

CHAPTER 9. LEGACY DISTRICTS

ARTICLE 1: DEVELOPMENT STANDARDS	9:2
DIVISION 1: GENERAL	9:2
ARTICLE 2: ZONING DISTRICTS.....	9:3
DIVISION 1: RESIDENTIAL DISTRICTS	9:3
DIVISION 2: PUBLIC, SPECIAL AND NONRESIDENTIAL DISTRICTS	9:9
ARTICLE 3: USE REGULATIONS	9:12
DIVISION 1: INTERPRETIVE RULES AND LAND USE MATRIX	9:12
DIVISION 2: ACCESSORY BUILDINGS AND USE REGULATIONS	9:14
DIVISION 3: HOME OCCUPATIONS	9:15
DIVISION 4: REQUIREMENTS APPLICABLE TO PARTICULAR USES	9:15
ARTICLE 4: SUPPLEMENTAL STANDARDS.....	9:16
DIVISION 1: AREA, BUILDING, AND HEIGHT REGULATIONS	9:16
DIVISION 2: EXTERIOR CONSTRUCTION AND DESIGN REQUIREMENTS	9:19
DIVISION 3: MULTIFAMILY RESIDENTIAL DESIGN STANDARDS	9:21

ARTICLE 1: DEVELOPMENT STANDARDS

DIVISION 1: GENERAL

All projects or development shall comply with all of the applicable dimensional and development standards in this Chapter 9. Additional standards and requirements may also apply as required in Chapter 3, 6, 7, or 9 of this Land Development Code.

Section 9.1.1.1 Dimensional and Development Standards Table

RESIDENTIAL DISTRICTS										
STANDARD CATEGORY	AR	SF-11	MR	D	DR	TH	PH-ZL	MF-12	MF-18	MF-24
Lot/Parcel Area, Minimum Sq. Ft.	217,800	11,000	6,000	11,000	5,400	2,500	4,000	--	--	12,000
Lot/Parcel Area, Maximum Acres	--	--	--	--	--	--	--	7 acres	7 acres	7 acres
Units per Acre, Maximum/Gross Acre	.15	3.0	5.5	6.0	6.0	12.0	7.5	12.0	18.0	24.0
Lot Frontage Minimum Feet	200	80	35	60	40	25	35	40	60	60
Lot Width, Minimum Feet	200	80	60	90	50	25	40	60	70	60
Primary Street Setback, Min Ft	40	30	25	25	25	20	20	10	10	10
Side Setback, Minimum Feet, Interior	20	10	7.5	5	5	0	0/10	10	10	10
Side Setback secondary st Min. Ft.	25	15	15	10	15	12	10	15	15	15
Rear Yard Setback, Minimum	20%	20%	20'	20'	15'	10'	10'	10'	10'	10'
Lot Depth, Minimum Feet	200	100	100	100	90	--	85	100	100	100
Impervious Cover, Max. %*	15	40	50	75	75	70	75	75	75	75
Building height, Maximum Stories**	2	2	2	2	2	2	2	4	4	4

*There may be additional standards or requirements for development within special environmental zones in Chapter 6.

**Stories may not exceed 14 feet in height from finished floor to finished ceiling.

SPECIAL OR NONRESIDENTIAL DISTRICTS							
STANDARD CATEGORY	VMU	MU	P	NC	OP	CC	GC
Lot/Parcel Area, Minimum Sq. Ft.	4000	6000	--	6000	6000	6000	6000
Lot/Parcel Area, Maximum Acres	20	20	--	5	5	--	--
Units per Acre, Maximum/Gross Acre	40	5.5	24.0	--	--	--	--
Lot Frontage Minimum Feet	35	50	50	50	50	50	50
Lot Width, Minimum Feet	40	50	50	50	50	50	50
Primary Street Setback, Min Ft	0	25	25	20	20	20	20
Side Setback, Minimum Feet, Interior	0	7.5	7.5	5	5	5	5
Side Setback, secondary street Min. Ft.	0	15	15	15	15	15	15
Rear Yard Setback, Minimum Feet	5	5	5	5	5	5	5
Lot Depth, Minimum Feet	100	100	100	100	100	100	100
Impervious Cover, Max. %*	85	60	80	80	80	80	80
Building height, Maximum Stories**	4***	4	4***	--	--	--	--

*There may be additional standards or requirements for development within special environmental zones in Chapter 6.

**Stories may not exceed 14 feet in height from finished floor to finished ceiling.

***Taller structures may be approved by Conditional Use Permit

ARTICLE 2: ZONING DISTRICTS

DIVISION 1: RESIDENTIAL DISTRICTS

Section 9.2.1.1 AR, Agricultural Ranch District

- A. Purpose.** The AR Agricultural Ranch District is intended to preserve agricultural usage of land, to offer protection to agricultural land from the effects of objectionable, hazardous, or environmentally disruptive uses, and to discourage untimely scattering of more dense urban development.
- B. Authorized Uses.** The following are authorized uses under the regulations established in this Chapter:
1. Permitted and conditional uses, as authorized in the Land Use Matrix in Section 9.3.1.2.
 2. Accessory uses as authorized in Section 9.3.2.1.
- C. Additional Development Standards.** See Section 9.1.1.1
- D. Additional Area, Building, and Height Requirements:**
1. The minimum rear yard shall be 20 percent of the total lot depth measured at the point of the lots greatest depth.
- E. Additional Requirements.** See Chapters 1, 2, 3, 6, 7, and 8 for additional standards as applicable.

Section 9.2.1.2 SF-11, Single Family District

- A. Purpose.** The SF-11 Single Family District is intended for development of primarily low-density detached, single-family residences and customary accessory uses on lots of at least 11,000 square feet in size.
- B. Authorized Uses.** Permitted and conditional uses, as authorized in the Land Use Matrix in Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.
- C. Additional Development Standards.** See Section 9.1.1.1.
- D. Additional Area, Building and Height Requirements :**
1. The minimum rear yard shall be 20 per cent of the total lot depth measured at the point of the lots greatest depth.
- E. Additional Requirements.** See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.

- F. Occupancy Restrictions.** See Section 9.3.4.4.

Section 9.2.1.3 MR, Manufactured Home and Residential District

- A. Purpose.** The MR Manufactured Home and Residential District is established to:
1. Recognize that certain areas of the City are suitable for a mixture of single-family dwelling units and HUD-Code manufactured homes, and to provide adequate space and site diversification for residential purposes designed to accommodate the peculiarities and design criteria of manufactured homes, along with single-family residences.
 2. Protect against pollution, environmental hazards and other objectionable influences.
 3. Provide adequate provisions for vehicular and pedestrian circulation.
 4. Promote housing densities appropriate to and compatible with existing and proposed public support facilities.
 5. Promote the most desirable use of land and direction of building development; promote stability of development; protect the character of the district; conserve the value of land and buildings; and protect the City's tax base.
- B. Authorized Uses.** Permitted and conditional uses, as authorized in the Land Use Matrix in Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.
- C. Additional Development Standards.** See Section 9.1.1.1
- D. Additional Area, Building and Height Requirements:**
1. **Minimum Lot Area:**
 - a. Internal: 6,000 square feet
 - b. Corner: 6,900 square feet
 2. **Minimum Lot Width:**
 - a. Internal: 50 feet
 - b. All other uses: 60 feet
 3. **Minimum Side Yard, Interior:**

- a. Single-Family Detached: Five feet
 - b. Mobile Homes: 7½ feet
- E. Additional Requirements.** See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.
- F. HUD-Code Manufactured Home Standards.** The installation, occupancy, and maintenance of manufactured homes in the MR manufactured home and residential district shall be subject to the following:
1. Manufactured homes shall have no outside horizontal dimension less than 14 feet, except for original extensions or subsequent additions containing less than 50 per cent of the total enclosed floor area.
 2. The exterior siding material, excluding skirting, shall be nonmetallic.
 3. Manufactured homes shall be of adequate quality and safe design, as certified by a label stating that the unit is constructed in conformance with the federal manufactured home construction and safety standards in effect on the date of manufacture. A manufactured home without that certification, but meeting all other requirements, may be accepted as of safe and quality construction provided it meets the following criteria:
 - a. All electrical materials, devices, appliances and electrical equipment are in sound and safe condition. Aluminum conductors are not acceptable.
 - b. All mechanical systems, including space and water heating, are in sound and safe condition.
 - c. All plumbing, gas piping, and wastewater systems are in sound and safe condition.
 - d. The unit is in sound and safe structural condition. Uncom-pressed finish floorings, such as carpet, greater than one-eighth inch in thickness beneath loadbearing walls which are fastened to the floor structure are not acceptable. Manufactured homes which have shown signs of fire damage are not acceptable.
 - e. The determination of the acceptance of any noncertified unit shall be made jointly by the Building Official and Fire Marshal.
- 4.** Manufactured homes shall be installed in accordance with the following criteria:
- a. The frame shall be supported by and tied to a foundation system capable of safely supporting the loads imposed as determined from the character of the soil. The minimum acceptable foundation design shall be a series of eight-inch grout-filled concrete block piers spaced no more than eight feet on center and bearing on 12-inch by 12-inch solid concrete footings. A tiedown and anchoring system separate and apart from the foundation ties shall be provided as recommended by the manufacturer, if different from the foundation ties.
 - b. Axle and hitch assemblies shall be removed at the time of placement on the foundation.
 - c. Each manufactured home shall be totally skirted with metal, masonry, pressure-treated wood, or other nondegradable material which is compatible with the design and exterior materials of the primary structure.
 - d. Electrical power supply shall be made from a meter installation on the manufactured home or from a permanent meter pedestal.
 - e. Driveways and off-street parking shall be provided in accordance with the requirements for single-family dwellings.
- 5.** Garage and carport additions are permitted, provided they cover a paved parking area and are connected to a street by a paved drive, meet the minimum building setback requirements, and have roof and siding material that is consistent with the primary structure.
- 6.** Patio and porch covers are permitted, provided they cover an improved patio, deck, or porch, and meet the minimum building setback requirements.
- 7.** Living area additions are permitted, provided they meet the minimum building setback requirements, have roof and siding material that is compatible with the primary

structure, and comply with the same structural standards as required of the primary structure.

