

ORDINANCE NO. 2013 -

AN ORDINANCE ESTABLISHING THE LX LINDAU MIXED USE AND IT INNOVATION AND TECHNOLOGY ZONING DISTRICTS, MODIFYING MULTIPLE CITY CODE SECTIONS TO REFERENCE THE LX AND IT ZONING DISTRICTS, AND ESTABLISHING DEFINITIONS FOR MULTIPLE LAND USES THEREBY AMENDING CHAPTERS 19 AND 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets [] and adding those words that are underlined, to read as follows:

CHAPTER 19

ZONING

ARTICLE I. GENERAL PROVISIONS

Division B. Definitions

SEC. 19.03. DEFINITIONS.

Artisan shop - A retail store selling art works and other handcrafted items where the facility includes an area, not to exceed 25 percent of the total shop floor area, for the crafting of the items being sold.

Low impact, high technology manufacturing - An establishment engaged in the manufacture or assembly of high value added technology products in a manner that does not create negative impacts on surrounding uses due to odors, smoke, dust, noise, vibration or other factors. Examples of high technology manufacturing that may also be low impact include, but are not limited to, the manufacture or assembly of computer components and medical devices.

[Industrial-

- ~~(A) General Manufacturing/Industrial - An establishment engaged in the manufacture of products or parts, predominately using previously prepared material, including processing, fabrication, assembly, treatments, and packaging of such products, and the incidental storage, sales and distribution of such products.~~
- ~~(B) Warehousing, Storage - An establishment that is engaged in the storage of materials, equipment or products that will be distributed.]~~

Manufacturing/Industrial, General - An establishment engaged in the manufacture of products or parts, predominately using previously prepared material, including processing, fabrication, assembly, treatments, and packaging of such products, and the incidental storage, sales and distribution of such products.

Printing and publishing - Establishments engaged in printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying, and other establishments serving the printing trade including

bookbinding, typesetting, engraving, photoengraving, and electrotyping. This use also includes establishments that publish newspapers, books, and periodicals, and include "quick printing" services or desktop publishing.

Research laboratory – An establishment in which scientific research, investigation, testing, or experimentation is conducted, but not including facilities for the manufacture of products except as incidental to the research purpose of the laboratory

Restaurant and club - An establishment engaged in the preparation and on site retail sale of readily consumable food and beverages, and characterized by sit down table, counter or drive-through service to customers. Establishments may include but are not limited to a coffee shop, cafeteria, fine dining, bar, fast food, take out, drive-in or sandwich stand serving food, licensed brewpub, and all other eating or drinking establishments.

Warehousing – The indoor storage of materials, equipment or products. Warehousing does not include self-storage facilities, which are defined separately.

ARTICLE III. ZONING DISTRICT MAP, ZONING DISTRICTS AND DISTRICT USES

SEC. 19.24. ZONING DISTRICTS AND ZONING DISTRICT ORDINANCES AND MAPS.

(a) **Zoning Districts.** For the purpose of this Code, the City is hereby organized into the following primary zoning districts:

- (5) **Industrial Districts** -
Industrial Park I-1 District
Limited Industry I-2 District
General Industry I-3 District
Industrial Park IP District
Innovation and Technology IT District
- (6) **Mixed Use Districts [Reserved]**
Mixed Use CX-2 District
Commercial Office/Mixed Use CO-2 District
High Intensity Mixed Use With Residential HX-R District
Lindau Mixed Use LX District
- (7) ~~**Reserved [Mixed Use CX-2 District]**~~
- (8) ~~**Reserved [High Intensity Mixed Use With Residential HX-R District - High Intensity Mixed Use With Residential HX-R District]**~~
- (9) **Commercial Service Districts** -
Commercial Service CS-0.5 District
Commercial Service CS-1 District
- (10) **Commercial Office Districts** -
Commercial Office CO-0.5 District
Commercial Office CO-1 District
- (11) ~~**Reserved [Commercial Office/Mixed Use CO-2 District]**~~
- (12) **Residential Office Districts** -
Residential Office RO-24 District
Residential Office RO-50 District
- (13) **Conservation SC District**
- (14) **Freeway Development District** -
Freeway Development FD-1 District

ARTICLE IV. DISTRICT REGULATIONS

SEC. 19.42. EXCEPTIONS AND ADDITIONS TO SETBACK AND LOT WIDTH REQUIREMENTS.

