

CHAPTER 3. MIXED USE DISTRICTS

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Article 3.1. General Provisions

Sec. 3.1.1. District Intent Statements

A. Residential Mixed Use (RX-)

1. RX- is a mixed residential district intended to provide for a variety of residential building types and housing options at density in excess of 10 dwelling units per acre.
2. RX- can serve as a land use transition between other mixed use districts and residential neighborhoods.
3. RX- allows limited retail and services subject to use standards that limit the size and scale to the ground floor corner unit of an apartment building.

B. Office Park (OP-)

1. OP- is intended to preserve and provide land for office and employment uses.
2. OP- can also serve as a land use transition between other mixed use districts and residential neighborhoods.

C. Office Mixed Use (OX-)

1. OX- is intended to provide for a variety of office and employment uses while allowing for housing and limited retail and service-related options. Limited retail and service-related options are allowed subject to use standards that restrict the size and scale of each use.
2. OX- is not intended to provide for areas exclusively dominated by office or employment uses but provide for developments that balance employment and housing options with access to convenience retail services and goods.
3. OX- can serve as a land use transition between other mixed use districts and residential neighborhoods.

D. Neighborhood Mixed Use (NX-)

1. NX- is intended to provide for a variety of residential, retail, service and commercial uses all within walking distance of residential neighborhoods.
2. To limit the overall scale, NX- has a maximum lot size of 10 acres. Maximum height limits should be compatible with adjacent residential development.

E. Commercial Mixed Use (CX-)

1. CX- is intended to provide for a variety of residential, retail, service and commercial uses.
2. While CX- accommodates commercial uses, the inclusion of residential and employment uses are strongly encouraged in order to promote live-work and mixed use opportunities.

F. Downtown Mixed Use (DX-)

DX- is intended to provide for intense mixed use development of the City's downtown area.

G. Industrial Mixed Use (IX-)

1. IX- is intended to provide for a variety of light industrial and manufacturing uses while allowing for retail, service and commercial activity and limited housing opportunities. To help ensure that land is reserved for manufacturing and employment, residential uses are limited to the upper stories of mixed use buildings.
2. IX- is not intended to provide for areas exclusively dominated by light industrial or manufacturing but provide for developments that incorporate commercial uses with housing, retail and service-related activity.
3. IX- can serve as a land use transition between heavy industrial areas and mixed use districts.

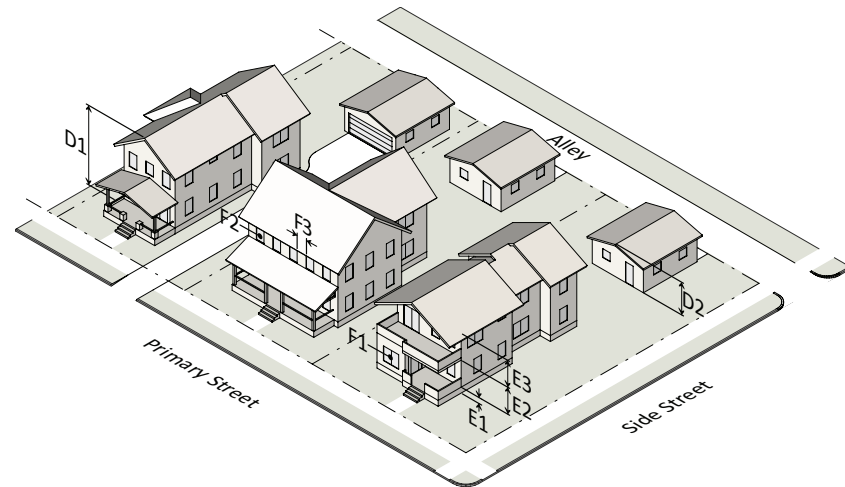
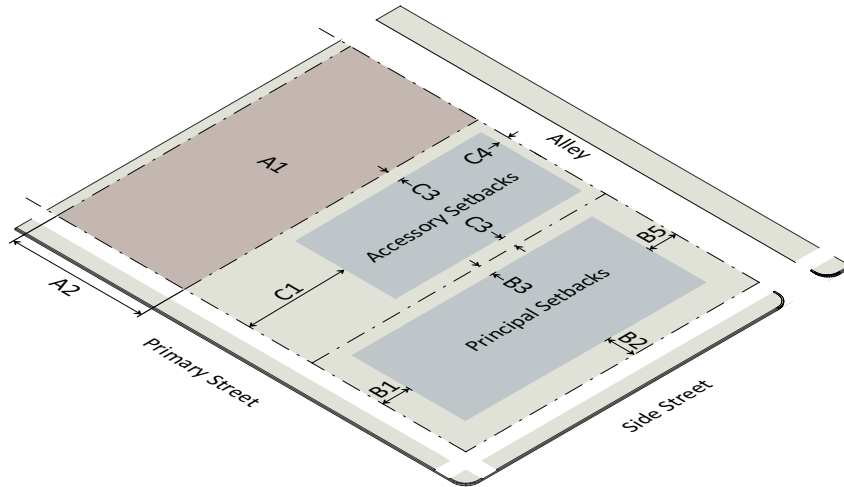
Sec. 3.1.2. District Components

- A. Each Mixed Use District is comprised of one or more of the following components:
1. Use and Base Dimensions (RX-, OP-, OX-, NX-, CX-, DX-, IX-);
 2. Height (-3, -4, -5, -7, -12, -20, -40); and
 3. Frontage (-PK, -DE, -PL, -GR, -UL, -UG, -SH).
- B. A variety of Mixed Use Districts can be constructed by applying different height and frontage configurations as shown in the table below.
- C. Each Mixed Use District must include a height designation. A frontage is optional unless it has already been applied to the property and designated on the Official Zoning Map.
- D. Neighborhood transitions apply when adjacent to a residential district (see *Article 3.5. Neighborhood Transitions*).

Use and Base Dimensions	Height	Frontage	Examples
<i>Specifies the range of uses allowed (Chapter 6. Use Regulations) and base dimensional standards for allowed building types (Article 3.2. Base Dimensional Standards).</i>	<i>Sets the maximum allowed height for the district (Article 3.3. Height Requirements)</i>	<i>Frontages place additional limitations beyond the base dimensional standards (Article 3.4. Frontage Requirements)</i>	
RX- = Residential Mixed Use OP- = Office Park OX- = Office Mixed Use NX- = Neighborhood Mixed Use CX- = Commercial Mixed Use DX- = Downtown Mixed Use IX- = Industrial Mixed Use	3 = 3 stories max 4 = 4 stories max 5 = 5 stories max 7 = 7 stories max 12 = 12 stories max 20 = 20 stories max 40 = 40 stories max	-PK = Parkway -DE = Detached -PL = Parking Limited -GR = Green -UL = Urban Limited -UG = Urban General -SH = Shopfront	RX-3: Residential Mixed Use, up to 3 stories, no frontage required OX-5-SH: Office mixed use, up to 5 stories, shopfront frontage required CX-7-PK: Commercial mixed use, up to 7 stories, parkway frontage required