Section 9.2.1.4 D, Duplex Residential District

- A. Purpose.** The D Duplex Residential District is intended for development of single-family residences and associated uses as well as for development on larger parcels of land of low density two-family duplex units. The D Duplex Residential District is intended to replace existing DP zoned areas. D zoning is not to be applied to properties for new duplex development.
- B. Authorized Uses.** Permitted and conditional uses, as authorized in the Land Use Matrix in Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.
- C. Additional Development Standards.** See Section 9.1.1.1
- D. Additional Area, Building and Height Requirements:**
- 1. Minimum Lot Area:**
 - a. Duplex, duplex condominium: 11,000 square feet
 - b. All other uses: 6,000 square feet
 - 2. Minimum Lot Width:**
 - a. Single-family dwelling, group home, two-unit townhouse: 50 feet per lot
 - b. All other uses: 90 feet per lot
 - 3. Minimum Lot Frontage:**
 - a. Single-family dwelling, group home, two-unit townhouse: 35 feet per lot
 - b. All other uses: 60 feet per lot
 - 4. Minimum Side Yard, Interior:**
 - a. Single-family dwelling, group home, two-unit townhouse: five feet
 - b. All other uses: Ten feet
 - c. No side setback required for the common wall side of two-unit townhouses
- E. Additional Requirements.** See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.

Section 9.2.1.5 DR, Duplex Restricted Residential District

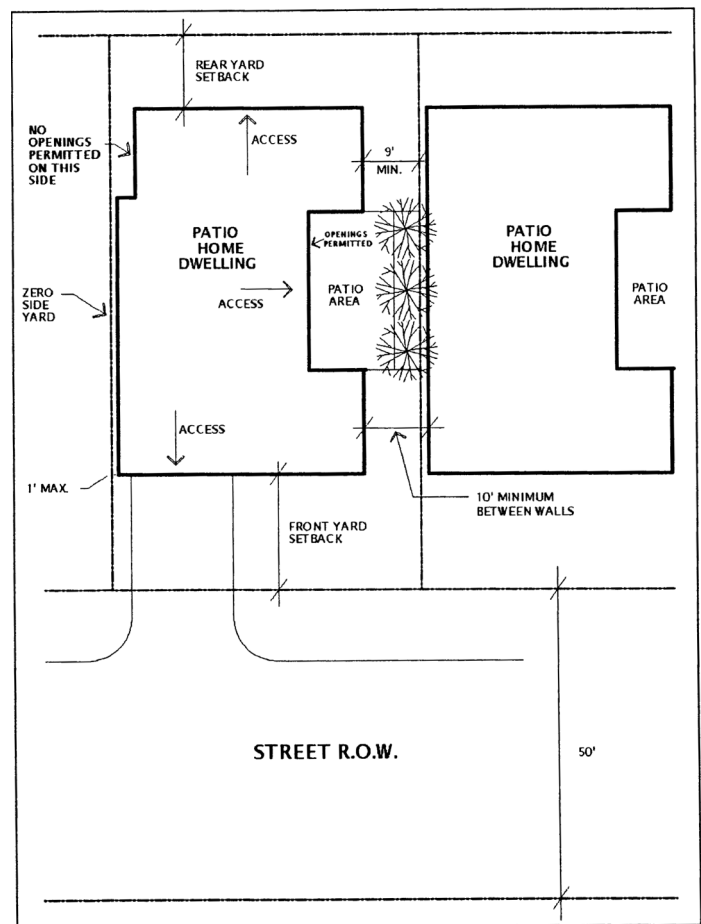
- A. Purpose.** The DR Duplex Restricted Residential District is intended for development of single-family residences and associated uses as well as for development on larger parcels of land of medium density two-family duplex units.
- B. Authorized Uses.** Permitted and conditional uses, as authorized in the Land Use Matrix in Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.
- C. Additional Development Standards.** See Section 9.1.1.1.
- D. Additional Area, Building and Height Requirements:**
- 1. Minimum Lot Area:**
 - a. Duplex, duplex condominium: 5,400 square feet
 - b. All other uses: 4,500 square feet
 - 2. Minimum Lot Width:**
 - a. Single-family dwelling, group home, two-unit townhouse, patio home, industrialized home: 50 feet per lot
 - b. All other uses: 60 feet per lot
 - 3. Minimum Lot Frontage:**
 - a. Single-family dwelling, group home, two-unit townhouse, patio home, industrialized home: 35 feet per lot
 - b. All other uses: 40 feet per lot
 - 4. Minimum Side Yard, Interior:**
 - a. Single-family dwelling, group home, two-unit townhouse, patio home, industrialized home: 5 feet
 - b. All other uses: Ten feet
 - 5. No side setback required for the common wall side of two-unit townhouse**
- E. Additional Requirements.** See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.
- F. Occupancy Restrictions.** See Section 9.3.4.4.

Section 9.2.1.6 TH, Townhouse Residential District

- A. Purpose.** The TH Townhouse Residential District is intended for development of single-family residences and associated uses as well as for development on larger parcels of land of two-family townhouse units.
- B. Authorized Uses.** Permitted and conditional uses, as authorized in the Land Use Matrix in Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.
- C. Additional Development Standards.** See Section 9.1.1.1.
- D. Additional Area, Building and Height Requirements:**
 - 1. Minimum Lot Area:**
 - a. Internal: 2,500 square feet
 - b. Corner: 4,000 square feet
 - 2. Minimum Lot Width:**
 - a. Internal: 25 feet
 - b. All other uses: 36 feet
 - 3. Minimum Lot Frontage:**
 - a. Internal: 25 feet
 - b. All other uses: 36 feet
 - 4. Minimum Rear Yard.** Zero feet when abutting townhouses on the rear: Ten feet when abutting an alley or service drive, or property not zoned for townhouse usage
 - 5. Minimum Side Yard, Interior:**
 - a. Corner. Common Wall. Zero feet
 - b. District Boundary. Exterior Wall: five feet
- E. Additional Requirements.** See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.
- F. Occupancy Restrictions .** See Section 9.3.4.4.

Section 9.2.1.7 PH-ZL Patio Home, Zero-Lot-Line Residential District

- A. Purpose.** The PH-ZL Patio Home, Zero-Lot-Line Residential District is intended for development of primarily detached single-family residences on compact lots having one side yard reduced to zero feet, also commonly referred to as “zero-lot-line”, and having a minimum of 4,000 square feet.
- B. Authorized Uses.** Permitted and conditional uses, as authorized in the Land Use Matrix in Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.
- C. Additional Development Standards.** See Section 9.1.1.1.



D. Additional Area, Building and Height Requirements:

- 1. Minimum Side Yard:** The dwelling may be constructed with a zero side yard on one side, and a side yard of not less than nine feet extending the full depth of the lot

on the other side. On the “zero” side, the structure may be set back a maximum of one foot. A five-foot wide maintenance, drainage, and roof overhang easement extending the full depth of the lot shall be designated along the side property line which abuts the zero side yard on an adjacent lot, and which shall be indicated on the Final Subdivision Plat. In all cases, there shall be at least a ten-foot side yard on corner lots where adjacent to a street right-of-way or alley. Under no circumstances shall the separation between two zero lot line dwellings, or between a zero lot line dwelling and any other type of principal building on an adjacent lot, be less than ten feet wall-to-wall.

- E. Additional Requirements.** See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.
- F. Parking.** A 20-foot paved alley must be provided for ingress and egress to all rear garages.
- G. Accessory buildings.** No accessory building shall occupy more than 40 percent of the required rear yard. Accessory buildings shall be set back a minimum of three feet from the rear property line; provided, however, that where the rear lot line is the line of an alley 20 feet or more in width, no setback shall be required. No accessory building may be closer than ten feet to the main building in the rear yard. Accessory buildings, except garages, shall not be allowed in front or side yards.
- H. Plat Requirements.** The plat of the requested area for a PH-ZL zero lot line dwelling district shall incorporate the requirements for a PH-ZL zero lot line dwelling as follows:
 1. Zero lot line dwellings can be constructed in an area requested and approved for designation as PH-ZL.
 2. Zero lot line dwellings will be uniformly located on the same side of the lot within a street block.
 3. Zero lot line dwellings shall have no windows on the side of the house which abuts the property line.
 4. No area shall be designated PH-ZL that contains less than five adjoining lots on each street.
 5. The entire frontage on the street side under review must be included in the PH-ZL designation. An exception may

be made where an alley breaks the block on the side of the street.

- I. Occupancy Restrictions .** See Section 9.3.4.4.