- (a) In the R-1, R-1A and RS-1 residential districts, [W]where nearby structures in existence on October 7, 1974 have a greater front-yard setback than that required, the minimum front setback of a new structure shall conform to the prevailing setback in the immediate vicinity. The Issuing Authority shall determine the necessary front-yard setback in such cases; however, in no case shall the Issuing Authority require a setback greater than 65 feet except where an industrial district is adjacent to a residential district.
- (b)
- (1) When an industrial, freeway development or general business faces a residential district across the street or is adjacent to a residential district along a side lot line, the front-yard setback of the industrial, freeway development or general business district along that street shall be no less than 100 feet. Any other setback in the industrial, freeway development, general business districts shall be not less than 100 feet from a residential district. When a conditional use permit is approved for a residential use in a General Industry (I-3) or Freeway Development (FD) zoning district, the City Council may waive the additional setback requirements of this Section. The provisions of Subsection 19.42(b)(1) do not apply to the LX, IT, B-1, B-2, B-4, C-1, C-2, C-3, C-4 or C-5 zoning districts.

ARTICLE V. PERFORMANCE STANDARDS

SEC. 19.50.02. ACCESSORY BUILDINGS.

- (a) **Purpose.** The purpose of this Section is to regulate the number, size, location and appearance of all buildings accessory to and detached from principal buildings on lots within the City. These regulations shall apply to all detached structures, including but not limited to detached garages, detached carports, storage buildings, gazebos, screen houses, playhouses, guard houses, dispatch houses, security houses, gate houses and similar structures.
- (b) **Number.**

- (3) Industrial Districts IP, I-1, I-2 ~~[and] I-3, and IT:~~ One per principal building plus one guard, dispatch, security or gate house per site or development.

SEC. 19.63.08. EXTERIOR MATERIALS AND FINISH.

- (c) The following regulations apply to all primary and accessory buildings and additions in the following zoning districts:
- Multiple-family Residential RM-50 Districts
 - Neighborhood Office B-1 District
 - General Commercial B-2 District
 - General Business B-3 District
 - Neighborhood Commercial Center B-4 District
 - Freeway Office and Service C-1 District
 - Freeway Commercial C-2 District
 - Freeway Commercial Center C-3 District
 - Freeway Office C-4 District
 - Freeway Mixed Use C-5 District
 - Regional Commercial CR-1 District
 - Freeway Development FD-1 and FD -2 Districts

Commercial Service CS-0.5 and CS-1 Districts
Commercial Office CO-0.5, CO-1 and CO-2 Districts
Residential Office RO-24 and RO-50 Districts
High Intensity Mixed Use With Residential HX-R District
Lindau Mixed Use LX District
Innovation and Technology IT District

ARTICLE X. SIGN REGULATIONS

SEC. 19.113. CLASS IV SIGN DISTRICTS (B-2, B-3, C-1, C-4, IP, I-2, I-3, CO-0.5, CO-1, CS-0.5, CS-1, FD-1, FD-2, IT).

- (a) **Regulations for Freestanding Identification Signs.** All freestanding identification signs shall be located on the site of the use.
- (1) **Where Permitted.**
- (A) **Ground Signs.** Ground signs shall be permitted.
- (B) **Monument Signs.** Monument signs shall be permitted.
Exception: There shall be no monument signs in the I-2 and IP Zoning District.
- (C) **Pylon Signs.** Pylon signs shall be permitted.
Exception: There shall be no pylon signs in the I-2 ~~and~~ IP, and IT Zoning District.

- (c) **Other Signs.** All other signs shall be located on the site of the use unless specified otherwise.

- (6) **Temporary Signs.**
- (A) **Temporary Signs for Places of Worship, Schools, Parks, and Public Buildings.** See Section 19.118.
- (B) **Temporary Signs for Commercial Promotions.** See Section 19.119.
- (C) **Temporary Signs for Approved Interim Uses in the IT Zoning District.** See Section 19.127.