Article 3.2. Base Dimensional Standards

Sec. 3.2.1. Detached House

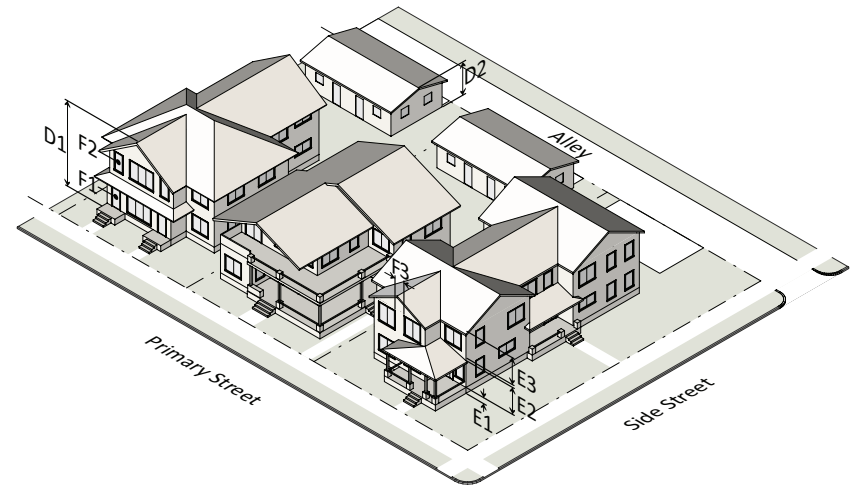
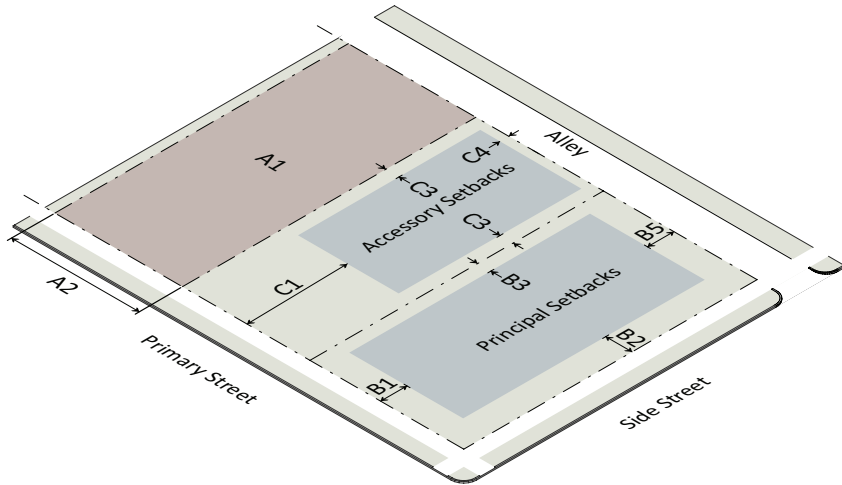


	RX-, OX-, NX-, CX-	DX-
A. Lot Dimensions		
A1 Area (min)	4,000 sf	n/a
A2 Width (min)	45'	n/a
B. Principal Building Setbacks		
B1 From primary street (min)	10'	5'
B2 From side street (min)	10'	5'
B3 From side lot line (min)	5'	3'
B4 Sum of side setbacks (min)	10'	6'
B5 From rear lot line (min)	20'	10'
C. Accessory Structure Setbacks		
C1 From primary street (min)	50'	30'
C2 From side street (min)	10'	5'
C3 From side lot line (min)	5'	3'
C4 From rear lot line (min)	5'	3'
C4 From alley	4' or 20' min	4' or 20' min

	RX-, OX-, NX-, CX-	DX-
D. Height		
D1 Principal building (max)	40'/3 stories	40'/3 stories
D2 Accessory structure (max)	25'	25'
E. Floor Heights		
E1 Ground floor elevation (min)	2'	2'
E2 Ground story height, floor to floor (min)	n/a	n/a
E3 Upper story height, floor to floor (min)	n/a	n/a
F. Transparency		
F1 Ground story (min)	20%	20%
F2 Upper story (min)	15%	15%
F3 Blank wall area (max)	35'	35'
G. Allowed Building Elements		
Porch, stoop		
Balcony		

See Sec. 1.5.4.D "Building Setbacks" for specific building element requirements.

Sec. 3.2.2. Attached House

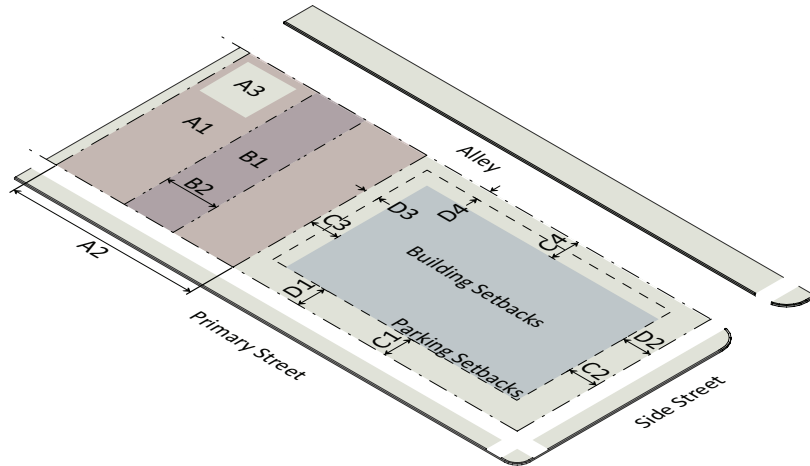


	RX-, OX-, NX-, CX-	DX-
A. Lot Dimensions		
A1 Area (min)	6,000 sf	n/a
A2 Width (min)	50'	n/a
B. Principal Building Setbacks		
B1 From primary street (min)	10'	5'
B2 From side street (min)	10'	5'
B3 From side lot line (min)	5'	3'
B4 Sum of side setbacks (min)	10'	6'
B5 From rear lot line (min)	20'	10'
C. Accessory Structure Setbacks		
C1 From primary street (min)	50'	30'
C2 From side street (min)	10'	5'
C3 From side lot line (min)	5'	3'
C4 From rear lot line (min)	5'	3'
C4 From alley	4' or 20' min	4' or 20' min

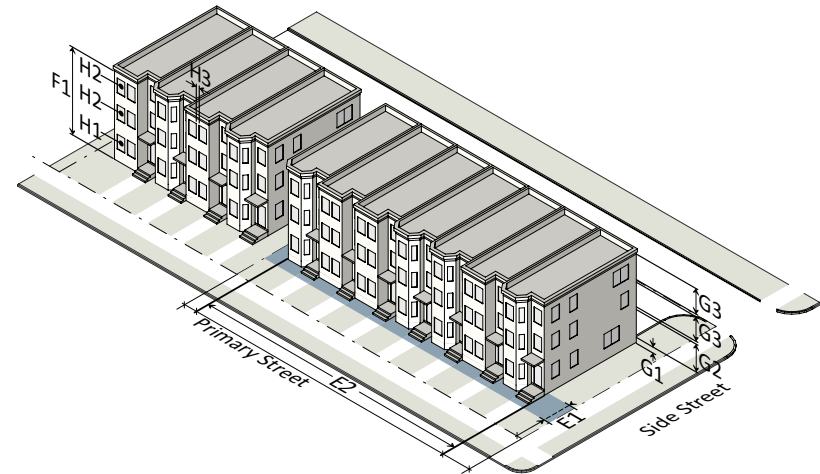
	RX-, OX-, NX-, CX-	DX-
D. Height		
D1 Principal building (max)	40'/3 stories	40'/3 stories
D2 Accessory structure (max)	25'	25'
E. Floor Heights		
E1 Ground floor elevation (min)	2'	2'
E2 Ground story height, floor to floor (min)	n/a	n/a
E3 Upper story height, floor to floor (min)	n/a	n/a
F. Transparency		
F1 Ground story (min)	20%	20%
F2 Upper story (min)	15%	15%
F3 Blank wall area (max)	35'	35'
G. Allowed Building Elements		
Porch, stoop		
Balcony		

See Sec. 1.5.4.D "Building Setbacks" for specific building element requirements.