Section 9.2.1.8 MF-12, Multiple-Family Residential District

- A. Purpose.** The MF-12 Multiple-Family Residential District is intended for development of multiple-family, apartment residences at not more than 12 units per acre. This district should be located adjacent to a major thoroughfare and may serve as a buffer between low or medium density residential development and nonresidential development or high-traffic roadways.
- B. Authorized Uses.** Permitted and conditional uses, as authorized in the Land Use Matrix in Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.
- C. Additional Development Standards.** See Section 9.1.1.1 and Section 9.4.3.1.
- D. Additional Area, Building and Height Requirements:**
 - 1. Minimum Lot Area:**
 - a. 3,630 square feet per dwelling unit for the first three dwelling units, plus as much additional lot area as necessary for each dwelling unit over three so that the total gross density does not exceed 12 dwelling units per acre.
 - b. The minimum lot area for all other uses shall be determined by the applicable minimum lot dimensions.
 - 2. Minimum Lot Width:**
 - a. Duplex, group home: 45 feet
 - b. All other uses: 60 feet
 - 3. Minimum Lot Frontage:**
 - a. Duplex, group home: 40 feet
 - b. All other uses: 60 feet
 - 4. Minimum Rear Yard:** Ten feet; there shall be no encroachment or overhangs into this required rear yard.

5. Minimum Side Yard, Interior:

- a. Duplex, group home. Five feet
- b. All other uses: Ten feet

E. Additional Requirements. See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.

Section 9.2.1.9 MF-18, Multiple-Family Residential District

A. Purpose. The MF-18 Multiple-Family Residential District is intended for development of multiple-family, apartment residences at not more than 18 units per acre. This district should be located adjacent to a major thoroughfare and may serve as a buffer between low or medium density residential development and nonresidential development or high-traffic roadways.

B. Authorized Uses. Permitted and conditional uses, as authorized in the Land Use Matrix Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.

C. Additional Development Standards. See Section 9.1.1.1 and Section 9.4.3.1.

D. Additional Area, Building and Height Requirements:

1. Minimum Lot Area:

- a. 2,425 square feet per dwelling unit for the first three dwelling units, plus as much additional lot area as necessary for each dwelling unit over three so that the total gross density does not exceed 18 dwelling units per acre.
- b. The minimum lot area for all other uses shall be determined by the applicable minimum lot dimensions.

2. Minimum Lot Width:

- a. Duplex, group home: 45 feet
- b. All other uses: 60 feet

3. Minimum Lot Frontage:

- a. Duplex, group home: 40 feet

- b. All other uses: 60 feet

4. Minimum Side Yard, Interior:

- a. Duplex, group home. Five feet
- b. All other uses: Ten feet

E. Additional Requirements. See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.

Section 9.2.1.10 MF-24, Multi-Family Residential District

A. Purpose. The MF-24 Multiple-Family Residential District is intended for development of multiple-family, apartment residences at not more than 24 units per acre. This district should be located adjacent to a major thoroughfare and may serve as a buffer between low or medium density residential development and nonresidential development or high-traffic roadways.

B. Authorized Uses. Permitted and conditional uses, as authorized in the Land Use Matrix Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.

C. Additional Development Standards. See Section 9.1.1.1 and Section 9.4.3.1.

D. Additional Area, Building and Height Requirements:

1. Minimum Lot Area:

- a. 12,000 square feet; gross density shall not exceed 24 dwelling units per acre.
- b. The minimum lot area for all other uses shall be determined by the applicable minimum lot dimensions.

2. Minimum Lot Width:

- a. Duplex, group home: 45 feet
- b. All other uses: 60 feet

3. Minimum Lot Frontage:

- a. Duplex, group home: 45 feet
- b. All other uses: 60 feet

4. Minimum Rear Yard: Ten feet; there shall be no encroachment or overhangs into this required rear yard.
 5. Minimum Side Yard, Interior:
 - a. Duplex, group home. Five feet
 - b. All other uses: Ten feet
- E. Additional Requirements.** See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.

DIVISION 2: PUBLIC, SPECIAL AND NONRESIDENTIAL DISTRICTS

Section 9.2.2.1 MU, Mixed Use District

- A. Purpose.** The MU, Mixed Use District, when assigned to tracts of land generally greater than one acre, is intended to provide for a mixture of retail, office, and residential uses in close proximity to enable people to live, work, and purchase necessities in a single location. On tracts of one acre or less, the MU, Mixed Use District is intended to permit small scale mixed use buildings that have residential units above retail or office uses, especially on existing residential use properties. Bed-and-breakfast establishments could also be located in this district. Additionally, pedestrian walkways and open area are desired in order to promote a pedestrian-friendly environment. It is not the purpose of this zoning district to permit or encourage properties used for single-family residences to be converted to exclusively commercial or multi-family use. The following are key concepts that should be acknowledged through development practices within Mixed Use Districts:
1. Residential uses in conjunction with nonresidential activities, possibly located above retail and office establishments;
 2. All types of residential uses, including single-family homes, townhouses, and loft-style multiple-family units;
 3. Central green spaces;
 4. Traffic flows that enable people to move freely without the use of an automobile by emphasizing the pedestrian; and
 5. Outside spaces, such as small parks, courtyards, and outdoor eating areas.
- B. Authorized Uses.** Permitted and conditional uses, as authorized in the Land Use Matrix Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.
- C. Additional Development Standards.** See Section 9.1.1.1.
- D. Additional Area, Building and Height Requirements:**
1. **Minimum Lot Area:**
 - a. Internal: 6,000 square feet
 - b. Corner: 7,500 square feet
 2. **Minimum Lot Width:**
 - a. Internal: 50 feet
 - b. Corner: 60 feet
 3. **Minimum Lot Frontage:**
 - a. Internal: 50 feet
 - b. Corner: 60 feet
 4. Minimum Rear Yard: Five feet with an additional two feet required for each story above 24 feet, up to a maximum setback of 25 feet; there shall be no encroachment or overhangs into this required rear yard
 5. Structures higher than four stories may be approved by CUP.
 6. All uses shall provide connections to existing sidewalks, parks or open space.
 7. Parking areas for nonresidential uses shall be screened from single-family uses with a living or solid masonry screening device.
- E. Additional Requirements.** See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.

Section 9.2.2.2 P, Public and Institutional District

- A. Purpose.** The P, Public and Institutional District is intended to accommodate uses of a governmental, civic, public service, or public institutional nature, including major public facilities, state colleges and universities. The review of the location for public facilities is intended to facilitate the coordination of community

services while minimizing the potential disruption of the uses of nearby properties. This district is intended for properties used, reserved, or intended to be used for a civic or public institutional purpose or for major public facilities.

B. Authorized Uses. Permitted and conditional uses, as authorized in the Land Use Matrix in Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.

C. Additional Development Standards. See Section 9.1.1.1.

D. Additional Area, Building and Height Requirements:

1. Minimum Lot Width:

- a. Internal: 50 feet
- b. Corner: 60 feet

2. Minimum Lot Frontage:

- a. Internal: 50 feet
- b. Corner: 60 feet

3. Minimum Rear Yard: Five feet; an additional two feet is required for each story above 24 feet, up to a maximum setback of 25 feet; there shall be no encroachment or overhangs into this required rear yard.

E. Additional Requirements. See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.

Section 9.2.2.3 OP, Office Professional District

A. Purpose. The OP, Office Professional District is established to provide areas primarily for low intensity, small scale office uses and service facilities. Office uses should be compatible with residential uses, and should incorporate established landscape and buffering requirements.

B. Authorized Uses. Permitted and conditional uses, as authorized in the Land Use Matrix in Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.

C. Additional Development Standards. See Section 9.1.1.1.

D. Additional Area, Building and Height Requirements:

1. Minimum Lot Area:

- a. Internal: 6,000 square feet
- b. Corner: 7,500 square feet

2. Minimum Lot Frontage:

- a. Internal: 50 feet
- b. Corner: 60 feet

3. Minimum Rear Yard: Five feet, with an additional two feet required for each story above 24 feet, up to a maximum setback of 25 feet; there shall be no encroachment or overhangs into this required rear yard

4. Maximum Height of Structures: 30 feet or 2½ stories whichever is less.

E. Additional Requirements. See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.

Section 9.2.2.4 NC, Neighborhood Commercial District

A. Purpose. The NC, Neighborhood Commercial District is established to provide low intensity office, retail and service facilities for the local neighborhood area. These uses should be compatible with residential uses in the neighborhood. Hours of business operation should be limited during the week, and businesses should generally close by 10:00 p.m. on the weekends. Businesses shall use landscaping and other buffering techniques to minimize their impact on the adjacent community. Equipment such as dumpsters and storage units shall be located away from residential uses and be screened. NC, Neighborhood Commercial District areas should generally be located on collector streets at the intersection of collector or arterial roadways and act as buffer areas for residential uses from the arterial traffic.

B. Authorized Uses. Permitted and conditional uses, as authorized in the Land Use Matrix in Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.

C. Additional Development Standards. See Section 9.1.1.1.

D. Additional Area, Building and Height Requirements:

1. Minimum Lot Area:

- a. Internal: 6,000 square feet

- b. Corner: 7,500 square feet

2. Minimum Lot Frontage:

- a. Internal: 50 feet
- b. Corner: 60 feet

- 3. Minimum Rear Yard: Five feet, with an additional two feet required for each story above 24 feet, up to a maximum setback of 25 feet; there shall be no encroachment or overhangs into this required rear yard

E. Additional Requirements. See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.

Section 9.2.2.5 CC, Community Commercial

A. Purpose. The CC, Community Commercial is established to provide areas for quality larger general retail establishments and service facilities for the retail sale of goods and services. This district should generally consist of retail nodes located along or at the intersection of major collectors or thoroughfares to accommodate high traffic volumes generated by general retail uses.

B. Authorized Uses. Permitted and conditional uses, as authorized in the Land Use Matrix in Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.