SEC. 19.115.02. CLASS VIII SIGN DISTRICTS (B-4, C-5, LX).

- (a) **Regulations for Freestanding Identification Signs.** All freestanding identification signs must be located on the site of the use.

- (3) **Minimum Setbacks, Front.** The minimum setback for all freestanding identification signs in the B-4 and C-5 districts is 20 feet from any public street right-of-way line. The minimum setback for all freestanding identification signs in the LX district is 10 feet from any public street right-of-way line.

- (b) **Regulations for Building Identification Signs.**

- (2) **Wall Signs.**
- (A) **General Regulations.**

- (iii) Projecting signs may be used together with or in place of wall signs. Except for projecting signs discussed in Section 19.115.02 (b)(6), projecting sign area applies toward the wall sign size limitations. Projecting sign area is determined by calculating the area of the projecting sign face on the largest single sign elevation. The projecting sign face may not exceed 5 feet in width. Projecting signs must be located at least 10 feet above grade level and must not project more than [5] 8 feet from the building or structure. Projecting signs may not encroach into the public right-of-way, may not exceed the height of the wall to which it is attached and may encroach into a public easement only with written approval of the Issuing Authority.

Section 2. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets [] and adding those words that are underlined, to read as follows:

CHAPTER 21

ZONING AND LAND DEVELOPMENT

ARTICLE II. DISTRICTS AND USES

Division F. Specialized Zoning Districts

SEC. 21.207. SPECIALIZED ZONING DISTRICTS.

- (a) **Purpose.** It is the purpose of the Specialized Zoning Districts to set standards in areas that have unique characteristics due to location, proximity to transit, natural features or other factors.

SEC. 21.207.02. LINDAU MIXED USE (LX) DISTRICT.

- (a) **Intent.** The Lindau Mixed-Use District, is intended for a dense mix of commercial, hospitality, and office uses in a compact area with excellent accessibility to transit service and a high level of amenities. The LX District provisions are intended to:

- (1) Allow a broad mix of uses to create a vibrant, walkable and transit-supportive district;
- (2) Encourage active uses along the street to create a safe and inviting pedestrian environment;
- (3) Promote an attractive streetscape through building placement and design;
- (4) Encourage sustainable best practices in building, site, and infrastructure design;
- (5) Reduce the visual impact of parked vehicles by requiring the placement of vehicle parking areas to the side or rear of buildings; and
- (6) Maximize utilization of the small supply of land in Bloomington that lies within one-half mile of high frequency mass transit service.

- (b) **Uses.** Uses allowed in the LX District as permitted, accessory, conditional, or interim uses are listed in Table 21.209 (f) as well as the following additional interim uses:

- (1) Additional Interim Uses.
 - (A) Storage of construction materials, equipment and supplies for public street and highway projects.
 - (B) Farmer's market, provided such products are sold directly to consumers by Minnesota growers and producers consistent with the exceptions allowed by Minnesota Statutes Section 329.08.
- (2) Interim Use Standards.
 - (A) Any buildings or other site improvements associated with the interim use must be of nominal value or portable. Temporary buildings must only support the proposed use. Temporary buildings are exempt from the minimum building floor area requirements of the LX District, but must be designed and constructed in a manner assuring safety for occupants and others affected, as determined by the Issuing Authority.

- (c) **Standards.** Development in the LX District must comply with the following standards:

- (1) Floor area ratio, building floor area, impervious surface area, site width and site area must comply with the applicable requirements of Section 21.301.01 as well as the following:
 - (A) Floor Area Ratio - Minimum. The minimum floor area ratio on sites in the LX District may be decreased to 0.50 provided that:
 - (i) at least 50 percent of building frontages along a public street are located at the minimum setback required;
 - (ii) at least 60 percent of the primary building facade along a public streets is at least three stories or 50 feet in height;