Sec. 3.2.3. Townhouse



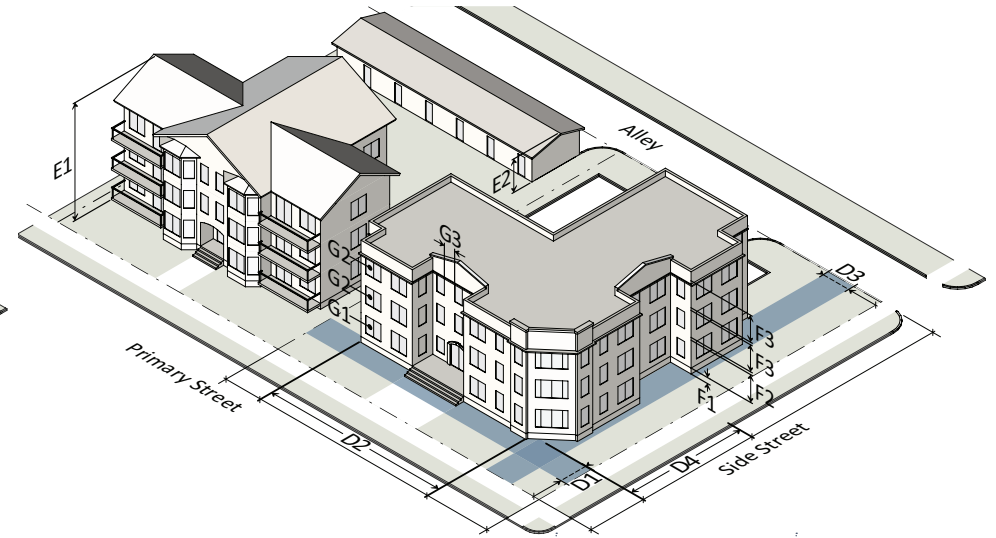
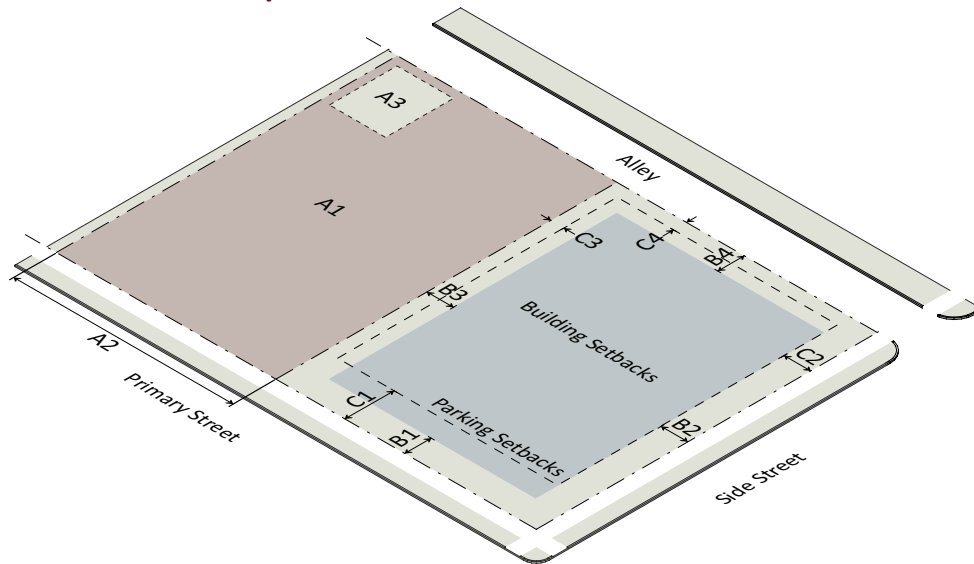
	RX-, OX-, NX-, CX-	DX-
A. Site Dimensions		
A1 Area (min)	3,300 sf	n/a
A2 Width (min)	44'	n/a
A3 Outdoor amenity area (min)	10%	10%
B. Lot Dimensions		
B1 Area (min)	n/a	n/a
B2 Width (min)	16'	n/a
C. Building/Structure Setbacks		
C1 From primary street (min)	10'	5'
C2 From side street (min)	10'	5'
C3 From side lot line (min)	0' or 6'	0' or 6'
C4 From rear lot line (min)	20'	0' or 6'
C4 From alley	4' or 20' min	4' or 20' min
D. Parking Setbacks		
D1 From primary street (min)	20'	20'
D2 From side street (min)	10'	10'
D3 From side lot line (min)	0' or 3'	0' or 3'
D4 From rear lot line (min)	3'	3'
D4 From alley (min)	4'	4'



	RX-, OX-, NX-, CX-	DX-
E. Build-to (Blockface)		
E1 Primary street build-to (min/max)	10'/55'	10'/55'
E2 Building width in primary build-to (min)	70%	70%
E3 Preexisting Buildings: See Sec. 3.4.2.C.2.		
F. Height		
F1 Principal building (max)	Set by district	Set by district
F2 Accessory structure (max)	25'	25'
G. Floor Heights		
G1 Ground floor elevation (min)		
Residential	2'	2'
Nonresidential	n/a	n/a
G2 Ground story height, floor to floor (min)	n/a	n/a
G3 Upper story height, floor to floor (min)	n/a	n/a
H. Transparency		
H1 Ground story (min)	20%	20%
H2 Upper story (min)	15%	15%
H3 Blank wall area (max)	35'	35'
I. Allowed Building Elements		
Porch, stoop		
Balcony		

See Sec. 1.5.4.D "Building Setbacks" for specific building element requirements.

Sec. 3.2.4. Apartment

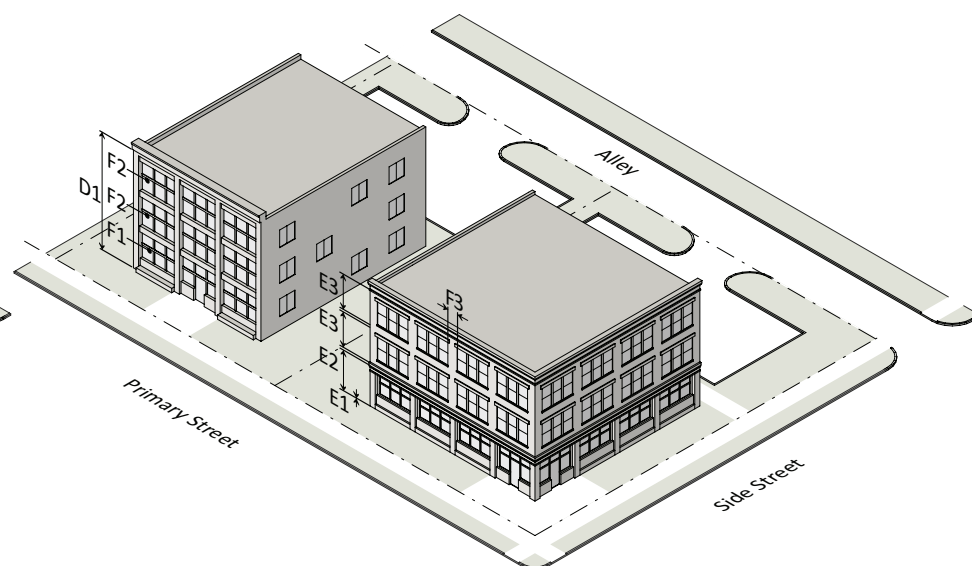
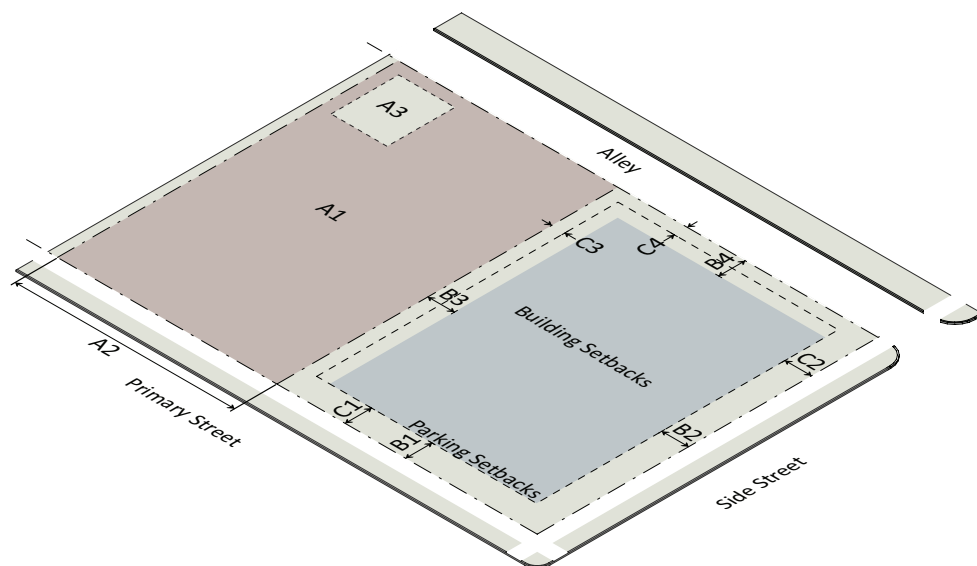


