this Article.
22. To review signs citywide of an historic nature as it relates to the original building of at least 50 years old at time of code adoption.

8.3.6 Architectural Design Review Team.

A. Creation.

1. There is hereby created the Architectural Design Review Commission for the purpose of reviewing Development applications that are subject to design review pursuant to this Ordinance.
2. As authorized by T.C.A. Section 6-54-133, the Columbia Municipal Planning Commission is designated the city's Architectural Design Review Commission, with the authority to develop, adopt, and apply general guidelines for the exterior appearance of properties within the City of Columbia.

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B. Design Standards.

In addition to the design standards incorporated in this ordinance, the Planning Commission may develop and adopt exterior appearance guidelines that are applicable throughout the city as well as exterior appearance guidelines that are applicable only to specified areas within the city.

C. Powers & Duties.

1. The Planning Commission shall be responsible for reviewing proposals for Site Development Plan, Building Permit, or Planned Unit Development approval for compliance with the applicable architectural design standards.
2. The Planning Commission may approve alternative materials and methods of compliance which, in the determination of the Planning Commission, provide aesthetic value which meets or exceeds the prescribed standards.
3. The Zoning Administrator may approve alternative materials and methods of compliance with design standards for existing structures and Site Development Plans for which the Zoning Administrator is the Decision-Making Authority. The alternative means of compliance must provide aesthetic value which meets or exceeds the prescribed standards. The Zoning Administrator may refer any determination of alternative compliance to the Planning Commission. Any property owner may appeal the Zoning Administrator's determination to the Planning Commission. The appeal shall be by a written notice to the Zoning Administrator, stating: the guideline at issue; the alternative compliance proposed; and, the owner's reasons for seeking relief from the guideline. The appeal shall be treated as a site development plan for purposes of assessing fees and application requirements.

D. Appeals.

1. Any property owner affected by the guidelines for exterior appearance may appeal a decision under those guidelines to the City Council. The appeal shall be by a written notice to the Zoning Administrator, stating: the guideline at issue; the alternative compliance proposed; and, the owner's reasons for seeking relief from the guideline. The appeal shall be treated as a site development plan for purposes of assessing fees and application requirements.
2. The decision of the City Council shall be final and binding.

E. Annual Report.

The Architectural Design Review Team shall prepare an annual report and submit it to the City Council. The annual report shall include a comprehensive review of the activities and actions of the Architectural Design Review Team and any other recommendations.

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8.3.7 Development Review Committee.

There shall be a Development Review Committee. Such Committee shall consist of the Zoning Administrator or designee and other staff that the Zoning Administrator deems necessary to review an application. The Zoning Administrator shall chair the Committee.

The Committee chair shall prepare and retain a report on each meeting of the Committee. The Committee is authorized to review and provide input on any project proposal forwarded to the Committee by the Zoning Administrator. Additionally, the Committee is authorized to review and provide input on each Rezoning, Site Development Plan, Subdivision Plat, and Master PUD Development Plan or amendment to Master PUD Development Plan in accordance with processes and procedures developed by the Zoning Administrator. No application for review shall be forwarded to the Planning Commission until it is deemed completed and responsive to all comments provided by the Development Review Committee.

8.3.8 Other Review & Decision-Making Authorities.

A. General.

In addition to those bodies previously identified in this Section 8.3, other bodies as listed below may have a review on projects, Development, and property within the City.

1. Development Services Department;
2. Department of Public Works;
3. Wastewater Department;
4. Fire Department;
5. City Power and Water Systems;
6. Police Department;
7. Other departments and agencies as may be required under applicable law.

SECTION 8.3 LIABILITY.

Neither any Board of Zoning Appeals, Planning Commission, Historic Zoning Commission, or Architectural Design Review Team member, the Zoning Administrator, nor other City employee charged with implementation or enforcement of this Ordinance, acting for the City in the discharge of his duties, shall not be liable personally, and is hereby relieved from all personal liability.

All such persons shall be held harmless by the City from and against any damage that may occur to persons or property as the result of any act required or permitted in the discharge of their duties.

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Any suit brought against any of such persons shall be defended by legal representatives furnished by the City at the City's expense until the final termination of such proceedings.

SECTION 8.4 APPLICATIONS & DEVELOPMENT REVIEW PROCEDURES

8.5.1 Types of Applications & Development Reviews.

Development review as regulated by this Ordinance may involve one or more of the following types of applications, requests, and Development reviews:

1. Interpretation of this Ordinance
2. Building Permit
3. Sketch Development Plan Review
4. Site Development Plan Review
5. Floodplain Development Permit
6. Administrative Adjustment
7. Temporary Use Permit
8. Home Occupation Permit
9. Certificate of Occupancy
10. Historic District Designation
11. Certificate of Appropriateness
12. Demolition by Neglect
13. Certificate of Economic Hardship
14. Design Review
15. Conditional Use Permit
16. Variance
17. Appeal of Administrative Decision
18. Zoning Ordinance Amendment
19. Rezoning

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20. Comprehensive Plan or other Land Use Plan Amendment or Adoption
21. Planned Unit Development Master Development Plan
22. Heavy Manufacturing Permit
23. Sign Permit
24. Other Applications and Reviews

8.5.2 Interpretation of Ordinance.

A. Zoning Administrator Authorized.

When uncertainty exists, the Zoning Administrator shall be authorized to make all interpretations concerning the provisions of this Ordinance with the exception of the interpretations listed in Section 8.5.2.B.

B. Certain Exceptions.

1. All interpretations of matters relating to the City Building Code shall be made by the Building Official or designee.
2. The Zoning Administrator may refer interpretations of other provisions outside this document to the appropriate City and/or County officials.

C. Initiation / Request for Interpretation.

1. The Zoning Administrator may initiate an interpretation concerning the provisions of this Ordinance. The Planning Commission, City Council, Historic Zoning Commission, or Board of Zoning Appeals may also direct the Zoning Administrator to produce an interpretation concerning the provisions of this Ordinance.
2. In addition to requests pursuant to Section 8.5.2.C.1, a request for interpretation may be made by persons having legal authority to take action in accordance a Zoning Permit. Such persons shall include without limitation owners or lessees of property, or their agents, and persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Ordinance, or the agents of such persons. The Zoning Administrator may require a requesting person or agent to submit evidence of his or her authority to submit the request for interpretation.

D. Action by Zoning Administrator.

1. Upon receipt of a request pursuant to Section 8.5.2.C, the Zoning Administrator shall:
 - a. Review and evaluate the request in light of the text of this Ordinance, the Official Zoning Map, the Comprehensive Plan, and any other relevant information;
 - b. Consult and coordinate with other staff, as necessary; and
 - c. Render an opinion.
2. The interpretation shall be provided in writing to the requesting party.

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E. Official Record.

The Zoning Administrator shall maintain an official record of all interpretations. The record of interpretations shall be available for public inspection during normal business hours.

F. Appeal.

Final action on an interpretation of this Ordinance by the Zoning Administrator or designee pursuant to Section 8.5.2.C.2 may be appealed in accordance with Section 8.5.17, Appeal of Administrative Decision.

8.5.3 Summary of Review Authority.

The following **Table 8.5.3 (Review Authority)** summarizes review authority under this Ordinance.

Table 8.5.3 Review Authority							
Application or Permit	Zoning Administrator	Architectural Design Review Commission	Historic Zoning Commission	Board of Zoning Appeals	Planning Commission	City Council	Section
Interpretation of the Ordinance	D	--	--	A*	--	--	8.5.2
Zoning Permit	D	--	--	A*	--	--	8.5.5
Development Plan Review	D/R	--	--	A*	D*	--	8.5.6
Floodplain Development Permit	D	--	--	A*	--	--	8.5.7
Administrative Adjustment	D	--	--	A*	--	--	8.5.8
Temporary Use Permit	D	--	--	A*	--	--	8.5.9
Home Occupation Permit	D	--	--	D/A*	--	--	8.5.10
Sign Permit	D	--	R	A*	--	--	8.5.23
Certificate of Occupancy (Zoning Compliance)	D	--	--	A*	--	--	8.5.11
Historic District Designation	R	--	R*	A*	--	D*	8.5.12
Certificate of Appropriateness	D/R	--	D*	A*	--	--	8.5.13
Demolition by Neglect	D	--	A*	A*	--	--	8.5.14

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Table 8.5.3 Review Authority

Application or Permit	Zoning Administrator	Architectural Design Review Commission	Historic Zoning Commission	Board of Zoning Appeals	Planning Commission	City Council	Section
Conditional Use Permit	R	--	R	D*	--	--	8.5.16
Appeal of Administrative Decision	--	--	--	D*	--	--	8.5.17
Variance	R	--	R	D*	--	--	8.5.16
Zoning Ordinance Amendment	R	--	R	--	R	D*	8.5.18
Rezoning	R	--	R	--	R	D*	8.5.19
Plan Amendment/Adoption	R	--	R	--	R	D*	8.5.20
Preliminary PUD Development Plan Approval	R	--	R	--	R*	D*	8.5.21
Final PUD Development Plan Approval	R	--	--	--	D*	--	8.5.21
Heavy Manufacturing Permit	R	--	--	--	--	D*	8.5.22
Alternative Compliance with Design Standards	D/R	A/D	--	--	--	A	8.5.15
Alternative Performance	R	--	R	--	D	--	8.5.6
Subdivision	D/R	--	--		D	--	8.5.24

LEGEND

R – Review or Recommendation

D – Decision

A – Appeal

***** – Public Hearing

8.5.4 Common Review Procedures.

A. Applicability.

The review procedures described in this Section 8.5.4 apply as may be listed by the individual relevant Sections found in this Article.

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B. Pre-Application Conference.

The Zoning Administrator may require applicants to schedule a pre-application conference with the Zoning Administrator, City Engineer, utility providers, and other appropriate staff to discuss the procedures, standards, and regulations required by this Ordinance.

C. Application Requirements.

1. Applications required under this Ordinance shall be submitted on forms and in such numbers as required by the Zoning Administrator. All forms shall include, at a minimum, the following information:
 - a. Contact information for the individual or firm submitting the application.
 - b. Contact information for the individual or firm on whose behalf the application is being submitted.
 - c. If applicable, identification of the property affected by the application, such as a legal description, address, or PIN as may be appropriate; and
 - d. Any other information required by the Zoning Administrator, other appropriate department, or the provisions of this Ordinance.
2. All applications and associated fees shall be filed with the appropriate department.
3. Filing fees shall be established from time to time to defray the actual cost of processing the application.
4. All applications must be complete before the appropriate department is required to review the application.
5. A determination of whether a Development application is complete shall be made by the Zoning Administrator no more than five days after submittal of the application.
6. The Zoning Administrator shall determine whether an application contains all required information and shall only initiate the review and processing of applications determined to be complete.
7. If the application is determined not to be complete, the Zoning Administrator shall notify the applicant. The notification shall list missing or incomplete items and provide a specific period of time for the applicant to resubmit the material for the next application deadline. After an application has been rejected, a new application and fee shall be required.
8. A determination of completeness does not preclude any negative final action and does not include any implied determination that the application successfully meets any review criteria.
9. If an incomplete application is erroneously deemed complete and later determined to be incomplete, Section 8.5.4.C.7 shall apply.
10. The Zoning Administrator may require an applicant to present evidence of authority to submit the application.

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11. Schedules indicating submittal dates shall be developed each year and made available to the public. Applications sufficient for processing shall be submitted to the Zoning Administrator for processing in accordance with the published calendar schedule.
12. Applications for Development approvals may be filed and reviewed simultaneously, at the option of the applicant. Any application that also requires a Variance or Administrative Adjustment shall not be eligible for final approval unless and until such relief has been granted.
13. Applications submitted simultaneously are subject to approval of all other related applications; denial or disapproval of any concurrently submitted application shall stop consideration of any related applications until the denied or disapproved application is resolved.

D. Notice & Public Hearing.

1. Notice shall be required for applications for Development approval as shown in **Table 8.5.4.D-1 (Summary of Notice Requirements)**.

Table 8.5.4.D-1 Summary of Notice Requirements			
Procedure	Published	Posted	Mailed
Historic District Designation			●
Appeal of Administrative Decision	●		
Certificate of Appropriateness	●		
Demolition by Neglect			
Conditional Use Permit	●		●
Variance	●		●
Ordinance Amendment	●		
Rezoning	●	●	●
Comprehensive Plan Amendment/Adoption	●		
Planned Unit Development	●	●	●
Heavy Use Permit		●	●
Design Review	●		

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2. For published notice, in addition to other requirements that may be required for the specific procedure, the following shall be required:
 - a. a distinctive notice shall be placed by the Development Services Department in a newspaper of general circulation within the City at least ten days but not more than 30 days prior to the Planning Commission or Board of Zoning Appeals meeting, as applicable;
 - b. the notice shall include, at a minimum:
 - (1) The time, date, and location of the proposed meeting or hearing; and
 - (2) A summary description of the proposed action.
3. For posted notice (sign), in addition to other requirements that may be required for a specific procedure, the following shall be required:
 - a. The sign shall specify the phone number for the City Development Services Department.
 - b. The sign shall be constructed of a rigid waterproof material, such as plastic board or metal. Letters shall be at least 2" tall.
 - c. The sign shall have a minimum dimension of 18" tall by 24" wide and legs of sufficient length to raise the top of the sign 36" above the adjacent grade.
4. For an application to be considered complete, at least ten days prior to the meeting, the applicant and/or the Development Services Department shall post any required signs. The signs shall remain in place and in readable condition until one of the following occurs:
 - a. The request has received final action by the Decision-Making Authority; or
 - b. The applicant withdraws the request.
5. If the signs are removed during the decision process, the signs shall be replaced by the Development Services Department.
6. Signs for all requests shall be removed following final action by the Decision-Making Authority or when the applicant withdraws the request.
7. Posted notices shall be installed by the City in conformance with the following:
 - a. At least one sign shall be placed as close as possible to the property line fronting on a public street at the point of clearest visibility.

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- b. In situations where site conditions prevent the placement of signs in conformance with the requirements in Sections 8.5.4.D.7.a above, shall be placed at the clearest point of visibility as determined by the Zoning Administrator.
- 8. For mailed notice, in addition to other requirements that may be required for the specific procedure, the following shall be required:
 - a. All letters shall be sent by the City using certified U.S. Mail.
 - b. The letter shall specify the street address and phone number for the City Development Services Department.
 - c. If the letter shall contain a notice of an upcoming meeting or hearing, the letter shall include the date, time, location of the meeting and the body before which the meeting or hearing shall take place.
 - d. The letter shall contain the proposed action and street address/or parcel identification for the property in question.
 - e. All letters shall be mailed at least ten days prior to the scheduled meeting, hearing, or other action.
 - f. Letters shall be mailed to all owners of property that is Adjacent to the property in question.
- 9. Minor defects in notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements.
- 10. A public hearing shall be held for the following procedures before the City Council, Planning Commission, Board of Zoning Appeals, or Historic Zoning Commission, as indicated:

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Table 8.5.4. D-10 Required Hearing

Procedure	City Council	Planning Commission	Board of Zoning Appeals	Historic Zoning Commission
Historic District Designation	●			●
Certificate of Appropriateness				●
Conditional Use Permit			●	
Variance			●	
Appeal of Administrative Decision			●	
Ordinance Amendment	●			
Rezoning	●	●		
Plan Amendment/ Adoption	●	●		
Vested Rights Determination	●			
Planned Unit Development	●	●		
Heavy Manufacturing Permit	●			

8.5.5 Zoning Permit.

A. Required.

1. A Zoning Permit shall be required to commence the excavation for or the construction of any Structure, to commence the moving, Alteration, or repair of any Structure, to use any Structure or to change the use of any Structure. Such permit may be independent in form or combined with other department permit processes.
2. The Zoning Permit shall contain a statement that the plans, specifications and intended use of such Structure in all respects conform to the provisions of this Ordinance.

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B. Application.

1. Applications for Zoning Permits may be made by persons having legal authority to take action in accordance with the permit, including without limitation the owners or lessees of property, or their agents, or persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Ordinance, or the agents of such persons (who may make application in the name of such owners, lessees or contract vendees).
2. The Zoning Administrator may require an applicant to submit evidence of his or her authority to submit the application for a Zoning Permit.
3. An application for a Building Permit shall be submitted in accordance with Section 8.5.4. All applications for Zoning Permits must be complete before the Zoning Administrator may consider the application.
4. Unless specifically exempted, Development Plan or Master PUD Development review and approval shall be required prior to the issuance of a Zoning Permit.
5. For any application where loading and/or five or more parking spaces are to be provided, the application shall be accompanied by a fully dimensioned site plan drawn to a scale of no less than 1"=200'. Such site plan shall show the location of all Structures on the Lot and the location and layout of the proposed parking and loading, including any required vehicular area landscaping.

C. Development of Forms.

The Zoning Administrator shall make every effort to develop application forms, instructional sheets, checklists, or other techniques or devices to assist applicants in understanding the Zoning Permit application requirements and the form and type of information that must be submitted. In classes of cases where a minimal amount of information is necessary to enable the Zoning Administrator to determine compliance with this Section, such applications for Zoning Permits to construct single – family or two – family Dwellings, or applications for Sign Permits, the Zoning Administrator shall develop standard forms that will expedite the submission of the necessary Plans and other required information.

D. Zoning Administrator Action.

1. Upon receipt of a complete application for Zoning Permit and any other required materials, the Zoning Administrator shall initiate the review according to the procedure established under Section 8.2.1.E.
2. Upon hearing recommendations from all appropriate departments and review bodies, the Zoning Administrator shall proceed as follows:
 - a. In cases where no additional permits are required and all Ordinance requirements have been met, the Zoning Administrator shall issue a Zoning Permit.
 - b. In cases where an additional permit(s) is required, the Zoning Administrator shall notify the applicant of the additional permit(s).

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3. In no case shall a Zoning Permit be issued until all other permits required by this Ordinance have been obtained. Additional permits may include any or all of the following:
 - a. Temporary Use Permit
 - b. Home Occupation Permit
 - c. Sign Permit
 - d. Certificate of Appropriateness
 - e. Conditional Use Permit
4. In cases where an amendment to the text of this Ordinance and/or a Rezoning may be required prior to the issuance of a Zoning Permit, the Zoning Administrator shall notify the applicant of the text amendment procedure in Section 8.5.18, and/or the Rezoning procedure in Section 8.5.19.
5. In cases where a Variance or Administrative Waiver may be required prior to the issuance of a Zoning Permit, the Zoning Administrator shall notify the applicant of the Variance procedure in Section 8.5.16 or the Administrative Adjustment procedure in Section 8.5.8.
6. Any Zoning Permit issued by the Zoning Administrator shall become null and void twelve months after the date of its issuance unless Actual Construction has begun and been continued in a diligent manner.
7. Final action on a Zoning Permit may be appealed in accordance with Section 8.5.17, Appeal of Administrative Decision.

8.5.6 Development Plan Review.

A. Applicability

1. Except as exempted under Section 8.5.6.B below, no Building Permit or Certificate of Occupancy may be issued unless and until a Development Plan has been approved therefor and unless the application for the same includes a Development Plan, which has been certified by the Zoning Administrator as being in compliance with Section 4.3. and this Section 8.5.6.
2. Except as exempted by this Ordinance, no Building shall be constructed, re-constructed, or modified, and no Lot or other land shall be Developed, Improved, subdivided, or re-subdivided, and none of the same shall be used, except in compliance a Development Plan that has been prepared, submitted, reviewed and certified in accordance with this Article and all standards and requirements applicable thereto.
3. All requirements imposed by a Development Plan shall run with the land and shall apply against any owner, subsequent owner, or occupant.

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B. Exemptions.

The following Development, activities, or Uses shall be exempt from Development Plan review, although they may be subject to other review procedures where noted in other Sections of this Ordinance:

1. Ordinary Maintenance and Repair of a Structure (unless review is required under Certificate of Appropriateness).
2. The use or intended use of land for the purpose of agriculture, raising of crops, or forestry, to the
3. Home Occupations.
4. Accessory Uses incidental to a one- or two-family Residential Use, provided that an Accessory Building or Accessory Structure is not exempt.
5. Any proposal for which an application for Master PUD Development Plan approval has been approved pursuant to Section 8.5.21.

C. Types of Development Plans.

There shall be three types of Development Plans, each applicable to certain types of Development and each having a different level of approval required. The criteria for establishing which type of Development Plan and the corresponding level of approval for each are indicated below:

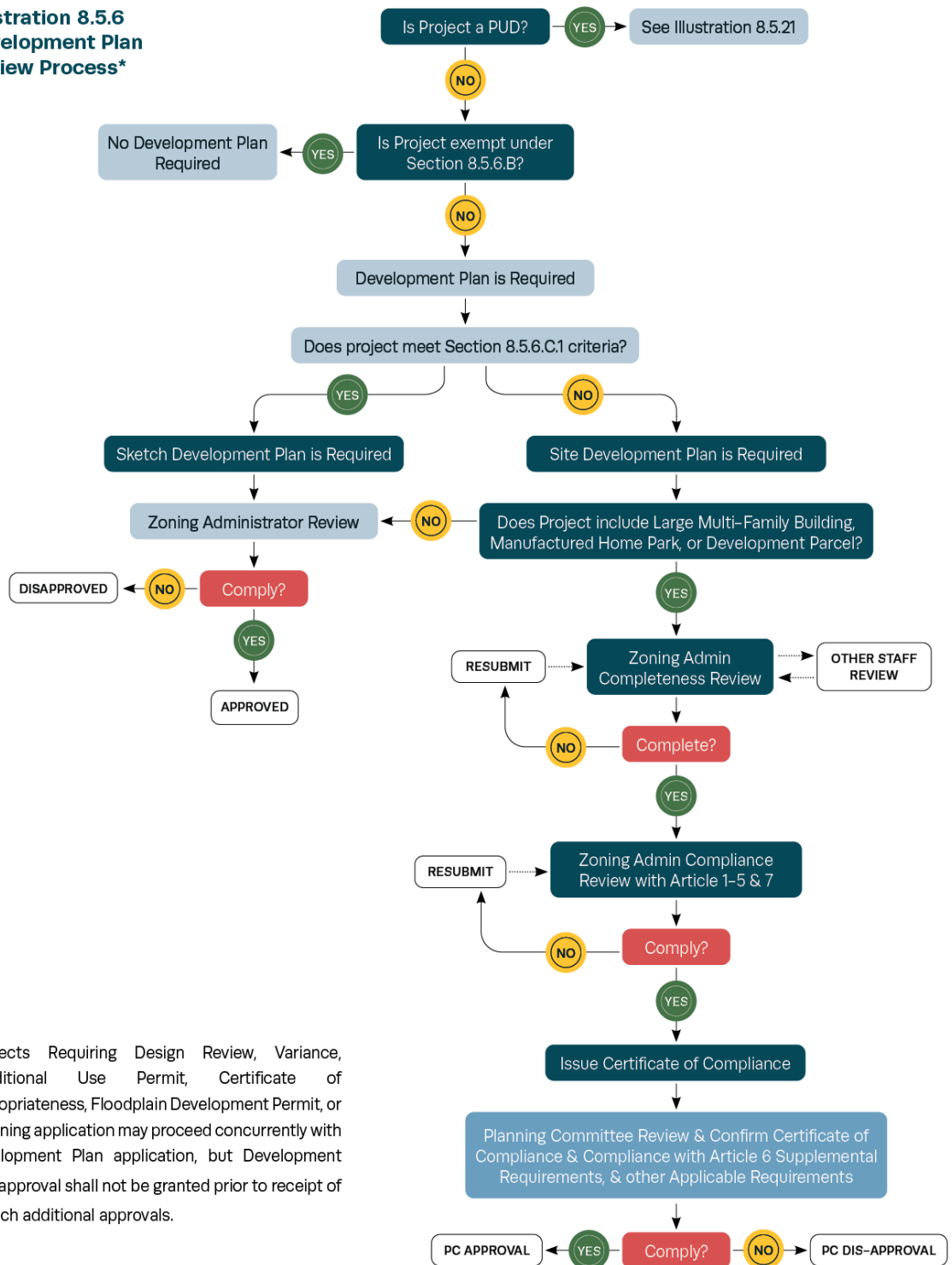
1. Plot Plan, which is a Development Plan the approval of which is necessary for:
 - a. A one – or two – family detached Dwelling located on a single Lot or Building Site;
 - b. A one – or two-family attached Dwelling located on two abutting Lots or Building Sites;
 - c. A Manufactured Home located on an individual Lot or Building Site; or
 - d. A request for issuance of a Sign Permit; and

for which no Conditional Use Permit, Variance, or Rezoning is necessary;

2. Major Site Development Plan, which is a Development Plan that does not meet the criteria listed in Section 8.5.6.C.1 above, for which the Planning Commission is identified as the Decision-Making Authority in Section 8.5.6.D below; and
3. Minor Site Development Plan, which is a Development Plan that does not meet the criteria listed in Section 8.5.6.C.1 above, for the Zoning Administrator is identified as the Decision-Making Authority in Section 8.5.6.D below.

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Illustration 8.5.6
Development Plan
Review Process*



*Projects Requiring Design Review, Variance, Conditional Use Permit, Certificate of Appropriateness, Floodplain Development Permit, or Rezoning application may proceed concurrently with Development Plan application, but Development Plan approval shall not be granted prior to receipt of all such additional approvals.

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D. Decision-Making Authorities.

1. The Zoning Administrator shall be the Decision-Making Authority for Plot Plans. However, the Zoning Administrator shall have the discretion to refer Plot Plans to the Planning Commission for approval.
2. Except as provided in Section 8.5.6.D.3, the Zoning Administrator shall be the Decision-Making Authority for Site Development Plans. However, the Zoning Administrator shall have the discretion to refer Site Development Plans to the Planning Commission for approval.
3. The Planning Commission shall be the Decision-Making Authority for Site Development Plans that include one or more Development Parcels, and Request or Alternative Performance, Food Truck Courts, Large Multi-Family Buildings, or Manufactured Home Parks, or an application referred by the Zoning Administrator.

E. Review by other Departments.

The Zoning Administrator shall ensure that all appropriate entities have reviewed the application and had opportunity to comment.

F. Development Plan Requirements - General.

1. The following requirements are applicable to all Development Plans and applications:
 - a. All Development Plans shall be submitted in accordance with Section 8.5.4 and all procedures and guideline established under Section 8.2.1.E.
 - b. State or Federal regulations may require that additional information be supplied as a part of a submittal.
 - c. Each Development Plan required under this Article shall be prepared, signed, and submitted by or on behalf of the Owner of the applicable property or authorized agent. The Zoning Administrator may establish minimum evidence sufficient to the demonstrate owner authorization
 - d. Other information concerning the Lot, Building Site, Development Parcel, or other land or Adjacent Lot, Building Site, Development Parcel, or other land as may be deemed essential by the Zoning Administrator, City Engineer or other reviewers to determine whether the provisions of this Ordinance and other applicable regulation are met.

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G. Development Plan Procedures - Submission of Application.

1. No later than six (6) months after a required preapplication meeting the applicant shall submit a complete Development Plan application, including all supporting documentation, accompanied by the appropriate submission fee to the Zoning Administrator, adhering to any published deadlines, guidelines, and procedures.
2. The application must adhere to the format established under Section 8.2.1.E.

H. Development Plan Procedures - Staff Review.

1. The Zoning Administrator shall review and determine whether the application is complete.
2. If the Zoning Administrator determines that the Development Plan application is complete, the Zoning Administrator shall initiate the review according to the procedures established under Section 8.2.1.E, and in the case of a Site Development Plan that is subject to review by the Planning Commission, forward such Development Plan application to the Development Review Committee;
3. If, upon resubmittal following review and comment by the Development Review Committee, the Zoning Administrator determines that the application is complete and responsive to all technical comments, the Zoning Administrator shall refer the request to the Planning Commission for review and action.
4. If the Zoning Administrator determines that a Development Plan application remains incomplete, the Zoning Administrator shall notify the applicant of such determination with a written explanation regarding which items are incomplete.
5. Applications which remain incomplete following two submittal deadlines may be deemed unresponsive and regarded as withdrawn by the applicant.

I. Review Criteria.

1. The criteria to be applied by the Zoning Administrator in reviewing a Development Plan and application shall be whether such Plan and application comply with the applicable conditions, standards, and requirements of this Ordinance, all applicable previously approved Plans, such as earlier Development Plans, the Comprehensive Plan and any applicable special area plans.
2. With respect to a Development Plan the Planning Commission shall rely on all conditions, standards, and requirements of Articles 1-5 and Article 7 of this Ordinance and the Planning Commission shall review the Plan and application for compliance with all other conditions, standards, and requirements of this Ordinance, including without limitation those of Article 6 (Supplemental Standards) , and compliance with all applicable previously approved Plans, such as earlier Development Plans, the Comprehensive Plan and all other applicable Land Use Plans. The Planning Commission shall determine:

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- a. Whether the Development Plan conforms to all applicable requirements of the Zoning Ordinance, including any methods of Alternative Performance which are included in the request.
- b. Whether the Development design and Development intensity are appropriate for and tailored to the unique characteristics of the site, such as significant wooded areas, specimen trees, wetlands, steep slopes, floodplains, and zoning of or existing Development on Adjacent property;
- c. Whether the proposed access and circulation are adequate with respect to traffic patterns, traffic control measures, and street pavement areas, with provisions for maintaining traffic flows and reducing any negative effects of traffic on nearby properties;
- d. Compliance with site construction requirements;
- e. Adequacy of stormwater facilities, water supply, sanitary sewer service, fire protection, street signs, and street lighting as evidenced by conformance with City standards, specifications and guidelines; and
- f. Compliance with requirements for Easements or dedications.

J. Alternative Performance.

- 1. Alternative Performance review allows innovative, high-quality development that would not otherwise conform to the certain Lot & Building Site Standards of Article 4, Development Standards of Article 5, and Sigh Standards of Article 7 but utilizes other methods of accomplishing the public purpose of those standards. All methods of Alternative Performance must contribute to the character of the applicable district, and implement Connect Columbia.
- 2. Alternative Performance provides equivalent methods of conforming to the purpose of Articles 4, 5, and 7; it is not a means of alleviating hardships, amending the Zoning Ordinance, or avoiding compliance with the Zoning Ordinance.
 - a. Alternative Performance is not a Variance. See Section 8.5.16.L regarding the process for Variances which provide for the use of property where exceptional circumstances such as unusual narrowness, shallowness, or shape of a parcel renders strict conformity with the Ordinance impossible.
 - b. Alternative Performance does not establish a new standard, alter the Official Zoning Map, or revise the text of the Zoning Ordinance. Approved methods of Alternative Performance are limited to particular Site Development Plan approvals. All subsequent use the subject property shall conform to all standards of the Zoning Ordinance. See Section 8.5.21 regarding the process for establishing a Planned Unit Development.
 - c. Under no circumstances shall Alternative Performance be used to avoid conformity with the Zoning Ordinance.

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- d. Under no circumstances shall Alternative Performance be used to avoid compliance with other applicable regulations including the Subdivision Regulations, the Engineering Standards & Specifications, the Access Management Ordinance, the International Fire Code, or the International Building Code.
- 3. Authority and Applicability
 - a. The Planning Commission is the Decision-Making Authority for all request for Alternative Development Compliance.
 - b. Request for Alternative Compliance approval shall be included as part of a Site Development Plan.
 - c. When Alternative Compliance is proposed as part of a Site Development Plan for which the Zoning Administrator is the Decision-Making Authority, the Zoning Administrator shall refer to the Site Development Plan review to the Planning Commission.
 - d. Request for Alternative Performance approval which propose alternatives to dimensional and quantitative criteria may not exceed a deviation of thirty-five percent (35%) from the prescribed standard.
- 4. Review Process
 - a. Zoning Administrator Action
 - (1) The Zoning Administrator shall establish procedures and guidelines for requesting Alternative Performance as provided by section 8.1.1.E.
 - (2) The Zoning Administrator shall evaluate the request and prepare an analysis as part of the Site Development Plan review. The Zoning Administrator shall provide the Planning Commission an evaluation of the proposal and shall, at the request of the Planning Commission, make a recommendation for approval or denial.
 - b. Planning Commission Action
 - (1) The Planning Commission shall evaluate the request for Alternative Performance based on the criteria listed at 8.5.6.O.4.b(2) below, and render a decision to approve, approve subject to conditions, or deny.
 - (2) The Planning Commission shall determine that;
 - (a) The proposed Alternative Performance Standard advances the purposes of zoning listed in Section 1.5 of the Ordinance;
 - (b) The proposed Alternative Performance standard implements Connect Columbia and the description of the applicable character district in Article 3 & 4;

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- (c) The proposed alternative will provide a high-quality built environment which meets or exceeds the public benefits of the prescribed standards;
 - (d) The proposed alternative will result in specific enhanced site design features including, but not limited to: increased landscape treatment, tree preservation, public art, public or shared parking, public amenities, innovative Civic Space design, or other enhanced site features which would be impractical through conformity to the prescribed standards;
 - (e) The proposal does not produce site plan or street circulation system that would be impractical or detract from the appearance of the development plan or the surrounding area:
 - (f) The proposal does not adversely affect adjoining properties: and
 - (g) The Site Development Plan otherwise conforms to the Ordinance and other applicable regulations adopted by the City of Columbia.
- (3) If the Planning Commission declines to approve a proposed method of Alternative Compliance, the Site Development Plan must conform to strict application of the prescribed standards if the Zoning Ordinance.

K. Development Plan Procedures – Decisions Making Authority Action

1. The Site Development Plan shall be approved or disapproved by the Decision-Making Authority in accordance with the review criteria of Section 8.5.6.I, Section 8.5.6.J and Sections 8.5.6.K.2-4 below.
2. A Development Plan and application shall be approved by the Decision-Making Authority, upon a finding that the Site Development Plan and application are in compliance with the review criteria set forth in Section 8.5.6.I.
3. If a Development Plan and Application are approved, the Development Plan as approved shall become part of the record of approval, and subsequent actions relating to the authorized Development must be consistent with approved plan.
4. A Development Plan and application shall be disapproved if the Decision-Making Authority determines that the Plan and application do not comply with any one or more of the review criteria set forth in Section 8.5.6.I.

L. Comment Compilation.

Pursuant to Section 8.5.6.E, the Zoning Administrator shall compile all staff comments on behalf of the applicable Decision-Making Authority for a Site Development Plan in light of the applicable requirements of this Ordinance. A copy of these comments shall be provided to the Applicant.

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M. Concurrent Applications.

Development Plan applications for projects that also require Design Review, a Variance, a Conditional Use Permit, a Certificate of Appropriateness, a Floodplain Development Permit, or Rezoning may proceed concurrently with such additional application. However, final approval of the Development Plan may not be granted prior to receiving the additional required permit or approval.

N. Time Limits on Approvals.

Any Development Plan approved under the provisions of this Ordinance shall become null and void one year after the date of its approval unless a Building Permit for the entire project or applicable phase thereof has been obtained, in which case the provisions of Section 8.5.5, shall apply.

O. Inspection of Required Improvements.

Inspections during the installation of site Improvements shall be made by the entity responsible for such Improvements that is required to certify compliance with approved Development Plans. Without limitation to the foregoing, no Improvements shall be accepted for maintenance by the City unless and until the requirements regarding public improvements have been met.

P. Fees

The applicant shall pay to the City the fees established in Fee Schedule Document available from the Development Services Department in order to cover a portion of the costs associated with the administration of this Ordinance.

Q. Appeal.

1. Final action by the Zoning Administrator on a Plot Plan may be appealed in accordance with Section 8.5.17.
2. Final action by the Zoning Administrator on a Minor Site Development Plan may be referred to the Planning Commission.
3. Final action by the Planning Commission on a Development Plan may be appealed may appeal by certiorari to a court of competent jurisdiction.

R. Construction & Use Pursuant to Approved Application, Plans, & Permits

Permits, including without limitation, Conditional Use Permits, issued on the basis of approved Development Plans and applications, authorize only the Use, arrangement, and construction set forth in such approved Plans and applications, and none other. Use, arrangement, or construction that does not comply with such approved Plans and applications shall constitute a violation of this Ordinance, enjoyable or punishable as provided by Section 8.6.

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8.5.7 Floodplain Development Permit.

A. Applicability.

1. Within any Floodplain District:
2. No person shall erect, construct, enlarge, Alter, repair, Improve, move, or demolish any Building or Structure without first obtaining a separate Floodplain Development Permit for each such Building or Structure;
3. No man – made change to improved or unimproved real estate, including but not limited to Buildings or other Structures, mining, dredging, filling, grading, paving, excavation or drilling operations, shall be commenced until a separate Floodplain Development Permit has been obtained for each such change; and
4. No Manufactured Home shall be placed on improved or unimproved real estate without first obtaining a separate permit for each Manufactured Home.

B. Application Requirements.

1. All applications for Floodplain Development Permits shall be submitted in accordance with Section 8.5.4.C.
2. Any application for a Floodplain Development Permit shall be made prior to any Development activities, and may include, but not be limited to, plans in triplicate drawn to scale and showing:
 - a. The nature, location, dimensions, and elevations of the area in question;
 - b. Existing or proposed Structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically, the following information is required:
 - c. Elevation in relation to mean sea level of the proposed lowest floor (including Basement) of all Structures;
 - d. Elevation in relation to mean sea level to which any Non-Residential Building will be floodproofed;
 - e. Certificate from a registered professional engineer or architect that a Non-Residential floodproofed Building will meet the floodproofing criteria set forth in this Ordinance; and
 - f. Description of the extent to which any watercourse will be changed or relocated as a result of proposed Development.

C. Action by Zoning Administrator.

1. In the review of the requirements of this Section, the Zoning Administrator shall:
 - a. Review all Development permits to assure that the permit requirements of this Ordinance have been satisfied and that proposed Building sites will be reasonably safe from flooding;

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- b. Advise applicant that additional federal or state permits may be required, and if specific federal or state requirement are known, require that copies of such permits be provided and maintained on file with the Floodplain Development Permit;
 - c. Notify adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Office prior to any change or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency;
 - d. Assure that maintenance is provided within the changed or relocated portion of said watercourse so that the flood – carrying capacity is not diminished;
 - e. Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved Buildings, in accordance with Section 6.12.4.D;
 - f. Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved Buildings have been floodproofed, in accordance with Section 6.12.4.D;
 - g. When floodproofing is utilized for a particular Building, the Zoning Administrator shall obtain certification from a registered professional engineer or architect, in accordance with Section 6.12.4.D;
 - h. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Zoning Administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance; and
 - i. When Base Flood Elevation or floodway data have not been provided in accordance with Section 6.12.3., then the Zoning Administrator shall obtain, review, and utilize any Base Flood Elevation and floodway data available from a federal, state, or other source, in order to administer the provisions of this Section.
2. Before a Floodplain Development Permit is issued, the Zoning Administrator shall confirm that all necessary permits have been obtained from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972.
3. Upon placement of the lowest floor, or floodproofing by whatever construction means, or upon placement of the lowest horizontal structural members of the lowest floor, whichever is applicable, it shall be the duty of the permit holder to submit to the Zoning Administrator a certification of the lowest floor, floodproofed elevation, or the elevation, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When floodproofing is utilized for a particular Building, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken

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prior to submission of the certification shall be at the permit holder's risk. The Zoning Administrator shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop work order for the project.

D. Final Action.

The Zoning Administrator shall issue the Floodplain Development Permit upon notice that the applicant has successfully satisfied all of the requirements listed above.

E. Appeal.

Final action on a Floodplain Development Permit may be appealed in accordance with Section 8.5.17, Appeal of Administrative Decision.

F. Maintenance of Records.

All records pertaining to Floodplain Development Permits shall be maintained in the office of the Zoning Administrator and shall be open for public inspection.

8.5.8 Administrative Adjustment / Approval

A. Applicability.

The Zoning Administrator shall be authorized to approve minor specified Administrative Adjustments to the requirements of this Ordinance as specified below where, owing to special conditions, strict enforcement of the provisions of this Ordinance would be physically impractical.

B. Application Requirements.

An application for an Administrative Adjustment shall be submitted in accordance with Section 8.5.4.C.

C. Action by Zoning Administrator

1. The Zoning Administrator shall have the following administrative authority:
 - a. To make a determination that a Use, which is not specifically listed as Not Permitted ("NP"), Permitted by Right ("P"), Permitted Subject to Limited Conditions ("PC"), or as a Conditional Use (CU") in **Table 4.3.9.A-1 (Building, Lot, & Building Site Principal Uses)**, **Table 4.3.9.A-2 (Building, Lot, & Building Site Accessory Uses)**, or **Table 4.3.9.A-3 (Building, Lot, & Building Site Temporary Uses)**, as applicable, for the applicable District, is substantially similar to a Use that is specifically listed in such applicable Table as Permitted by Right ("P"), Permitted Subject to Limited Conditions ("PC"), or as a Conditional Use (CU") for the applicable District, applying the following criteria:
 - (1) The actual or projected characteristics of the activity in relationship to the stated characteristics of each group of Uses.

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- (2) The relative number of vehicle trips generated.
 - (3) The likely impact on surrounding properties. and
 - (4) Whether the activity is likely to be found independent of the other activities on the site.
- b. To permit Outdoor Display subject to the standards in Section 4.3.9.D.6;
- c. To adjust dimensional requirements in accordance with Section 8.5.8.D
2. Any request for a deviation from the provisions of this Ordinance not listed above shall be deemed to be a request for Variance, which shall be subject to review by the Board of Zoning Appeals as provided in Section 8.5.16.D.

D. Administrative Adjustment Criteria.

To approve an Administrative Adjustment of a dimensional requirement up to 20% of such requirement, subject to the Zoning Administrator's affirmative finding that all of the following criteria are met:

1. All additional procedures and standards are met;
2. That granting the Administrative Adjustment will not have an adverse impact on land use compatibility;
3. That granting the Administrative Adjustment will not materially and adversely affect Adjacent land uses or the physical character of uses in the immediate vicinity of the proposed Development; and
4. That granting the Administrative Adjustment will be consistent with the Comprehensive Plan and the purposes and intent of this Ordinance.

E. Appeals.

Final action on an Administrative Adjustment by the Zoning Administrator may be appealed in accordance with Section 8.5.17.

8.5.9 Temporary Use Permit

A. Applicability.

1. Temporary Uses occurring on property outside of the public right-of-way shall be allowed only upon the issuance of a Temporary Use Permit, except as set forth in Section 4.3.9.
2. The provisions of this section shall not apply to Temporary Uses occurring within the public right-of-way, except as provided for in section 4.3.9.E.6.x.

B. Application Requirements.

A Temporary Use Permit application shall be submitted in accordance with Section 8.5.4.C.

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C. Action by Zoning Administrator.

1. After receiving the application, the Zoning Administrator shall have up to 30 days to review the application.
2. Upon hearing recommendations from all appropriate departments, the Zoning Administrator shall approve the issuance of a Temporary Use Permit subject the use standards established in Section 4.3.9 and the following:
 - a. No lighting or electrical service shall be provided without an electrical permit;
 - b. No Temporary Use Structure shall be erected without a Building Permit;
 - c. No Temporary Use Structure shall block fire lanes or pedestrian or vehicular access;
 - d. The site of the Temporary Use shall be cleared of all debris at the end of the Temporary Use. All temporary Structures shall be cleared from the site within five days after the use is terminated;
 - e. Written permission of the property owner for the Temporary Use shall be provided;
 - f. Adequate Parking shall be provided;
 - g. Required Parking for other uses shall remain available;
 - h. Adequate traffic control measures shall be provided;
 - i. Adequate provisions for refuse disposal and sanitary facilities shall be provided; and
 - j. When appropriate, adequate provisions for crowd control shall be provided.
3. Temporary Use Permits shall be valid for the time period established in Section 4.3.9. Where no time period is established in Section 4.3.9, the use shall automatically be permitted for thirty (30) days. The Zoning Administrator may extend this time period by up to sixty (60) days at his/her discretion provided the request is made at the time of original application.
4. Temporary Use Permits may be renewed one time by the Zoning Administrator unless other renewal standards are specified in Section 4.3.9 or in other provisions of this Section.