- (iii) buildings facing onto Lindau Lane meet or exceeds the ground level building design requirements in Section 21.207.02(c)(4); and
 - (iv) on-site parking supply does not exceed code requirements. .
- (2) Structure and parking placement. To promote the intended urban character and pedestrian orientation, buildings in the LX District must generally be located near the street with parking to the side or rear subject to the following requirements.
 - (A) Structure placement. See Section 21.301.02 for applicable standards unless:
 - (i) the site has received an exemption for sites with multiple street frontages in accordance with Section 21.207.02(c)(2)(E).
 - (B) Skyways, tunnels, and similar pedestrian connection structures up to 120 feet in width have no setback requirements from property lines.
 - (C) Parking placement. Off-street parking must not be located closer to a street than the principal building on site unless:
 - (i) the parking is located entirely below grade; or
 - (ii) the site has received an exemption for sites with multiple street frontages in accordance with Section 21.207.02(c)(2)(E).

Off-street parking may be located on the rooftops of buildings. Examples of permitted parking configurations are illustrated in Section 21.205.05(d)(1).
 - (D) Drive-throughs. In addition to requirements of Section 21.301.05, drive-through windows and stacking lanes in the LX District must meet the following standards:
 - (i) Drive-through windows and stacking lanes must not be located closer to a street than the principal building on site;
 - (ii) Drive-through stacking lanes must be located in a manner that does not require or encourage pedestrians to cross stacking lanes; and
 - (iii) Depending on the visibility and location of drive-through windows and stacking lanes, screening may be required through condition of approval.
 - (E) Exemptions for sites with multiple street frontages. While it is the intent of the LX District to have buildings close to the street with parking to the side or rear or entirely below grade, that arrangement may not be possible for each street frontage on sites which front on two or more public streets in either a corner or through-lot configuration. When a site fronts on multiple public streets in a corner or through-lot configuration, the City Council may exempt through the planned development process all but one of the street frontages from complying with the LX District building or parking placement requirements provided the City Council determines that:
 - (i) the site cannot reasonably comply with the LX structure and parking placement requirements for all street frontages;
 - (ii) the proposed structure and parking configuration will meet the purpose and intent of the LX District;
 - (iii) the proposed structure and parking configuration will complement the character of existing or planned development in the area;
 - (iv) the proposed structure and parking configuration will facilitate pedestrian and bicycle access;
 - (v) the proposed structure and parking configuration will place vehicle access points in optimal locations; and
 - (vi) the proposed structure and parking configuration will be compatible with natural features, surrounding development, redevelopment plans, and traffic volumes.
- (3) Structure height. To promote intensity in the LX District, at least 60 percent of building footprint area on a site must rise to at least 30 feet in height. Structures in the LX District must meet the height limitations of Sections 21.301.10 and 19.38.03.
- (4) Ground level building design. In order to promote a pedestrian-oriented environment, add visual interest, and increase public safety, the portion of a building façade between two feet and ten feet above grade fronting on a public or private street must meet the following standards:
 - (A) Transparency. A minimum of 30 percent of the ground level façade between two feet and ten feet above grade must consist of:
 - (i) Windows. A minimum of 75 percent of all window areas must be transparent. Highly reflective glass is prohibited.
 - (B) Street entrances. Each building and each separate tenant space adjacent to a public street must include at least one entrance on the street side of the building that is open to the public during regular business hours.