	RX-, OX-, NX-, CX-	DX-
A. Lot Dimensions		
A1 Area (min)	10,000 sf	n/a
A1 Area (max)	10 acres (NX- only)	n/a
A2 Width (min)	n/a	n/a
A3 Outdoor amenity area (min)	10%	10%
B. Building/Structure Setbacks		
B1 From primary street (min)	5'	5'
B2 From side street (min)	5'	5'
B3 From side lot line (min)	0' or 6'	0' or 6'
B4 From rear lot line (min)	0' or 6'	0' or 6'
B4 From alley	4' or 20' min	4' or 20' min
C. Parking Setbacks		
C1 From primary street (min)	10'	10'
C2 From side street (min)	10'	10'
C3 From side lot line (min)	0' or 3'	0' or 3'
C4 From rear lot line (min)	0' or 3'	0' or 3'
C4 From alley (min)	4'	4'

	RX-, OX-, NX-, CX-	DX-
D. Build-to		
D1 Primary street build-to (min/max)	10'/55'	10'/55'
D2 Building width in primary build-to (min)	70%	70%
D3 Side street build-to (min/max)	10'/55'	10'/55'
D4 Building width in side build-to (min)	35%	35%
D5 Preexisting Buildings: See Sec. 3.4.2.C.2.		
E. Height		
E1 Principal building (max)	Set by district	Set by district
E2 Accessory structure (max)	25'	25'
F. Floor Heights		
F1 Ground floor elevation (min)		
Residential	2'	2'
Nonresidential	n/a	n/a
F2 Ground story height, floor to floor (min)	n/a	n/a
F3 Upper story height, floor to floor (min)	n/a	n/a
G. Transparency		
G1 Ground story (min)	20%	20%
G2 Upper story (min)	15%	15%
G3 Blank wall area (max)	35'	35'
H. Allowed Building Elements		
Porch, stoop		
Balcony		

See Sec. 1.5.4.D "Building Setbacks" for specific building element requirements.

Sec. 3.2.5. General Building

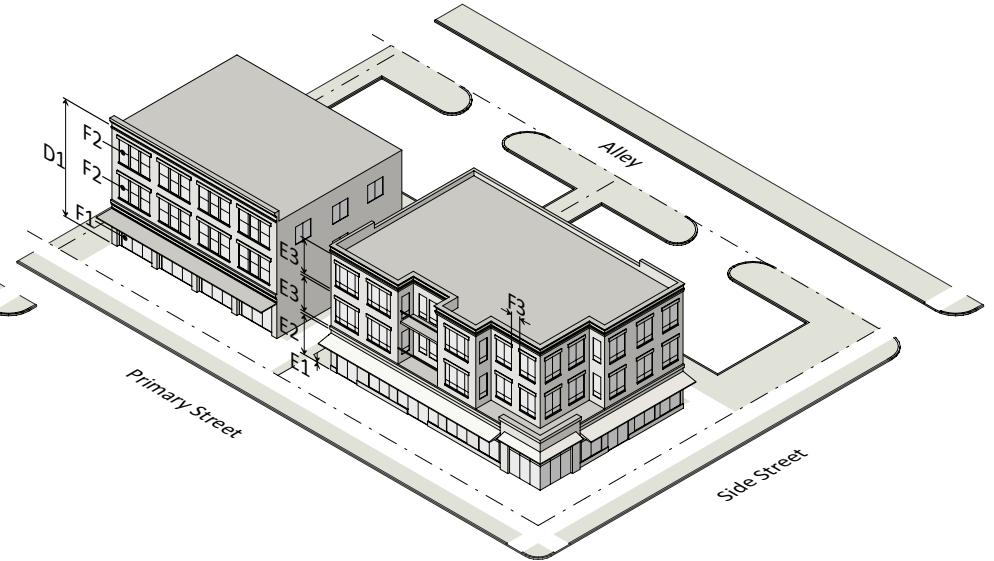
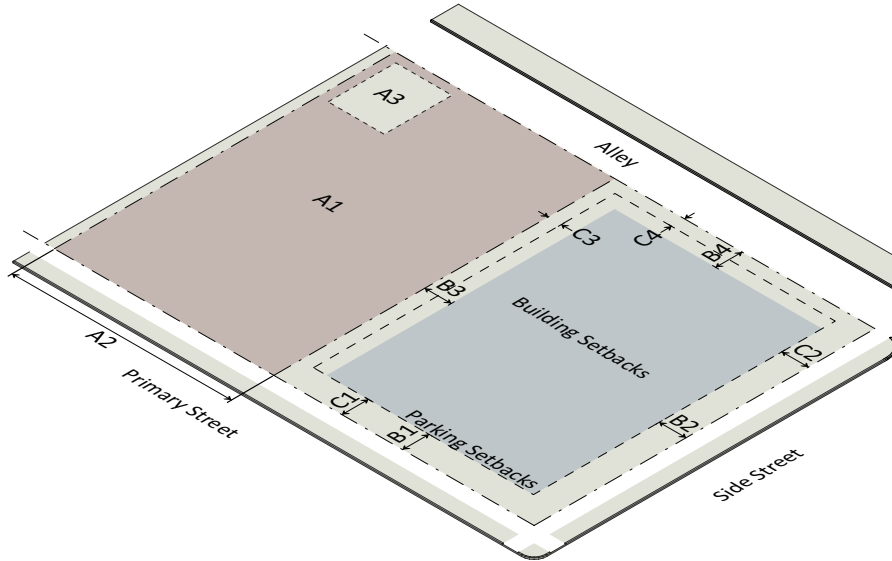


	OP-, OX- NX-, CX-	DX-	IX-
A. Lot Dimensions			
A1 Area (min)	n/a	n/a	n/a
A1 Area (max)	10 acres (NX- only)	n/a	n/a
A2 Width (min)	n/a	n/a	n/a
A3 Outdoor amenity area (min)	10%	10%	10%
B. Building/Structure Setbacks			
B1 From primary street (min)	5'	3'	3'
B2 From side street (min)	5'	3'	3'
B3 From side lot line (min)	0' or 6'	0' or 6'	0' or 6'
B4 From rear lot line (min)	0' or 6'	0' or 6'	0' or 6'
B4 From alley (min)	5'	5'	5'
C. Parking Setbacks			
C1 From primary street (min)	10'	10'	10'
C2 From side street (min)	10'	10'	10'
C3 From side lot line (min)	0' or 3'	0' or 3'	0' or 3'
C4 From rear lot line (min)	0' or 3'	0' or 3'	0' or 3'
C4 From alley (min)	5'	5'	5'

	OP-, OX- NX-, CX-	DX-	IX-
D. Height			
D1 Principal building (max)	Set by district	Set by district	Set by district
D2 Accessory structure (max)	25'	25'	25'
E. Floor Heights			
E1 Ground floor elevation (min)	0'	0'	0'
E2 Ground story height, floor to floor (min)	11'	13'	11'
E3 Upper story height, floor to floor (min)	9'	9'	9'
F. Transparency			
F1 Ground story (min)	33%	50%	20%
F2 Upper story (min)	20%	20%	20%
F3 Blank wall area (max)	30'	30'	50'
G. Allowed Building Elements			
Balcony			
Gallery, awning			

See Sec. 1.5.4.D "Building Setbacks" for specific building element requirements.

