

CITY OF CHARLOTTESVILLE

Department of Neighborhood Development Services

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October 9, 2019

**TO: Charlottesville Planning Commission, Neighborhood Associations & News Media**

# Please Take Notice

A Work Session of the Charlottesville Planning Commission will be held on **Tuesday, October 15, 2019 at 5pm in the Water Street Center (407 E Water Street)**

## AGENDA

1. Form Based Code
2. Public Comment

cc: City Council  
Dr Tarron Richardson  
Paul Oberdorfer  
Alexander Ikefuna  
Planners  
Jeff Werner  
Lisa Robertson



**CITY OF CHARLOTTESVILLE  
NEIGHBORHOOD DEVELOPMENT SERVICES**

**MEMO**

To: City of Charlottesville Planning Commission  
CC: Alex Ikefuna, Director  
Missy Creasy, Assistant Director  
Lisa Robertson, Chief Deputy City Attorney  
From: Brian Haluska, Principal Planner  
Date: October 8, 2019  
Re: Form-Based Code Draft for Phase 1 of the Strategic Investment Area

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**History of the Strategic Investment Area**

In 2012, the City of Charlottesville identified an area of the City to be the focus of a planning process that would come to be known as the Strategic Investment Area. Following the award of a contract to perform the planning work on this project to Cunningham Quill Architects, the planning process commenced in 2013.

The Steering Committee for the Strategic Investment Area Plan adopted the following principles for the plan:

1. Improve and maintain a high quality of life for the people who live there and those who may in the future by addressing issues surrounding housing decay, crime, health, jobs, adult education, child care, and transportation.
2. Create a healthy neighborhood and a “sense of place” with public parks, libraries, other amenities and healthy food sources with safe and interconnected streets that promote walking, bicycling and efficient public transit and use green infrastructure techniques to improve water quality.
3. Promote mixed income residential development without displacing current residents.
4. Focus and coordinate private and public investment in infrastructure, education and community assets to increase economic, recreation and housing opportunities.

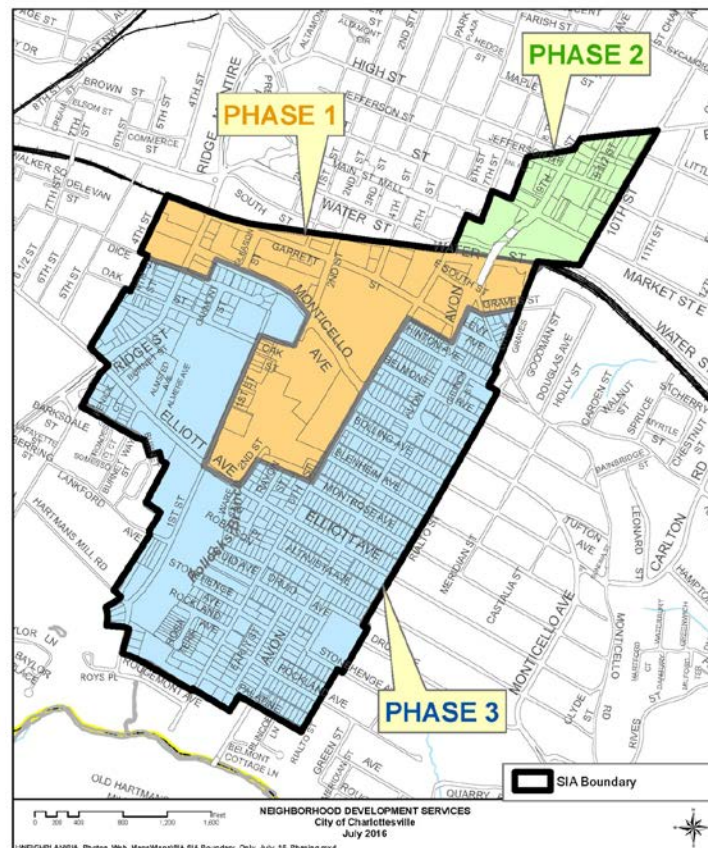
5. Honor the CRHA Residents Bill of Rights and rebuild and preserve existing public and assisted housing as part of an overall plan to revitalize the area. (The SIA will work in concert with the CRHA redevelopment plan and not supersede or replace it).
6. Develop shared understandings of the issues, challenges, opportunities and desired outcome for the SIA.

The draft plan for the SIA was presented to City Council in December of 2013, and ultimately approved as an amendment to the City's Comprehensive Plan.

As a part of the discussion on implementing the plan, staff raised the concern that drafting a zoning change for the entire SIA would be a large undertaking that would incorporate and attempt to address a number of competing interests. Specifically, the SIA area included the south Downtown area and low-density residential areas – two areas that require thorough investigation and may yield very different considerations. In light of these conflicts, staff recommended breaking the SIA into three phases for the purpose of considering zoning changes.

## Strategic Investment Area

### PROPOSED FORM BASED CODE PHASES



## **Form-Based Code**

The City engaged the Form-Based Code Institute (FBCI) as a contractor to write a form-based zoning ordinance for Phase 1 of the SIA in early 2017. The contractor started substantial public input with a charrette at the IX property in September of 2017, and followed up with targeted public outreach at Friendship Court, Crescent Hall and the Sixth Street CRHA housing sites.

FBCI presented several drafts for review by the City. The third draft was submitted in March 2019, and has been posted for public review. Staff reviewed this draft and provided feedback to the consultant in September. The consultant provided an updated draft that is included in your packet this evening.

Staff also received numerous comments from the public on the March 2019 draft regarding a variety of issues. A compilation of those comments is provided with this memo. Staff and the consultant have been working through these comments in advance of the work session.

## **Questions for Discussion**

In the interest of focusing the discussion, staff has highlighted the major issues that were identified by the public for further discussion and direction from the Commission.

## **Regulating Plan**

Several members of the public raised concerns about properties on the edge of Phase 1 and the way they are designated in the regulating plan. The specific properties are:

- The north side of Graves Street (700 block). While this area was included in Phase 1, it is not currently zoned Downtown Extended. The regulating plan designates this area as T4, which is limited to 35 feet in height, but does open the possibility of some commercial activity in properties currently restricted to residential uses. The members of the public that identified this area requested these properties be removed from consideration for a rezoning in Phase 1 of the SIA, and be reconsidered along with Phase 3.
- 310 Avon Street. This property was the location of the Better Living Furniture Warehouse prior to its demolition. The property owner has indicated that they intend to develop the property after the Belmont Bridge is replaced. The owner has objected to the designation of the property as T5 under the Regulating Plan, as it eliminates the possibility of height above 6 stories. Nine stories is permitted by right on the property under its current zoning.
- 200 and 300 block of Ridge Street. These properties were included in Phase 1 of the SIA, but are also in the Ridge Street Historic Overlay District. Several commenters objected to the proposed code superseding the historic review on these properties.

## Open Space

Several members of the public raised questions regarding how prescriptive the requirements for open space appeared to be in the code. The consultant has subsequently clarified that the draft code specifically requires open space in two locations, but also requires open space on all developments while giving the developers latitude in terms of what space they provide.

The public comments seems to support flexibility in how developers provide open space, but mandating some form of the open space on site.

## Bonus Heights

One of the most significant challenges with the code for the SIA was how to incentivize affordable units in such a manner that developers would find the incentives attractive. The State Code places specific limits on the amount of density bonuses that can be granted in a zoning ordinance for providing affordable housing. The City's consultant worked with this restriction by tying additional height to the provision of affordable units.

In developing the height standards, two proposals have been put forth regarding what the by right and bonus heights should be in the T4, T5 and T6 zones. Partners for Economic Solutions, one of the supporting firms on the Form-Based Code study, presented a proposal, while FBCI offered a different version. Those tables are presented below.

### Partners for Economic Solutions Recommendation:

**Table 1.2: Affordable Dwelling Unit Bonus Heights**

T-Zone	By-Right Height	Max. Add'l Bonus Height	Total Height	Min % of ADUs	Minimum ADUs by Affordability		
					50% of AMI	60% of AMI	80% of AMI
T4	3 Stories	None	3 Stories	N/A	N/A	N/A	N/A
T5	4 Stories	+ 2 Stories	6 Stories	10-20%	10%	15%	20%
T6	5 Stories	+ 4 Stories	9 Stories	10-20%	10%	15%	20%

Note: Share of units that must be ADUs is calculated on the number of incremental units made possible by the additional height.

FBCI Recommendation:

Table 1.2: Affordable Dwelling Unit Bonus Heights							
T-Zone	By-Right Height	Max. Add'l Bonus Height	Total Height	Min % of ADUs	Minimum ADUs by Affordability		
					50% of AMI	60% of AMI	80% of AMI
T4	3 Stories	+ 1 Story	4 Stories	10-20%	10%	15%	20%
T5	3 Stories	+ 3 Stories	6 Stories	10-20%	10%	15%	20%
T6	3 Stories	+ 6 Stories	9 Stories	10-20%	10%	15%	20%
Note: Share of units that must be ADUs is calculated on the number of incremental units made possible by the additional height.							

## Parking

Public commenters raised the question of whether or not the SIA was an appropriate area to begin to experiment with reduced parking requirements, especially on smaller lots where parking requirements can severely hinder design flexibility. At least one commenter asked about eliminating parking minimums entirely in the zone. Staff would like to hear the Commission's input on this idea.

## Other

Staff has included a compilation of all of the comments received from the public for Commission review. Half of the comments pertain to specific concerns about individual sections of the Form-Based Code. Staff asks that the Commission review these comments and add any input on items that raise concern.

## Next Steps

The Form-Based Code for Phase 1 of the Strategic Investment Area is scheduled for a Joint Public Hearing at the Commission's meeting on November 12<sup>th</sup>.

## Attachments

- List of Discussion Questions
- Compilation of Public Comments on the March 2019 Draft of the Form-Based Code, dated September 24, 2019
- Charlottesville South Downtown Form-Based Code, dated October 2019

### **List of Discussion Questions**

1. Should the 700 block of Graves Street be removed from the regulating plan?
2. Should 301 Avon Street be designated T5 or T6?
3. Should the 200 and 300 block of Ridge Street be removed from the regulating plan?
4. Are the current draft regulations regarding open space consistent with the broader goals of the SIA and the City?
5. Which bonus height proposal should proceed to the final draft?
6. Should the parking requirements in the SIA be:
  - a. Eliminated
  - b. Eliminated for lots under a certain size
  - c. Reduced
  - d. Similar to those of the Parking Modified Zone
7. Are there any concerns from the public comments that the Commission would request staff to address?



**CITY OF CHARLOTTESVILLE  
NEIGHBORHOOD DEVELOPMENT SERVICES**

**MEMO**

To: Alex Ikefuna, Director  
CC: Missy Creasy, Assistant Director  
Lisa Robertson, Chief Deputy City Attorney  
From: Brian Haluska, Principal Planner  
Date: September 24, 2019  
Re: Public Feedback on the SIA Form-Based Code Draft

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This memo contains the feedback we received on the draft Form-Based Code for Phase 1 of the Strategic Investment Area. I have sorted the comments into general comments that apply to the entire document and process, comment related to broad areas such as affordable housing and open space, comments related to the regulating plan, and finally comments pertaining to specific sections of the proposed code.

**General Comments**

1. The language in the Code reads more as guidance than enforceable code. Staff and the consultant should decide what is intended to be enforceable and alter the language as necessary. Words like “may”, “should”, “discouraged”, etc. imply guidance unless they are defined ahead of time. If the review process is meant to be streamlined, staff should not have to make judgement calls on whether a development has sufficiently adhered to guidance.
2. If the FBC is adopted, it should only apply to DE zoning.
3. The FBC should NOT supercede the authority of the Board of Architectural Review in the Ridge Street ADC district.
4. The FBC should not supercede the Planning Commission’s review of Entrance Corridor along Avon Street.
5. FBC takes a very cookie-cutter approach to design.
6. The proposed FBC “ordinance” is riddled with inconsistencies - more like a draft than an ordinance.



7. I'm concerned about the ability of small, local businesses, particularly those that are local, small-scale production businesses to find affordable space. As with housing, it seems Charlottesville has a "missing middle" for entrepreneurs and makers trying to jump from working out of their house to full-fledged retail or manufacturing locations.
8. Table 1.1 Code Article Tracking: Sec-34-1100 Height and application of district regulations: FBC says "No change except (b) shall not apply." (a) is also different. What marks the top of a building is defined differently in the current code and the FBC.
9. What is the street classification for existing streets?
10. Is the "Side" category under Frontage referring to secondary frontages or side yards?
11. In regard to a maximum lot width, can a shared parking garage (not fronting a street cross property lines to serve multiple lots/buildings? If so, does the language need to change to permit that?
12. In regard to maximum lot coverage, does open space that is grade-accessed and above a parking garage count towards lot coverage? For example, on a sloping site, a partially buried parking garage could have a rooftop plaza accessed from the high end of the site. Counting a garage such as this towards lot coverage could make it more difficult to fully build out a site and take advantage of the bonus heights which provide for affordable housing.
13. How is lot frontage calculated? For example, if 70% frontage is required at the front of a site, and you have a 5' minimum setback, does that mean that 70% of the building must be at exactly 5' from the property line? Would a build-to zone make more sense? There are no maximum setbacks listed. Build-to zones may reduce the number of 5% waivers needed to go through the director of NDS per section 7.3.3.
14. Should there be an exception for the treatment of the ground floor on sites of a certain slope?
15. Do the SIA parking requirements supersede the Parking Modified zone? This zone permits a 50% reduction in non-residential parking, excludes affordable housing units, and allows for alternate means for providing parking.
16. The goals of the proposed Form Based code are not consistent with the needs in the community.
17. I like the idea that there are no density maximums in the T5 and T6 zones....but....why not also allow more units in the t4 zone...as long as the form is OK, why not have more units built close to downtown?
18. I'd like to see the same no density limit provision in the t4 zone....or I'd hope you would incentivize folks to build residential buildings with 8 or fewer units by providing some advantages to those smaller unit buildings (like less parking....?) and not just limit the number of units as a matter of code. There are some financing efficiencies with building structures of 16 to 20 units that could be missed....and those buildings still do not have to have a large footprint

### **Open Space**

19. The mandatory Open Space is too rigidly configured and should be more organically applied to respond to actual development.

20. Rooftop green space should be promoted as an open space type.
21. As we read the draft FBC, and sections 2.4 and 2.5 in particular, there only seems to be one “Open Space” clearly required throughout the entire Phase 1 area. (The Framework Plan labels it as the “Mandatory Open Space” that must be located in the general vicinity of the Ix Art Park.) Further, because draft section 2.4.1 requires that it be either a “Square” or a “Plaza” (as defined by open space types C and D, respectively, on Tables 2.1A and 2.1B), it could be as small as 0.2-acre, and it could consist of up to 90% impervious surface.
  - a. While we understand that nothing in the FBC would limit developers from increasing the size of the one Mandatory Open Space beyond 0.2-acre or providing more Open Spaces throughout Phase 1, we believe the current draft FBC leaves too much to chance on such an essential component of healthy communities. We recommend that the FBC require a much more robust public green space to serve as a signature Open Space for this area, particularly in light of the fact that the proposed Pollock’s Greenway that is a key feature of the Strategic Investment Area Plan has been abandoned in the draft FBC. The “Park” or “Green” open space types referenced in Tables 2.1A and 2.1B seem much more appropriate for this purpose than the “Square” and “Plaza” open space types that the current draft would require.
  - b. We also wanted to note that based on the location of the Mandatory Open Space in the center of the T6 zone, it could potentially be surrounded by buildings as tall as 152 feet (as calculated using the permissible story heights listed in draft section 6.1.3). Has any analysis been done of whether 0.2 acres would be a reasonable size for an effective open space surrounded by buildings of this scale?
22. The reference to an “open space fund” in draft section 2.5.5 raises more questions about the firmness of the Open Space requirement. The bracketed note after that section states the City will “help define conditions” for contributing to the fund, but it is not clear in the first place what requirements could be avoided for contributing to it. For instance, could an applicant contribute cash in lieu of providing the one Mandatory Open Space shown on the Framework Plan? If so, what guarantee is left that an Open Space would be included in the Phase 1 area?

### **Affordable Housing**

23. The Form Based Code consultants have admitted that height bonuses are not sufficient to address the local housing crisis.
24. The draft FBC does not make clear where developers must build the affordable dwelling units that must be provided in order to obtain the building height bonus. There are multiple options, and we feel the FBC must be clear on what is permissible to avoid confusion on such a key component. For example:
  - a. Must they be built within the building that will use the bonus height, or just within the same proposed development?
  - b. Will off-site construction of the units be allowed, either within the area included in Phase 1 of the SIA or elsewhere in the City?

- c. Or do they even need to be built at all? Draft section 1.6.8 mentions a “cash contribution.” That section is not fully fleshed out in the draft, but its inclusion suggests the intent might be to allow the affordable dwelling unit bonus requirement to be satisfied with a cash payment in lieu of construction.
- 25. Draft section 1.6.9 appears to provide an “escape hatch” that allows a developer or building owner who promised to provide affordable units in exchange for bonus height to pay a fee per affordable dwelling unit that they fail to achieve within one year of issuance of a certificate of occupancy. The method for calculating the amount of the fee is not clear in the draft FBC.
  - a. Aside from the need to nail that methodology down, it is worth asking whether such a provision should be included at all—particularly if the decision on the “cash in lieu” question raised above is to not allow cash contributions in lieu of building affordable units.
- 26. Affordability term: Draft section 1.6.4 includes a requirement that affordable dwelling units provided in exchange for a height bonus must “remain affordable for a term not to exceed 30 years.” This proposed affordability term—a maximum of 30 years—is more constrained than we expected, and we were glad to hear at the August 15 joint work session that this will be changed in the next draft.
- 27. The note at the bottom of Table 1.2 indicates that the determination regarding the number of affordable dwelling units (ADUs) that must be built in exchange for a height bonus is “calculated on the number of incremental units made possible by the additional height.” In other words, a 100-unit building need not provide between 10 and 20 affordable units (which would be 10-20%) of the *total* number of residential units in the building). Instead, the number of ADUs required would be based on the number of residential units made possible by the additional height. So, for example, if 20 of the building’s 100 units would be located on the “bonus floors,” the required number of ADUs would be 2-4 (10- 20% of those 20 units). This is fairly easy to apply in a straightforward situation like the one described above, but some reasonable hypotheticals come to mind that generate challenging and important interpretative questions that should be clarified in the draft.
  - a. For example, what if the bonus floors only include large “penthouse” units? One could imagine three bonus floors with one unit each (for a total of 3 units). 10- 20% of 3 units equals 0.3 to 0.6 ADUs. In such a situation, would the bonus height be awarded despite the calculation yielding little to no ADU requirement?
  - b. Another hypothetical is a mixed-use building. How would the incremental unit calculation work for a proposed building that includes both office space and residential units? Must the bonus floors be residential only (since the incremental unit calculation appears to be based on the number of residential units located on the bonus floors)? Or would the incremental unit calculation take into account residential units located on the by-right floors?
  - c. How would a building that is entirely commercial be handled? The consultants indicated at the September 5 open house that commercial

buildings would get the height bonus by-right, but that strikes us as problematic. Why would a proposal providing no affordable dwelling units receive bonus height that is supposed to be contingent on the provision of affordable dwelling units?