- (C) Other. If less than 50 percent of the ground level façade is comprised of windows or entrances, at least two of the following must also be used:
 - (i) Wall design. Embellishment of the building façade to create visual interest through:
 - (a) Horizontal and vertical reveals not less than one inch in width/depth;
 - (b) Variations in material module, pattern and/or color;
 - (c) Green screen or planter walls; and
 - (d) Translucent, fritted, patterned or colored glazing.
 - (ii) Outdoor seating and serving areas. Seating areas must be located immediately adjacent to the subject business.
 - (iii) Permanent art. Non-commercial art or graphic design that complies with the following standards:
 - (a) is of sufficient scale and orientation to be perceived from the public right-of-way;
 - (b) is rendered in materials or media appropriate to an exterior, urban environment;
and
 - (c) is permanently integrated into or immediately adjacent to the building wall.
 - (D) The City Council may reduce the ground level building design requirements of this section through approval of a planned development provided that the City Council determines that the requirements cannot be met due to practical difficulties and that the intent of the LX district ground level building design standards will be met through other means.
- (5) Additional building design standards. In addition to the requirements of Section 21.301.03(a), buildings in the LX District must comply with the following:
- (A) Exterior materials. The exterior materials and finish of all buildings and structures in the LX District must comply with the applicable requirements of Section 19.63.08 of this Code.
 - (B) Arcades. Arcades along building frontages must comply with the following standards:
 - (i) the arcade must extend no more than two stories in height;
 - (ii) the exterior face of the arcade column line must meet the minimum setback requirements in Section 21.301.02 and generally continue the wall plane of the building above;
 - (iii) the interior wall of the arcade must not exceed the maximum setbacks requirements in Section 21.301.02;
 - (iv) the average depth of the arcade must be no less than six feet clear as measured from the interior face of the columns; and
 - (v) the interior wall of the arcade must meet the required ground floor building design requirements in Section 21.207.02(c)(4).
 - (C) Canopies and awnings. First floor canopies and awnings are encouraged in order to provide a comfortable pedestrian environment and add visual interest. Canopies and awnings must not extend above the first floor of a building or more than 15 feet above the finished grade.
 - (D) Parking Structures. Parking structures must comply with the requirements in Section 21.301.06(h) of this Code.
- (6) Signs. Signs in the LX District must comply with the requirements of the Class VIII Sign District as described in Section 19.115.02.
- (7) Landscaping. Sites in the LX District must comply with the landscape requirements in Section 19.52.

SEC. 21.207.03. INNOVATION AND TECHNOLOGY (IT) DISTRICT.

- (a) **Intent.** The Innovation and Technology (IT) District, is designed to encourage a flexible mix of regionally oriented low-impact, high technology manufacturing and office uses in locations with excellent access to regional roadways, high-frequency transit and other amenities. The IT District provisions are intended to:
 - (1) Foster a flexible mix of high technology manufacturing, research and development, and pure office uses;
 - (2) Allow integration of commercial and hospitality uses;
 - (3) Promote an attractive streetscape through building placement and design;
 - (4) Encourage sustainable best practices in building, site, and infrastructure design;
 - (5) Reduce the visual impact of parked vehicles by requiring the placement of vehicle parking areas to the side or rear of buildings; and
 - (6) Maximize utilization of the small supply of land in Bloomington that lies within one-half mile of high frequency mass transit service.

(b) **Uses.** Uses allowed in the IT District as permitted, accessory, conditional, or interim uses are listed in Table 21.209 (f) as well as the following additional interim uses:

(1) Additional Interim Uses.

- (A) Short-term parking of passenger automobiles and recreational vehicles in support of adjacent uses.
- (B) Storage of construction materials, equipment and supplies for projects involving other properties in the IT Zoning District.
- (C) Storage of construction materials, equipment and supplies for public street and highway projects.
- (D) Entertainment events open to the public of less than 45 days in duration. Transient merchant sales are specifically prohibited, except that temporary transient merchant sales accessory and clearly subordinate to entertainment events are permitted. Individual events must comply with the criteria in Sec. 21.207.03(b)(2)(B).
- (E) Special event series. The City Council may issue a comprehensive Interim Use Permit for a series of special events for promotional, charitable, or entertainment purposes that are open to the public and are permitted interim uses under this Section, provided the criteria in Section 21.207.03(b)(2)(B) are satisfied.
- (F) Farmer's market, provided such products are sold directly to consumers by Minnesota growers and producers consistent with the exceptions allowed by Minnesota Statutes Section 329.08.
- (G) New and used motor vehicle sale events of not more than 14 days that exclusively benefit a non-profit charitable organization, and are limited to not more than 200 motor vehicles. No more than one such event shall be allowed in a calendar year.

(2) Interim Use Standards.

