

# THE NORTH VILLAGE DISTRICT



# Article 22.24 State Street District Zones

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22-24-5. The North Village District (NVD) Zones.

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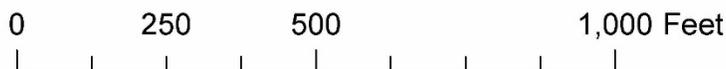
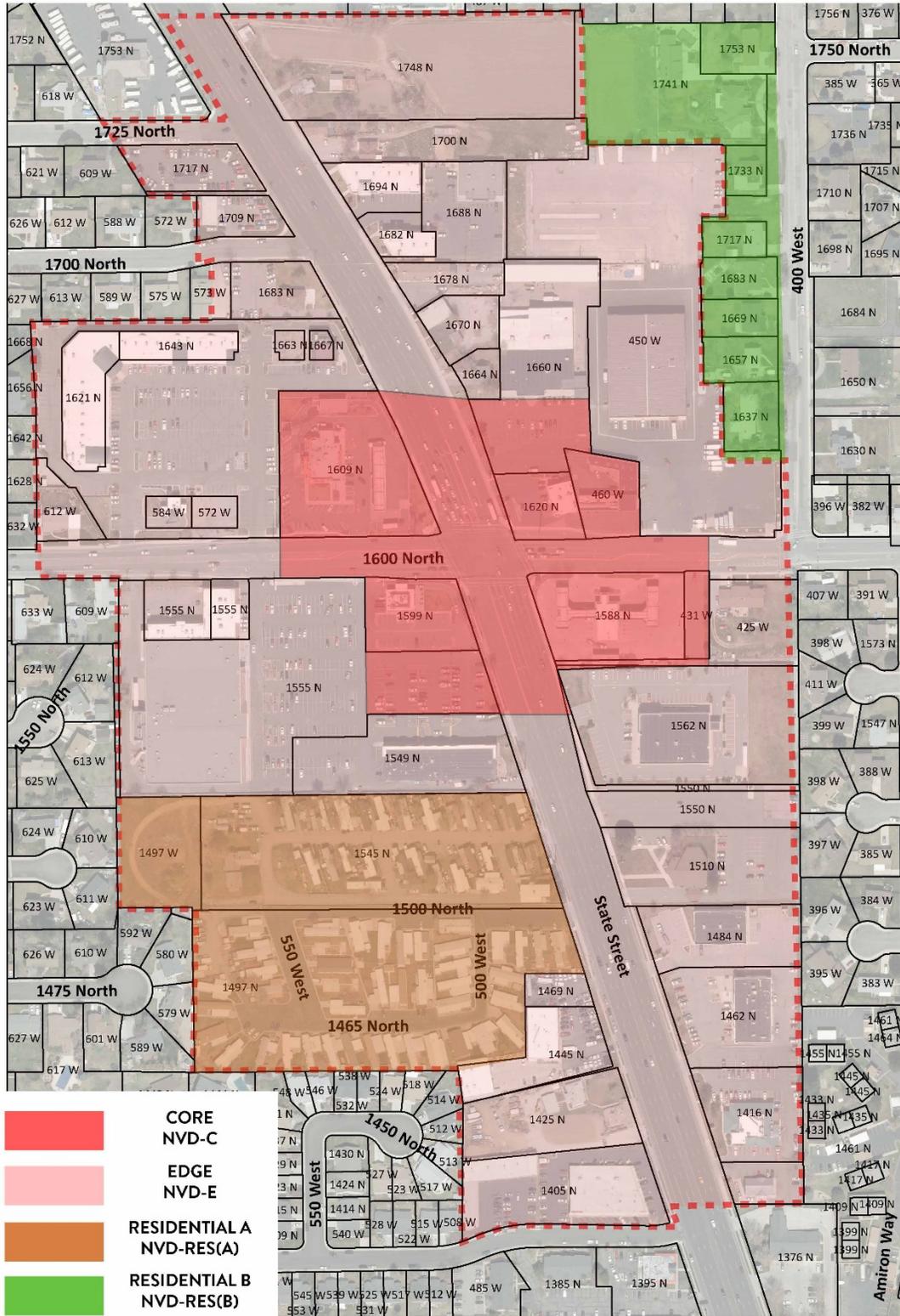
### **A. Purpose.**

The North Village District (NVD) zones are located at the City's northern gateway. The NVD zones are intended to be more residential in nature, with neighborhood retail and smaller-scale development compared to the other four State Street Districts.

### **B. Boundaries of North Village District Zones.**

There is hereby established four North Village District zones which consist of the following zones: (1) NVD-C (Core), (2) NVD-E (Edge), (3) NVD-Res-A (Residential) and (4) NVD-Res-B (Residential). Where used in this Section 22-24-5, the term "NVD zones" refers to all four of the above-referenced zones. Although the NVD zones have many of the same standards in common, each NVD zone is a fully independent and separate zone. The boundaries of each of the four North Village zones are as shown in the map below:

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**C. Use of Certain Terms.** As used in this Section 22-24-5, the terms listed below shall have the following meanings:

1. “Required Sidewalk” or “Sidewalk Adjacent to a Street” means the buffered sidewalk required by Orem City Code Section 22-8-8(B)(4) or sidewalks required by other applicable sections of the Orem City Code.
2. A “street-facing façade” is any building elevation that faces a public street and is located within one hundred feet of a required sidewalk. For purposes of this definition, a building elevation faces a public street if any part of the elevation is visible from the street at a point on a line between the building and the street that is perpendicular to the street.