Sec. 3.2.6. Mixed Use Building

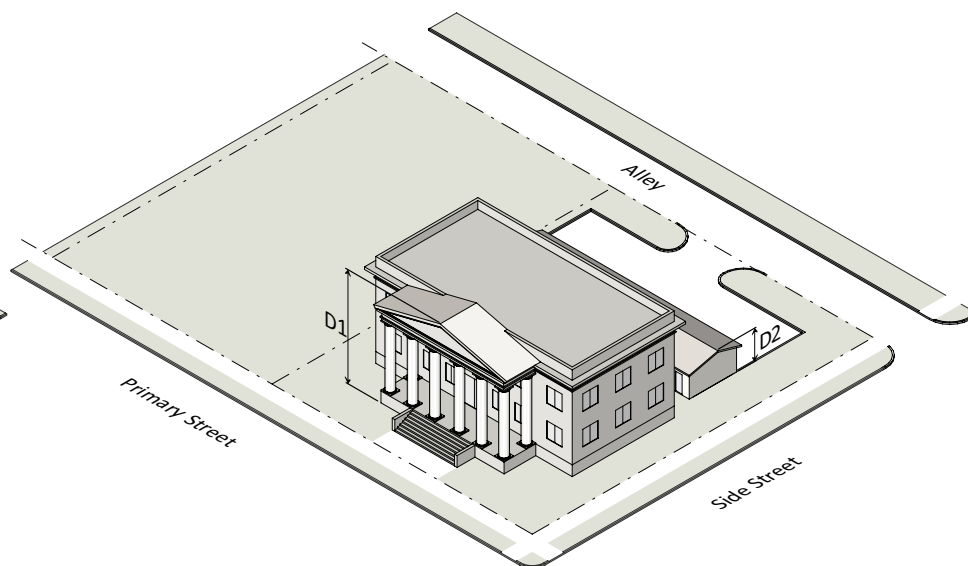
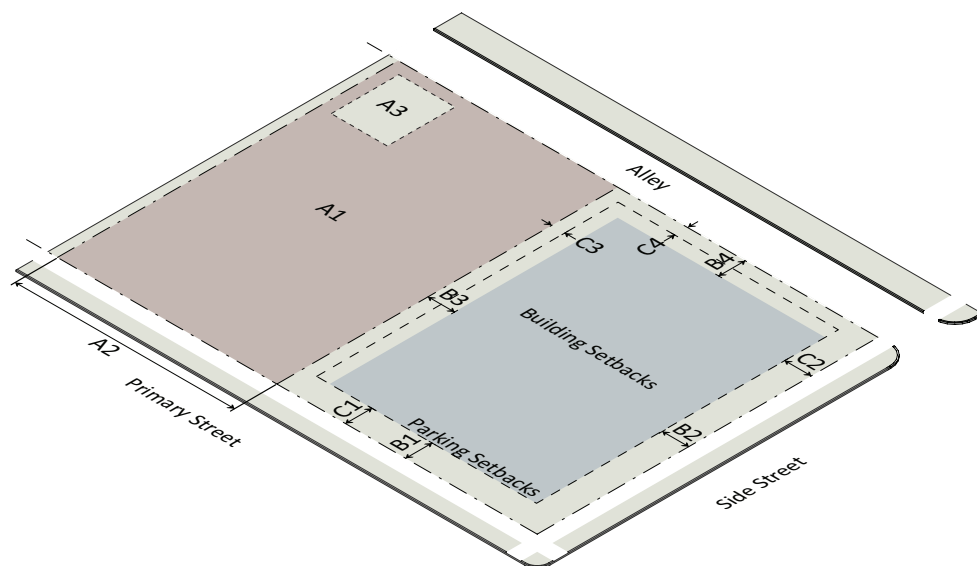


	OP-, OX- NX-, CX-, IX-	DX-
A. Lot Dimensions		
A1 Area (min)	n/a	n/a
A1 Area (max)	10 acres (NX- only)	n/a
A2 Width (min)	n/a	n/a
A3 Outdoor amenity area (min)	10%	10%
B. Building/Structure Setbacks		
B1 From primary street (min)	5'	3'
B2 From side street (min)	5'	3'
B3 From side lot line (min)	0' or 6'	0' or 6'
B4 From rear lot line (min)	0' or 6'	0' or 6'
B4 From alley (min)	5'	5'
C. Parking Setbacks		
C1 From primary street (min)	10'	10'
C2 From side street (min)	10'	10'
C3 From side lot line (min)	0' or 3'	0' or 3'
C4 From rear lot line (min)	0' or 3'	0' or 3'

	OP-, OX- NX-, CX-, IX-	DX-
C4 From alley (min)	5'	5'
D. Height		
D1 Principal building (max)	Set by district	Set by district
D2 Accessory structure (max)	25'	25'
E. Floor Heights		
E1 Ground floor elevation (min)	0'	0'
E2 Ground story height, floor to floor (min)	13'	15'
E3 Upper story height, floor to floor (min)	9'	9'
F. Transparency		
F1 Ground story (min)	50%	66%
F2 Upper story (min)	20%	20%
F3 Blank wall area (max)	20'	20'
G. Allowed Building Elements		
Balcony		
Gallery, awning		

See Sec. 1.5.4.D "Building Setbacks" for specific building element requirements.

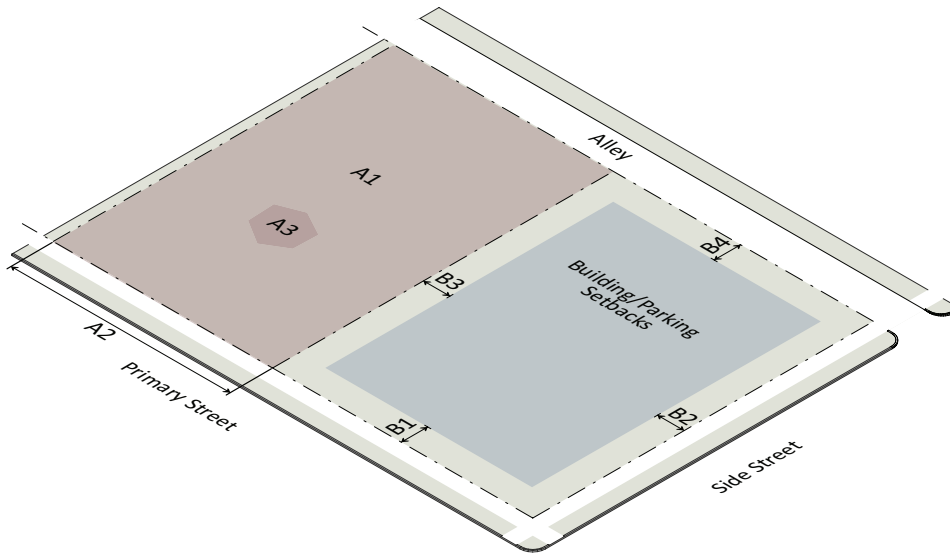
Sec. 3.2.7. Civic Building



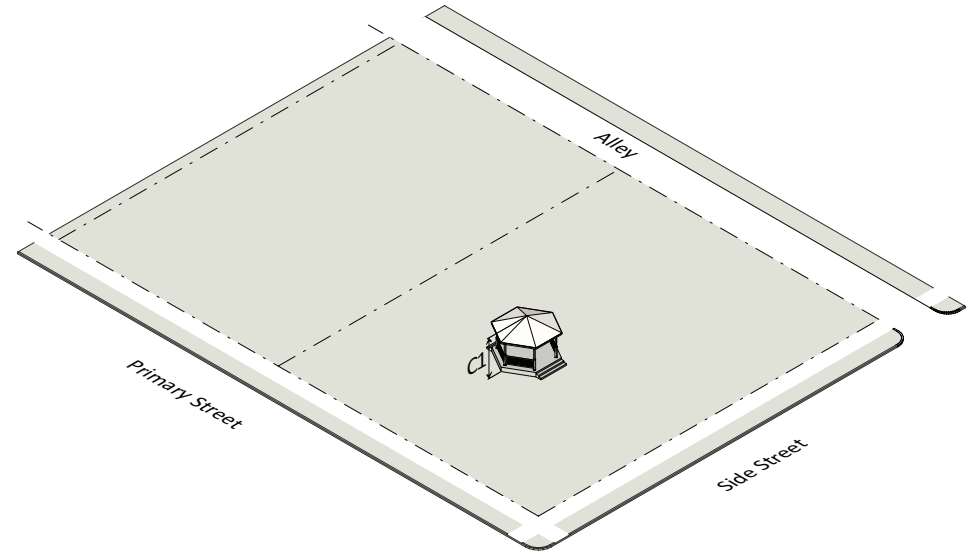
	RX-, OP-, OX- NX-, CX-, IX-	DX-
A. Lot Dimensions		
A1 Area (min)	n/a	n/a
A1 Area (max)	10 acres (NX- only)	n/a
A2 Width (min)	n/a	n/a
A3 Outdoor amenity area (min)	10%	10%
B. Building/Structure Setbacks		
B1 From primary street (min)	10'	5'
B2 From side street (min)	10'	5'
B3 From side lot line (min)	0' or 6'	0' or 6'
B4 From rear lot line (min)	0' or 6'	0' or 6'
B4 From alley (min)	5'	5'
C. Parking Setbacks		
C1 From primary street (min)	10'	10'
C2 From side street (min)	10'	10'
C3 From side lot line (min)	0' or 3'	0' or 3'
C4 From rear lot line (min)	0' or 3'	0' or 3'
C4 From alley (min)	5'	5'