D. Temporary Use Permit for Mobile Vending

1. All permits for Mobile Vending shall expire one year from the date of issuance, and shall be renewable.
2. The fee for a Mobile Vending permit shall be established as provided under Section 8.5.4.C.; applicants found to be operating without a permit within the previous twelve (12) months shall be charges 200% of the regular fee.

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3. Prior to issuing a permit for Mobile Vending, the Zoning Administrator shall confirm that the City of Columbia Fire Marshal has inspected the mobile vending apparatus and issued a fire permit certifying compliance with the International Fire Code, or that the Fire Marshal has accepted an equivalent fire permit.

E. Revocation of Temporary Use Permit.

Temporary Use Permit shall be revoked if the Zoning Administrator finds that the terms of the permit have been violated or that there is a hazard to the public health, safety and welfare.

F. Appeal

Final action on a Temporary Use Permit may be appealed in accordance with Section 8.5.17.

8.5.10 Home Occupation Permit

A. Applicability

Any Home Occupation shall require a permit, as set forth below.

B. Application Requirements.

A Home Occupation application shall be submitted in accordance with Section 8.5.4.C.

C. Action by Zoning Administrator.

1. Upon review of the application, the Zoning Administrator shall approve the Home Occupation Permit, provided the Home Occupation meets all requirements of this Ordinance.
2. The Zoning Administrator shall maintain a record of all Home Occupation Permits that have been issued by the City.

D. Time Limit.

A Home Occupation Permit shall be valid for a period not to exceed two (2) years.

E. Revocation.

A Home Occupation Permit shall be revoked if the Zoning Administrator finds the Home Occupation to be in violation of the requirements of this Ordinance.

F. Appeal.

Final action on a Home Occupation Permit may be appealed in accordance with Section 8.5.17.

8.5.11 Certificate of Occupancy

A. Certificate of Occupancy Required.

No land, Building, Structure, or part thereof hereafter erected, Altered, or changed in its use shall be used or occupied until the Zoning Administrator shall have approved and the Building Official shall have issued a Certificate of Occupancy stating that such land, Building, Structure, or part thereof, and the proposed use thereof are found to be in conformity with the provisions of this Ordinance.

B. Applicability.

A Certificate of Occupancy shall be required for any of the following:

1. Occupancy or use of a Building or Structure hereafter erected or enlarged;
2. Change in occupancy or use of an existing Building; or
3. Any change in a Nonconforming Use or Nonconforming Structure.

C. Application Requirements.

A Certificate of Occupancy application shall be submitted in accordance with Section 8.5.4.C.

D. Action by Zoning Administrator.

The Zoning Administrator shall review an application for a Certificate of Occupancy for conformance with the approved Development Plan and the requirements of this Ordinance. The Zoning Administrator shall provide comments and recommendations to the Building Official.

E. Action by the Building Official.

Upon review of the application and approval by the Zoning Administrator, the Building Official shall issue the Certificate of Occupancy, provided the project meets all requirements of this Ordinance and other applicable requirements.

F. Permits not to be Issued.

No final Certificate of Occupancy shall be issued for any Building, Structure, or part thereof, or for the use of land, which is not in accordance with the provisions of this Ordinance, or where the Development or Improvements have not been completed in accordance with the approved Development Plan.

G. Temporary Certificate of Occupancy.

1. In the case of hardship not related to the applicable Building, Structure, or premises, at the discretion of the Building Official, he or she may issue a temporary Certificate of Occupancy provided that such portion of the Building, Structure, or premises for which the temporary certificate is issued is in conformity with the provisions of this Ordinance. A temporary Certificate of Occupancy shall not be effective for a time period in excess of three (3) months.

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2. In order for a temporary Certificate of Occupancy to be issued, all required Improvements must be substantially complete. The temporary certificate may include safeguards and conditions as will protect the safety of the occupants and the public.
3. An Applicant for a temporary Certificate of Occupancy shall post a bond or other surety acceptable to the City in an amount equal to \$10,000 or the 125% of the cost of completing all required improvements, whichever is greater.

H. Appeal.

Final action on a Certificate of Occupancy may be appealed in accordance with Section 8.5.17.

8.5.12 Historic District Designation

A. Creation.

There is hereby created pursuant to TSA sections 13-7-401 et seq. the Historic District designation, as defined in Article 9 (Definitions) and established as such pursuant to this Section 8.5.12. The boundaries of each specific Historic District so established shall be shown on the official Zoning Map or special overlays thereto and noted by name on said maps, and shall be so designated and made subject to the Historic Overlay District as described in Section 3.7.3.B.2, in which no Structure shall be constructed, Altered, repaired, relocated, or demolished unless the action complies with the requirements of this Ordinance.

B. Interim Control.

No Building Permit shall be issued for Alteration, construction, demolition, or removal of a nominated Structure within a nominated Historic District from the date of the meeting of the Historic Zoning Commission at which a completed nomination form is first presented until the final decision by the City Council, unless such Alteration, removal, or demolition is authorized by formal resolution of the City Council as necessary for public health, welfare or safety. In no event shall this restriction be in place for more than 180 days. After 180 days, a Building Permit may be issued provided all applicable requirements have been met. This may include the requirement for a Certificate of Appropriateness if the nominated District or Structure has been approved by the City Council.

C. Applicability.

1. The City Council may designate an area as a Historic District.
2. The owner or owners may request that an area as a Historic District, a property be designated as a Historic District.
3. Any designation of a Historic District must be pursuant to this Section 8.5.12, shall require a Zoning Map amendment pursuant to Section 8.5.19, and shall subject the applicable area, property or Structure to all applicable requirements of this Section 8.5.12, Section 8.5.13, and Section 8.5.14.

D. Initiation of Request.

1. Requests for designating a Historic District, may be made in any one of the following methods:

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- a. By petition to the City Council by owner(s) of the proposed Historic District;
 - b. By initiative of the City Council; or
 - c. By initiative of the Historic Zoning Commission subject to the requirements of Section 8.5.12.E.
2. An application for a Historic District designation shall be submitted to the Historic Zoning Commission in accordance with Section 8.5.4.C. Requests for designation shall include the specific elements of the area, property, or Structure for which the designation is proposed.

E. Historic Preservation Plan.

The Historic Zoning Commission shall undertake an ongoing survey within the corporate limits of the City to identify neighborhoods, areas, sites, property, Structures and objects that have historic, community, architectural, or aesthetic importance, interest, or value. Before the Historic Zoning Commission shall on its own initiative nominate any Historic District, it shall develop a plan for completion of a survey of the entire City.

F. Historic Zoning Commission Review & Recommendation.

1. The Historic Zoning Commission shall, within sixty (60) days from receipt of a completed nomination in proper form, adopt by resolution a recommendation that the nominated Historic District does or does not meet the criteria for nomination set out in Section 8.5.12.F.2. The resolution, accompanied by a written report, shall be forwarded to the Planning Commission for review as specified in Section 8.5.12.G and to the City Council as specified in Section 8.5.12.H for final action. The report shall contain the following information:
 - a. Explanation of the significance or lack of significance of the nominated Historic District as it relates to the criteria for designation.
 - b. Explanation of the integrity or lack of integrity of the nominated Historic District.
 - c. Proposed Design Guidelines required by Section 8.5.12.F.3, for applying the criteria for review of Certificates of Appropriateness to the nominated Historic District.
 - d. The relationship of the nominated Historic District to the ongoing effort of the Historic Zoning Commission to identify and nominate all potential areas, properties, and Structures that meet the criteria for designation.
 - e. Recommendations as to appropriate Permitted Uses, Uses Permitted Subject to Limited Development Standards, Conditional Uses, height and area regulations, minimum Dwelling size, Floor Area, Sign regulations, and parking regulations necessary or appropriate to the preservation of the nominated Historic District.
 - f. A map showing the location of the nominated Historic District.
 - g. In the case of a nominated area or property found to meet the criteria for designation as a Historic District

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- (1) The significant exterior architectural features of the nominated Historic District that should be protected;
 - (2) The types of construction, Alteration, demolition, and removal, other than those requiring a Building Permit or Demolition Permit, which are subject to review for appropriateness pursuant to the provisions of Section 8.5.13.
2. In order for an area or property to be considered for nomination as a Historic District such must be found to meet one or more of the following criteria:
 - a. That it is associated with an event that has made a significant contribution to local, state or national history;
 - b. That it includes is associated with the lives of persons significant in local, state or national history;
 - c. That it is a Structure, or contains Structures or groups of Structures, which embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that pose high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction;
 - d. That it has yielded or may be likely to yield archaeological information important in history or prehistory; or
 - e. That it is listed in the National Register of Historic Places.
3. Prior to the establishment or designation of a Historic District, the Historic Zoning Commission shall adopt for each such area or property a set of Design Guidelines, which it will apply in ruling upon the granting or denial of a Certificate of Appropriateness, as provided for in this Article. Such guidelines shall be consistent with this Ordinance and with the requirements for such, as established and provided for by TCA Section 13 – 7 – 406. The Historic Zoning Commission shall, to the maximum feasible extent, secure the involvement and participation of owners of property proposed for designation within any Historic District in developing such guidelines. These guidelines shall accompany the request for Historic District designation and shall be considered together with such request. These Design Guidelines shall, at a minimum, consider the following criteria:
 - a. The height of any proposed Alteration or construction should be compatible with the style and character of or within the Historic District and with surrounding Structures in the Historic District.
 - b. The proportions and relationships between doors and windows should be compatible with the architectural style and character of or within the Historic District and with surrounding Structures in the Historic District.
 - c. The relationship of a Structure within a Historic District to the open space between it and adjoining Structures should be compatible.

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- d. The design of the roof should be compatible with the architectural style and character of or within the Historic District and with surrounding Structures in a Historic District.
4. Landscaping should be compatible with the architectural character and appearance of or within the Historic District and with surrounding Structures in a Historic District.
5. The scale of the Structure after Alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding Structures in a Historic District.
6. Facades in a Historic District and surrounding Structures in a Historic District should blend with other Structures with regard to directional expression. Structures in a Historic District should be compatible with the dominant horizontal or vertical expression of surrounding Structures. The directional expression of a Historic District and surrounding Structures in a Historic District after Alteration, construction, or partial demolition should be compatible with its original architectural style and character.
7. Architectural details, including materials, colors, and textures, should be treated so as to make a Historic District and Structures within a Historic District compatible with the original architectural style and character thereof and to preserve and enhance the architectural style or character of and within a Historic District and Structures within a Historic District.

G. Planning Commission Review & Recommendation.

Upon receipt of a report prepared by the Historic Zoning Commission in accordance with Section 8.5.12.F, the Planning Commission shall conduct a review as provided herein. The Planning Commission shall review such report relative to the following:

1. The adopted Major Thoroughfare Plan.
2. Any re-Development or restoration plans.
3. Utility plans (including need for Easements).
4. Impact on or possible modification required in base District zoning.
5. All other matters normally considered in recommending a Rezoning, excepting those aspects of the report that pertain specifically and solely to the Historic District and as otherwise specified in Section 8.5.12.F.

H. City Council Review & Decision.

1. The City Council shall schedule a public hearing on the nomination within thirty (30) days following receipt of a report and recommendation from the Planning Commission that a nominated Historic District does or does not meet the criteria for designation.

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2. Notice of the Zoning Map Amendment shall be published in accordance with Section 8.5.4.D.2. This notice shall also include the street address and legal description of the boundaries of a nominated Historic District.
3. Notice of the Zoning Map Amendment shall be mailed to the owner(s) of record and to the nominators, as well as to owners of property Adjacent to the nominated Historic District at least 15 days prior to the date of the hearing in accordance with Section 8.5.4.D.8. This notice shall also include the street address and legal description of the boundaries of a nominated Historic District.
4. Oral or written testimony concerning the significance of the nominated Historic District shall be taken at the public hearing from any person concerning the nomination. The Historic Zoning Commission may present expert testimony or present its own evidence regarding the compliance of the nominated Historic District with the criteria for consideration of a nomination set forth in this Section.
5. The owner of any real property located within or consisting of any nominated Historic District shall be allowed reasonable opportunity to present evidence in support of his position and shall be afforded the right of representation by counsel and reasonable opportunity to cross – examine expert witnesses. The hearing shall be closed upon completion of testimony.

I. Landowner Approval.

A petition signed by at least 51% of the owners of property within a Historic District, indicating approval of the designation of a Historic District shall be required prior to final designation of the Historic District. Such petition shall be filed with the Zoning Administrator.

J. Action by City Council.

1. The City Council shall, within thirty (30) days after holding the Public Hearing specified in Section 8.5.12.H. and after consideration of the report prepared by the Historic Zoning Commission and the review by the Planning Commission concerning the proposed Historic District either reject the proposed nomination or designate the Historic District by ordinance. The City Council may extend this decision period if it determines that additional meetings or hearings are required. Each extension shall be for no more than thirty (30) days. No more than three extensions shall be permitted. If, at the end of three (3) extensions no final decision has been rendered by the City Council, the application shall be considered rejected.
2. In the event that the City Council approves the proposed Historic District ordinance, the City Council shall amend this Zoning Ordinance to reflect the same in the manner specified in Sections 8.5.18. Upon designation, a Historic District shall be classified as “Historic Overlay District” shall be classified as such and the designating ordinance shall prescribe significant exterior architectural features, the types of construction, Alteration, demolition, and removal, other than those requiring a Building Permit or Demolition Permit that should be reviewed for appropriateness; the Design Guidelines for applying the criteria for review of appropriateness; Permitted Uses, Permitted Uses

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Subject to Limited Development Standards, Conditional Uses; height and area regulations; minimum Dwelling size; Floor Area; Sign regulations; and Parking regulations.

3. Upon decision to amend this Zoning Ordinance, the Official Zoning Map of the City shall be amended to show the location of the Historic District. The applicant shall not be required to go through the Rezoning process in Section 8.5.19.

K. Amendment or Removal of Designation.

Designation of a Historic District may be amended or rescinded upon petition to the Historic Zoning Commission and compliance with the same procedure and according to the same criteria set forth herein for designation.

L. Mapping of Historic Landmarks & Historic Structures.

The locations or boundaries of Historic Landmarks and Historic Structures, each as defined in Article 9 (Definitions) shall be indicated for reference only on the official Zoning Map or special overlays thereto and noted by name on said maps. The applicant shall not be required to go through the Rezoning process in Section 8.5.19.

8.5.13 Certificate of Appropriateness

A. Applicability.

A Certificate of Appropriateness shall be required before the any of the following actions may be taken, which affect the exterior architectural appearance of any Structure or other property within a Historic District:

1. Any construction, Alteration, or removal requiring a Building Permit.
2. Any demolition in whole or in part requiring a Demolition Permit.
3. Any construction, Alteration, demolition, or removal affecting a significant exterior architectural feature as specified in the ordinance designating the Historic District.

B. Application for Certificate Appropriateness.

A Certificate of Appropriateness application shall be submitted in accordance with Section 8.5.4. In addition:

1. Every application for a Demolition Permit or a Building Permit, including the accompanying plans and specifications, affecting the exterior architectural appearance of a designated Historic District or property within a designated Historic District shall be forwarded by the Planning Department within seven days following its receipt of the application for action pursuant to the City Historic Guidelines.
2. The Planning Department shall not issue the Building Permit or Demolition Permit until a Certificate of Appropriateness has been issued by the Historic Zoning Commission. Any applicant may request

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a meeting with the Historic Zoning Commission before the application is sent by the Planning Department to the Historic Zoning Commission or during the review of the application. Application for review of construction, Alteration, demolition, or removal not requiring a Building Permit for which a Certificate of Appropriateness is required shall be made on a form available at the office of the Historic Zoning Commission.

C. Review by Historic Zoning Commission.

1. Upon receipt of an application for a Certificate of Appropriateness, which in the judgment of the Historic Zoning Commission is sufficiently complete to enable it to make a decision on the request, the Historic Zoning Commission shall set a meeting for initial presentation of the application.
2. The Historic Zoning Commission shall within thirty (30) days following the initial meeting at which the application is presented approve, conditionally approve or deny the request.
3. In its review of any application submitted hereunder, the Historic Zoning Commission shall apply all applicable review standards established in accordance with Section 8.5.13.D.
4. The owner(s) of a Historic Structure, or any individual or group of property owners from the Historic District where the specific property that is the subject of the requested Certificate of Appropriateness is located may appear before the Historic Zoning Commission for purposes of offering evidence or testimony concerning the request and its applicability to the Design Guidelines established for the Historic District. In making its decision as to the granting of a Certificate of Appropriateness, the Historic Zoning Commission shall consider:
 - a. The review guidelines established for the Historic District.
 - b. The testimony and evidence offered by property owner(s) of the owners of property within the Historic District where the specific property that is the subject of the requested Certificate of Appropriateness is located.
5. The Historic Zoning Commission may establish a subcommittee of its members to review a routine application for a Certificate of Appropriateness when delay to the next regular meeting would create an unnecessary inconvenience to the applicant. A Certificate of Appropriateness may be issued prior to the next regular meeting upon the signatures of four (4) of the members of the subcommittee.

D. Standards for Review.

In considering an application for a Certificate of Appropriateness, the Historic Zoning Commission shall be guided by the following criteria:

1. Every reasonable effort shall be made to provide a compatible Use for a property that requires a minimal Alteration to the Historic District or property therein and its environment, or to use a property for its originally intended purpose.

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2. The distinguishing original qualities or character of Historic District or property therein and its environment shall not be destroyed. The removal or Alteration of any historic material or distinctive architectural feature shall be avoided.
3. All Historic Districts and properties therein shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.
4. Changes that may have taken place in the course of time are evidence of the history and development of a Historic District, the properties therein and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship that characterize a Historic District and the properties therein shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features shall be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other Structures.
7. The surface cleaning of Structures shall be undertaken with the most gentle means possible. Sandblasting and other cleaning methods that will damage the historic materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or Adjacent to, any project.
9. Contemporary design for Alterations and additions to existing properties shall not be discouraged when such Alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

E. Final Action by Historic Zoning Commission.

The Historic Zoning Commission shall either:

1. Approve the application for Certificate of Appropriateness; or
2. Approve the application for Certificate of Appropriateness with conditions; or
3. Deny the application for Certificate of Appropriateness.

F. Denial of Certificate of Appropriateness.

A denial of a Certificate of Appropriateness shall be accompanied by a statement of the reasons for the denial. The Historic Zoning Commission shall make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the Historic Zoning Commission to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the differences between the owner(s) and the Historic Zoning Commission. The applicant may resubmit an amended application or submit a new application that takes into consideration the recommendations of the Historic Zoning Commission.

8.5.14 Demolition by Neglect

A. Applicability.

The requirements of this Section 8.5.14 are applicable only to Structures within designated Historic Districts that are identified as “contributing” or “pivotal”.

B. Maintenance.

Owners shall maintain or cause to be maintained the exterior and structural features of their properties and not allow to occur on such properties any Condition of Neglect. It shall be a violation of this Ordinance to fail to remedy a Condition of Neglect within the period of time set by a final administrative determination, as described in Sections 8.5.14.C and 8.5.14.D.

C. Conditions of Neglect.

1. Each of the following is a Condition of Neglect:
 - a. Deterioration of exterior walls, foundations, or other vertical support that causes leaning, sagging, splitting, listing, or buckling;
 - b. Deterioration of flooring or floor supports, roofs, or other horizontal members that causes leaning, sagging, splitting, listing, or buckling;
 - c. Deterioration of external chimneys that causes leaning, sagging, splitting, listing, or buckling;
 - d. Deterioration or crumbling of exterior plasters or mortars;
 - e. Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors;
 - f. Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint or other protective covering;
 - g. Rotting, holes, or other forms of decay;
 - h. Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, or architectural details that causes delamination, instability, loss of shape and form, or crumbling;

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- i. Heaving, subsidence, or cracking of sidewalks, steps, or pathways;
 - j. Deterioration of Fences, gates, or Accessory Structures;
 - k. Deterioration that has a detrimental effect on the applicable Historic District or on the special character thereof; and
 - l. Deterioration that contributes to a hazardous or unsafe condition.
2. The existence of any one or more Conditions of Neglect shall constitute Demolition by Neglect.

D. Process & Administration.

1. The initial determination that there is a Condition of Neglect shall be made by the Zoning Administrator, after an investigation that is initiated by a petition from any person who is familiar with the subject property, which may include but not be limited to a City employee.
2. On receipt of a petition alleging the existence of a Condition of Neglect, the Zoning Administrator shall notify the owner(s) in writing of the allegation and the process for making a decision regarding the petition, including any applicable deadlines. Among other things, the notice shall offer the owner the opportunity to meet in person with the Zoning Administrator and to present any relevant information. Notice shall be delivered by personal service, or by certified or registered mail, return receipt requested. If certified mail is refused or unclaimed, notice may be delivered by first class mail, and shall be considered effective if such mail is not returned by the post office within fifteen (15) days of mailing. In the case of notice by first class mail, notice shall also be posted on the property. Notice of the investigation may also be given to the owners of nearby or adjacent properties or neighborhood associations.
3. The Zoning Administrator shall:
 - a. Investigate the allegation that a Condition of Neglect exists;
 - b. Hold one or more meetings at a time to be set by the Zoning Administrator in which the owner(s), other persons who have received notice, or other interested persons may give information;
 - c. Issue a written determination, supported by findings of fact, regarding the allegation within 45 days of the owner's receipt of notice;
 - d. Include within the determination a time period for correcting the Condition of Neglect, if a Condition of Neglect has been found;
 - e. Retain all information presented by the owner(s) or other persons;
 - f. Deliver the written determination through any of the means for delivery of notice, as described above;

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- g. Designate the written determination as a final administrative determination with the right of appeal to the Historic Zoning Commission; and
 - h. Include information regarding rights to a de novo hearing before the Historic Zoning Commission in accordance with the process described in Section 8.5.14.D.5.
- 4. The above process may be suspended in the event the owner(s) agrees in writing to correct the alleged Condition of Neglect within a time period determined to be reasonable by the Zoning Administrator. If the condition is not corrected within that time period, the process shall continue where it was suspended.
- 5. If the owner(s) disagrees with the Zoning Administrator's determination, the owner may appeal and may request a de novo hearing before the Historic Zoning Commission.
- 6. The request shall be delivered to the Development Services Department, in writing, within thirty (30) days of receipt of the Zoning Administrator's determination.
- 7. The Historic Zoning Commission shall hold a hearing on the issue of whether Demolition by Neglect is occurring on the property. Procedures that would be followed by the Board of Zoning Appeals shall be used.
- 8. The Zoning Administrator's determination shall be considered an administrative determination, which has been appealed to the Historic Zoning Commission. The Historic Zoning Commission's determination on the administrative determination shall be in accordance with the standards established in Section 8.3.4.
- 9. The Historic Zoning Commission's written decision shall include findings of fact and conclusions regarding Conditions of Neglect consistent with this Section 8.5.14.D. It shall be delivered to the appealing party by certified mail, return receipt requested.
- 10. Decisions by the Historic Zoning Commission may be appealed to the courts in the same manner as an appeal of a Board of Zoning Appeals decision. If the decision is not appealed, it shall be considered a final decision subject to enforcement with no rights of appeal.
- 11. The owner(s) is entitled to make a claim of undue economic hardship if the owner(s) is unable to make needed repairs to the property because it is economically unfeasible.
- 12. In the event that the owner(s) and/or other parties in interest do not wish to contest the determination regarding the Condition of Neglect, but do wish to petition for a claim of undue Economic Hardship, the Zoning Administrator's order regarding the Condition of Neglect shall be stayed until after the Historic Zoning Commission's determination regarding the claim of undue Economic Hardship.
- 13. If a claim of undue Economic Hardship is made, the Zoning Administrator shall receive all information from the property owners that the Historic Zoning Commission is entitled to receive pursuant to this Ordinance, make a determination regarding whether there is undue Economic

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Hardship, and if it is found to exist, develop a plan for dealing with such hardship, and issue a Certificate of Economic Hardship with respect to its determination and plan.

14. The determination and, if applicable, the plan, shall be sent to the owner(s), certified mail, return receipt requested, with notice of the owner's rights to appeal to the Historic Zoning Commission within thirty (30) days of receipt. If the owner(s) disagrees with the determination and, if applicable, the plan, the owner(s) may request a hearing before the Historic Zoning Commission. In the event of such a request, the hearing shall be a quasi-judicial hearing, in the nature of a Board of Zoning Appeals hearing, and the decision shall be in writing, supported by findings and conclusions. The Zoning Administrator's determination as to undue Economic Hardship and any plan for dealing with such a hardship shall be considered a final administrative determination, and any Historic Zoning Commission decision altering such determination or plan shall be made in a manner consistent with the requirements of Section 8.3.4.
15. When a claim of undue Economic Hardship is made owing to the effects of this Section 8.5.14, the owner and/or parties in interest shall, where reasonably possible, provide the evidence below, describing the circumstances of hardship, and any additional evidence requested by the Zoning Administrator or Historic Zoning Commission or evidence the owner(s) considers relevant:
 - a. Nature of ownership (individual, Business, or nonprofit) or legal possession, custody, and control.
 - b. Financial resources of the owner(s) and/or parties in interest.
 - c. Cost of repairs.
 - d. Assessed value of the land and improvements.
 - e. Real estate taxes for the previous two years.
 - f. Amount paid for the property, date of purchase, and party from whom purchased, including a description of the relationship between the owner(s) and the person from whom the property was purchased, or other means of acquisition of title, such as by gift or inheritance.
 - g. Annual debt service, if any, for previous two years.
 - h. Any listing of the property for sale or rent, price asked, and offers received, if any.
 - i. Annual gross income, if any, from the property for the previous two years.
 - j. Itemized operating and maintenance expenses for the previous two years, including proof that adequate and competent management procedures were followed.
 - k. Annual cash flow, if any, for the previous two years.
16. Nothing contained within this Section 8.5.14 shall diminish the City's power to declare a Structure unsafe or in violation of the minimum housing code or any other applicable statute or code. In

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addition, the procedures described herein are mandatory only for determinations being made solely under the authority of this Section 8.5.14. Where other sections of this Ordinance, the City Code, or other ordinances apply, the City Council may, in its discretion, choose to process any action regarding the property under such other provisions alone, or under such provisions along with these provisions concurrently, or solely under these provisions. The City Council may also suspend the procedures of this Section 8.5.14 at any time if an action has been initiated under other applicable law.

17. Enforcement of this Section 8.5.14 may be by any one or more of the following methods, and the institution of any action under any of these methods shall not relieve any party from any other civil or criminal proceeding prescribed for violations and prohibitions:
 - a. The City may apply for any appropriate equitable remedy to enforce the provisions of this Section 8.5.14.
 - b. The City may apply for and the court may enter an order of abatement. An order of abatement may direct that improvements or repairs be made, or that any other action be taken that is necessary to bring the property into compliance with this Section 8.5.14. Whenever the party is cited for contempt by the court and the City has executed the order of abatement, the City shall have a lien on the property for the cost of executing the order of abatement.
 - c. Civil penalties may be assessed for failure to comply with a final administrative determination or an un-appealed Historic Zoning Commission decision under the provisions and guidelines for assessing such penalties for violations of this Ordinance. Prior to imposing a civil penalty, the Zoning Administrator shall deliver a written notice by personal service or by registered or certified mail, return receipt requested, to the person responsible for the violation indicating the nature of the violation and ordering corrective action. Where the violation is the failure to remedy a Condition of Neglect within the time periods provided by the Zoning Administrator or the Historic Zoning Commission, no additional time period for compliance need be given. The notice shall include information regarding the possible assessment of civil penalties and other possible enforcement actions. If this notice is appealed to the Board of Zoning Appeals, the Board of Zoning Appeals shall not rehear any issue that was heard by the Historic Zoning Commission or could have been so heard had an appeal to the Historic Zoning Commission been made; rather, the Board of Zoning Appeals shall limit the scope of its review to whether there has been compliance with the Zoning Administrator's determination or the Historic Zoning Commission's determination, as applicable.

8.5.15 Design Review

A. Intent.

Design Review by the Architectural Design Review Commission is intended to protect the physical character of the City through additional review of certain proposed Developments meeting certain criteria.

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B. Applicability.

Prior to issuance of a Building Permit, or concurrent with approval of a Site Development Plan, or Preliminary Planned Unit Development Master Plan, Design Review shall be required for the following

1. Design of all Buildings and Structures within a Special District; and
2. Design of all Buildings and Structures within a Planned Unit Development District.

C. Pre-Application Conference.

Applicants for Development requiring Design Review are encouraged to schedule a pre-application conference in accordance with Section 8.5.4.B.

D. Action by Architectural Review Commission.

All reviews by the Architectural Design Review Commission shall be in accordance with the following procedures:

1. Upon receipt of an application for Design Review which in the judgment of the Zoning Administrator is sufficiently complete to enable the Architectural Design Review Commission to conduct a review, the Zoning Administrator shall set a meeting for initial review as soon as reasonably possible, but in no case later than 30 calendar days after receipt of a complete application.
2. Applicants are encouraged (but not required) to begin the process with a conceptual presentation of the project to the Architectural Design Review Commission at the initial review meeting.
3. In cases where the Architectural Design Review Commission deems it necessary, it may hold a public hearing concerning the application. Such hearing shall be advertised in accordance with Section 8.5.4.D.2, Published Notice.

E. Approval Authority.

For all applications that include Buildings which are subject to Design Review, the Architectural Design Review Commission shall approve or deny a proposal.

F. Design Review Criteria.

1. In their consideration, the Architectural Design Review Commission shall consider the following:
 - a. Compatibility with the surrounding Structures; and
 - b. Compliance with applicable design standards and requirements of this Ordinance or the applicable Development Plan or Master PUD Development Plan.

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2. In rendering a decision, the Architectural Design Review Team shall be limited to the consideration of the design features and materials of construction of each Building or other Structure.
3. The Architectural Design Review Team shall not be permitted to consider aspects of a proposal not specifically related to the design features and/or materials of construction of a Building or other Structure.

8.5.16 Conditional Use Permits & Variances

A. Applicability.

This Section applies to Conditional Use Permits and to Variances.

B. Concurrent Applications.

Applications for Variances may be submitted concurrently with applications for Conditional Use Permits. However, decisions shall be rendered separately for any Variance and the Conditional Use Permit.

C. Conditional Use Permits.

1. Conditional Uses within Districts are considered to be Uses which are appropriate in a particular District, but because of their potential for incompatibility with Adjacent Uses, require individual review.
2. The Board of Zoning Appeals shall hear and decide, in accordance with the provisions of this Ordinance, requests for Conditional Use Permits.
3. The procedures and requirements for Conditional Uses are applicable when a Use is indicated within the applicable District as a Conditional Use in **Tables 4.3.9.A-1 (Building, Lot, & Building Site Principal Uses), 4.3.9.A-2 (Building, Lot, & Building Site Accessory Uses), and 4.3.9.A-3 (Building, Lot, & Building Site Temporary Uses)** and are not applicable to Use when a Use is indicated within the applicable District as a Use Permitted Subject to Limited Use Standards in such Tables.

D. Variances.

1. The Board of Zoning Appeals shall hear and decide, in accordance with the provisions of this Ordinance, requests for Variances.
2. The Board of Zoning Appeals may authorize, upon appeal relating to a piece of property, a Variance from the strict application of certain standards, conditions, and requirements of this Ordinance; subject however to the requirements of this Section.
3. Notwithstanding anything to the contrary contained or implied in Section 8.5.16.D.2, no Variance may be granted with respect to any of the following types of standards, conditions, or requirements of this Ordinance:
 - a. Use

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- b. Floor Area or Floor Area Ratio
 - c. Lot or Building Site Width or Area
 - d. Impervious Surface Coverage
 - e. Parking
 - f. Signs
 - g. Extension of Nonconforming Use
 - h. Maximum dimensions of vehicular lanes
4. In addition to Variances that may be granted pursuant to Section 8.5.16.D.2, the Board of Zoning Appeals may grant Variances for the reconstruction, rehabilitation, or restoration of Structures within Historic Districts.

E. Pre-Application Conference.

All applicants for a Conditional Use Permit or a Variance shall schedule a pre-application conference in accordance with Section 8.5.4.B.

F. Application Requirements.

An application for a Conditional Permit or a Variance shall be filed in writing with the Board of Zoning Appeals in accordance with Section 8.5.4.C. Application Requirements and shall contain the information and exhibits required under Section 8.5.6.H as if it were an application for Site Development Plan review.

G. Public Hearing

1. Any request for a Conditional Use Permit or a Variance shall require a public hearing before the Board of Zoning Appeals.
2. Not more than 60 days after filing such application, a hearing shall be held on the application, unless otherwise withdrawn or postponed upon written request by the applicant.
3. All notices shall specify the current zoning and notification that applicant is seeking a Conditional Use Permit or Variance.
4. All notices shall include a brief summary indicating the nature of the action and the standard that is requested to be modified (if applicable).
5. All notices shall be made at least 10 days prior to the scheduled Board of Zoning Appeals meeting.
6. The notice shall be published in accordance with Section 8.5.4.D.2. The notice shall be mailed in accordance with Section 8.5.4.D.8.

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H. Zoning Administrator Action.

1. The Zoning Administrator shall transmit one copy of the application and all supporting information to the City Engineer for technical assistance in evaluating the proposed project in relation to flood heights and velocities, threatened erosion, the adequacy of the plans for flood and erosion protection, the adequacy of drainage facilities, and other technical matters.
2. If the proposed use is located within or on a Historic District, the Zoning Administrator shall transmit one copy of the application and all supporting information to the Historic Zoning Commission.
3. The Zoning Administrator shall prepare a report that reviews the application in light of any requirements of this Ordinance and technical input from the City Engineer or other review bodies. A copy of the report shall be provided to the Board of Zoning Appeals and to the applicant.

I. Historic Zoning Commission Action.

1. If the proposed Use is located within a Historic District and a Certificate of Appropriateness is required, the applicant shall obtain the certificate according to the procedure in Section 8.5.13, prior to proceeding.
2. If no Certificate of Appropriateness is required but the proposed use is within a Historic District, the Zoning Administrator shall include comments and recommendations in the report prepared by the Zoning Administrator.

J. Board of Zoning Appeals Action.

1. The Board of Zoning Board of Appeals shall conduct a public hearing pursuant to Section 8.5.16.G.
2. After conducting the public hearing, and considering the recommendations of the Zoning Administrator and the requirements listed in Sections 8.5.16K and 8.5.16.L, the Board of Zoning Appeals shall:
 - a. Approve the request;
 - b. Approve the request with conditions;
 - c. Deny the request; or
 - d. Continue the hearing.
3. In acting on an application for a Variance, the Board of Zoning Appeals shall limit its review and action to the specific standard, condition, or requirement from which relief is requested.

K. Conditional Use Permit Specific Requirements.

1. A Conditional Use Permit may be granted provided the Board of Zoning Appeals finds that the request conforms to the following requirements:
 - a. The proposed Use is listed as a Conditional Use for the applicable District.

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- b. The proposed Use conforms to all applicable standards listed in Section 4.3.9.D, for the proposed Use;
 - c. The proposed Use is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected;
 - d. The proposed Use will not adversely affect other property in the area in which it is located;
 - e. The proposed Use conforms to all applicable provisions of this Ordinance for the District in which it is to be located.
- 2. The Board of Zoning Appeals may impose such other conditions and restrictions upon the premises benefited by a Conditional Use Permit as may be necessary to reduce or minimize the injurious effect of such Conditional Use upon and ensure compatibility with surrounding properties. The Board of Zoning Appeals may establish dates for the expiration of any Conditional Use Permit as a condition of approval.
- 3. The provisions of Sections 8.5.16.K.3.a-.c following shall apply to all applications for approval of any Conditional Use located within any Floodplain District as indicated on the Floodplain Map available from the Development Services Department during normal business hours:
 - a. Prior to the approval of a Conditional Use Permit application, an approved Floodplain Development Permit shall be required.
 - b. The Board of Zoning Appeals shall determine the specific flood or erosion hazard at the site and shall evaluate the suitability of the proposed use in relation to the flood hazard. Upon consideration of the factors listed herein and the purposes of this Ordinance, the Board of Zoning Appeals may attach such conditions to the granting of the Conditional Use Permit as it deems necessary to further the purposes of this Ordinance.
 - c. In passing upon such applications, the Board of Zoning Appeals shall consider the technical evaluation of the City Engineer, all relevant factors, and standards specified in other sections of this Ordinance, and:
 - (1) The danger that materials may be swept onto the other lands to the injury of others;
 - (2) The danger to life and property due to flooding or erosion damage;
 - (3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions;
 - (4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (5) The importance of the services provided by the proposed facility to the community;
 - (6) The necessity to the facility of a waterfront location, where applicable;

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- (7) The availability of alternative locations, not subject to flooding or erosion damage;
- (8) The compatibility of the proposed use with existing Development anticipated in the foreseeable future;
- (9) The relationship of the proposed use to the Comprehensive Plan and floodplain management program for that area;
- (10) The safety of access to and from the property in times of flood for ordinary and emergency vehicles;
- (11) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and
- (12) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

L. Variance Requirements.

1. The Board of Zoning Appeals shall not grant a Variance unless it makes the following findings based upon evidence presented to it:
 - a. That by reason of exceptional narrowness, shallowness, or shape of a particular piece of property at the time of enactment of this Ordinance, or by reason of exceptional topographic conditions or other exceptional and extraordinary situation or condition of such piece of property, the strict application of any regulation contained within this Ordinance would result in peculiar and exceptional practical difficulties to or exceptional or undue hardship upon the owner of such property.
 - b. That the Variance is the minimum Variance necessary so as to relieve such difficulties or hardship and thereby make possible the reasonable use of the land, Building, or Structure.
 - c. That the Variance will not authorize uses or activities in the applicable District other than those permitted by this Ordinance.
 - d. That financial returns alone shall not be considered as a basis for granting a Variance.
 - e. That the granting of the Variance will not be substantially detrimental to the public good or substantially injurious to other property or improvements in the area in which the subject property is located, and will not substantially impair the intent and purpose of the general provisions of the City's zone plan and this Ordinance.
 - f. That the proposed Variance will not impair an adequate supply of light and air to the adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety.

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- g. That the alleged difficulty or hardship has not been caused or created by the act or omission of the applicant or any person having an interest in the property.
- 2. Notwithstanding anything to the contrary contained or implied in Section 8.5.16.L.1, none of the following shall be deemed or considered to be, or be considered in making a determination whether strict compliance with this Ordinance presents, a peculiar and exceptional practical difficulty to or exceptional or undue hardship upon the owner of property:
 - a. Pecuniary considerations
 - b. Aesthetic considerations
 - c. Historic Preservation
 - d. Public good
 - e. Over-compliance with other provisions of this Ordinance
 - f. Personal Situations
 - g. Proximity to inconsistent or incompatible Uses or Development
 - h. Other Variances that have been granted
 - i. Nonconformities
 - j. District boundaries
 - k. Conditional Uses or Uses Permitted Subject to Limited Use Standards; or
 - L. Deterioration of surrounding area
- 3. Neither any Nonconforming Use of neighboring lands, Structures, or Buildings in the same District, nor any non-permitted or Nonconforming Use of lands, Structures, or Building in other Districts shall be considered grounds for the issuance of a Variance.
- 4. Under no circumstances shall the Board of Zoning Appeals grant a Variance to allow a Use that is not permissible under this Ordinance in the applicable District, or any Use which is expressly or by implication prohibited by the terms of this Ordinance in said District.
- 5. The Board of Zoning Appeals may impose such conditions and restrictions upon the premises benefited by a Variance as may be necessary to comply with the provisions set out in Sections 8.5.16.L.1 above to reduce or minimize the injurious effect to such Variance upon surrounding property and better carry out the general intent of this Ordinance. The Board of Zoning Appeals may establish expiration dates as a condition or as a part of any Variances.
- 6. The additional requirements of Sections 8.5.16.L.6.a -c following shall apply to all applications for approval of any Variance from the provisions of Section 6.12:

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- a. Each application for a Variance shall reflect the type of Structure(s) for which the Variance is sought, the size of such Structures, the approximate location upon the parcel and the intended use thereof.
 - b. Due to the extreme hazardous conditions within the floodway and the effect of obstructions to upstream Structures, no Variance shall be issued within the designated Floodway District which would result in any increase in flood levels during the regulatory flood discharge.
 - c. Any applicant to whom a Variance is granted shall be given notice that the proposed Structure will be located in the flood prone area, but the Structure will be permitted to be built with a lowest flood elevation of the number of feet approved by the Variance below the regulatory flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced first floor elevation, and all subsequent purchasers shall be notified in writing, and same shall be set out in any deed or other writing issued to subsequent purchasers, lessees, mortgagors or vendees.
7. Any person, including without limitation any agency of the City, who is aggrieved by a decision of the Board of Zoning Appeals on a Variance, may appeal by certiorari to a court of competent jurisdiction. The judgment and findings of the Board of Zoning Appeals on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this Ordinance shall be final and subject to review only for illegality or want of jurisdiction.

8.5.17 Appeal of Administrative Decision

A. Applicability.

An appeal may be made by the aggrieved party in the case of refusal by the Zoning Administrator to issue a Building Permit, Certificate of Compliance, or other administrative decision.

B. Application Requirements.

1. An application for an appeal of an administrative decision shall be filed in accordance with Section 8.5.4.C.
2. A notice of appeal of an administrative decision shall be considered filed when a complete application is delivered to the Zoning Administrator, or designee. The date and time of filing shall be entered on the notice.
3. An application for appeal of an administrative decision shall be filed with the Board of Zoning Appeals within 30 days of receipt of the decision by the Zoning Administrator.

C. Notice & Public Hearing.

1. Any appeal of an administrative decision shall require a public hearing before the Board of Zoning Appeals.

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2. Each application for appeal of an administrative decision shall be numbered serially and filed in proper form with the required date, and shall be placed upon the calendar of the Board of Zoning Appeals by the Zoning Administrator. The calendar numbers shall begin anew on January 1, each year, shall be hyphenated with the year in which the appeal is filed.
3. Appeals will be assigned for hearing by the Zoning Administrator in the order in which they appear on the calendar thereof, except that appeals may be advanced for hearing by order by the Board of Zoning Appeals, upon good cause being shown. The Zoning Administrator of Adjustment shall give published public notice as forth in Section 8.5.4.D.2.
4. All notices shall specify the current zoning and notification that the applicant is seeking an appeal of administrative decision.
5. All notices shall be made at least 10 days prior to the scheduled Board of Zoning Appeals meeting.
6. The notice shall be published in accordance with 8.5.4.D.2.

D. Action by Board of Zoning Appeals.

1. At the public hearing of the case before the Board of Zoning Appeals, the appellant shall appear on appellant's own behalf or be represented by counsel or agent. The appellant's case shall be heard first and those in objection shall follow. To maintain orderly procedure, each side shall proceed without interruption from the other.
2. Every person before the rostrum shall abide by the order and direction of the chair. Discourteous, disorderly, or contemptuous conduct shall be regarded as a breach of the privileges of the Board of Zoning Appeals and shall be dealt with as the chair deems proper.
3. The Board of Zoning Appeals may reverse or affirm (wholly or partly) or may modify the order, requirement, decision, or determination appealed from and shall make any order, requirement, decision or determination that in its opinion ought to be made in the case before it. To this end, the Board of Zoning Appeals shall have all the powers of the officer from whom the appeal is taken.
4. A motion to reverse, affirm, or modify the order, requirement, decision, or determination appealed from shall include, insofar as practicable, a statement of the specific reasons or findings of fact that support the motion.
5. The concurring vote of a majority of the entire membership of the Board of Zoning Appeals shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator, or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to effect any Administrative Adjustment in the application of this Ordinance.
6. Any motion to overturn an administrative decision shall state the reasons or findings of fact that support the motion.

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E. Effect of Appeal.

1. An appeal shall stay all proceedings in furtherance of the action appealed, unless the administrative official from whom the appeal is taken certifies to the Board of Zoning Appeals that, because of facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life or property or that because the violation is transitory in nature a stay would seriously interfere with the effective enforcement of this Ordinance. In that case, proceedings shall not be stayed except by order of the Board of Zoning Appeals or a court, issued on application of the party seeking the stay, for due cause shown, after notice to the administrative official.
2. An appeal shall not stop action lawfully approved (including construction activities authorized by a Building Permit); only actions presumed in violation of this Ordinance are stayed.