**D. Default Standards.** With respect to the NVD-C and NVD-E zones, the standards of the C2 zone (including the “Zone Development Standards for the State Street Corridor Area” where applicable) shall apply to any regulation not specifically addressed in this Section 22-24-5. With respect to the NVD-Res (A & B) zones, the standards of the PRD zone shall apply to any regulation not specifically addressed in this Section 22-24-5.

**E. Uses.**

1. **Permitted Uses.** All uses permitted in the C2 zone as well as SLU Code 1112 (Condominiums) and 1120 (Apartments) are permitted in the NVD-C and NVD-E zones (subject to the limitation on residential uses outlined below). All uses permitted in the PRD zone as well as SLU Code 1112 (Condominiums) and 1120 (Apartments) are permitted in the NVD-Res-(A&B) zones. However, no stacked units are allowed in the NVD-Res-B zone.
2. **Prohibited Uses.** Any use that is not included as a permitted use in subsection (1) above is prohibited in all of the NVD zones.
3. **Limitation on Residential Use.** In order to encourage the development of commercial uses in the NVD-C and NVD-E zones, residential uses in any building in the NVD-C and NVD-E zone shall not occupy more than the percentage of Gross Leasable Floor Area (GLFA) of such building shown in the table below:

	Zone	Maximum Percentage of GLFA of Any Building that May be Occupied by Residential Uses (and uses accessory thereto)
North Village District Zones	NVD-C	80%
	NVD-E	90%

a. If at least 50% of a parcel’s street frontage is occupied by buildings that meet the maximum setback requirement of subsection (F)(2) below and have pedestrian access to the street at ground level, a building on the interior of the parcel may exceed the maximum residential GLFA limit by an amount equal to the amount (in square feet) by which the residential GLFA of buildings meeting the maximum setback requirement on the same parcel is below the maximum residential GLFA allowed in such buildings. This transfer of allowable residential occupancy may only be made to interior buildings and buildings with street frontage may in no case exceed the maximum residential GLFA requirement. Any such transfer shall be recorded upon a plat and recorded at the office of the Utah County Recorder. Upon, the execution of such a transfer of allowable residential occupancy, residential uses in the building that transferred a portion of its allowable residential use percentage shall not exceed the maximum percentage of GLFA allowed by the applicable zone less the amount of residential GLFA that was transferred to another building. For example, if a parcel in the NVD-C zone has two buildings that each contain 50,000 square feet of GLFA and at least 50% of the street frontage of said parcel is occupied by a building that meets the maximum setback requirements, the interior building could be 100% occupied by residential uses provided that no more than 30,000 square feet of GLFA of the building fronting the street was occupied by residential uses and the transfer of 10,000 square feet of residential occupancy from the building with street frontage to the building on the interior of the lot was shown on a plat recorded with the

Utah County Recorder. Following the transfer, residential uses in the building with street frontage could not exceed 30,000 square feet of GLFA ((80% x 50,000)-10,000 (transferred) = 30,000).

b. A transfer of residential occupancy as described above is permanent unless modified by the owners of both buildings by an amended plat. If a parcel on which a transfer described above has taken place is subdivided, all buildings on the new parcels shall continue to meet the requirements with respect to maximum percentage of GFLA that may be occupied by residential uses to which they were subject prior to the subdivision.

## **F. Design Standards.**

### **1. Building Height.**

All buildings in the NVD-C zone shall be at least two stories in height.