C. Additional Development Standards. See Section 9.1.1.1.

D. Additional Area, Building and Height Requirements :

1. Minimum Lot Area:

- a. Internal: 6,000 square feet
- b. Corner: 7,500 square feet

2. Minimum Lot Frontage:

- a. Internal: 50 feet
- b. Corner: 60 feet

- 3. Minimum Rear Yard: Five feet, with an additional two feet required for each story above 24 feet, up to a maximum setback of 25 feet; there shall be no encroachment or overhangs into this required rear yard

E. Additional Requirements. See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.

Section 9.2.2.6 GC, General Commercial District

A. Purpose. The GC, General Commercial District is intended to provide locations for limited (light) commercial and service-related establishments, such as wholesale product sales, automotive supply stores, veterinary services, and other similar limited commercial uses. The commercial uses within this district will have operation characteristics that are generally compatible with the CC, Community Commercial District.

B. Authorized Uses. Permitted and conditional uses, as authorized in the Land Use Matrix Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.

C. Additional Development Standards. See Section 9.1.1.1.

D. Additional Area, Building and Height Requirements :

1. Minimum Lot Area:

- a. Internal: 6,000 square feet
- b. Corner: 7,500 square feet

2. Minimum Lot Frontage:

- a. Internal: 50 feet
- b. Corner: 60 feet

- 3. Minimum Rear Yard: Five feet, with an additional two feet required for each story above 24 feet, up to a maximum setback of 25 feet; there shall be no encroachment or overhangs into this required rear yard

E. Additional Requirements. See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.

Section 9.2.2.7 VMU, Vertical Mixed Use District

A. Purpose. The VMU, Vertical Mixed Use District, is intended to provide for a mixture of retail, office, and dense residential uses in close proximity to enable people to live, work, and purchase necessities in a single location. It is not the purpose of this zoning district to permit or encourage properties to be converted to exclusively commercial or multi-family use. The following are key concepts that should be acknowledged

through development practices within Vertical Mixed Use Districts:

1. Residential uses in conjunction with nonresidential activities, located above retail and office establishments along street frontages;
 2. All types of residential uses, including single-family homes, townhouses, and loft-style multiple-family units;
 3. Traffic flows that enable people to move freely without the use of an automobile by emphasizing the pedestrian; and
 4. Outside spaces, such as sidewalk cafes, small parks, courtyards, and outdoor eating areas.
- B. Authorized Uses.** Permitted and conditional uses, as authorized in the Land Use Matrix in Section 9.3.1.2. Accessory uses as authorized in Section 9.3.2.1.
- C. Additional Development Standards.** See Section 9.1.1.1.
- D. Additional Area, Building and Height Requirements:**
1. Minimum Rear Yard: Five feet with an additional two feet required for each story above 24 feet, up to a maximum setback of 25 feet; there shall be no encroachment or overhangs into this required rear yard.
 2. Structures higher than four stories may be approved by CUP.
 3. All uses shall provide connections to existing sidewalks, parks, or open space.
 4. Parking areas for nonresidential uses shall be screened from single-family uses with a living or solid masonry screening device.
 5. Parking shall not be located between the front facade and the front property line.
- E. Additional Requirements.** See Chapters 1, 2, 3, 6, and 7 for additional standards as applicable.

Section 9.2.2.8 Planned Development Districts

- A. General.** Planned Development Districts in existence at the time of the adoption of this Code shall remain in effect until they expire subject to the provisions of the previously adopted Code.

ARTICLE 3: USE REGULATIONS

DIVISION 1: INTERPRETIVE RULES AND LAND USE MATRIX

Section 9.3.1.1 Interpretive Rules

- A. Use of Land and/or Buildings.** The use of land and/or buildings shall be in accordance with those listed in the following Land Use Matrix. No land or building shall hereafter be used and no building or structure shall be erected, altered, or converted other than for those uses specified in the zoning district in which it is located or for activities consistent with the nonconforming provisions of this Chapter. The legend for interpreting the permitted uses in the Land Use Matrix Section A.3.1.2 is:

LAND USE MATRIX LEGEND	
P	Designates use permitted in the zoning district indicated.
	Designates use prohibited in the zoning district indicated
C	Designates a use may be permitted in the zoning district indicated by Conditional Use Permit

1. See definitions in Chapter 8 of this Land Development Code for further description of uses.
- B.** If a use is not listed (or blank) in the Land Use Matrix, it is not allowed in any zoning district. See Section 5.1.1.1 for the classification of new or unlisted uses.
- C. Use Chart Organization.** The following use categories are listed in the Land Use Matrix (Section 9.3.1.2):
 1. Agricultural Uses
 2. Residential Uses
 3. Office or Service Type Uses
 4. Retail and Service Uses
 5. Transportation and Auto Service Uses
 6. Amusement and Recreational Service Uses
 7. Institutional/Governmental Uses
 8. Commercial and Wholesale Trade Uses
 9. Industrial/Manufacturing and Construction Uses

Section 9.3.1.2 Land Use Matrix

DIVISION 2: ACCESSORY BUILDINGS AND USE REGULATIONS

Section 9.3.2.1 Area Regulations for Accessory Buildings in Single-Family and Two-Family Districts

A. Size of Yards

1. **Front yard.** Detached accessory buildings shall be prohibited in front of the main building. Barns and related structures necessary for farming and ranching purposes shall be exempt from setback requirements on parcels or tracts of land that are ten acres or greater in size.

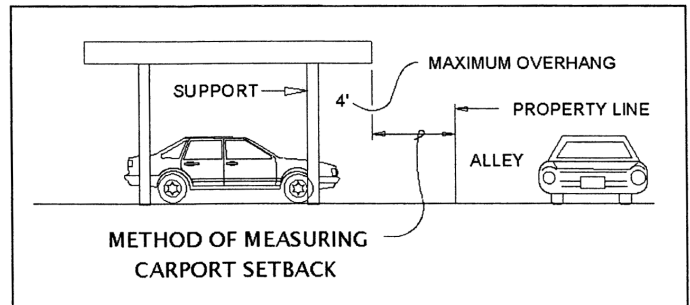
2. Side and rear yards

a. There shall be an interior side and rear yard setback not less than ten feet from any side or rear lot line provided that such accessory building is separated from the main building by a minimum distance of ten feet. In the case of an accessory building (of any size) being closer than ten feet to the main building, the minimum side and rear yard requirements for the main building shall be observed. A side yard adjacent to a street shall observe the same setback as the main building.

b. A side/rear setback of five feet may be used for a portable (i.e., removable) accessory building not exceeding 120 square feet in floor area, and not exceeding a total ridge height of eight and one-half feet, and provided that a solid fence or wall six feet in height is built on the side/rear lot line to screen the building from adjacent property or from a side street, as the case may be.

c. Garages or carports accessed from an interior side yard shall have a minimum setback of 20 feet from the side lot line. Carports or garages accessed from a side yard, facing a public street, or from a rear or side alley shall have a minimum distance equal to the required yard for the main building or 20 feet, whichever is greater.

B. Carports shall be measured from the roof nearest to the street or alley



- C.** Accessory buildings are not permitted without a main structure.
- D.** Accessory buildings shall not exceed the height allowed in the specific zoning district.
- E.** Metal portable accessory buildings less than 120 square feet and no greater than eight and one-half feet in total ridge height are permitted, but shall not be used as an enclosed parking area or garage.
- F.** In all residential districts (including Agricultural), the total floor area of all accessory structures shall not exceed 50 per cent of the square footage of the livable area of the residence on the premises, or five per cent of the lot area, whichever is smaller. This requirement shall not apply to barns and related structures necessary for farming and ranching purposes.
- G.** There shall be no more than two accessory buildings on any residential (or Agricultural) lot.
- H.** See Section 9.4.2.1 for exterior construction standards for accessory buildings.

Section 9.3.2.2 Area Regulations for Accessory Buildings in Nonresidential and Multiple-Family Districts

A. Size of Yards

1. **Front Yard.** Same as for main structure. Detached accessory buildings shall be prohibited in front of the main building.

2. **Side and Rear Yards.** Five feet.

B. Carports shall be measured from the roof nearest to the street or alley.

C. Accessory buildings are not permitted without a main structure.

- D. Accessory buildings shall not exceed the height allowed in the specific zoning district.
- E. Metal portable accessory buildings less than 120 square feet and no greater than eight and one-half feet in total ridge height are permitted, but only if a solid fence or wall six feet in height is built on the side/rear lot line to screen the building from adjacent property and from the view of a public street. Such metal buildings shall not be used as an enclosed parking area or garage.
- F. See Section 9.4.2.1 for exterior construction standards for accessory buildings.

DIVISION 3: HOME OCCUPATIONS

Section 9.3.3.1 Provisions for Home Occupations

- A. See Section 5.1.3.4

DIVISION 4: REQUIREMENTS APPLICABLE TO PARTICULAR USES

Section 9.3.4.1 Communications Antennas and Support Structures/ Towers

- A. See Section 5.1.6.3

Section 9.3.4.2 Conditional Use Permits for On-Site Alcoholic Beverage Consumption

- A. See Section 5.1.5.5.

Section 9.3.4.3 Conditional Use Permits for Fraternity/ Sorority Buildings

- A. See Section 5.1.4.12

Section 9.3.4.4 Occupancy Restrictions

- A. **Limited Number of Unrelated Individuals.** All dwelling units located in SF-11, DR, TH, PH-ZL zoning districts shall be restricted to occupancy by a family, and up to one other person who is not related to any of the family members by blood, legal adoption, marriage, or conservatorship.