28. Affordable housing may currently be addressed through a SUP or rezoning process. Using bonus approach may or may not encourage additional affordable housing.
29. Include language that addresses the life span of required affordable housing units as being 30-40 years.
30. Table 1.2: Affordable Dwelling Unit Bonus Heights. Why are percentages listed for T4 when there is no bonus height allowed? This table does not match the heights indicated in the bulk standards tables. There is a conflict in the number of by right stories: 3 vs 4.
31. When calculating the number of affordable dwelling units required, do you round to the nearest whole number or always round up?

### **Regulating Plan**

32. The 700 block of Graves Street is shown in the regulating plan as being designated a T4 zone. These properties are currently zoned R-2, and previous communications have stated that Phase 1 of the SIA exclusively covered land zoned Downtown Extended. Several commenters have suggested removal of this section from the regulating plan, retaining it as it is currently zoned, and re-evaluating it in Phase 3 of the SIA.
33. Of particular concern is that the SIA does not recognize the Ridge Street historic Architectural Design Control (ADC) district and does not address how BAR would be involved. The area in the ADC district zoned WME along Ridge Street is zoned T-5 in the proposed code.
34. The FBC does not adequately address adjacent neighborhoods. The code does not provide transition zones to low-scale and historic neighborhoods. Although a “transition zone” transect of T-4 is placed along 6th Street in Belmont, a similar approach is not taken in the Ridge Street area. At a minimum there should be a transition zone.
35. The Ridge Street historic district (also ADC historic overlay) is included within the Phase 1 SIA. The adjoining residential neighborhood across Dice Street and 4th St. Southwest also includes Individually Protected Properties, including 513 Dice (Shackelford-Bannister House), 402 Dice (Barksdale-Totty House), 406 Dice (Tyree Thomas House) 410 Dice (Elijah Thomas House) and 412 Dice (Ferrell House).
36. T-5 is based on four-story blocks which can become six-story blocks through an affordable housing bonus. Even four-story massing seems inappropriate along Dice and 4th St. SW. The uncertainty and potential threat for the adjacent Phase 3 of the SIA is even greater.
37. Phase 1 of SIA overlaps with not only DE but also WME with historic overlay on Ridge Street, R-2 (north side of Graves Street), and Avon Street EC district. Yet, the FBC on page 6 explains only how the code applies to DE zone.

38. What is the rationale for locating the T-4 and T-6 zones as they are proposed?
39. The current DE zoning allows additional height and density by SUP, so FBC is not necessary to control where taller or more dense buildings may be located.
40. The property at 310 Avon Street should be included in the T-6 zone instead of T-5, in light of its current development potential.

### **Parking/Parking Access**

41. Table 10.1. - The parking requirements seem kind of high for the type of development being encouraged. Perhaps it's time to let the market dictate parking requirements?
42. Table 10.1: Can we get rid of parking minimums? If we are truly committed to building a community that promotes walking, biking, and transit, the parking minimums need to go. Vinton, VA has no parking minimums in their downtown, so it seems it is a permitted practice in VA. Richmond has also started slashing parking minimums in their BRT zones.
43. Table 10.1: Are parking requirements based on net or gross floor area? For example, is there any allowance for service space such as storage or restaurant kitchen areas as is typical in other codes? If not, the required parking numbers are higher than Charlottesville's code for the rest of the city. For example, in T5, the FBC calls for 3 spaces per /1000sf for office use. The zoning code calls for 2/1000 gross sf. The FBC calls for 4/1000sf for food service. The zoning code calls for 4/1000sf of seating area in a restaurant.
44. Section 10.2-iii-1. - This can be deleted as it matches the city's required dimensions for a compact car.
45. *Section 10.2.4* - "For uses requiring more than 20 off-street spaces, no more than 50% of the required surface lot spaces must be open to the sky." Should "must" be "shall"? That seems great, but kind of tough on developers. Also, if that is the case, I would change the phrasing to say "For off-street parking areas serving a single development (or parcel?) that have more than 20 spaces, no more than 50% of the spaces shall be open to the sky." Someone could provide more surface parking than is required, and I'm guessing the intent would be for that to be covered as well?
46. *Section 10.3* - Bike parking minimums do make sense when pushing for increased bicycle usage in the SIA.
47. How narrow can FBC allow two-way parking access drive to pass from street to the rear of our property? Mike at DPZ mentioned 10' min width (for 2 way?) in the FBC. Having a very narrow 2 way access drive on narrow lots would help
48. Could the FBC consider exempting small infill projects in the T4 zone (or the rest of the SIA) that have buildings/uses that generate a need for parking spaces fewer than ten, or twenty ? ....I have seen this method used in other cities to encourage small, infill development that is in scale with neighbors. Obviously, some will think the parking will spill over to the residential neighborhoods, but I think the city can protect against that with Permitted Parking Zones for those residential streets.

49. Could FBC allow a more aggressive reduction in required onsite parking (say up to 50%?) with the provision of bike parking, or bus proximity, or other tools already identified by the current zoning ordinance?
50. We believe there is a need/ desire for buildings in the City that do not provide parking.....we think we could probably lease all the units in our building with just bike parking. The SIA is perfect for parking exempt....or more bike friendly development pattern.
51. If we could eliminate parking, or reduce it to the point where street parking satisfied our requirements, we would be able to provide a better rear yard / garden experience for our residents....which is what most of them would want....instead of a view of a parking lot.

### **Specific Code Sections**

52. Draft Section 2.1.3 states that projects that meet the Framework Plan “are subject to an expedited review process.” This is a key incentive to developers to propose developments that are consistent with the FBC.
  - a. What is that expedited process, and how does it compare to the regular site plan review process?
  - b. How does the process change if someone seeks the affordable housing bonus?
  - c. How does the process change if someone seeks a waiver or deviation from any of the FBC requirements? (An answer to a question at the September 5 open house indicated that there will be a process developers can use to seek waivers from requirements in the FBC, but that process is not detailed in the draft FBC.)
53. *Section 2.2.1.* - I would like the Planning Commission to consider the 4 acre threshold for the requirement to divide a parcel up into blocks. 4 acres is a square 417’ on a side. 3 acres is a square 361’ on a side. 2 acres is a square 295’ on a side. As our downtown blocks are about 280’ x 230’, and that is the most walkable part of our city, I wonder if 2 or 3 acres would be more appropriate.
54. *Section 2.2.6.* - This reads as though standard bicycle lanes are not permitted on vehicular streets. Protected bike lanes are great, but they can be dangerous on short blocks with on-street parking due to right-turning cars. They also prohibit taking the lane to make left turns. Standard bike lanes between the parked cars and the travel lane should at least not be excluded from those options permitted. The consultant should perhaps take this up with the Bicycle and Pedestrian Advisory Committee. My understanding from our last meeting was that there was general support for my correction.
55. One touted aspect of the FBC is that it will provide walkable and bikeable streets, which we agree is a crucial goal for this area. However, most of the language relating to sidewalks and bicycle facilities in draft sections 2.2 (Thoroughfare Network) and 2.3 (Thoroughfare Design) reads to us more as guidelines than actual requirements. As such, it is not clear how the draft FBC would necessarily augment or strengthen bicycle and sidewalk requirements that exist for this area in the current code. For example:

- d. Draft section 2.2.6 states that bicycle facilities are “encouraged” and lays out some desirable forms for them, but we do not see anything in the FBC that clearly or specifically requires proposals to include bicycle lanes or bicycle facilities on any particular street.
  - e. Draft section 2.3.1 indicates some aspects sidewalks must meet where they are proposed in development projects, but we do not see any language that clearly requires proposals to include sidewalks on any particular street or location. For example, draft section 2.3.1(a) states that sidewalks must be a minimum of six feet wide along B-streets, but the language does not state that sidewalks must be included along B-streets in the first place. This is presumably the intent, but we are concerned the language as currently drafted will not ensure the intent is achieved.
56. *Section 2.2.6*: Is there no provision for "normal" bike lanes? Protected bike lanes would be fantastic, but sharrows are not a real piece of bike infrastructure.
  57. The percentage of T-6 should be much higher than the current % shown on the Draft FBC Framework Plan Figures 2.2 and 2.3.
  58. *Section 2.3.2-b*. - “Outdoor dining should be integrated with sidewalks, not separated by changes in grade, permanent walls, or permanent fences.” ABC laws require enclosures around outdoor dining areas where alcohol is served. Perhaps the consultant should be more specific in this requirement to indicate exactly what they are trying to avoid. It seems to me that an enclosure integrated with the site and the architecture is preferable to the typical bollards and chains.
  59. *Section 2.3.3-ii-2*. - Is it really a good idea to require moveable seating and shading in public open spaces? This seems like an onerous requirement when that moveable seating is likely to walk away.
  60. *Section 2.3.4-ii*. - “Street trees and plantings should be native species...” Remove the requirement for “native species”. Just refer to the City’s tree list, which is vetted by the Tree Commission and provides for trees that are non-invasive and adapted to our local environment. Requiring native species is too limiting.
  61. *Sections 2.4 and 2.5* - There are lots of unused categories of open space in here. Does every development need to provide open space or just those developments that encompass the required and suggested open spaces on the framework plan? Are the remaining categories place holders for future parts of the city?
  62. *Section 2.4.2-a*. - “Existing open space includes publicly accessible space at ground level and at the first floor above grade.” This is confusing. What does existing open space have to do with requirements for new public open space? I read this to indicate that this space could be enclosed. Is that the intention? What is the intention?
  63. *Section 2.4.2-c*. - “Area within courtyards that are open during normal public hours may be considered open space.” Words like “may” leave this up to the reviewer and lack predictability for the developer. Replace “may” with “shall”. Consider whether there should be any definition of “normal public hours.” Does this include weekends?
  64. *Table 2.2*. - The different uses described need to be defined. What exactly is a “festival” such that it’s not permitted on most types of green space when a “concert” is?

65. *Section 2.6.2.* - “Retail is discouraged in locations not indicated as required...” Does “discouraged” mean not permitted or is this just unenforceable guidance?
66. *Section 2.6.2* - Is it safe to assume that retail does not include food service or is this category meant to encompass all commercial uses within Table 8.1 such as office when it says that retail is discouraged where not indicated as required or suggested in the framework plan? It seems odd to only allow larger floor-plate commercial uses where the most pedestrian activity is desired and smaller storefronts would be more suitable.
67. *Bulk Standards Tables 4.2, 4.2, and 4.3:* Why are two numbers listed for the side yard setback? What does (PB+) mean in relation to front setbacks for accessory buildings?
68. *Section 5.1.7-b.* - “blocks on slopes greater than 15%”. Is this the average slope across the entire length or width of the block? It reads as if there just needs to be an area of greater than 15% slope somewhere on the site of the block.
69. *Section 5.1.8-b.* - “lots must abut one or more street.” Does this allow for that “street” to be a pedestrian street (I’m hoping it does)? If so, perhaps a reference to a required distance from that parcel to a fire access right of way would be good to include.
70. *Section 6.* Minimum ground floor heights are referenced but not stated. They are shown as 16’ in figure 6.1. If this is the set minimum, it should also be listed in the text. Does this apply to the T4 transect as well?
71. In figure 6.1, is the 4-5’ dimension between the residential floor slab and the sidewalk elevation an absolute? This may preclude multi-family buildings on sloping sites. How does ADA access work for these units from a shared lobby? Does this figure apply to the T4 transect – if someone wants to build townhouses for instance?
72. Figure 6.2 references retail uses. Is section 6.1.3.j meant for ground floor retail uses, ground floor non-residential uses, or all uses? If all uses, it conflicts with the requirements for ground floor residential uses in figure 6.1. 7.6 says that all ground floor commercial spaces should be configured with storefronts along their facades except along B streets. Is the intention for figure 6.2 to apply to all streets or only A streets? These requirements do not allow for any significant slope if an apartment building with ground floor residential units is used. Is that the intention in the T5 transect along B streets where retail is discouraged? The same could be said for office uses.
73. *Section 6.1.3i* asks that ground floor residential be located 4 ft above the sidewalk....I understand the desire to improve public/private relationship but this provision makes Universal design and/or fair Housing hard to achieve in small buildings. From the street, we would have to ramp up....or have an odd lift. Or, place our elevator in a very inefficient location and have a half stop (extra cost....) I think this idea can just be left to the designers....and a 4 ft rise should not be required. It makes small buildings on small lots even more complicated. And in the T4 zone, where there could be a lot of townhomes in a row (on one parcel....like the CRHA property) the requirements for Fair Housing will apply very strongly....as does Universal Design for scoring LIHTC for project financing through VHDA



74. *Section 6.1.3-j* - “Where sidewalk grade changes across a building façade:” This section should be reviewed in relation to section 6.1.2 that defines building height as measured from the highest elevation of adjacent sidewalk grade. On some parcels, there could be a story’s difference between sidewalk elevations. I think it’s fine to start measuring a building’s height and start counting stories from the highest elevation of adjacent sidewalk. However, sections “j” and “k” may create conflicting regulations.
75. *Section 6.1.4-b* - Are rooftop towers and loggias allowed to be habitable? For example, are they allowed to include interior space such as an elevator lobby for a rooftop terrace?
76. *Section 6.2.1* - Maximum Façade Length. The definition of façade is “the exterior wall of a building that is set along a frontage line”. So, is a break in a façade a short set back that pulls the wall of the building 6’ away from the frontage line? What constitutes a break in a façade? Ideally, it’s a fire wall and a separate building. Even better - it’s a sideyard setback creating a small alleyway.
77. *Section 6.2.1* – Building facades are limited to 120’ along A streets. What constitutes a sufficient break in a building façade?
78. *Section 7.4* – This says projections must not extend into any yard more than three feet. This conflicts with canopies and awnings which are required to extend into a yard at least 6’. What kinds of projections and encroachments are allowed (other than galleries, awnings, canopies, and display windows)? “Elements” is a very vague term. For example, are balconies allowed, and may they encroach by more than 3’ to be usable? Perhaps give some examples of appropriate “elements” such as decorative cornices above ground floor retail, window sills, headers, etc. The consultant should note that the zoning code’s previous section on appurtenances (appears to be referenced in section 6.1.4-a for exclusions from building height) has been compiled into a single section 34-1101-Exclusions from building height and minimum yard requirements, and may offer some guidance on horizontal encroachments.
79. *Section 7.6* - does not allow extruded aluminum.....that will be expensive for some projects. Storefront can be used well....and is common in Cville
80. *Section 7.6.2* - “Storefront windows, doors, signage, awnings, details, and lighting should be designed as a unified composition.” Who is the reviewer for this to determine what a “unified” composition is?
81. *Section 7.6.3-a* - “Storefronts should not be constructed of extruded aluminum frames or panels.” What else would they be constructed from? Wood? The BAR has never denied a new storefront because it was made of aluminum extrusions.
82. *Section 7.6.5* - Storefront Bulkheads. This calls for a 12” masonry kick plate along all street frontages. Is there no room for contemporary metal designs? What is the aesthetic problem with a frameless glass storefront that extends down to grade? I would rephrase this to say that if a bulkhead or kickplate is used, it shall be masonry or metal (so as to prohibit wood or fibercement).
83. *Section 7.6.7-a* - “The design of first and second floor commercial spaces should anticipate restaurant uses.” This is very onerous. Perhaps this should be required as a percentage of overall commercial space – or to accommodate one restaurant for every x thousand square feet.

84. *Section 7.7.1-b.* - “low-e glazing is prohibited.” This does not meet the energy code. Low-e glazing is not tinted or reflective. “Reflective” and “Tinted” should be defined. The BAR currently requires a Visible Light Transmittance of 70 but is looking to revise this number down because it is hard to meet energy codes, and only a few options are available. I would recommend revising this section to read, “Glazing shall meet a visible light transmittance of 60.”
85. *Section 7.7.1-b:* Why are we explicitly prohibiting low-e glazing. This flies in contradiction to the city's commitments to climate change action. If you want to ban reflective windows, that's one thing, but low-e glazing is transparent/translucent.
86. *Section 7.8-e.* - “Galleries may not change height or width along a façade.” This would preclude periodic accent points to break up the length of a gallery. Something needs to be written to describe what happens to a gallery on a sloping street.
87. *Section 7.8.2* – This whole section is a bit fussy. Only sections a and b seem necessary.
88. *Section 7.8.2.f.* – breaks between awnings cannot exceed 12”. I would definitely delete this. I can imagine breaks between storefronts needing to be larger than that for ground floor proportions to look right – especially on a masonry building.
89. *Section 7.8.3 –a.* - I would increase the minimum height to 9’. The 8’ clearance on the Standard has proven entirely unsuccessful and claustrophobic. Also, earlier in the code, storefront display windows are required to be 9’ tall, and these are to go between the tops of display windows and the bottoms of transoms.
90. *Section 7.9.6* – fencing materials. Metal is permitted and then masonry is required in T6? The listed requirements should be rephrased for clarity. For example, is this saying that fencing in T6 shall have some masonry component but can also have metal portions?
91. *Section 7.10.2* - “Mechanical equipment, including rooftop equipment, should be shielded from view along A-streets, pedestrian streets, and open spaces with architecturally integrated walls or screens.” Please consider revising to say that rooftop equipment shall be concealed from all sides with an architecturally integrated screen at least as tall as the equipment is above the roof.
92. *Section 7.11.6* – Duration of lighting: There’s a lot of fuzzy unenforceable language in here.
93. The proposed sign regulations should be eliminated from the FBC.
94. We already have a sign ordinance that works. It would be very confusing and complicated to enforce two different ordinances.
95. We eliminated "roof signs" from the sign ordinance many years ago and it was a huge improvement. No signage should be permitted higher than 20 feet or the sill height of the second floor window- whichever is lower.
96. We made the UVA Battle Building remove an illegal wall sign that was placed up high on the building at a cost of thousands of dollars - now the FBC is proposed to allow them? Bad idea.
97. *Section 8.6.1* – what is a “vertical” sign, and what makes it special so that it may be internally lit?

98. *Section 10.2.3-c-i.* “Pedestrian access must be provided from adjacent A-streets, pedestrian streets, and open spaces at a minimum centerline spacing of 300 feet.” Should that say maximum (per diagram 10.1)?