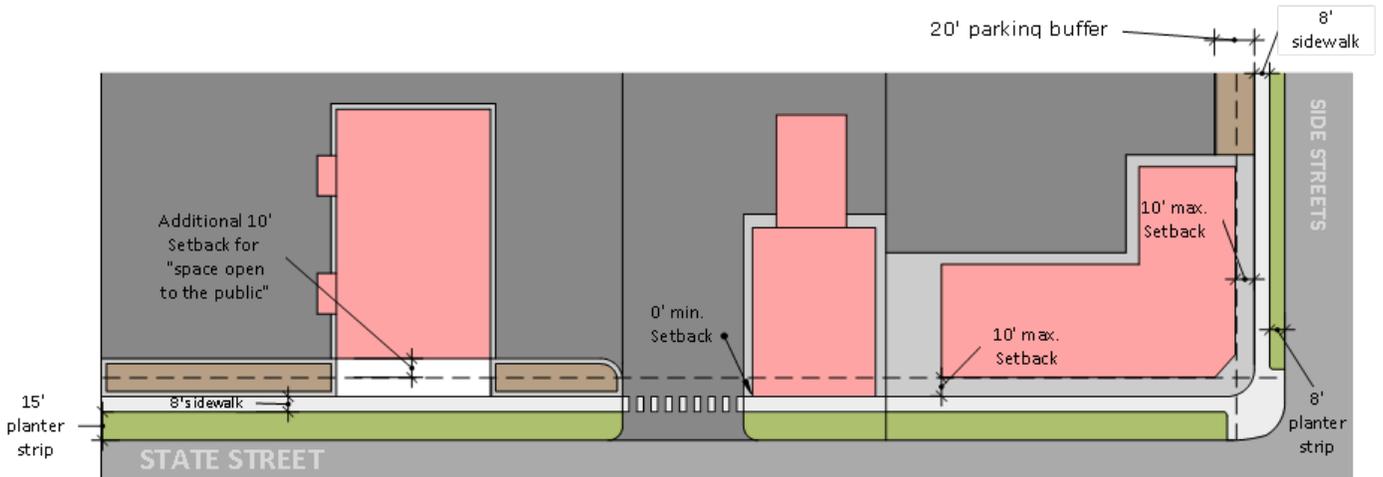
Buildings in the NVD-Res-

B zone shall have a maximum height of 35 feet. There is no maximum height requirement for the NVD-C and NVD-E zones. The ground story of every building, except for buildings in the NVD-Res (A&B) zones, shall have a floor to ceiling height of at least 14 feet.

### **2. Setbacks.** Except as otherwise provided below, there are no minimum setbacks in the NVD zones.

a. **Maximum Setbacks.** Except as otherwise provided herein, the ground level story of all buildings shall be set back no more than ten feet from the back of a required sidewalk. However, buildings may be set back an additional ten feet (for a total of twenty feet) from the back of a required sidewalk if the entire additional setback area is utilized as a “space open to the public” such as a plaza or outdoor dining area that is designed to be utilized by the public on a regular basis. A “space open to the public” as described herein must meet the definition provided in Section 22-2-1. An illustration of the maximum setback as well as the

additional ten-foot setback for a space open to the public is provided below.



b. **Prohibited Uses of Setback Area.** The area of any setback from a required sidewalk may not be used for parking, parking lot driveways, drive-thrus, or drive-thru stacking.

c. **Setback From Residentially Zoned Property.** No portion of any building (including roofs and parapets) in the NVD zones may be located closer to a residentially zoned property not a part of the NVD zones than the height of that portion of the building. Note: The width of adjacent public right-of-way may be included when measuring setbacks to calculate maximum permitted building heights.

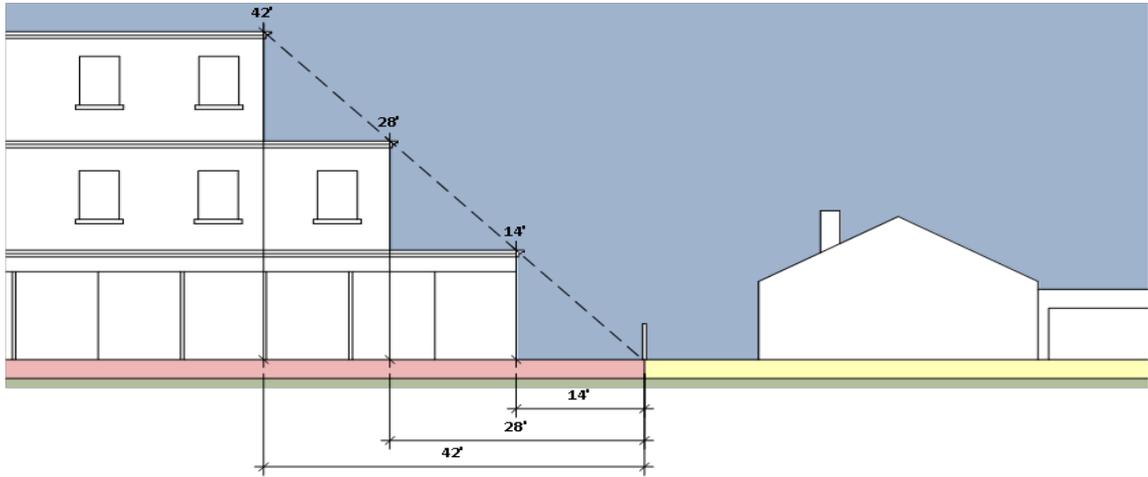


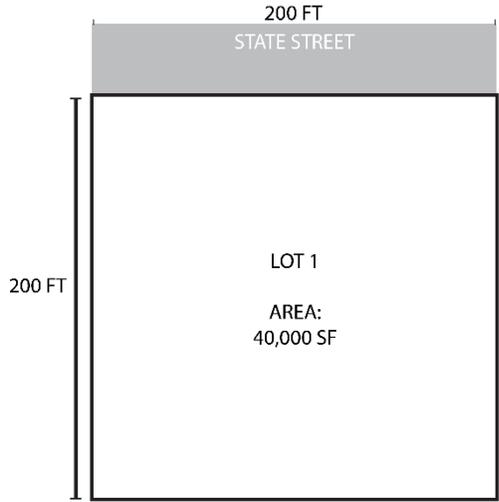
Illustration of stepping-back of building height when next to residential zones

d. **Exception to Maximum Setback Requirement.** Except as otherwise provided herein, no building may be constructed on a lot that has frontage on a public street unless the building complies with the maximum setback requirements set forth above.