	RX-, OP-, OX- NX-, CX-, IX-	DX-
D. Height		
D1 Principal building (max)	Set by district	Set by district
D2 Accessory structure (max)	25'	25'
E. Allowed Building Elements		
Balcony		
Gallery, awning		
See Sec. 1.5.4.D "Building Setbacks" for specific building element requirements.		

Sec. 3.2.8. Open Lot



	RX-, OP-, OX- NX-, CX-, IX-	DX-
A. Lot Dimensions		
A1 Area (min)	5,000 sf	n/a
A2 Width (min)	50'	n/a
A3 Building coverage (max)	15%	15%
B. Building/Parking Setbacks		
B1 From primary street (min)	10'	10'
B2 From side street (min)	10'	10'
B3 From side lot line (min)	10'	10'
B4 From rear lot line (min)	10'	10'



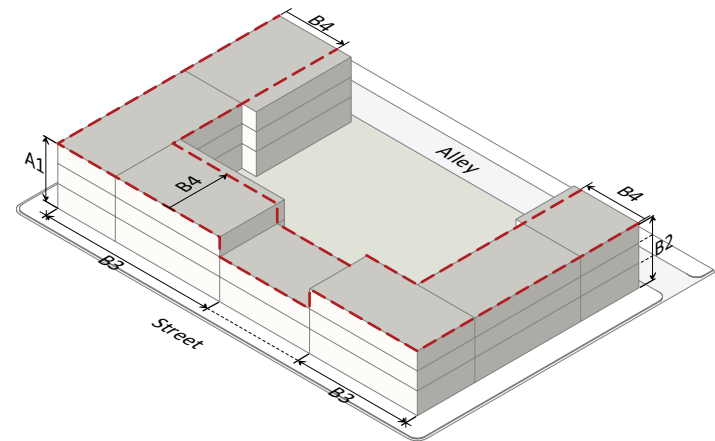
	RX-, OP-, OX- NX-, CX-, IX-	DX-
B4 From alley (min)	10'	10'
C. Height		
C1 All building/structures (max)	40'/3 stories	40'/3 stories
D. Allowed Building Elements		
Porch, stoop		
Balcony		
Gallery, awning		
See Sec. 1.5.4.D "Building Setbacks" for specific building element requirements.		

Article 3.3. Height Requirements

Sec. 3.3.1. Applicability

- A. Each Mixed Use District must include one of the following height designations. The designation establishes the maximum height in stories and feet for each mixed use district. For example, CX-7 has a maximum height limit of 7 stories or 90 feet.
- 3 3 stories / 50 feet max
 - 4 4 stories / 62 feet max
 - 5 5 stories / 75 feet max
 - 7 7 stories / 90 feet max
 - 12 12 stories / 150 feet max
 - 20 20 stories / 250 feet max
 - 40 40 stories / 500 feet max
- B. The height requirements apply to apartments, general buildings, mixed use buildings and civic buildings. Maximum heights for detached house, attached house, townhouse and open lot are set forth in *Article 3.2. Base Dimensional Standards*.
- C. The minimum height requirements apply only to the Urban Frontages. The Urban Frontages include the following: Green, Urban Limited, Urban General and Shopfront. Civic buildings are exempt from the minimum height requirements.

Sec. 3.3.2. Building Height Standards



District		-3	-4	-5	-7	-12	-20	-40
A. Max Height								
A1	Building height (max stories)	3	4	5	7	12	20	40
A1	Building height (max feet)	50'	62'	75'	90'	150'	250'	500'
B. Min Height (Urban Frontages Only)								
B2	Building height (min stories)	n/a	n/a	n/a	2	2	3	3
B3	Street facing facade at min height (min % of lot width)	n/a	n/a	n/a	75%	75%	75%	75%
B4	Depth of min height from front building facade into lot (min)	n/a	n/a	n/a	30'	45'	60'	60'

Sec. 3.3.3. Building Massing Standards

A. Intent

The intent of the building massing regulations is to manage the impact of tall buildings located near the public right-of-way. Stepbacks are intended to provide access to light and air at street level, mitigate wind impacts, produce a consistent street wall and visually reduce the perceived scale of a building to avoid a canyon effect.

B. Stepbacks

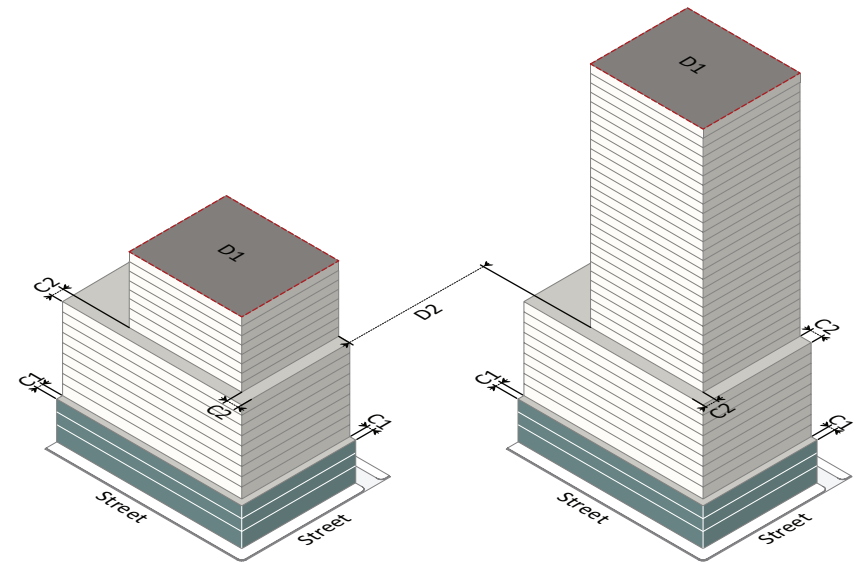
Buildings of 8 or more stories are required to place a stepback above the 3rd floor but below the 8th floor.

1. The stepback is only required on building faces adjoining the public street.
2. The depth of a required stepback may be reduced by 5 feet if the cornice line of the stepback matches the cornice line of an adjacent building.

C. Administrative Alternate Findings

The Planning Director may in accordance with Sec. 10.2.17. approve an alternate building massing standard, subject to all of the following findings:

1. The approved alternate meets the intent of the building massing regulations.
2. The approved alternate conforms with the Comprehensive Plan and adopted City plans.
3. If the approved alternate uses a change in building materials to mimic a change in wall plane, the most substantial and durable building materials are located at the bottom floors of the building.
4. If the approved alternate proposes a building setback behind the sidewalk in lieu of a required stepback, the resulting open space includes public amenities such as seating areas, trees and landscaping or outdoor dining.
5. The building contains architectural treatments for delineating the base, middle and top of the building.