- (A) Any buildings or other site improvements associated with the interim use must be of nominal value or portable. Temporary buildings must only support the proposed use. Temporary buildings are exempt from the minimum building floor area requirements of the IT District, but must be designed and constructed in a manner assuring safety for occupants and others affected, as determined by the Issuing Authority.
- (B) Special Events Series. The following criteria must be satisfied for each individual event approved in a special event series:
 - (i) Individual events in the series must be less than 45 days in duration per event. Events open to the public longer than 45 days may be allowed if specifically approved by the City Council;
 - (ii) A schedule for the event or event series describing each event, including date(s) and duration must be submitted with an application for an Interim Use Permit;
 - (iii) At least 20 days prior to event set up, a set of plans for each individual event must be submitted to the Planning Manager or designee. Required plans must include as applicable:
 - (I) An event site layout plan including adequate fire and emergency vehicle access, subject to approval by the Fire Marshal;
 - (II) A Parking, Pedestrian Circulation and Traffic Directional Plan subject to approval by the Bloomington Police Department and the City's Engineering Division that demonstrates adequate parking, safe pedestrian and traffic circulation is provided for the event;
 - (III) A Security Plan, subject to approval by the Bloomington Police Department that demonstrates adequate security is provided for the event;
 - (IV) A Waste Management and Recycling or Waste Reduction Plan; and
 - (V) A Sign Plan, subject to approval by the Planning Manager.
 - (iv) Handicapped parking access and accessible toilet facilities are provided consistent with the State Building Code;
 - (v) The Fire Marshal and Manager of Building and Inspections shall review the installation of tents and temporary structures, and permits shall be obtained as necessary for each event;
 - (vi) Food service is provided in accordance with the permits and requirements of the Environmental Services Division;
 - (vii) Adequate measures will be taken to ensure that there will not be a violation of the City's noise ordinance;
 - (viii) All alcoholic beverage licenses and permits are obtained and are provided in accordance with the City's Code and State law;

- (ix) Site restoration and surrounding site(s) cleanup must be completed within 36 hours of the conclusion of each event, unless a longer period is approved by the City Council;
- (x) If deemed necessary by the Planning Manager after review of plans, notice shall be provided to all property owners within 500 feet at least ten days prior to an event;
- (xi) Adequate insurance for the event has been provided, as determined necessary by the City's Risk manager;
- (xii) Application and payment for all necessary State and local licenses for the event has been made prior to commencement of any event activities; and
- (xiii) Transient merchant sales are specifically prohibited except that temporary transient merchant sales accessory and subordinate to individual events are permitted.

(c) Standards. Development in the IT District must comply with the following standards:

- (1) Floor area ratio, building floor area, impervious surface area, site width and site area must comply with the applicable requirements of Section 21.301.01.
- (2) Structure and parking placement. Structures and parking in the IT District are subject to the following requirements.
 - (A) Structure placement. See Section 21.301.02 for applicable standards unless:
 - (i) the site has received an exemption for sites with multiple street frontages in accordance with Section 21.207.03(c)(2)(E).
 - (B) Skyways, tunnels, and similar pedestrian connection structures up to 120 feet in width have no setback requirements from property lines.
 - (C) Parking placement. On sites located north of East Old Shakopee Road and west of 28th Avenue, off-street parking must not be located closer to a street than the principal building on the site unless:
 - (i) the parking is located entirely below grade; or
 - (ii) the site has received an exemption for sites with multiple street frontages in accordance with Section 21.207.03(c)(2)(E).

Off-street parking may be located on the rooftops of buildings. Examples of permitted parking configurations are illustrated in Section 21.205.05(d)(1).
 - (D) Drive-throughs. In addition to requirements of Section 21.301.05, drive-through windows and stacking lanes in the IT District must meet the following standards:
 - (i) Drive-through windows and stacking lanes must not be located closer to a street than the principal building on the site;
 - (ii) Drive-through stacking lanes must be located in a manner that does not require or encourage pedestrians to cross stacking lanes; and
 - (iii) Depending on the visibility and location of drive-through windows and stacking lanes, screening may be required through condition of approval.
 - (E) Exemptions for sites with multiple street frontages. While it is the intent the portion of the IT District located north of East Old Shakopee Road and west of 28th Avenue have buildings close to the street with parking to the side or rear or entirely below grade, that arrangement may not be possible for each street frontage on sites which front on two or more public streets in either a corner or through-lot configuration. When a site fronts on multiple public streets in a corner or through-lot configuration, the City Council may exempt through the planned development process all but one of the street frontages from complying with the IT District building or parking placement requirements provided the City Council determines that:
 - (i) the site cannot reasonably comply with the IT structure and parking placement requirements for all street frontages;
 - (ii) the proposed structure and parking configuration will meet the purpose and intent of the IT District;
 - (iii) the proposed structure and parking configuration will complement the character of existing or planned development in the area;
 - (iv) the proposed structure and parking configuration will facilitate pedestrian and bicycle access;
 - (v) the proposed structure and parking configuration will place vehicle access points in optimal locations; and
 - (vi) the proposed structure and parking configuration will be compatible with natural features, surrounding development, redevelopment plans, and traffic volumes.