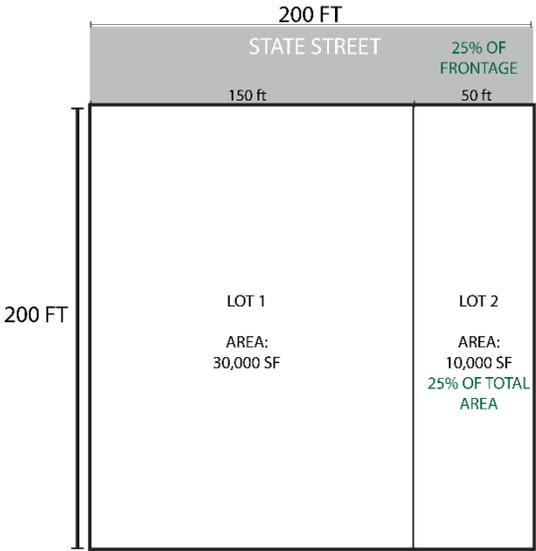
i. Notwithstanding the above, a building that does not meet the maximum setback requirements may be constructed on a parcel if at least 50% of that parcel's street frontage is occupied by a building(s) façade that is located within twenty feet (20') of the back of required sidewalk.

ii. A lot where less than fifty percent (50%) of the street frontage is occupied by a building(s) facade located within twenty feet (20') of the back of required sidewalk may not be subdivided in such way that creates a new lot (1) that has no street frontage, or (2) where the percentage of the street frontage of the original lot included in the new lot is less than the percentage of the area of the original lot included in the new lot. For example, if a lot has 200 feet of street frontage and 40,000 square feet of area, a lot that is subdivided off the original lot that has 50 feet of street frontage (25% of the total frontage of the original parcel) may not have a total lot area

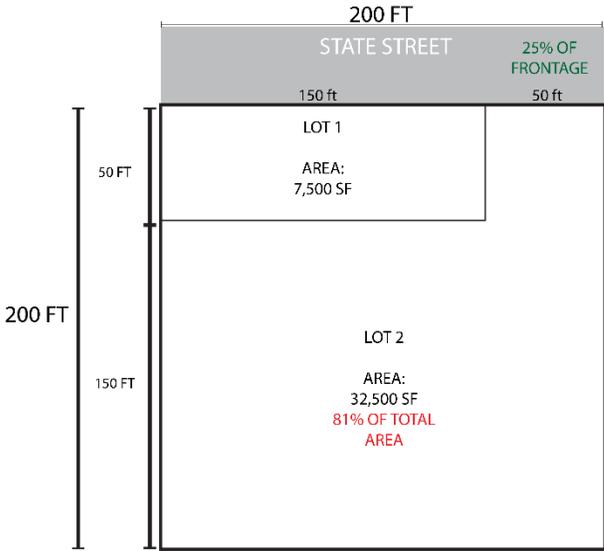
greater than 10,000 square feet (25% x 40,000). The intent of this requirement is to prevent circumvention of the maximum setback requirement. This example is demonstrated in the following graphics:



ORIGINAL LOT



PERMITTED SUBDIVISION



NON-PERMITTED SUBDIVISION

- iii. The width of one required street access (up to a maximum of thirty feet (30') may be subtracted from the total parcel width when calculating the 50% frontage occupancy requirement.
- iv. A building that does not meet the maximum setback requirements may be constructed before the 50% frontage occupancy requirement is met provided that buildings that will bring the lot into compliance with the 50% frontage occupancy requirement are constructed concurrently with the building that does not meet the maximum setback requirement.
- v. The maximum setback requirements do not apply to detached, single-family dwellings.

- 3. **Lot Size.** All lots within the NVD zones shall be a minimum of 7,500 square feet in area.
- 4. **Architectural Features.** All buildings in the NVD-C, NVD-E, and NVD-Res-A zones shall comply with the following architectural requirements.