**CHARLOTTESVILLE SOUTH DOWNTOWN**  
**[SIA-Phase 1A]**  
**Form-Based Code**

*Part of Division 17 within Article VI of the zoning ordinance  
("mixed-use districts")*

by **DPZ CoDesign**

*[draft code submission: October 2019]*

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## 1. GENERAL PROVISIONS

### 1.1. PURPOSE AND INTENT

- 1.1.1. The purpose of this Code is to further the City's Comprehensive Plan, by implementing the recommendations of the Strategic Investment Area Plan (SIA) for Phase 1, and also to promote the health, safety or general welfare of the public. This Code's purpose is to provide a predictable framework for redevelopment and context-based zoning regulations to guide the placement, form and use of private and public property and buildings in the SIA.
- 1.1.2. This Code defines regulations that:
  - a. Guide the evolution of, and further the goals of the Strategic Investment Area Plan (SIA) as defined in the SIA Plan, dated December 2013.
  - b. Honor the Residents Bill of Rights and rebuild and preserve existing affordable housing.
  - c. Support the City's affordable housing policies, and in particular, promote additional affordable housing at every income level, especially those at 30% Average Median Income (AMI) or lower.
  - d. Enable a greater range of housing, including housing at different levels of AMI, and encourage moderate-density and mixed-use development to increase the residential density and intensity of activity within the SIA in support of viable and diverse, locally oriented businesses and cultural institutions;
  - e. Create a healthy neighborhood by providing for public amenities in the forms of a safe, high-quality public realm and active open spaces.
  - f. Promote small, incremental development, alongside larger development.
  - g. Provide for walkable streetscapes where active facades address sidewalks and parking and loading are located behind buildings, according to Charlottesville's "Streets that Work Design Guidelines".
  - h. Support and strengthen the viability of redevelopment activities and priorities for the SIA.

**1.2.APPLICABILITY:**

- 1.2.1. The regulations of this zoning district apply to all land, buildings, structures and uses within the district. No land, building or structure or part thereof, can be used or developed except in conformance with regulations for the Transect Zone in which it is situated.
- 1.2.2. The regulations and standards set forth within this article supersede or modify those within other sections of Chapter 34, as specified within Table 1.1.
  - a. Generally applicable provisions that are not specifically modified or superseded according to Table 1.1, shall continue to apply to all land, buildings, structures and uses located within this zoning district.
  - b. Standards set forth within these zoning district regulations for streets, sidewalks, and other public facilities shall supersede any conflicting standards within City Code Chapter 29, and shall be deemed and interpreted as regulations enacted pursuant to Va. Code §15.2-2240 et seq.
  - c. Standards set forth within these zoning district regulations for streets, sidewalks and other public facilities shall supersede any conflicting standards within the City's Standards and Design Manual.
  - d. Except as provided above, and except as otherwise provided within this division, conflicts between the provisions of this division and other provisions of this chapter shall be resolved in accordance with sec. 34-6.
- 1.2.3. Every lot within this zoning district, every dedicated public right of way, every improved street and every other public facility located within this zoning district, shall comply with the standards set forth within this division.



**Table 1.1 Code Article Tracking**

<b>Article VI</b>	<b>Division 3. - Regulations - Downtown Extended Corridor (DE)</b>		
<b>Article VI: Mixed Use Corridor Districts</b>	Sec. 34-563	Off-street loading areas	Replaced by Section 10.2
	Sec. 34-576	Uses allowed	Replaced by Section 8
	Sec. 34-577	Height regulations	Replaced by Section 6.1
	Sec. 34-578	Street wall regulations	Replaced by Section 6.2
	Sec. 34-579	Buffer regulations	No Change
	Sec. 34-580	Density	Replaced by Fig. 2.3 & Tables 4.1 to 4.3
	Sec. 34-582	Mixed-use developments	Replaced by Fig. 2.3 & Tables 4.1 to 4.3
	Sec. 34-583	Additional regulations	No Change
<b>Related Sections</b>			
<b>Article I: Administration</b>	Sec. 34-12	Affordable dwelling units	Replaced by Section 1.8
<b>Article IX: General Applicable Regulations</b>	Sec. 34-972	Location, yard areas, and driveways	No Change-except (b) (6) shall not apply
	Sec. 34-973	Off-site locations permitted	No Change-except (6) shall not apply
	Sec. 34-984	Off-street parking requirements	Replaced by Sections 10.1 & 10.2
	Sec. 34-1100	Height - application of district regulations	No Change-except (b) shall not apply
	Sec. 34-1123	Lot area requirements	Replaced by Tables 4.1 to 4.3

**1.3. PRE-EXISTING CONDITIONS**

- 1.3.1. Modifications of existing buildings or structures shall result in greater conformance with the regulations of this Code.

**1.4. ESTABLISHMENT OF ZONING**

- 1.4.1. Zoning is according to sec. 34-1.

**1.5. INSTRUCTIONS FOR SITE PLAN SUBMISSIONS**

- 1.5.1. Within this zoning district, a landowner shall submit and obtain approval of a plan of development prior to issuance of any building permit(s), to assure compliance with zoning regulations. The provisions of sec. 34-802 shall not apply within this district.
- 1.5.2 The director of neighborhood development services is hereby designated as the site plan agent for review of every plan of development within this zoning district. This provision supersedes any conflicting provision(s) within Article VII of this chapter.
- 1.5.3. The site plan agent shall from time to time, by written regulations, establish submission requirements for plans of development submitted within this zoning district. In establishing submission requirements, the site plan agent shall consult with the city attorney and the city engineer. The regulations shall be posted prominently on the neighborhood development services website, and changes to the regulations shall be posted ten (10) business days in advance

of taking effect. The following provisions shall not apply to development within this district:

- a. Preliminary development plans are not allowed within this zoning district. The site plan agent shall act on any proposed final development plan that includes bonus height (with minimum required ADUs) within 21 days after it has been officially submitted for approval. Otherwise, the site plan agent shall act on the proposed final development plan within this district within 45 days after it has been officially submitted for approval. In all other aspects, review of a proposed final development plan shall be conducted in accordance with Virginia Code sec. 15.2-2259. A development plan is "officially submitted" when it satisfies all submission requirements established by the site plan agent pursuant to 1.5.3, above.
- 1.5.4. All developments within this district shall provide the improvements required by Article VIII of this chapter. All developments and development plans shall be subject to the provisions of Chapter 29 sec. 29-260 *mutatis mutandis*.

## 1.6. INCENTIVE FOR AFFORDABLE HOUSING: BUILDING HEIGHT BONUS

- 1.6.1. This subsection supersedes sec. 34-12.
- 1.6.2. The purpose of the affordable housing bonus established herein is to facilitate and accelerate the provision of quality affordable dwelling units within the SIA. Owners are permitted bonus building height within this district in return for affordable housing creation.
- 1.6.3. The applicable bonus height may be approved for a building, if the landowner seeks additional height above that which is permitted by-right and demonstrates compliance with all of the requirements of this section
- 1.6.4. DURATION: affordable dwelling units shall be committed to remain affordable for a term not less than 30 years.
- 1.6.5. PERCENTAGE: affordable dwelling units shall be provided in the minimum percentage calculated according to Table 1.2 ("Min. % ADUs")
- 1.6.6. MIX & MANNER: affordable dwelling units shall be provided in a manner that provides for a mixture of levels of affordability, as is specified within Table 1.2. ("Minimum ADUs by Affordability").

Table 1.2: Affordable Dwelling Unit Bonus Heights							
T-Zone	By-Right Height	Max. Add'tl Bonus Height	Total Height	Min % of ADUs	Minimum ADUs by Affordability		
					50% of AMI	60% of AMI	80% of AMI
T4	3 Stories	None	3 Stories	N/A	N/A	N/A	N/A
T5	4 Stories	+ 2 Stories	6 Stories	10-20%	10%	15%	20%
T6	5 Stories	+ 4 Stories	9 Stories	10-20%	10%	15%	20%
Note: Share of units that must be ADUs is calculated on the number of incremental units made possible by the additional height.							

Table 1.2: Affordable Dwelling Unit Bonus Heights							
T-Zone	By-Right Height	Max. Add'tl Bonus Height	Total Height	Min % of ADUs	Minimum ADUs by Affordability		
					50% of AMI	60% of AMI	80% of AMI
T4	3 Stories	+ 1 Story	4 Stories	10-20%	10%	15%	20%
T5	3 Stories	+ 3 Stories	6 Stories	10-20%	10%	15%	20%
T6	3 Stories	+ 6 Stories	9 Stories	10-20%	10%	15%	20%
Note: Share of units that must be ADUs is calculated on the number of incremental units made possible by the additional height.							

- 1.6.7. Upon providing a binding commitment for a specific mix of affordable housing units in accordance with Table 1.2, a landowner will be permitted to build up to the approved bonus height in accordance with the requirements of the Transect Zone in which the building is situated. The term "binding commitment" refers to an affordable housing covenant, in a form approved by the City Attorney's Office, which shall be recorded within the land records of the Charlottesville Circuit Court prior to issuance of a building permit for any building(s) or structure(s) for which a height bonus is to be awarded. If, at the time of the Certificate of Occupancy is requested by a landowner for a building that has

been built with bonus height afforded by this section, the minimum required ADUs have not been achieved, the owner shall post a performance bond in a form acceptable to the City of Charlottesville. The performance bond is determined based on the market value of land per square foot in the area in which the project is located. If the minimum required ADUs have not been achieved within one year of issuance of any certificate of occupancy for the building, the bond shall be forfeited to the City and the City shall have all other rights and remedies available to it by law. Funds that become available from the forfeiture of the performance bond shall be placed into the City's Affordable Housing Fund.

- 1.6.8.** The city council hereby authorizes the director of neighborhood development to adopt written regulations for the administration of the provisions of this section. Pursuant to section 34-82(b)(1), the failure of any person to comply with such regulations constitutes unlawful conduct in violation of this section.
  - 1.6.9.** Developments meeting the minimum 10% affordable dwelling unit provisions, may also obtain the following relief from the parking requirements in Sec. 2.6, Table 2.2:
    - a. Up to a maximum 30% reduction of parking requirements for all affordable dwelling units; or
    - b. Up to a maximum 60% reduction of parking requirements for affordable dwelling units reserved as housing for the elderly.
  - 1.6.10.** The deletion of one (1) affordable dwelling unit from the minimum required ADUs be approved by the site plan agent in return for the provision of the following community amenities:
    - a. A business support computer lab provided on or off-site, but within the same zoning district.
    - b. A childcare facility provided on or off-site, but within the same zoning district.
-

## **2. FRAMEWORK PLAN**

### **2.1. USING THE FRAMEWORK PLAN**

- 2.1.1.** The Framework Plan, depicted on Figure 2.2, shall be adhered to in the use and development of all land within this zoning district, and in the design and

construction of streets and other public facilities within this zoning district, except as provided within sec. 2.1.4, below.

**2.1.2.** The Framework Plan depicts the following:

- a. Fixed street connections and trajectory;
- b. Variable street connections and trajectory;
- c. Variable pedestrian connections;
- d. Designation of A or B-streets;
- e. Mandatory open space location;
- f. General or approximate open space location;
- g. Permitted open space type(s);
- h. Mandatory retail at grade; and
- i. Suggested retail at grade.

**2.1.3.** Every plan of development shall demonstrate compliance with the standards referenced in 2.1.4 through 2.1.6, below, as applicable.

**2.1.4.** Developments are permitted to deviate from the following standards in the Framework Plan, but are subject to compliance with subsections 2.2 to 2.7:

- a. Variable streets: Establish a new street trajectory for a variable street only, if it connects to a fixed street where illustrated on the Framework Plan.
- b. Retail at grade where required. A minimum of 50% of the ground floor shall contain retail uses.
- c. Open Space. The designation of an open space type and specific location.

**2.1.5.** Development sites less than four (4) acres shall demonstrate compliance with the following standards:

- a. The Framework Plan; and
- b. The Zoning Map

**2.1.6.** Development sites equal to or greater than four (4) acres shall demonstrate compliance with the following standards:

- a. The Framework Plan;
- b. The Zoning Map; and
- c. A Regulating Plan prepared by the landowner, that:
  - i. Establishes a street network;
  - ii. Specifies street design;
  - iii. Delineates buildable lots;
  - iv. Delineates open spaces;
  - v. Specifies open space design;
  - vi. Specifies off-street parking location and access;
  - vii. Specifies building heights;
  - viii. Designates Transect Zones, in compliance with Figure 2.3; and
  - ix. Establishes special building requirements as described in Sec. 2.8.

**2.2. THOROUGHFARE NETWORK:**

The Framework Plan requires a network of streets (pedestrian or vehicular) that creates blocks within which development will occur. The network of streets shall meet the following standards:

- 2.2.1. For development sites greater than four (4) acres, the street network shall divide the Framework Plan area into blocks that meet the block standard requirements defined in Section 5.1.
- 2.2.2. Where the Framework Plan requires street connectivity between existing streets, the development shall provide the connection.
- 2.2.3. Where the Framework Plan identifies a variable right of way trajectory, dedicated rights-of-way, and constructed streets, may deviate from the Framework Plan, provided that:
  - a. where the right-of-way intersections are identified as fixed, the dedicated right-of-way and constructed streets shall connect to each intersection where indicated.
  - b. where the right-of-way intersections as identified as variable, the dedicated right-of-way and public streets shall connect within 200 feet of the location indicated.
- 2.2.4. Streets to be used for vehicular travel shall be designated as A-streets or B-streets in order to provide access to parking facilities, service areas, and for phasing as follows:
  - a. A-streets are active streets that prioritize pedestrian and bicycle access to commercial and residential spaces, over vehicular access.
  - b. B-streets are service streets that prioritize vehicular access to parking and service, over pedestrian and bicycle access.
  - c. A street may change in character between A- and B-street standards s along their length, except that no B-street segment may not be implemented between two A-street segments. Any change in character from an A-street to a B-street shall be implemented at an intersection; no such change may be implemented mid-block.
- 2.2.5. Pedestrian streets are permitted as part of the street network as follows:
  - a. Pedestrian streets are considered equivalent to A-streets.
  - b. Pedestrian streets shall be a minimum of 24 feet in width.
  - c. Pedestrian streets may not exceed 20% of the total street centerline length within the Framework Plan.

- 2.2.6. Bicycle facilities are encouraged within Framework Plans as follows:
- a. Where possible, to connect to the bicycle network shown in the 2015 Bicycle and Pedestrian Master Plan.
  - b. To be compliant with “Streets that Work” Design guidelines.
  - c. ~~Protected bicycle lanes, located between parallel parking lanes and sidewalks, above or below curbs;~~
  - d. ~~Bicycle lanes integrated into pedestrian streets; or~~
  - e. ~~Shared travel lanes, meeting one or more of the following design requirements:~~
    - i. ~~The travel lanes are less than or equal to 10 feet in width;~~
    - ii. ~~Textured paving, such as pavers, bricks, or cobbles, is provided for motor vehicle traffic, but for private streets only. a smooth path is provided for cyclists within roughly paved travel lanes;~~
    - iii. ~~Parallel parking is located adjacent to travel lanes;~~
    - iv. ~~Enclosure of the street by adjacent buildings or canopy trees which creates a 1:1 profile or greater.~~

### 2.3. STREET DESIGN STANDARDS

All streets within this zoning district shall meet the following standards:

#### 2.3.1. Sidewalks

- a. Sidewalks shall be a minimum of 12 feet in width along A-streets and 6 feet in width along B-streets.
- b. Sidewalks shall be clear of obstructions for a minimum of 6 feet in width along A-streets and 4 feet in width along B-streets, along their entire length.
- c. Sidewalks shall be continuous along the perimeter of blocks.
- d. Crosswalks shall be provided at all street intersections.

#### 2.3.2. Outdoor dining

- a. Outdoor dining areas are permitted along A-streets, pedestrian streets, and along and within open spaces.
- b. Outdoor dining areas shall be integrated with sidewalks, not separated by changes in grade, permanent walls, or permanent fences.
- c. Furniture within outdoor dining areas, and other areas within a public right of way shall be durable and able to withstand outdoor use. Furniture color shall be compatible with building color and materials.

#### 2.3.3. Street furnishings

- a. Bicycle parking shall be provided along all sidewalks and in corrals adjacent to high-volume uses (e.g., theaters, offices, and multifamily dwelling units).
- b. Bicycle racks shall be permanently anchored to a concrete footing.
- c. Trash receptacles should be provided along all A-streets, spaced no further than 200 feet apart.



- d. Public seating should be provided along streets and open spaces, in accordance with the following standards:
    - i. Along streets:
      - (1) Seating shall be located between walkways and on-street parking, regularly spaced along the street trajectory.
      - (2) Seating shall be provided as fixed benches, tree planter-integrated seating, or in parklets.
    - ii. Open spaces:
      - (1) Seating shall be provided along edges and in groupings within the space.
      - (2) Moveable seating and shading shall be provided within open spaces.
  - e. The placement of street furnishings in public rights-of-way shall be coordinated with the Department of Public Works, to ensure accessibility and to ensure no interference with public operations, such as street cleaning, snow removal, etc.
- 2.3.4.** Street trees shall comply with the City's Streets that Work Design Guidelines; with City Code sec. 34-870, and also with the following standards:
- a. Street trees shall be planted along all vehicular streets.
    - i. Street trees and planting shall be provided within street rights-of-way to provide shade and visual interest.
    - ii. Street trees and plantings shall be a large canopy species listed on the City's Tree List.
  - b. Street trees shall be planted parallel to travel lanes, centerline within 6 feet of curbs, except where the street is a shared space street, or it passes through an open space.
  - c. Streets with a right-of-way width of 60- feet or larger:
    - i) Street trees should be planted in an allee pattern, regular spacing on both sides of the street.
  - d. Streets having a right-of-way width of less than 60 feet:
    - Street trees may be planted in an allee pattern or an alternating pattern. Spacing shall be at regular intervals along the street, where tree placement alternates from one side of the travel lanes to the other.
  - e. Where arcades or galleries are used, street trees should be planted wherever space allows.
  - f. Where medians are provided, street trees should be planted within the median, matching the tree spacing along curbs.
  - g. Street trees should be spaced according to their mature canopy size, typically between 25 and 40 feet between trees. The city arborist is hereby authorized to establish spacing standards for particular species of trees;

when such spacing standards have been established, street trees will comply with them.

- h. Street tree wells shall be a minimum of four by 10 feet and shall be installed adjacent to the curb.
  - i. Plantings. In areas or places where plants and trees are planted, the following applies:
    - i. Street plantings shall be installed in line with street trees and along lot frontages.
    - ii. Street plantings shall be installed at ground level or in moveable, raised planting boxes or urns.
    - iii. Permanent, raised planting boxes, over 12 inches, are not permitted along streets.
- 2.3.5. On-street parking
- a. On-street parking shall be provided along all street frontages, except where streets pass through open space.
  - b. On-street parking should be provided as parallel parking spaces; however, non-parallel parking may be approved by the City Traffic Engineer upon a

finding that non-parallel spaces would be safer for motor vehicle, bicycle, or pedestrian traffic and would be compatible with the design of the street.

- c. Parking spaces are limited to a maximum of 8 feet in width and 22 feet in length.