F. Further Appeal.

Any person, including without limitation, any agency of the City, who is aggrieved by a decision of the Board of Zoning Appeals on appeal of an administrative decision may appeal by certiorari to a court of competent jurisdiction. The judgment and findings of the Board of Zoning Appeals on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this Ordinance shall be final and subject to review only for illegality or want of jurisdiction.

8.5.18 Zoning Ordinance Text Amendment

A. Applicability.

This Section 8.5.18 is applicable to requests for amendment of the text or other content of this Ordinance. Such an amendment is sometimes referred to as a Zoning Ordinance Amendment or a “zoning text amendment”. Requests for changing the Zoning Map as applied to a particular piece of property (i.e., a Rezoning or Zoning Map Amendment] are governed by Section 8.5.19.

B. General.

The City Council may, from time to time, amend this Ordinance by changing any provisions whenever it is alleged that there was an error in the Zoning Ordinance or whenever the public necessity, convenience, and general welfare require such amendment.

C. Consistency with Plans.

1. All petitions for Zoning Ordinance Amendment must be consistent with the Comprehensive Plan and applicable local plans. A petition for Zoning Ordinance Amendment shall not be approved by the City Council when there is a conflict with the Comprehensive Plan or applicable local plans, as determined by the Planning Commission (see Section 8.3.3.B.4.
2. When required, an application for an amendment to the Comprehensive Plan or local plan may be submitted concurrently with an application for Zoning Ordinance Amendment. The decisions, however, shall be rendered with separate motions.

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D. Initiation of Amendment.

A Zoning Ordinance Amendment may be initiated by the City Council, the Planning Commission, or by the Zoning Administrator..

E. Application for Amendment.

1. An application for Zoning Ordinance amendment shall be filed with the Zoning Administrator.
2. An application for Zoning Ordinance Amendment shall be submitted in accordance with Section 8.5.4.C.
3. An application for Zoning Ordinance Amendment shall be accompanied by a conceptual Sketch Development Plan.
4. The Zoning Administrator on receiving such an application, shall transmit a copy thereof to the Planning Commission prior to any consideration of the proposed amendment by the City Council.

F. Planning Commission Hearing Schedule.

The petition for Zoning Ordinance Amendment shall be placed on the agenda of the next available Planning Commission meeting.

G. Planning Commission Action.

1. The Planning Commission shall make a recommendation within 30 days of its initial meeting on the application. The time period for a recommendation may be altered, as in the case of significant modifications, in which case one additional 30-day period shall be granted before the case shall go to the City Council.
2. When a recommendation is not rendered within the time periods established in this section, the City Council may process the request without a Planning Commission recommendation.
3. The Planning Commission in its review and recommendation shall make specific findings with regard to the following grounds for a Zoning Ordinance Amendment and shall note the same in the official record as follows:
 - a. The extent to which the proposed Zoning Ordinance Amendment is consistent with the remainder of this Ordinance, including, specifically, any purpose and intent statements;
 - b. The extent to which the proposed Zoning Ordinance Amendment represents a new idea not considered in this Ordinance, or represents a revision necessitated by changing circumstances over time;
 - c. Whether or not the proposed Zoning Ordinance Amendment corrects an error in this Ordinance; and
 - d. Whether or not the proposed Zoning Ordinance Amendment revises this Ordinance to comply with state or federal statutes or case law.

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H. City Council Hearing Schedule.

The petition for Zoning Ordinance Amendment shall be placed on the agenda of the next available City Council meeting following a Planning Commission recommendation or failure of the Planning Commission to make a recommendation under Section 8.5.18.G above.

I. Notice of Public Hearing.

1. Any request for Zoning Ordinance Amendment shall require a public hearing before the City Council.
2. Notice of the proposed Zoning Ordinance Amendment shall be published in accordance with Section 8.5.4.D.2.
3. This notice shall also include:
 - a. A summary description of the proposed amendment;
 - b. A statement that interested parties may appear at the City Council meeting; and
 - c. A statement that substantial changes to the proposed action may be made following the meeting.

J. City Council Action.

1. A public hearing shall be held.
2. In rendering its decision, the City Council shall consider any recommendations by the Planning Commission.
3. The City Council may approve the proposed Zoning Ordinance Amendment, approve the amendment with modifications, deny the amendment, or send the amendment back to the Planning Commission for additional consideration.
4. The City Council in its deliberation and decision shall make specific findings with regard to the following grounds for an Zoning Ordinance Amendment and shall note the same in the official record as follows:
 - a. The extent to which the proposed Zoning Ordinance Amendment is consistent with the remainder of this Ordinance, including, specifically, any purpose and intent statements;
 - b. The extent to which the proposed Zoning Ordinance Amendment represents a new idea not considered in this Ordinance, or represents a revision necessitated by changing circumstances over time;
 - c. Whether or not the proposed Zoning Ordinance Amendment corrects an error in this Ordinance; and
 - d. Whether or not the proposed Zoning Ordinance Amendment revises this Ordinance to comply with state or federal statutes or case law.

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K. Effect of Denial of Application.

Whenever an application for a Zoning Ordinance Amendment is denied, the application for such amendment shall not be eligible for reconsideration for one year following such denial, except in the following cases:

1. Upon initiation by the City Council or Planning Commission.
2. When the previous application was denied for the reason that the proposed Zoning Ordinance Amendment would not conform to the Comprehensive Plan or local plans, and the Comprehensive Plan has subsequently been amended in a manner which will allow the proposed Zoning Ordinance Amendment.

L. Entry of Zoning Ordinance Amendment.

Upon enactment of a Zoning Ordinance Amendment, the Zoning Administrator shall cause such amendment to be entered into the Ordinance, and if it affects the Zoning Map, cause such amendment to be entered on the Official Zoning Map, in each case noting thereon the ordinance number and effective date of such amendatory ordinance.

M. No Unauthorized Changes.

No changes of any nature shall be made to the Zoning Ordinance except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance and punishable as provided under Section 8.6.

8.5.19 Rezoning

A. Applicability

This Section 8.15.9 is applicable to requests for a change in the District boundaries of property, including without limitation the District assignment of a particular piece of property, as depicted on the Official Zoning Map. Such a change is sometimes referred to as a Rezoning or a Zoning Map Amendment. Requests for amendment of the text or other content of this Ordinance (i.e., a Zoning Ordinance Amendment or a “zoning text amendment”) are governed by Section 8.5.18.

B. General.

1. The City Council may, from time to time, amend the Official Zoning Map by changing the boundaries of districts whenever it is alleged that there was an error in the Official Zoning Map or whenever the public necessity, convenience, and general welfare require such amendment.
2. For additional requirements applicable to Rezonings to a Planned Unit Development, see Section 8.5.21.

C. Consistency & Coordination with Plans.

1. All petitions for Rezoning shall be consistent with the Comprehensive Plan and any applicable local plans. A petition for Rezoning shall not be approved by the City Council unless the Rezoning is

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consistent with and not in conflict with the Comprehensive Plan or applicable local plans, as determined by the Planning Commission (see Section 8.5.20). The Planning Commission is not obligated to recommend approval of requests which would bring existing zoning into conformity with the Comprehensive Plan prior to the time such change is warranted by the findings of 8.5.19.H.4.e and f.

2. When required, an application for a Comprehensive Plan Amendment or other Land Use Plan Amendment may be submitted concurrently with an application for Rezoning. The decisions, however, shall be rendered with separate motions.

D. Initiation of Rezoning.

Rezoning may be initiated by the City Council, the Planning Commission, the Zoning Administrator, or by application by the owner of the property or an authorized agent of the owner.

E. Application for Rezoning.

1. An application for Rezoning shall be filed with the Zoning Administrator.
2. The Zoning Administrator, on receiving such application, shall transmit a copy thereof to the Planning Commission prior to any consideration of the proposed amendment by the City Council.

F. Application Requirements.

1. Rezoning must correspond with the boundary lines of existing platted Lots, Building Sites, or tracts, or if the boundaries of a Rezoning request stop short of an exterior property line, that portion of the property outside the proposed Rezoning boundary shall be capable of being subdivided in accordance with the Subdivision Regulations and Developed in accordance with the requirements of this Ordinance.
2. All requirements of this Ordinance shall be met within the boundaries of the area being Rezoned. If all of the requirements cannot be met on the property proposed to be Rezoned, the Rezoning shall be expanded to include necessary property being used to meet such requirements.
3. As applicable, a concept plan meeting the minimum requirements established by the Zoning Administrator or a Master PUD Development Plan meeting the requirements of Section 8.5.21 shall be provided as part of a Rezoning application that proposes assignment of land to any of the available types of PUD District. Without limitation to the foregoing, no proposal for Rezoning shall be approved unless and until a concept plan or a Master PUD Development Plan, as applicable, shall have been reviewed pursuant to Section 8.3.7 and Section 8.5.4 or as applicable, Section 8.5.21.

G. Hearing Schedule.

The petition for Rezoning shall be placed on the agenda of the next available Planning Commission meeting.

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H. Planning Commission Action.

1. Notice requirements shall be met as described in Section 8.5.4.D.
2. The Planning Commission shall make its recommendation within 30 days of its initial public hearing. The time period for a recommendation may be altered, as in the case of significant modifications, in which case one additional 30-day period shall be granted before the case shall go to the City Council.
3. When a recommendation is not rendered within the time periods established in this section, the City Council may process the request without a Planning Commission recommendation.
4. The Planning Commission in its review and recommendation, shall make specific findings with regard to the following grounds for an amendment and shall note the same in the official record as follows:
 - a. The Rezoning is consistent and not in conflict with the Comprehensive Plan or other applicable approved local plans for the area, provided the Planning Commission is not obligated to recommend approval of requests which would bring existing zoning into conformity with the Comprehensive Plan prior to the time such change is warranted by the findings of 8.5.19.H.4.e and f;
 - b. It has been determined that the legal purposes for which zoning exists, as set forth in Section 1.5;
 - c. It has been determined that there will be no adverse effect upon Adjoining property owners unless such effect can be justified by the overwhelming public good or welfare;
 - d. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public;
 - e. It has been determined that conditions affecting the area have changed to a sufficient degree to warrant the Zoning Map Amendment or that the existing zoning of the property was the result of a mistake.
 - f. It has been determined that adequate school, road, parks, wastewater treatment, water supply, and stormwater drainage facilities are available.

I. Notice of Public Hearing.

Prior to approval, any request for Rezoning shall require a public hearing before the City Council, which shall be placed on the agenda of the next available City Council meeting. Notification of a public hearing shall be performed as follows:

1. Notice of the Rezoning shall be published in accordance with Section 8.5.4.D.2.
2. This notice shall specify the property by the best means possible and proposed zoning classification of the property under consideration.

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3. Except in cases of a newly annexed property receiving initial zoning, the City shall post signs on the property indicating the action requested in accordance with Section 8.5.4.D.3.
4. Initial zoning of properties newly annexed into the City shall not require the posting of a sign.
5. Notice of the Rezoning shall be mailed in accordance with Section 8.5.4.D.3.
6. This notice shall specify the street address, current and proposed zoning classification, and it shall contain a graphic illustration of the area.

J. Initial Consideration by City Council.

The City Council shall hold an initial consideration of the petition for Rezoning after conducting a public hearing. The request must receive an affirmative vote upon first consideration in order to proceed to second consideration.

K. City Council Action.

1. Notice requirements shall be met.
2. The City Council shall consider any recommendations by the Planning Commission in rendering its decision.
3. The City Council may approve the request, deny the request, or send the request back to the Planning Commission for additional consideration.
4. The City Council may approve the request at a less intensive classification than requested with consent of the applicant.
5. Including the initial consideration before City Council mentioned above, affirmative votes on two considerations before the City Council shall be required for the petition to be approved. If the Planning Commission recommended denial of the request, the petition must receive a favorable vote of a majority of the entire membership of the City Council to be approved.
6. The City Council in its deliberation and decision shall make specific findings with regard to the following grounds for a Rezoning and shall note the same in the official record as follows:
 - a. The Rezoning is consistent with the Comprehensive Plan and any applicable local area plans;
 - b. It has been determined that the legal purposes for which zoning exists are not contravened; and
 - c. It has been determined that there will be no adverse effect upon Adjoining property owners unless such effect can be justified by the overwhelming public good or welfare.

L. Effect of Denial of Application.

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Whenever an application for a Rezoning of any property is denied, no application for Rezoning of all or any part of such property may be made or considered for one year following such denial, except in the following cases:

1. Upon initiation by the City Council or Planning Commission.
2. If the new application, although involving all or a portion of the same property, is for a different District than that for which the denied application was made.
3. If the previous application was denied for the reason that the proposed Rezoning would not conform to the Comprehensive Plan, and the Comprehensive Plan was subsequently amended in a manner which would allow the proposed zoning.

M. Reflection on Zoning Map.

1. Upon approval of a Zoning Map Amendment, the Zoning Administrator shall cause such amendment to be placed upon the Official Zoning Map, noting thereon the ordinance number and effective date of such amendatory ordinance.
2. No amendment to this Ordinance that involves any matter portrayed on the Official Zoning Map shall become effective until after such change and entry have been made on said map.

N. No Unauthorized Changes.

No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance and punishable as provided under Section 8.6.

8.5.20 Plan Amendment / Adoption

A. Applicability.

1. This Section 8.5.20 is applicable to the adoption of, or amendments to, the Comprehensive Plan, Future Land Use Map, or other City land use plans and maps (hereinafter referred to collectively as "Land Use Plans).
2. The City Council shall consider adoption of, or amendments to, Land Use Plans as may be required from time to time.
3. The process for adoption of a Land Use Plan shall be the same as that for a Land Use Plan Amendment, as set forth herein.

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B. Coordination with Rezoning Application.

An application for a Land Use Plan Amendment may be submitted and reviewed concurrently with a Rezoning application. The public hearings on both the proposed Land Use Plan Amendment and the proposed Rezoning may be heard at the same meeting; however, decisions shall be rendered with separate motions.

C. Pre-Application Conference.

All applicants applying for a Land Use Plan Amendment shall schedule a pre-application conference with the Zoning Administrator in accordance with Section 8.5.4.B.

D. Application Requirements.

An application for a Land Use Plan Amendment shall be submitted in accordance with Section 8.5.4.C, Application Requirements. The Zoning Administrator shall review the application and make any recommendations to the Planning Commission.

E. Action by Planning Commission.

1. Before making any recommendation on a Land Use Plan Amendment, the Planning Commission shall consider any recommendations from the Zoning Administrator, and shall conduct a public hearing.
2. Notice and public hearing requirements shall be in accordance with Section 8.5.4.D.
3. It is expected that the applicant or a representative of the applicant will appear at the meetings to explain why the Land Use Plan should be changed.
4. Following the public hearing, the Planning Commission shall make a recommendation on the application to the City Council.
5. The Planning Commission shall make its recommendation within 30 days of its initial public hearing. The time period for a recommendation may be altered, as in the case of significant modifications, in which case one additional 30-day period shall be granted before the case shall go to the City Council.
6. If a recommendation is not rendered within the time periods established in this section, the City Council may process the request without a Planning Commission recommendation.

F. Criteria for Planning Commission Recommendations.

The recommendations of the Planning Commission to the City Council shall show that the Planning Commission has studied and considered the proposed Land Use Plan Amendment in relation to the following, where applicable:

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1. Whether the proposed change would be consistent with the intent, goals, objectives, policies, guiding principles and programs of all other applicable adopted Land Use Plans;
2. Whether the proposed change would be compatible with the existing land use pattern and designated future land uses;
3. Whether the proposed change would create substantial adverse impacts in the Adjacent area or the City in general;
4. Whether conditions affecting the area have changed to a sufficient extent to warrant the proposed change; and
5. Whether the subject parcel is of adequate shape and size to accommodate the proposed change.

G. Action by City Council

1. Before taking action on a Land Use Plan Amendment, the City Council shall consider the recommendations of the Planning Commission and any recommendations of Zoning Administrator, and shall conduct a public hearing.
2. Notice and public hearing requirements shall be in accordance with Section 8.5.4.D.
3. It is expected that the applicant or a representative of the applicant will appear at the meetings to explain why the Land Use Plan should be changed.
4. Following the public hearing, the City Council may approve the amendment, deny the amendment, or send the amendment back to the Planning Commission for additional consideration.
5. An approval shall be by written resolution. The approval may be subject to any conditions specified by the City Council. The effective date may be immediate or may be a date otherwise specified in the approval.

H. Official Copies of Land Use Plans.

Official, current copies of all land use plans adopted by the City shall be maintained in the office of the Zoning Administrator and shall be available for review during normal business hours.

8.5.21 Planned Unit Development (PUD)

A. Applicability.

This Section 8.5.21 is applicable to the establishment of Planned Unit Developments (each, sometimes referred to as a “PUD”) and to the regulation and continued administration of such Planned Unit Developments.

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B. Rezoning, Zoning Ordinance Amendment & Master PUD Development Plan Approval Necessary.

1. Establishment of a PUD is subject to Rezoning of the subject land as one of the available PUD Districts by a Zoning Map Amendment, a Zoning Ordinance Amendment to set out the standards and requirements applicable to the specific PUD District, and approval of a Preliminary Master PUD Development Plan and a Final Master PUD Development Plan. Accordingly, in addition to the requirements of this Section 8.5.21, all requirements of Section 8.5.18 and Section 8.5.19 must be complied with to establish a PUD.
2. No application for Rezoning of property to a PUD District, application for Zoning Text Amendment application related to a PUD, or application for approval of a Preliminary Master PUD Development Plan or a Final Master PUD Development Plan, and no approval of any of the foregoing, shall be proposed or used to avoid, or have the effect of avoiding, compliance with the standards and requirements of this Ordinance or of the other zoning Districts, and instead shall be used sparingly and only in exceptional situations where:
 - a. such rezoning, the related Preliminary Master PUD Development Plan or a Final Master PUD Development Plan, and the proposed Development are necessary to implement the Comprehensive Plan and any adopted special area Plan and are consistent with the Comprehensive Plan and any adopted special area Plan,
 - b. due to unique site conditions or the necessary and intrinsic Uses, size, or form of the Development, such Development cannot under any other plan, design, or circumstances conform to one of more of the Character Districts or standards therefor specified in this Ordinance,
 - c. the rezoning, the related Master PUD Development Plan, and the proposed Development provide an innovative plan, design, and Development that are harmonious with and respect the land use, character, and natural or man-made features of the subject property and Adjacent property, and promote quality design and environmentally sensitive development by taking advantage of special site characteristics, locations and land uses, and
 - d. there are sufficient existing infrastructure, services, and utilities available to the site prior to Development.
3. Without limitation to Section 8.5.21.B.2 above, approval of Rezoning of property to a PUD District, Zoning Text Amendment application related to a PUD, or a Master PUD Development Plan are subject to the Planning Commission's and the City Council's first making formal, written findings regarding each of the items listed in Section 8.5.21.B.2 and that the proposed Development, such applications, and approvals:
 - a. conform to all applicable standards and requirements of this Ordinance,
 - b. would be compatible with other Development permitted under all applicable provisions of this Ordinance;

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- c. will not significantly interfere with the use and enjoyment of other land in the vicinity;
 - d. adequately conserve woodland and the protect water courses from erosion and siltation;
 - e. maximize safety, convenience, and amenities for the residents and visitors of the Development; and
 - f. adequately address all such other matters as they may find to have a material bearing upon the stated standards and objectives of this Ordinance.
4. Unless specifically exempted, the standards and requirements contained in this Section 8.5.21 shall be in addition to all other applicable standards and requirements established in this Ordinance.

C. Adopted Special Area Plans Mandatory.

1. In the event that any adopted special area plan for an area in which any PUD is proposed so recommends, the City Council shall require that all petitions for reclassifications of land within the area be formulated and administered in accordance with this Article, including any amendments thereto.
2. As appropriate for their respective areas, any adopted special area plans shall also contain recommendations which may differ from or supplement the provisions of this Ordinance respecting new or modified PUD Districts; design standards for signage, Setbacks or Yards, Parking, and other matters, to be made applicable either area – wide or within particular PUD Districts, or both; density credit or bonus systems linked to Development elements; or any other matter affecting public health, safety, or welfare. The City Council shall not entertain proposals for the reclassification of land within such areas until it has formally acted upon these recommendations.

D. Relationship of PUD & Other Regulations.

1. The PUD regulations in this Ordinance shall apply generally to the establishment, initiation, and regulation of all PUD Districts. Where there are conflicts between the PUD-specific regulations herein and other zoning, subdivision, or other regulations or requirements, the PUD-specific regulations shall apply in PUD Districts.
2. Where actions, designs, or solutions proposed by the applicant do not conform to applicable PUD or other regulations, but the City Council makes a finding in the particular case that public purposes are satisfied to an equivalent or greater degree, the City Council may make specific modification of the regulations applicable to the particular PUD, provided that specific standards and requirements applicable to each type of PUD District established by this Ordinance shall not be subject to modification.
3. Except as indicated above, notwithstanding procedures and requirements generally in effect, procedures and requirements set forth herein and in guidelines and standards officially adopted as part of regulations for the applicable type of PUD District shall apply to all such PUD Districts, to any amendments creating such Districts, and to issuance of all required permits therein.

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E. Combination of Types of PUD Districts.

The Planning Commission and the City Council may consider different types of PUDs (PUD-R and PUD-MU) within a consolidated Master PUD Development Plan and application as a single administrative procedure, provided the total tract is under the Unified Control of a Landholder and the land area is sufficient to comply with separate area requirements combined. This provision in no way alters any requirements of this Ordinance.

F. Phasing of Development.

The Planning Commission may permit the phasing of Development within a PUD, in which case, the following provisions shall apply:

1. In PUD-R, the ratio of gross Floor Area of Commercial Use to Residential Use in the Master PUD Development Plan as initially approved or amended, shall not be exceeded at any given phase of construction.
2. Each phase shall be so planned and so related to existing surroundings and available facilities and services that failure to proceed with subsequent phases will not have an adverse impact on the PUD or its surroundings.
3. The commencement of Actual Construction of any phase of the PUD shall be governed by the provisions of Section 8.5.21.W.
4. In the instance of a combined PUD involving Residential Uses as well as Commercial or Mixed Uses, the Planning Commission may permit the Commercial and Mixed Uses to be constructed first, but only if it finds and records its findings on the final Master PUD Development Plan that the non-Residential Uses are consistent with the Comprehensive Plan even if no Residential construction takes place.

G. Developmental Controls & Division of Land.

1. No tract of land may receive final approval as a PUD unless such tract is under the Unified Control of a Landholder. Unless otherwise provided as a condition of approval of a PUD, the landholder of an approved PUD may divide and transfer parts of the PUD. The transferee shall complete each such part, and shall use, Develop, construct, and maintain it in strict conformance with the adopted final PUD Development Plan.
2. A report identifying all property owners within the area of the proposed PUD and giving evidence of unified control of its entire area shall be submitted with any application for approval of a preliminary PUD Development Plan. The report shall state agreement of all present property owners and/or their successors in title:
 - a. To proceed with the proposed PUD according to the regulations in effect when the map amendment creating the PUD District becomes effective, with such modifications as are set by City Council in the course of such action;

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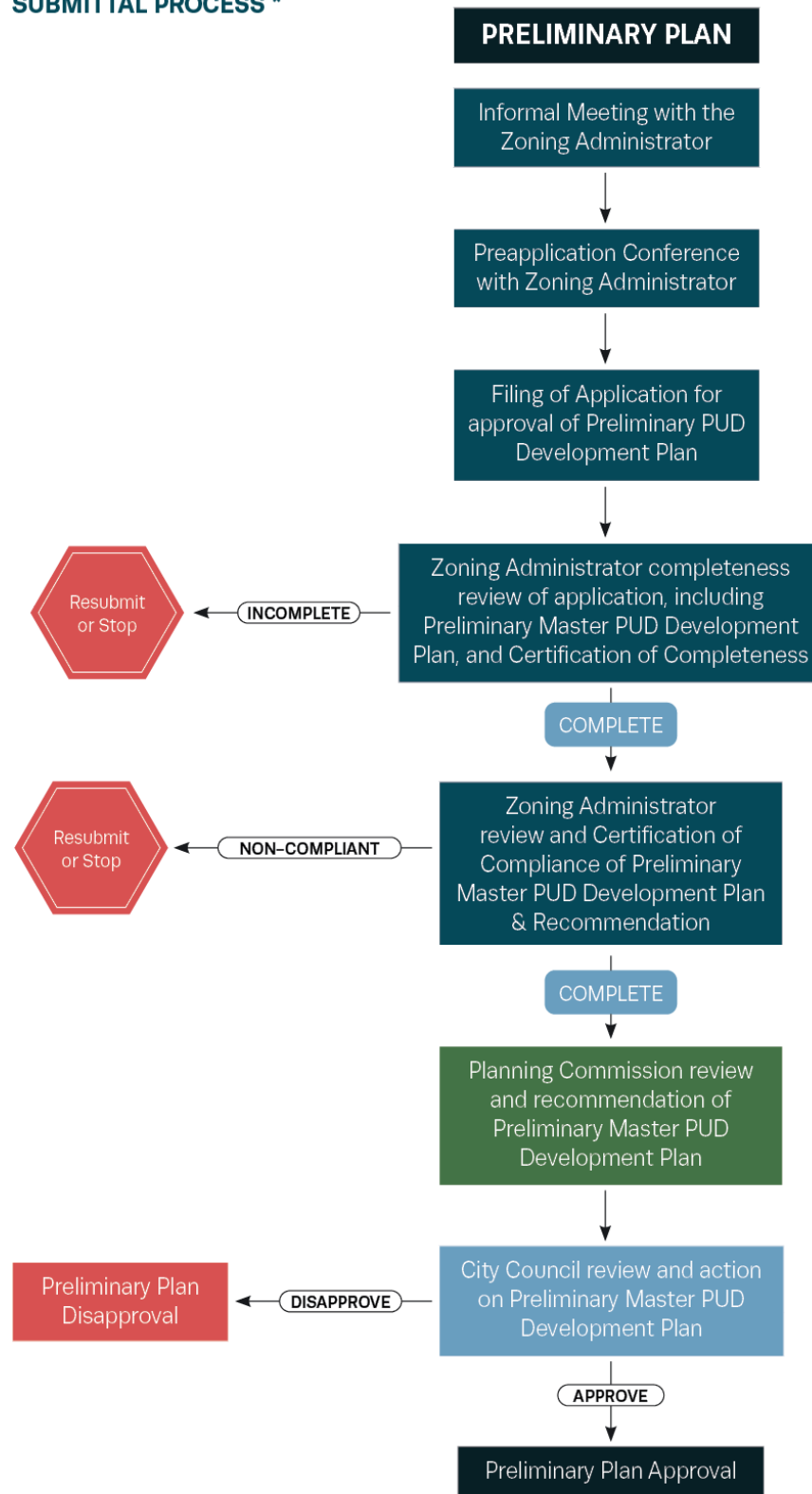
- b. To provide bonds, dedication, guarantees, agreements, contracts, and deed restrictions acceptable to the City Council for completion of such PUD according to approved plans; and for continuing operation and maintenance of such areas, facilities, and services as are not to be provided, operated, or maintained at general public expense; and such dedications, contributions, or guarantees as are required for provision of needed public facilities and services; and
- c. To bind further successors in title to any commitments listed above.

H. Consistency with PUD Standards.

All PUD Developments shall be subject to all applicable standards and requirements of this Ordinance, including without limitation, those of Article 4 (Building, Lot, and Building Site Standards), Article 5 (Development Parcel Standards), Article 6 (Supplemental Standards), Article 7 (Sign Standards), and this Section 8.5.21.

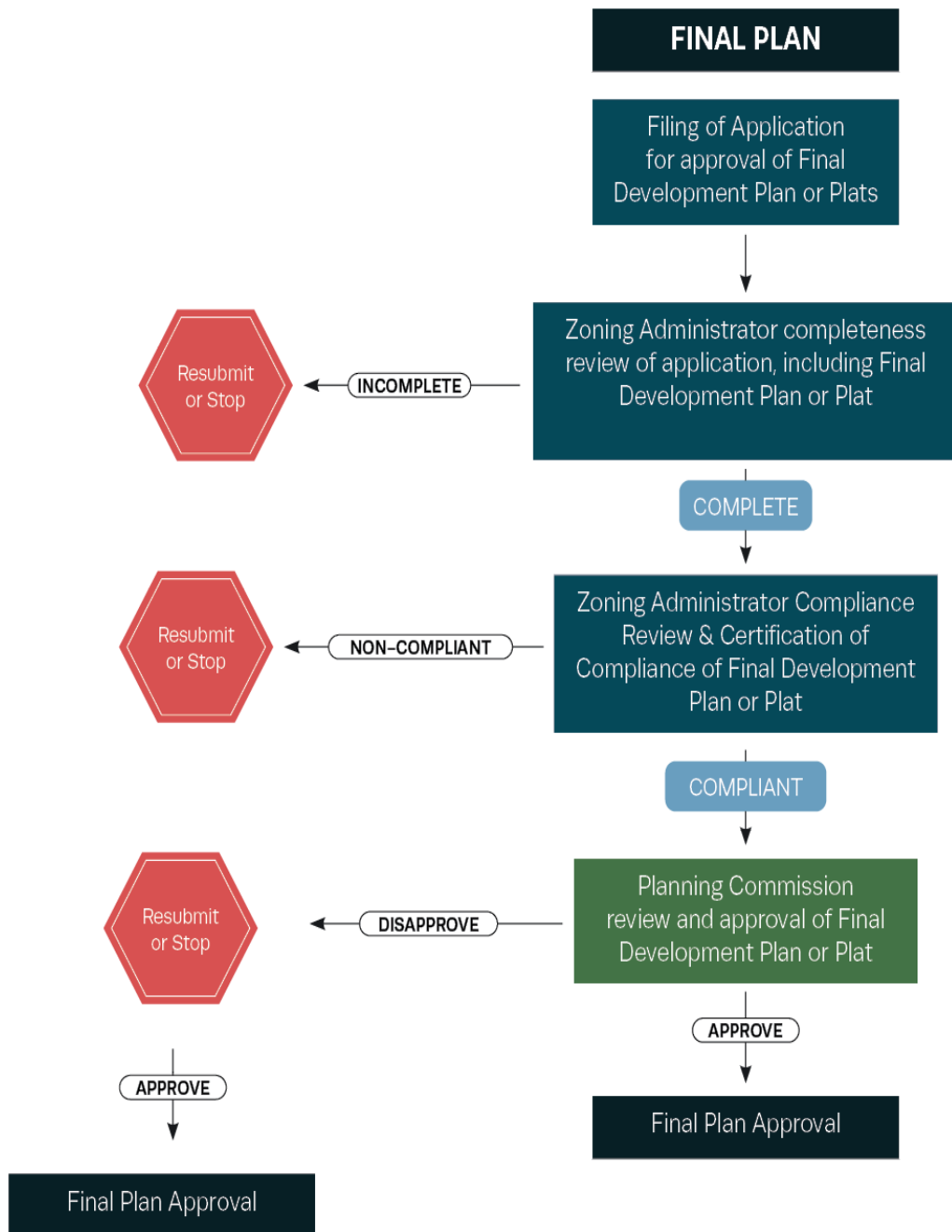
ARTICLE 8: ADMINISTRATION, PROCEDURE, & ENFORCEMENT

ILLUSTRATION 8.5.21. SUMMARY OF MASTER PUD DEVELOPMENT PLAN APPLICATION AND SUBMITTAL PROCESS *



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I. Application Requirements.

1. A request for approval of a Master PUD Development Plan or an amendment to an existing Master PUD Development Plan shall be made by filing an application for such approval in connection with an application for Rezoning to a PUD District and an application for a Zoning Ordinance Amendment.
2. An application for approval of a Master PUD Development Plan or an amendment to an existing Master PUD Development Plan shall be filed by the owner of the property or an authorized agent of the owner with the Zoning Administrator in accordance with Section 8.5.4.C and Section 8.5.21.K.

J. Preliminary Master PUD Development Plan.

1. An application for approval of a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan shall meet the requirements of guidelines and procedures established under Section 8.2.1.E and sufficient information to disclose:
 - a. A tabulation of the land area and each Building to be devoted to various use categories and activities, and the overall number of Dwelling Units and square footage of each non-residential Use category within the PUD, each part of the PUD, and each Building.
 - b. Reservations for public uses, including schools, parks, and other open spaces.
 - c. The general means of the disposition of sanitary waste.
 - d. The nature of the landholder's interest in the land proposed to be developed and a written statement of concurrence from all parties having a beneficial interest in the affected property.
 - e. The substance of covenants, grants of Easements or other restrictions to be imposed upon the land, Buildings and Structures, including proposed Easements.
 - f. If applicable, phase Development schedule, setting forth when the landholder intends to commence construction and a completion period for each phase.
 - g. If it is proposed that the final Master PUD Development Plan or amendment to an existing Master PUD Development Plan will be submitted in stages, a schedule of submission thereof.
2. Each application for approval of a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, and the submitted Preliminary Master PUD Development Plan or amendment to an existing Preliminary Master PUD Development Plan shall be reviewed for completeness pursuant to Section 8.5.4.
3. If the Zoning Administrator shall review the Preliminary Master PUD Development Plan is complete, the Zoning Administrator shall review it for compliance with Article 4 (Building, Lot, & Building Site Standards), Article 5 (Development Parcel Standards), Article 6 (Supplemental Standards), and Article 7 (Sign Standards) and forward the proposal to the Development Review Committee.

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4. The Development Review Committee shall review the preliminary Master PUD Development Plan or an amendment to an existing Master PUD Development Plan. If the Zoning Administrator determines that the preliminary Master PUD Development Plan or amendment to an existing Master PUD Development Plan complies with such Articles, as applicable, the Zoning Administrator shall forward the request to the Planning Commission.
5. No Master PUD Development Plan or amendment to an existing Master PUD Development Plan shall be presented for Planning Commission action until the Zoning Administrator determines that the application is complete and responsive to all technical comments have been issued

K. Planning Commission Action on Preliminary Master PUD Development Plan.

1. Before making any recommendation on a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, the Planning Commission shall consider the Certificate of Compliance and all recommendations from the Zoning Administrator, the City Engineer, and other Development Review Committee members, and shall conduct a public hearing.
2. Notice and public hearing requirements shall be in accordance with Section 8.5.4.
3. The applicant or a representative of the applicant shall appear at the meetings to explain the proposed Development and answer questions.
4. The Planning Commission may render any one of the following recommendations:
 - a. Unconditional approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan. Conditional approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, in which the Planning Commission expressly denotes conditions and modifications that must be made to the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan. If the Planning Commission recommends conditional approval:
 - b. The Zoning Administrator shall transmit Planning Commission's conditions in writing to the applicant detailing the conditions or modifications which must be complied with in order for the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan to be recommended for unconditional approval;
 - c. Disapproval.
5. The Planning Commission shall make its recommendation to the City Council within 45 days of the Planning Commission's initial public hearing. The Planning Commission shall prepare a report detailing the Planning Commission's action on the application, including any conditions or modifications that it may have imposed for its recommendation of approval. The time period for a recommendation may be changed, as in the case of significant conditions or modifications, in which case one additional 45-day period shall be granted before the case shall go to the City Council.

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6. After review and recommendation by the Planning Commission, the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan shall be forwarded to the City Council with the recommendation.
7. When a recommendation is not rendered or deemed to have been rendered within the time periods established in this Section, the City Council may process the request without a Planning Commission recommendation.

L. City Council Action on Preliminary Master PUD Development Plan.

1. Upon receipt of the Planning Commission's report and recommendations, the City Council shall consider such report and recommendations and otherwise proceed in the manner established in Section 8.5.18 and Section 8.5.19, as applicable.
2. The City Council may render one of the following decisions with respect to the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan:
 - a. Approve;
 - b. Disapprove; or
 - c. In an instance where the Planning Commission has recommended approval subject to conditions or recommendations for alterations to the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, the City Council may establish, eliminate, or modify such conditions in its action.
3. In any instance where the City Council acts to eliminate or modify conditions imposed by the Planning Commission to recommend approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, the City Council shall provide specific guidance as to:
 - a. Overall design of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan;
 - b. Any conditions or modifications required; and
 - c. Any additional information which may be required by the Planning Commission to determine substantial compliance of the Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan with the approved Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan.
4. Upon City Council approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan, the applicant may prepare and submit to Zoning Administrator for forwarding to the Planning Commission a final Master PUD Development Plan or amendment to an existing Master PUD Development Plan.

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Only upon approval of a Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan shall the approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan become final. In any instance where a Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan is to be presented in portions or stages, any associated Rezoning shall only become effective at the time of final approval of each individual stage or segment Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan.

M. Final Master PUD Development Plan - Requirements.

1. City Council approval of the Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan must be obtained prior to submission of the Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan.
2. An application for approval of a Master PUD Development Plan or an amendment to an existing Master PUD Development Plan shall be filed by the owner of the property or an authorized agent of the owner with the Zoning Administrator in accordance with Section 8.5.4.
3. The proposed Final Master PUD Development Plan or amendment to an existing Final Master PUD Development Plan must meet all requirements for a Preliminary Master PUD Development Plan or an amendment to an existing approved Preliminary Master PUD Development Plan and shall additionally include the following:
 - a. Sufficiently detailed information to indicate the ultimate operation and appearance of the Development, or applicable portion thereof.
 - b. Drawings at a scale no smaller than one inch = 200 feet, indicating:
 - (1) A circulation plan indicating the proposed movement of vehicles, goods and pedestrians within the PUD and to and from existing Thoroughfares and Internal Drives, which shall specifically include the width of proposed Thoroughfares and Internal Drives;
 - (2) a plan showing sidewalks and other pedestrian ways; and any special engineering features and traffic regulation devices needed to facilitate or insure the safety of the circulation pattern;
 - (3) A plot plan for each Lot, Building Site, common open area, Civic Space, and other public or semi – public open space uses, showing the approximate location of all Structures and Improvements and indicating the open spaces around Structures;
 - (4) A utilities plan, including sewers, both sanitary and storm, gas lines, water lines, fire hydrants, and electric lines showing proposed connections to existing utility systems;
 - c. a plan which indicates the location, function, and ownership of all Civic Spaces and open spaces, excepting those open spaces included in fee simple Lots;

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- d. final drafts of all proposed covenants and grants of Easement.
- e. copies of legal documents required by the Planning Commission for dedication or reservation of group or common open space and/or for the creation of a nonprofit association; and
- f. if applicable, a Development phasing schedule.

N. Final Master PUD Development Plan - Completeness & Compliance Reviews.

1. The Zoning Administrator shall review the submitted Final Master PUD Development Plan or amendment to Final Master PUD Development Plan for completeness pursuant to Section 8.5.4.C. If determined to be complete, the Zoning Administrator shall forward the application to the Development Review Committee. If, following review by the Development Review Committee, the Zoning Administrator determines that the resubmission of a Final Master PUD Development Plan or amendment to Final Master PUD Development Plan is deemed incomplete by the Zoning Administrator, a written request for further information shall be made within ten days after the original submission of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan is complete and responsive to all technical comments, the Zoning Administrator shall forward the request to the Planning Commission. No Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be formally presented to the Planning Commission until the Zoning Administrator determines the application is complete and ready to review.
2. The Zoning Administrator shall review the Final Master PUD Development Plan or amendment to the Final Master PUD Development Plan for compliance with the approved Preliminary Master PUD Development Plan or amendment to the Preliminary Master PUD Development Plan.

O. Final Master PUD Development Plan - Phased Approval.

Submission of and the request for approval of the Final Master PUD Development Plan or amendment to the Final Master PUD Development Plan and the approval thereof by the Planning Commission may be limited to each phase of Development.

P. Expiration or Revocation of Preliminary Master PUD Development Plan Approval.

1. In the event the applicant fails to submit the for approval within two years from the date of the approval of the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan by the City Council or in the event the Planning Commission finds that conditions in support of the granting of approval of the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan have so changed as to raise reasonable question regarding the landholder's ability to pursue the Development pursuant to the plan, the Planning Commission may recommend revocation of the approval of the Preliminary Master PUD Development Plan or amendment to existing Preliminary Master PUD Development Plan.

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2. Should the Planning Commission recommend revocation of the approval of the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan, a report of this action shall be sent immediately to the City Council along with a recommendation that action be taken to remove revert the site to its previous District designation.

Q. Final Master PUD Development Plan - General.

1. In reviewing a Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, the function of the reviewing agencies is twofold:
 - a. First, the plan or amendment must be found to be in substantial compliance with the approved Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan.
 - b. Second, all new or revised information that was not in the previously approved Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan must be reviewed to determine its quality and compliance with all applicable requirements of this Ordinance.
2. The Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be deemed in substantial compliance with the approved Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan provided any modifications by the applicant do not involve changes which in aggregate would:
 - a. Violate any provisions of this Ordinance;
 - b. Change the Lot or Building Site Area requirement as submitted in the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan by more than 10%;
 - c. Involve any increase in the number of Dwelling Units approved for the site in the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan;
 - d. Involve a reduction of more than 3% of the area shown on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan as reserved for Common Open Space;
 - e. Increase the Floor Area shown on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan for non-Residential Uses by more than 5%; or
 - f. Alter the mix of Building Types or Uses shown on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan by more than 3% in any category or Uses or any one or more Building Types from that proposed in the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan.

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R. Planning Commission Action.

1. The Planning Commission may approve, approve with conditions or modifications, or disapprove the final Master PUD Development Plan or Amendment to the existing Master PUD Development Plan.
2. The Planning Commission may approve the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan if it finds:
 - a. That the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan meets the provisions for substantial compliance with the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan; and
 - b. The Final Master PUD Development Plan or amendment to Final Master PUD Development Plan complies with all other standards for review which were not considered when the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan was approved. The Planning Commission may approve the Final Master PUD Development Plan or an amendment to Final Master PUD Development Plan with conditions or modifications.
3. Upon formal action by the Planning Commission approving a Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, or in the instance of conditional or modified approval of a Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, upon acceptance of the conditions or modifications Final Master PUD Development Plan or amendment to Final Master PUD Development Plan and all maps, covenants, and other portions thereof, shall be filed with:
 - (1) The City Council;
 - (2) The City Recorder; and
 - (3) The Zoning Administrator.
4. If the Planning Commission finds that the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan does not meet the test for substantial compliance or does not comply with other standards of review, it shall disapprove the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.
5. In the event of disapproval, the Zoning Administrator shall prepare a written report on behalf of the Planning Commission and send it to the City Council and the applicant. This report shall detail the grounds on which the Final Master PUD Development Plan or an amendment to the Final Master PUD Development Plan was denied.

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S. City Council Action.

1. In the event that the Planning Commission disapproves any Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, such action shall be reviewed by the City Council.
2. The Council shall consider the report submitted by City Planning Commission and such other information as it may require in order to determine whether such Final Master PUD Development Plan or amendment to Final Master PUD Development Plan in its view meets the test of substantial compliance and complies with other standards of review herein established.
3. Should the City Council uphold the Planning Commission's disapproval of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, it shall notify the landholder that the action approving the reclassification of such property as contained in the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be disapproved.
4. Should the City Council determine that the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan does meet the test of substantial compliance and other requirements for approval, it shall notify both the landholder and the Planning Commission of its decision, and the action of the City Council approving the zoning shall thereby become final.

T. Failure to Begin PUD.

If no Actual Construction has begun in the PUD within three (3) years from the date of approval of the final shown on the Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan, said approval shall be lapse and be of no further effect and the related Zoning Ordinance Amendment and Rezoning shall lapse, be of no further effect and be repealed. The Planning Commission may, upon showing of good cause by the landholder, extend the time for commencement of Actual Construction for periods of 12 months. However, at least annually the Planning Commission shall review the status of any PUD on which construction has not begun in order to determine that the project has not been abandoned.

U. Enforcement of Development Schedule.

1. Unless specifically approved as part of the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, the construction and provision of all Civic Spaces, Common Open Spaces, and public and recreational facilities which are shown on the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan must proceed at no slower rate than the construction of Dwelling Units and non-Residential Improvements.
2. From time to time, the Zoning Administrator shall compare the actual Development and construction accomplished with the approved Development schedule. If the Zoning Administrator finds that the rate of Development and construction of Dwelling Units or non-Residential

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Improvements is substantially greater than the rate at which Civic Spaces, Common Open Spaces, and public and recreational facilities have been Developed and constructed and provided, then the Zoning Administrator may take either or both of the following actions:

- a. Cease to approve any additional final site plans or plats;
 - b. Instruct the Building Official to discontinue issuance of Building Permits.
3. In any instance where either of the above actions is taken, the Planning Commission must be provided satisfactory assurance from the applicant and its successors in interest that the relationship between the Development and construction of Dwelling Units and Commercial or Industrial Structures and the provision of common open spaces and public and recreational facilities is brought into balance acceptable to the Planning Commission prior to the continuance of Development or construction.

