

22-8-8. Zone Development Standards.

- A. **General Zone Development Standards.** The following development standards shall apply in the PO, C1, C2, C3, and HS zones ~~except that this subsection (A) shall not apply to setbacks from State Street and State Street Connector Streets or to the minimum height for primary buildings in the State Street Corridor Area.~~

Zone Development Standards Commercial and Professional Office Zones					
	PO	C1	C2	C3	HS
Minimum Lot area in square feet unless listed as acres Setbacks (Minimum)	18000*****	7000	7000	3 acres*	½ acre
<u>From back of sidewalk adjacent to State Street or a State Street Connector Street</u>	<u>15'</u>	<u>15'</u>	<u>15'</u>	<u>15'</u>	<u>15'</u>
From all other Dedicated S streets:	20'**	20'	20'*****	30'***	20'
From an adjoining Property in a nonresidential zone:	0	0	0	0	0
From an adjoining property in residential zone: <u>****</u>	<u>****25'</u>	10'	10'	40'	10'
Structure Heights.					
Minimum:	8'	8'	8'	8'	8'
Maximum:	35'	48'	60' <u>48'***'</u>	35'***	60'

* Parcels smaller than three (3) acres shall only be allowed pursuant to Section [22-8-14\(D\)](#).

** Building setbacks from 800 North in the PO and C3 zones shall be according to "[Appendix I](#)"§22 8-9 ZONING

*** Exception: The maximum height for structures located in the C3 zone which are set back no less than one hundred fifty feet (150') from a residential zone shall be ~~forty-eight~~sixty feet (~~48~~60'). The maximum heights for structures in a C2 zone which are set back less than one hundred feet (100') from a residential zone shall be thirty-five (35') feet.

**** In all commercial zones ~~No~~ no portion of any building shall be located closer to a residentially zoned property than a distance equal to the height of that portion of the building (applicable to all commercial zones listed above). However, no setback is required where the top of the structure is lower than the grade of the adjoining residential lot (as measured at some point within five feet of the property line) along the entire length of the property line between the two properties.

*****Building setbacks and landscaping requirements for lots located adjacent to State Street shall be measured from the back of an existing or required sidewalk. All buildings and parking lots shall be set back at least fifteen feet (15') from any required sidewalk adjacent to State Street (adjacent sidewalks include sidewalks separated from State Street by a landscape strip).

*****The PO zone may not be applied to an area of less than one acre.

NOTE: In all commercial zones, except the PO and C3 zones, ~~the height limitation shall not apply to~~ belfries, cupolas, domes not used for human occupancy, chimneys, ventilators, sky lights, cornices, antennas, ~~and/or~~ properly screened mechanical appurtenances may extend up to an additional ten feet above the maximum height allowed in the applicable zone. However, the combination of such items in no case shall the height of belfries, cupolas, domes not used for human occupancy, chimneys, ventilators, sky lights, cornices, antennas, or properly screened mechanical appurtenances may not exceed a height of seventy-five feet (75') occupy more than thirty percent 30% of the area of the uppermost floor of the building. measured from the average finished grade of the yard in which the structure is located. In no case shall that portion which exceeds the sixty foot (60') height exceed fifty percent (50%) of the gross floor area of the uppermost floor of the building.

B. **Zone Development Standards for the State Street Corridor Area.** The following requirements shall apply to all development in the State Street Corridor Area including development in PD zones ~~and the State Street District zones~~, unless the applicable PD zone ~~or State Street District zone~~ contains a specific, contrary standard in which case the standard set forth in the applicable PD ~~or State Street District~~ zone shall control. The "State Street Corridor Area" refers to all lots that have frontage on State Street or frontage on a State Street Connector Street (that portion of a public street that intersects with and is located within 500 feet of the State Street right-of-way line). If not specifically governed by a provision of this Section 22-8-8(B), the "General Zone Development Standards" of 22-8-8 (A) shall apply to development in the PO, C1, C2, C3, and HS zones.