- B. Prima facie proof of occupancy of a dwelling unit by more than two unrelated persons is established in any prosecution for violation of this Section if it is shown that the same three or more vehicles with registrations to persons having different surnames and addresses were parked overnight at the dwelling unit a majority of nights in any 21-day period. This establishment of a prima facie level of proof in this subsection does not preclude a showing of “occupancy” of a dwelling unit by a person in any other manner.
- C. The property owner and any agent of the property owner shall be legally responsible for directly or indirectly allowing, permitting, causing, or failing to prohibit the occupancy of a dwelling unit by more than two unrelated persons.

Section 9.3.4.5 Renewable Energy Systems

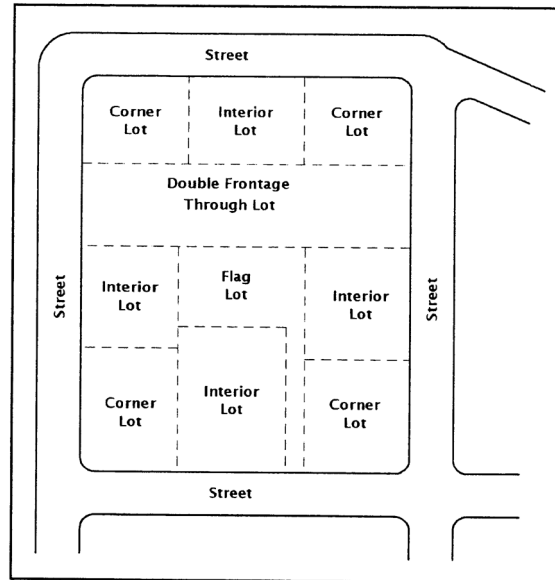
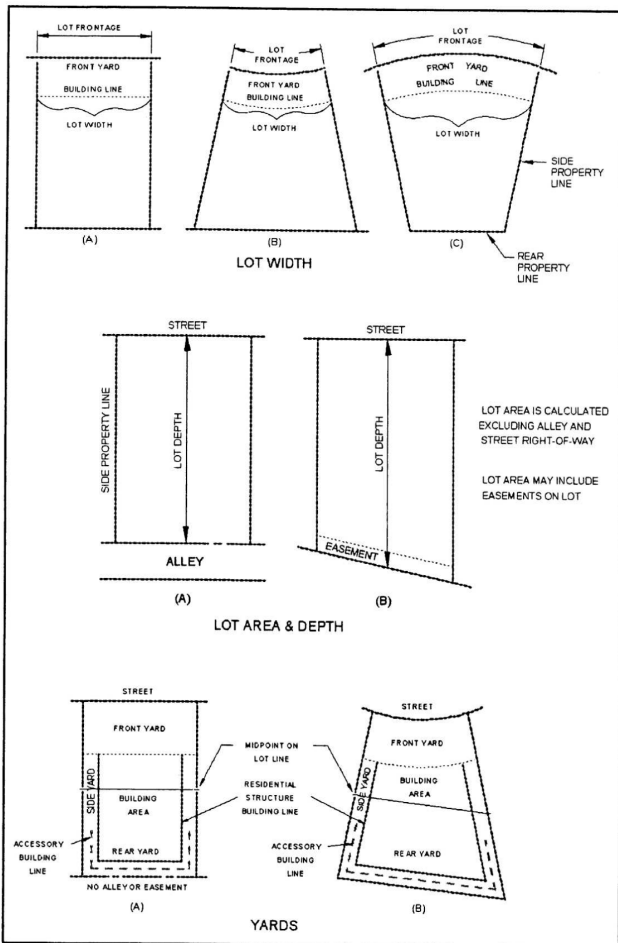
- A. See Section 5.1.6.3

ARTICLE 4: SUPPLEMENTAL STANDARDS

DIVISION 1: AREA, BUILDING, AND HEIGHT REGULATIONS

Section 9.4.1.1 Area and Building Regulations

- A. Measuring Setbacks.** All setback measurements shall be made in accordance with Section 4.3.3.2.
- B. Configuration of Lots.** Flag lots (i.e., lots with minimal, or panhandle type, frontage) shall not be permitted. Double frontage lots in residential zoning districts shall only be permitted if access is limited to one street frontage.
- C. Measuring Lot Dimensions.** Lot dimensions are measured in accordance with the figure below.



Section 9.4.1.2 Special Height Requirements

- A. Calculation of Height.** Height shall be measured in accordance with Section 4.3.4.1 through Section 4.3.4.3

DIVISION 2: EXTERIOR CONSTRUCTION AND DESIGN REQUIREMENTS

Section 9.4.2.1 Exterior Material Requirements for Buildings

- A. Applicability.** The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all exterior building walls of all new construction, and to all new additions to existing buildings. Where alterations, remodeling or repairs result in an expansion of over 50 percent of the gross floor area of the existing structure, the standards and criteria within this section shall apply to the entire structure. These standards apply in Legacy Districts
- B. Exemption.** The following properties are exempt from standards applied to exterior materials:
 1. Property located within the municipal airport; and
 2. Residential uses other than multi-family (multi-family design standards are found in division 3 of this article).

C. Exterior material standards. The following standards shall apply to all nonresidential and industrial building walls:

1. In commercial and public zoning districts, a minimum of 80% of each building wall shall be of primary materials and up to 20% of each building wall may be of secondary materials.
 - a. A request for an additional ten percent of secondary materials or ten percent alternative materials may be considered by the Director.
 - b. Primary materials: Brick, stone, stucco, rock, marble, granite, decorative concrete masonry units, decorative concrete tilt wall, a combination of glass and steel framework; however when glass is mirrored, only less than 20 percent reflectivity is permitted.
 - c. Secondary materials: wood, architectural metal, glass block, tile.
 - d. Other materials: Cementitious fiber board may only be used for covered balconies, porches, patios, fascia, soffits, interior portions of covered stairways, breezeways, hallways, corridors, walkways with a roof covering, window accents. Use of any other material shall be approved through the ten percent director approved additional material request or a conditional use permit as detailed in Section 9.4.2.4.
2. In industrial districts, a minimum of 70 percent of each building wall shall be of primary materials and up to 30 percent of each building wall may be of secondary materials.
 - a. A request for an additional ten percent of secondary materials or ten percent alternative materials may be considered by the Director.
 - b. Primary materials: Brick, stone, stucco, rock, marble, granite, concrete tilt wall, a combination of glass and steel framework.
 - c. Secondary materials: Wood, architectural metal, glass block, tile.
 - d. Other materials: Cementitious fiber board may only be used for covered balconies, porches, patios,

fascia, soffits, interior portions of covered stairways, breezeways, hallways, corridors, walkways with a roof covering, window accents. Use of any other material shall be approved through the ten percent Director approved additional material request or a conditional use permit as detailed in Section 9.4.2.4.

Section 9.4.2.2 Exterior Design Requirements for Buildings

- A. Applicability.** The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all exterior building walls of all new construction and to all new additions to existing buildings. Where alterations, remodeling or repairs result in an expansion of over 50 percent of the gross floor area of the existing structure, the standards and criteria within this section shall apply to the entire structure. These standards shall apply to all nonresidential and industrial buildings within Legacy Districts.
- B. Exemptions.** The following properties are exempt from standards applied to exterior building design:
 1. Property located within the airport;
 2. Residential uses other than multi-family.

Section 9.4.2.3 Procedure for Review of Exterior Design and Materials

- A.** Drawing(s) depicting the exterior design and materials of buildings, in sufficient detail to verify compliance with the requirements of this division, shall be submitted at the time the Site Preparation Permit application is submitted, and again at the time the Building Permit application is submitted. These requirements shall be illustrated, along with calculations and/or specifications of how building envelopes shown on Site Preparation Permits will meet the requirements for materials and design.
- B.** If requested by the City, a sample(s) of the proposed exterior finish material(s) may be required to be submitted with the Site Preparation Permit application.
- C.** If the Director cannot determine compliance with design or materials requirements through the variety of mechanisms and alternatives provided in this Land Development Code, the Site Preparation Permit shall not be approved until the applicant

either revises the proposed design or materials to comply with the requirements, or the applicant obtains a Conditional Use Permit for alternative design or materials under Section 9.4.2.4.

Section 9.4.2.4 Procedure for Approving Alternative Exterior Designs or Materials

- A.** All requests for alternative exterior design or materials shall be clearly written, specifically noted, and described on the Site Preparation Permit application.
- B.** Requests for use of additional secondary or alternative materials, as described in Section 9.4.2.3 above, shall be decided by the Director.
- C.** Relief from a decision of the Director may be appealed to the City Council through application for a Conditional Use Permit. The CUP will be decided based on the following criteria:
 1. The approved alternative meets the intent of the exterior design and materials standards to an equivalent or better degree than the minimum standards required;
 2. The request conforms to the Comprehensive Plan and adopted City Plans;
 3. The request is based on a unique character of the property or proposed use;
 4. Financial hardship is not the basis for the request; and
 5. The request is offset by additional architectural treatments and increased vertical landscaping.

DIVISION 3: MULTIFAMILY RESIDENTIAL DESIGN STANDARDS

Section 9.4.3.1 Purpose and Applicability

- A.** The standards and criteria contained within this Article are applicable to any multifamily residential development in the following zoning districts: MF-12, MF-18, MF-24, MU, or VMU.
- B.** The standards in this Article are supplemental to any other applicable standards in this Code or the SmartCode and such other standards will continue to apply except to the extent of a conflict with these standards, in which event, these standards will govern.