V. Building Permits & Certificates of Occupancy

Building Permits and Certificates of Occupancy may be issued for Development, Uses, Buildings and other Structures in a PUD in accordance with this Section.

1. The City may issue a Building Permit for Development, Structures, Buildings, activities, or uses as a part of a finally approved PUD only in strict compliance with the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan for the particular PUD, including the conditions of approval and only after the administrative procedure outlined in this section has been strictly followed. No Building Permit shall be issued for the area included in a Preliminary Master PUD Development Plan or amendment to Preliminary Master PUD Development Plan until the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan has been finally approved.
2. A Certificate of Occupancy shall be issued when the Zoning Administrator determines that a Structure, Building, activity, or Use within a PUD conforms with the applicable adopted Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, including the any conditions or modifications required for approval under the provisions of Section 8.5.21.W.

W. Modification of Approved Final Master PUD Development Plan or Amendment to Existing Development Plan During Initial Construction Period.

1. During the period of actual Development or Construction of or within any PUD, or of or within any portion of a PUD when Developed in phases, the provisions of this Section 8.5.21.Z shall apply to any proposed modifications to an approved Final Master PUD Development Plan or amendment to the Final Master PUD Development Plan.
2. Any such proposed modification that is not permitted under Sections 8.5.21.W. may be approved only as an amendment to the approved Final Master PUD Development Plan or an amendment to

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the Final Master PUD Development Plan, provided the Decision-Making Authority may authorize the Zoning Administrator approve specific changes as part of the Final Master Plan approval.

3. The Planning Commission may approve:
 - a. minor modifications in the location, siting, and height of Buildings and Structures if required by engineering or other circumstances not foreseen at the time the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan was approved so long as no such modification violates the basic policy and concept, standards and requirements of this Ordinance applicable to the PUD, or other standards and requirements applicable to the PUD pursuant to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan. Collectively, all such modifications approved by the Planning Commission shall not in the aggregate result in:
 - (1) Any increase in the number of Dwelling Units from that approved in the Final Master PUD Development Plan or an amendment to the Final Master PUD Development Plan; or
 - (2) An increase of more than 3% in the floor area for Commercial Uses from that approved in the Final Master PUD Development Plan or amendment to the Final Master PUD Development Plan; and
 - b. minor modifications in the location of streets and underground utilities shown on the approved Final Master PUD Development Plan or an amendment to the Final Master PUD Development Plan.
4. For any modification to an approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan other than minor modifications authorized by Section 8.5.21.W.3, such modification shall be subject to satisfactory proof by the applicant and written findings by the Planning Commission and City Council as follows and approval as an amendment to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.
 - a. The modification shall be limited to the minimum necessary;
 - b. Strict application of the provisions of the approved Final Master PUD Development Plan or amendment to the Final Master PUD Development Plan would result in practical difficulties or unnecessary hardship;
 - c. There are exceptional or extraordinary circumstances or conditions applying to the land, Buildings, Structures, or Uses referred to in the request for modification, which circumstances or conditions do not apply generally to other land, Buildings, Structures, or uses in the same type of PUD District.
 - d. The requested modification will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood of the premises.
 - e. Under the circumstances of the particular case, the requested modification will not adversely affect the health or safety of persons working or residing in the neighborhood of the premises.

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- f. The requested modification is consistent the intent and purpose of this Ordinance, the Comprehensive Plan, and the approved Final Master PUD Development Plan or amendment to the Final Master PUD Development Plan and will not adversely affect the community objectives of the Comprehensive Plan.
- g. The requested modification will not result in any reduction of required Buffer areas or other specific open spaces required by this Ordinance and will not vary any District or Development standard applicable to the PUD under this Ordinance.

X. PUD Control After Completion.

1. After the PUD has been substantially completed, the use of land and the construction, modification, or Alteration of any Buildings or Structures within the PUD will be governed by the approved Final Master PUD Development Plan or amendment to the Final Master PUD Development Plan and the applicable provisions of this Ordinance.
2. No changes may be made in the approved Final Master PUD Development Plan or an amendment to the Final Master PUD Development Plan except upon application to the appropriate agency under the procedures below:
 - a. Any minor extensions, Alterations, or modifications of existing Buildings or Structures may be authorized by the Zoning Administrator if the extensions, Alterations, or modifications are consistent with the purposes and intent of the recorded approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, this Ordinance, and the Comprehensive Plan.
 - b. Any Uses not authorized by the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, but allowable in the applicable type of PUD District as a Permitted Use, Permitted Subject to Limited Use Standards, or as a permitted Conditional Use, may be added to the recorded approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan under the procedures provided by for the approval of Conditional Uses.
 - c. A Building or Structure that is completely or substantially destroyed may be reconstructed only in compliance with the approved Final Master PUD Development Plan or an amendment to Final Master PUD Development Plan unless an amendment to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan is approved as set forth below.
3. All other changes in the approved Final Master PUD Development Plan or amendments to the Final Master PUD Development Plan may be approved only by the City Council under the procedures authorized by this Ordinance for Rezoning, Zoning Ordinance Amendment, and Master PUD Development Plan approval.
4. Notwithstanding any other provision of this Section 8.5.21.X, no changes may be made to the approved Final Master PUD Development Plan or amendment to Final Master PUD Development

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Plan unless such changes are required for the continued successful functioning of the PUD or are required by changes in conditions that have occurred since the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan was approved or by changes in the development policy of the community.

5. No changes in the approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan that are approved under this Section are to be considered as a waiver of the covenants limiting the use of land, Buildings, Structures and Improvements within the area of the PUD and all rights to enforce these covenants against any changes permitted by this Section are expressly reserved.

AA. Re-Subdivision of PUD After Completion.

A complete PUD may be subdivided and re-subdivided for the purpose of sale or lease subject to the following:

1. If the subdivision or re-subdivision of a PUD will create a new plot line, the applicant shall make application to the Planning Commission for the approval of a subdivision or re-subdivision. The Planning Commission may approve the subdivision or re-subdivision if each section of the subdivided or re-subdivided PUD meets the provisions of this Ordinance governing density, common open space, and dimensional requirements.
2. The owner and lessees of a subdivided or re-subdivided PUD may jointly make application for a Conditional Use or for an amendment to an approved Final Master PUD Development Plan or amendment to Final Master PUD Development Plan.

8.5.22 Heavy Manufacturing Permit

A. Applicability.

All proposed Uses requiring a Heavy Manufacturing Permit shall be required to obtain a Heavy Manufacturing Permit prior to establishment or expansion.

B. Pre-Application Conference

All applicants shall schedule a pre-application conference in accordance with Section 8.5.4.B.

C. Application Requirements

An application shall be filed in writing with the City Council in accordance with Section 8.5.4.C, which shall contain information and exhibits as may be required under Section 8.5.6. In the case of Buildings or other Structures or Uses to be located within Floodplain Districts, all information as may be required by Section 6.6 and 8.5.7. Additionally the applicant shall provide the following information in sufficient detail to reveal the intended function and ultimate operation of such Use:

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1. The nature of the operations and/or processes proposed, including storage, processing, and handling methods, proposed;
2. The materials; and
3. The nature and potential level of atmospheric emissions associated with the intended operation.

D. Meetings.

The City Council may conduct meetings as may be required in order to establish the findings necessary to proceed with such application. However, prior to final consideration of any information that has been provided to the City Council, such information shall be made available for public view and comment.

E. Notice & Public Hearing.

1. Any request shall require a public hearing before the City Council.
2. Not more than 60 days after filing such application, a hearing shall be held on the application, unless otherwise withdrawn or postponed upon written request by the applicant.
3. All notices shall specify the current zoning and notification that applicant is seeking a Heavy Manufacturing Permit.
4. All notices shall include a brief summary indicating the nature of the action.
5. All notices shall be made at least 10 days prior to the scheduled City Council meeting.
6. The notice shall be published in accordance with Section 8.5.4.D.2.
7. The notice shall be posted in accordance with Section 8.5.4.D.3.
8. The notice shall be mailed in accordance with Section 8.5.4.D.8.

F. Zoning Administrator Action

1. The Zoning Administrator shall transmit one copy of the application and all supporting information to the City Engineer for technical assistance in evaluating the proposed project.
2. The Zoning Administrator shall prepare a report that reviews the application in light of any requirements of this Ordinance and technical input from the City Engineer or other review bodies. A copy shall be provided to the City Council and the applicant.

G. City Council Action

1. The City Council shall conduct a public hearing.
2. After the public hearing, and considering the recommendations of the Zoning Administrator, the City Council shall:
 - a. Approve the request;

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- b. Approve the request with conditions.
- c. Deny the request; or
- d. Continue the hearing.

H. Requirements for Permit

A Heavy Manufacturing Permit may be granted only if the City Council finds that the request conforms to the following requirements:

1. The proposed Use is:
2. Listed as a Permitted Use within the applicable District;
3. Conforms to any additional standards listed in Section 4.3.9.D for the proposed Use;
4. Is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected;
5. Will not adversely affect other property in the area in which it is located; and
6. Conforms to all applicable provisions of this Ordinance for the applicable District.
7. Any proposed use Adjacent to a Residential District or Use (whether or not such property is actively used as a residence), shall be required to provide a Yard of a minimum depth of 150 feet between the proposed Use and the Adjacent Residential District or Use. This Yard shall not be used for any activity or Use other than permitted in Section 4.3.10.
8. A proposed Use Adjacent to any non-Residential District or Use shall be required to provide a Yard of a minimum depth of 100 feet between the proposed Use and the Adjacent District or Use. The City Council may impose such other conditions and restrictions as may be necessary to reduce or minimize the injurious effect of such Heavy Manufacturing Use upon and ensure compatibility with surrounding properties. The City Council may establish dates for the expiration of any Heavy Manufacturing Use Permit as a condition of approval.

8.5.23 Sign Permits.

A. Sign Permit Required

No Sign other than an Exempt Sign may exist or be erected, installed, altered, modified, or restored in the City unless it is the subject of a valid Sign Permit issued by the Building Inspector in accordance with this Section 8.5.23.

B. Applications

Sign Permit applications shall be made with the Building Inspector.

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C. Application Requirements

Each application for a Sign Permit shall be accompanied by a fully dimensioned Sign Plan that reflects that such Sign, the method and means of its installation, its type, and its location on the applicable Building or Lot comply with all applicable standards and requirements of this Ordinance, together with such other information as may be necessary to determine and provide for the enforcement of Article 7 (Sign Standards).

D. Review by Zoning Administrator; Certificate of Compliance

Upon receipt of an application for a Sign Permit, the Building Inspector shall forward to the Zoning Administrator a copy thereof and copies of all accompanying materials, including without limitation the Sign Plan.

The Zoning Administrator shall review such application, Sign Plan, and other materials to determine whether the proposed Sign complies with Article 7 (Sign Standards).

If the Zoning Administrator determines that the application, Sign Plan, and other materials, comply with Article 7 (Sign Standards), he or she shall issue a Certificate of Compliance, certifying compliance Article 7 (Sign Standards), and shall forward a copy of the same to the Building Inspector.

E. Issuance of Sign Permit

A Sign Permit shall be issued by the Building Inspector if and only if:

1. the applicant pays the application fee in accordance with a fee schedule adopted by the Commission,
2. the Building Inspector determines that the application, proposed Sign, and the Sign Plan and other materials accompanying the application conform to the applicable requirements of the Building Code and all applicable electrical codes, and
3. the Building Inspector has received a copy of the Zoning Administrator's Certificate of Compliance, certifying compliance with Article 7 (Sign Standards).

8.5.24 Subdivision Plats.

Subdivision Plats must meet the standards and requirements of this Ordinance and the City Subdivision Regulations as the same are in effect from time to time, and must be prepared, submitted, reviewed and acted upon in accordance with such City Subdivision Regulations.

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SECTION 8.6 Enforcement.

8.6.1 Enforcement; Violations; Penalties; & Remedies - General.

A. Enforcement.

This Ordinance and the provisions of any Development approval, permit, or Plan certified, approved, or issued under this Ordinance shall be enforced by the Zoning Administrator, the Building Inspector, the applicable Decision-Making Authority, the City Code Enforcement Officer, and other City code enforcement personnel as provided herein.

B. Complaints / Notice of Violation.

1. Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint shall state fully the causes and basis thereof and shall be filed with the Zoning Administrator. The Zoning Administrator shall record properly such complaint, immediately investigate, and take action thereon as provided by this Ordinance.
2. If, after such investigation or at his own initiation, the Zoning Administrator determines that a violation of this Ordinance exists, the Zoning Administrator, Building Inspector, or a law enforcement officer of the City, shall serve a notice of violation on the owner, agent or contractor of the Structure or Lot, Building Site, or other land where such violation has been committed or shall exist, and on any lessee or tenant of the part of, or of the entire Structure or the Lot, Building Site or other land where such violation has been committed or shall exist and/or on the agent, architect, contractor, or any other Person who takes part or assists in such violation or who maintains any Structure or the Lot, Building Site or other land with respect to which any such violation has been committed or shall exist.
3. If the violation is one of those for which the premises may or must be vacated, such fact shall be stated in the notice, and a notice to that effect shall be affixed to the front of the premises giving notice thereof.
4. Irrespective whether notice is otherwise required, notice of violation shall be served by certified mail, return receipt requested, or by personal service.

C. Correction of Violation.

1. If notice of violation is given by certified mail, the violation must be corrected not later than five (5) days after the time of mailing.
2. If notice of violation is given by personal service, the violation must be corrected within two (2) days after such service.

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D. Service of Appearance Ticket.

In addition, if those Persons notified shall fail to correct any violation within the required period, the Zoning Administrator, Building Inspector, or any police officer may serve an appearance ticket by personal service on any Person so notified, charging a violation of this Ordinance before the appropriate court of law.

E. Remedies

1. In case any Structure is proposed to be erected, constructed, reconstructed, Altered, extended, or converted, or any Structure or land is or is proposed to be used in violation of this Ordinance, the Zoning Administrator or other appropriate authority of the City or any Adjacent or neighboring property owner who would be especially damaged by such violation may, in addition to other remedies, institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, Alteration, extension, conversion or use, to correct or abate the violation, or to prevent the occupancy of such Structure or land.
2. Where a violation of this Ordinance exists, the Zoning Administrator may, in addition to other remedies, notify all public utilities and municipal service departments of such violation and request that initial or re – establishment of service be withheld until such time as the Structure or premises are no longer in violation of this Ordinance.

F. Certain Remedies for Specific Violations.

1. If the violation is one of the following, and if those Persons notified shall fail to correct such violation within the allotted time period, the Zoning Administrator, the City Code Enforcement Officer, the Building Inspector and/or any law enforcement officer of the City shall charge them with such violation of this Ordinance before the appropriate court of law:
 - a. No Building Permit and/or no Certificate of Occupancy.
 - b. Building Permit and/or Certificate of Occupancy has been revoked.
 - c. The Structure, in the opinion of the Building Inspector, constitutes an immediate danger to health or a fire hazard. An immediate danger to health shall consist of:
 - (1) No heat or heat below 50° F in the months of December, January, February or March.
 - (2) Inoperable plumbing facilities.
 - (3) Structural instability.
 - (4) No water service to the Building or applicable part thereof.
 - (5) Heating units, systems, or venting not in conformity with the requirements of the Building Code and Fire Code.
2. Such charge may be made by an appearance ticket, which the Zoning Administrator, the City Code Enforcement Officer, the Building Inspector, and/or police officer is authorized to issue.

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3. Other provisions of this Ordinance notwithstanding, no notice shall be required by the Zoning Administrator, the City Code Enforcement Officer, the Building Inspector, or a City law enforcement officer prior to the issuance of an appearance ticket for violations of Sections 1.9.4, 4.3.12.F.9, or 8.5.11.A.

G. Request for Reconsideration Review.

If any Person shall feel aggrieved by the determination of the Zoning Administrator or Building Inspector to close a Structure, said Person may file a written request for reconsideration review, together with the applicable fee, within the time provided to correct the defect, and the right to remove shall be stayed until one (1) day after notice of the decision on reconsideration is provided by personal service or three (3) days after notice of the decision on reconsideration is provided certified mailing or, if the Zoning Administrator or Building Inspector shall grant an extension of the time allowed to correct the violation, until the end of that extension.

H. Each Violation Separate.

Each violation of this Ordinance shall constitute a separate and distinct violation and each day a violation of this Ordinance continues after expiration of the allotted time for its cure, if any, shall constitute a separate and distinct violation.

I. Penalties for Violation

1. Any violation of the provisions of this Ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of Variance or Conditional Uses) shall constitute a misdemeanor and shall be punished as provided for by law.
2. Each day such violation exists shall be deemed a separate offense.
3. The owner or tenant of any Structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person, who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

J. Other Remedies for Violation.

In addition to all other remedies provided by this Ordinance or other applicable law, rule or regulation, if there exists or occurs with respect to any Lot, Building Site or other land or any Structure, Development, Use, permit, license, approval, or certificate issued or granted pursuant to this Ordinance any violation or failure to comply with any requirement, standard, or condition of this Ordinance or any such permit, license approval, or certificate, any or all of the following actions or proceedings may be taken on behalf of the City, whether by legal process or otherwise:

1. Revocation or suspension of any or all approvals, permits, certificate or licenses related to such Lot, Building Site or other land or any Structure, Development, or Use;
2. Denial of any or all applications, approvals, permits, certificates or licenses related to such Lot, Building Site, or other land or any Structure, Development, or Use;

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3. Issuance of one or more stop work or cease and desist orders;
4. Taking or instituting any other action or proceeding, whether by legal process or otherwise, to require compliance with the requirements, standards, and conditions of this Ordinance, and all permits, license, certificate, or approvals granted or issued pursuant to this Ordinance; and
5. Taking or instituting any other action or proceeding to prevent the unlawful erection, construction, reconstruction, Alteration, repair, conversion, moving, maintenance, Use, Development, Improvement, or Structure, to restrain, correct or abate such violation, to prevent the occupancy of such Structure or Lot, or to prevent any illegal act, conduct, Business or use in or about such premises.

8.6.2 Procedure to Revoke Certificate of Occupancy or Building Permit.

A. Notice of Non-Compliance.

Without limitation to any of the other penalties, remedies, and rights of enforcement provided for under this Ordinance, if the Zoning Administrator or the Building Inspector determines that a violation exists under this Ordinance or any permit, license, or certificate approval granted or issued pursuant to this Ordinance, or certificate that one or more of the terms of any Building Permit or Certificate of Occupancy are not being complied with, the Zoning Administrator shall give notice of noncompliance to the owner, as shown on the latest tax assessment roll, by certified mail addressed to the address shown thereon, requiring that the specified violations be corrected within five (5) days of the mailing of the notice and that, in the event that the violations are not corrected within that time, the Building Inspector shall revoke any such Certificate of Occupancy and/or Building Permit.

A return receipt or refusal of certified mail shall create a presumption of compliance with the mailing requirements hereof.

B. Reinspection.

On or after said fifth (5th) day of certified mail notice, the Zoning Administrator and Building Inspector shall reinspect the site, and, if any of such violations still exist, the Building Inspector shall revoke the Building Permit and/or Certificate of Occupancy, post a notice of revocation on the property or Structure and mail a notice, by certified mail, to the owner thereof as shown on the latest tax assessment roll.

C. Appeal.

In the event that any Person shall feel aggrieved by the revocation, such Person shall have ten (10) days from the mailing of the notice of revocation to file an appeal with the Board of Zoning Appeals, specifying the objections, which shall review the same and give a decision, by certified mail, to the applicant at the address shown on the application. The revocation shall be stayed by the appeal from the date of filing until three (3) days after any notice of denial shall be sent by the Board of Zoning Appeals.

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ARTICLE 9: DEFINITIONS

ARTICLE 9 DEFINITIONS

SECTION 9.1 WORD USAGE

The following shall be applicable to certain words used in this Ordinance and the interpretation of this Ordinance. Unless the context or natural construction of the wording clearly indicates otherwise:

1. All words used in the present tense include the future tense; all words in the plural number include the singular number and all words in the singular number include the plural number.
2. The words “must” and “shall” are mandatory.
3. The words “used” or “occupied” include the words intended, designed, maintained, or arranged to be used or occupied.
4. The particular shall control the general.
5. The word “may” is permissive.
6. In the case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control. Where in conflict, numerical metrics shall take precedence over graphical metrics.
7. The word “permitted” or words “permitted as of right,” whether or not capitalized, means permitted without meeting the requirements for a Conditional Use Permit or compliance with limited use standards.
8. The words “conditionally permitted” or “permitted by Conditional Use Permit” mean permitted subject to the requirements for Conditional Use by special permit pursuant to Section 4.3.9.D, of this Ordinance, and all other applicable provisions.
9. The words “Permitted Subject to Limited Use Standards” means permitted subject to compliance with the applicable limited use standards pursuant to Section 4.3.9.D and all other applicable provisions of this Ordinance.
10. The word “applicant” includes any authorized agent of the applicant.
11. The phrase “used for” shall include the phrases “arranged for”, “designed for”, intended for”, maintained for”, and “occupied for”.
12. Unless the context clearly indicates to the contrary, conjunctions shall be interpreted as follows:
13. “and” indicates that all connected items, conditions, provisions or events shall apply.
14. “or” indicates that any of the connected items, provisions, or events shall apply.
15. “either . . . or” indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.
16. Unless expressly provided otherwise, all public officials, bodies, and agencies to which reference is made are those of the City.

ARTICLE 9: DEFINITIONS

SECTION 9.2 TERMS

A. Capitalized Terms

Certain capitalized terms used in this Ordinance are defined below or elsewhere in this Ordinance and shall be given such meanings unless the context clearly indicates or requires a different meaning.

B. Undefined Terms

Undefined terms used in this Ordinance shall have the meanings customarily assigned to them.

SECTION 9.3 DEFINED TERMS

For purposes of this Ordinance, the following terms shall have the meanings set forth below unless the context clearly indicates or requires a different meaning:

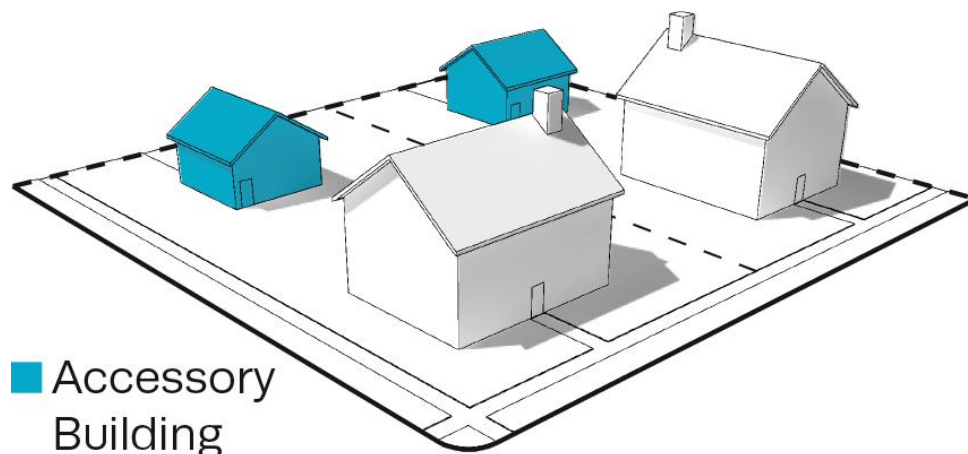
A.

Abut/Abutting: to share or sharing a common property line. For the purposes of this definition, properties across an intervening right-of-way shall not be considered abutting.

Access: as a noun, a legal and physical means of entering premises, whether by Adjacency, Easement, or otherwise; as a verb, the act of entering premises.

Accessory Building: a Building that shares a Lot or Building Site with a Principal Building and that is customarily and clearly incidental and subordinate to the Principal Building. An Accessory Building may or may not have an Accessory Unit or be occupied or devoted to one or more Accessory Uses. An Accessory Building may or may not be attached to the Principal Building. See **Illustration 9.3.A-1 (Principal Building & Accessory Building)**.

ILLUSTRATION 9.3.A-1 ACCESSORY BUILDING



Accessory Dwelling: a residential living unit on the same parcel as a single-family dwelling. The Accessory Dwelling provides complete non-transient independent living facilities for one or more persons while remaining physically subordinate and accessory to the principal residence. It may take various forms: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled primary dwelling.

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Accessory Use: a Use that is customarily and clearly incidental and subordinate to a Principal Use of land or a Structure and located on the same parcel of land, Lot, or Building Site as such Principal Use.

Accommodations / Lodging Uses: a Commercial Use sub-category characterized by premises available for daily or weekly renting of bedrooms or suites for periods of less than 30 days, including without limitation Bed and Breakfast, Inn, Hotel, and Motel. A Short-Term Rental Unit is not an Accommodations / Lodging Use. See **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**. Private campground, hunting/fishing camp, and dude ranch, shelter for the homeless, and Recreational vehicle (RV) park are not included in Accommodations / Lodging Uses.

Actual Construction or Development: the excavation of a site and/or the systematic placement of building materials in conjunction with the Development of land or construction of a Building or other Structure.

Addition: with respect to an existing Building, any walled and roofed new construction expansion to the perimeter of a Building in which the addition is connected by a common load - bearing wall other than a fire wall or is separated by independent perimeter load – bearing walls.

Adult Day Care: as defined in the Rules of Tennessee Department of Human Services Community and Social Services.

Address Sign: a Sign type, described as such in **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)**.

Adjacent/Adjoin: having any distance of real property boundary in common with another property, or being separated from the other property boundary by a right- of-way, Thoroughfare, Internal Drive, Alley, Easement, or Civic Space. Not synonymous with Abutting.

Administrative Adjustment: administrative relief from a standard or requirement of this Ordinance, granted pursuant to the provisions of Article 8 (Administration, Procedure, & Enforcement) by the Zoning Administrator or other staff as specifically authorized by this Ordinance.

Adult Arcade: any place to which the public is permitted or invited wherein coin – operated or slug – operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors or other image – producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting of Specified Sexual Activities or Specified Anatomical Areas.

Adult Bookstore or Adult Video Store: an establishment having as its principal Business purpose the sale or rental of books, magazines, slides, films, video cassettes, video discs, or any other form of media, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to Specific Sexual Activities or Specific Anatomical Areas.

Adult Care Home: a single family residence licensed pursuant to TSA Title 68, Chapter 11, Part 2, in which twenty-four-hour residential care, including assistance with activities of daily living, is provided in a homelike environment to no more than five (5) adults who are elderly or have a disability, as defined in TSA section 68- 11-201.

Adult Day Care Facility: Premises at which care, supervision, or guidance is provided for one or more adults, whether or not the facility is operated for profit and whether or not the facility charges for services offered by it. Notwithstanding the foregoing, Adult Day Care Facility does not include:

1. Facilities for disabled or mentally ill Persons;
2. Facilities owned and operated by a local church congregation or an established religious denomination or a religious college or university which does not receive State or federal financial assistance for adult care services.

Adult Entertainment: any conduct that presents material by books, films, slides, video cassettes, video discs, or any other media or by live presentation, or services to the patron of an establishment, which material or services are distinguished or

ARTICLE 9: DEFINITIONS

characterized by an emphasis on matters depicting, describing engaging in, or relating to Specified Sexual Activities or Specified Anatomical Areas.

Adult Motion Picture Theater: a Building regularly used for presenting material having as a dominant theme or presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas, for observation by patrons therein.

Adult-Oriented Entertainment: use whereby premises to which the public or members of the public are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises for the purpose of viewing Adult – Oriented Motion Pictures, or wherein an entertainer provides Adult Entertainment to a member of the public, a patron or a member, when such Adult Entertainment is held, conducted, operated or maintained for a profit, direct or indirect, including without limitation, Adult Bookstores or Adult Video Stores, Adult Motion Picture Theaters, Adult Arcades, Adult Theaters or Cabarets. any Adult Entertainment studio or any premises physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio or any other term of like import.

Agricultural Uses: sub-category of Agricultural and Extractive Use category characterized by Uses that create or preserve areas intended primarily for the raising of animals and crops, and the secondary industries associated with agricultural production.

Agricultural and Extractive Uses: (1) collectively, Agricultural Uses and Extractive Uses; (2) a collective reference to Uses in the following sub- Categories: Agricultural Uses and Extractive Uses, as listed in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)** **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**, and **Table 4.3.9.A-1 (Building, Lot & Building Site Temporary Uses)**.

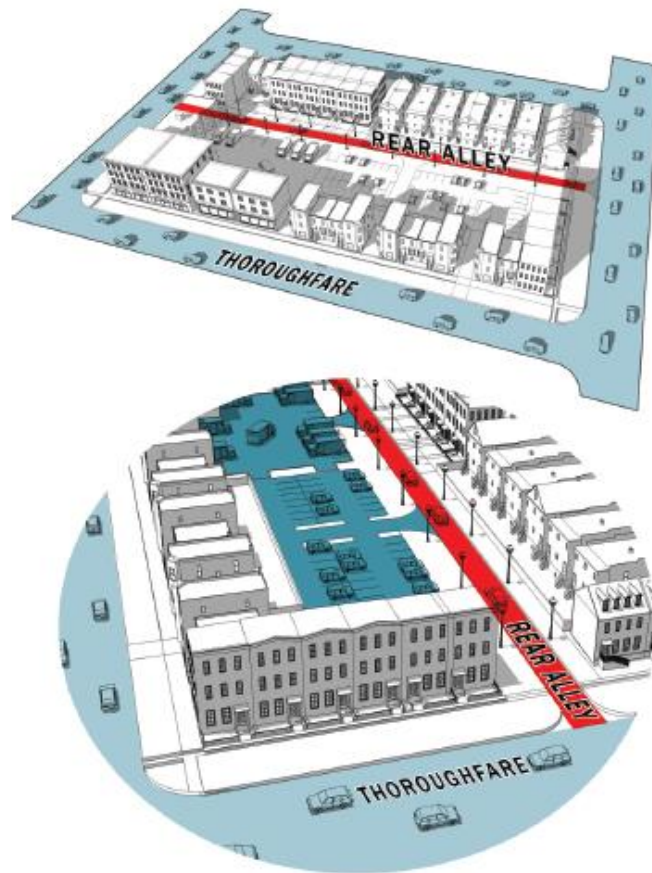
Alcoholic Beverage: any fermented liquor, such as wine, beer, or distilled spirit, which contains ethyl alcohol (ethanol) as an intoxicating agent.

Alcoholic Beverage Retail Sales: an establishment engaged in the Retail sale of Alcoholic Beverages for off- premises consumption.

Alley: generally, a vehicular way, which is not intended for general traffic circulation, which affords secondary access to Abutting property, and which may or may not be dedicated to public use. An Alley is not a Thoroughfare or an Internal Drive. See **Illustration 9.3.A-2 (Alley)**. See also Rear Alley.

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ILLUSTRATION 9.3.A-2 ALLEY



Alteration / Alter: as applied to a Structure, an Addition or a change, rearrangement, or modification in the structural members or elements or the exit facilities, or in any element of the Private Frontage, the Facade or any other exterior architectural feature, including without limitation erection, construction, reconstruction, or removal; any diminution; any enlargement, whether by extending on a side or by increasing in height; moving from one location or position to another; increasing the Floor Area; expending an amount more than 50% of the fair market value; or increasing the fair market value by more than 50%. Alteration does not include Ordinary Maintenance or Repair. The term Alter, in its various modes and tenses and its participial form, refers to the making of an Alteration.

Alternative Tower Structure: as related to Wireless Communication Facilities, trees, clock towers, bell steeples, light poles, water tanks and similar alternative – design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna: any exterior apparatus designed for telephonic, radio or television communications through the sending and/or receiving of electromagnetic waves.

Applicant: the owner, lessee, or contract vendee of the subject premises, or other person or entity authorized to make application to a Decision-Making Authority or administrative Person pursuant to this Ordinance.

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Arcade: a Private Frontage type, which is conventional for Retail / Personal Service / Repair / Artistic / Artisan Use, wherein a colonnade supporting habitable space in one or more upper levels overlaps the Sidewalk, while the Façade at the first level remains at the Frontage Line. See **Table 4.3.7.A (Private Frontage Types)**.

Area of Special Flood Hazard: as defined in Section 6.12.2. Also, may be referred to as “Special Flood Hazard Area”.

Artisan Establishment: any Structure, premises, or establishment in or on which articles of artistic quality or effect or handmade workmanship are produced with or without Retail sales of such articles. Examples of activities that may be conducted in an Artisan Establishment are candle making, furniture making, glass blowing, weaving, pottery making, woodworking, sculpting, painting, and tailoring.

Art or Photography Studio: premises accommodating the creation of works of art or photography, with or with the exhibition or sale of such works.

Artist Studio Space: space used for the creation, production, rehearsal, or teaching of any performance, visual, or literary art or craft, including but not limited to painting, drawing, graphic design, photography, video, film, sculpture, pottery, written works of fiction or nonfiction, whether for live or recorded, including music, dance, and theater, and accessory sales of such art.

Assisted Living Apartment: multiple unit Residential premises for elderly, infirm, or disabled residents, in which housekeeping, meals, and other assistance are available to residents.

Attached: an enclosure having continuing walls, roof and floor.

Attached Dwelling: residential premises characterized by two or more Dwelling Units being incorporated into a single Structure or attached Structures, specifically being Apartments, the Residence portion of a Live/Work Building, Mixed Use Building, or Flex Building, Multifamily Dwellings, Two-Family Dwellings, Duplexes, Rowhouses, Large Multi-family Buildings and Small Multi-Family Buildings.

Attic: the interior part of a Building contained within a pitched roof structure. See **Illustration 9.3.A-3 (Attic)**.

ILLUSTRATION 9.3.A-3 ATTIC



Avenue (AV): A Thoroughfare or Internal Drive of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and sometimes equipped with a landscaped median, described as such in **Table 4.3.8.A (Thoroughfare Types - Summary)** and **Table 4.3.8.B (Thoroughfare Assemblies and Standards)**.

Awning Sign: The Sign Type described as such in **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)**.

ARTICLE 9: DEFINITIONS

B.

Bakery: premises at which cakes, cookies, bread, pastries, tarts, and/or other baked goods are made, whether or not such items are sold at Retail.

Band Sign: the Sign Type described as such in **Tables 7.1.2.B-1 (Sign Types - Summary)** and **7.1.2.B-2 (Sign Types - Specific Standards)**.

Bar or Tavern: an establishment serving Alcoholic Beverages to be consumed on the premises.

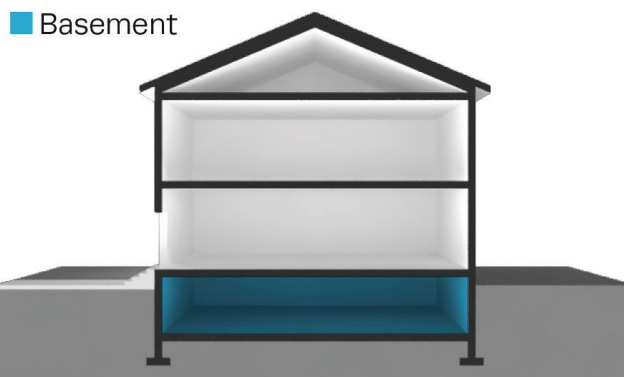
Base: the structural elements, design features, and materials associated with the part of a building that meets the ground and visually differentiates it from the Middle, typically a Knee Wall or Foundation Cladding.



Base Flood Elevation: as defined in Section 6.12.2.

Basement: a portion of a Building having more than half (1/2) of its clear floor-to-ceiling height below the average finished grade of the ground. See **Illustration 9.3.B-1 (Basement)**.

ILLUSTRATION 9.3.B-1 BASEMENT



Bed and Breakfast: an Accommodations / Lodging Use characterized by 1 to 5 bedrooms of an owner-occupied Building or Accessory Building being offered to paying guests for overnight Lodging with breakfast. A Short-Term Rental Unit is not a Bed and Breakfast.

Bicycle Lane (BL): a dedicated lane for cycling within a moderate-speed vehicular Thoroughfare, demarcated by striping. See **Table 5.2.4.B (Bikeway Types)**.

ARTICLE 9: DEFINITIONS

Bicycle Locker: a fully enclosed space for one bicycle, accessible only to the owner or operator of the bicycle. It protects the entire bicycle, its components and accessories from theft and inclement weather. Bicycle lockers may be pre-manufactured or may be designed for individual sites.

Bicycle Rack: a stationary object to which the bicycle user can lock the frame and one or both wheels of a bicycle with a user-provided U-shaped lock or cable, and which is either anchored to an immovable surface or is heavy enough that it cannot be easily moved.

Bicycle Route (BR): a Thoroughfare that is suitable for the shared use of bicycles and automobiles moving at low speeds. See **Table 5.2.4.B (Bikeway Types)**.

Bikeway Stub: a nonpermanent, dead-end Bikeway within a public right-of-way or a public access easement which extends to the boundary of an Adjacent property. Stubs allow the continuation of Bikeways in conjunction with development on adjacent property.

Bicycle Trail (BT): a bicycle way running independently of a vehicular Thoroughfare. See **Table 5.2.4.B (Bikeway Types)**.

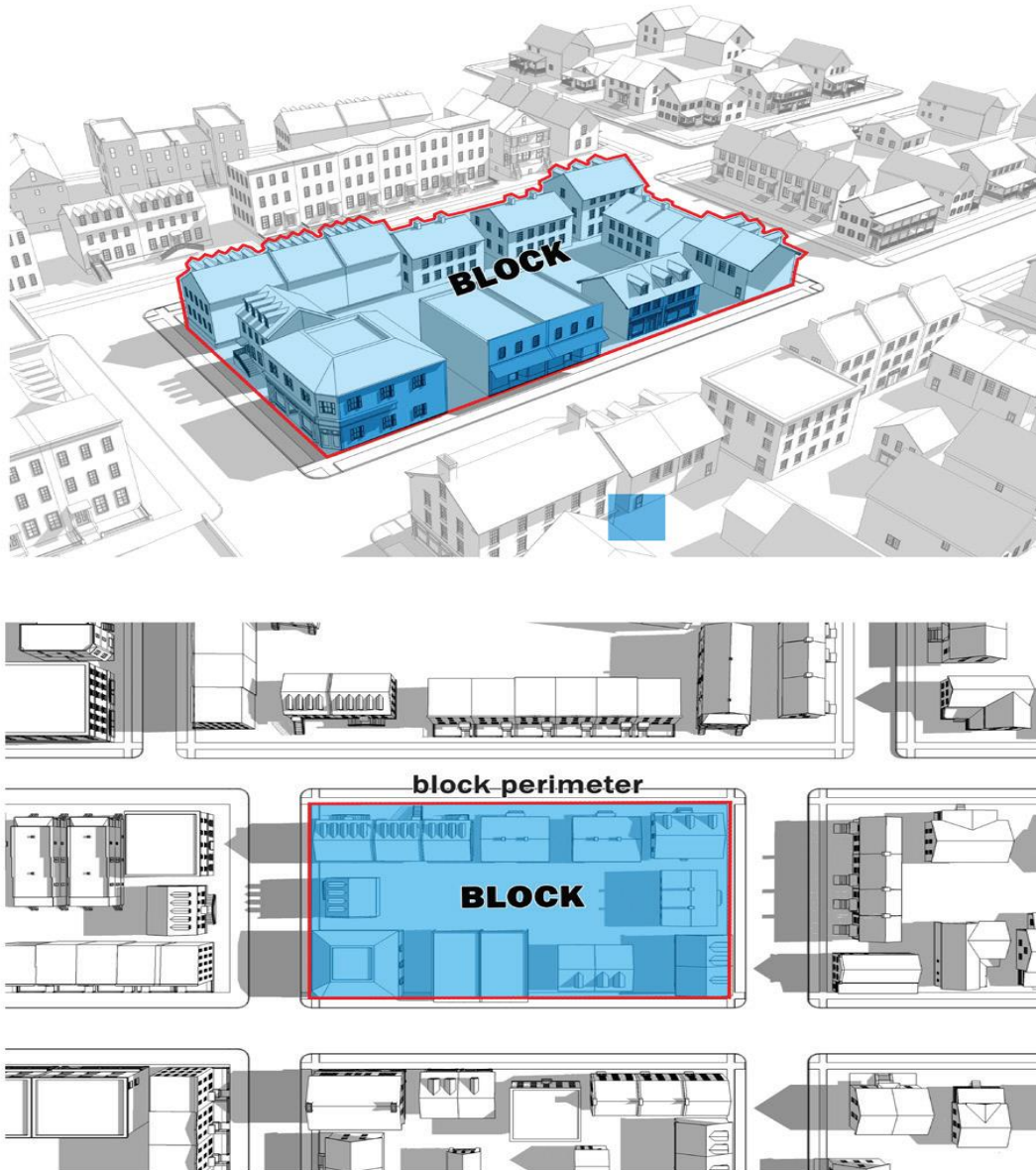
Billboard: a Sign intended for viewing from extended distances, which is mounted on one or two poles. A Pylon Sign is not a Billboard.

Blade Sign: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)**.

Block: the aggregate of Lots, Building Sites, Passages, Civic Spaces and Rear Alleys, circumscribed by Thoroughfares or Internal Drives, or where applicable, circumscribed by Thoroughfares, Internal Drives, Civic Space, and/or waterbodies. See **Illustration 9.3.B-2 (Block)**.

ARTICLE 9: DEFINITIONS

ILLUSTRATION 9.3.B-2 BLOCK



Block Face: the aggregate of all Building Facades on one side of a Block.

Board or Board of Appeals: the Board of Zoning Appeals of the City.

Boat - Related Uses: the term referring collectively to Boat Body Shop, Maintenance, Repair, or Cleaning, Boat Dock, Boat Sales, Rental, Leasing, or Chartering, Boat Ramp, Boat Rack, Boat Slip, Boat Slip Sales or Leasing, and Boat Storage.

Boat Body Shop, Maintenance, Repair, Cleaning, or Service: a Structure, premises, or establishment in or on which watercraft are maintained, repaired, serviced, and/ or cleaned, including without limitation, incidental storage for fewer than sixty (60) days of watercraft that are being maintained, repaired, serviced, and/or cleaned. This term does not include boat building or Boat Storage.

Boat Dock: a Structure extending into or upon a waterway or water feature, which provides access to the water for the launching and retrieving of watercraft.

ARTICLE 9: DEFINITIONS

Boat Rack: a storage slip for a boat in a dry stack storage facility.

Boat Ramp: an inclined area providing access to the water for the launching and retrieving of watercraft.

Boat Sales, Rental, Leasing, or Chartering: a Structure, premises, or establishment in, on, or from which watercraft are available for sale, rental, leasing, or chartering.

Boat Slip: a docking space alongside a pier, wharf or mooring dolphins in which a waterborne boat may be moored. For purposes of this Ordinance and in the absence of an authorized quantity of Boat Slips by State or federal regulating agencies, a Boat Slip shall be a minimum length of 25 feet for side mooring and 15 feet for stern moorings.

Boat Storage: a Structure, premises, or establishment in or on which watercraft are stored. This term does not include boat building or Boat Body Shop, Maintenance, Repair or Cleaning.

Breakaway Wall: as defined in Section 6.12.2.

Brewery: an establishment that is primarily used for the manufacture of beer. Such establishment may sell beer for on-site consumption or for off-site distribution in accordance with applicable state and local regulations.

Brewpub: a Use or establishment that is primarily engaged in the sale and service of food for on-premises consumption and that also brews beer for on-site consumption in accordance with applicable state and local regulations.

Buffer: a specified land area, located parallel to and within the outer perimeter of a Lot, Building Site, or parcel of land and extending to the Lot, Building Site, or parcel boundary line, together with the planting and landscaping required on the land. A Buffer may also contain, or be required to contain, a barrier such as a fence or wall, or combination thereof, where additional Screening is necessary to achieve the desired level of buffering between various Uses. The term "Buffer" is not synonymous with the term "Setback Area or Yard" or the term "Stormwater Management Area."