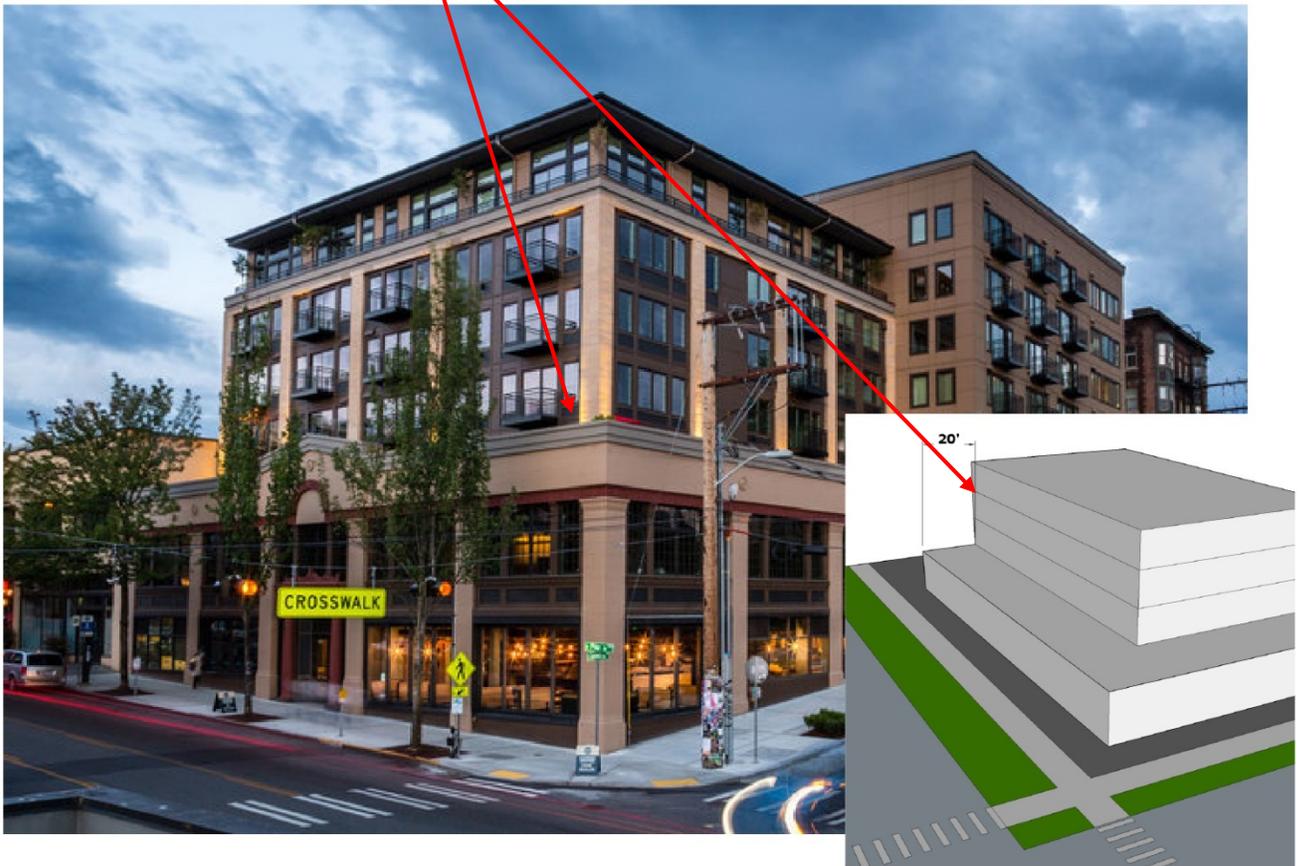
- a. **Vertical Façade Articulation.** The architecture of all street-facing facades shall have a vertical break at least every fifty feet with a minimum depth of one foot. The required vertical breaks shall extend over at least 75% of the height of the building. An illustration of this requirement is provided below:



b. **Horizontal Expression Lines.** Except for structures in the NVD-RES(B) zone, all street-facing facades shall incorporate horizontal expression lines in their architecture to delineate the ground story from any upper stories. Such expression lines shall include a cornice and/or a protrusion in materials with a minimum depth of six inches. An illustration of this requirement is provided below:



- c. **Stepbacks.** The façade of the second story and all stories above shall be stepped back at least 20 feet behind the façade of the first story if all of the following apply:
- i. The building is four stories or more in height.
  - ii. The building is designed for residential uses above the first story.
  - iii. The building is within 35 feet of a sidewalk adjacent to a street.
- Where the second story is set back at least twenty feet behind the façade of the first story as required by this subsection, at least seventy-five percent of the open roof area of the first story shall be designed for and employed as an amenity for the residential occupants of the building. An illustration of this requirement is provided below:



## 5. Materials.

- a. Except as otherwise provided, all buildings shall be completed on all sides with brick, split-face block, glass, stone, and wood (hereinafter referred to as “Tier 1 Materials”). Aluminum composite material panel systems, stucco, and Exterior Insulation and Finishing Systems (EIFS) (hereinafter referred to as “Tier 2 Materials”) shall only be permitted as trim on ground-level façades and shall only be allowed on up to a maximum of 20% of a street-facing façade and up to a maximum of 75% of a non-street facing façades.
- b. Standing seam metal (but no other metals) may be used for awnings. Sheet metal and corrugated metal and other metal finishes are only permitted for soffits, fascia, and similar minor architectural features (less than or equal to 5% coverage on any given elevation).