- C.** The provisions of this chapter shall apply to all development meeting one (1) or more of the following thresholds:
 1. All new construction requiring building permits; and/or
 2. Major Redevelopment, including:
 - a.** Additions to a building.
 - b.** Alterations of more than 50% of the exterior elevation of any building within a three year period.
 - c.** Any building being expanded or altered as described above shall comply with Division 1, mechanical equipment screening, pedestrian connectivity and residential compatibility and Division 2, Building Design.

Section 9.4.3.2 Administrative Adjustment

- A.** In order to provide flexibility and creativity of project designs, departures from these design standards may be approved by Administrative Adjustment, subject to the limitations in Section 2.8.5.1 and the following criteria:
 1. The strict interpretation or application of these Design Standards would be inconsistent with related provisions of the Land Development Code; or
 2. The departure creates a project design that better meets the overall purpose and intent of the design standards.
- B.** If the Director of Development Services denies a request for a departure from these design standards, the applicant requesting the departure may file a variance petition in accordance with Chapter 2. This subsection shall not, otherwise, be construed to prevent an owner of property from seeking a variance from these standards by filing a variance petition in accordance with Chapter 2.

Section 9.4.3.3 Site and Building Design Criteria

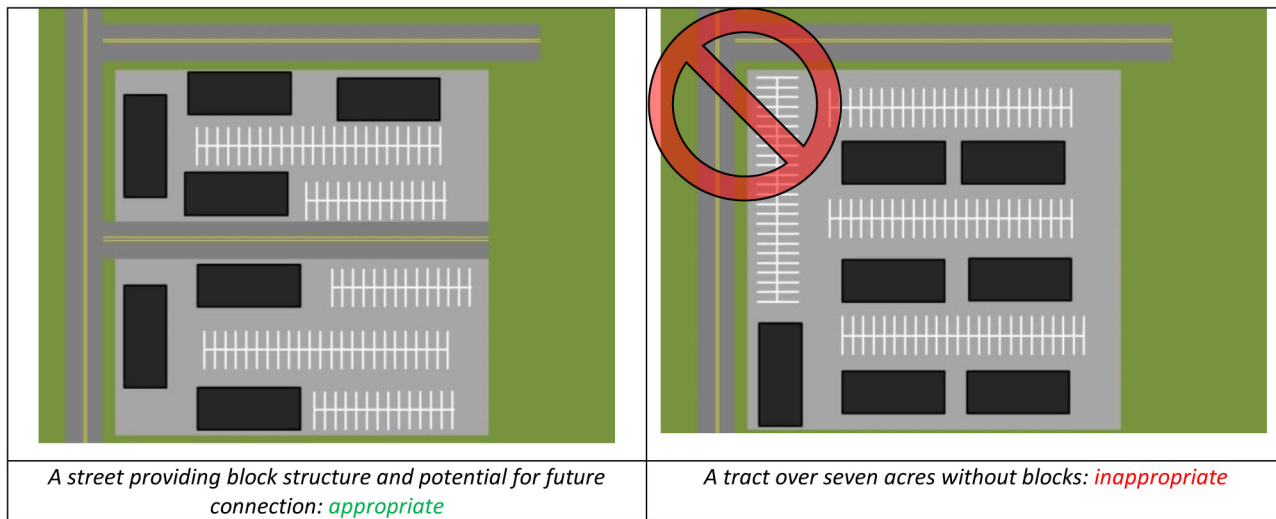
- A. Block Requirements.** The intent is to ensure that multifamily development is built to a scale that is compatible with surrounding areas and provides options for all modes of transportation.
 1. All developments shall comply with the applicable standards set forth below, unless the decision maker determines that there is an established pattern of blocks

less than seven acres in size in the surrounding area and no further street connections are necessary or that compliance with a specific element of the standard is infeasible due to unusual topographic features, existing development, safety factors or a natural area or feature. In such case, the block size must still conform to Section 3.6.1.1.

- 2. **Block Structure.** Each multi-family project shall be developed as a series of complete blocks bounded by streets or street-like private drives (See Figures below). Public streets shall be used to meet this requirement except where there are no possible connections to other public streets. All references to streets in this Article shall refer to both streets and street-like private drives. Natural areas, irrigation ditches, high-voltage power lines, operating railroad tracks and other similar substantial physical features may form up to two (2) sides of a block.
- 3. **Block Size.** All blocks shall be limited to a maximum size of seven (7) acres
- 4. **Connectivity to Adjacent Sites.** All streets and pedestrian entrances shall connect to adjacent properties, except for pedestrian connections adjacent to single family sites.

equal to the automobile through strategies including the placement of parking in less prominent locations.


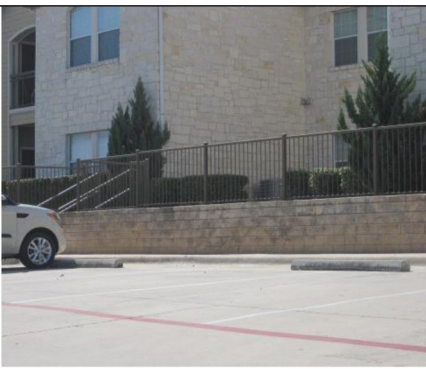
- 1. **Minimum Building Frontage.** At least fifty (50) percent of the frontage along streets shall consist of principal buildings, publicly accessible plazas, transit stops, or other functional open space focused on the corners of the block.
- 2. The facades of all structures fronting on a street are encouraged to parallel the street.
- 3. On corner lots, both street-facing facades are encouraged to parallel the intersecting streets.



- B. **Building location.** The intent is to create an external orientation to the streetscape, and an internal orientation to the residential environment with unifying open space and pedestrian pathways. The pedestrian shall be given design consideration



	
<p><i>Building is Parallel to and Oriented toward the street with more than 50% of the frontage consisting of buildings: appropriate</i></p>	<p><i>Building is setback from the street with parking along the frontage: inappropriate</i></p>

- C. Parking.** The intent is to integrate accessible and convenient vehicular and bicycle parking into the development while ensuring that parking does not dominate the streetscape and site design.
1. Parking lots shall be located in the center and rear of the property rather than between buildings and streets. See the block size exhibit above.
 2. Curb stops shall be provided where parking spaces (not including parallel) are located directly adjacent to buildings or sidewalks (interior or exterior)
 3. A minimum of one sheltered bicycle parking space shall be provided for each ten dwelling units.
 4. Bicycle parking shall be located within 150 feet of the entrance to each ground floor unit, measured from the front entrance of the unit and along approved pedestrian paths. The Director may allow alternate bicycle parking configurations, provided that they are determined to have met the intent of this section.
 5. Carports and covered bicycle parking shall compliment the primary buildings design theme.
 6. Visitor parking shall be signed as "Visitor Parking" and should be located near the amenity center.

	
<p><i>Carports complement the building in terms of materials and trim: appropriate</i></p>	<p><i>Curb stops for parking spaces directly adjacent to sidewalks: appropriate</i></p>




D. Mailbox location and design. The intent is to provide a safe and sheltered area for cluster mailbox service accommodating multiple residents.

1. A weather-protected shelter/facility shall be built to allow for the pickup and drop-off of mail that is safe and provides sufficient light.
2. Pedestrian access to the mailbox location shall be provided and clearly identified as a safe and clear passage for pedestrians.
3. The shelter material and design shall be consistent with the primary building.
4. The shelter shall be well lit and free of blind spots or hiding places.
5. The shelter shall incorporate secured trash and recycling bins.

	
<p><i>No weather protection or secured trash and recycling bins: inappropriate</i></p>	<p><i>Weather-protected shelter with material and design that are consistent with the primary structure which has clear pedestrian access: appropriate</i></p>

E. Lighting. The intent is to enhance day and night time appearances, establish a safe environment for residents and minimize light pollution, while minimizing glare and light trespass onto adjacent properties.

1. The lighting of all parking areas, pedestrian walkways, entrances, and exterior portions of the site shall be designed for its specific task and shall comply with the provisions of Section 7.5.1.1. Lighting shall be: vandal-proof; compatible with building architecture; and, scaled (dimension and intensity) to complement its location context.
2. Lighting shall not be obscured by landscaping.

		
<p><i>Pedestrian scale lighting along an internal sidewalk: appropriate</i></p>	<p><i>Architecturally incompatible and out of scale automobile oriented lighting: inappropriate</i></p>	<p><i>Automobile scaled lighting within the parking area: appropriate</i></p>

F. Mechanical equipment screening. The intent is to place equipment in less visible locations and obscure them from view while maintaining a safe environment.

1. Rooftop mechanical equipment shall be hidden or screened with architecturally integral elements at least as high as the equipment to be screened. This height may be reduced if the developer demonstrates that the equipment will be screened from public view such as through a site line study.
2. Ground mounted mechanical equipment shall be hidden or screened with architecturally integral wing walls and/or landscaping.

3. Wall mounted equipment shall be screened with compatible materials and/or painted to match the structure.
4. Mechanical equipment shall be located where their acoustics will not be disruptive to residents.
5. All utilities shall be screened from streets and passageways.
6. Screening of all electric utilities shall meet the minimum requirements of San Marcos Electric Utility or applicable electric provider’s guidelines for granting safe access to equipment for operation and maintenance and for ventilation and cooling.
7. Large utilities that will be difficult to screen should be carefully placed in areas that will help to conceal them, such as landscape beds, wall cut outs, etc. while allowing for maintenance access and service.



G. Detention location and design. Multifamily developments shall be held to the highest standard of the Stormwater Technical Manual, Appendix N - Aesthetically Enhanced Detention and Water Quality Basins.