Building: any Structure, other than a Parking Structure, having a roof supported by columns or by Walls and intended for the shelter, housing, enclosure, or storage of Persons or property.

Building Element: any component or part of a Building.

Building Official: the City Chief Building Official or designee.

Building Site: a parcel of land that has not been subdivided as a separate Lot, but which is designated by an applicant as a Building Site to be separately built on in a Development Plan or Master PUD Development Plan, site plan, permit application, or plat, and which accommodates, or is available to accommodate, a Principal Building. See **Illustration 9.3.L-4 (Lot / Building Site)**. See also **"Lot"**, **"Lot or Building Site of Record"**, and **"Zoning Lot or Building Site"**.

Building Systems Business: establishment that installs, services, maintains, and/or repairs Building systems, such as heating, ventilation, air conditioning, electrical, and plumbing contractors.

Business: operation of or engagement in for-profit activities and endeavors, including without limitation Commercial and Industrial activities and endeavors.

Business Office: premises available for any function of a Business. Examples are advertising office, Business management, consulting, data processing, collection agency, real estate or insurance agent, sales office, travel agency, Business incubator, TV or radio studio, Utility office, and conference center.

Business, Trade, or Vocational School: an Education Use providing education or training in Business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a Home Occupation, College, or University.

ARTICLE 9: DEFINITIONS

C.

Canopy Tree: a tree that has an expected height at maturity greater than 40 feet and which produces significant shade because it has a crown that is oval, round, vase-shaped, or umbrella-shaped.

Canteen Truck: a Mobile Vending Apparatus used to serve pre-cooked products to workers at various locations where other food service options are unavailable or impractical (e.g. construction site). Service is often from the Right-of-Way.

Cap: the structural elements, design features, and materials associated with the top floor or top edge of the building to differentiate it from the middle and create a visual end to the building, typically a parapet, cornice or eaves line.



Catering Service: an establishment that prepares and provides food and related services to off-premises locations.

Catering Events Establishment: any Non-Residential room, place, or space where food and beverages are available for consumption, that is regularly leased or hired out for functions, occasions, or events, to which the general public is not invited or admitted and wherein music or entertainment may be provided.

Cemetery: land used or intended to be used for the burial of the dead and dedicated for purposes of containing graves, tombs, and funeral urns, including when located or operated in conjunction with and within the boundaries of the Cemetery, columbarium's, crematoriums, mausoleums, and mortuaries.

Central Sewage Collection and Treatment System: a wastewater collection and/or treatment system owned and operated by a public or quasi – public organization and approved by all appropriate licensing and oversight agencies. This term shall not be construed to include any type of privately owned and operated individual disposal system such as private septic or other similar systems.

Certificate of Appropriateness: a certificate issued by the Historic Zoning Commission indicating its approval of plans for Alteration, Construction, removal, or demolition of a Historic Structure or Structure within a Historic District or Historic Landmark District.

Certificate of Completion: a certificate issued with respect to a submission pursuant to this Ordinance, which certifies that such submission is complete in accordance with the applicable requirements under this Ordinance.

Certificate of Compliance: a certificate issued with respect to a submission pursuant to this Ordinance, which certifies that such submission complies with the applicable requirements under this Ordinance.

Certificate of Economic Hardship: a certificate issued pursuant to Section 8.5.14, which evidences a determination that an Economic Hardship exists with respect to remedying a Condition of Neglect related to a Historic Property, which certificate authorizes such Alteration, Construction, removal, or demolition even though a Certificate of Appropriateness therefor has previously been denied.

ARTICLE 9: DEFINITIONS

Certificate of Occupancy: a written permit, which is required before occupying or commencing to use any Building, Lot, Building Site, or other parcel of land.

Character District: one of several areas on a Zoning Map to which certain Character District Development, Lot or Building Site, Building, Development Parcel standards are applied. See **Tables 4.3.1-A - 4.3.1.G (District Standards Character Districts)**.

Child Care Facility: premises at which care, supervision, or guidance is provided for a minor child who is not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the facility is operated for profit and whether or not the facility charges for services offered by it. Notwithstanding the foregoing, Childcare Facility does not include:

1. An educational facility, whether private or public, which operates solely for educational purposes in Grades K or above;
2. Kindergarten programs for five-year-olds;
3. Children's Day Camps;
4. School vacation or school holiday day camps for children operating in distinct sessions running less than three weeks per session;
5. Summer resident camps for children;
6. Bible schools normally conducted during vacation periods;
7. Facilities for disabled or mentally ill Persons;
8. Facilities owned and operated by a local church congregation or an established religious denomination or a religious college or university which does not receive State or federal financial assistance for childcare services.

Children's Day Camp: premises at which activities are offered to school-aged children in a social setting and the children return home in the evenings.

City: the City of Columbia, Tennessee.

City Code: the municipal code of the City, as the same may be amended and in effect from time to time.

City Council: the City Council of the City.

Civic Uses: (1) not-for-profit Uses dedicated to arts, charitable, philanthropic, culture, Education or Recreation, government, transit, or Parking purposes; (2) a collective reference to the Uses listed under the heading "Civic Uses" in **Table 4.3.9.1-A (Building, Lot, & Building Site Principal Use)**, **Table 4.3.9.1-B (Building, Lot, & Building Site Accessory Use)**, and **Table 4.3.9.1-C (Building, Lot, & Building Site Temporary Use)**.

Civic Building: a medium- to large-sized attached or detached Principal Building type, which is operated by a not-for-profit organization or governmental entity, is dedicated to Civic activities, and is designed to stand apart from its surroundings due to the specialized nature of its Civic purpose. Examples include but are not limited to Auditoriums, Conference / Convention / Exhibition Centers, Libraries, Places of Assembly, Courthouses, centers of government, Performing Arts Venues, and Museums. Civic Buildings are often the most prominently sited and architecturally significant Buildings in a community. See **Table 4.3.8.A (Principal Building Types)** and **Table 4.3.8.B (Principal Building Types - Specific Standards)**.

Civic Space: an outdoor area dedicated for Civic Use, which meets the applicable standards of this Ordinance. See **Table 5.3.3-A (Civic Space Types - Summary)** and **Table 5.3.2-B (Civic Space Types - Specific Standards)**.

Civic District: an area on the Official Zoning Map designated for Civic Building(s) and/or Civic Space(s).

Civil Support: use category collectively referring to the Uses listed as such in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**.

Clinic: a Medical Clinic or Dental Clinic.

College or University: an educational institution that offers courses of general or specialized study leading to a degree.

ARTICLE 9: DEFINITIONS

Commercial Uses: the Use category, which is a collective reference to the Uses in the following Use sub-Categories, as listed in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**:

Accommodations / Lodging, Day Care (non-Civic), Educational Facilities (non-Civic), Indoor Recreation, (Commercial), Group Assembly, Outdoor Recreation (Commercial), Commercial Parking (Commercial), Restaurant, Retail / Personal Service / Repair / Art / Artisan, Self-Service Storage, Boat-Related Uses, Motor Vehicle-Related Uses, Manufactured Home Sales, and Wholesale Sales.

Commercial Building: a small- to medium-sized attached or detached non-Residential Building Type, typically designed to facilitate pedestrian-oriented Retail/ Personal Service / Repair / Art / Artisan Uses and Office Uses. See **Table 4.3.8.A (Principal Building Types Summary)** and **Table 4.3.8.B (Principal Building Types - Specific Standards)**.

Commercial Indoor Athletic Training Facility: business establishment providing indoor facilities designed and used for active participatory athletic activities or training, including but not limited to personal strength and fitness training, gymnasiums, skating rinks, swimming pools, and tennis courts. Specifically excluded are Health Clubs, Day Spas, and Sports Venues.

Commercial Parking: a Parking Lot or Parking Structure operated as a for-profit endeavor.

Common Destination: an area of focused community activity, usually defining the approximate center of a Pedestrian Shed. It may include without limitation one or more of the following: a Civic Space, a Civic Building, a Commercial Center, or a transit station, and may act as the social center of a neighborhood.

Common Open Space: a parcel or parcels of land and/or an area of water within a Development site designated, designed, and intended for use or enjoyment of the occupants of the Development site. Common Open Space may contain such complementary Structures and Improvements as are necessary and appropriate for the benefit and enjoyment of the occupants of such Development site.

Common Yard: a planted Frontage wherein the Facade is set back substantially from the Frontage Line, and the Front Yard so created remains unfenced and is visually continuous with Abutting yards, supporting a common landscape. See **Table 4.3.7.A (Private Frontage Types)**.

Communications Equipment: equipment used for communication, transmission or reception by Business, governmental, or other public or quasi-public users, including without limitation cellular towers. This does not include communication equipment for amateur radio operators licensed by the Federal Communications Commission that are exempt from local zoning restrictions.

Communication Services: an establishment primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms, including without limitation, Radio or Television Broadcasting Studio, News Syndicates, Video or Audio Studio, Telecommunication Service Center, and Telegraph Service Center.

Communications Tower: a tower of any size that supports Communications Equipment, transmission or reception by Commercial, governmental, or other public or quasi-public users, including without limitation cellular towers. This does not include communication towers for amateur radio operators licensed by the Federal Communications Commission that are exempt from local zoning restrictions or communications towers under 100 feet in height used solely for educational communications purposes.

Community Garden: a private or public Civic Space type for the cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family, described as such in **Table 5.3.2-A (Civic Space Types- Summary)** and **Table 5.3.2-B (Civic Space - Specific Standards)**.

ARTICLE 9: DEFINITIONS

Community Service: sub-category of the Civic Uses category, being Uses of a public, non-profit, or charitable nature providing ongoing education, training, or counseling to the general public on a regular basis, without a Residential component, including without limitation, Civic Building, club or lodge (Civic), food distribution center (Civic), gallery (Civic), Parking Lot or Parking Structure (Civic), Philanthropic Institution, Place of Assembly, post office, neighborhood arts center (Civic), recreation facility (Civic), Senior Center (Civic), Sports Venue (Civic), transit shelter, transit station, transit terminal with or without vehicle storage or maintenance, and union hall.

Completely Enclosed: refers to a Building or other Structure having a roof, separated on all sides from adjacent open areas, by exterior walls or Party Walls, pierced only by windows or entrance and exit doors normally provided for persons, goods or vehicles.

Comprehensive Plan: the general plan of the City of Columbia as adopted according to T.C.A. § 13-4-201 through 203, also referred to as Connect Columbia. The Comprehensive Plan includes all text and maps of Connect Columbia as well as any ancillary special area plans.

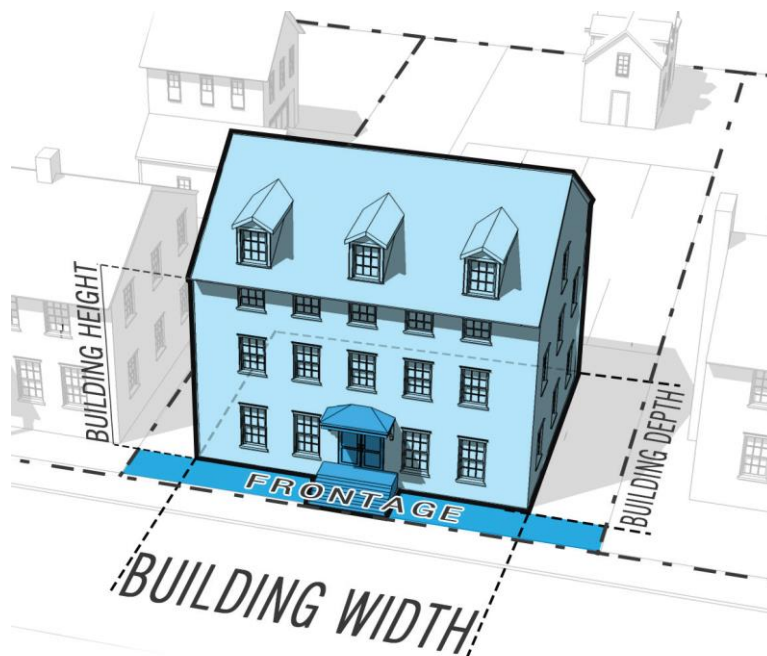
Conditional Use: a Use that would not be appropriate generally or without restriction throughout the applicable District, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Conditional Uses are subject to all such controls and to approval by the Board of Zoning Appeals. For purposes of the administration of this Ordinance, Conditional Uses shall be construed as synonymous with special exceptions, as controlled by TCA Section 13 – 7 – 206.

Conditional Use Permit: a permit issued pursuant to Section 8.5.16.C.

Conditions of Neglect: as defined in Section 8.5.14.C.1.

Configuration: with respect to a Building, its form, including its Massing, Private Frontage, Width, and Height. See **Illustration 9.3.C-1 (Configuration)**.

ILLUSTRATION 9.3.C-1 CONFIGURATION



Conference / Convention / Exhibition Center: premises that accommodate conferences, exhibitions, meetings, seminars, training sessions, and other similar gatherings.

ARTICLE 9: DEFINITIONS

Construction: the act of adding an Addition to an existing Structure or the erection of a new Structure.

Construction Business: an establishment engaged in any Business involving activities generally referred to general contracting, construction trades, building, or Development.

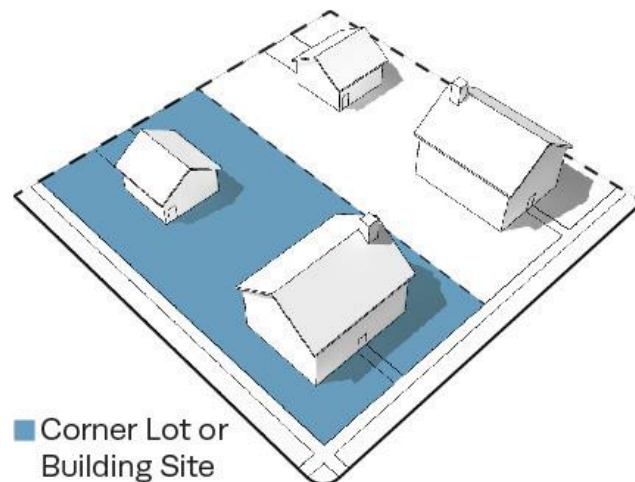
Continuum of Care Facility: a facility providing one or any combination of assisted living, nursing home, or skilled nursing for the elderly or other individuals incapacitated in some manner for medical reasons, as determined and licensed and/or certified by the Tennessee Department of Health, Board of Licensing Health Care Facilities. Included in this definition are homes for the aged, as defined by TCA Sections 68-11-201. Continuum of Care Facilities may include a small amount of age-restricted independent living as part of the overall continuum of care.

Contractor Materials Sales: the sale of building materials at wholesale without Outdoor Storage.

Convenience Store: an establishment primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, newspapers, and limited household supplies, to customers who generally purchase only a few items. Convenience stores shall not include fuel pumps or the selling of fuel for motor vehicles.

Corner Lot or Building Site: a Lot or Building Site type of which at least two Abutting sides Abut Thoroughfares, Internal Drives, Pedestrian Ways, Civic Spaces, or other public places. See **Illustration 9.3.C-2 (Corner Lot or Building Site)**.

ILLUSTRATION 9.3.C-2 CORNER LOT OR BUILDING SITE



Corridor: a lineal geographic system incorporating a Thoroughfare, Internal Drive, Greenway, or other Civic Space.

Cosmetic Reconditioning: Incidental repair and refinishing of a vehicle, limited to plastic and trim parts, including bumpers, moldings, mirrors, headlight lenses, and the restoration of alloy wheels. Vehicle side panels may also be refinished when a bumper scrape carries onto a fender. Cosmetic Reconditioning shall not include painting of a complete vehicle, or use of traditional collision repair equipment, such as a frame machine, weld, or unibody straightening machine.

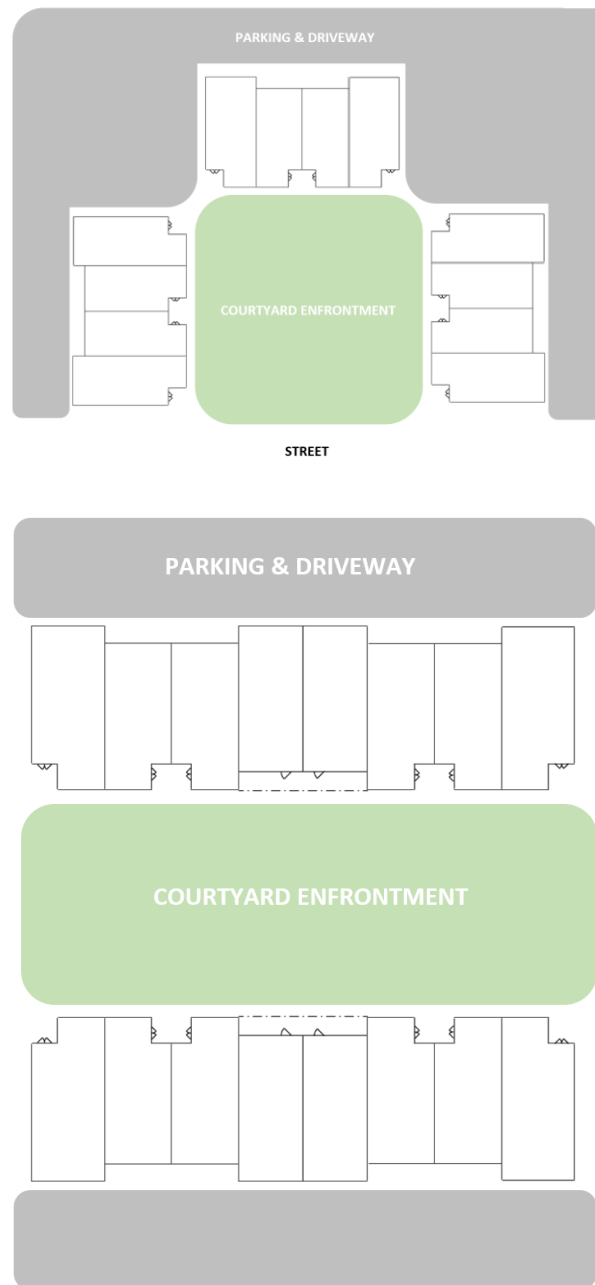
Counseling Service: an establishment providing counseling, guidance, or similar services to persons requiring rehabilitative or vocational assistance. This term includes job training and placement services.

Court: an open unoccupied space, other than a Setback Area or Yard, on the same Lot or Building Site with a Building or group of Buildings, which is bounded on two or more sides by such Building or Buildings.

Courthouse: a Building in which courts of law are held.

ARTICLE 9: DEFINITIONS

Courtyard Enfrontment: where permitted in **Table 4.3.1**, the arrangement of buildings, typically Townhomes, facing a parklike area that enfronts a Thoroughfare or Internal Drive on at least one side with a minimum frontage width of fifty (50) feet.



Crisis Counseling Center: premises from which Persons who have experienced a traumatic event are provided short-term counseling to assist in coping with the event.

Critical Root Zone: with respect to a tree, a circular area measured outward from the tree trunk, representing the essential area of the roots that must be maintained for the tree's survival. The Critical Root Zone is measured one foot of radial distance for every inch of tree at diameter at breast height, with a minimum of ten feet.

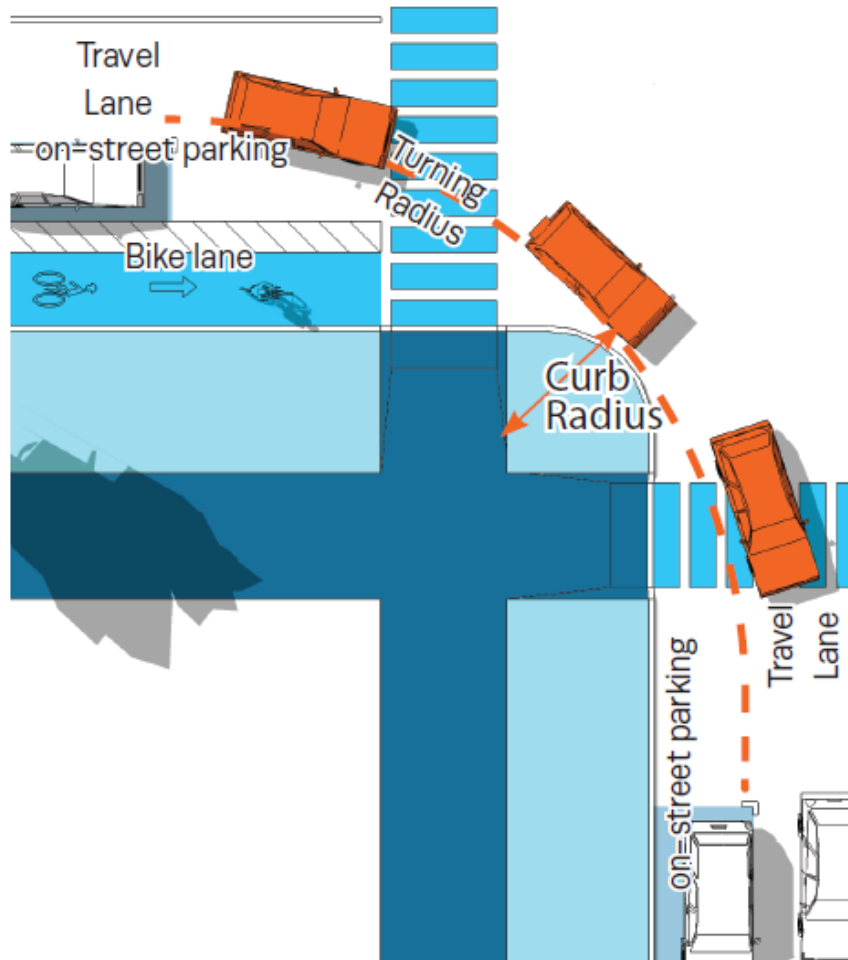
ARTICLE 9: DEFINITIONS

Cross Block Passage: a minimum 10-foot-wide pedestrian access reserved between Buildings.

Curb: the edge of the vehicular pavement that may be either raised or flush with a Swale to the extent allowed by this Ordinance. It usually incorporates or is associated with the drainage system. See **Table 4.3.8.A (Thoroughfare Types - Summary)** and **Table 4.3.8.B (Thoroughfare Assemblies and Standards)**.

Curb Radius: the radius of the curb at an intersection. See **Illustration 9.3.C-3 (Curb Radius)**.

ILLUSTRATION 9.3.C-3 CURB RADIUS



ARTICLE 9: DEFINITIONS

D.

Data Processing or Storage Services: establishments primarily involved in the compiling, storage, and maintenance of documents, records, and other types of information in digital form utilizing a main frame computer.

Day Care Center or Facility: a place other than an occupied Dwelling, which for a payment, fee, or grant provides care, protection, and supervision for more than 5 children or adults on a regular basis away from their primary Residence for fewer than 18 hours each day (although the facility may be open 24 hours each day), with no overnight accommodations. Those receiving care are not all related to each other by blood or marriage and are not legal wards or foster children of the attendant adults. A Day Care Center or Facility must meet all applicable State and County requirements for standards, licensing, and inspections.

Examples are Adult Day Care program, Child Care Center, Nursery School, Preschool, and Latch-key Program.

Decision-Making Authority: any City administrative Person, legislative or quasi-legislative body, or appellate body authorized to make decisions under this Ordinance, including without limitation, the Zoning Administrator, the Planning Commission, the Board of Zoning Appeals and the City Council.

Deck: a covered or uncovered horizontal, platform-like Structure similar to a floor, which is constructed outdoors of wood, composite wood, or vinyl material, is capable of supporting weight, and may be connected or unconnected to a Building.

Demolition: any act or process that destroys in part or in whole a Historic Structure or a landmark or a Structure within a Historic District or Historic Landmark District.

Demolition by Neglect: the existence of any one or more Conditions of Neglect with respect to a Historic Property.

Density: the intensity of Development within a standard measure of land area. The maximum Density established for a District is not a guarantee that such Density may be obtained, nor shall the inability of a Development to achieve the stated maximum Density be considered sufficient justification for a Variance or Administrative Adjustment or otherwise adjusting other Density or other requirements.

Dental Office / Dental Clinic: an Office or other premises for the private practice of dental care professionals licensed by the State, wherein a majority of patient encounters involve dental examination, diagnosis, treatment, surgical procedures, preventive care, restorative care, cosmetic care, and/or emergency care on an outpatient basis.

Dental Lab or Laboratory: premises or establishment at which products to assist in the provision of oral health care by a licensed dentist are made, such as crowns, bridges, dentures, dental implants, and therapeutic and orthodontic devices.

Design Guideline: as related to a Historic District, Historic Landmark District, or Structure in a Historic District or Historic Landmark District, a standard of appropriate activity that will preserve the historic and architectural character of such Structure or district.

Designed for Residential Use: a Building or part thereof which was originally designed for Residential Use.

Develop/Development:

1. commencing, making or planning for man-made changes to land, Structures, or other real property, including without limitation, re-development, clearing, excavation, grading, filling, Construction, re-Construction, Alteration, demolition, modification, subdivision or re-subdivision, installation of infrastructure, mining, dredging, paving, drilling, and storage of materials, whether such changes are horizontal, vertical, or subterranean, but excluding agricultural and gardening activities and Ordinary Maintenance and Repair;
2. the resulting changes to such land, Structures, or other real property; and
3. with respect to a specific plan of development or development project, such development or project.

Development Parcel: a parcel of land:

ARTICLE 9: DEFINITIONS

1. which, either alone or together with one or more other parcels under a common Development scheme, program or plan, is ten (10) or more gross acres;
2. with respect to the Development of which any new Thoroughfare, Internal Drive, or extension or change of the design of any existing Thoroughfare or Internal Drive is required or will be made or proposed; or
3. with respect to which any District assignment or any Thoroughfare or Internal Drive or alignment thereof is proposed to be made or changed by a Zoning Map or Zoning Map amendment.

Development Area Per Dwelling Unit: the measurement of Density for Residential Development, which term refers to the number of Dwelling Units per unit of land area, subject to adjustment for Lot or Building Site Area Remainder as follows:

if an amount of Lot or Building Site Area not allocated to a Dwelling Unit is less than that required for one such Dwelling, the remaining Lot or Building Site Area may be used to satisfy Lot or Building Site Area requirements if it represents at least 75% of the total area required for a Dwelling Unit; provided, however, that the project shall comply with all other applicable regulations including without limitation access, Setbacks, Setback Areas, and Yards.

Development Plan: a Site Development Plan or Sketch Development Plan, as described in Section 8.5.6. See also “Master PUD Development Plan”.

Development Permit: any permit or approval issued or granted pursuant to this Ordinance.

Deviation: is an Alternative Compliance with design standards, Alternative Performance, the customized standards of a Planned Unit Development, Administrative Adjustment, or a Variance.

Directory Sign: the Sign type described as such in **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)**.

Distillery: an establishment which is primarily used for the manufacture of alcoholic spirits in accordance with applicable state and local regulations.

Distribution: the movement of goods including the storage of goods awaiting movement.

Distribution Facility: premises used for Distribution.

District: a Character District, Special District, PUD District, or Civic District; when capitalized and not accompanied by the word “Historic”, the word “District” specifically excludes any Local Historic Districts. See also “Zoning District”.

Dooryard: a Private Frontage type intended for ground floor Residential Use, wherein the Façade is set back a small distance and the Frontage Line is defined by a low Wall, decorative Fence or hedge, creating a small raised, sunken, or at-grade Dooryard consisting of a front garden or patio. The Dooryard shall not be used for public circulation along a Thoroughfare. See **Table 4.3.7.A (Private Frontage Types)**.

Double-Wide Manufactured Home:

1. A single detached dwelling constructed primarily off-site, designed to be transported on a flat-bed truck or Trailer in 2 or more sections to be attached on site. As used in this Ordinance, Double-Wide Manufactured Home does not include Manufactured Homes constructed as a single self-contained unit and mounted on a single chassis.
2. A Double-Wide Manufactured Home, shall be considered a Single-Family Dwelling and shall be subject to all standards and regulations applicable to Single-Family Dwellings, as provided by this Ordinance.

Drive: a Thoroughfare or Internal Drive along the boundary between an urbanized and a natural condition, usually along a waterfront, Park, or promontory, with one side having the urban character of a Street, with Sidewalk and Buildings, and the other having the qualities of a Road or Parkway with naturalistic planting and rural details. See **Table 5.3.3.F (Thoroughfare / Internal Drives Types – Summary)** and **Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards)**.

ARTICLE 9: DEFINITIONS

Drive Aisle: a vehicular accessway that serves and is within a Parking Area, Parking Lot, or Parking Structure. A Drive Aisle is not a Thoroughfare, Internal Drive, or Driveway.

Drive-Through: any accommodation designed or used for the transaction of Business wherein the patrons may avail themselves of the services or products of an establishment while remaining in their vehicles, whether or not patrons are also able to obtain services or products inside of a Structure.

Driveway: for Houses, Duplexes, and Townhomes, an area for parking and vehicular access conforming to the standards of Table 4.3.1. For all other Lots and Building Sites, a vehicular accessway within a Lot or Building Site to provide access only from a Thoroughfare or Internal Drive to a Parking Area, Parking Lot, Garage, Parking Structure, or Building entrance, but not designed to provide space within the First Layer or Second Layer for vehicular Parking additional to the minimum space required for such access.

Duplex: a small- to medium- sized Building, other than a Manufactured Home, situated on a single or two Abutting small- to medium- sized Lot(s) or Building Site(s) with an Edgeyard or side yard which either is

- a. attached to another Building of the same type, each of which consists of a separate Dwelling Unit with a separate entrance or
- b. contains two Dwelling Units, each of which has a separate entrance. In each case, the entrance of at least one of the Dwelling Units must face a Thoroughfare, Internal Drive, or Civic Space.

Dwelling Units may be side-by-side, front- to-back, or over-and-under. See **Table 4.3.8.A (Principal Building Types Summary)** and **Table 4.3.8.B (Principal Building Types - Specific Standards)**.

Dwelling / Dwelling Unit: a Building or portion thereof designed or used exclusively as Residential quarters for one or more Families living independently of each other, which includes separate complete sleeping, cooking, eating, and sanitation facilities for each such Family, and occupied for a monthly or longer basis. The term shall not be deemed to include Hotel, Extended Stay Hotel, Motel, Boarding or Rooming House, or any Transient living accommodations.

E.

Easement: privilege or right of use, access or enjoyment granted on, above, under or across a particular tract of land by the landowner to another Person.

Economic Hardship: an economic burden imposed upon the owner, which is unduly excessive and prevents a realization of a reasonable rate of return upon the value of his property.

Edgeyard: a Yard type that results from a Building being set back from its Lot or Building Site boundaries at the front, rear, and both sides.

Education or Educational: a Use category characterized by the process of receiving or giving instruction. See **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use)**.

Educational Facility: public and private (including charter or religious) schools at the pre-school, kindergarten, primary, intermediate, or secondary school levels; colleges, universities, community colleges, graduate and professional schools, nursing, dental, and medical schools, seminaries, and other post-secondary institutions of higher learning that offer courses of general or specialized study leading to a degree, usually in a campus setting. The following are not Educational Facilities: dance, art, music, or photographic studios or classrooms (see Retail Sales and Personal Service), driving schools other than truck driving schools (see Retail Sales and Personal Service), and Martial Arts schools (see Retail Sales and Service).

Effective Date: the date on which this Ordinance was adopted by the city Council.

Effective Turning Radius: the measurement of the inside Turning Radius, taking parked cars into account.

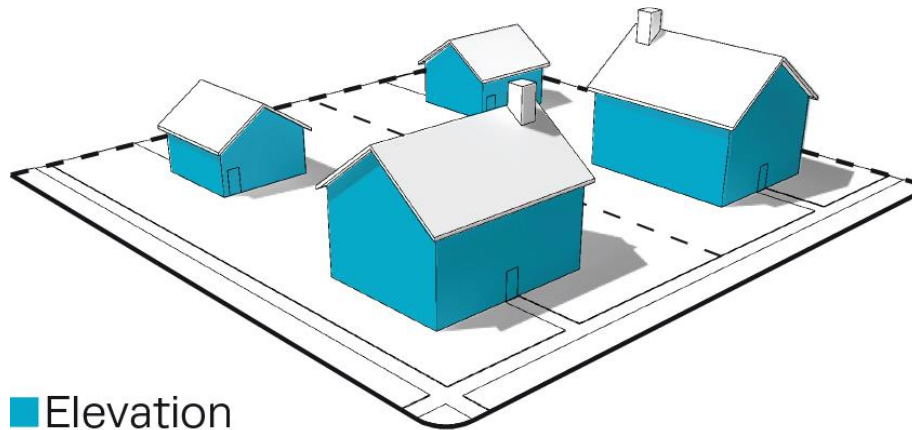
Electronic Message Board: a panel or screen with the capability to display electronically programmed variable messages.

ARTICLE 9: DEFINITIONS

Elementary School: a public, private or parochial school offering instruction between Kindergarten and Grade 4 in the branches of learning and study required to be taught in the public schools of Tennessee.

Elevation: as related to the exterior walls of a Building, one that is not along a Frontage Line; when not capitalized, “elevation” means the height above a given level or a drawing or design that represents an object or Structure as being projected geometrically on a vertical plane parallel to one of its sides, as the context indicates. See also Facade. See **Illustration 9.3.F-5 (Frontage and Lot or Building Site Lines)** and **Illustration 9.3.E-1 (Elevation)**.

ILLUSTRATION 9.3.E-1 ELEVATION



Encroach: to break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a Setback, Setback Area, or Yard or into the Public Frontage, or above a height limit.

Encroachment: any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, Setback Area, or Yard or into the Public Frontage, or above a height limit.

Enfront: to place an element along a Frontage, as in “porches Enfront the Thoroughfare.”

Exempt Wireless Communications Tower: a communication tower used by amateur radio operators licensed by the FCC that are exempt from local zoning restrictions or communications towers under 100 feet in height used solely for educational communications purposes.

Exempt Sign: a Sign listed in Section 7.1.10 that does not require a Sign Permit.

Existing Local Codes: all City laws, codes, and ordinances in effect on the Effective Date.

Extended Stay Hotel: a Building or part of a Building, containing six (6) or more guest rooms or suites, offering temporary residence for compensation and specifically constructed, licensed, and/or maintained, all or in part, for non-Transient extended stays and/or stays longer than 30 days, regardless of the presence of leases for shorter periods of time. An Extended Stay Hotel is not a Hotel, Motel, Bed and Breakfast, Inn or Short-Term Rental Unit.

Exterior Architectural Appearance: the architectural character and general composition of the exterior of a Structure, including but not limited to the kind, color, and texture of the building materials and the type, design, and character of all windows, doors, light fixtures, Signs, and appurtenant elements.

Extractive Uses: sub-category of Agricultural and Extractive Uses Category characterized by Uses in which minerals or other solids or liquids are extracted from the earth, including without limitation, chemical fertilizer and non-metallic mineral mining, clay, ceramic, and refractory mineral mining, coal mining, crude petroleum and natural gas production field, metal ore and mineral mining, sand, stone, and gravel quarrying.

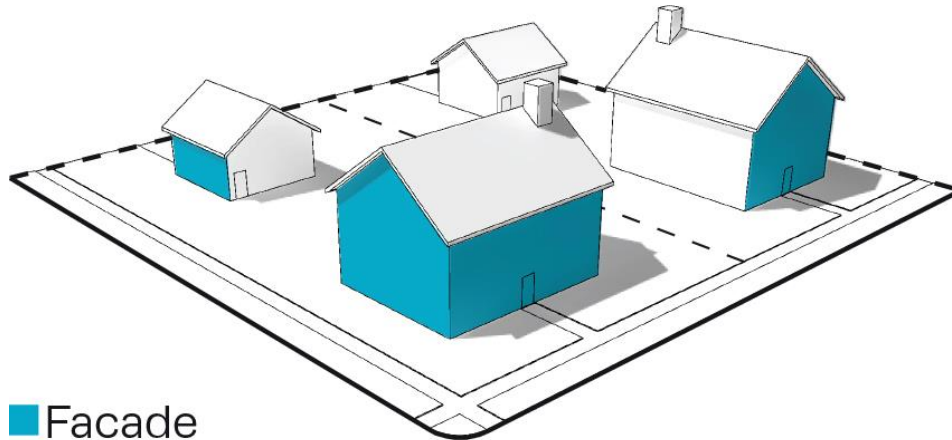
ARTICLE 9: DEFINITIONS

F.

FAA: Federal Aviation Administration.

Facade: the exterior Wall of a Building that is set along a Frontage Line. See **Illustration 9.3.F-1 (Facade)**. See also “Elevation”.

ILLUSTRATION 9.3.F-1 FACADE



Family:

1. one or two Persons and their children by birth, adoption, foster care, or guardianship or
2. any number of related or unrelated Persons living together in a single, more or less permanent and stable rather than Transient living arrangement as a not-for-profit housekeeping unit, which is the functional and factual equivalent of a traditional family, including without limitation a group headed by a householder caring for a reasonable number of children as one would be likely to find in a traditional family; provided that the criteria “stable rather than Transient living arrangement” shall not be applied in cases where handicapped persons are affected.

Family Day Care: A facility which provides day care and supervision services for up to 18 hours per day for no more than 12 recipients at any one time, without overnight accommodations, by a provider of such services who is not related to such recipients, which provider has received and maintains in full force and effect all necessary State approvals and licenses. Those receiving care are not all related to each other by blood or marriage and are not legal wards or foster children of the attendants.

Farm and Construction Equipment: Equipment used in the conduct of farming or construction activities.

Farmer’s Market: An open-air area, without or without a Structure, used for the Retail sale of fresh fruits, vegetables, nuts, grains, eggs, flowers, herbs, or plants. A Roadside Stand is not a Farmer’s Market.

FCC: Federal Communication Commission.

Fence:

1. As a Private Frontage type, a Frontage wherein the Facade is set back from the Frontage Line, and the Front Setback Area, Front Yard, or Street Yard so created is separated from the Public Frontage by a Fence. See **Table 4.3.7.A (Private Frontage Types)**;
2. As a Structure, a device erected to serve as an architectural element, landscape element, Screen, Streetscreen, or physical barrier.

ARTICLE 9: DEFINITIONS

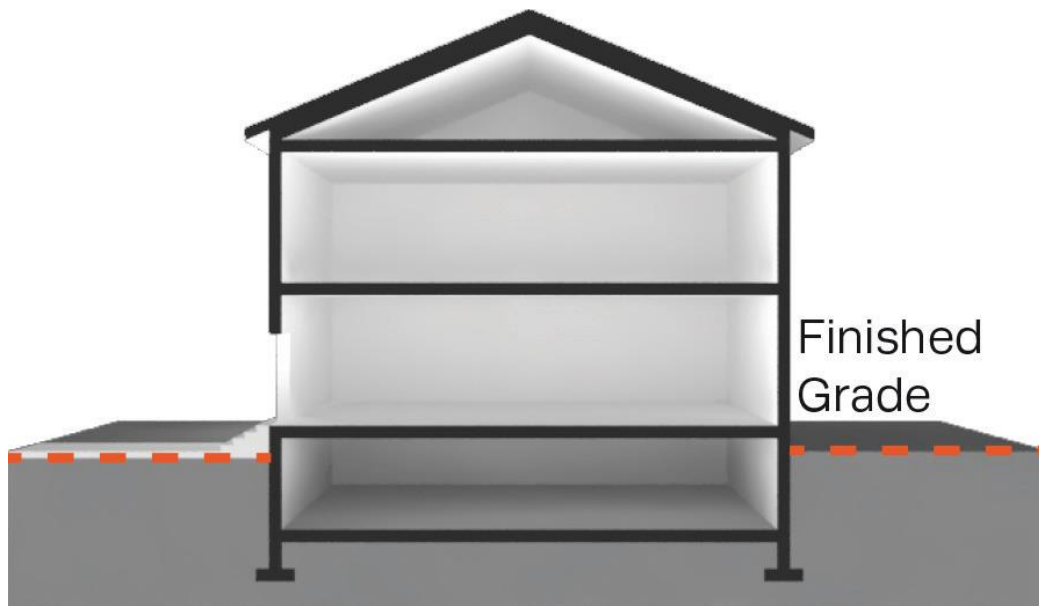
Final Plat: as defined in City Subdivision Regulation Section 2.3.

Financial Institution: an establishment that is regulated by the Federal Deposit Insurance Corporation (FDIC) and/ or the Tennessee Department of Financial Institutions and provides a variety of financial services, generally including banks, credit unions, and mortgage companies.

Financial Services: a Business, other than a Financial Institution or Non-Banking Financial Institution, characterized by the provision of financial, investment, and/or similar services.

Finished Grade: the elevation of the completed surfaces of lawns, walks and Thoroughfares and Internal Drives Adjoining a Building wall at that point along such wall. See **Illustration 9.3.F-3 (Finished Grade)**.

ILLUSTRATION 9.3.F-3 FINISHED GRADE



Fire / EMS Station: premises accommodating operations of fire-fighting and emergency medical personnel and other members of staff.

First Layer: see “Layer”.

Flex Building: a large footprint Principal Building type designed to accommodate either a single Use or a vertical or horizontal mix of Uses. See **Table 4.3.8.A (Principal Building Types- Summary)** and **Table 4.3.8.B (Principal Building Types - Specific Standards)**.

Flood: as defined in Section 6.12.2.

Floodplain: as defined in Section 6.12.2.

Flood Fringe Overlay District: an area designated as such on the Official Zoning Map.

Floodplain District: as defined in Section 6.12.2.

Floodway Overlay District: an area designated as such on the Official Zoning Map.

Floor Area: the total of the gross horizontal areas of all floors, including usable Basements and cellars, below the roof and within the outer surface of the main walls of Buildings or the center lines of Party Walls separating such Buildings or portions thereof, or within lines drawn parallel to and two feet within the roof line of any Building or portion thereof without walls, but excluding the following:

1. Areas used for off-street Parking spaces or loading berths and Driveways and maneuvering relating thereto where required by this Ordinance
2. In the case of Non-Residential facilities: arcades, porticoes, and similar open areas which are accessible to the general public, and which are not designed or used as sales, display, storage, service, or production areas.

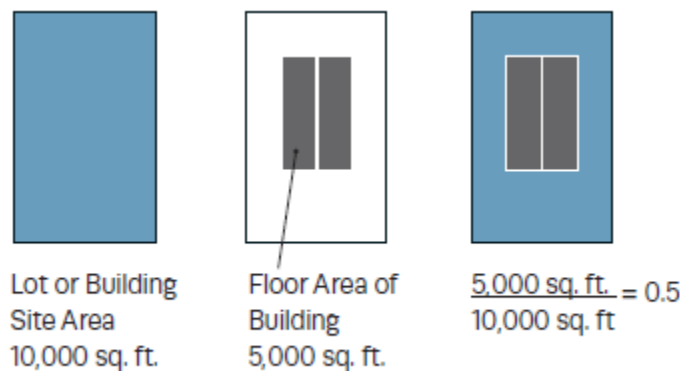
ARTICLE 9: DEFINITIONS

Floor Area Ratio (“FAR”) or Floor-to-Area Ratio: A measurement of Non-Residential land use intensity, being the ratio of Building Floor Area- to -Lot or Building Site Area. FAR is determined by dividing (1) the aggregate Floor Area of the several floors and mezzanine areas of all Buildings on a Lot or Building Site by (2) the Lot or Building Site Area, as follows:

$$\frac{\text{Aggregate Floor Area}}{\text{Lot or Building Site Area}} = \text{Floor Area Ratio}$$

For example:

1. a Building containing 20,000 square feet of Floor Area on a Lot or Building Site that has a Lot or Building Site Area of 10,000 square feet has a Floor Area Ratio of 2.0; and
2. similarly, a Floor Area Ratio of .5:1 would mean that the Floor Area of the Building is 50% of the Lot or Building Site Area of the Lot or Building Site on which the Building is located.



Food Distribution Center: premises operated for Civic purposes, with or without a Structure, from which edible goods are distributed to the public, with or without compensation.

Food Processing: use characterized by processing and packaging of edible goods and beverages for consumption off of the premises.