## 6. Entrances.

- a. All primary buildings in the NVD-C and NVD-E zones shall have at least one entrance intended for public, daily customer, and/or resident use oriented toward a public street, public open space, or a privately-owned “space open to the public”, with first priority assigned to State Street, and second priority assigned to all other public streets.

- b. Lots within the NVD-C zone with frontage on both State Street and 1600 North shall have an entrance on the corner where the two streets meet.
- c. Corner entrances at street intersections are encouraged throughout the NVD zones. An example of a desirable corner entrance is shown in the following image:



7. **Windows and Awnings.** In the NVD-C and NVD-E zone, each street-facing, ground story façade shall consist of transparent window coverage that is readily visible to a depth of at least five feet into the building. These percentage requirements vary within the NVD zones as shown in the table below. All awnings shall be durable canvas or standing seam metal. Plastic awnings are not permitted.

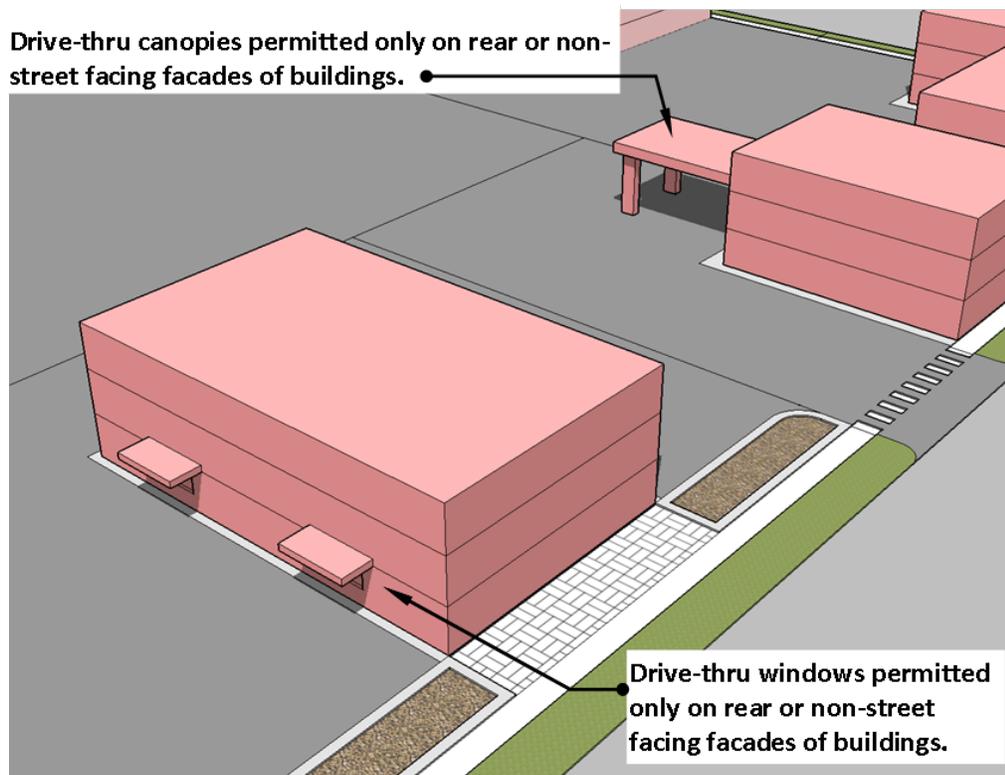
	Zone	Minimum % of Transparency
North Village District Zones	NVD-C	70%
	NVD-E	60%
	NVD-RES (A&B)	0%

8. **Balconies.** If a building is two stories or greater in height, balconies consisting of a minimum area of fifty (50) square feet shall be provided for at least fifty (50) percent of all residential units per building in the NVD-C, NVD-E, and NVD-Res-A zones. Balconies may be inset into the building or may project over City sidewalk a maximum of five feet so long as fourteen (14) feet of vertical clearance is provided between the sidewalk and the balcony. Balconies that don't face a public street shall be set back at least eight feet from any adjacent property line.

9. **Drive-thru Structures.**

- a. Drive-thru canopy structures (such as a Drive-Thru ATM canopy) shall be located only on the rear or a non-street facing façade(s) of a building.

Drive-thru windows, aisles, and vehicle stacking for drive-thrus are not permitted on any street-facing façade and/or within any street-facing setback areas.



## 10. Screening.

- a. Trash storage containers (but not including trash cans associated with individual units in the NVD-RES(B) zone) and dumpsters shall be completely screened from public view with a masonry wall at least seven feet in height with sight-obscuring gates which must be located either behind, on a non-street facing side, or interior to a building.
- b. All electrical, utility, and mechanical equipment (including equipment on roofs) shall be fully screened from public view with sight-obscuring materials. Such equipment must be buried (vaulted) if located within any front or side street-facing setback areas, or if located within any required planter strip areas.

## 11. Lighting.

- a. Each site (except for development in the NVD-RES(B) zone) shall include a Lighting Plan that is designed to discourage crime, enhance safety, and prevent direct glare onto adjacent properties.