1. ~~Minimum and Maximum Setbacks From State Street and From State Street Connector Streets.~~ All buildings ~~and parking areas~~ in the State Street Corridor Area shall ~~be set back at least~~ ~~be set back no more than~~ have a minimum setback of ten-fifteen feet (150') from the back of the required sidewalk (the side furthest from the street) along State Street and State Street Connector Streets. There is no ~~maximum~~ minimum setback from the State Street and State Street Connector Streets. Setbacks from other streets and property lines shall be as set forth in 22-8-8(A). All area within the required ten foot setback ~~(the area between the building and back of sidewalk)~~ shall be landscaped, ~~and/or used as a "space open to the public" in accordance with subsection (5).~~
2. ~~Minimum Building Height.~~ All primary buildings in the State Street Corridor Area shall have a minimum building height of fifteen feet (15').
3. ~~Building Accesses.~~ Buildings located on parcels that have frontage on State Street shall have at least one public access facing State Street for public, daily customer, and/or resident use. Buildings that are designed with space for multiple tenants shall have at least one such access for each tenant space. Each tenant space in a building that has more than three hundred feet of building frontage facing State Street shall have at least two such accesses. Buildings on parcels that do not have frontage on State Street, but have frontage on State Street Connector Streets shall have at least one public access facing the State Street Connector Street. Building doors directly adjacent to sidewalks shall be recessed or otherwise set back so that the door does not encroach into the sidewalk when opened.
4. 2. Buffered Sidewalks. Buffered sidewalks shall be installed and maintained along the entire length of property adjacent to State Street and State Street Connector Streets. Buffered sidewalks shall include both a landscaped planter strip area with trees next to the street, and a sidewalk.
 - a. **Planter Strips.** Planter strips along State Street shall be at least fifteen feet (15') wide and may not be used for storm water detention or management (such as a low-impact development) ~~(see Appendix "SS")~~. Planter strips along State Street Connector Streets shall be at least eight feet (8') wide and may be used for storm water detention or management (such as a low impact development) ~~(see Appendix "SS")~~.
 - b. **Sidewalks.** Sidewalks along State Street and State Street Connector Streets shall be a minimum of 8 feet wide and shall include ADA-compliant ramps at curb cuts and intersections with public and private streets. Landscaping such as tree grates and planter boxes may be incorporated into the required sidewalk area where approved by the City, provided a continuous minimum unobstructed width of 5 feet of sidewalk travel lane is maintained. Sidewalk widths shall be consistent with sidewalks on adjacent properties where possible (provided they also meet the 8-foot minimum width requirement), or shall otherwise taper to meet neighboring sidewalk widths to create a smooth transition across property lines.
 - c. **Vegetation coverage.** Landscaped areas shall have a minimum of 50% living vegetation coverage. No vegetation coverage higher than 24 inches above grade shall be counted toward the total coverage requirement. No landscaping shall be required at vehicle access points, and vehicular accesses do not apply toward the total area required for vegetation coverage. Planter boxes, plants, and other vegetation outside of required landscaping areas are encouraged, but do not apply toward the total vegetation requirement.

d. **Tree position and spacing.** Trees shall be planted and maintained in the planter strips along State Street and shall be spaced evenly one tree for every 40 linear feet (or fraction thereof) of landscaped frontage. Trees shall be planted in the planter strips along State Street Connector Streets and shall be spaced one tree for every 40 linear feet of landscaped frontage. Trees must be spaced to best align with neighboring properties and to maximize the potential number of trees that can be planted. Trees must also be planted in the planter strip no more than 4 feet in from the inside sidewalk edge.

e. ~~**Tree species.** Trees planted in the required planter strips along State Street and State Street Connector Streets shall consist of trees authorized in Appendix “U”. *(Note: specific tree species are listed for each downtown district)*~~

f.e. **Accommodations for safety.** Landscaping requirements may be modified where the City traffic engineer determines a modification is necessary to accommodate deceleration lanes or to maintain clear vision areas.

~~5. **“Space open to the public” setback exception and height bonus:** Maximum setbacks along State Street and State Street Connector Streets may be extended an additional ten feet (for a total of 20 feet from back of the required sidewalk) to accommodate outdoor dining areas or other spaces open to the public. See Section 22-2-1 for the definition and requirements to qualify as a “Space open to the public”.~~

~~Lots with approved “spaces open to the public” may receive an additional maximum building height bonus of 15 feet (subject to applicable setback requirements in the C3 zone). Buildings with this added height must remain set back from residentially-zoned properties a distance equal to the (new) height of the building.~~

3. Signs. Monument signs shall be set back a minimum of eight (8’) feet from the back of curb adjacent to State Street in order to accommodate any future widening without the need to relocate such signage.

4. Amended Sites. Notwithstanding the provisions of Section 22-14-20(G)(2) or any other provision of City Code except as provided below, any amendment to an existing site or development in the State Street Corridor Area must comply with the requirements of this Section 22-8-8(B). Except for the minor amendments described in 22-14-20(C)(3)(b)(1)-(3) and (5)-(10) and Section 22-14-20(H) relating to modification of the landscaping requirement, an applicant proposing amendments to an existing site plan must bring the site into compliance with the requirements of this Section 22-8-8(B).