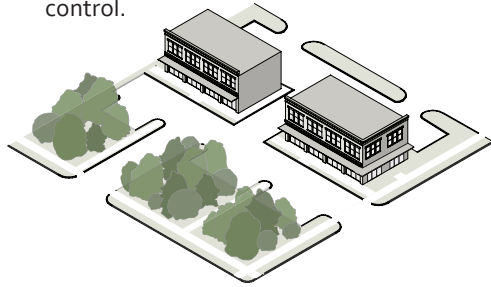
Height of Building		Up to 3 Stories	4 to 5 Stories	6 to 7 Stories	8 to 12 Stories	13 to 20 Stories	21 to 40 Stories
D. Massing							
C1	3rd - 7th story stepback (min)	n/a	n/a	n/a	12'	15'	15'
E. Towers							
D1	Floor plate size above 12 stories (max)	n/a	n/a	n/a	n/a	25,000 sf	25,000 sf
D2	Spacing between towers - floors above 12 stories (min)*	n/a	n/a	n/a	n/a	n/a	100'

* Building separation is measured orthogonally to the wall plane

Article 3.4. Frontage Requirements

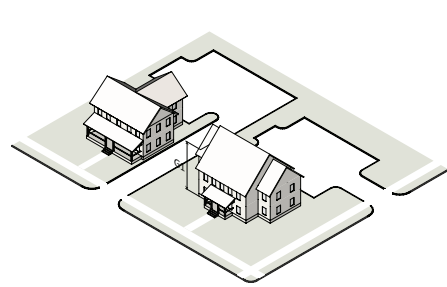
Sec. 3.4.1. Purpose and Intent

Frontages link a desired development pattern with specific form requirements that mandate the type of development desired along the street edge. Frontages place different requirements from the base dimensional standards. Where there is a conflict between the base dimensional standards and the frontage requirements, the frontage requirements control.



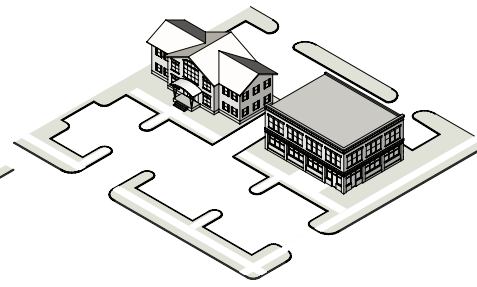
A. Parkway (-PK)

The -PK Frontage is intended to provide a heavily landscaped buffer between the roadway and adjacent development to ensure a continuous green corridor along the street right-of-way.



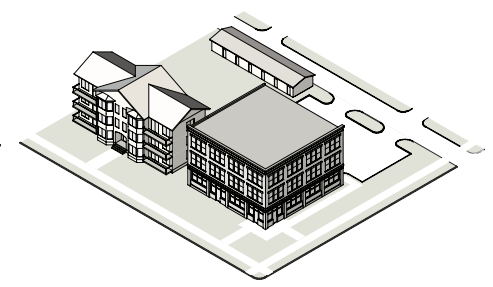
B. Detached (-DE)

The -DE Frontage is intended for areas adjacent to roadways transitioning from residential to commercial. Accommodates neighborhood-scaled, low intensity commercial uses while maintaining the residential character of the street right-of-way.



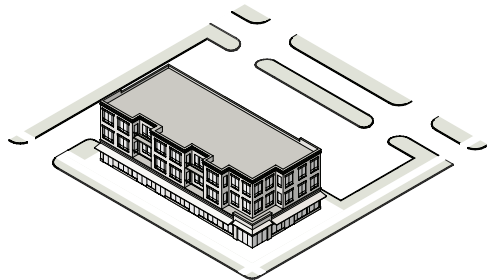
C. Parking Limited (-PL)

The -PL Frontage is intended for areas where access to buildings by automobile is desired but where some level of walkability is maintained. Permits a maximum of 2 bays of on-site parking with a single drive aisle between the building and the street right-of-way.



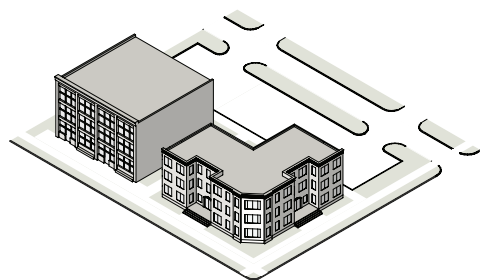
D. Green (-GR)

The -GR Frontage is intended for areas where it is desirable to locate buildings close to the street, but where parking between the building and street is not permitted. Requires a landscaped area between the building and the street right-of-way.



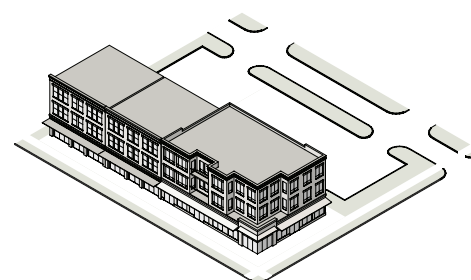
E. Urban Limited (-UL)

The -UL Frontage is intended for areas where parking between the building and street is not allowed. Buildings abut the street and sidewalk but to balance the needs of both the pedestrian and automobile lower street wall continuity is required.



F. Urban General (-UG)

The -UG Frontage is also intended for areas where parking between the building and street is not allowed. Buildings abut the street and sidewalk but higher street wall continuity is required than the -UL Frontage.



G. Shopfront (-SH)

The -SH Frontage is for intended for areas where the highest level of walkability is desired. The -SH Frontage is intended to create a “main street” type of environment; therefore, mixed use buildings are the primary building type allowed.

Sec. 3.4.2. General Requirements

A. Urban Frontages

The Urban Frontages include the following: Green, Urban Limited, Urban General and Shopfront.

B. Design of Parking Structures on Urban Frontages

1. The ground story of structured parking must have active uses (such as, but not limited to, residential, commercial, office or civic space) located between the parking structure and any public sidewalk.
2. Where upper stories of structured parking are located at the perimeter of a building, they must be screened so that cars are not visible from adjacent streets. Sloped ramps cannot be discernible along the perimeter of the parking structure. Architectural and vegetative screens must be used to articulate the facade, hide parked vehicles and shield lighting. In addition, the ground floor facade treatment (building materials, windows and architectural detailing) shall be continued on upper stories.
3. Upper stories of parking structure facades shall be designed with both vertical (facade rhythm of 20 feet to 30 feet) and horizontal articulation (aligning with horizontal elements along the block).

C. Preexisting Conditions

1. All buildings, structures, pedestrian accesses, streetscapes and vehicular surface areas existing at the time that the frontage is first applied to the property shall not be deemed a zoning nonconformity solely because of frontage requirements. Replacement and repair of buildings, structures, pedestrian accesses, streetscapes and vehicular surface areas existing at the time that the frontage is first applied to the property may be made provided all of the following are met:
 - a. Replacement is like for like.
 - b. The replacement conforms to all provisions of this UDO except, frontage requirements.
 - c. The damage or destruction is caused by means other than voluntary actions.
 - d. Reconstruction and repair, not including interior work, shall not exceed 50% of the replacement cost immediately prior to the damage or

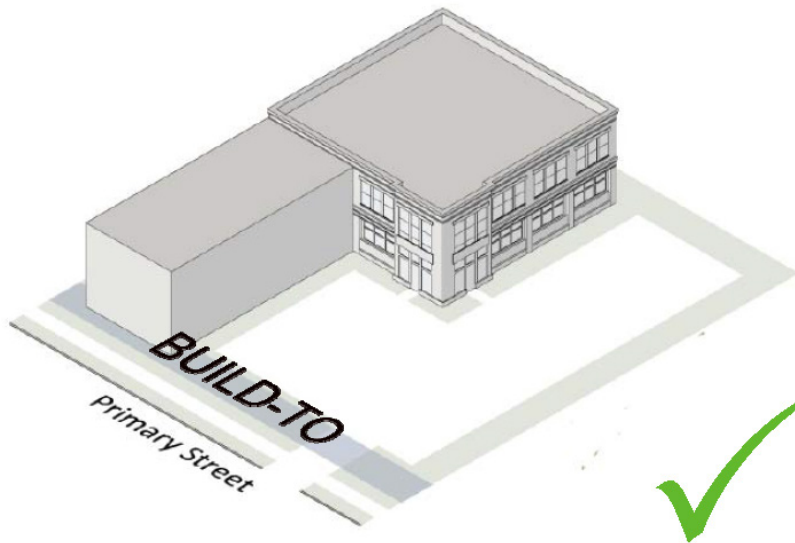
destruction. Replacement cost shall be determined in accordance with Sec. 10.3.3.G.4 and 5.