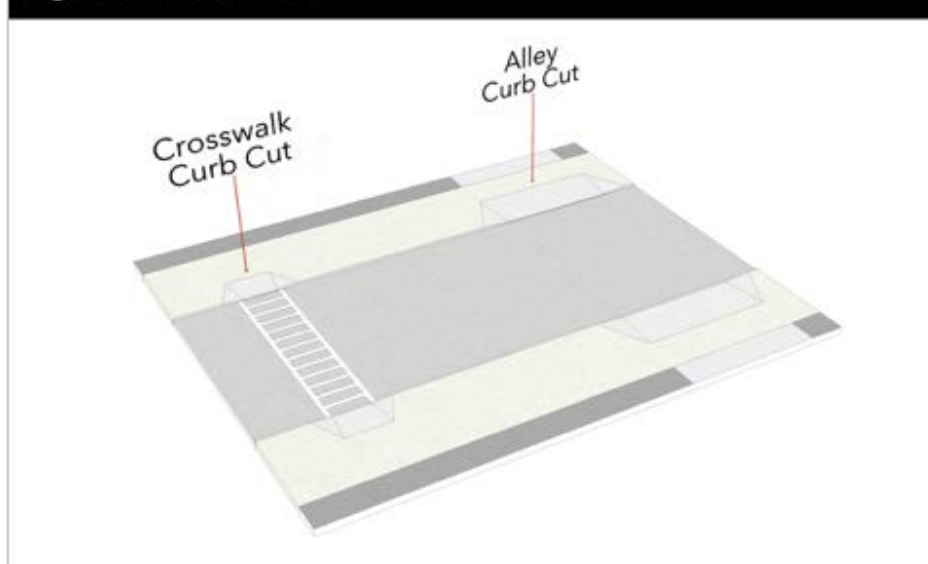
**2.3.6. Travel lanes**

- a. Vehicular travel lanes may not exceed 10 feet in width per lane, unless otherwise required by mandatory engineering or safety requirements.
- b. Streets within this zoning district may not include more than 2 vehicular travel lan

**2.3.7. Curbs**

- a. Curbs shall have a maximum vertical dimension of 6 inches and a minimum dimension of 4 inches.

**Figure 2.1 Curb Cuts**



**2.3.8. Curb cuts**

- a. Curb cuts shall meet all applicable ADA standards and shall comply with the standards in Figure 2.1.

**2.3.9. Curb return radii**

- a. Curb return radii is limited to a 15-foot effective turning radius. Mountable curbs shall be provided when mandatory engineering or safety requirements require larger radii.

**2.3.10. Lighting**

- a. Lighting shall be provided according to Sec. 7.11. Lighting.

**2.4. OPEN SPACES**

Civic open spaces that are properly sized, and well defined by the buildings along their edges, shall be provided. The form and placement of the civic open space is as important as the size. Where feasible, open space type C and D should be “activated” with sidewalk-level commercial uses. The framework plan specifies general or approximate locations for open space. The actual location(s) of open space(s) shall be designated within a plan of development.

- 2.4.1.** An open space, of either type 'C' or 'D' as per Table 2.1, shall be provided within Phase 1 of the SIA, in the general location identified in the Framework Plan.
- 2.4.2.** Public open space shall meet the following criteria:
  - a. Existing open space includes publicly accessible space at ground level and to a maximum of 36 inches above grade.
  - b. Area under permanent kiosks are not considered open space
  - c. Area within courtyards that are open during normal public hours may be considered open space.
- 2.4.3.** Blocks greater than one acre, which are wholly redeveloped, shall provide open space in the form of Open Space Types B, C, D, E, or publicly accessible courtyards.







Table 2.1A Open Space Design - Location and Dimensions					
Open Space Type	Location and Dimensions				
	Zones	T-Fare Frontage	Size	Dimension	
 <b>A. Park</b>	T4	1 side min.	1 ac. min. 10 ac. max.	n/a	
 <b>B. Green</b>	T4	2 sides min.	0.5 ac. min. 5 ac. max.	80 ft. min.	
 <b>C. Square</b>	T4, T5, T6	2 sides min.	0.2 ac. min. 3 ac. max.	80 ft. min.	
 <b>D. Plaza</b>	T5, T6	1 side min.	0.2 ac. min. 2 ac. max.	60 ft. min.	
 <b>E. Pocket Park</b>	T4, T5	1 side min.	1,000 sf. min. 0.25 ac. max.	30 ft. min.	
 <b>F. Passage (mid-block)</b>	T4, T5, T6	n/a	n/a	12-40 ft. in width	

Table 2.2 Permitted Open Space Uses						
Use	A. Park	B. Green	C. Square	D. Plaza	E. Pocket Park	F. Passage (mid-block)
<b>Active Uses</b>						
Athletic Fields (structured)	Permitted	-	-	-	-	-
Athletic Fields (unstructured)	Permitted	Permitted	-	-	-	-
Community Garden	Permitted	Permitted	-	-	Permitted	-
Dog Park (enclosed)	Permitted	-	-	-	-	-
Exercise Equipment	Permitted	Permitted	Permitted	-	Permitted	-
Performance Space	Permitted	Permitted	Permitted	Permitted	-	-
Playground	Permitted	Permitted	Permitted	-	Permitted	-
Paths (walking & cycling)	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Skate Park	Permitted	Permitted	Permitted	Permitted	-	-
Swimming Pool	Permitted	-	-	-	-	-
<b>Passive Uses</b>						
Conservation Area	Permitted	Permitted	Permitted	-	-	-
Concerts	Permitted	Permitted	Permitted	Permitted	-	-
Farmers Market	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Festivals	Permitted	-	-	-	-	-
Furniture Games	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Outdoor Dining	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Food Sales	Permitted	Permitted	Permitted	Permitted	-	Permitted
Public Art	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Water Features	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted

**2.5. OPEN SPACE DESIGN**

- 2.5.1.** Open space shall be selected from and configured as specified in Table 2.1.
  - a. The illustrations are shown to convey the intended character only.
- 2.5.2.** Open space shall be visible and accessible with a minimum of two sides bordering streets, unless constrained by natural conditions. One of the required streets may be in the form of a Pedestrian Passage.
  - a. Wall, fences and hedges shall not exceed 48 inches in height.
- 2.5.3.** Open spaces shall contain benches, trash receptacles and bike racks, in keeping with the scale of the place. All furnishings shall meet applicable City standards.
- 2.5.4.** Landscape should be primarily of local origin, according to a plant list maintained within the department of neighborhood development services.
- 2.5.5.** Open spaces should provide for active and passive uses, that are limited by open space types, according to Table 2.2.
- 2.5.6.** Uses listed in Table 2.2 are not exhaustive; however, uses not listed in Table 2.2 shall be specified within a plan of development and determined by the site plan agent to be similar to use(s) listed in Table 2.2.

**2.6. RETAIL**

- 2.6.1.** All ground floor space shall meet the storefront requirements in sec. 7.6 for a minimum depth of 20 feet in the following conditions:
  - a. Where retail is required at grade; and
  - b. Where retail is provided at suggested retail locations.
- 2.6.2.** Retail is prohibited in locations not indicated as required or suggested retail in the Framework Plan.

**2.7. SPECIAL BUILDING REQUIREMENTS**

Regulating Plans may include any of the following special building requirements:

- 2.7.1.** Terminated vistas, specifying locations where buildings should respond to axial or deflected terminations of streets and passages with changes in massing, articulation, and design;
- 2.7.2.** Height restrictions, specifying minimum or maximum heights for buildings, within the height otherwise allowed by the zoning district;
- 2.7.3.** Build-to lines, specifying specific setbacks for buildings in relation to their property lines, within the setbacks otherwise allowed by the zoning district.
- 2.7.4.** Designated open space, specifying the location, size, and type of open spaces on buildable lots.



**Figure 2.2 Framework Plan** *[see attached, large scale plan]*



**Figure 2.3 Zoning Map** *[see attached, large scale plan]*



### 3. TRANSECT ZONES DESCRIBED

- 3.1. Transect Zones are generally specified as follows:
    - 3.1.1. **T4: Transition Zone:** T4 is a low to moderate intensity mixed-use zone with limited neighborhood-scaled commercial buildings and uses, and in which there are both single-family and multifamily residential dwelling types. Within T4, building height is limited to 3 stories. T4 is intended to function as a transition zone from the single-family neighborhoods to the high intensity, mixed use zones.
    - 3.1.2. **T5: General Zone:** T5 is a medium intensity, mixed-use zone characterized by mid-rise, residential, commercial, institutional or mixed-use buildings. Within T5, building height is limited to 4 stories by-right with 2 additional stories permitted upon compliance with affordable housing bonus provisions. Small retailers and service providers, food service establishments, and entertainment venues are encouraged along main streets and at neighborhood centers.
    - 3.1.3. **T6: Center Zone:** T6 is a high intensity mixed-use zone characterized by taller, mixed-use buildings, apartment buildings, and buildings constructed for offices, hotels, institutional uses. Buildings within T6 are constructed so that their front facades have frontage on an open space type C or D. Within T6 building height is limited to 5 stories by-right, with 4 additional stories permitted upon compliance with affordable housing bonus provisions. Active, non-residential uses are required along the ground floor.
    - 3.1.4. **Civic Zone:** The Civic Zone is a zone characterized predominantly by open space and large-scale buildings, publicly or privately owned, used for institutional or governmental uses.
  - 3.2. Transect Zones are assigned according to Figure 2.2.
  - 3.3. Building and development standards for Transect Zones are summarized in Tables 4.1 to 4.3.
-



## 4. BULK STANDARDS

- 4.1. Standards for building form are organized by Transect Zone according to Tables 4.1 - 4.3.
- 4.2 Lot coverage may exceed the maximum, if open space according to Table 2.1 is provided on site and is publicly accessible at grade.
- 4.3 Parking garages are exempt from maximum lot width.

**Table 4.1 Bulk Standards - T4**



**Setbacks - Principal Building (feet)**

a	Front, Primary	10 min.
b	Corner Side	10 min.
c	Side	0 or 5 min.
d	Rear	5 min.

**Frontage & Lot Occupation (min.)**

	Front	70%
	Side	40%

**Lot Occupation**

i	Lot Width	100 ft. max.
	Lot Coverage	60% max.

**Building Height (stories, max.)**

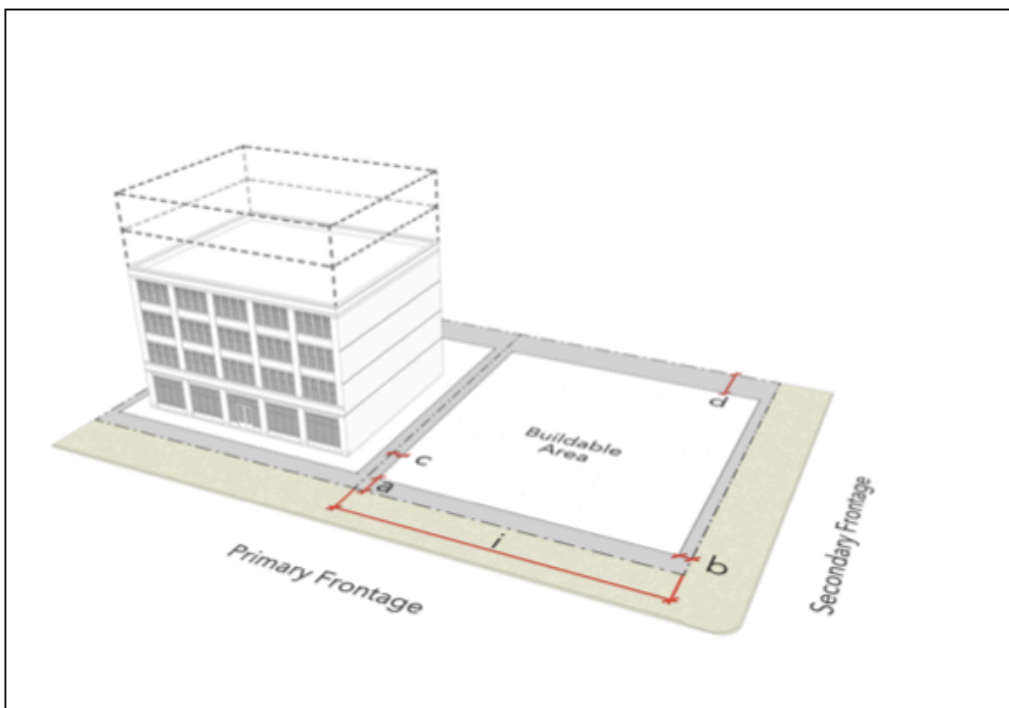
	Principal Building	3
	Accessory Building	2

**Setbacks - Accessory Building (feet)**

e	Front (PB +)	10 min.
f	Corner Side	10 min.
g	Interior Side	0 or 5 min.
h	Rear	4 min.

**Frontage Yard Types [see Table 7.1]**

Common	Not Permitted
Fenced	Permitted
Cluster Court	Permitted
Shallow	Permitted
Urban	Not Permitted
Pedestrian Forecourt	Not Permitted
Vehicular Forecourt	Not Permitted

**Table 4.2 Bulk Standards - T5**

**Setbacks - Principal Building (feet)**

a	Front, Primary	5 min.
b	Corner Side	5 min.
c	Side	0 or 5 min.
d	Rear	5 min.

**Frontage & Lot Occupation (min.)**

Front	70%
Side	40%

**Lot Occupation**

i	Lot Width	150 max.
	Lot Coverage	80% max.

**Building Height (stories, max.)**

Principal Building	4 <sup>(1)</sup> / 6 <sup>(2)</sup>
Accessory Building	2

<sup>(1)</sup> By-Right, max. base height limit

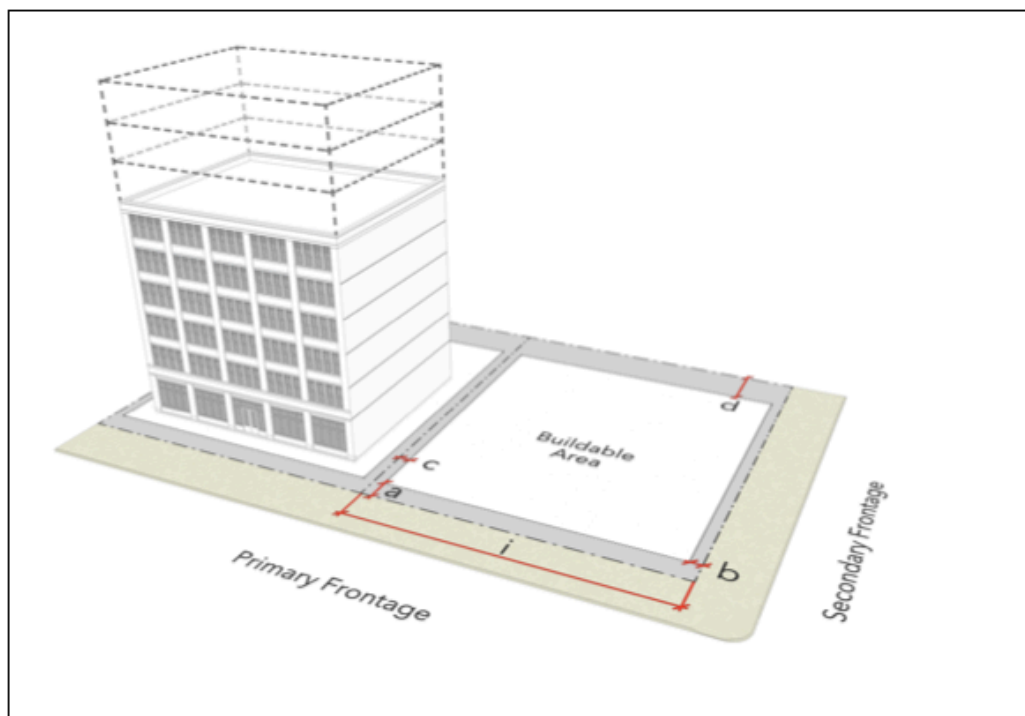
<sup>(2)</sup> With affordable housing incentive

**Setbacks - Accessory Building (feet)**

e	Front (PB +)	10 min.
f	Corner Side	5 min.
g	Interior Side	0 or 5 min.
h	Rear	4 min.

**Frontage Yard Types [see Table 7.1]**

Common	Not Permitted
Fenced	Not Permitted
Cluster Court	Not Permitted
Shallow	Permitted
Urban	Permitted
Pedestrian Forecourt	Permitted
Vehicular Forecourt	Not Permitted

**Table 4.3 Bulk Standards - T6**


Setbacks - Principal Building (feet)			Setbacks - Accessory Building (feet)		
a	Front, Primary	0 min., 10 max.	e	Front	N/A
b	Corner Side	0 min., 6 max.	f	Corner Side	N/A
c	Side	0 or 5 min.	g	Interior Side	N/A
d	Rear	2 min.	h	Rear	N/A
Frontage & Lot Occupation (min.)			Frontage Yard Types [see Table 7.1]		
	Front	90%	Common		Not Permitted
	Side	40%	Fenced		Not Permitted
Lot Occupation			Cluster Court		Not Permitted
i	Lot Width	15 min,	Shallow		Not Permitted
	Lot Coverage	100% max.	Urban		Permitted
Building Height (stories, max.)			Pedestrian Forecourt		Permitted
	Principal Building	5 <sup>(1)</sup> / 9 <sup>(2)</sup>	Vehicular Forecourt		Permitted
	Accessory Building	N/A			

<sup>(1)</sup> By-Right, max. base height limit

<sup>(2)</sup> With affordable housing incentive

## 5. BLOCK & LOT STANDARDS

### 5.1. BLOCKS

- 5.1.1. All developments shall be designed within a block structure that is bounded by public rights-of-way on all sides.
- 5.1.2. The maximum block perimeter is 1,600 feet.
  - a. Block perimeter is measured as a line circumscribing the block along street rights-of-way.
  - b. Block faces are considered straight or curved line segments that are combined to create the block perimeter.
  - c. Where two or more line segments along the block perimeter meet at an internal angle greater than 135 degrees, the line segments are considered to be a single block face.
- 5.1.3. Any block face longer than 350 feet requires a cross-block passage that bisects the block to facilitate pedestrian movement.
  - a. Cross-block passages may be provided through parking lots or structures, provided a clearly marked and dedicated pedestrian path is provided.
- 5.1.4. One block face may be bounded by a non-vehicular pedestrian passage. The passage shall have a minimum public right-of-way of 12 feet.
- 5.1.5. Blocks that are adjacent to public parks may have pedestrian passages on two sides.
- 5.1.6. Where there is a grade change that cannot be accommodated by ramps or a sloped sidewalk steps are permitted. Access to each building within a development shall comply with applicable building codes.
- 5.1.7. Blocks may be exempt under the following conditions
  - a. Blocks containing a civic space as defined in Table 2.1,
  - b. Blocks on slopes greater than 15%
- 5.1.8. The Framework Plan area may be divided into one or more lots, subject to the following:
  - a. Lots shall follow the dimensional requirements of their applicable zoning category.
  - b. Lots shall abut one or more streets.