Food Truck: a Mobile Vending Apparatus which qualifies as a vehicle or tow-behind trailer under TCA § 55-1-101-126 from which edible food products and beverage are cooked, prepared, assembled and offered for sale to the general public for immediate consumption. A food truck is not a Mobile Kitchen.

Food Truck Court: a parcel of land where two or more Mobile Vendors congregate to offer food and beverage for sale to the public as the principal use of the site, where permitted by **Table 4.3.9.A-1**. This definition shall not be interpreted to include a congregation of mobile food vendors as an accessory use or temporary use, where permitted by **Table 4.3.9.A-2** and **4.3.9.A-3**.

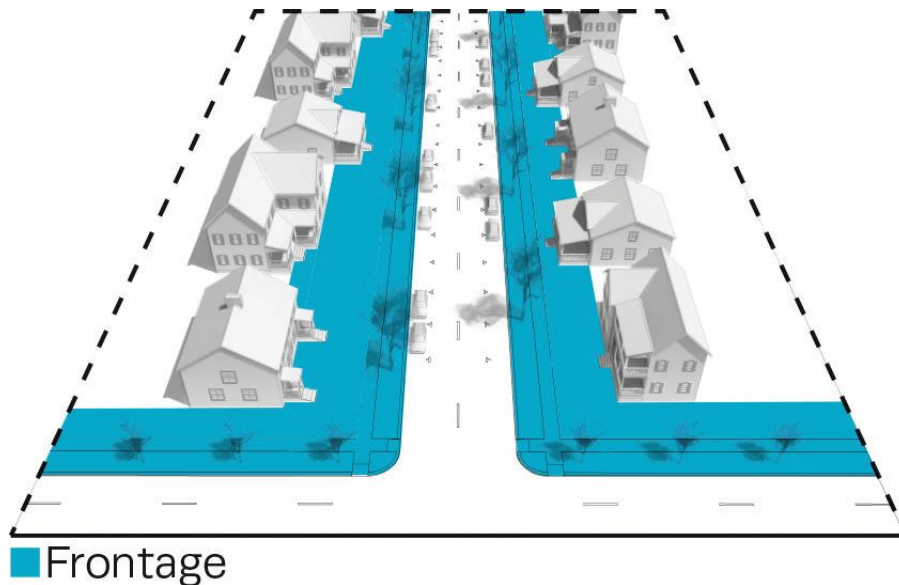
Forecourt: a Private Frontage type wherein a portion of the Facade is close to the Frontage Line and the central portion is set back, creating a gathering space for residents or additional shopping or restaurant seating area within Retail / Personal Service / Repair / Art / Artisan Use areas. This type should be used sparingly and may be used in conjunction with other Private Frontage types. See **Table 4.3.7.A (Private Frontage Types)**.

ARTICLE 9: DEFINITIONS

Freestanding Sign: any Sign supported by Structures or supports that are anchored in the ground and that are independent of any Building or other Structure.

Frontage: the area between a Building Facade and a Path, Passage, waterbody, Civic Space, or the curb (or if there is no curb, the edge) of the Vehicular Lanes of a Thoroughfare or Internal Drive having Vehicular Lanes, inclusive of the built and planted components of such area. Frontage is divided into Private Frontage and Public Frontage. See **Illustration 9.3.F-5 (Frontages and Lot or Building Site Lines)**, **Table 5.2.2.G-1 (Thoroughfare & Internal Drive Assemblies and Standards)**, and **Table 4.3.7.A (Private Frontage Types)**. Corner Lots and Building Sites have two Frontages, a Principal Frontage and a Secondary Frontage. See **Illustration 9.3.F-4 (Principal Frontage and Secondary Frontage)**.

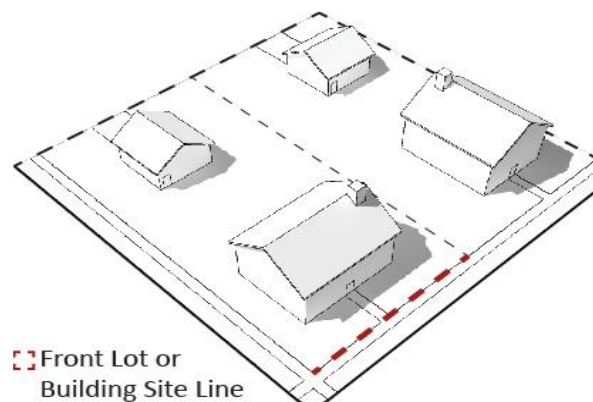
ILLUSTRATION 9.3.F-4 PRINCIPAL FRONTAGE AND SECONDARY FRONTAGE



Frontage Line: the common line that separates the Private Frontage from the Public Frontage, typically at the Front Lot or Building Site Line in cases where the entire Public Frontage is with the public right-of-way. See **Illustration 9.3.F-5 (Frontages and Lot or Building Site Lines)**. On a Corner Lot or Building Site, there are two Frontage Lines.

Front Lot or Building Site Line: the boundary at the front of a Lot or Building Site along the Thoroughfare right-of-way or Internal Drive. See **Illustration 9.3.F-5 (Frontages and Lot or Building Site Lines)**.

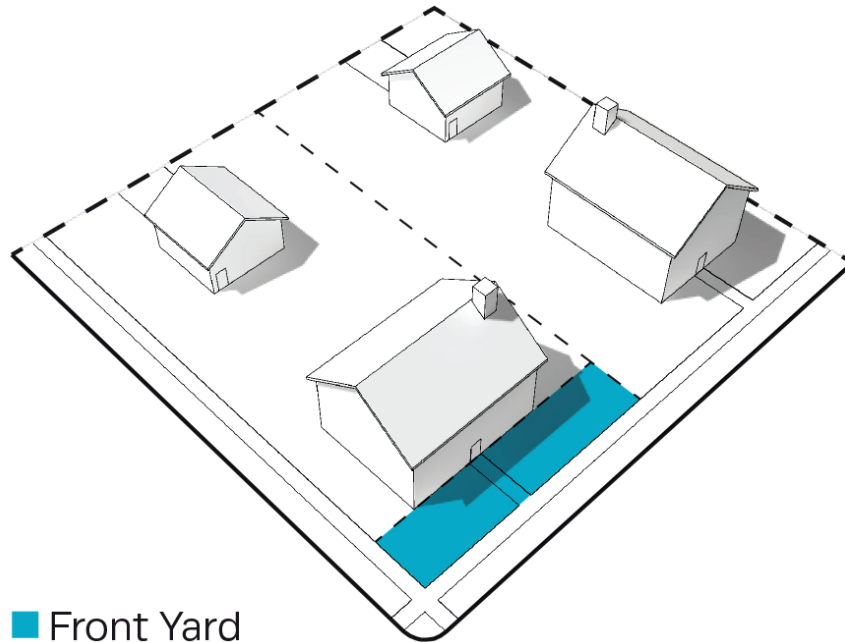
ILLUSTRATION 9.3.F-5 FRONTAGES AND LOT OR BUILDING SITE LINES



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Front Setback Area or Yard: a portion of a Lot or Building Site that is situated between (1) the nearest roofed portion of the Principal Building or of any Accessory Building on the Lot or Building Site and (2) the Front Lot or Building Site Line, extending the full width of the Lot or Building Site, from Side Lot or Building Site Line to Side Lot or Building Site Line. See **Illustration 9.3.F-6 (Front Yard)**. Sometimes referred to as “Street Yard”.

ILLUSTRATION 9.3.F-6 FRONT (STREET) SETBACK AREA OR YARD



Full Value: with respect to a Nonconforming Structure or a Structure used for a Nonconforming Use, the Full Value of a Structure shall be determined by subtracting

(1) the estimated value of the foundation as provided by the owner’s engineer and approved by the City Engineer from (2) the current assessed value of the Structure.

$$\text{Current Assessed Value of Structure} - \text{Estimated Value of Foundation} = \text{Full Value}$$

Functional Classification: the categorization of Thoroughfares and Internal Drives within the transportation element of Connect Columbia and the Access Management Ordinance, which represents the progressive trade-off between access and movement within the regional transportation system. The rubric includes Principal Arterials, Minor Arterials, Collectors, Major Local Streets, and Minor Local Streets.

Funeral Services: a Use characterized by an establishment engaged in undertaking services such as preparing the human or animal dead for burial and arranging and managing funerals, including without limitation, Funeral Home, Mortuary, Cemetery, and Crematorium.

Future Land Use Character Area: the general classification of land identified in the future land use element of Connect Columbia, the comprehensive plan. The comprehensive plan indicates the community’s preference for general land use categories and desirable intensity of development corresponding to each future land use character area. Connect Columbia also

ARTICLE 9: DEFINITIONS

describes the typical aesthetic and material qualities which provide distinctive character to each area. Each future land use character area corresponds to one or more Character Areas or Special Districts as provided in Article 3. The use, bulk, and design standards of this ordinance, when applied to specific properties, implement the general future land use character area designations. The Planning Commission shall determine the pace of implementation through the process of zoning map amendments (rezoning) described in Article 8.

G.

Gallery:

1. with respect to the Frontage, the Private Frontage type conventional for Retail / Personal Service/ Repair / Art / Artisan Use, wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk (**See Table 4.3.7.A (Private Frontage Types)**);
2. with respect to the Use of premises or part thereof, the collection and/or exhibition, and often the sale, of works of art, photography, objects of permanent value, or artisan or cultural items.

Garage: an enclosed, detached Building, or an enclosed extension of a Principal Building, used for the storage of one or more motor vehicles on a Lot or Building Site as an Accessory Use, provided that no Business, occupation or service is conducted for profit therein.

Governmental Facility: Governmental Offices and storage and other facilities for the operation of local, state, or federal government. Examples are Courthouses, correctional facilities, jails, prisons, emergency services, paramedic, fire department, and law enforcement facilities, and post offices. Educational Facility, Maintenance Facility, Civic Spaces and Open Areas, solid or liquid waste transfer or composting and Utility Facilities are not Governmental Facilities.

Green: a type of Civic Space for unstructured recreation, spatially defined by landscaping rather than Buildings, described as such in **Table 5.3.2-A (Civic Space Types- Summary)** and **Table 5.3.2-B (Civic Space - Specific Standards)**.

Gross: as related to an area of land, that which is inclusive of all land uses, Thoroughfares, Internal Drives, and other public areas located within a Development site.

Ground Floor Elevation: the distance between the top of the fronting Sidewalk and the top of the finished ground floor.

Group Assembly: sub-category of the Commercial Use category, characterized by people congregating regularly for participation in or holding meetings, workshops, lectures, civic activities, religious services, performances, and other similar activities, including Buildings, facilities, and venues in which such functions and activities are held.

Group Care Home or Family Boarding Home: a Group Care Home or a Family Boarding Home, as those terms are defined under the Rules of the Tennessee Department of Children's Services Social Service Division, Chapter 0250-4-2, which is licensed by the State under 0250-4-2-.01 of said Chapter.

Group Care Facility: shared living quarters (without separate kitchen or bathroom facilities for each room or unit) for nine (9) or more persons with physical or mental impairments that substantially limit one or more of such person's major life activities, provided that such arrangements do not meet the definition of Household Living. A Group Care Facility is not a Group Home for Persons with Disabilities.

Group Day Care: synonymous with Family Day Care.

Group Home for Persons with Disabilities: any home in which eight (8) or fewer unrelated "persons with disabilities" as defined in TSA section 13-24-101 reside, which may include three (3) additional persons acting as support staff or guardians, who need not be related to each other or to any of the persons with disabilities residing in the home.

Group Living: sub-category within the Residential Uses category, characterized by Residential occupancy of a Structure by a group of people, which does not meet the definition of Household Living. Tenancy is usually arranged on a monthly or longer

ARTICLE 9: DEFINITIONS

basis. Generally, Structures for Group Living have a common eating area for Residents, and the Residents may receive care, training, or treatment. Examples include but are not limited to Adult Care Home, Group Home for Persons with Disabilities, and Group Care Home or Family Boarding Home.

ARTICLE 9: DEFINITIONS

H.

Health Care Institution: sub-category within the Institutional Use category, characterized by an establishment providing medical or surgical care to patients. Some uses may offer overnight care.

Nursing or medical schools not accessory to a Hospital (see Educational Facilities) and Urgent Care or Emergency Medical Clinic Offices (see Offices) are not Health Care Institutions.

Health Club: premises that contain one or more of the following types of athletic facilities: swimming pool, racquetball courts, squash courts, exercise rooms, weight rooms, gymnasium, or similar facilities available exclusively to members and their guests.

Heavy Industrial: the sub-category of Industrial Uses characterized by and collectively referring to factory production and industrial yards; research and development activities without light fabrication and assembly operations; limited industrial/manufacturing activities; Industrial Businesses, the sale of heavy equipment, Uses involving storage or use of highly flammable, toxic matter or explosive materials, or of Hazardous Materials; Uses that generate pollution, dust, odor, heat, glare, or vibration beyond the walls of such enclosed Building or any light or glare beyond the boundaries of the land on which the Building is situated; any activity or Use that (1) is detrimental to the environment, (2) poses any danger or hazard of fire or explosion or other physical hazard, (3) causes, disseminates, or discharges any material, dust, smoke, gas, fumes, odor, noise, vibration beyond the Lot or Building Site on which the Building is situated, (4) involves any Outside Storage, (5) results in any unusual traffic hazard or congestion, or (6) for which any water, air, or other environmental or pollution license or permit is required; as more specifically listed under such sub- category in **Table 4.3.9.1-A (Building, Lot, & Building Site Principal Use)**.

Not included in this sub-category are animal waste processing (see Waste-Related Service); Repair and service of Motor Vehicles, motorcycles, Recreational Vehicles, boats, or light and medium trucks (see Vehicle Sales and Service); in-store sales, lease, or rental of consumer, household, or business goods (see Retail Sales and Service).

Height: (1) as related to a Structure other than a Tower, the vertical dimension of the Structure, described as applicable, (a) in number of Stories of the Structure or (b) by the distance between (i) the average Finished Grade, as measured at the outside corners of the Structure, and (ii) the highest point of such Structure on the roof surface; excluding in each case (i) Attics under 14 feet in height at their tallest point; (ii) raised Basements; and (iii) masts, belfries, clock towers, spires, steeples, chimneys, chimney flues, flagpoles, silos, water tanks, elevator or stair bulkheads, water tanks, cooling towers, Exempt Communications Towers, or parapet walls not more than four feet (4') high. **See Illustration 9.3.H-1 (Height- Building).**

ILLUSTRATION 9.3.H-1 HEIGHT - BUILDING



(2) as related to a Tower, the distance measured from ground level to the highest point on the Tower, even if said highest point is an Antenna.

ARTICLE 9: DEFINITIONS

Heritage Tree: a tree of any species listed under “Canopy Trees” in **Table 4.3.16.D-1 (Native Plants of the Tennessee Valley)** having with a trunk caliper of 24” or greater, measured 3 feet from the base of the trunk.

High School: premises at which education is provided for students from Grade 9 through Grade 12.

Highway: a rural or suburban Thoroughfare or Internal Drive of high vehicular speed and capacity, described as such in **Table 5.3.3.F (Thoroughfare / Internal Drives Types – Summary)** and **Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards)**.

Historic District: a geographically definable area which possesses a significant individual Structure or a concentration, linkage or continuity of sites, Buildings, Structures, or objects which are united by past events or aesthetically by plan or physical development, which meets one (1) or more of the following criteria:

1. It is associated with an event which has made a significant contribution to local, state or national history;
2. It includes Structures associated with the lives of persons significant in local, state or national history;
3. It contains Structures or groups of Structures which embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed in the National Register of Historic Places.

Historic Landmark: a property, Building, district, object, site, or Structure that has outstanding historical significance and is designated as such pursuant to this Ordinance.

Historic Property: the term used as a collective reference to designated Historic Structures, Historic Landmarks, and Historic Districts, together with properties therein identified as “contributing” or “pivotal” in a designated Historic District.

Historic Structure: any Structure that is:

1. listed individually in the National Register of Historic Places maintained by the Department of the Interior or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historical district or a district preliminarily determined by the Secretary to qualify as a registered Historic District;
3. individually listed on the state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs, which have been certified either:
 - a. by an approved state program as determined by the Secretary of the Interior; or
 - b. directly by the Secretary of the Interior.

Home Occupation: any gainful occupation conducted entirely within a Dwelling solely by the owners- or tenant- residents thereof as an Accessory Use, which does not change the character of the Structure as a Residence; provided that (1) said activity shall not occupy more than 50% of the Floor Area of the Dwelling, (2) there shall be no external evidence other than an Identification Sign, (3) no goods shall be kept, and (4) no mechanical or electrical equipment shall be used except customary household equipment; and provided further that the following are not allowed as Home Occupations: Clinic, Hospital, Home Professional Office, barbershop, beauty shop, Restaurant, Kennel, antique dealer, Retail sales on the premises, or loading of ammunition.

Horticulture and Landscaping Services: landscaping, tree, plant, lawn, and/or other landscape material installation, care, maintenance, and removal, and other similar services, together with associated equipment and machinery directed toward the care of trees, plants, or lawns.

ARTICLE 9: DEFINITIONS

Hospice: the provision of palliative care and emotional support to the terminally ill so that quality of life is maintained and family members may be active participants in care.

Hospital: premises used for the diagnosis, medical treatment, or similar care of human ailments including without limitation: the term “Hospital” shall be deemed to include (1) psychiatric and substance abuse facilities, ambulatory care, outpatient services, diagnostic and treatment centers, Clinics, Rehabilitation Facilities, Medical Laboratories, Hospices, teaching facilities, and meeting areas associated with and on the same premises as the Hospital, and (2) Accessory Uses such as dining and housing for patients’ Families and guests, staff members, nurses, interns, resident physicians and their immediate families, and maintenance, service and parking facilities. The term “Hospital” shall not be deemed to include (3) Offices of doctors, dentists, chiropractors, or nurse practitioners, sanitariums, Nursing Homes, Long Term premises used for the diagnosis, medical treatment, or similar care of human ailments including without limitation: the term “Hospital” shall be deemed to include (1) psychiatric and substance abuse facilities, ambulatory care, outpatient services, diagnostic and treatment centers, Clinics, Rehabilitation Facilities, Medical Laboratories, Hospices, teaching facilities, and meeting areas associated with and on the same premises as the Hospital, and (2) Accessory Uses such as dining and housing for patients’ Families and guests, staff members, nurses, interns, resident physicians and their immediate families, and maintenance, service and parking facilities. The term “Hospital” shall not be deemed to include (3) Offices of doctors, dentists, chiropractors, or nurse practitioners, sanitariums, Nursing Homes, Long Term Care Facilities, Rehabilitation Facilities, psychiatric and substance abuse facilities, ambulatory care, outpatient services, diagnostic and treatment centers, Clinics, Rehabilitation Facilities, Medical Laboratories, Hospices, teaching facilities, or meeting areas not associated with and on the same premises as the Hospital, or (2) Accessory Uses such as dining and housing for patients’ families and guests, staff members, nurses, interns, resident physicians and their immediate families, and maintenance, service and parking facilities not on the same premises and associated with Hospital.

Hostel: an establishment that provides inexpensive food and lodging for a specific group of people, such as students, workers, or travelers.

Hotel: a Business that offers to Transients, on a daily or weekly basis for compensation, sleeping accommodations accessible from interior hallways, whether or not such Business also includes dining facilities. Not synonymous with Motel, motor court, tourist court, auto court, motor lodge, or similar facilities. Neither a Hotel nor a room therein is a Short-Term Rental Unit.

House: a Building Type that was designed as a Single- Family Detached Dwelling on a medium or large Lot or Building Site with an side often shared with an Accessory Building in the rear, described as such in **Table 4.3.8.A (Principal Building Types)** and **Table 4.3.8.B (Principal Building Types - Specific Standards)**.

Household Living: the sub-Category of Uses designated as such in **Table 4.3.9.1-A (Building, Lot, & Building Site Principal Uses)**, characterized by permanent, non- Transient Residential activities that involve the occupancy of a Residential Dwelling Unit. A Short-Term Rental Unit is not a Household Living Use.

House Trailer: any Trailer designed to be used for living purposes with its wheels, roller or skids in place.

I.

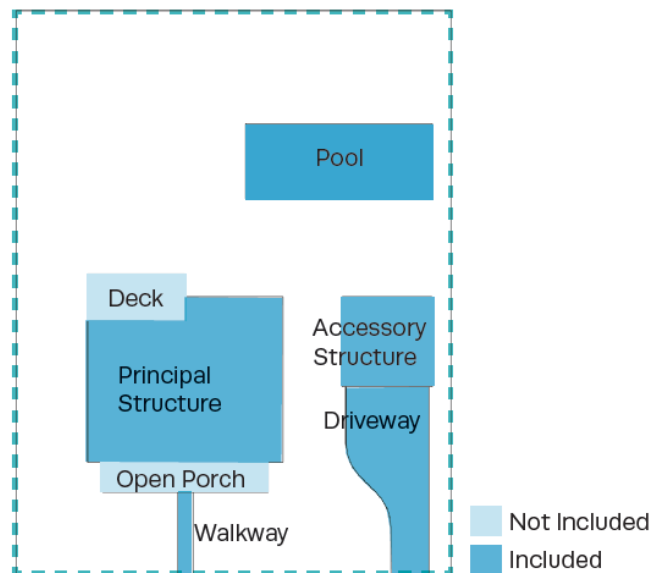
Ice Cream Truck: are motorized vehicles from which the operator vends only pre-packaged frozen dairy or frozen water-based food products. Service is often from the Right-of-Way.

Identification Sign: a Sign that directs attention to a Business, profession, or Building with Multi-Family Residential Dwelling Units, which is conducted upon the same Lot, Building Site, or Development Site where such Sign is located.

Impervious Surface Coverage: that portion of a Lot, Building Site, or Development site, as applicable, covered with Buildings, asphalt, or concrete paving or hard-packed, prepared, graveled surfaces that prevent or restrict absorption of rain or surface water into the ground. If a Lot, Building Site, or Development site, as applicable, is located in more than one District, the Impervious Surface Coverage shall be separately computed for each District and no Impervious Surface Coverage may be transferred between Districts. **See Illustration 9.3.I-1 Impervious Surface Coverage.**

ARTICLE 9: DEFINITIONS

ILLUSTRATION 9.3.I-1 IMPERVIOUS SURFACE COVERAGE



Impound Yard: a facility that provides temporary outdoor storage for: (1) mechanically operable/drivable, licensed vehicles that are to be claimed by titleholders or their agents; and/or (2) wrecked motor vehicles awaiting insurance adjustments and transport to repair shops. This term excludes: Scrap and Salvage Yards / Services; Junkyard; Towing Facilities; Motor Vehicle Storage; or accessory storage of inoperable vehicles.

Improvement: any man-made change of land, a Lot, a Building Site, or Development site, or a change to or creation of a Structure.

Independent Living Apartment: a multiple Dwelling Unit accommodation that provides Residential quarters for Persons over a specified age who do not require skilled nursing care, health care, or assistance with daily activities, such as assistance with eating, dressing, ambulation, medication, bathing, or toileting.

Indoor Recreation: use characterized by generally Commercial, for-profit Uses, varying in size, providing daily or regularly scheduled entertainment-oriented activities in an indoor setting, including without limitation bowling alley, game arcade, pool hall, skating rink, gymnastic facility, indoor sports academy, Indoor firing range, membership club or lodge, and movie or other theater, but excluding Adult-Oriented Entertainment, Bar, Tavern, Nightclub, athletic, tennis, swim or Health Club (see Retail Sales and Service) and outdoor entertainment (see Outdoor Recreation).

Industrial Uses: (1) a Use category characterized by manufacturing, re-manufacturing, processing, fabricating, creating, producing, packaging, converting, altering, assembling, handling, storing, stockpiling, sorting, recycling, treating, disposing of, wholesaling, warehousing, and distributing materials, products, or information, research and development, trucking, shipping, and transportation Business, repairing and maintaining commercial machinery or equipment, and waste management; (2) Industrial Uses is the Use category, which is a collective reference to Uses in the following Use sub-Categories, as listed in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)** **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**, and **Table 4.3.9.A-3 (Temporary Uses)**: Heavy Industrial, Light Industrial, Warehouse and Freight Movement, and Waste-Related Service.

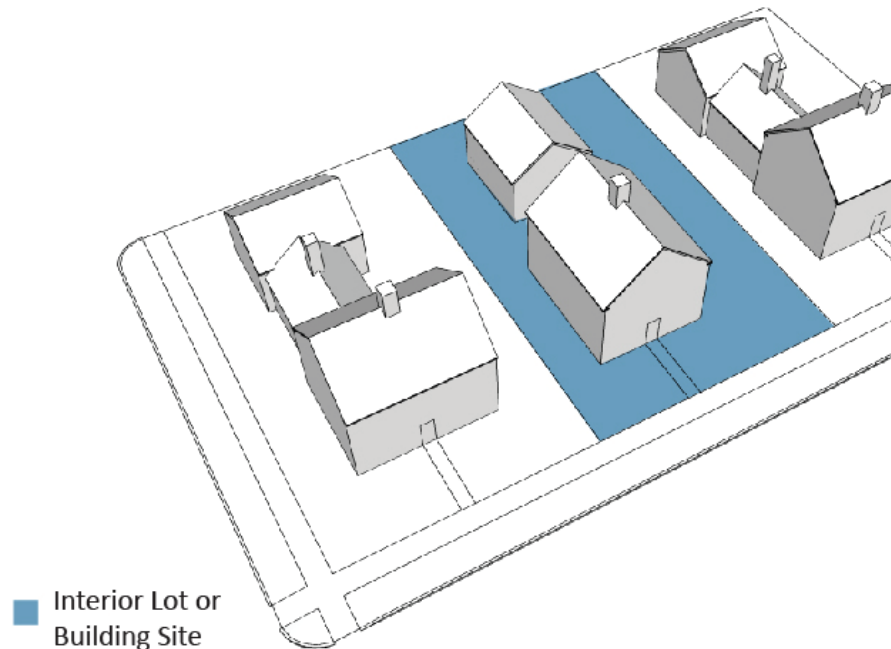
Information Services: enterprises and organizations whose purpose is to produce and process information and to develop the infrastructure and delivery mechanisms to distribute information.

Inn: an owner-occupied Lodging Use, offering 6 to 12 bedrooms, which may serve breakfast to guests. See **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**. Neither a Bed and Breakfast nor a Short-Term Rental Unit is an Inn.

ARTICLE 9: DEFINITIONS

Interior Lot or Building Site: A Lot or Building Site type other than a Corner Lot or Building Site. See Illustration 9.3.I-2 (Interior Lot or Building Site).

ILLUSTRATION 9.3.I-2 INTERIOR LOT OR BUILDING SITE



Internal Drive: A curbed pedestrian and vehicular access way, for commercial and industrial land uses within a Lot, Building Site, or Development Parcel that connects to a Thoroughfare or another Internal Drive, and provides access and circulation to or through such Lot, Building Site, or Development Parcel and the Building(s) and Parking accommodations thereon. An Internal Drive is required to meet the Thoroughfare and Internal Drive assemblies and standards for the applicable District.

Inverted Crown: Surface shaping of an Alley, Thoroughfare, or Internal Drive having the low point in the middle, causing surface runoff to flow down the center.

J.

Junk Vehicle: A vehicle which does not lawfully display a current license plate and which is partially dismantled or wrecked, or cannot operate under its own power.

Junkyard: Any land or Structure or part thereof used for the collection, storage or sale of wastepaper, rags, scrap metal or other scrap or discarded material or for the collecting, dismantling, storage or salvage of machinery or vehicles not in running condition or for the sale of the parts thereof.

K.

Kennel: Any Structure or premises on which four (4) or more dogs, cats and/or other household pets over four (4) months of age are kept for boarding, breeding, selling, grooming, or training, excluding, however, any Structure or premises on which such animals are kept solely for Retail sale.

Kindergarten: Premises accommodating a program that prepares children for first grade.

Knee Wall: As used in the Façade standards of this Ordinance, a low-wall that is incorporated into the Façade of a building beginning at grade and extending upward at least twelve (12) inches but not more than twenty-four (24) inches. Glazing is typically located above the Knee Wall.

ARTICLE 9: DEFINITIONS

L.

Laboratory: a place where scientific studies are conducted, including testing, research, or analysis of a medical, chemical, physical, biological, mechanical, or electronic nature.

Landholder: the legal or beneficial owner or owners of all the land proposed to be included in a Planned Unit Development. The holder of an option or contract to purchase, a lessee having a remaining term of not less than 50 years in duration, or other person having an enforceable proprietary interest may be considered a “landholder” for the purpose of this Ordinance.

Landscaping: (1) live materials such as grass, ground cover, shrubs, vines, hedges, and trees, or durable natural material such as crushed stone, wood chips, rock, and weathered wood; or (2) the activity of installing or maintaining such materials.

Land Use Plans: as defined in Section 8.5.20.A.

Large Multi-Family Building: principal Building type that incorporates seven (7) or more side-by-side and/ or horizontally stacked Dwelling Units, typically with one or more shared entries. See **Table 4.3.8.A (Principal Building Types)** and **Table 4.3.8.B (Principal Building Types - Specific Standards)**.

Large Projecting Sign: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)**.

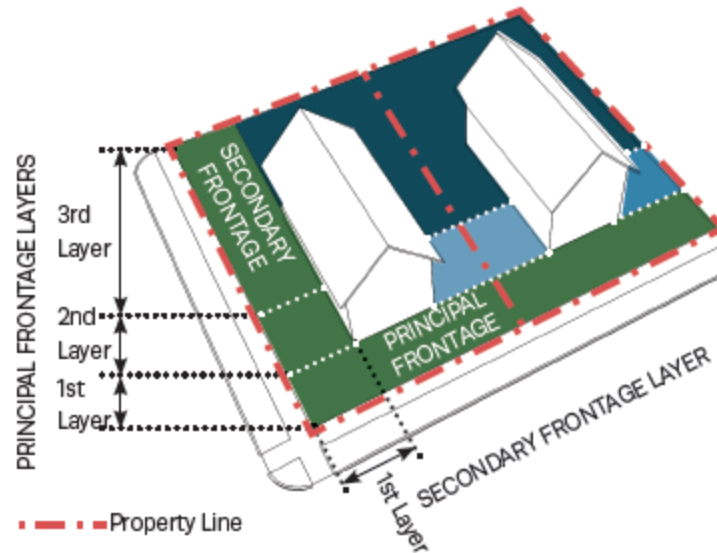
Laundromat: an establishment with machines for the washing and drying of clothes and garments.

Layer: a range of depth of a Lot or Building Site within which certain elements are permitted. There are three Layers within each Lot or Building Site, as follows:

1. First Layer: that portion of a Lot or Building Site bounded by
 - a. the Side Lot or Building Site Lines,
 - b. the Frontage Line, and
 - c. the Facade of the Principal Structure, or, on a Secondary Frontage, a Building Elevation.
2. Second Layer: that portion of a Lot or Building Site directly behind the First Layer and extending twenty (20) feet into the lot parallel to the Principal Frontage.
3. Third Layer: that portion of a Lot or Building Site that is not within the First and Second Layer and is least visible from the Thoroughfare.

ILLUSTRATION 9.3.L-5 LAYERS

ARTICLE 9: DEFINITIONS



Library: a Building or part thereof containing collections of books, periodicals, and/or other media for Persons to read, borrow, or refer to.

Light Industrial: the sub-category of the Industrial Uses Category characterized by and collectively referring to fabrication, creation, processing, production, packaging, converting, altering, assembling, handling, storage, treatment, distribution, disposal, creation, assemblage, processing, or production, and/or treating, designing, fitting, compounding, repairing, assembling, testing, storing, warehousing, selling at wholesale, distributing or transferring, and/or repair, of or from natural, man-made, products or other goods, raw, secondary, partially completed or completed materials, components, products, by-products, goods, materials, or information, and wholesaling of industrial, Business, or consumer machinery, equipment, which activity is:

1. conducted solely within an enclosed Building,
2. is not detrimental to the environment; does not pose any danger or hazard of fire or explosion or other physical hazard;
3. does not generate, cause, disseminate, or discharge any pollution, material, dust, smoke, gas, fumes, odor, noise, heat, light, glare, or vibration beyond the Building Site on which the Building is situated;
4. does not involve any Outside Storage;
5. will not result in any unusual traffic hazard or congestion;
6. does not require any water, air, or other environmental or pollution license or permit is required; and
7. does not involve storage or use of highly flammable, toxic matter or explosive materials, or of Hazardous Materials;

Not included in the Light Industrial Uses sub-category are:

1. Heavy Industrial Uses;
2. Manufacture and production of goods from composting organic material (see Waste-Related Service);
3. Outdoor storage yard (see Warehousing and Freight Movement);
4. Sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures (see Wholesale Sales);
or
5. Small-scale catering establishments (see Restaurants).

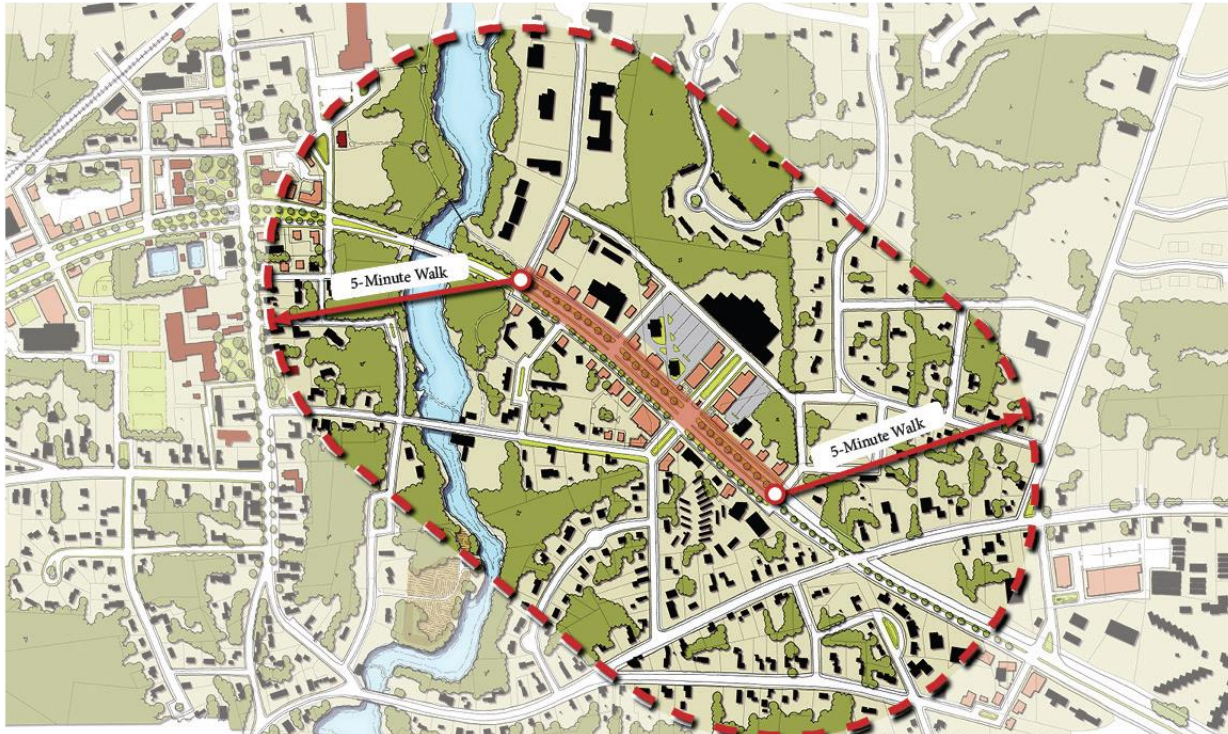
See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses).

ARTICLE 9: DEFINITIONS

Lightwell: a Private Frontage type that is a below-grade entrance or recess designed to allow light into basements. See Table 4.3.7.A (Private Frontage Types).

Linear Pedestrian Shed: a Pedestrian Shed that is elongated along an important Corridor. A Linear Pedestrian Shed extends approximately 1/4 mile from each side of the Corridor. The resulting area is oblong. See Illustration 9.3. L-1 (Linear Pedestrian Shed).

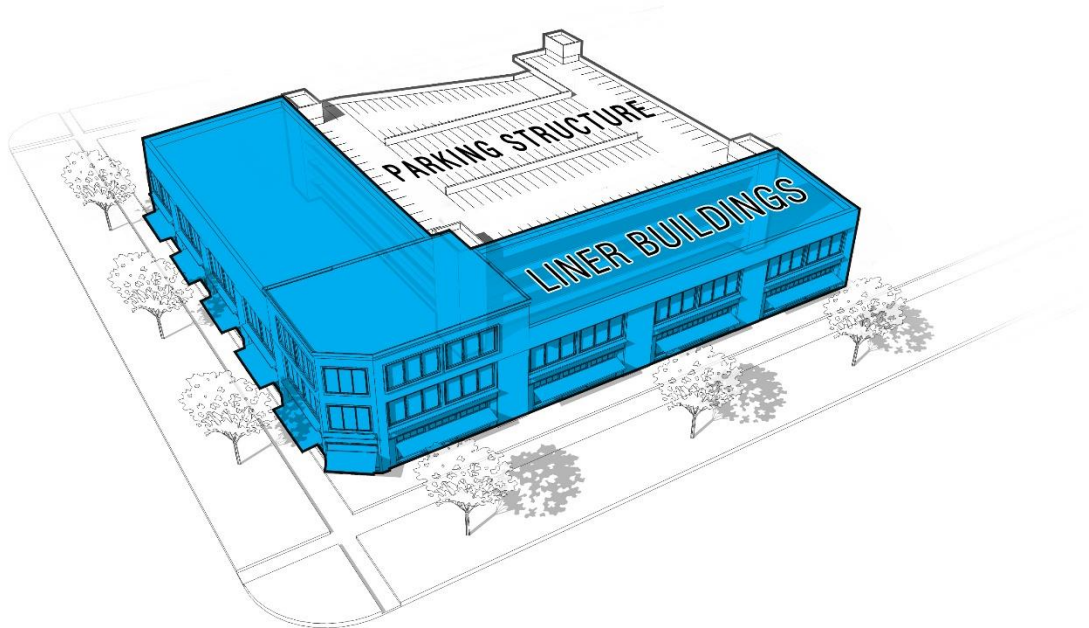
ILLUSTRATION 9.3.L-1 LINEAR PEDESTRIAN SHED



ARTICLE 9: DEFINITIONS

Liner Building: a Building that is at least 20 feet deep measured from the Façade, which masks a Parking Area, Parking Lot, or a Parking Structure from the Frontage. See Illustration 9.3.L-2 (Liner Building).

ILLUSTRATION 9.3.L-2 LINER BUILDING



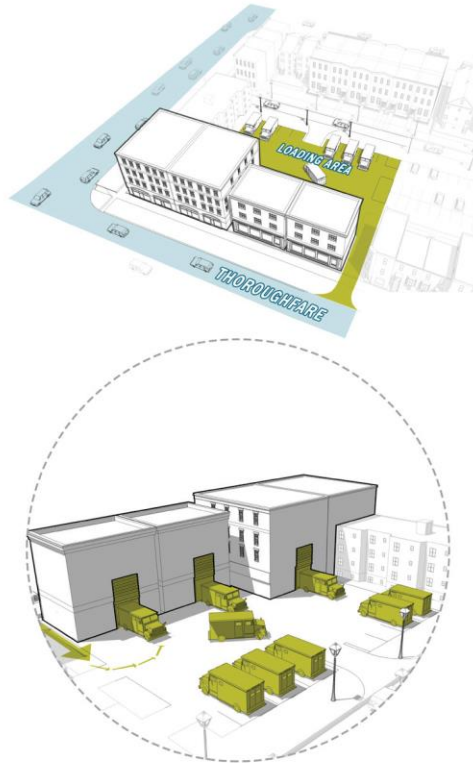
Live / Work Building: a small- to medium-sized attached or detached Principal Building type, which includes a flexible space for Commercial Use and an internally connected Residential Dwelling Unit above and/or behind the flexible space. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Living Room: a room designed for general living purposes in a Dwelling Unit. Every Dwelling Unit shall be deemed to have a Living Room.

Loading Area: an area on a Lot or rear Building Site with a Building or along the Thoroughfare or Internal Drive Abutting such Lot or rear Building Site, used for temporary parking of Commercial vehicles while loading or unloading goods. See Illustration 9.3.L-3 (Loading Area).

ARTICLE 9: DEFINITIONS

ILLUSTRATION 9.3.L-3 LOADING AREA



Loading Space: a space within a Loading Area that meets the design and dimensional requirements of Section 4.3.14.

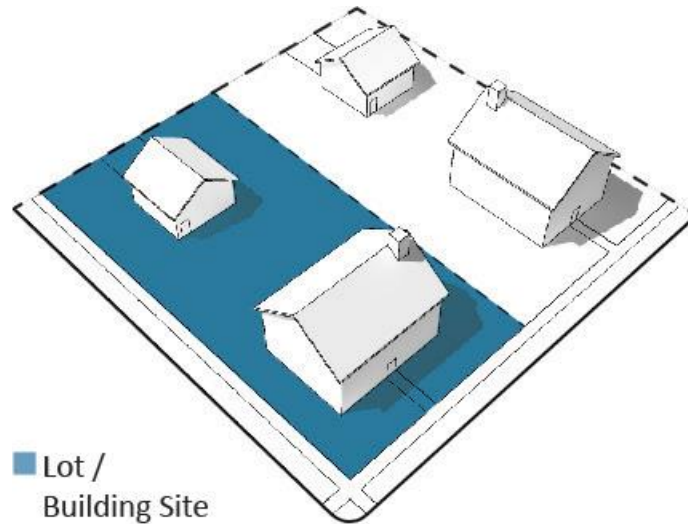
Long Term Care Facility: premises at which living accommodations, bed care, boarding, in-patient service, and/or nursing or other medical care are provided for aged, infirm, disabled persons, persons or who are afflicted with or convalescing from any disease or ailment, or other persons requiring regular medical attention.

Long Term Care Facility does not include Rehabilitation Centers, Assisted Living Apartments, or facilities that provide surgical or emergency medical services, care for alcoholism, drug addiction, substance abuse, mental disease other than dementia, or communicable disease.

Lot: a parcel, plot, tract, or piece of land identified on and established by plat, subdivision, or as otherwise permitted by law, and recorded in the official records of the Maury County Register of Deeds, to be separately owned, used, Developed, or built on. See Illustration 9.3. L-4 (Lot / Building Site). See also "Building Site", "Lot or Building Site of Record", and "Zoning Lot or Building Site".

ARTICLE 9: DEFINITIONS

ILLUSTRATION 9.3.L-4 LOT / BUILDING SITE

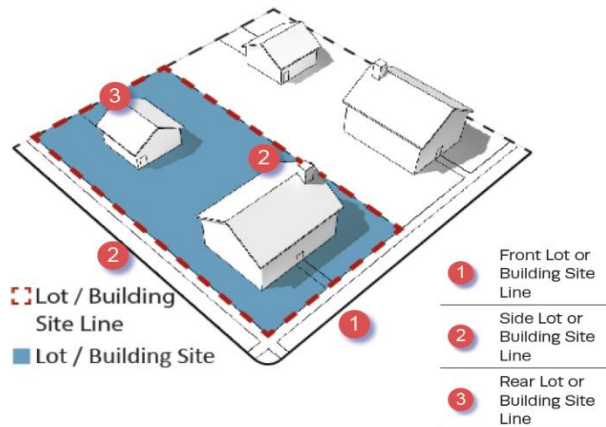


Lot or Building Site Area: the total horizontal area included within the Lot or Building Site Lines.

Lot or Building Site Depth: the shortest horizontal distance between the Front Lot or Building Site Line and Rear Lot or Building Site Line of a Lot or Building Site.

Lot or Building Site Line: the boundary line of a Lot or Building Site. See Illustration 9.3.L-6 (Lot or Building Site Line).