## 12. Open Space.

- a. All lots in the NVD-C, NVD-E, NVD-RES(B) and NVD-RES(A) zones with a residential use component shall have a minimum twenty percent (20%) of the lot area dedicated to open space (excluding required public sidewalks and planter strips). This requirement may be fulfilled with standard “open space” or with a “space open to the public” or a combination of both. However, a minimum of 10% of the lot’s area shall be maintained as a “space open to the public” (see Section 22-2-1 for definitions of “open space” and “spaces open to the public”).
- b. Commercial lots *without* a residential use component are not required to provide any type of “open space” (apart from the required sidewalks, planter strips and other required landscaping). However, if a “space open to the public” is provided

on a commercial lot without a residential use, the following bonuses shall be awarded to that parcel:

Percentage of Provided “Spaces Open to the Public” out of Total Parcel Area			
	10% or more	20% or more	30% or more
Bonuses Awarded	<ul style="list-style-type: none"> <li>- Up to 10% of required parking may be “compact” stalls (measuring 7.5 ft. wide x 16 ft. deep).</li> <li>-5% overall parking reduction</li> </ul>	<ul style="list-style-type: none"> <li>- Up to 20% of required parking may be “compact” stalls (measuring 7.5 ft. wide x 16 ft. deep).</li> <li>-5% overall parking reduction</li> <li>-Up to 5% of parking requirement may be met from on-street parking located in a NVD zone (if not previously allocated to another parcel) located within 300 feet of the parcel (but excluding State Street)</li> </ul>	<ul style="list-style-type: none"> <li>- Up to 30% of required parking may be “compact” stalls (measuring 7.5 ft. wide x 16 ft. deep).</li> <li>- Excluding the ground floor, up to an additional 15% of street-facing façades only may be constructed with “Tier 2” materials.</li> <li>- 8% overall parking reduction</li> <li>-Up to 5% of parking requirement may be met from on-street parking located in a NVD zone (if not previously allocated to another parcel) located within 300 feet of the parcel (but excluding State Street)</li> </ul>

Note: Percentage calculations are rounded down to the nearest 1 decimal point.

**13. Fencing.**

A fence meeting the requirements of Section 22-14-19(E) shall be maintained along any property line between a development in the NVD-C, NVD-E, or NVD-RES(A) zones and a residential zone (that is not a NVD zone). The fence shall be constructed and maintained by the owner of the development in the applicable NVD zone.

## **G. Transportation.**

1. Streets. Private streets are not permitted in the NVD zones. However private pedestrian promenades, driveways, vehicular accesses, and alleyways are permitted provided proper fire access is maintained throughout the site.
2. Driveways and Accesses.
  - a. Vehicular accesses shall be no more than thirty feet wide unless the Planning Commission finds, based on a traffic study performed by a licensed traffic engineer and/or an analysis provided by the City Transportation Engineer, that a wider access is necessary for the site. In no event shall an access exceed forty (40) feet in width.
  - b. No more than one access shall be allowed per lot unless the Planning Commission finds, based on a traffic study performed by a licensed traffic engineer and/or an analysis provided by the City Transportation Engineer, that more than one access is needed for development on the lot.
  - c. Where a driveway crosses a public sidewalk, the driveway shall be a different stained color, texture, or paving material than the sidewalk to warn drivers of the possibility of pedestrians in the area. (See Figure 9 below). This requirement shall not apply in the NVD-Res-B zone.
  - d. All adjoining properties are required to share vehicular and pedestrian accesses to public streets and sidewalks and to provide any necessary cross-access easements to effectuate this sharing. This requirement shall not apply in the NVD-Res-B zone.



Fig. 9 Stamped and colored asphalt.

### 3. Traffic Study.

A Traffic Impact Study (TIS) shall be required in connection with any site plan in the CXD zones that is not a minor amendment as defined in Section 22-14-20(C)(3)(b). The provisions of Section 22-14-20(E)(8)(a-c) shall apply to any required TIS. The TIS shall evaluate the vehicle, bicycle, and pedestrian traffic both on site and in the general vicinity of the project. The TIS shall evaluate trip generations, turning movements to and from the property, street and roundabout geometrics, and traffic safety on and off the site. The TIS shall also address relevant items including but not limited to the following: surrounding street and intersection levels of service (LOS) before and after the project is completed, any mitigation efforts recommended to minimize project traffic impacts, proposed public and private street widths and alignments, site mobility, access management, potential traffic signal locations, street striping, signage, etc. The traffic engineer that performs the required TIS shall meet with the City Traffic Engineer prior to beginning the TIS to discuss specific areas of

focus for the TIS. Each site plan shall reflect and incorporate the recommendations of the traffic study and any other requirements that the City may deem necessary based upon the TIS. Any new development or redevelopment shall comply with all recommendations of the TIS.