## 6. BUILDING MASSING & MATERIALS

### 6.1. BUILDING HEIGHT

6.1.1. Building heights are assigned by Transect Zone.

6.1.2. Building height is measured as follows:

- a. Building height is measured in above-ground stories, except where otherwise specified.
- b. Building height is measured from the [average elevation of the site?] highest elevation of adjacent sidewalk grade.
- c. Above ground stories are measured from finished floor to finished floor and as follows:
  - i. Top floors on buildings with flat roofs are measured from finished floor to the average of the roof top.
  - ii. Pitched and angled roofs are measured to the bottom of the eave.

6.1.3. Building story height is limited as follows:

- a. In T<sub>4</sub> building story height shall not exceed 14 feet.
- b. In T<sub>5</sub> and T<sub>6</sub> building story height shall not exceed 16 feet.
- c. Medical office buildings and hospitals may exceed maximum story height for the Transect Zone in which they are located, by up to 20 feet.
- d. Buildings designed to contain commercial uses at grade may have the following building story height:
  - i. In T<sub>4</sub> and T<sub>5</sub>: 20 feet, maximum.
  - ii. In T<sub>6</sub>: 24 feet, maximum.
- e. Partial stories less, than four (4) feet above ground, do not count as a story.
- f. Below ground stories are not limited in height.
- g. Where buildings constructed prior to [adoption date] contain stories that exceed the maximum permitted story height, the stories will be counted as



multiple stories by dividing the story height by the maximum story height and rounding up.

- h. Mezzanines exceeding 50% of the ground floor area will be counted as an additional building story.
- i. Where ground floors are used for residential uses, the finished floor shall be elevated a minimum 21 inches.
- j. Where sidewalk grade changes across a building facade:
  - i. The average ground floor story height measured across the facade shall meet the ground floor height requirement, as illustrated in Figure 6.2.
  - ii. Ground floor story height at the lowest end may be up to two feet lower than a minimum required ground floor story height.
  - iii. Average ground floor story height shall not exceed the maximum building story height according to section 6.1.3.
- k. Stories counted as below-ground stories may extend not more than 3 feet above sidewalk grade at any point.

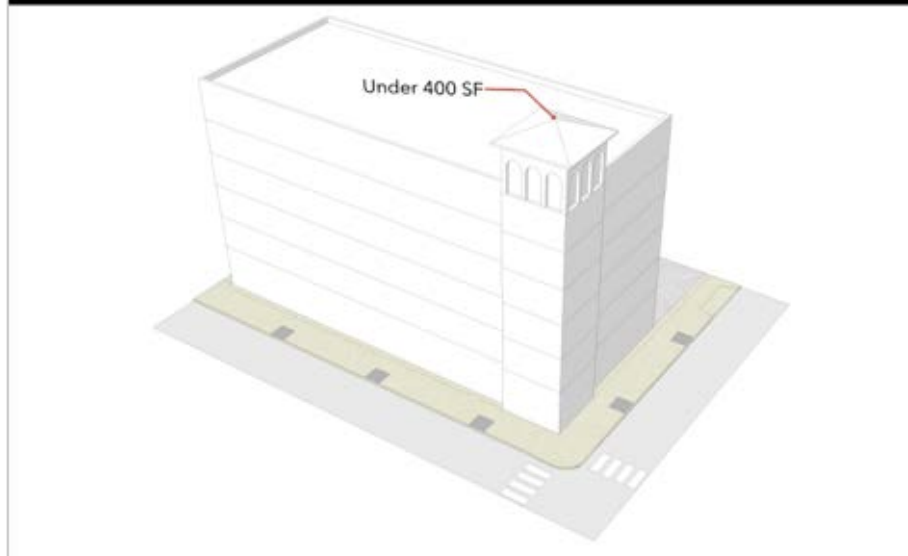
**Figure 6.2 Grade Changes with Retail**



**6.1.4.** The following are not counted as part of building height:

- a. Rooftop equipment and equipment cabinets attached above the level of the roof deck; elevator bulkheads; and rooftop stair access enclosures containing no habitable space.
- b. Towers and loggias, if their footprint is equal to, or less than, 400 square feet, as illustrated in Figure 6.3.

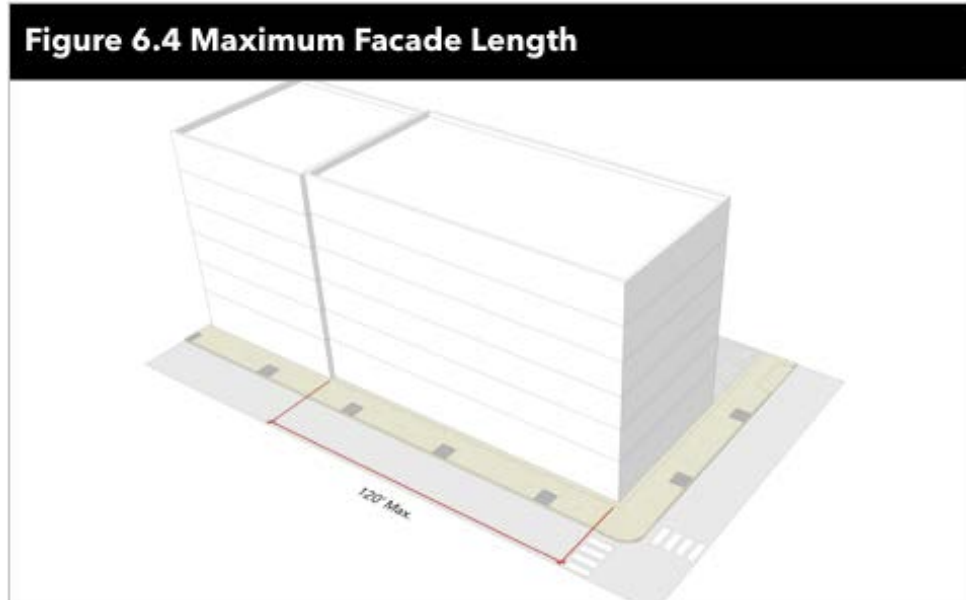
**Figure 6.3 Height Illustrated**



## 6.2. BUILDING MASS

### 6.2.1. Maximum facade length

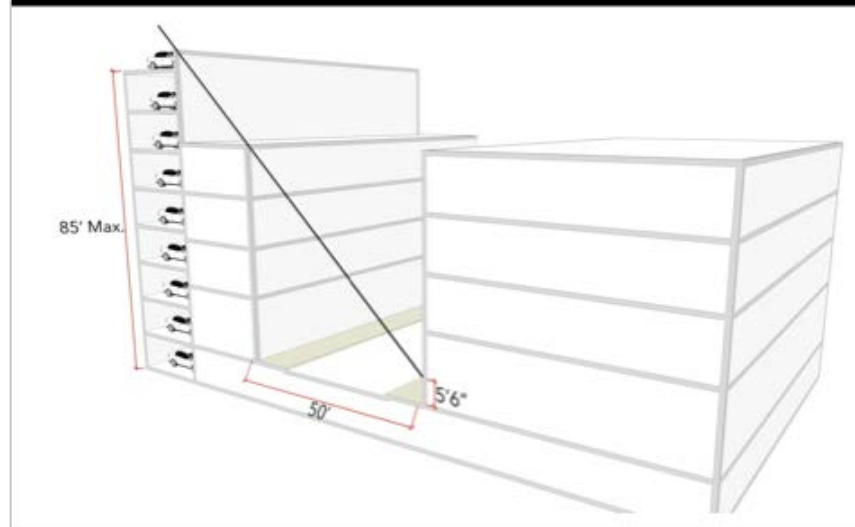
- a. Building facades are limited in length to 120 feet along A-streets, pedestrian streets, and open spaces, according to Figure 6.4.
- b. Parking structures are exempt from this requirement, however building areas lining parking structures are not.



### 6.3. PARKING STRUCTURE HEIGHT

- 6.3.1. Freestanding parking structures shall not exceed 48 feet in height, measured to the top of the rail or parapet.
- 6.3.2. If a parking structure is attached to a building for more than 50% of the building perimeter, the height of the structure is limited according to Figure 6.5 and further, as follows:
  - a. Parking structures may not be visible within 50 feet of any lining building, along A streets, pedestrian streets, and open spaces.
  - b. Visibility is determined from the point of view of a 5'-6" tall pedestrian at sidewalk level.

**Figure 6.5 Parking Structure Height**



## 7. FRONTAGES

All land, buildings and structures within this zoning district are subject to the following standards.

### 7.1. LOT FRONTAGES

- 7.1.1. Lot lines abutting street rights-of-way or open space are designated as primary frontages or secondary frontages as follows:
  - a. For lots abutting a street right-of-way along a single lot line, that abutting lot line is designated the primary frontage.
  - b. For corner lots abutting a street right-of-way along two connected lot lines, the short side of the lot will be designated the primary frontage, the other lot line is designated the secondary frontage. If the lot lines are of equal length, both shall be designated primary frontage.

### 7.2. FRONTAGE OCCUPATION AND ACTIVATION

- 7.2.1. Frontage occupation is regulated by Transect Zone, according to Tables 4.1 to 4.3.
- 7.2.2. Along A-streets, ground floor uses shall be active for the first 20 feet of building depth. Active uses include the following, and similar uses:
  - a. Retail sales and display spaces excluding offices,
  - b. Food service dining areas, bars, and counters,
  - c. Open venue spaces,
  - d. Offices,
  - e. Conference rooms,
  - f. Hotel, multi-family, and office lobbies,
  - g. And lobby and waiting areas for services.
- 7.2.3. The following are excluded from lot frontage occupation calculations:
  - a. Pedestrian walkways.
  - b. Pedestrian forecourts.
  - c. Vehicular access to parking, less than 10 feet.

### 7.3. SETBACKS

- 7.3.1. Buildings shall be set back from abutting right-of-way boundaries according to Tables 4.1 to 4.3 and the following:
  - a. Primary front setbacks pertain to the primary frontage;
  - b. Secondary front setbacks pertain to the secondary frontage;
- 7.3.2. Where a maximum setback is specified, it pertains only to the amount of building facade required to meet the minimum frontage occupation requirements of Section 7.4: Frontage Yards.
- 7.3.3. Where existing utilities or irregular site lines create conflicts with required setbacks, setbacks may be adjusted by the minimum amount of distance

necessary to resolve the conflict, or 5 percent of the setback required by this ordinance, whichever is less.



- 7.3.4.** Screened outdoor spaces shall be a minimum of 5 feet from side and rear lot lines.

#### **7.4. FRONTAGE YARDS**

- 7.4.1.** Frontage yards shall be wholly open to the sky and unoccupied by any building or structure, except for roof projections, architectural elements, awnings or other encroachments allowed by this ordinance and attached to a primary or accessory building. No projection shall extend into any frontage yard more than 3 feet.
- 7.4.2.** Each plan of development within this zoning district shall select and specify frontage yard types at primary frontages and secondary frontages.
- a. Frontage yard types may be different at primary and secondary frontages.
  - b. Frontage yard types shall be selected from Table 7.1.
- 7.4.3.** Landscaping in frontage yards is subject to the requirements of Table 7.1 and further, to the following:
- a. Where the minimum number of required street trees cannot practicably be planted given the constraints of a particular location (such as existing utilities, existing street/sidewalk improvements, etc.), they may be accommodated as additional streetscape improvements.
  - b. Trees shall be selected so that, at maturity, the trunk of the tree will shall be a minimum of 5 feet from street lights, underground utilities, utility meters and service lines, fences, walls, and other ground level features specified within a plan of development.
  - c. Ground vegetation or shrub plantings with spines, thorns, or needles that may present hazards to pedestrians, bicyclists, or vehicles and they shall be



planted only in locations where, at maturity, they will be more than 2 feet from any sidewalk.

- 7.4.4.** Impervious surfaces, sidewalks and other walkways in frontage yards are subject to the requirements of Table 7.1 and further, to the following:
  - a. Each townhouse with an entrance facing a street frontage shall have a walkway connecting a sidewalk on that street frontage to the townhouse entrance.
  - b. At cluster courts, the common court shall have a walkway connecting the sidewalk at the primary frontage with building entries.
- 7.4.5.** The following equipment and structures, and other similar equipment and structures, are prohibited in frontage yards:
  - a. Pools, jacuzzis, spas, hot tubs, tennis courts, and their related enclosures, pumps, and equipment;
  - b. Air conditioning compressors;
  - c. Emergency generators;
  - d. Dumpsters; and
  - e. Parking structure ventilation.
- 7.4.6.** Drive-through windows and services are prohibited.
- 7.4.7.** Any portion of a frontage in T5 and T6 not occupied by buildings, driveways, or walkways shall be lined with a streetscreen as follows:
  - a. Streetscreens shall meet the fencing and wall standards for the frontage yard type.
  - b. Streetscreens shall be coplanar with the primary building facade or located further into the lot than the facade.
  - c. Parking and service areas may not be located between streetscreens and lot lines.



Table 7.1 Frontage Yard Types	
A. Common Yard	
Illustration	
Surface	60% minimum must be landscaped with ground cover, shrubs, trees, or understory trees. Paving is limited to walkways, driveways, and per setback.
Walkways	One per frontage providing access to building entries
Fencing	Permitted at or beyond the building setback line a maximum six feet high, not along frontage lines.
B. Fenced Yard	
Illustration	
Surface	60% minimum must be landscaped with ground cover, shrubs, trees, or understory trees. Paving is limited to walkways, driveways, and per setback.
Walkways	One per frontage providing access to building entries
Fencing	Permitted along frontage lines. Min. three feet max. four feet when within building setback. At or beyond setback line, fence height may be six feet max.




**Table 7.1 Frontage Yard Types**

<b>C. Cluster Court</b>	
<b>Illustration</b>	
<b>Surface</b>	50% minimum must be landscaped with ground cover, shrubs, trees, or understory trees. Paving is limited to walkways, driveways, and per setback.
<b>Walkways</b>	Court must be a min. 20 feet wide and a min. 1,000 sf in size and must have a walkway connecting the sidewalk at the primary frontage with building entries.
<b>Fencing</b>	Permitted at or beyond the building setback line a maximum six feet high, not along frontage lines.
<b>D. Shallow Yard</b>	
<b>Illustration</b>	
<b>Surface</b>	Must be a max. setback of 10 feet. Landscaped in T4 and may be paved in T5.
<b>Walkways</b>	One per frontage providing access to building entries in T4.
<b>Fencing</b>	Permitted at or interior to the building setback line at primary street frontages. Permitted at or interior to secondary street frontage lines. Minimum height is three feet, maximum height is four feet.

**Table 7.1 Frontage Yard Types**

<b>E. Urban Yard</b>	
<b>Illustration</b>	
<b>Surface</b>	Must be paved at sidewalk grade
<b>Walkways</b>	Must be paved at sidewalk grade. Vegetation is permitted in raised containers.
<b>Fencing</b>	Permitted at outdoor seating only a maximum three feet.
<b>F. Pedestrian Forecourt</b>	
<b>Illustration</b>	
<b>Surface</b>	Min. 80% paving at sidewalk grade.
<b>Fencing</b>	Permitted at outdoor seating and at or interior to building setback lines a maximum three feet.
<b>Area</b>	Forecourt: 2,400 sq.ft. max. and a min. 20 ft. wide up to 30% of the allowable frontage, and a max. 30 ft. deep.
<b>Activation</b>	Must be lined with habitable space on 3-sides, or on 2-sides at corner sites.

**Table 7.1 Frontage Yard Types**
**G. Vehicular Forecourt**

<b>Illustration</b>	
<b>Surface</b>	Driveway must be paved at sidewalk grade. The remainder of frontage setback may be paved or landscaped.
<b>Fencing</b>	Permitted at outdoor seating only a maximum three feet.
<b>Area</b>	Forecourt: 3,000 sq.ft. max.
<b>Activation</b>	Must be lined with habitable space on 3-sides, or on 2-sides at corner sites.

**Table 7.2 Frontage Yard Type Summary**

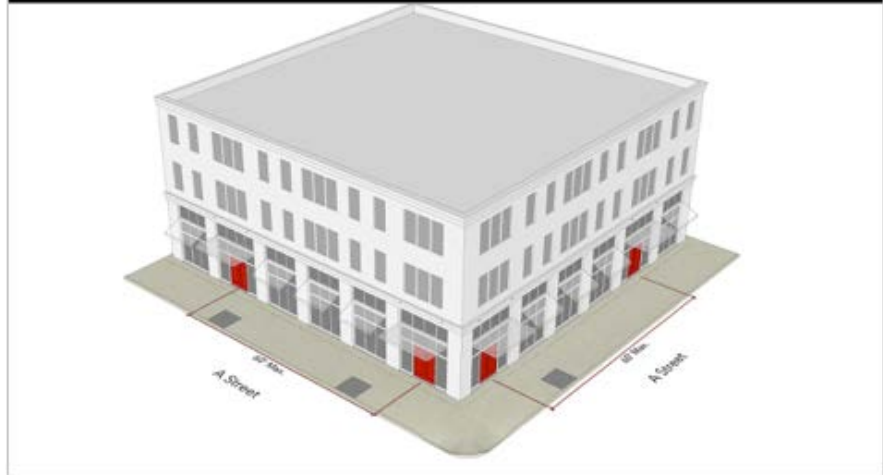
	T4	T5	T6
<b>Common</b>	P		
<b>Fenced</b>	P		
<b>Cluster</b>	P		
<b>Shallow</b>	P	P	P
<b>Urban</b>		P	P
<b>Pedestrian Forecourt</b>		P	P
<b>Vehicular Forecourt</b>		P	P

## 7.5. BUILDING ENTRIES

### 7.5.1. Frequency of doors

- a. Building entries shall be spaced no greater than 60 feet apart along A-streets, pedestrian streets, or open spaces, according to Figure 7.1

**Figure 7.1 Frequency & Location of Doors on A-streets**



### 7.5.2. Locations of doors

- a. The primary entry to a building shall be located along an A-street, a pedestrian street, or open space, according to Figure 7.1.
- b. Where tenant spaces occupy a corner, doors should be provided along both streets except where one street is a B-street, as per Figure 7.2.