ILLUSTRATION 9.3.L-6 LOT OR BUILDING SITE LINE

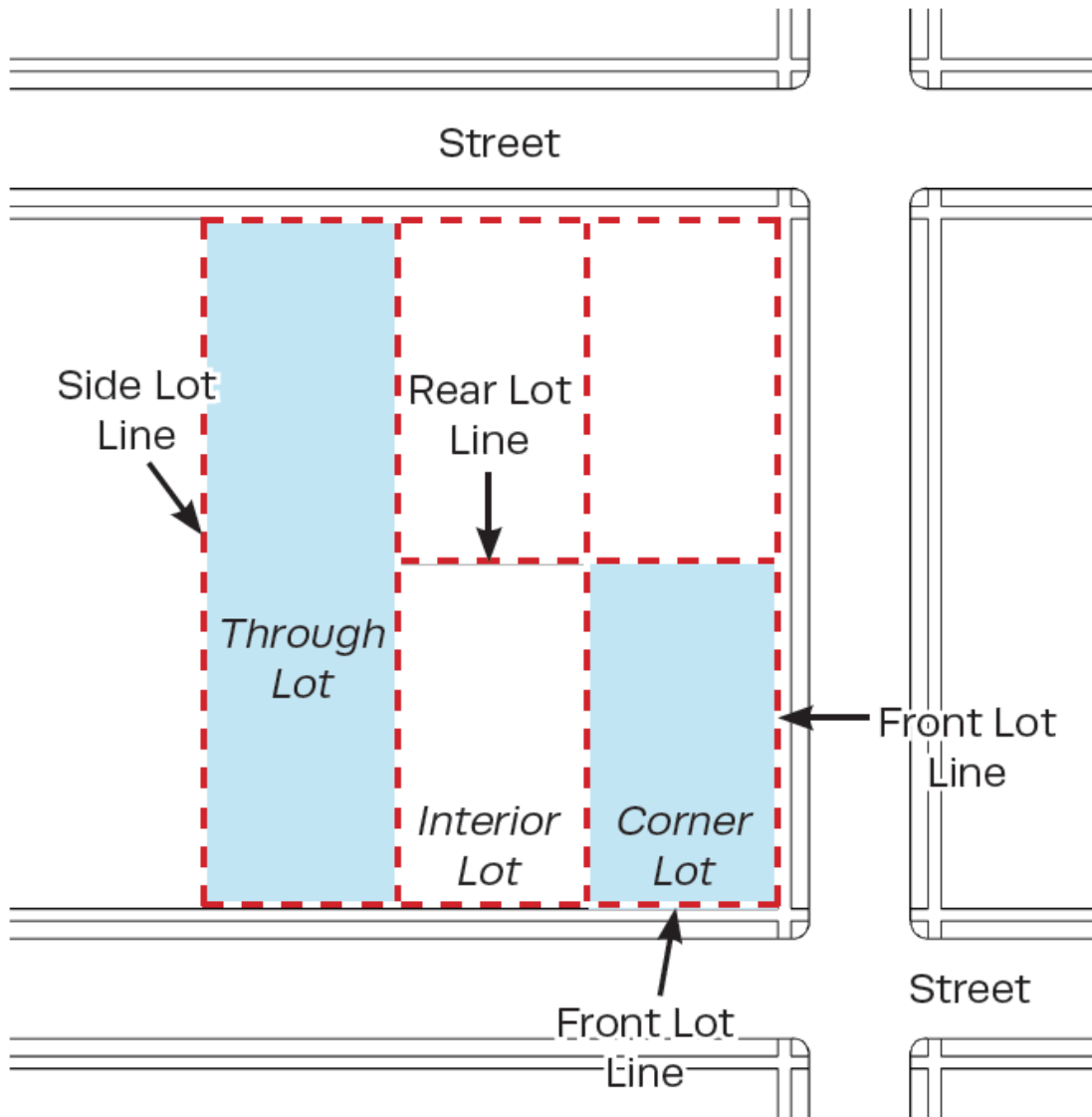


Lot or Building Site Width: the length of the Principal Frontage Line of a Lot or Building Site.

Lot or Building Site of Record: a Lot or Building Site, as applicable, which is part of a subdivision or other plat recorded in the office of the Maury County Register of Deeds, or a Lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot or Building Site Type: the classification of a Lot or Building Site, as shown in the following diagram:

ILLUSTRATION 9.3.L-7 LOT OR BUILDING SITE TYPES



ARTICLE 9: DEFINITIONS

M.

Machine Shop: premises at which mechanical items are made or repaired using machinery or equipment.

Main Civic Space: the primary outdoor gathering place within a Development Parcel. The Main Civic Space may be associated with an important Civic Building.

Manufactured Home: a detached one-family dwelling constructed as a single self-contained unit and mounted on a single chassis transportable after fabrication on its own wheels or detachable wheels with all the following characteristics as prescribed in **Section 68-126-202, (4), (6) and (7) of TCA:**

1. Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems.
2. Arriving at the site where it is to be occupied as a dwelling, complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location of foundation supports, connections to utilities, and the like.
3. Manufactured Home dwellings do not include camping Trailers, commercial mobile Structures, motor homes, recreational vehicles, travel Trailers, truck campers, or similar units designed to provide temporary living quarters.

Manufactured Home- Class A: a Structure manufactured before June 15, 1976, that is not constructed in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974, as amended (42 U.S.C. § 5401 et seq.). It is a Structure that is transportable in one or more sections that in the traveling mode is eight body-feet or more in width and 40 body-feet or more in length, or, when erected on site, is 320 or more square feet and that is built on a chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes any associated plumbing, heating, air conditioning and electrical systems.

Manufactured Home Park or Subdivision: an area, tract, site, or parcel (or contiguous parcels) of land divided into two or more Manufactured Home Sites for rent or sale and associated Lots or Building Sites and Buildings necessary to support the Residential occupancy of Manufactured Homes.

Manufactured Home Sales: a subcategory of the Commercial Use category, characterized by the offer for sale or lease and the sale or lease of Manufactured Homes.

Manufactured Home Site: a designated area within a Manufactured Home Park for the exclusive use of the occupants of a single home.

Manufactured Home Stand: that part of an individual Manufactured Home Site which has been reserved for the placement of the Manufactured Home.

Marina: any of the following:

1. A lock harbor facility;
2. any facility which provides fueling, pump-out, maintenance or repair services; or
3. any facility which has permanent docking space for three (3) or more Boat Slips
4. any water area with a Structure that is used for docking or otherwise mooring Vessels and constructed to provide temporary or permanent docking space for more than ten Vessels; or
5. a dry stack facility.

Marquee Sign: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards).**

Massage Studio: an establishment at which manual manipulation of muscle, connective tissue, tendons, and/or ligaments is provided to enhance a Person's health and well-being.

ARTICLE 9: DEFINITIONS

Massing: the overall shape or arrangement of the Bulk or volume of a Building.

Medical Office / Medical Clinic / Outpatient Clinic / Dental Office: an Office or other premises for the private practice of health care or dental professionals licensed by the State, wherein a majority of patient encounters involve examination, diagnose is, treatment, or surgical procedures on an outpatient basis not extending beyond a 24-hour period.

Medical Laboratory: a facility where testing or observation of clinical specimens from which information about the health of a patient can be obtained in order to provide diagnosis, treatment, and/or prevention of disease.

Meeting Hall: a Building that provides accommodations as a Place of Assembly.

Middle: as used in the Façade standards of this Ordinance, all of the Façade which is visually defined by the Base and Cap of the building.

Middle School: premises at which Education is provided for children from Grade 5 through Grade 8.

Mid-Rise Building: an attached or detached Principal Building Type of 4 Stories, which may provide a vertical and/or horizontal mix of Uses, typically designed to facilitate pedestrian-oriented Retail / Personal Service/ Repair / Art / Artisan, Accommodation / Lodging, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Mixed Use: multiple Uses within the same Building or on the same Lot or Building Site through superimposition or Adjacency, or in multiple Buildings or on multiple Lots or Building Sites by Adjacency or proximity.

Mixed-Use Building: a typically attached Principal Building Type, which provides a vertical and/or horizontal mix of Uses typically designed to facilitate pedestrian-oriented Retail / Personal Service / Repair / Art / Artisan, Accommodations / Lodging, or Office Uses on the ground floor, with upper floors typically designed for Residential or Office Uses. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

Mobile Vending: any temporary activity which includes preparation, assembly, or display of items with the intent to sell such items to the general public (excluding produce stands).

Mobile Vending Apparatus: any vehicle, trailer, cart, table, tent or other equipment utilized for Mobile Vending.

Monument Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-1 (Sign Types - Specific Standards).

Motel: an establishment where short-term Accommodation / Lodging in guest rooms is offered for compensation and one or more rooms are accessed by exterior doors opening directly to exterior Parking accommodations, passageways, or the outdoors. Neither a Hotel, Extended Stay Hotel, or unit therein, nor a Short- Term Rental Unit is a Motel.

Motor Vehicle: every vehicle that is self-propelled by a motor, which can be licensed and registered to be driven on public streets, roads or rights-of-ways, and every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

Examples are passenger vehicles, trucks, motorcycles and other consumer motor vehicles, and motorized Recreational Vehicles.

This term does not include Boats or other watercraft, non-motorized Recreational Vehicles, Manufactured Homes, or Farm and Construction Equipment.

Motor Vehicle Body Shop: premises or a portion of premises used for the adjustment, painting, replacement of parts, or body repair of Motor Vehicles.

ARTICLE 9: DEFINITIONS

Motor Vehicle Maintenance, Repair, Fuel Sales, Service, or Cleaning: A Structure, premises, or establishment in or on which Motor Vehicles are maintained, repaired, serviced, re-fueled, and/or cleaned, including without limitation, incidental storage for fewer than sixty (60) days of Motor Vehicles that are being maintained, repaired, serviced, and/or cleaned.

Examples are car wash, full vehicle service including alignment shop, auto upholstery shop, towing service, limited vehicle service including auto detailing, auto repair, battery sales and installation, fuel sales, quick lubrication facilities, and tire services.

This term does not include Parking Lots, Parking Structures, Motor Vehicle Storage, Motor Vehicle Body Shop, Motor Vehicle Parts Sales, or Convenience Store with Gasoline Sales (see Retail Sales and Service).

Motor Vehicle Parts Sales: a Structure, premises, or establishment in, from, or on which Motor Vehicle parts other than tires are sold, either at Retail or Wholesale.

Motor Vehicle - Related Sales and Service: a Motor Vehicle Body Shop, Motor Vehicle Maintenance, Repair, Service, Fuel Sales, or Cleaning, Motor Vehicle Parts Sales, Motor Vehicle Sales, Rental, or Leasing, and Motor Vehicle Storage.

Motor Vehicle - Related Uses: the term collectively referring to Motor Vehicle Body Shop, Motor Vehicle Maintenance, Repair, Fuel Sales, Service, or Cleaning, Motor Vehicle Parts Sales, Motor Vehicle Sales, Rental, or Leasing, and Motor Vehicle Storage. **See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses).**

Motor Vehicle Sales, Rental, or Leasing: a Structure, premises, or establishment in or on which Motor Vehicles are sold, rented, leased, or chartered, including incidental storage, maintenance, and servicing as an Accessory Use.

Motor Vehicle Storage: long- or short-term storage of operating Motor Vehicles. This term excludes Parking Lots, Parking Structures, Impound Yards, Towing Facilities, and any dismantling, Scrap and Salvage Yards/Service, or Junkyards.

Multi-Family Building: a Large Multi-Family Building or a Small Multi-Family Building. **See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).**

Multi-Family Dwelling: a Building containing three (3) or more Dwelling Units, including without limitation Residential condominiums, cooperatives, Independent Living Apartments and other Apartments, Large Multi-Family Buildings, and Small Multi-Family Buildings.

Museum: a Use characterized by the display, preservation, collection, curation, and/or exhibit of objects of community and cultural interest in one or more of the arts and sciences.

ARTICLE 9: DEFINITIONS

N.

Neighborhood Street: the Thoroughfare or Internal Drive type described as such in **Table 5.3.3.F (Thoroughfare/ Internal Drives Types – Summary)** and **Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards)**.

Neon Tube Illuminated Sign: a Sign with a light source supplied by a neon tube, which is bent to form letters, symbols, or other shapes.

Net Site Area: all developable land within a site, including Thoroughfares and Internal Drives, but excluding land allocated as Civic Space or Civic District.

Nightclub: an establishment for nighttime entertainment, typically serving Alcoholic Beverages for consumption on site and offering music, dancing, or other entertainment. Adult-Oriented Entertainment is excluded from the term “Nightclub”.

Non-Banking Financial Institution: a Financial Institution that is not regulated by the Federal Deposit Insurance Corporation (FDIC) and is governed by T.C.A Title 45 Chapters 15, 17, and 18, including without limitation, Pawn Shops, title loan lenders, cash advance lenders, and check cashing establishments and other Short-Term Lenders.

Nonconforming Improvement: any Improvement, or part thereof, that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Improvement, but upon such Effective Date does not conform to this Ordinance;

Nonconforming Lot or Building Site: any Lot or Building Site, or part thereof, that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Lot or Building Site, but upon such Effective Date does not conform to this Ordinance.

Nonconforming Sign: a Sign that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Sign but upon such Effective Date does not conform to this Ordinance.

Nonconforming Structure: a Structure that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Structure, but upon such Effective Date does not conform to this Ordinance.

Nonconforming Use: any Use of land, of a Structure, or of an Improvement, or part thereof, that legally existed at the Effective Date of this Ordinance or any amendment of this Ordinance or the Zoning Map affecting such Use, but upon such Effective Date does not conform to this Ordinance.

Nonconformity: a Nonconforming Lot or Building Site, Nonconforming Structure, Nonconforming Sign, Nonconforming Improvement, or Nonconforming Use.

Non-Hazardous Waste Treatment or Disposal: facilities for receiving, sorting, treatment, or disposal of nonhazardous solid waste, including waste transfer stations, compost dumps, and combustors, incinerators, and cogeneration plants, and the collection and hauling of nonhazardous waste incidental to the treatment or disposal operations.

Non-Motor Vehicle or Boat Body Shop Maintenance/ Cleaning/ Repair/ Service: a Structure, premises, or establishment in or on which goods other than Motor Vehicles or Boats are maintained, repaired, serviced, and/ or cleaned. This term does not include Parking or Outdoor Storage.

Non-Motor Vehicle or Boat Rental/ Leasing: a Structure, premises, or establishment in or on which goods other than Motor Vehicles or Boats are rented or leased. This term does not include Parking or Outdoor Storage.

Non-Profit Office: premises available for any function of a not-for-profit organization.

Nursery School: see “Pre-School”.

ARTICLE 9: DEFINITIONS

O.

Occupancy: the Principal Use of a Lot, Building Site, or Structure for the performance of a function or operation by a Person.

Office Uses: (1) a Use category characterized by premises available for the transaction of Commercial, governmental, professional, medical, dental, not-for profit, or financial services, but excluding Retail / Personal Service / Repair/ Art / Artisan Uses, Light Industrial Uses, and Heavy Industrial Uses; or (2) Office Uses is the Use category, which is a collective reference to Uses in the following Use sub-Categories, as listed in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)** **4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**, and **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)**:

Business / Government / Non-Profit Offices (excluding Civic Uses), Medical / Dental Offices, Professional Offices, and Other Offices Not Listed;

Office Building: a Building in which space is made available for Office Use. Office Building is not a Building Type.

Office Front: a Private Frontage type wherein the Facade is aligned close to or at the Frontage Line with the Building entrance at or above Sidewalk grade. This type is conventional for Office Use. It may have a substantial glazing on the Facade. See **Table 4.3.7.A (Private Frontage Types)**.

Off-Premises Sign: a Sign the owner or lessee of which is not the owner or lessee of the premises on which such Sign is located.

Open Air Market: a Farmer's Market, a Roadside Stand, or an Outdoor Market.

Open Space: use characterized by large expanses of land.

Ordinance or Zoning Ordinance: this City of Columbia, Tennessee Zoning Ordinance, as the same may be amended and in effect from time to time.

Ordinary Maintenance and Repair: (1) keeping a Lot or Building Site, parcel, or Structure in good condition through ongoing minor intervention, undertaken from time to time, in a manner that does not change its external appearance except through the elimination of the usual and expected effects of weathering; (2) strengthening or restoring any portion of a Structure or Improvement to a safe condition, provided no material enlargement results; (3) repairing or replacing interior walls, fixtures, wiring or plumbing; or (4) repaving Driveways, private Thoroughfares, Internal Drives, and Parking and loading accommodations, (5) replacing exterior windows and siding, and (6) painting exterior Structures and fixtures. Ordinary Maintenance and Repair does not constitute Development, Construction, or building for the purposes of this Ordinance.

Outbuilding: synonymous with "Accessory Building".

Outdoor Display Case: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)**.

Outdoor Market: an open-air area, without or without a Structure, used for the Retail sale of goods other than fresh fruits, vegetables, nuts, grains, eggs, flowers, herbs, or plants.

Outdoor Recreation: commercial uses, varying in size, providing daily or regularly scheduled recreation or entertainment-oriented activities. Such activities may take place outdoors or within a Structure.

Athletic, tennis, swim, or Health Club (see Retail Sales and Service), botanical garden, nature preserve (see Parks and Open Areas), and Indoor Recreational Facility (see Indoor Recreation) are excluded from Outdoor Recreation.

Outdoor Storage: one or more assemblages, collections, stacks, or stockpiles of vehicles, equipment, goods, materials, tanks, or other items in any area other than within a Building, including without limitation, parked operative or non-operative vehicles or equipment.

ARTICLE 9: DEFINITIONS

P.

Parcel Services: providing for-profit package and message routing, distribution, and delivery services.

Park: as a noun, a Civic Space type that is a natural preserve available for unstructured recreation, described as such in **Table 5.3.2-A (Civic Space Types - Summary)** and **Table 5.3.2-B (Civic Space - Specific Standards)**; as a verb, to stop and disengage a Motor Vehicle and leave it unoccupied.

Parking: (1) an accommodation designed for the of stopping and disengagement of a Motor Vehicle and leaving it unoccupied; or (2) the act of stopping and disengaging a Motor Vehicle and leaving it unoccupied.

Parking Area: an off-street, ground-level open area within a Lot or Building Site for Parking vehicles as an Accessory Use incidental to a Principal Use of a Lot or Building Site or a Principal Building on a Lot or Building Site. Not synonymous with Parking Lot.

Parking Lot: an off-street, ground-level open area within a Lot or Building Site for Parking vehicles as a Principal Use for which a fee may or may not be charged. Not synonymous with Parking Area. Parking Lot does not include Bus barn (see Warehouse and Freight Movement) or sale or servicing of vehicles (see Vehicle Sales and Service).

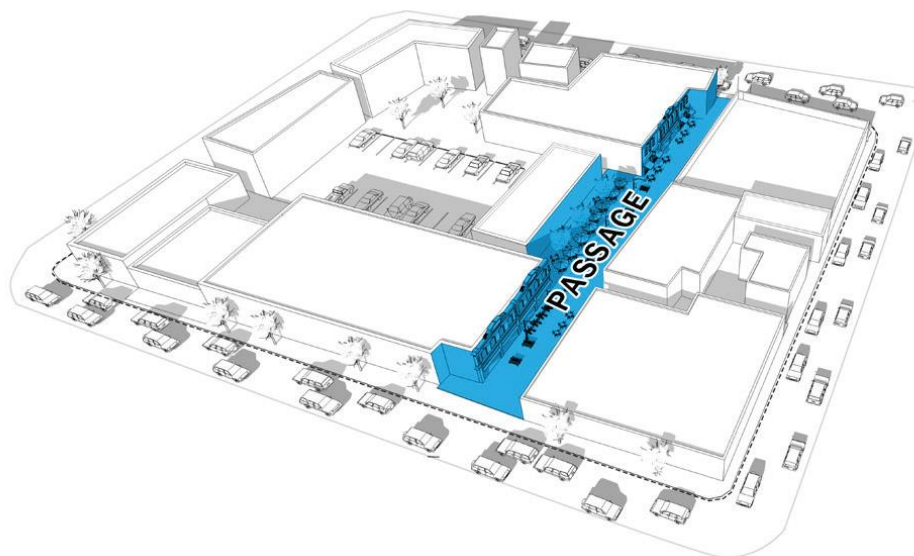
Parking Space: an area required or provided for Parking a vehicle, meeting the requirements of Section 4.3.12.

Parking Structure: a vertical or vertical and subterranean Improvement other than a Garage, containing one or more levels of vehicular Parking above grade. A Parking Structure may not be used for Motor Vehicle Body Shop, Maintenance Repair, Service or Cleaning.

Party Wall: a Wall on an Interior Lot or Building Site Line, used or adopted for joint service between two or more Buildings; such walls shall fully comply with fire and all other provisions and standards established for such walls in the Standard Building Code.

Passage (PS): a pedestrian connector, open or roofed, that passes between Buildings to provide shortcuts through long Blocks and connect rear parking areas to Frontages. See **Illustration 9.3.P-1 (Passage)**.

ILLUSTRATION 9.3.P-1 PASSAGE



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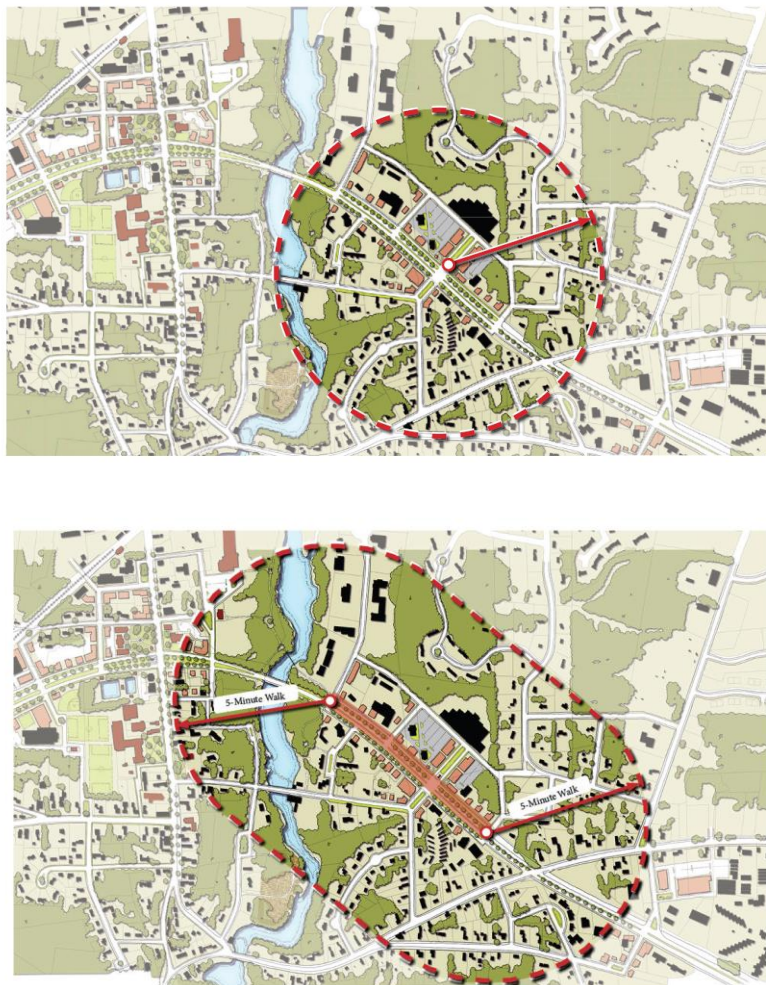
Passive Recreation: outdoor recreational activities, such as nature observation, hiking, and canoeing or kayaking, which require a minimum of facilities or Development and which have minimal environmental impact on the recreational site.

Path (PT): a pedestrian way traversing an open greenspace with a minimum area of 5,000 square feet, with landscape matching contiguous Civic Space, connecting directly with the Sidewalk network.

Pawnshop: a Business that lends money based upon the security of pledged goods left in pawn, or that is in the Business of purchasing tangible personal property to be left in pawn on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time. **See also, Short-Term Lender.**

Pedestrian Shed: an area of a size approximately equal to the average distance comfortably walked by pedestrians and approximately centered on a Common Destination. There are two types of Pedestrian Sheds: Standard Pedestrian Sheds and Linear Pedestrian Sheds. See “Standard Pedestrian Shed” or “Linear Pedestrian Shed”. **See Illustration 9.3. P-2 (Pedestrian Sheds).**

ILLUSTRATION 9.3. P-2 PEDESTRIAN SHEDS



Performance Guarantee: as defined in Section 1.26.

Performing Arts Venue: a site, with or without a Structure, intended for the presentation of performing arts, such as dance, music, and theatre.

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Performing Arts Studio: an establishment that provides instruction in one or more of the performance arts, such as dance, music, and theatre.

Person: an individual, firm, partnership, corporation, company, association, organization, joint stock association, proprietorship, trust, body politic, or other legal entity, or and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

Plot plan: a graphic depiction, drawn to an appropriate scale, indicating the dimensions of the lot or parcel which is the subject of an application for a zoning district amendment or special use permit including a legal description of such lot or parcel and the location of the lot or parcel in relation to adjacent street right-of-way.

Day Care / Personal Care Facilities (Civic): Civic Use sub-category characterized by non-Residential care for adults, children, or families, which does not meet the definition of Household Living or Group Living.

Day Care / Personal Care Facilities (Commercial): Commercial Use sub-category characterized by non- Residential care for adults, children, or families, which does not meet the definition of Household Living or Group Living.

Personal Improvement Education: an establishment primarily engaged in the provision of information or instruction relating to a particular subject or hobby.

Personal Services: uses in which a service is provided to or for a customer for compensation, in which the Person providing such service deals directly with the consumer, which Uses may or may not include the Retail sale of goods related to the services provided.

Excluded from Personal Services are Motor Vehicle - Related Uses, services provided by a medical or dental professional, and Adult-Oriented Entertainment.

Pharmacy: an establishment having a primary function of dispensing prescription drugs and medications and whose stock-in-trade may or may not include other merchandise.

Place of Assembly: a Building, room, or space that is occupied or arranged for occupation by the public for recreational, amusement, social, sports, or similar purposes.

Place of Worship: a Building, room, or space that is occupied or arranged for occupation for religious, spiritual, recreational, or similar purposes.

Placement: with respect to a Building, the manner in which the Building is situated on the Lot or Building Site. See “Layers”, Illustration 9.3.L-5 (Layers); see also “Setback”, and “Yard” and Illustration 9.3.S-2 (Setbacks and Yards).

Plan: a Development Plan, Master PUD Development Plan, site plan, Landscape Plan, Sign Plan, or any other plan submitted or prepared pursuant to this Ordinance.

Planned Unit Development: See Section 8.5.21.

Planned Unit Development District: one of the several Districts listed as such in Section 3.7.C. See also Section 8.5.21.

Planning Commission: the Planning Commission of the City.

Planning Director: the City Director of Planning and Development.

Planter: the element of the Public Frontage that accommodates trees along Thoroughfares and Internal Drives, whether continuous or individual.

Plaque Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

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Playground: a Civic Space type, described as such in **Table 5.3.2-A (Civic Space Types - Summary)** and **Table 5.3.2-B (Civic Space - Specific Standards)**.

Plaza: a Civic Space type described as such in **Table 5.3.2-A (Civic Space Types - Summary)** and **Table 5.3.2-B (Civic Space - Specific Standards)**.

Police Station: premises accommodating operations of law enforcement officers and other members of staff.

Porch: a Private Frontage type, having a planted Frontage, the Facade is set back from the Frontage Line, and an attached exterior covered area large enough to accommodate outdoor furniture and/or gathering, which is permitted to Encroach into the Front Setback, Setback Area, or Street Yard. This may be used with or without a Fence to maintain Thoroughfare spatial definition. A Stoop is not a Porch. See **Table 4.3.7.A (Private Frontage Types)**.

Porch Sign: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)**.

Portable Sign: a Sign the principal supporting Structure of which is intended, by design and construction, to be used by resting upon the ground for support and may be easily moved or relocated. Portable Signs include, but are not limited to, Signs mounted on a Trailer, wheeled carrier, or other non-motorized mobile structure, with wheels or with wheels removed.

Post Office: premises operated by or under contract for the United States Postal Service at which letters, parcels, packages, or other mail may be received, deposited, processed, sorted, and/or handled, and/or postage may be purchased.

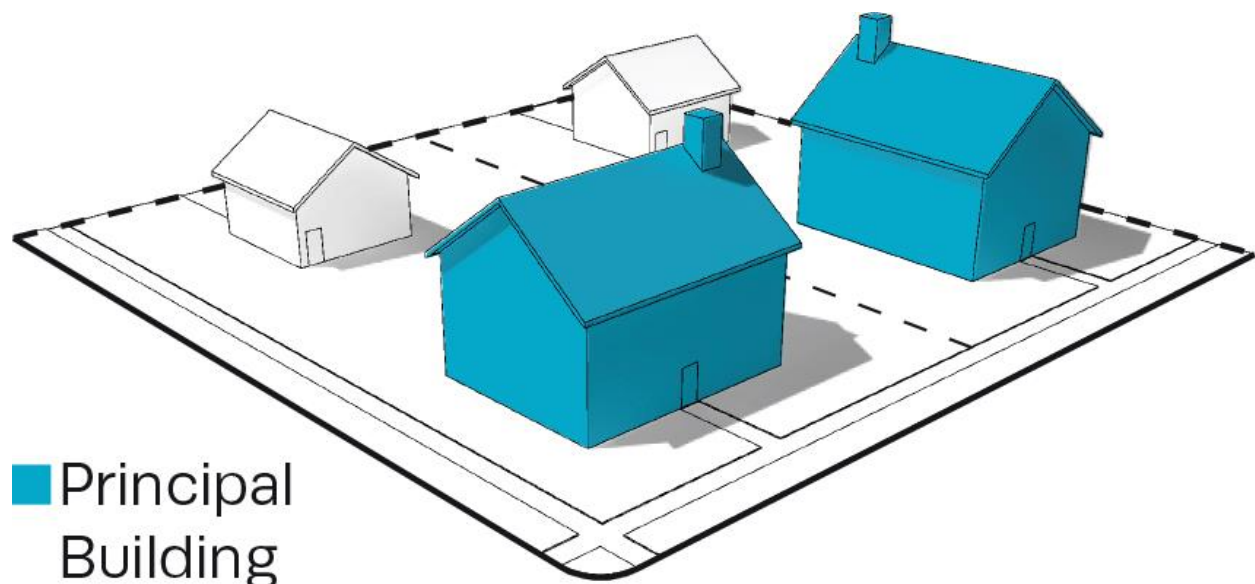
Post Sign: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)**

Pre-School: a school, licensed by the State, with an accredited training program and staffed with certified teachers, providing daytime care or instruction for two (2) or more children between the ages of two (2) and five (5) years old. Synonymous with Nursery School.

Preliminary Plat: as defined in City Subdivision Regulation Section 2.2.

Principal Building: the main Building on a Lot or Building Site, located toward the Frontage, in which is conducted a Principal Use of such Lot or Building Site. See **Illustration 9.3. P-3 (Principal Building)**.

ILLUSTRATION 9.3.P-3 PRINCIPAL BUILDING

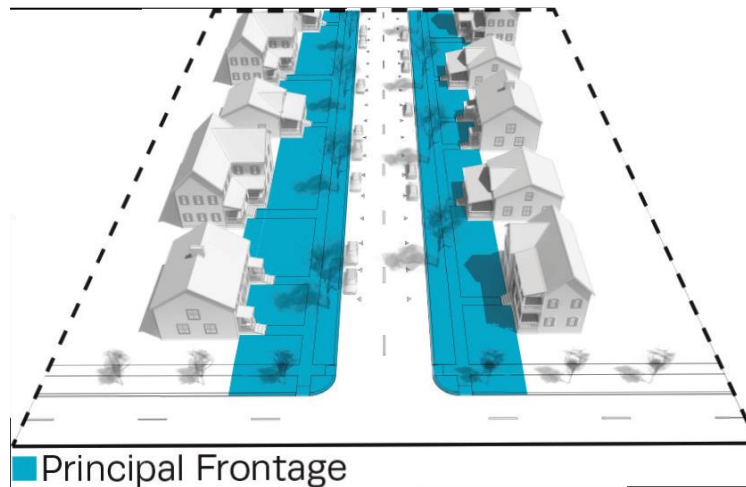


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Principal Entrance: the main point of access for pedestrians into a Building; the Main Entrance. A building may have more than one Principal Entrance.

Principal Frontage: with respect to: (a) Corner Lots or Building Sites, the Frontage designated to bear the address and Principal Entrance to the Building, and the measure of minimum Lot or Building Site Width; and (b) non-Corner Lots or Building Sites, the Frontage. See “Frontage”. See **Illustration 9.3.P-4 (Principal Frontage)**.

ILLUSTRATION 9.3.P-4 PRINCIPAL FRONTAGE

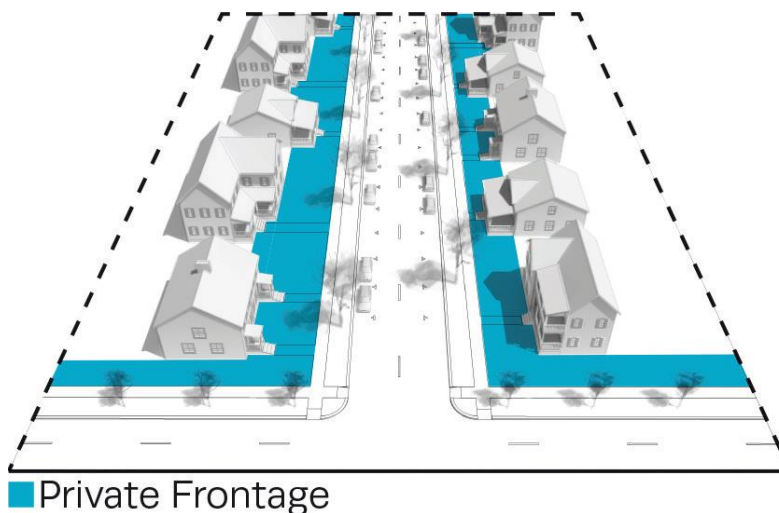


Principal Use: the primary or predominant Use of a Lot, Building Site, or Structure.

Printing Services Shop: retail premises in which photocopying, scanning, short-run printing, and related services are provided.

Private Frontage: the privately held area between the Frontage Line and the Facade of the Principal Building. See **Illustration 9.3. P-5 (Private Frontage)**; see also **Table 4.3.7. A (Private Frontage Types)**, and **Illustration 9.3.F-5 (Frontage & Lot or Building Site Lines)**.

ILLUSTRATION 9.3. P-5 PRIVATE FRONTAGE



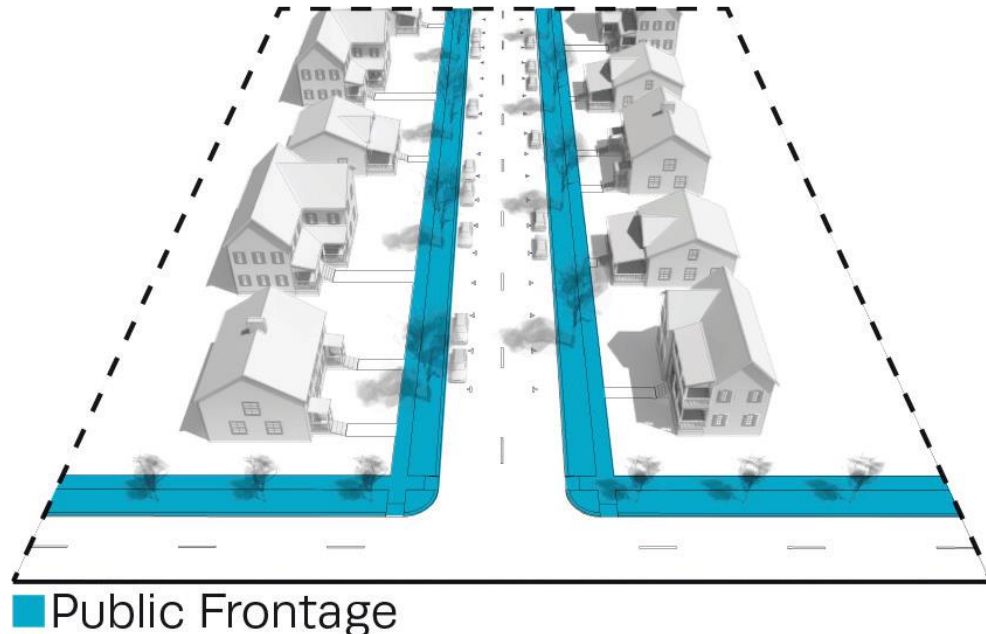
ARTICLE 9: DEFINITIONS

Public Frontage: The area between the Frontage Line and:

1. the curb (or if there is no curb, the edge) of the Vehicular Lanes in the case of a Lot or Building Site that Enfronts a Thoroughfare or Internal Drive having Vehicular Lanes, or
2. the Enfronting Civic Space, Path, Passage, waterbody, or Driveway in the case of a Lot or Building Site that Enfronts a Civic Space, Path, Passage, waterbody, or Driveway.

See Illustration 9.3.P-6 (Public Frontage); see also Table 5.2.2.G-1 (Thoroughfare Assemblies & Standards); and Illustration 9.3.F-5 (Frontage & Lot or Building Site Lines)

ILLUSTRATION 9.3.P-6 PUBLIC FRONTAGE



Pushcart: a mobile vending apparatus which may be moved without the assistance of a motor from which merchandise or food is stored and prepared with the intent to sell to the public.

Professional Office: use sub-category of Office Uses category characterized by premises in or from which professional or consulting services in the fields of law, architecture, planning, design, engineering, accounting, bookkeeping, and similar professions are conducted. This term does not include “Medical Office”, “Dental Office”, or “Clinic”.

Project Boundary Buffer: a Buffer located along the boundary of a development.

Public Art: art in any media that has been planned and executed with the intention of being staged in or viewed from the physical public domain, usually outside and accessible to all.

Public Meeting: a duly convened meeting of a Decision-Making Authority as contemplated under applicable state law, including public meetings, public hearings, workshops, and site visits.

Publishing: the Business of issuing software, Internet content, or newspapers, books, or other printed textual or graphical material for sale or distribution to the public.

Pylon Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-1 (Sign Types - Specific Standards).

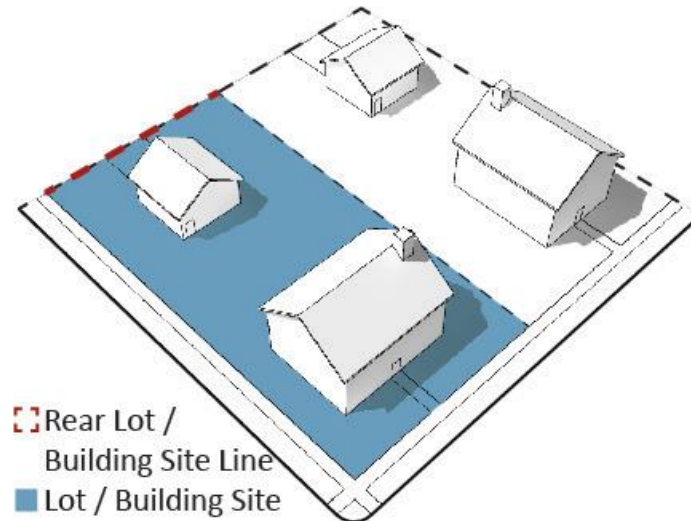
ARTICLE 9: DEFINITIONS

R.

Rail Equipment Storage / Repair: use involving premises for storing or repairing locomotives, rail cars, or other rail vehicles.

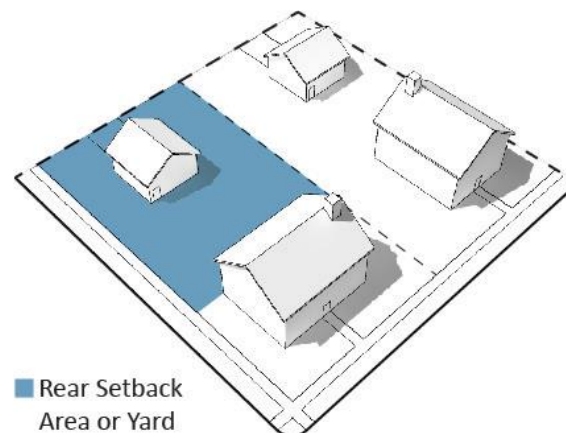
Rear Lot or Building Site Line: the Lot or Building Site Line opposite the Front Lot or Building Site Line. See **Illustration 9.3. R-1** (Rear Lot or Building Site Line).

ILLUSTRATION 9.3. R-2 REAR SETBACK AREA OR REAR YARD



Rear Setback Area or Yard: a portion of a Lot or Building Site that is situated between (1) the nearest roofed portion of the Principal Building or of any Accessory Building on the Lot or Building Site and (2) the Rear Lot or Building Site Line, extending the full width of the Lot or Building Site, from Side Lot or Building Site Line to Side Lot or Building Site Line. See **Illustration 9.3. R-2** (Rear Setback Area or Yard).

ILLUSTRATION 9.3. R-1 REAR LOT OR BUILDING SITE LINE



Recreation: use characterized by activities for personal enjoyment or entertainment during a Person's discretionary time.

Recreation Facility: premises accommodating Indoor Recreation and/or Entertainment and/or Outdoor Recreation and/or Entertainment. A Recreation Facility may be Civic or non-Civic.

Recreational Vehicle: a vehicle which is:

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1. built on a single chassis;
2. four hundred (400) square feet or less when measured at the largest horizontal projection;
3. designed to be self-propelled or permanently towable by a light-duty truck; and
4. designed primarily for use as a non-permanent dwelling but as temporary living quarters for recreational, camping, vacation, travel, or seasonal use. The term includes camping Trailer, motor home, travel Trailer, and truck campers.

Recreational Vehicle does not include Manufactured Homes.

Recreation and Entertainment, Indoor: participatory and spectator-oriented Recreation activities conducted within an enclosed Building, including without limitation billiard rooms, bowling centers, ice- or roller-skating rinks, Shooting Ranges, Theater, and arcades.

Recreation and Entertainment, Outdoor: participatory and spectator-oriented Recreation activities conducted in open, partially enclosed, or screened facilities, including without limitation amusement parks, fairgrounds, golf courses and driving ranges, and go-cart tracks.

Recycling Collection Facility: a facility used for the collection and transfer, but not the actual processing, of any of the following recyclable materials: glass, paper, plastic, cans, or other source-separated, non-decayable materials. Recyclable materials at a Recycling Collection Facility must not include motor oil, chemicals, household appliances, tires, automobiles, automobile parts, or decayable materials.

Rehabilitation Facility: a facility operated for the primary purpose of assisting in the rehabilitation of individuals through an integrated program of medical, psychological, physical, occupational, substance, social, or vocational evaluation and services under competent professional supervision.

Religious Facilities: facilities used by a non-profit group or institution for organized religious services, meetings, assembly, practice, activities, and supporting uses.

Examples are Places of Worship, church, mosque, synagogue, temple, monastery, convent, retreat center or any permanent or temporary Structure providing regular, organized religious worship of any denomination and religious education incidental thereto. A property tax exemption for a religious group or institution obtained pursuant to state law shall constitute prima facie evidence of a Religious Facilities Use.

Athletic, tennis, swim or Health Club (see Retail Sales and Service), Educational Uses, Day Care facilities, for distribution or production of products, including printed matter, for groups other than immediate membership, public neighborhood arts center or similar community facility (see Community Service), community center, revival or gospel tent, senior center (see Community Service), Social service facility (see Social Service Institution), and Treatment center, transient lodging, or shelter for the homeless (see Social Service Institutions) are not included in this Use Category.

Required Yard or Setback Area: a Yard or Setback Area required by this Ordinance, which is open and unobstructed from 30 inches above the general ground level of the graded lot upward to the sky except as permitted in Section 4.3.10 and no part of which is included as part of a Setback, Setback Area, or Yard for any other Building.

Research Laboratory: premises that contain research, development, and testing laboratories that do not involve the mass manufacture, fabrication, processing, or sale of products Such Uses must not be detrimental to the environment through the release of dust, smoke, fumes, odor, noise, or vibration and must not create an unsafe risk of fire or explosion given the location of the use, the Building in which it is located, and the nature of the surrounding Uses and Structures.