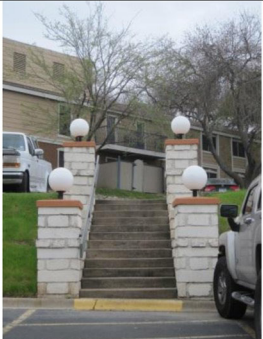
- H. Fencing and Screening.** The intent is to coordinate the design and location of fences to maximize interrelationship of buildings, public streets and open space while avoiding long, unarticulated fences that hinder connectivity.
1. Perimeter fences around multifamily developments, if used, shall be at least 50 percent transparent. The location and height of fencing shall be subject to Section 7.2.6.1.
 2. Fences or gates shall not cross public streets or street-like private drives.
 3. Wrought iron-style fences shall be articulated at a maximum of every 25 feet with the following.
 - a. A combination of shrubs matching the height of the fence and a 4" caliper tree, or
 - b. Masonry columns.
 4. Where solid walls are proposed in lieu of perimeter fencing, they may be no taller than 4 feet along the street frontage, and must be constructed of brick, stone or other masonry material.

<p><i>Unarticulated perimeter fence: inappropriate</i></p>	<p><i>Perimeter fence which is more than 50% transparent with masonry columns and pedestrian access: appropriate</i></p>	<p><i>Solid perimeter fence: inappropriate</i></p>

- I. Pedestrian Access and Circulation.** The intent is to enhance pedestrian safety and convenience by providing an integrated pedestrian circulation system throughout the development. Contact points between pedestrians and vehicular paths should be minimized; where necessary they should be designed to alert drivers to crossing pedestrians.

1. One pedestrian entrance shall be provided connecting the multifamily site to the street for block faces up to 500 feet. Two pedestrian entrances shall be provided for block faces longer than 500 feet. Pedestrian entrances shall connect sidewalks to the internal walkway network and shall be open and not gated. Driveways without separate pedestrian facilities shall not be used to meet this requirement.
2. Pedestrian walkways shall be provided between buildings, and along streets, driveways, community spaces, and off-street parking.
3. Walkways shall transect common open space to enhance visual access while minimizing conflicts between vehicles, bicycles, and pedestrians.
4. Crosswalks shall be distinguished from driving surfaces via painted striping or materials such as pavers, bricks, stamped concrete, etc.
5. Pedestrian walkways shall use lighting scaled to the pedestrian.
6. If walkways are sheltered, structures shall reflect a design and finish similar to the principal building(s).
7. Sudden changes of grade or sharp turns resulting in “blind spots” are discouraged.

- J. Vehicular and Bicycle Access and Circulation.** The intent is to provide adequate access and capacity while reducing curb cuts and providing for pedestrian safety.
1. Access to multi-family developments shall be from a major or minor arterial wherever possible.
 2. Dead end streets shall be permitted only where there is no possible connection with an adjacent street.
 3. Clear bicycle access from the right-of-way to designated bicycle parking shall be provided.
 4. The following measures may be required on neighborhood streets near a new development if appropriate to control traffic, providing any access restrictions are approved by the City of San Marcos Fire Department as not adversely impacting fire and life safety access:
 - a. Crosswalks marked with a change in paving and pedestrian crossing lights;
 - b. Chicanes (mid-block narrowing of the street to slow traffic);
 - c. Traffic circles;
 - d. A bicycle path adjacent to and in addition to other required street frontage improvements;

		
<p><i>Pedestrian crosswalk distinguished from the driving surface via painted striping:</i> <i>appropriate</i></p>	<p><i>Walkways not provided to transect common open space: inappropriate</i></p>	<p><i>Lighting scaled to the pedestrian:</i> <i>appropriate</i></p>

e. For any development within 200 feet of a neighborhood participating in the Residential Parking Permit (RPP) program, the development shall pay a fee for signage, striping, enforcement, or other items related to the RPP program. The fee shall be proportionate to the development's impact based on the number of units and amenity center size and shall be required prior to the issuance of a Certificate of Occupancy.

K. Public Transit Facilities. The intent is to promote public transportation access as an amenity in multi-family developments and ensure that site design considers convenience and comfort factors for residents accessing the facilities.

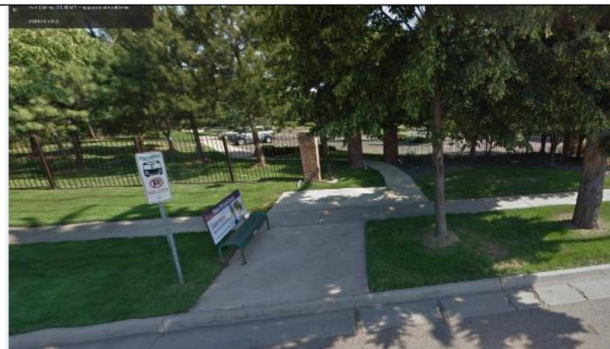
1. Access points and shelter locations for current and future public transit facilities must be included in developments that could generate high volumes of transit use or that are along existing or proposed transit routes.
2. Developments shall be oriented to transit stops whenever possible.
3. Uninterrupted pedestrian paths, composed of an all-weather surface, or similar innovative material, shall be provided to connect transit stops with all adjacent sidewalks or pedestrian paths.
4. Lighting shall be provided along pedestrian walkway connections and adjacent to transit stop facilities.
5. Seating for multiple people, signage and shade (structured or landscaping) shall be provided at all transit stops.

L. Landscaping. The intent is to promote quality landscape design as an integral part of the overall site plan with the purpose of enhancing building design, public views and spaces while providing buffers, transitions and screening. Landscaping can be used, and is often preferred, to satisfy utility and parking screening requirements.

1. **Street Trees.** One shade tree shall be provided per 30 feet of street frontage and must be located within 10 feet of the outside edge of the sidewalk. Where existing utilities prevent installation, alternative tree selection must be approved by the Development Services Director in consultation with the utility provider. Small ornamental trees such as Crape Myrtles will not be considered to satisfy this section.
2. **Specimen Trees.** When there are existing Specimen Trees (24 caliper inch or greater) development should be planned around, and not disturb such trees. A consultation with staff is required prior to an application that would result in the removal of such trees.
3. **Parking Area Trees.** Landscaping used to meet the requirements of Section 7.1.4.3 shall include a tree. Small ornamental trees such as Crape Myrtles will not be considered to satisfy this section.
4. Reduced tree requirements for covered parking may be approved by the Director if they are determined to have met the intent of this section.



Pedestrian access point and shelter location with a gated pedestrian path: *inappropriate*

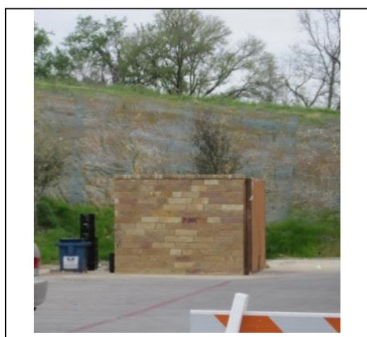




Pedestrian access point and transit stop location with an uninterrupted path, seating, signage and shade: *appropriate*

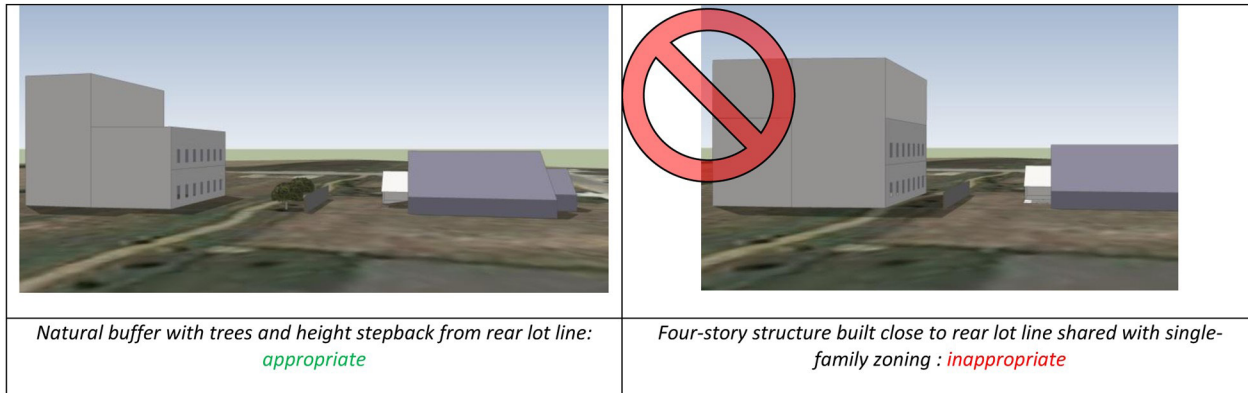
	
<p>Small Ornamental Tree: <i>inappropriate</i></p>	<p>Shade trees planted less than 30 feet apart along the street frontage: <i>appropriate</i></p>

M. Refuse and Recycling Dumpsters. The intent is to provide convenient access to dumpsters for residents to reduce littering and outside storage of trash.

1. **Equal Amenities.** Equal amenities shall be provided for trash and recycling.
2. **Location.** All multifamily developments shall provide both trash and recycling dumpsters located next to each other. Both shall be located within 500 feet of the entrance to each ground floor unit measured from the front entrance of the unit and along improved pedestrian paths. The Director may allow alternate facilities, such as chutes, provided that the request is determined to have met the intent of this Section.
3. **Screening.** Screening shall be designed to reduce the escape of trash and in accordance with Section 5.1.6.3(I) and (M). Material and design shall be consistent with the primary building.
4. **Signage.** Dumpsters and recycle bins shall each be clearly marked.