**Figure 7.2 Frequency & Location of Doors on A & B-streets**



**7.6. STOREFRONTS**

- 7.6.1.** All ground floor commercial spaces shall be configured with storefronts along their facades, with the exception of facades fronting along B-streets.
- 7.6.2.** Storefront windows, doors, signage, awnings, details and lighting shall be constructed as a unified composition.
- 7.6.3. Storefront Windows**
  - a. Storefronts should not be constructed of extruded aluminum frames or panels.
  - b. Storefront windows should be divided into lower panels and upper transom windows.
  - c. Transom windows should be between 2 and 4 feet in height.
  - d. Lower panels should extend to at least 9 feet above sidewalk grade.
- 7.6.4. Storefront Doors**
  - a. Storefront entrance doors should be recessed to allow the door to swing out without obstructing pedestrian flow on the sidewalk.
  - b. Where storefront entrance doors are recessed, the walls of the recess should be a minimum of 70% glazed.
  - c. Where storefront entrance doors do not extend to the top of adjacent display windows, a glazed transom panel should be installed above the door.
  - d. Storefront entrances are encouraged at building corners.
  - e. Where appropriate, sliding or folding doors that allow the activity of the business to open adjacent to and onto the public sidewalk may be installed for restaurants and food services.
  - f. Rear and side doors facing service alleys and parking lots are encouraged, but not required.
- 7.6.5. Storefront Bulkheads**
  - a. Storefronts should have a minimum 12-inch high masonry kick plate or bulkhead along all street frontages.
  - b. Storefront bulkheads should not exceed 36 inches above the adjacent sidewalk.
  - c. Bulkheads should be designed as an integral component of the overall storefront.

**7.6.6. Security Gates and Shutters**

- a. Solid metal security gates and solid roll-down shutters are not permitted.
- b. Interior link or grill security devices may be permitted if they can be completely enclosed or hidden from view when not in use.



**7.6.7. Design for Flexibility**

- a. The design and layout of first and second floor commercial spaces should anticipate the needs of restaurant uses.
- b. Accommodation for restaurant venting and sewage utilities such as grease traps and interceptors should be designed into the building.
- c. Buildings constructed to include any non-residential uses should anticipate potential commercial power and gas load needs.

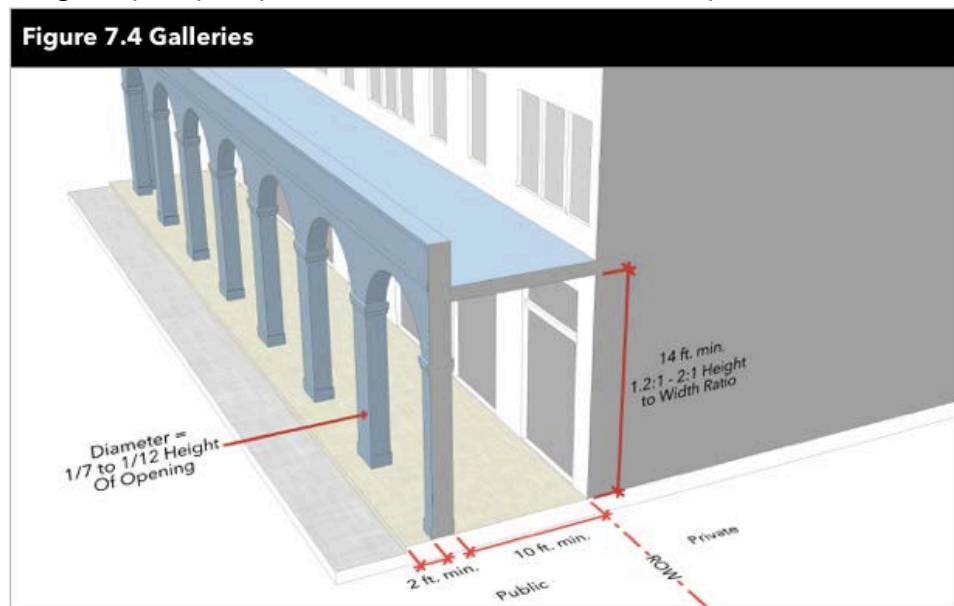
## 7.7. GLAZING

- 7.7.1.** Along A-streets, pedestrian streets, and open spaces, ground floor glazing should meet the following:
  - a. The percentage of glazed wall area should be greater than 70% at storefronts and 35% elsewhere.
  - b. Highly reflective glazing is discouraged. Glazing shall meet a visible light transmittance of 60.
- 7.7.2.** The percentage of glazed wall area of all upper floors along A-streets, pedestrian streets, and open spaces should be greater than 35%.
- 7.7.3.** The percentage of glazed wall area of all upper floors and ground floors along B-streets should be greater than 25%.
- 7.7.4.** Glazing percentages are calculated according to Figure 7.3.



## 7.8. ENCROACHMENTS.

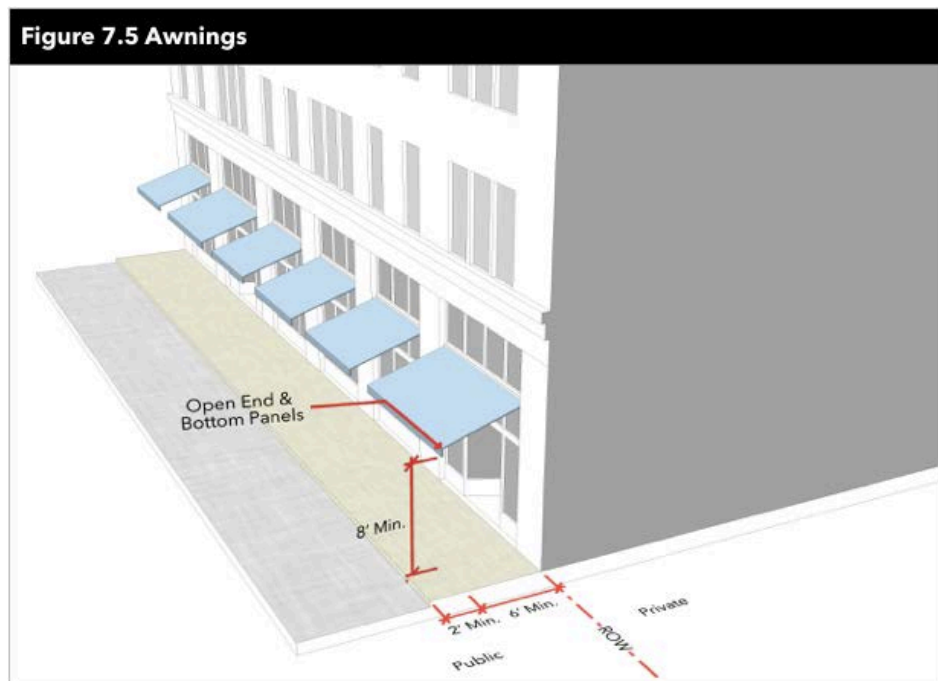
- 7.8.1.** Galleries which encroach into a public right-of-way require prior approval by City Council pursuant to Va. Code sec. 15.2-2009.
- Galleries shall be a minimum of 10 feet in depth and a minimum of 14 feet in height, maintaining a 1.2:1 - 2:1 height to width ratio, as per Figure 7.4.
    - Where arcades are within public rights-of-way, they shall meet clearance standards specified by state law.
  - Gallery columns should have a diameter between 1/7th and 1/12th their height, measured from the base to the bottom of the entablature or arched opening.
  - Galleries which are approved by city council as encroachments may encroach over sidewalks along A Streets, as per Figure 7.4., subject to any minimum clearance standards specified by state law.
  - Where galleries encroach over sidewalks, they should extend to within two feet of curbs, as per Figure 7.4.
  - Galleries may not change in height or width along a building façade. Exceptions shall be provided for galleries on sloping streets where the height of the gallery may vary in order to accommodate the slope of the street.





### 7.8.2. Awnings

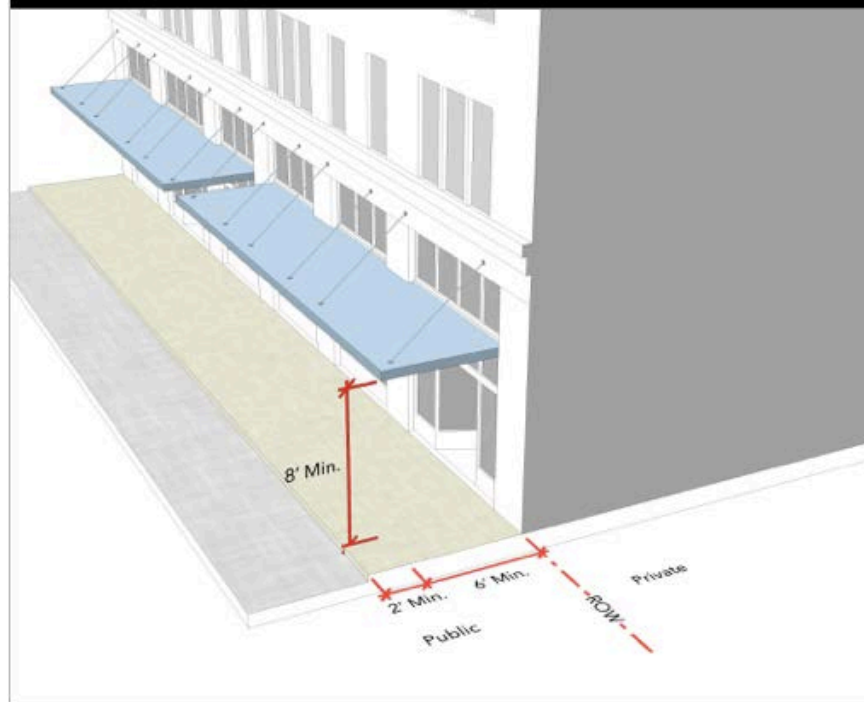
- a. Awnings shall be a minimum of 6 feet in depth and have a minimum of eight feet of vertical clearance, as per Figure 7.5.
  - i. Where canopies extend over public rights-of-way, they shall meet minimum clearance standards specified by state law.
- b. Awnings may encroach into building setbacks and over sidewalks to within two feet of curbs, subject to minimum clearance standards specified by state law.
- c. Awnings along storefronts should attach to facades between the storefront display windows and transom windows, as per Figure 7.5.
- d. Awnings should not have side or bottom panels, as per Figure 7.5.
- e. Awnings should be a minimum of 36 inches wide.
- f. Where multiple awnings are installed on a single tenant facade, breaks between awnings should not exceed 12 inches.
- g. Awnings may not be backlit or internally illuminated.
- h. Awnings may be externally illuminated.
- i. Round, half domed, and plastic awnings are prohibited.
- j. Awnings should have a slope of 1:3 or less.
- k. Awnings that encroach over a public right-of-way shall be deemed to be a revocable license, per Va. Code sec. 15.2-2010.



### 7.8.3. Canopies

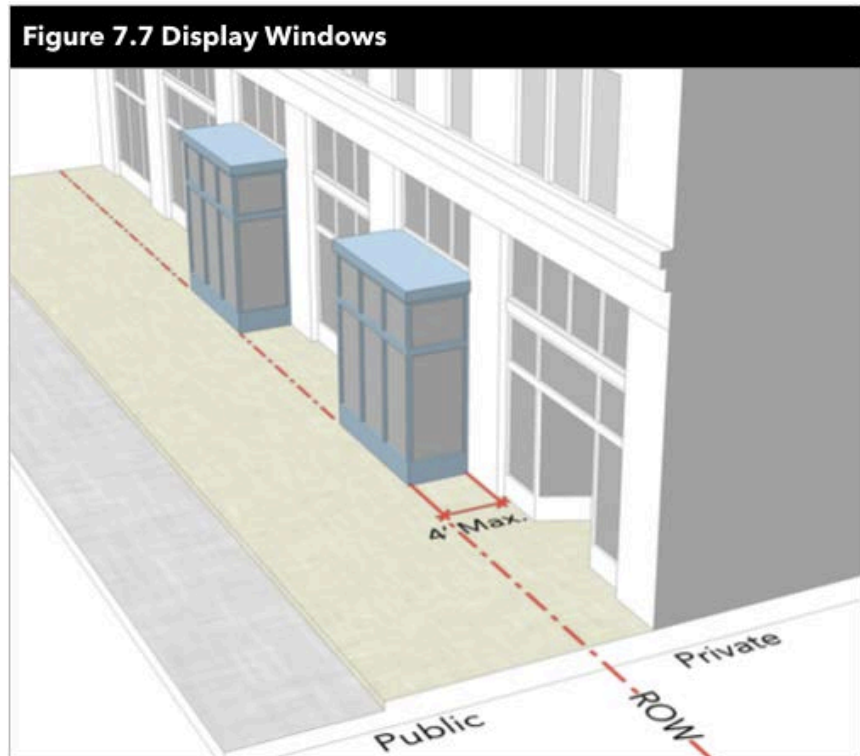
- a. Canopies shall be a minimum of six feet in depth and have a minimum of nine feet of vertical clearance, as per Figure 7.6.
  - i. Where canopies are within public rights-of-way, they shall meet minimum clearance standards specified by state law.
- b. Canopies may encroach into building setbacks and over sidewalks to within two feet of curbs, subject to minimum clearance standards specified by state law.
- c. Canopies along storefronts should attach to facades between the storefront display windows and transom windows, as per Figure 7.6.
- d. Canopies shall be continuous across the entire width of a building façade occupied by multiple uses.
- e. Canopies that encroach over a public right-of-way shall be deemed to be a revocable license, per Va. Code sec. 15.2-2010.

**Figure 7.6 Canopies**



#### 7.8.4. Display windows

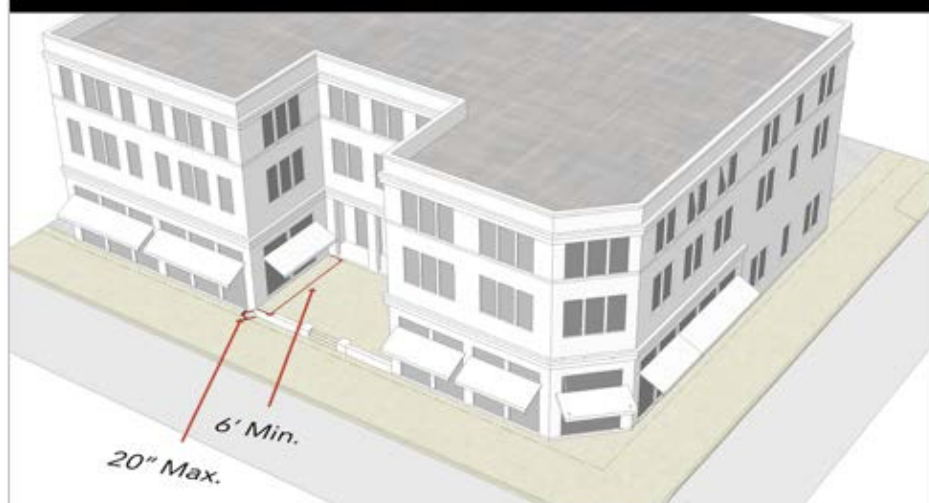
- a. Retail display windows may encroach into required building setbacks a maximum of 4 feet, as per Figure 7.7, but may not encroach into any public right-of-way.
- b. Display windows and shop doors shall allow an unobstructed view into the retail space. They shall not be blocked by posters or other items affixed directly to glazing.



## 7.9. WALLS, FENCES, AND TERRACES

- 7.9.1. Fencing and walls in frontage yards are subject to the requirements of Table 7.1.
- 7.9.2. Fencing is prohibited along A-streets, pedestrian streets, and open spaces.
- 7.9.3. Walls are permitted along A-streets, pedestrian streets, and open spaces as follows:
  - a. Walls may be used to define pedestrian forecourts or as screening for service and parking areas.
- 7.9.4. Pedestrian forecourts may be terraced (initial height change of not more than 20 inches from sidewalk grade for a distance of 6 feet and measured from the center of the access entry point).

**Figure 7.8 Terraced Pedestrian Forecourt**



- 7.9.5. A fence shall be uniform in construction, design, material, color and pattern, and the fence material shall be of a standard material, conventionally used by the fencing industry.
- 7.9.6. Fencing and wall materials are limited as follows:
  - a. Chain link, vinyl, unpainted wood, barbed wire, razor wire and electrified fences are prohibited in T<sub>4</sub>, T<sub>5</sub>, and T<sub>6</sub>.
  - b. Painted wood is permitted in T<sub>4</sub>.
  - c. Masonry and/or decorative metal is permitted in T<sub>4</sub>, T<sub>5</sub>, and T<sub>6</sub>.
  - d. Masonry with or without decorative metal is required in T<sub>6</sub>.
- 7.9.7. Fencing and walls in frontages shall provide complete enclosure by connecting with other walls, fences, hedges or buildings on a lot.

**7.10. MECHANICAL EQUIPMENT**

- 7.10.1.** Mechanical equipment and entries to mechanical spaces may not be located along A-streets, pedestrian streets, or open spaces.
- 7.10.2.** Mechanical equipment, including rooftop equipment, shall be shielded from view along A-streets, pedestrian streets, and open spaces with architecturally integrated walls or screens at least as tall as the equipment.
- 7.10.3.** Mechanical vents may not exhaust within 8 feet of sidewalk level.
- 7.10.4.** Buildings and their mechanical systems shall be designed so that mechanical vents satisfy the following standards: vents may not exhaust along A-streets, pedestrian streets, or open spaces. Venting shall exhaust to B-streets, alleys, or rooftops.
- 7.10.5.** Sound screening is required for any mechanical equipment that generates any sound above 65 dB at sidewalk level.

**7.11. LIGHTING**

- 7.11.1.** Lighting shall be provided along all streets, in accordance with Appendix A of the City of Charlottesville City Standards and Design Manual (SADM) and further, in accordance with the following:
  - a. Cobra head fixtures are prohibited.
  - b. Pedestrian-scaled street lamps are required along A-Streets.
  - c. Street light fixtures or their support structures may not impede any required clear area of sidewalks.
- 7.11.2.** Along A-streets:
  - a. The top of a luminaire should be no higher than 12 feet above the sidewalk.
  - b. Street lights should be spaced no more than 40 feet apart.
  - c. Street lights shall be installed on both sides of vehicular streets.
- 7.11.3.** Along B-streets:
  - a. The top of a luminaire should be no higher than 12 feet above the sidewalk.
  - b. Street lights should be spaced no more than 60 feet apart.
  - c. Street lights may alternate sides of a street, in compliance with the spacing standard in (b), above.
- 7.11.4.** Fixtures and Bulbs: unless otherwise required by a mandatory building or life-safety code,
  - a. Lighting should be shielded to avoid uplighting;
  - b. Flood-lighting is prohibited;
  - c. LED lighting should be diffused or indirect; and
  - d. Fixtures should be coordinated along building facades.

**7.11.5. Color**

Temperature

- a. Exterior lighting color temperature should be between 2700K and 3800K.

**7.11.6. Duration of Lighting**

- a. Interior lighting of storefronts and exterior lighting of signs is recommended until at least 11pm to accentuate storefront displays and promote public safety.
- b. Lighting of frontages and alleys is recommended during all nighttime hours.
- c. Motion-sensored lighting is prohibited along A-Streets, pedestrian streets, or open spaces.