## **H. Parking.**

### **1. Parking Requirements**

- a. Required parking in the NVD zones may be met within a parking lot, parking structure, or a shared parking agreement approved by the City.
- b. For the “Core” and “Edge” zones, four parking stalls shall be provided for every one-thousand (1000) square feet of gross leasable floor area of nonresidential uses. Since any residential use in these zones is required to be part of a mixed-use development, no parking stalls shall be required for residential units included within the base residential density. The base residential density is calculated by dividing the total commercial parking requirement by three (3). For each residential unit in excess of the base residential density, a minimum of 2.25 parking stalls shall be provided (of which .25 stalls per unit shall be dedicated to visitor parking). In addition to the parking requirements stated above, one (1) additional parking stall shall be required for each large residential unit (three bedrooms or more)(including three-bedroom units in the base residential density).
- c. For the NVD-Res (A&B) zones, 2.5 stalls shall be provided for each standard residential unit (less than three bedrooms and less than 1200 square feet) and 3.5 stalls shall be provided for each large residential unit (three or more bedrooms or 1200 or more square feet). Where parking areas are shared between multiple units, parking stalls shall be dedicated to each unit or to visitor parking by signage or painted numbering and at least 0.5 stalls of the per

unit required parking standard shall be reserved for visitor parking.

2. **Parking Lot Standards.** Except as otherwise provided herein, the provisions of Article 22-15 (Off-Street Parking) shall apply to all development in the NVD zones.
  - a. Buildings shall be sited to face the street with parking lots on the side or rear. Adjoining properties that have neighboring parking lots shall be connected and have cross-access easements established upon final plat approval. Any parking lots on the side of a building shall be set back at least 20 feet from a sidewalk adjacent to a street. The 20-foot parking setback area shall be maintained as “open space” or a “space open to the public” and shall be maintained with shrubs or other sight-obscuring features at a minimum height of three feet to screen the parking area from the street.
  - b. **Parking Lot Lighting:** Parking lot light poles on properties adjacent to residential zones (including the NVD-RES(B) zone but not the NVD-RES(A) zone) shall be no closer than 50 feet to the adjacent residential property line. Additionally, globes must be shielded and the lighting directed down to minimize light encroachment onto adjacent properties or into upper level residential units in multi-story buildings. Lightproof fencing is also required when adjacent to residentially properties that are not in a NVD zone.
  - c. Concrete curbs shall be provided between landscaped areas and off-street parking areas. Low-profile curbs are permitted to accommodate low-impact developments (LIDs) in all landscaped areas except for within required planter strips along State Street (see also landscaping requirements in Section 22-14-13 (C)).

### 3. **Parking Structures.**

- a. The street-facing façade of a parking structure must be “wrapped” with a habitable building designed and constructed for residential or commercial uses. All other facades of a parking structure shall be wrapped with buildings and/or have an external skin (or screen) designed to improve its visual appeal. Examples include heavy gauge metal screening, precast concrete panels, laminated or safety glass, decorative solar panels, or decorative façades. The intent is for parking structures to blend into surrounding buildings and not look like a parking structure. The Planning Commission may approve other decorative materials not listed herein if the proposed materials would have an equal or better aesthetic effect than the approved materials listed herein. All readily visible areas not wrapped with buildings shall be screened. To the greatest extent possible, uneven levels in parking structures shall be screened from public view. The following images demonstrate



parking structure wrapping:

- b. Elevators and stairs shall be highlighted architecturally so visitors, internally and externally, can easily access these entry points.
- c. Any signage attached to the parking structure and wayfinding signage shall be integrated with the architecture of the parking

structure and be architecturally compatible with the design. Public parking structures entrances shall be clearly signed from public streets.

- d. At a minimum, all street-facing façades of all parking structures shall be wrapped with structures designed and constructed for a commercial or residential use.
  - e. Parking structures shall be designed to minimize vehicle noise and odors that emanate on to sidewalks and “spaces open to the public”. Venting and fan locations shall not be located next to “spaces open to the public” and are encouraged to be located on top of the parking structure where feasible.
4. Specific use parking exceptions as established in Section 22-15-4 (G) apply in the NVD Zone.
  5. Parking modifications as established in Section 22-15-5 apply in the NVD Zone.
  6. Bicycle parking requirements as established in Section 22-15-7 apply in the NVD Zone.

#### **I. Signs.**

1. Except as otherwise provided herein, all signs in the North Village District zones shall meet the standards provided in Article 14-3. All areas within the NVD-C, NVD-E, and NVD-Res-A zones shall be designated as Sign Zone “H” (14-3-3).
2. Removal of Pole Signs. One of the purposes of the NVD zones is to provide a more attractive environment for commercial and residential uses. The City has determined that pole signs are less aesthetically appealing than other types of signs such as monument signs. Therefore, pole signs are not permitted in the North Village District zones. Any existing pole signs shall be removed in the event that reconstruction is performed on fifteen percent (15%) or more of the footprint of an existing building on the lot upon which the pole sign(s) is located, upon the addition or expansion of a building that constitutes fifteen percent (15%) or more of the existing building

footprint on the lot, or upon the construction of a new building on a lot. The removal of existing pole signs required by this section shall occur before the issuance of a certificate of occupancy for the new building or building expansion.