USE TYPE	ZONING DISTRICT							REFERENCES
	CX-2	<u>LX</u>	<u>IT</u>					See Listed Section
TEMPORARY/SEASONAL								
Seasonal Uses								
Seasonal sales, outdoor	I	<u>I</u>	<u>I</u>					14.314 to 14.323
Special Events								
Entertainment and recreation special events	I	<u>A</u>	<u>I</u>					<u>19.38.03</u>
Temporary Uses								
Transient merchant sales (interior to hotels)	A	<u>A</u>	<u>A</u>					14.180 to 14.192

ARTICLE III. DEVELOPMENT STANDARDS

Division A. General Standards

SEC. 21.301.01. DEVELOPMENT INTENSITY AND SITE CHARACTERISTICS.

- (a) **Purpose.** The tables in this Section depict required floor area ratio, building floor area, impervious surface area, site width and site area standards by zoning district.
- (b) **Table Key.** The following labeling conventions apply to each table in this Section.
- (1) Floor area ratio – minimum. The floor area ratio on a site, as calculated in City Code Section 19.03, must meet or exceed the listed minimum for the respective zoning district. In cases where development on a site occurs in phases, each individual development phase must comply with the floor area ratio requirements of this subsection on its own or in conjunction with previous phase(s) if previous phase(s) exceeded floor area ratio requirements.
 - (2) Floor area ratio – maximum. The floor area ratio on a site, as calculated in City Code Section 19.03, must not exceed the listed maximum for the respective zoning district.
 - (3) Building floor area - minimum. Building floor area, expressed in gross square feet, for each principal building on a site must meet or exceed the listed minimum for the respective zoning district.
 - (4) Impervious surface area – maximum. The total impervious surface area on a site may not exceed the listed maximum for the respective zoning district.
 - (5) Site width - minimum. The site width, measured at the minimum required structure setback for the respective zoning district must meet or exceed the listed minimum for the respective zoning district.
 - (6) Site area – minimum. The gross site area must meet or exceed the minimum listed for the respective zoning district.
 - (7) Not applicable. Standards identified in the zoning district row with the letters “NA” do not apply within the respective zoning district.
- (c) **Reserved.**

(d) **Commercial and Industrial Zoning Districts.**

Zoning District	Floor Area Ratio		Building Floor Area	Impervious Surface Area	Site Width	Site Area
	Minimum	Maximum	Minimum	Maximum	Minimum	Minimum
B-1	NA	0.5	1,000 sq. ft.	80%	100 ft. 150 ft. for corner sites	25,000 sq. ft.
B-2	NA	0.5	3,000 sq. ft.	90%	100 ft. 150 ft. for corner sites	25,000 sq. ft.
B-4	0.2	0.5 2.0 with residential	4,000 sq. ft.	95%	150 ft. 200 ft. for corner sites	40,000 sq. ft.
C-1	0.4	1.0	20,000 sq. ft.	90%	200 ft. 250 ft. for corner sites	120,000 sq. ft.
C-2	NA	0.5	20,000 sq. ft. 10,000 sq. ft. for restaurants and gas stations	90%	200 ft. 250 ft. for corner sites	80,000 sq. ft.
C-3	0.5	1.0	50,000 sq. ft.	95%	200 ft. 250 ft. for corner sites	200,000 sq. ft.
C-4	0.4	2.0	20,000 sq. ft. 10,000 sq. ft. for restaurants	90%	200 ft. 250 ft. for corner sites	120,000 sq. ft.
C-5	1.0	1.5	20,000 sq. ft.	95%	200 ft. 250 ft. for corner sites	80,000 sq. ft.
CX-2	NA	2.0	200,000 sq. ft. 2,000 sq. ft. for accessory buildings	NA	200 ft. 250 ft. for corner sites	150,000 sq. ft.
LX	<u>0.7*</u>	<u>2.0</u>	<u>10,000 sq.ft.</u>	<u>NA</u>	<u>100 ft.</u>	<u>NA</u>
IT	<u>0.4</u>	<u>1.5</u>	<u>20,000 sq.ft.</u> <u>10,000 sq.ft. for restaurants</u>	<u>90%</u>	<u>200 ft.</u> <u>250 ft. for corner sites</u>	<u>80,000 sq.ft.</u>