## 8. SIGNAGE

- 8.1. Signage within the SIA shall meet the requirements of this chapter.
- 8.2. Prohibited Signs are according to sec. 34-1029 and shall also satisfy the following:
  - a. Electronic Moveable Signs
  - b. Computer screen or moveable electronic signs are prohibited.
  - c. No signage should be permitted higher than 20 feet or the sill height of the second floor window, whichever is lower.
- 8.3. Permitted sign types are limited by Transect, in accordance with Table 8.1, as to:
  - 8.3.1. The number of signs per sign type;
  - 8.3.2. The area of signs;
  - 8.3.3. The maximum height of signs; and
  - 8.3.4. The height of sign copy.
- 8.4. A permit is required for the installation or modification of all signs as specified in Table 8.1 and as follows:
  - 8.4.1. Signs specified in sec. 34-1027 do not require permits but require compliance with this division.
  - 8.4.2. Signs not requiring a permit according to Table 8.1 or sec. 34-1027 require compliance with this division.
  - 8.4.3. Permit requirements and approvals are according to sec. 34-1025.
- 8.5. All signs shall provide the following clearance except where otherwise specified:
  - 8.5.1. 8 feet over sidewalks.
  - 8.5.2. 13.5 feet over bicycle and vehicle travel lanes within streets
- 8.6. Illumination is according to sec. 34-1034.
  - 8.6.1. Signage may not be internally illuminated, except for neon window signs and corner signs.
- 8.7. Maintenance of signs is according to sec. 34-1035.
- 8.8. Non-conforming signs are according to sec. 34-1036.
- 8.9. Removal of signs is according to sec. 34-1037.
- 8.10. Restrictions by sign type are according to the following:
  - 8.10.1. Awning Sign:
    - a. a sign may be painted onto or applied to the fringe of an awning or its top surface.
  - 8.10.2. Canopy Sign:
    - a. a sign may be applied to the top of a canopy.

**8.10.3. Corner Sign:**

- a. Corner signs are permitted only at building corners where each building facade abuts a frontage.

**8.10.4. Marquee Sign:**

- a. Marquee signs are only permitted for Theaters.
- b. Marquee signs may project to within 2 feet of curbs.
- c. Marquee signs shall provide a minimum vertical clearance of 10 feet.
- d. Marquee signs may be illuminated.

**8.10.5. Painted Wall Sign:**

- a. Painted Wall signs are permitted, limited to one per frontage.

**8.10.6. Projecting Sign:**

- a. Projecting signs may project up to 42 inches from a building facade.
- b. Projecting signs shall be below the bottom sill of the second floor.

**8.10.7. Sandwich Board Sign:**

- a. Sandwich signs may be displayed along a sidewalk adjacent to tenant space within a building.
- b. Sandwich signs shall be removed from sidewalks during non-business hours.
- c. Sandwich signs shall not be located within 2 feet of a curb.
- d. Sandwich signs shall be placed so that there remains a minimum 3 feet of horizontal clearance for pedestrian passage on the sidewalk.

**8.10.8. Temporary Signs:**

- a. Temporary signs are permitted 30 days before an event and no longer than 4 days following the event.

**8.10.9. Wall Sign:**

Wall signs shall be below the bottom sill of the second floor.

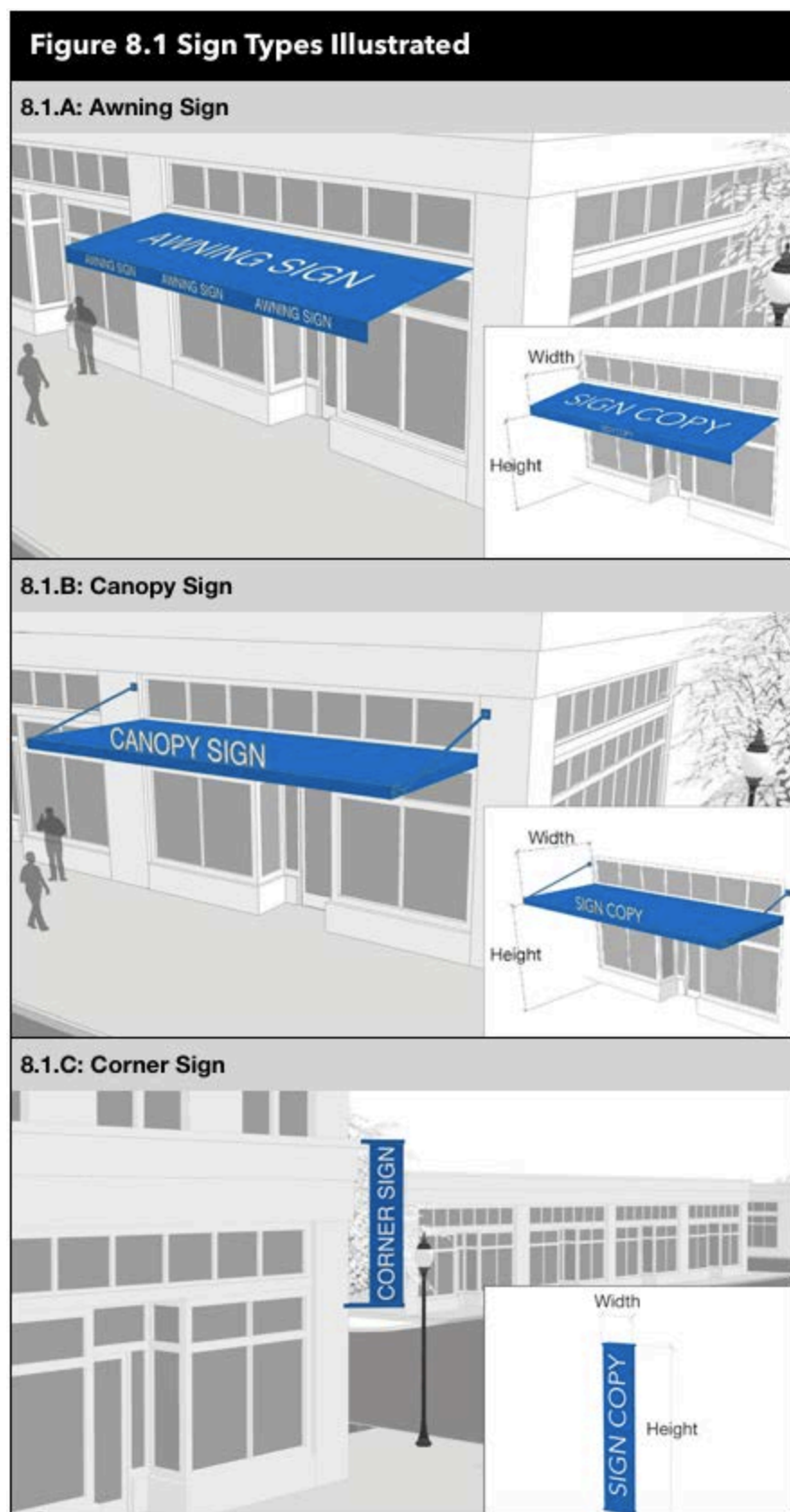
- a. Wall signs shall not cover, cross or otherwise hide any column, belt course or other decorative architectural feature of a building, including any balcony.
- b. Wall signs shall not project more than 6 inches from the facade.
- c. Plastic or vinyl wall signs are not permitted.

**8.10.10. Window Sign:**

- a. Window signs shall be applied to the interior of windows
- b. Window signs may be painted, applied vinyl, or applied gold leaf letters.



Table 8.1 Sign Standards							
Sign Type	T4	T5	T6	Height (max)	Number of signs (max)	Sign Area (max)	Copy Height (max)
<b>A: Awning Sign</b>	P	P	P	N/A	1 sloping plane plus 1 valance per awning	20 sq. feet	16 inches on sloping plane, 8 inches on valance
<b>B: Canopy Sign</b>		P	P	N/A	1 per canopy	250 sq. inches	18 inches
<b>C: Corner Sign</b>		P	P	6 feet above the eave or parapet	1 per building	40 sq. feet	N/A
<b>D: Freestanding Sign</b>				25 feet	1 per parcel	30 sq. feet	N/A
<b>E: Marquee Sign</b>		P	P	N/A	1 per frontage	60 sq. feet	N/A
<b>F: Monument Sign</b>				6 feet	1 parcel	24 sq. feet	N/A
<b>G: Painted Wall Sign</b>		P	P	N/A	1 per frontage	20 sq. feet along A streets, no limit along B streets	N/A
<b>H: Pole Sign</b>		P	P	12 feet	1 per parcel	12 sq. feet	N/A
<b>I: Projecting Sign</b>	P	P	P	20 feet	1 per tenant	30 sq. feet	8 inches
<b>J: Sandwich Sign</b>	B	B	B	30 inches wide and 42 inches high	1 ground floor tenant	12 sq. feet	N/A
<b>K: Temporary Sign</b>		T	T	N/A	1 per tenant	N/A	10 sq. feet
<b>L: Wall Sign</b>		P	P	20 feet	1 per frontage	100 sq. feet	18 inches
<b>M: Window Sign</b>	P	P	P	N/A	1 per window	20% of window	12 inches



**Table 8.1 Sign Types Illustrated**

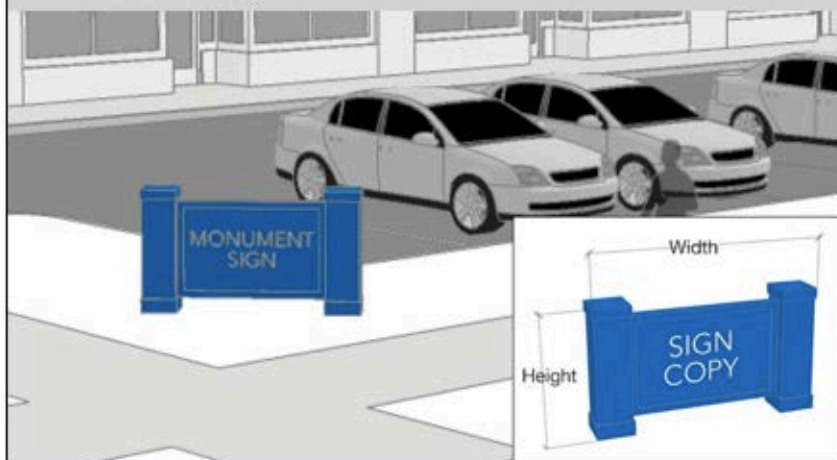
**8.1.D: Freestanding Sign**



**8.1.E: Marquee Sign**



**8.1.F: Monument Sign**

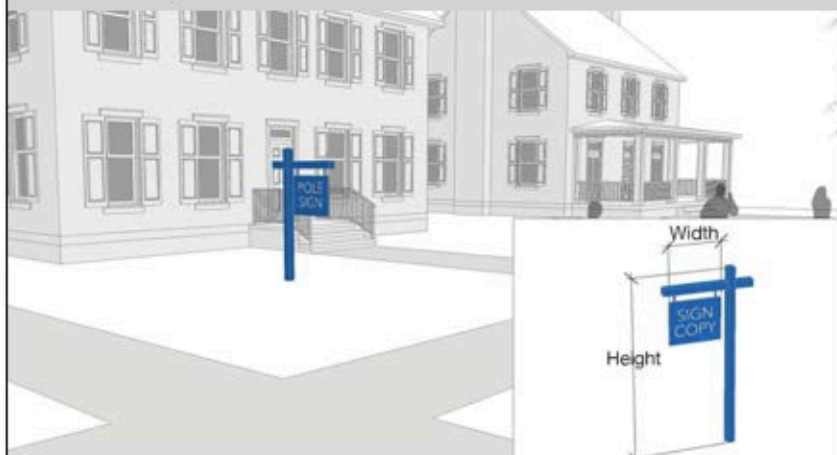


**Table 8.1 Sign Types Illustrated**

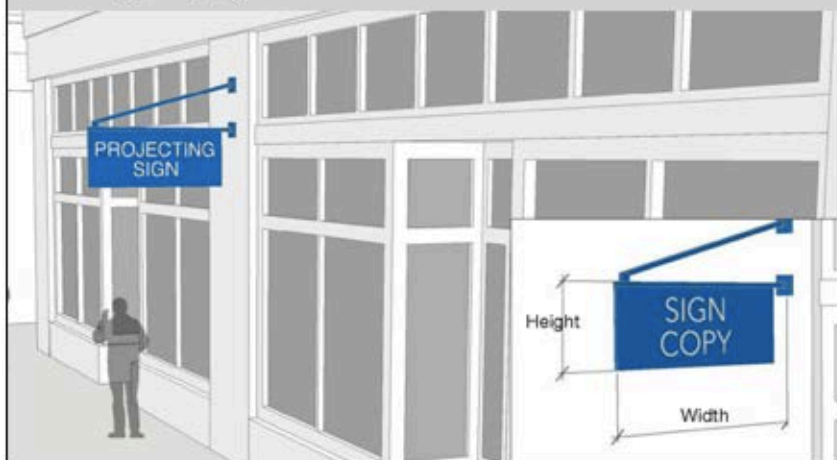
**8.1.G: Painted Wall Sign**



**8.1.H: Pole Sign**



**8.1.I: Projecting Sign**



**Table 8.1 Sign Types Illustrated**

**8.1.J: Sandwich Sign**



**8.1.L: Wall Sign**



**8.1.M: Window Sign**



## 9. USES

- 9.1. Division 16 of this article (Use Matrix) shall not apply within this zoning district. The uses allowed within this zoning district are those identified within Table 9.1 below, as well as any use(s) specified within a plan of development and determined by the site plan agent to be of similar nature and impact as a use identified within Table 9.1.
- 9.2. Uses are limited by Transect Zone according to Table 9.1.

**Table 8.1 Uses**
**T4 T5 T6**

<b>Residential</b>			
Accessory Apartment (Internal)	B	B	B
Accessory Apartment (External)	A	B	B
Accessory Buildings (Residential)	A	B	B
Adult Assisted Living		B	B
1-8 Residents	B	B	B
>8 Residents		B	B
Adult Day Care		B	B
Amateur Radio Antennas			
Convent/Monastery		B	B
Criminal Justice Facility?			
MF Dwelling	B	B	B
SF Detached	B	B	B
SF Attached	B	B	B
Townhouse	B	B	B
Two-Family	B	B	B
Family Day Home (1-5 Children)	B	B	B
Family Day Home (6-12 Children)	C	B	B
Home Occupation	B	B	B
Manufactured Home Parks			
Night Watchman's Dwelling			
Nursing Home		C	B
Occupancy (3 Unrelated Persons)	C	B	B
Occupancy (4 Unrelated Persons)	C	B	B
Residential Treatment Facility (1-8)		C	C
Residential Treatment Facility (8+)		C	C
Shelter Care Facility		C	C
Single Room Occupancy Facility		C	C
Temporary Family Health Care		T	T

**Table 8.1 Uses**
**T4 T5 T6**

<b>Hotels &amp; Lodging</b>			
Hotels / Motels (Up to 100 keys)		B	B
Hotels / Motels (Over to 100 keys)		B	B
B&B	B	B	B
Homestay		B	B
Inn		B	B
Boarding: Fraternity or Sorority			
Boarding House			
<b>Assembly &amp; Recreation</b>			
Amusement Center			C
Amusement Enterprises (Temporary)		T	T
Amusement Park			C
Arena / Stadium (Indoor)			C
Auditorium		B	B
Arena / Stadium (Outdoor)			C
Amphitheater (Outdoor)		C	C
Movie Theaters		C	C
Music Hall		C	C
Museums (Up to 4000 SF)		B	B
Museums (Up to 10000 SF)		B	B
Indoor Recreational Facility (Public)		B	B
Indoor Rec Facility		B	B
Outdoor Recreational Facilities		B	B
Libraries		B	B
Golf Course			C
Golf Driving Range			C
House of Worship	B	B	B
Clubs (Private)		C	C



Table 8.1 Uses		T4	T5	T6	Table 8.1 Uses		T4	T5	T6
Commercial					Commercial				
Accessory Buildings	B	B	B		Daycare Facility	B	B	B	
Animal Boarding (Outdoor Pens)					Dry Cleaning Business		B	B	
Animal Boarding (Indoor Pens)		C	C		Funeral Homes		B	B	
Animal Shelter		C	C		Hospital		C	C	
Art Gallery	C	B	B		Laundromats		B	B	
Art Studio	B	B	B		Manufactured Home & RV Sales		B	B	
Art Workshop	B	B	B		Check Cashing Facility		B	B	
Assembly (Temporary)	F	F	F		Municipal Government Offices		B	B	
Assembly Plant (Handcraft)		C	C		Business & Professional Office		B	B	
Assembly Plant?					Medical Office		B	B	
Auto Parts & Equipment Sales			C		Philanthropic Office		B	B	
Gas Station			B		Property Mgmt Office		B	B	
Auto Rental / Leasing			B		Other Offices		B	B	
Auto Repair / Service		C	B		Outdoor Storage (Accessory)		A	A	
Auto Sales		C	C		Photography Studios		B	B	
Tire Sales / Recapping			B		Photographic Processing		B	B	
Bakery, Wholesale		B	B		Radio / Television Broadcasting		B	B	
Banks		B	B		All Night Restaurant			B	
Bowling Alleys		B	B		Drive-Thru Restaurant				
Car Wash		B	B		Fast Food Restaurant		B	B	
Catering Business		B	B		<b>Full Service Restaurant</b>	C	B	B	
Health Clinic		B	B		24-Hour Restaurant			B	
Public Health Clinic		B	B		Technology Based Business		B	B	
Veterinary Clinic (Outdoor Pens)					Service Business		B	B	
Veterinary Clinic (Indoor Pens)		B	B		Farmers Market	B	B	B	
Contractor's Shop		B	B		Greenhouse / Nurseries		B	B	
Data Center		B	B		Grocery Store		B	B	
					Convenience Store	B	B	B	
					General Retail	B	B	B	

Table 8.1 Uses		T4	T5	T6	Table 8.1 Uses		T4	T5	T6
<b>Commercial</b>					<b>Industrial</b>				
Home Improvement Center			B	B	Accessory Buildings				B
Pharmacy			B	B	Assembly?				B
Shopping Centers			C	B	Beverage or Food Processing				
Shopping Mall					Brewery & Bottling Facility				B
Temporary Sales			T	T	Compounding of Cosmetics,				B
Other Retail			B	B	Construction Storage Yards				
Small Breweries			B	B	Contractor's Shop (HAZMAT)				
Micro Producers			B	B	Correctional Facilities				
<b>Education</b>					Frozen Food Lockers				
Elementary School		B	B	B	Greenhouse / Nurseries (Wholesale)				
High School			B	B	Industrial Equip Service & Repair				
College / University			C	C	Janitorial Service Company				B
Artistic Instruction			B	B	Kennels				
Vocational		B	B	B	Laboratory, Medical		B		B
<b>Other</b>					Laboratory, Pharmaceutical		B		B
Cemetery	C	C	C		Landscape Service Company				
Crematorium					Laundries				B
Parking Garage			B	B	Manufactured Home Sales				
Surface Parking (under 20 spaces)			C	C	Manufacturing, Light		B		B
Surface Parking (over 20 spaces)			C	C	Moving Companies				
Temporary Parking			T	T	Printing / Publishing Facilities		B		B
Helipad					Open Storage Yard				
Communication Facilities			C	C	Outdoor Storage (Accessory)				
Utility Facility	C	C	C		Research and Testing Laboratories		B		B
Utility Lines	B	B	B		Self-Storage Companies				C
Mobile Food Units			P	P	Warehouses				C
Taxi Stand					Welding or Machine Shop				C
Transit Facility	B	B	B		Wholesale Establishments				C
Towing Service					Salvage or Vehicle Storage Yard				
					Rented Storage Buildings				C
					<b>Legend</b>				
					A: Ancillary Use				
					B: By-Right Use				
					N: Not Permitted				
					C: Conditional Use Permit				
					P: Provisional Use Permit				
					T: Temporary Use Permit				



## 10. PARKING STANDARDS

### 10.1. MINIMUM REQUIRED PARKING

Every plan of development shall identify on-street and off-street parking facility locations and their capacities, limited by the following:

- 10.1.1. Off-street parking location and access are subject to the requirements of Section 10.2.
- 10.1.2. Every plan of development shall demonstrate compliance with shared and minimum parking requirements, according to Table 10.2, and the minimum parking requirements according to Table 10.1.
- 10.1.3. Parking requirements may be managed collectively utilizing all off-street spaces within this zoning district.
- 10.1.4. On-street and off-street parking should be shared with common signage and wayfinding throughout this zoning district.