~~a. **“Small building addition” exception:** The Gross Floor Area (GFA) of one primary building on a parcel may be expanded one time by an amount not to exceed 15% of the GFA of that building existing as of May 1, 2017, without complying with the maximum setback requirement of Section 22-8-8(B). This exception allows an addition to one existing building on a parcel and does not permit the construction of a new building that does not conform to the maximum setback. This one time “small building addition” must be constructed at the same time and may not be divided into multiple additions that combined add up to 15% or less. This small building addition shall not be available for any building located on a parcel or part thereof that has been subdivided after May 1, 2017. Any amendments to an existing site must otherwise comply with the current ordinance requirements in accordance with Section 22-14-20(C).~~

a. Permitted Modifications to Buffered Sidewalk Requirement. An amendment to an existing site that cannot fully comply with the buffered sidewalk requirement set forth above (eight (8) foot sidewalk and fifteen (15) foot planter strip—hereinafter referred to as the “Buffered Sidewalk Requirement”) without removing part of a building lawfully existing as of [insert council adoption date], shall only be required to comply with the Buffered Sidewalk Requirement to the greatest extent possible within the area between the back of curb and the existing building.

i. If the distance between the back of curb and the existing building is more than eight (8) feet, a buffered sidewalk shall be constructed and maintained with eight (8) feet of sidewalk and the balance of the area between the back of curb and the edge of sidewalk maintained as:

1. a landscaped planter strip if there is five (5) feet or more between the back of curb and the sidewalk;
 2. decorative stamped concrete or pavers and tree grates (with trees) measuring at least four (4) feet wide and four feet long and spaced no more than forty (40) feet apart where there is less than five feet but more than two feet between the back of curb and the sidewalk. Tree grates may extend into the sidewalk area up to two (2) feet provided there remains at least five (5) feet of unobstructed sidewalk width and the tree grates are installed so as to create no trip hazards (the trees to be installed shall be selected from the list contained in Appendix U, Group A);
 3. decorative stamped concrete or pavers where there is less than two feet between the back of the curb and the sidewalk.
- ii. If the distance between the back of the curb and the existing building is eight feet or less, a sidewalk shall be constructed and maintained in said area. In no case shall a sidewalk be less than five (5) feet.
 - iii. In no case shall any amended site increase the nonconformity of the site with respect to the Buffered Sidewalk Requirement.
 - iv. A building existing within the Buffered Sidewalk Requirement area shall not be expanded either vertically or horizontally within the Buffered Sidewalk Requirement area.
 - v. A tapered transition between areas with a full and reduced buffered sidewalk shall be designed and constructed to create an uninterrupted and continuous sidewalk. The area of the transition shall not exceed the 25 feet in length.

~~6. **Minimum Habitable Depth.** The first 30 feet of ground floor building depth closest to the State Street right-of-way shall be gross leasable area.~~

7.5. Architectural Features.

- a. **Windows and Awnings.** Each street-facing, ground-story facade shall have a minimum percentage of 40% completely transparent window coverage that is readily visible to a depth of at least five feet into the building. All awnings shall be durable canvas or standing seam metal. Plastic awnings are not permitted.
 - i. Except for ground floor display windows and transoms, windows on all stories of the building shall be vertical or square in proportion.
- b. **Vertical Facade Articulation.** All street-facing facades shall have a vertical break of at least one foot for every 50 feet of building façade.



c. **Horizontal Weighting of Materials.** Building wall materials shall be combined on each facade horizontally only, with the traditionally heavier elements (material or weight) below lighter elements. For example, stone should not be above stucco, and brick should not be below concrete.

d. **Materials.**

- i. Except as otherwise provided, all buildings shall be completed on street-facing facades with brick, split-face block, glass, stone, or fiber cement board (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 a trim on ground-level facades and shall only be allowed on up to a maximum of 40% of a street-facing facade and up to a maximum of 75% of a non-street facing façade.
- ii. 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. Utility Enclosures. Whenever possible, all utilities shall be buried. Utility access boxes and other utility appurtenances shall not be located within eight feet of the back of the curb. Utility access boxes and other utility appurtenances shall not be located within a planter strip, unless buried.

- a. Utility boxes within 15 feet of the back of sidewalk shall be screened with a fence or wall that completely screens the box from view of the street and sidewalk. The screening fence or wall must be architecturally compatible with the materials and design of the primary structure and shall in no case be lower than four feet in height or the height of the utility box, whichever is greater. Chain link fencing with slats may not be used for the screening required under this subsection. Access gates for utility boxes and appurtenances under this subsection shall not face State Street or a State Street connector street.