		
<p>Dumpster screening consistent with the primary building: <i>appropriate</i></p>	<p>Dumpsters screened with materials inconsistent with the primary building: <i>inappropriate</i></p>	<p>Recycle bins provided instead of recycle dumpsters with no screening: <i>inappropriate</i></p>

- N. Signage.** The intent is to create attractive signage that is visible from the right of way and compatible with the residential nature of multifamily projects.
1. No free standing sign type other than monument and directional signage is allowed. Flag poles greater than 25 feet in height shall be considered a free standing sign, and will not be permitted.
 2. Monument signs.
 - a. No portion of a multifamily sign shall exceed 7 feet in height. The sign face shall not exceed 80 square feet.
 - b. Monument signage material and design shall be consistent with the primary building.
 - c. Monument signage shall not be located within 10 feet of any property line
 - d. All monument signs shall be lit from the exterior.
 3. Directional signs
 - a. No directional sign shall exceed 12 square feet
 - b. Directional signage shall not be internally illuminated.
 - c. Directional signage should be located within the project to indicate the building number flow at each drive isle intersection
 - d. Directional signage should be used to indicate exit/enter only drive isles
- O. Residential Compatibility.** The intent is to achieve a compatible transition between zones of differing height and scale requirements. Consideration should be given to the scale and design of surrounding buildings to promote compatibility and complement or enhance the character of existing neighborhoods.
1. Where adjacent to single family zoning, all multifamily development shall incorporate:
 - a. **Height setback.** A maximum building height of thirty (30) feet shall apply to portions of a structure within eighty (80) feet of a single family zoning designation.
 - b. One of the buffer options below:
 1. A thirty-five foot (35') wide densely vegetated landscape buffer. Minimum quantity of landscaping shall be determined by the following requirements:
 - A. The buffer area remains in its natural state if it contains sufficient trees and shrubs.
 - B. Along the shared property line of the single-family and multifamily tracts, one tree per 50 linear feet with a minimum caliper of four inches, selected from the list of approved evergreen tree species in the Preferred Plant List; or
 - C. Along the shared property line of the single-family and multifamily tracts, one tree per 25 linear feet with a minimum caliper of two inches, selected from the list of approved evergreen tree species in the Preferred Plant List.
 2. A street-like private drive so long as any on-street parking is oriented away from the adjacent single-family zoning and the drive is at least thirty-five feet (35') in width. Sidewalks shall not be required on the side of the drive adjacent to the single-family lot, and
 3. A minimum six foot tall masonry wall along the shared property line of the single-family and multifamily tract. A wrought iron fence may be used instead of masonry along with the buffer option in (2)(a) above.
 2. Where across a public street from single family zoning, all multifamily development shall incorporate:
 - a. **Height setback.** A maximum building height of thirty (30) feet shall apply to portions of a structure within seventy (70) feet of a single family zoning designation (measured from the centerline of the street).






Section 9.4.3.4 Building Design

A. Façades. The intent is to create visual interest through architectural form, massing, and detailing. All façades open to view by the public, whether viewed from a public right-of-way or private property, shall have architectural treatments.

1. Articulation refers to the giving of emphasis to architectural elements (such as windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces. An interval is the measure of articulation - the distance before architectural elements repeat. Modulation is a measured and proportioned inflexion or setback in a building's face. Together, articulation, modulation and their interval create a sense of scale important to residential buildings.
2. Four-sided design is required. All building elevations shall reflect consistent design, textures, colors, and features. All walls shall be articulated and modulated to enhance architectural complexity.
3. Building façades shall be articulated with architectural elements that break up long blank walls, add visual interest, and enhance the character of the neighborhood. Vertical articulation shall occur at intervals of no more than forty (40) feet.
4. Three (3) or more of the following methods of articulation shall be used such that the combination of features project a residential character:
 - a. Providing a balcony, bay window, porch, patio, deck, or clearly defined entry for each interval.
 - b. Providing a decorative lighting fixture, trellis, prominent ornamental tree or other landscape feature within each interval.
 - c. Providing architectural features such as setbacks, indentations, overhangs, projections, cornices, bays, canopies, or awnings. Building modulations shall be a minimum of two (2) feet in depth and two (2) feet in width. The sum of the modulation depth and modulation width shall be no less than eight (8) feet.
 - d. Use of material variations such as contrasting colors, brick or metal banding, or textural changes.
 - e. Artwork or building ornamentation.

5. A variety of modulations and articulations shall be employed. No more than four (4) consecutive uniform modulations shall be used.
6. Front façades incorporating a variation in building setback shall include within the setback such architectural elements as covered or recessed building entries, plazas or courtyards, or seating and planting areas.

		
<p><i>Bay Windows, Indentations, Use of Materials (3 items): appropriate</i></p>	<p><i>Use of Materials (only 1 item): inappropriate</i></p>	<p><i>Balconies, Indentations, Use of Materials (3 items): appropriate</i></p>

B. Materials. The intent is to promote quality design and create visual interest through texture, color and detailing. Materials should be durable so that the development will continue to be an attractive part of the community over time.

1. The following materials are allowed for multifamily residential design: brick, stone, stucco, architectural metal beams and glazing.
2. The use of more than one material on individual buildings is encouraged; however, heavier materials such as brick or stone should be placed on the bottom of the structure, with lighter materials such as stucco above.
3. At the time of submittal of building plans, elevations must be provided with a chart stating the material composition percent for each elevation of a building.
4. Cement fiber board and similar products may be used only in the following locations:
 - a. Covered balconies, porches, and patios.
 - b. Fascia and soffits.
 - c. Interior portions of covered stairways and covered stair towers.
 - d. Breezeways, hallways, corridors and walkways which have a roof covering.
 - e. Bay windows and box windows that protrude from an exterior wall past the edge of the foundation that do not have a brick ledge.

C. Building variation. The intent is to create visual interest and balanced massing while avoiding repetition and the monotonous appearance of similar building types. Buildings shall be considered similar unless they vary significantly in footprint size and shape, architectural elevations and entrance features, within a coordinated overall theme of roof forms, massing proportions and other characteristics. To meet this standard, such variation shall not consist solely of different combinations of the same building features.

1. For any street frontage containing at least three (3) and not more than five (5) buildings (excluding clubhouses/leasing offices), there shall be at least two (2) distinctly different building designs.
2. For any such street frontage containing more than five (5) buildings (excluding clubhouses/leasing offices), there shall be at least three (3) distinctly different building designs.
3. For all street frontages, there shall be no more than two (2) similar buildings placed next to each other along a street.

		
<p>Multiple buildings of the same design: <i>inappropriate</i></p>	<p>Multiple buildings with different building designs: <i>appropriate</i></p>	<p>Multiple buildings without distinctly different building designs: <i>inappropriate</i></p>

D. Balconies and stairwells. All stairwells, porches, balconies, and elevator shafts shall be contained within the footprint of the building and shall be incorporated into the design of the façade using consistent and compatible materials and design. Porches located on galleries in VMU or MU zoning districts are exempt from this provision.

		
<p>Balconies not contained within the footprint of the building and of a different material and design: <i>inappropriate</i></p>	<p>Balconies integrated into the facade: <i>appropriate</i></p>	<p>Balconies and stairways contained within the footprint of the building and incorporated into the design of the façade: <i>appropriate</i></p>

E. Quality Building Amenities. The intent is to ensure that taller buildings are of the highest quality. The following shall apply to buildings over three (3) stories.

1. Elevators shall be required.
2. Stairways and corridors shall be located in an enclosed space.

F. Building entries. The intent is to provide human-scaled entries that are prominent and highly visible from other buildings and public areas with safe alignment of sidewalks and paths.

1. At least 50% of all ground-level, street-facing units shall have a street-oriented front entrance.
2. Building entries next to a street or parking area must be pedestrian scaled in relation to building size and covered via canopies or overhangs.
3. Doors, windows, entranceways, and other features such as corners, setbacks, and offsets can be used to create pedestrian scale. Doors shall be fully articulated with the use of such elements as pilasters, columns, fanlights and transoms.
4. Primary entries shall be fully visible and easily accessible.
5. No garages shall be allowed on facades fronting streets.

G. Glazing and transparency. The intent is to provide relief, detail and variation on façades through the use of window architectural styling that lends human scale to the building type and increases safety by providing eyes on the street. All exterior walls and elevations on all floors of multiple household buildings must contain operable windows except when necessary for health or safety such as fire separation.

1. Street-facing facades shall have a minimum glazed area of 20 percent. All other building facades shall have a minimum glazed area of 10 percent.
2. In order to provide relief and variation, a minimum of two (2) of the following requirements for windows shall be met:
 - a. Windows shall be accented with a drip cap, sill, and trim. The drip cap shall be a minimum of three (3) inches in height and one (1) inch in depth; sills shall be a minimum of three (3) inches in width. Trim shall be a minimum of two (2) inches in width and one (1) inch in depth;
 - b. Windows shall be accented through use of multiple panes;
 - c. Windows shall be vertically oriented with a height one and one-half (1½) to two (2) times the width;
 - d. Windows shall be accented through the use of contrasting trim color and other detailing.
3. Windows should be located to maximize the possibility of occupant surveillance of entryways and common areas.

<p>Horizontally oriented windows with trim (one element): <i>inappropriate</i></p>	<p>Vertically oriented with contrasting trim color: <i>appropriate</i></p>	<p>Exterior walls with no windows on any floor: <i>inappropriate</i></p>