Residence: a Building or part of a Building containing one or more Dwelling Units or Rooming Units, including single-family or two-family dwellings, Multi-Family Dwellings, Boarding Houses, Rooming Houses, or residence-apartment hotels. Residences shall not include:

1. Transient accommodations, such as Transient hotels, Motels, or similar establishments;

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2. Dormitories, fraternity or sorority houses, monasteries, or convents, or similar establishments containing Group Living or sleeping accommodations;
3. Nurses' residences, sanitariums, nursing homes, convalescent homes, rest homes, or other sleeping or living accommodations in community facility buildings or portions of buildings used for community facilities; or
4. In any Building with a mix of Uses, the part of the Building used for any Non-Residential Uses, except Uses accessory to Residential Uses.

Residential: pertaining to premises available for long-term, non-Transient human habitation.

Residential Building: any Building or part thereof utilized solely for Residential Use and Accessory Uses.

Residential Uses: (1) a Use category characterized by premises available for long-term non-Transient human habitation; (2) Residential Uses is the Use category, which is a collective reference to the following Use sub-Categories, as listed in **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**, **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**, and **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)**: Household Living and Group Living.

Restaurant: an establishment engaged in preparing, serving, and selling food at Retail for on- or off- premises consumption. Bars, Taverns, and Nightclubs are not Restaurants.

Restricted-Access Bicycle Enclosure: a locked area containing within it one bicycle rack space for each bicycle to be accommodated, and accessible only to the owners or operators of the bicycles parked within it.

Retail: use characterized by selling, renting, or leasing new or used goods in person, on-line, or by mail-in transactions dealing directly with the consumer of such goods.

Retail / Personal Service / Repair / Arts / Artisan:

Use sub-category of the Commercial Uses category characterized by selling, renting, or leasing new or used goods in person, on-line, or by mail-in transactions dealing directly with the consumer of such goods, providing personal services or repair services to the general public, and art-related and artisan-related establishments. See **Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses)**, **Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses)**, and **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)**.

Examples of Retail Uses included in the Retail / Personal Service / Repair / Arts / Artisan sub-category are Convenience Store (with or without petroleum sales), selling, renting or leasing Alcoholic Beverages, antiques, appliances, art supplies, baked goods, bicycles, books, cameras, carpet and floor coverings, crafts, clothing, computers, dry goods, electronic equipment, fabric, flowers, furniture, garden supplies, gasoline, gifts, groceries, hardware, home improvement goods, household products, jewelry, medical supplies, musical instruments, Open Air Market, outdoor farmers market, pets, pet supplies, pharmaceuticals, picture frames, plants, printed materials, produce, sporting goods, stationery, tobacco and related products, vehicle parts, and videos, and Brewpubs, Tasting Rooms, Retail Food Sales with or without on-premises preparation or processing, Retail Membership Clubs, and Warehouse Retail.

Examples of Personal Service Uses included in the Retail/ Personal Service / Repair / Arts / Artisan sub-category are art, music, dance, or photographic gallery or studio, athletic, tennis, swim or Health Club, mailing or package delivery service, dry-cleaning or laundry drop-off facility, Laundromat, funeral home or mortuary, hair, nail, tanning, massage therapy and personal care service, photocopy, blueprint, and quick-sign service, photo finishing psychic or medium, security service, tailor, milliner, upholsterer, taxi or ride-share dispatch center, taxidermist, veterinary clinic, animal hospital, or Kennel, and urgent care or emergency medical office.

Examples of Repair Uses included in the Retail / Personal / Service / Repair / Arts / Artisan sub-category are appliance, bicycle, canvas, clock, computer, gun, jewelry, musical instrument, office equipment, radio, shoe, television or watch repair, and locksmith.

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Examples of Arts-Related Uses included in the Retail / Personal Service / Repair / Arts / Artisan sub-category are the non-Residential portion of Artist Live/Work Space, Artist Studio Space, arts-related educational facility, crafts-related retail store, non-Civic art museum/gallery, sale of art and art supplies.

Examples of Artisan-Related Uses included in the Retail / Personal Service / Repair / Arts / Artisan sub-category are Artisan Establishments, candle making, furniture making, glass blowing, weaving, pottery making, woodworking, sculpting, painting, and tailoring.

The following are excluded from the Retail / Personal Service / Repair / Arts / Artisan sub-category:

Adult Video Stores (see Indoor Recreation), any Use that is potentially dangerous, noxious or offensive to neighboring Uses or those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause (see Heavy Industrial), Motor Vehicle- and Boat- Related Uses, Crematorium (see Light Industrial), Large-scale catering (see Light Industrial), laundry or dry-cleaning plant (see Light Industrial), Restaurant (see Restaurants), Sale, lease, or rental of machinery, Farm and Construction Equipment, or other equipment, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures (see Wholesale Trade).

Retail Food Sales: the sale of food for off-premises consumption, excluding Restaurants.

Retail Membership Club: a discount Retail establishment that sells merchandise to its members.

Rezoning: a change in the district boundaries or district classifications of the zoning map pursuant to Section 8.5.19. For the purposes of this Ordinance, rezoning also includes the initial zoning of a property that occurs with annexation.

Right-of-Way Line: a line contiguous with a Lot or Building Site Line, dividing a Lot or Building Site from an Abutting Thoroughfare or Internal Drive.

Road (RD): a local, rural, and suburban Thoroughfare or Internal Drive of low-to-moderate vehicular speed and capacity, described as such in **Table 5.3.3.F (Thoroughfare / Internal Drives Types – Summary)** and **Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards)**.

Roadside Stand: a small open-air Structure for the Retail sale of produce or other goods grown or produced on the property where the Roadside Stand is located. Roadside Stand does not include Farmer's Markets or Outdoor Markets.

Rooming House: a Residential type in a private Dwelling in which at least three (3) but not more than six (6) rooms are offered for rent, payable in money and/ or other consideration, whether or not table board is furnished to roomers, and in which no Transient guests are accommodated and no Restaurant is maintained for service to any Persons who are not residents of the Rooming House.

Rooming Unit: a unit of Residential occupancy.

Rowhouse: a Townhouse Building Type described as such in **Table 4.3.8.B (Principal Building Types)**.

S.

School: Business or Trade School, College / University, High School, Middle School, Pre-School or Nursery School, Primary or Elementary School, or Secondary School.

School, Primary or Elementary: see "Primary or Elementary School".

School, Secondary: see "Secondary School".

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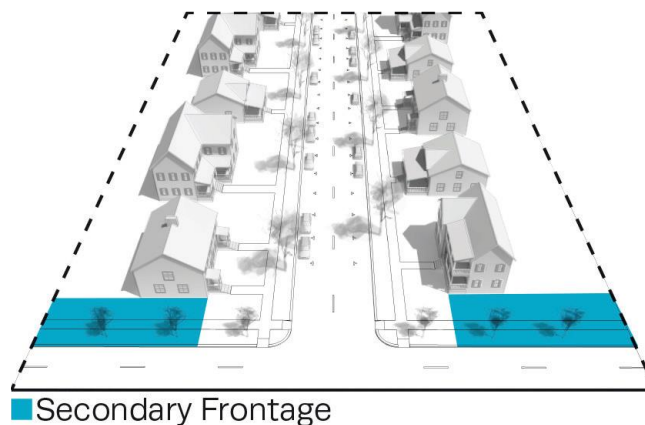
Scrap or Salvage Yard / Service: a Use, other than an Impound Yard or Towing Facility, in which an establishment is engaged primarily in the sale, storage, assembling, dismantling, sorting, distributing, or other processing of scrap, used equipment, mechanical components, or waste materials, including a Junkyard.

Screen/Screening:

1. (used as a verb, to block an item or condition from view from a vantage point in accordance with the requirements of this Ordinance by interposition of a Building, Building Element, Wall or Fence constructed of an opaque material, or an evergreen hedge; or
2. (used as a noun, a Building, Building Element, Wall or Fence constructed of an opaque material or an evergreen hedge, which blocks an item or condition from view from a vantage point, as required by this Ordinance. Not synonymous with Streetscreen.

Secondary Frontage: on Corner Lots or Building Sites, the Frontage that is not the Principal Frontage. See Illustration 9.3.S-1 (Secondary Frontage).

ILLUSTRATION 9.3.S-1 SECONDARY FRONTAGE



Second Layer: see “Layer”.

Secondary School: a public, private, or parochial school offering instruction at the Middle School and /or High School levels in the branches of learning and study required to be taught in the public schools of the state.

Self-Service Storage Facility: premises at which customers rent separate storage units within a Building designed to allow private access by the customer for storing or removing personal property.

Examples are mini-warehouse, multi-story enclosed storage facility, and storage garage.

The following are not Self-Service Storage Facilities:

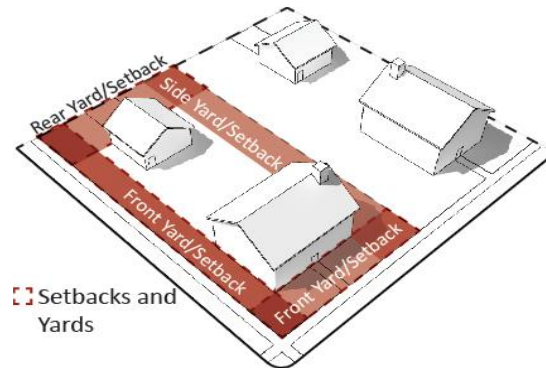
Rental of light or medium trucks, storage area used for Manufacturing use, storage area used for sales, service, and repair operations, and transfer and storage Business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred.

Septic Equipment Installation, Service, or Cleaning: establishments that install, pump, or service septic tanks and cesspools, or that rent or service portable toilets.

Setback or Setback Area: the portion of a Lot or Building Site measured from a Lot or Building Site Line to a Building Facade or Elevation, which area is maintained clear of permanent Structures, with the exception of permitted Encroachments allowed pursuant to Tables 4.3.1-A -4.3.1.-U (District Standards). See Illustration 9.3.S-2 (Setbacks). See also, “Yard”.

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ILLUSTRATION 9.3.S-2 SETBACKS AND YARDS



Sewage Lines: lines for the movement, distribution, or collection of sewage.

Sewage Facility: utility facilities for the movement, receipt, treatment, and disposal of sewage.

Shared Parking: parking spaces shared by two or more uses that are in proximity to one another and the parking area, and that have different operational characteristics such that utilization of the parking spaces by one use will not generally overlap with the utilization of the parking spaces by the other use(s). Shared parking on private property must be supported by a binding agreement.

Shared Parking Factor: an accounting for Parking spaces that are available to more than one Principal Use. See **Table 4.3.12. B-2 (Shared Parking Factor)**.

Shooting or Firing Range: a specialized facility within a Building, which accommodates firearms training, practice, and qualification.

Shopfront: a Private Frontage Type conventional for Retail / Personal Service / Repair / Art / Artisan Use, wherein the Facade is aligned close to or at the Frontage

Line up with the Building entrance at Sidewalk grade. This Frontage has substantial glazing at the Sidewalk level and may include an awning overlapping the Sidewalk. See **Table 4.3.7.A (Private Frontage Types)**.

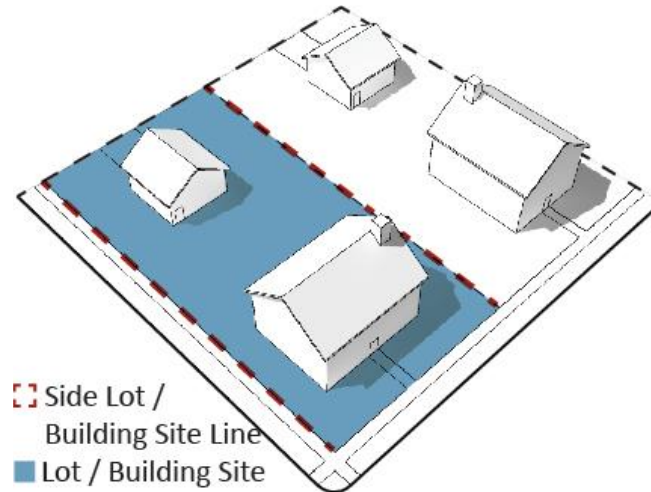
Short-Term Lender: a Business or Use that regularly (1) accepts checks from a borrower drawn on the borrower's account to be presented for payment at a later date and that charges a fee for the service or (2) extends short-term non-purchase money loans secured by titles to motor vehicles. The term does not include Financial Institutions. See also, Non-Banking Financial Institution.

Short-Term Rental Unit: a Dwelling Unit or Accessory Dwelling Unit which is rented wholly or partially for a period of less than thirty (30) continuous days occupancy for a fee; specifically excluding however a "hotel" as defined in TSA section 68-14-302 or a "bed and breakfast establishment" or a "bed and breakfast homestay" as those terms are defined in TSA section 68-14-502, all as contemplated in TSA section 13-7-602. A Hotel, Extended Stay Hotel, Motel, Bed and Breakfast, or Inn is not a Short-Term Rental Unit.

Side Lot or Building Site Line: any Lot or Building Site Line that is not a Front Lot or Building Site Line or a Rear Lot or Building Site Line. See **Illustration 9.3.S-3 (Side Lot Line)**.

ILLUSTRATION 9.3.S-3 SIDE LOT OR BUILDING SITE LINE

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Side Setback, Setback Area or Yard: the portion of a Lot or Building Site that is situated between (1) the nearest roofed portion of the Building or of any Accessory Building on a Lot or Building Site and (2) the Side Lot or Building Site Line, and extending through from the Front Setback Area or Yard or from the Front Lot or Building Site Line where no Front Setback Area or Yard exists to the Rear Setback Area or Yard or to the Rear Lot or Building Site Line where no Rear Setback Area or Yard exists. *See Illustration 9.1.S-2 (Setbacks and Yards).*

Side Setback Area or Yard Width: the dimension of a Side Setback Area or Yard, measured in such a manner that the Yard is a strip of the minimum width required by the applicable District standards, with its inner edge parallel with the Side Lot or Building Site Line.

Sidewalk: the paved section of the Public Frontage dedicated exclusively to pedestrian activity. *See Illustration 9.3.S-4 (Sidewalk).*

ILLUSTRATION 9.3.S-4 SIDEWALK



Sidewalk Sign: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)**.

Sign: any name, number, symbol, identification, description, direction, declaration, demonstration, display, representation, illustration, insignia, instruction, directive, information, illustration, object, graphic, device, display, visual communication, material, Structure or device, or part thereof, in view of the general public, whether permanent, temporary, portable, or affixed, composed of lettered, or pictorial, or graphical matter or upon which lettered or pictorial, or graphical matter is used, that announces, directs attention to, names, gives notice of, informs, advertises, or promotes an ideology, position, interest, cause, object, project, product, place, activity, person, institution, organization, or Business; provided that the term "Sign" shall

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not be deemed to include any badge or insignia of any government agency or any civic, charitable, religious, patriotic, fraternal or similar organization, Public Art, or any directional sign erected and maintained pursuant to law.

Single-Family Detached Dwelling: a Dwelling Unit, other than a Manufactured Housing Unit, for exclusive occupancy for only one Family, situated on a Lot or Building Site with no other Dwelling Units and not attached to any other Dwelling Unit.

Single-Family Dwelling: a Dwelling Unit shall be considered a Single-Family Dwelling only if permanent occupants are limited to one of the following categories:

1. One individual or
2. Any number of persons constituting a "Family".

For purposes of this definition, the following are not considered to be Single-Family Residences:

1. Boarding Houses.
2. Apartment houses.
3. Dwelling Units in which more than two rooms are rented to unrelated tenants.
4. Structures or portions of Structures which are designed or constructed for any of the above purposes; and such Structures and Uses of Structures are explicitly prohibited in each Residential District unless otherwise specifically permitted. Notwithstanding the foregoing, "Single-Family Residence" may include a Dwelling Unit which includes separate quarters for persons who are related by blood, marriage or adoption to the primary occupants, provided such quarters are connected by interior passageways to the other portions of the dwelling unit, and are not rented to any unrelated tenants or otherwise used in violation of this Ordinance. If more than one meter is installed for the same type of household utility service, it will be presumed that Structure is not being used as a Single-Family Residence.

Notwithstanding any other provisions to the contrary, subject to the City Manager's approval, and for such periods of time as the City Manager deems reasonable and necessary, a Single-Family Residence may include, on a temporary basis, one or more persons, not related to the primary occupants, who have been dislocated from their permanent residence due to an officially recognized local, regional or national emergency. A report shall be provided to advise the City Council, Planning Commission, and Development Services Department of any such situations approved by the City Manager.

Single Ownership: a proprietary interest of a Landholder as defined herein.

Site Development Plan: a map required by Section 8.5.6.H, which indicates the intended Development of a parcel of land and which meets the standards and requirements of, and is prepared in accordance with, Section 8.5.6.H and other applicable provisions of this Ordinance.

Small Multi-Family Building: Principal Building type that incorporates between three (3) and six (6) side-by-side and/or horizontally stacked Dwelling Units, typically with one or more shared entries. **See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).**

Social or Civic Club or Lodge: a Use characterized by a Structure and/or land owned by or leased to one or more Social or Civic Organizations for meeting, recreational, or social purposes primarily by their members and their guests.

Social or Civic Organization: a private non-profit group, association, organization, club, establishment, brotherhood, membership, or other similar group providing meeting, recreational, social, fraternal, youth, or similar activities or facilities primarily for its members and guests; excluding, however any type of Residential facility such as fraternity or sorority houses.

Solid Waste Facility: premises, appurtenances and Improvements used for treating, storing, or disposing of solid waste, whether publicly or privately owned or operated. A Solid Waste Facility may consist of several treatment, storage, or disposal operational units, including, but not limited to, one or more landfills, surface impoundments, or combination thereof.

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Special District: an area which, due to its intrinsic size, Use, Configuration, cannot conform to the requirements and standards of one or more of the applicable Character Districts or Civic District as specified in this Ordinance.

Special Exception: Synonymous with Conditional Use.

Special Requirements: provisions of Section 2.2 and Section 5.7 and/or the associated designations on the Zoning Map for those provisions.

Specified Anatomical Areas: less than completely and opaquely covered human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola. Also, human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities: human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic region, buttocks or female breast.

Specimen Tree: any Canopy Tree with a diameter of 24 inches or greater measured at diameter breast height (DBH) 4.5 ft.

Sports Field: a Civic Space type that accommodates the play of athletic endeavors, described as such in **Table 5.3.2-A (Civic Space Types - Summary)** and **Table 5.3.2-B (Civic Space - Specific Standards)**; excluding Sports Venues. May include associated Structures.

Sports Venue: premises at which athletic events are presented.

Square: a Civic Space type described as such in **Table 5.3.2-A (Civic Space Types - Summary)** and **Table 5.3.2-B (Civic Space - Specific Standards)**.

Standard Pedestrian Shed: a Pedestrian Shed that is an average 1/4-mile radius or 1320 feet, about the distance of a five-minute walk at a leisurely pace. See "Pedestrian Shed". See **Illustration 9.3.S-5 (Standard Pedestrian Shed)**.

ILLUSTRATION 9.3.S-5 STANDARD PEDESTRIAN SHED

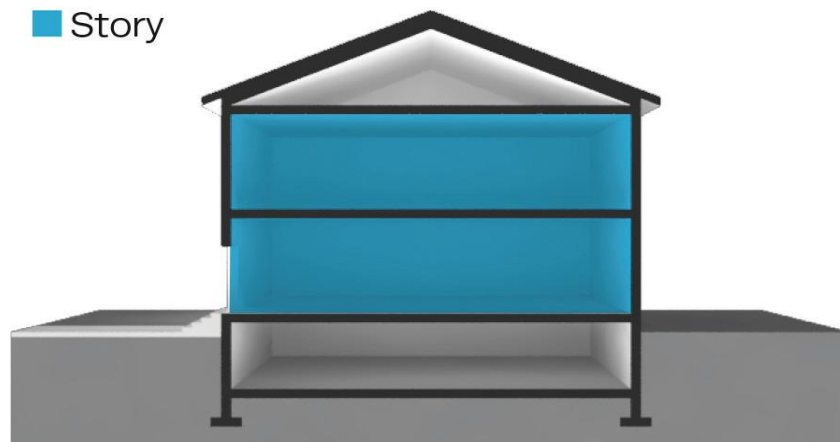


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Stoop: a Private Frontage type wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy. An exterior stair and landing provides access to the entrance. This type is recommended for ground-floor Residential Use. **See Table 4.3.7.A (Private Frontage Types).**

Story: a habitable level within a Building, being that portion included between the surface of any floor and the surface of the floor next above it; if there is no floor above it, then the space between the floor and the ceiling next above it; excluding an Attic or a raised Basement. **See Illustration 9.3.S-6 (Story).**

ILLUSTRATION 9.3.S-6 STORY



Street (ST): a local urban Thoroughfare or Internal Drive of low speed and capacity, which meets the standards and requirements for such Thoroughfare type as set forth in and as described as such **Table 5.3.3.F (Thoroughfare / Internal Drive Types - Summary)** and **Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies & Standards)**. When not capitalized, the term “street” means any public way not within a Lot or Building Site on which vehicles travel.

Streetscape: street lights, trees, planting accommodations and Sidewalk along a Thoroughfare or Internal Drive.

Streetscreen: a type of Screen situated along a Frontage Line, or along the same plane as a Façade, and consisting of a planted evergreen hedge or freestanding Wall constructed of brick or stucco over masonry, which blocks the view of Parking, equipment, or other item or condition from the Frontage, provides privacy to a Side Yard, or strengthens the spatial definition of the public realm.

Street Setback, Setback Area, or Yard: Synonymous with Front Setback, Setback Area, or Yard.

Street Setback, Setback Area, or Yard Depth: the dimension of a Street Setback, Setback Area, or Yard that is measured as follows:

The depth of a Street Setback, Setback Area, or Yard shall be measured at right angles to a straight line joining the foremost points of the Side Lot or Building Site Lines; provided that in the case of rounded property corners at Thoroughfare or Internal Drive intersections, the foremost point of the Side Lot or Building Site Lines shall be the point at which the Side Lot or Building Site Lines and Front Lot or Building Site Lines would have met without such rounding.

Synonymous with Front Setback, Setback, or Yard Depth.

Structure: anything constructed, installed, or erected, the use of which requires a permanent location on the ground or attachment to something having a permanent location on the ground, regardless whether the same is horizontal or vertical. The word “Structure” includes Buildings and other Improvements and all parts thereof.

Swimming Pool: a constructed basin or Structure for swimming and aquatic recreation, excluding plastic, canvas or rubber pools temporarily erected upon the ground and holding less than 300 gallons of water.

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T.

Tasting Room: an establishment or portion of an establishment that allows customers to taste samples of beer, alcoholic spirits, or vinous beverages. In addition to such products, a Tasting Room may include the Retail sale of related items, marketing events, special events, entertainment, and/or food sales.

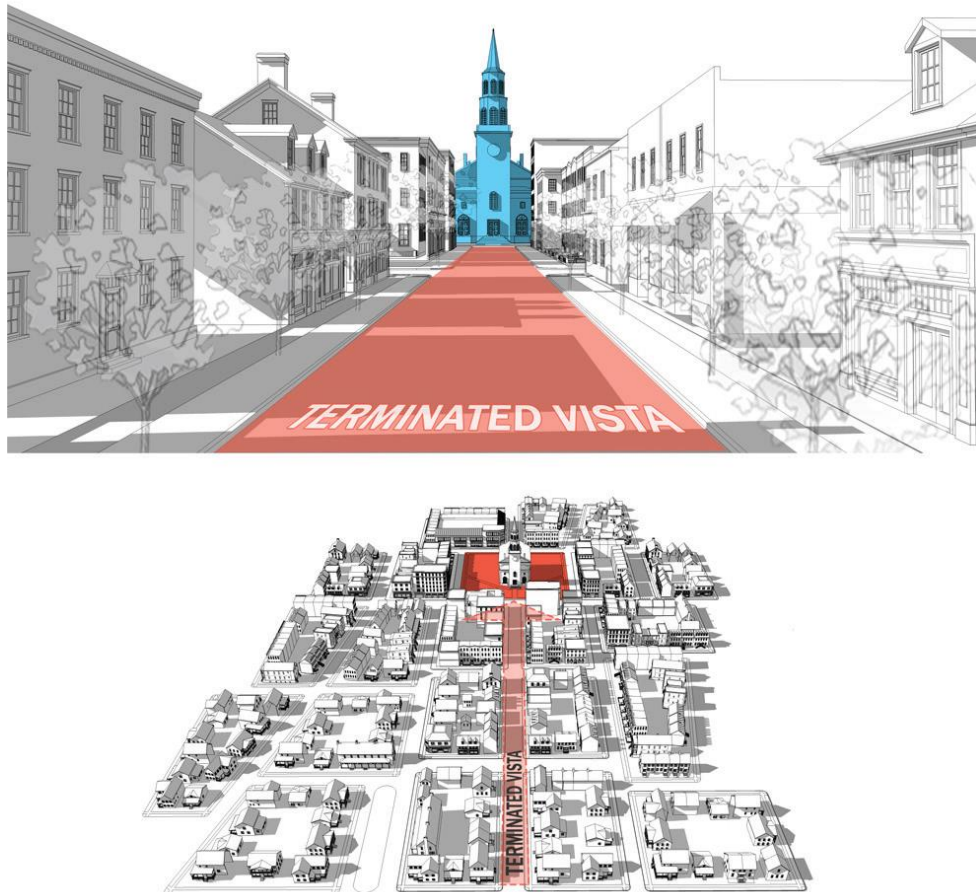
TCA: Tennessee Code Annotated.

Temporary Sign: any Sign which is not permanently installed, mounted, or placed. Signs of the types described in **Table 7.1.2.B-1 (Summary of Sign Types)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)** are not Temporary Signs.

Temporary Use: use of premises for fewer than 60 days or such other period as may be specifically provided in this Ordinance, and permitted by right, by conditional use, or subject to limited use standards under Section 4.3.9G in accordance with **Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses)**, for which a Temporary Use Permit has been issued and is in effect.

Terminated Vista: a location at the axial conclusion of a Thoroughfare or Internal Drive. A Building located at a Terminated Vista location designated on a Zoning Map is required to be designed in response to the axis. **See Illustration 9.3.T-1 (Terminated Vista).**

ILLUSTRATION 9.3.T-1 TERMINATED VISTA



Terrace/Lightwell: a Private Frontage type wherein the Facade is set back from the Frontage Line by an elevated landing and a sunken Lightwell. This type buffers Residential Uses from urban Sidewalks with the first Story elevated from the Sidewalk for

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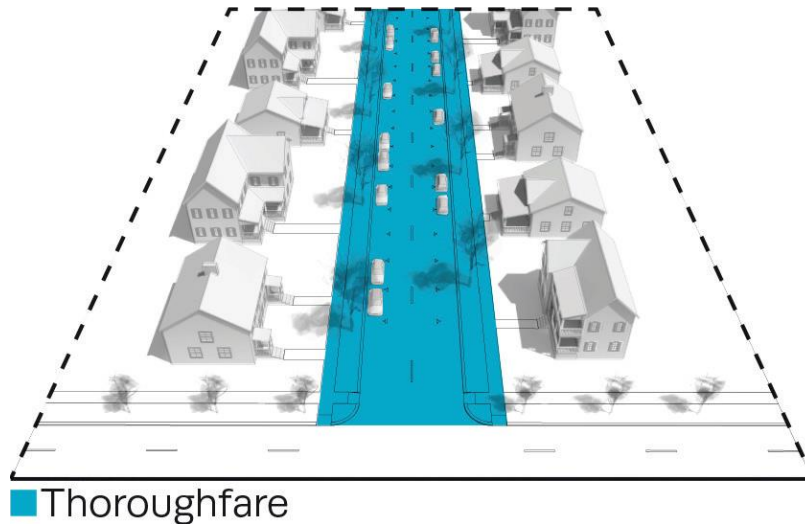
privacy, and may allow for activation of space below grade. An exterior stair and landing provides access to the entrance. This type is recommended for ground-floor Residential Use. See **Table 4.3.7.A (Private Frontage Types)**.

Theater: a Building or part of a Building devoted to the showing of motion pictures, or theatrical or performing arts productions, as a Principal Use.

Third Layer: See “Layer”.

Thoroughfare: a way, whether public or private, open for common and general use by vehicular and/or pedestrian traffic and to provide access to Lots or Building Sites and Civic Spaces, consisting of Vehicular Lanes and the Public Frontage. See **Illustration 9.3.T-2 (Thoroughfare)**. See also **Table 5.3.3.F (Thoroughfare / Internal Drive Types Summary)** and **Table 5.3.3.G-1 (Thoroughfare / Internal Drive Assemblies and Standards)**. See also “Internal Drive”.

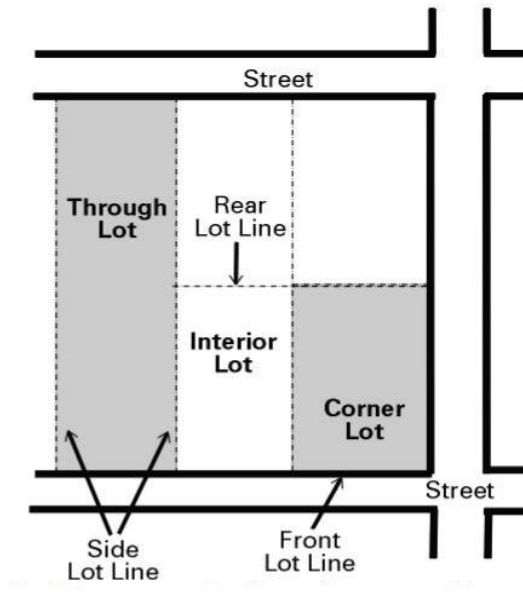
ILLUSTRATION 9.3.T-2 THOROUGHFARE



Through Lot or Building Site: a Lot or Building Site type that extends through from Thoroughfare or Internal Drive to Thoroughfare or Internal Drive.

ILLUSTRATION 9.3.T-3 THROUGH LOT / BUILDING SITE

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Tire Sales: a Structure, premises, or establishment in or on which tires are sold, installed, and/or repaired.

Tower: with respect to communications equipment, any Structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures, and the like.

Towing Facility: an establishment that provides vehicle towing services and accessory temporary outdoor storage for the vehicles it tows, which shall only include: (1) mechanically operable/drivable, licensed vehicles that are to be claimed by titleholders or their agents; and/or (2) wrecked motor vehicles awaiting insurance adjustments and transport to repair shops.

The term “Towing Facility” excludes: automotive services that have a tow truck on-site; Salvage or Scrap Yard / Service; Junkyards, Impound Yards; Motor Vehicle storage; and storage of inoperable vehicles.

Townhouse: the Building Type described as such in **Table 4.3.8.B (Principal Building Types)**.

Trailer: an unpowered, portable, or mobile vehicle designed to be designed to be towed by a Motor Vehicle.

Transient: as a noun, a Person who is staying in a place for fewer than thirty (30) days; as an adjective or adverb, a duration of fewer than thirty (30) days.

Transit Shelter: an accommodation providing shelter from the elements for waiting transit riders, excluding a Transit Station or Terminal.

Transit Station or Terminal: a facility or area at which train, rapid transit, light rail, bus, or other mass transit modality service regularly stops to load or unload passengers.

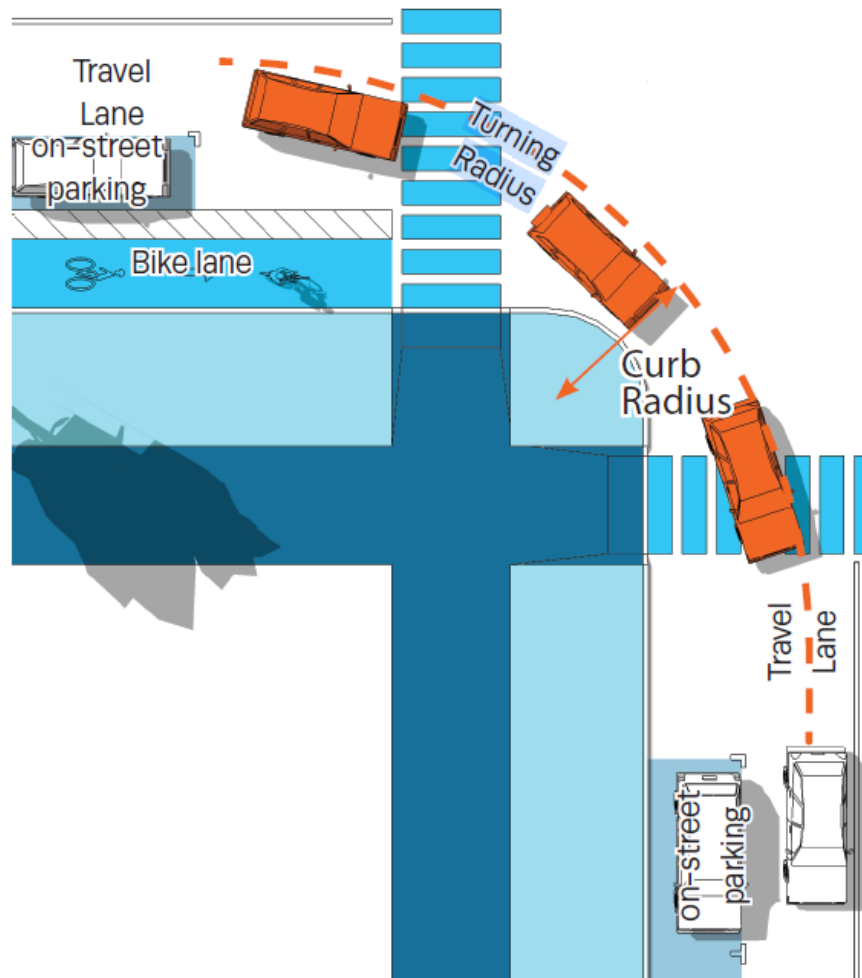
Tree Removal: cutting down, digging up, destroying, clearing, or otherwise taking a tree from the location in which it is growing; inflicting damage to the root system; girdling; storing materials, soil compaction, changing the natural grade above or below the root system or around the trunk; inflicting damage that permits fungus infection or pest infestation; excessive pruning; excessive thinning; excessive paving with concrete, asphalt or other impervious material in such proximity as to be harmful to the tree; excessive grading; or any act of intentional or reckless damage to a tree. Without limiting the foregoing, excessive pruning or thinning shall include pruning or thinning more than 25% of the leaf surface on both the lateral branch and the overall foliage of a mature tree and pruning or thinning that does not allow 1/2 of the foliage of a mature tree to remain

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evenly distributed in the lower 2/3rds of the crown and individual limbs; and excessive paving or grading shall include paving or grading over any part of the Critical Root Zone of a tree.

Turning Radius: the inside radius of the Vehicular Lanes available for a vehicle to make a turn, accounting for the presence of parking, bike lanes, medians or other features. *See Illustration 9.3.C-3 (Curb Radius). Table 5.2.2.G-1 (Thoroughfare Assemblies & Standards) and Illustration 9.3.T-4 (Turning Radius). See also Curb Radius.*

ILLUSTRATION 9.3.T-4 TURNING RADIUS



Two-Family Detached Dwelling: separate Residential premises for only two Families within a Building, whether both Dwelling Units are on a single Lot or Building Site or Abutting Lots or Building Sites. A Duplex is a specific Building Type that may accommodate a Two-Family Detached Dwelling, but the terms are not synonymous.

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U.

Usable Floor Area: the Floor Area within a Building, less the area of space used for utilities or storage.

$$\begin{array}{rcl} \text{Floor Area} & \text{Space Used For} & \text{Useable} \\ \text{Within Building} & \text{Utilities or Storage} & \text{Floor Area} \\ - & & = \end{array}$$

Utility(ies): (1) as a Uses category under this Ordinance, the Uses category involving uses, activities, and equipment involved with the providing electricity, gas, water, sewage, telephone, cable, or other similar publicly regulated service, such category of Uses including without limitation Utility Lines, Utility Distribution / Substation / Switching Facility, and Utility Pumping Station (See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use)); (2) as a service, electricity, gas, water, sewage, telephone, cable, wireless communications, or other similar publicly regulated service provided by a Utility Provider.

Unified Control of a Landholder: with respect to a Planned Unit Development, control by a single Person of all land to be developed within the overall Planned Unit Development site.

Use: a specific function, activity, or purpose accommodated by or intended to be accommodated by land, a Lot, Building Site, or a Structure, or for which land, Lot, Building Site, or Structure is designed, arranged, intended, occupied or maintained. See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use) and Table 4.3.9.A-2 Building, Lot & Building Site Accessory Uses).

Utility Distribution / Substation / Switching Facility: facility used for Utility distribution, including systems, and equipment used for such purposes.

Utility Facility: premises used by a Utility Provider relative to providing a Utility service, including without limitation a Utility Pumping Station, a Utility Distribution / Substation/ Switching Facility, a water tower or tank, a Water Treatment / Supply Facility, a water or wastewater pump station, a water reclamation facility, a Sewage Facility, a Utility Generation Facility, a Wireless Communications Facility, a Communications Tower, or other facility used to provide a Utility service, excluding, however, Utility Lines.

Maintenance yard or Building (see Light Industrial Service), Utility office (see Office), TV and radio studio (see Office), and Reservoir or water supply (see Civic Space and Open Space) are not included in this Use Category.

Utility Generation Facility: facility used for electric or gas power generation (except hydroelectric and nuclear), control and transmission. This definition includes systems that facilitate the sale of gas or electricity via power distribution systems operated by others, and gas or electric power transmission systems such as transmission towers, pipes or lines, and transformer stations, but does not include Utility Distribution / Substations / Switching Facilities.

Utility Line: a line used in providing a Utility service.

Utility Provider: a public or private entity or other Person engaged in generating, transmitting, distributing, or providing a Utility service.

Utility Pumping Station: a facility at which water, sewage, or other Utility fluids are pumped from one place to another.

Utility Transmission Line: a line used for the movement of high-powered electricity or high-pressure gas.

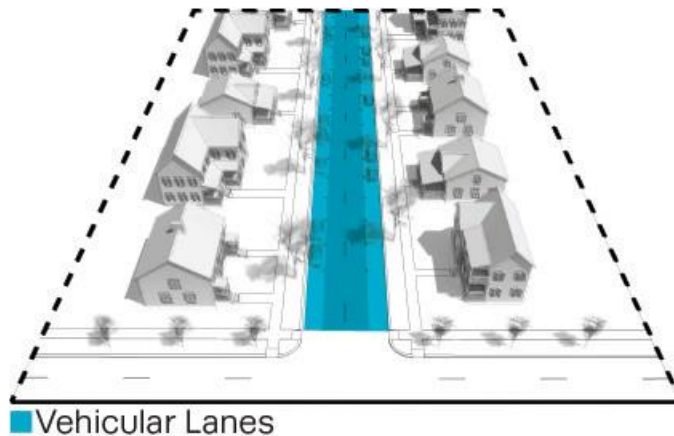
ARTICLE 9: DEFINITIONS

V.

Variance: relief granted by the Board of Zoning Appeals from a standard or requirement of this Ordinance, which is specifically provided for in this Ordinance or granted pursuant to the provisions of Article 8 (Administration, Procedure, & Enforcement).

Vehicular Lane: an area of a Thoroughfare or Internal Drive for parked or moving vehicles. See **Illustration 9.3.V-1 (Vehicular Lane)**.

ILLUSTRATION 9.3.V-1 VEHICULAR LANE



Vessel: a Boat, yacht, ship, canoe, kayak, paddle board, jet-ski, or other recreational watercraft.

Veterinary Office, Clinic, or Hospital: premises or an establishment offering Veterinary Services for animals.

Veterinary Services: health or medical care provided to animals by a licensed veterinarian.

W.

Wall: a vertical Structure that (1) supports a Structure or (2) encloses or separates an area of land.

Wall Sign: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)**.

Warehouse Retail: a Retail establishment that has limited customer amenities and service and sells goods at discounted prices.

Warehousing: the indoor storage of goods, not including storage in Self-Service Storage facilities.

Warehouse: premises used for Warehousing, not including Self-Service Storage facilities.

Warehouse and Freight Movement: use sub-category of the Industrial Category, characterized by the storage or movement of goods.

Not included in this sub-category are bulk storage of flammable liquids (see Heavy Industrial), Self-Storage Facilities, Mini-warehouse, multi-story enclosed storage facility, storage garages (see Self-Service Storage), Solid or liquid waste transfer, or composting (see Waste- Related Service).

Waste-Related Service: Use sub-category of Industrial Use category characterized by Uses that receive solid or liquid wastes from others for transfer to another location and Uses involving collection of sanitary wastes or manufacture or production of goods or energy from the composting of organic material.

Not included in this sub-category are:

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Stockpiling of sand, gravel, or other aggregate materials (see Warehouse and Freight Movement).

Water Treatment / Supply Facility: facilities for the treatment and supply of potable, irrigation, or industrial water supply.

Wholesale Sales: the sale, lease, or rent of goods in large quantities primarily to industrial, institutional, and commercial business customers, which goods may or may not be resold at Retail by such customers.

Retail Sales, Personal Service, Repair, Arts, and Artisan Use, in-store sales, lease, or rental of consumer, household, or business goods, Warehousing or Freight Movement (see Warehouse and Freight Movement), and Warehouse or Wholesale Club (see Retail Sales and Service) are not included in Wholesale Sales.

Window Sign: the Sign Type described as such in **Table 7.1.2.B-1 (Sign Types - Summary)** and **Table 7.1.2.B-2 (Sign Types - Specific Standards)**.

Winery: an establishment which is primarily used for the manufacture of vinous beverages in accordance with applicable state and local regulations.

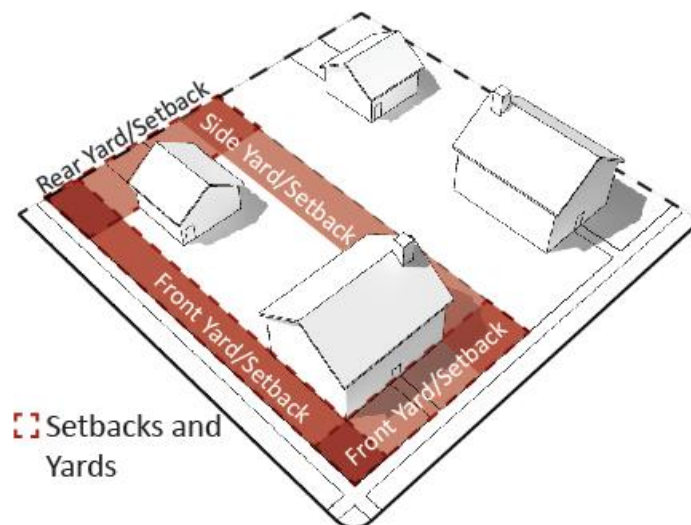
Wireless Communications Facility: any facility for the receiving or transmitting of wireless signals for commercial purposes. As used herein the term shall include any necessary support structure, connection cables and equipment buildings as well as towers or monopoles.

Woodworking Shop: premises at which wooden articles are made or repaired.

Y.

Yard or Setback Area: an open area within a Lot or Building Site on which there is a Building. Setback Areas or Yards are described by their positions within the Lot or Building Site, and their area is calculated as the shortest horizontal distance from a Lot or Building Site Line to the nearest foundation wall supporting Building on the Lot or Building Site. See “Front Setback, Setback Area, or Yard”, “Street Setback, Setback Area, or Yard”, “Rear Setback, Setback Area, or Yard”, and “Side Setback, Setback Area, or Yard”. See **Illustration 9.3.R-1 (Setback Areas or Yards)**.

ILLUSTRATION 9.3.R-1 YARD / SETBACK AREAS



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Z.

Zoning Administrator: the City Planner or other person designated to administer the provisions of the Zoning Ordinance as described in Article 8.

Zoning Change: the Effective Date of any applicable Zoning Map Amendment (Rezoning) or of any applicable amendment of this Ordinance.

Zoning District: a Character District, Special District, Planned Unit Development District, or Civic District.

Zoning Map: the map or set of maps which show the Districts, Thoroughfares, and Internal Drives, and Special Requirements, if any, of areas subject to, or proposed to be subject to, regulation by this Ordinance. The Zoning Map approved by the City Council, as the same may be amended from time to time, constitutes the Official Zoning Map of the City.

Zoning Permit: a permit required to develop, construct, reconstruct, improve, alter, or use any Structure, Lot, or Building Site.

REMAINDER OF PAGE

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