Notes:

*FAR reductions may be allowed subject to the criteria in Section 21.201.02(c)(1)(A)

SEC. 21.301.02. STRUCTURE PLACEMENT.

- (a) **Purpose.** The tables in this Section depict minimum and maximum structure setback requirements by zoning district.
- (b) **Table Key.** The following labeling conventions apply to each table in this Section:
- (1) Setbacks from public streets. All setbacks from public streets or proposed public streets must be measured from the planned widened rights-of-way in accordance with the Master Street Plan of the City.
 - (2) Rear and side. For corner sites that abut two public streets and for which it is not apparent due to lot configuration or past approval which property line is the rear and which property line is the side, the applicant may select which property line to consider rear and which to consider side.

- (3) ~~[Adjacent to]~~ Abutting residential. For the purpose of determining the required setback ~~[adjacent to]~~ abutting residential, a site is considered to be “residential” if it is guided residential by the Comprehensive Plan.
- (4) Where applicable, at least 75 percent of any building façade with street frontage must meet the listed maximum setback requirement. The City Council may waive maximum setback requirements through the planned development process for buildings with more than two street frontages.
- (c) **Encroachments.** Selected site features and equipment are allowed to encroach into the required setback area to the extent specified in Section 19.08.
- (d) **Reserved.**
- (e) **Commercial and Industrial Zoning District Setbacks.**

Zoning District	Along Public Street		Rear	Side	[Adjacent to] <u>Abutting</u> Residential
	Minimum	Maximum	Minimum	Minimum	Minimum
B-1	35 ft.	NA	15 ft.	10 ft.	50 ft.
B-2	35 ft.	NA	15 ft.	10 ft.	50 ft.
B-4	20 ft.	40 ft.	15 ft. 30 ft. for buildings over 4 stories in height	10 ft. 20 ft. for buildings over 4 stories in height	50 ft.
C-1	35 ft.	NA	30 ft. 40 ft. for buildings over 4 stories in height	20 ft. 30 ft. for buildings over 4 stories in height	50 ft.
C-2	35 ft.	NA	30 ft. 40 ft. for buildings over 4 stories in height	20 ft. 30 ft. for buildings over 4 stories in height	50 ft.
C-3	35 ft.	NA	30 ft. 40 ft. for buildings over 4 stories in height	20 ft. 30 ft. for buildings over 4 stories in height	50 ft.
C-4	35 ft.	NA	30 ft. 40 ft. for buildings over 4 stories in height	20 ft. 30 ft. for buildings over 4 stories in height	50 ft.
C-5	20 ft.	20 ft.	30 ft. 40 ft. for buildings over 4 stories in height	20 ft. 30 ft. for buildings over 4 stories in height	50 ft.
CX-2	20 ft	NA	20 ft	20 ft	NA
<u>LX</u>	<u>10 ft. (or width of required public easement)</u>	<u>20 ft.</u>	<u>10 ft.</u>	<u>10 ft.</u>	<u>NA</u>
<u>IT</u>	<u>20 ft.</u>	<u>NA</u>	<u>10 ft</u>	<u>10 ft.</u>	<u>50 ft.</u>

Passed and adopted this _____ day of _____, 2013.

Mayor

ATTEST:

Secretary to the Council

APPROVED:

City Attorney