Table 10.1 Minimum Parking Requirements			
Uses	T4	T5	T6
Residential	1 spaces / unit 0.5 spaces / adu	1 space / unit 0.5 spaces / adu	0.5 spaces / unit 0.5 spaces / adu
Hotel & Lodging	1 space / 1.5 rooms	0.5 space / room	
Commercial	see below		
Office	N/A	3 spaces / 1,000 sq.ft	2 spaces / 1,000 sq.ft
Food Service	5 spaces / 1,000 sq.ft	4 spaces / 1,000 sq.ft	3 spaces / 1,000 sq.ft
Assembly	1 space / 6 fixed seats + 1 space / employee OR 5 spaces / 1,000 sq.ft. for unfixed seats	1 space / 8 fixed seats + 1 space / employee OR 5 spaces / 1,000 sq.ft. for unfixed seats	
All Other	3 spaces / 1,000 sq.ft	2 spaces / 1,000 sq.ft	1 space / 1,000 sq.ft
Education	Assembly per Assembly use; 1 space / staff + 1 space for every 5 high school students		no minimum
Higher Education	Assembly per Assembly use; 1 space / staff + 1 space for every 3 students		no minimum
All Other	2 spaces / 1,000 sq.ft	1 spaces / 1,000 sq.ft	no minimum

<b>Table 10.2 Shared Parking Table</b> <i>[sample - req. mins. to change as needed]</i>													
Use Utilizing Shared Parking	Req. Parking / Min. Standard	Mon - Fri 8am-6pm		Mon - Fri 6pm-12am		Mon - Fri 12am-8am		Sat - Sun 8am-6pm		Sat - Sun 6pm-12am		Sat - Sun 12am-8am	
Residential	<b>60</b>	60%	36	100%	60	100%	60	80%	48	100%	60	100%	60
Hotel & Lodging	<b>0</b>	70%	0	100%	0	100%	0	70%	0	100%	0	100%	0
Commercial													
Office, Ind.	<b>20</b>	100%	20	20%	4	5%	1	5%	1	5%	1	5%	1
Food Service	<b>30</b>	70%	21	100%	30	10%	3	70%	21	100%	30	20%	6
All Other	<b>0</b>	90%	0	80%	0	5%	0	100%	0	70%	0	5%	0
Assembly, Rec.	<b>80</b>	60%	48	100%	80	100%	80	80%	64	100%	80	100%	80
Education	<b>0</b>	60%	0	100%	0	100%	0	80%	0	100%	0	100%	0
All Other	<b>0</b>	70%	0	100%	0	100%	0	70%	0	100%	0	100%	0
<b>Total Req. Spaces</b>	<b>190</b>	<b>125</b>		<b>174</b>		<b>144</b>		<b>134</b>		<b>171</b>		<b>147</b>	

## 10.2. OFF-STREET PARKING

### 10.2.1. Off-street parking design

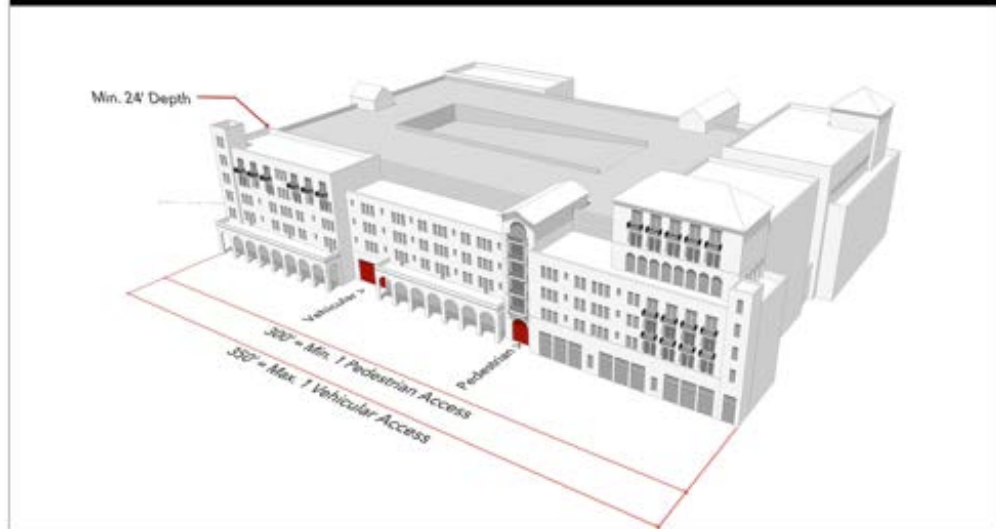
- a. All off-street parking stalls and aisles shall have dimensions compliant with sec. 34-975, and sec. 34-977 and shall also be compliance with the following:
  - i. Parking space width is measured from the centerline of stripes.
  - ii. Tandem parking is permitted for residential uses, limited to two spaces per tandem space.
  - iii. Compact car parking may be provided for up to 25% of required parking spaces.

### 10.2.2. Vehicular parking location

- a. Off-street parking shall be separated from A-streets, pedestrian streets, and open spaces by liner buildings no less than 24 feet in depth.

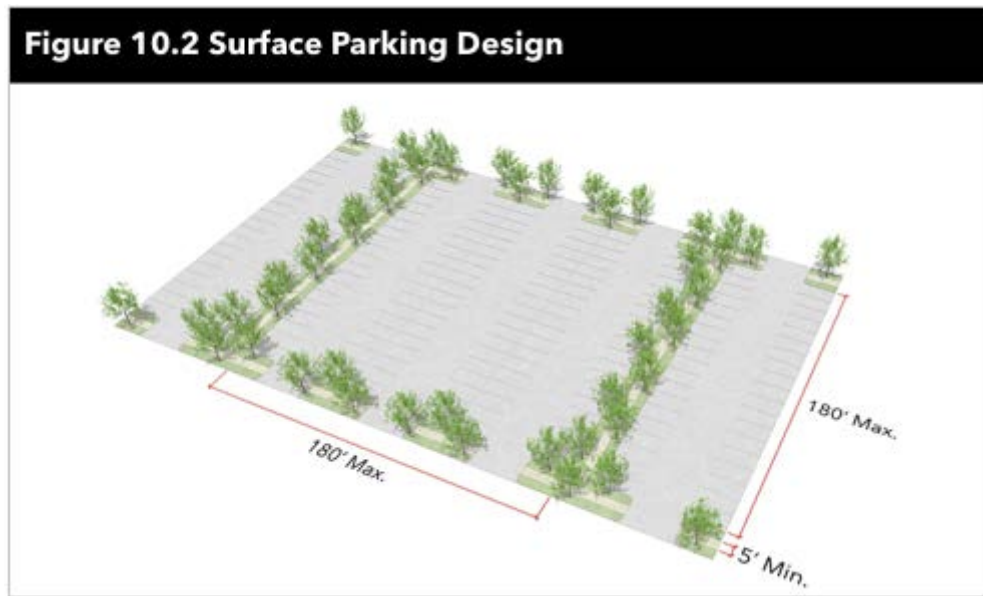
### 10.2.3. Vehicular parking access

**Figure 10.1 Vehicular Parking Access**



- a. Underground parking is not restricted provided it is not visible from A-streets, pedestrian streets, or open spaces.
- b. Off-street parking facilities may be accessed by vehicles as follows:
  - i. Vehicular access is prohibited from A-streets, except when the parking is bordered only by A-streets.
  - ii. Vehicular access along B-streets shall be spaced a minimum of 350 feet centerline to centerline, measured along the block perimeter, as per Figure 10.1.
  - iii. Vehicular access is restricted along B-streets as follows:
    - (1) Paved areas for vehicular travel are limited to 24 feet in width, unless a greater width is required by a mandatory engineering or safety code.
    - (2) Breaks in buildings for vehicular access are limited to 40 feet in total width, including pedestrian and bicycle provisions.
- c. Driveways to off-street parking shall be according to the following:
  - i. Shared driveways are encouraged.
  - ii. Residential driveways shall not exceed 10 feet in width.
- d. Pedestrian access to off-street parking shall be provided according to Figure 10.1 and as follows:
  - i. Pedestrian access shall be provided from adjacent A-streets, pedestrian streets, and open spaces at a minimum centerline spacing of 300 feet.
  - ii. Pedestrian access shall be a minimum of 12 feet in width.
  - iii. Breaks in buildings for pedestrian access are limited to 24 feet in total width.

10.2.4. Vehicular parking design



- a. Off-street parking should be designed to make the most efficient use of land, limiting parking lot size.
- b. Surface parking lots with any dimension greater than 180 feet should provide a pedestrian walkway according to Figure 10.2 and as follows:
  - i. Parking lot walkways should span the parking lot in a straight line connecting two ends of the lot.
  - ii. Walkways should be no less than 5 feet wide.
  - iii. Trees and shrubs should be planted between walkways and parking spaces to provide shade for pedestrians.
- c. Surface parking lots shall be landscaped according to *[reference section of existing landscape requirements - section 34-XX]*.
- d. Portions of parking structures exposed to pedestrian view should be screened as follows:
  - i. Vegetative installations may be used to screen parking along south and west facing elevations.
  - ii. Architectural screens, integrated with the architecture of attached or surrounding buildings, may be used to screen any elevation.
    - (1) Openings should be vertical in proportion, appearing as windows.
    - (2) The elevation should have between 60% and 75% solid wall.
  - iii. Photovoltaic panels may be used to screen elevations conducive to solar energy collection.
  - iv. Parapet walls should be provided at the top floor to shield direct view of rooftop lights.
- e. For off-street parking areas serving a single development that have more than 20 spaces, no more than 50% of the spaces shall be open to the sky.

### 10.3. BICYCLE PARKING

10.3.1. Minimum required bicycle parking is specified by Table 10.3.

Table 10.3 Bicycle Parking Requirements	
Uses	Space Requirements
Residential (Multi-Family > 5 units)	0.5 space per unit
Sororities, Fraternities, Dormitories	1 space per 500 sq.ft. of bedroom area
Hotel & Lodging	no min. required
Commercial: Office	0.2 per 1,000 sq.ft.
Commercial: Food Service	0.2 per 1,000 sq.ft.
Commercial: Assembly	1 per 1,000 sq.ft.
Commercial: All Other	0.2 per 1,000 sq.ft.

#### 10.3.2. Bicycle Parking Location

- a. Bicycle racks may not be located within:
  - i. 5 feet of fire hydrants.
  - ii. 4 feet of loading zones and bus stop markers.
  - iii. 3 feet of driveways and manholes.
  - iv. 2 feet of utility meters and tree planters.
- b. Bicycle parking located along streets:
  - i. Bicycle racks installed parallel to curbs should be set back from the curb a minimum of 2 feet.
  - ii. Bicycle racks installed perpendicular to curbs should allow for a minimum clearance of 2 feet at the curb and five feet of pedestrian walkway with a 56cm bicycle properly locked to the rack.
  - iii. Bicycle racks should be spaced a minimum of 48 inches apart from each other.
  - iv. Bicycle racks should be located within 100 feet of a building entrance and be visible from the street.
- c. Bicycle racks should allow bicycle frames to be locked at two points of contact with the rack.
- d. Comb and wave type bicycle racks are prohibited.

### 10.4. SERVICE AND LOADING

10.4.1. Service, loading, and deliveries should be provided from alleys and B-streets where available.

10.4.2. Loading spaces have the dimensions specified in sec. 34-983.

- 10.4.3.** Where alleys or B-streets are not available, on-street loading and deliveries are allowed as follows:
- a. On-street loading and deliveries are permitted only within designated Loading Zones.
  - b. Commercial loading duration may not exceed 20 minutes.
  - c. Commercial loading shall occur between the hours of 6:00 am and 9:00 am, or 2:00 pm and 4:00 pm.
  - d. Express parcel delivery duration may not exceed 15 minutes.
  - e. Express parcel delivery shall occur between the hours of 8:00 am and 6:00 pm., except during holidays.
  - f. Residential loading.
- 10.4.4.** Loading docks, dedicated service areas, and refuse service is not permitted along A-streets, pedestrian streets, or open spaces except at service courts, subject to the following:
- a. Service courts should be spaced a minimum of 300 feet.
  - b. Service courts are limited to 40 feet of lot frontage.
  - c. Service courts should be screened from sidewalk view, noise, and odor.
  - d. Service courts should be screened by architecturally integrated walls and gates, between five and eight feet in height. Walls may be covered with art, wayfinding signage, or vegetation.
  - e. Vehicular access to service courts is limited to 14 feet in width.
-

## 11. DEFINITIONS

**A-street** means active streets that prioritize pedestrian and bicycle access to commercial and residential spaces, over vehicular access.

**Affordable dwelling unit, workforce** (Type 1 ADU), means dwelling units that are affordable to households with incomes between 80% - 100% of the area mean income (AMI).

**Affordable dwelling unit, low income** (Type 2 ADU), means dwelling units that are affordable to households with incomes between 60% - 80% of the area mean income (AMI).

**Affordable dwelling unit, very low income** (Type 3 ADU), means dwelling units that are affordable to households with incomes between 30% - 60% of the area mean income (AMI).

**Affordable dwelling unit, very low income** (Type 4 ADU), means dwelling units that are affordable to households with incomes less than 30% of the area mean income (AMI).

**Allee** means a regularly spaced and aligned row of trees usually planted along a street or path.

**Arcade** means a series of arches, supported by columns, or piers. Arcades may cover sidewalks and may front retail storefronts.

**Awning** means a movable or fixed roof-like structure of canvas or other material, extending over a doorway or from the top of a window, in order to provide protection from the sun.

**Awning sign** means a sign painted on, printed on, or applied to an awning.

**B-street** means service streets that prioritize vehicular access to parking and service, over pedestrian and bicycle access.

**Block face** means the sum of all the building facades on one side of a block.

**Block perimeter** means the total length of a line enclosing the block along rights-of-way and lot frontages.

**Building height** means the vertical dimension of a building measured by stories.

**Canopy** means a fixed-roofed overhanging structure, which provides shade or protection and is in whole or in part self-supporting with open sides. Canopies often stretch from a building's doorway to a curb.

**Canopy sign** means a sign that is part of, or attached to, a canopy.



**Cluster Court** means a collection of buildings on a semi-public, privately owned open space.

**Colonnade** means a row of columns joined by an entablature. Colonnades may cover sidewalks and may front retail storefronts.

**Corner sign** means a fixed vertically proportioned sign affixed perpendicularly to the outer corner of a building face.

**Display window** means a window built to project outward from a storefront for the purpose of displaying merchandise.

**Entablature** means a horizontal, continuous building element supported by columns or a wall.

**Encroachment** means a structure that is allowed to extend into or over a public right-of-way, or into a required yard area.

**Facade, building,** means the exterior wall of a building that is set along a frontage line.

**Framework plan** means a planning tool that coordinates, guides, and informs future development within a specified area.

**Forecourt** means a private frontage where a portion of the building is close to the frontage line and the central portion is set back.

**Frontage line** means a property line bordering a public frontage. Facades facing frontage lines define the public realm and are therefore more regulated than the elevations facing other property lines.

**Frontage Occupation** means the length of the frontage that is occupied by a building.

**Frontage Yard Type** means the configuration of the area between the facade of the building and the frontage line such as a fenced, shallow, cluster court, etc.

**Gallery** means a covered sidewalk in front of a retail storefront that supports either a roof or outdoor balcony above.

**Glazing** means the transparent area of a building facade.

**Habitable Space** means building space which use involves human presence, excluding parking garages, self-service storage facilities, warehouses, and display windows separated from retail activity.

**Liner Building** means a building conceived specifically to mask a parking lot or a parking structure from the frontage. Liner buildings are shallow in depth as they are conceived to mask parking without consuming it, as a conventional building would.

**Marquee sign** means a canopy or rigid roof-like projection fully or partially covering the entrance to a theater, hotel, or other building, usually bearing a sign on its face or sides.

**Monument sign** means a freestanding sign that is permanently supported by an internal structural framework or integrated into landscaping or other solid structural features (also known as a ground sign).

**Open Space** means an outdoor area available for use as a “commons” regardless of whether publicly or privately owned. Open space types are defined by the combination of certain physical characteristics including their size, their landscaping and their enfronting buildings. (Syn: Public Open Space, Civic Space)

**Painted wall sign** means a sign applied to the wall of a building with a commercial message.

**Pedestrian street** means a street without vehicular traffic consisting of a right-of-way and public frontage that provides access to lots and Open Spaces.

**Pole sign** means a freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground; and is not supported by a building or a base structure.

**Projecting sign** means a building- mounted, double-sided sign which is mounted perpendicular to a building’s façade.

**Regulating Plan** means a map precisely locating the various zoning categories. Additionally, the Regulating Plan may also show the form and location of public open spaces, the types and trajectories of the various thoroughfares and where retail or required or encouraged.

**Streetscreen** means a freestanding wall built along the frontage line or aligned with the facade. It may mask a parking lot from a street, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm.

**Temporary Structure** means the construction or location of a structure for use for a limited period of time, such as construction trailers, sale trailers or temporary portable storage containers.

**Street** means the entire width between the boundary lines of a way or place open to the public for purposes of vehicular or pedestrian traffic

**Transect Zone** means a cross-section of the environment showing a range of different habitats. The rural-urban Transect of the human environment used in the Code template is divided into six Transect zones. These zones describe the physical form and character of a place, according to the density and intensity of its land use and urbanism. Transect Zones 4 through 6 (T<sub>4</sub>, T<sub>5</sub>, T<sub>6</sub>) are referenced in this Code.