- e. Reconstruction or repair is commenced with a valid building permit or zoning permit within 12 months of the date of such damage or destruction.
2. Lots subject to build-to requirements that contain pre-existing buildings and maintain pre-existing buildings and which add additions to existing buildings that singularly or collectively comprise no more than 25% of the gross floor area existing at the time the build-to requirements became applicable to the property, or 1,000 square feet, whichever is greater, are allowed to expand the building anywhere within their minimum setbacks, without deference to the build-to requirements. All other frontage requirements, if any, shall apply.
3. Lots subject to build-to requirements that contain pre-existing buildings and maintain pre-existing buildings and which either add additions to existing buildings in excess of those allowed by item number 2. above or construct any new additional buildings on the lot shall conform to the following build-to requirements. All other frontage requirements, if any, shall apply.
 - a. Additions

Expansion of an existing building that is unable to meet the required build-to percentage must comply with the following provisions:

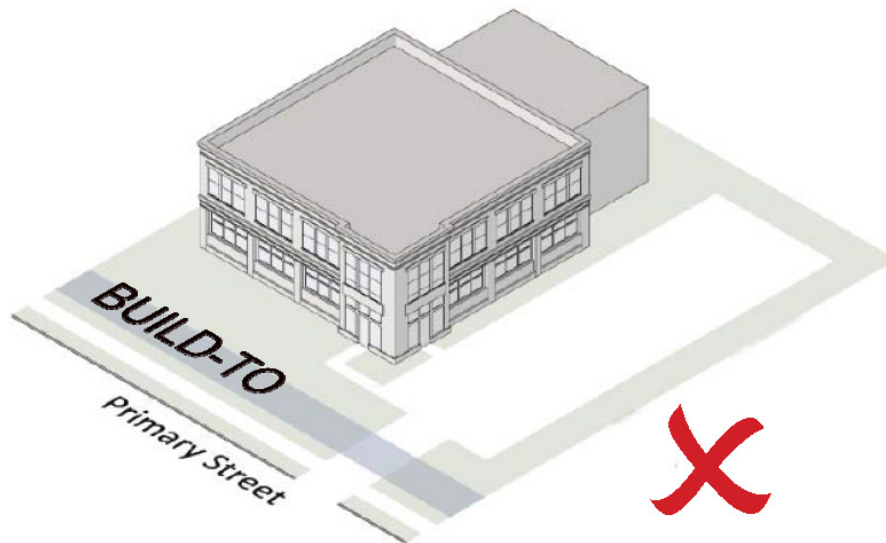
i. Street-Fronting: Addition

Additions to the front of an existing building would be allowed. The addition does not have to extend into the build-to area nor does it have to meet the required build-to percentage for the lot.



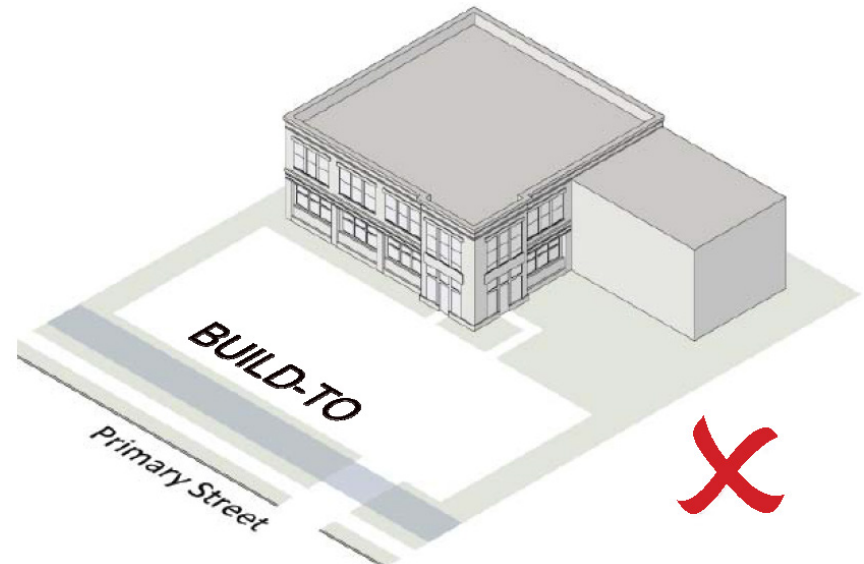
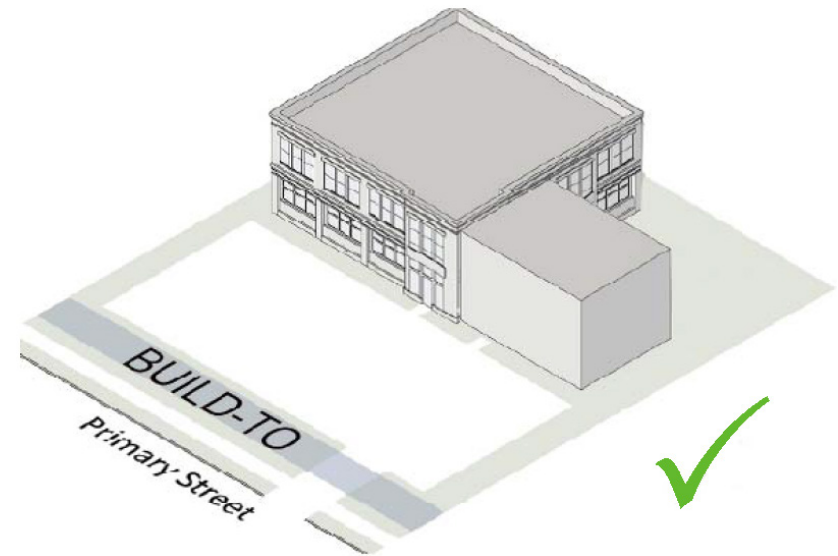
ii. Rear: Addition

Rear additions are not allowed until the required build-to percentage for the lot has been met except when the addition is used exclusively for one or more of the following: loading areas, storage, kitchens, repair facilities (including bays for motor vehicles) and mechanical equipment.



iii. Non-street Side: Addition

Non-street Side Additions are allowed where the side addition is at least as close to the build-to as the existing building because the extension increases the width of the building and does not set back any further than the existing building.

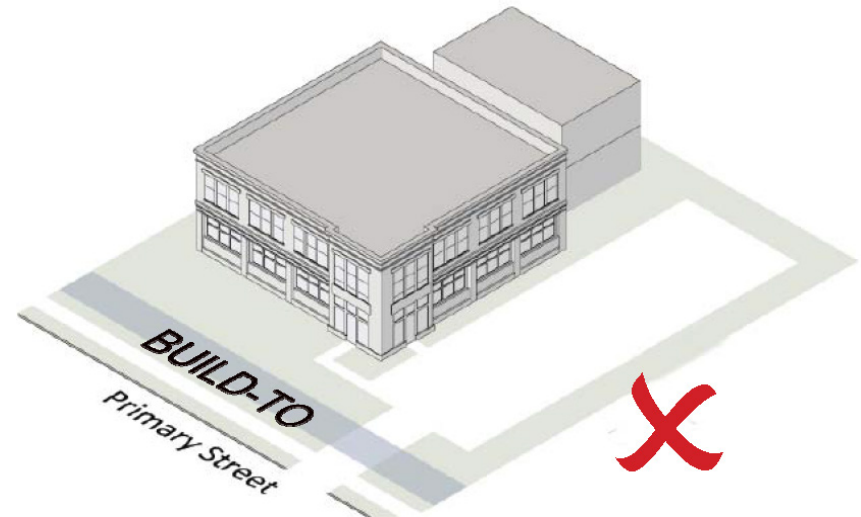
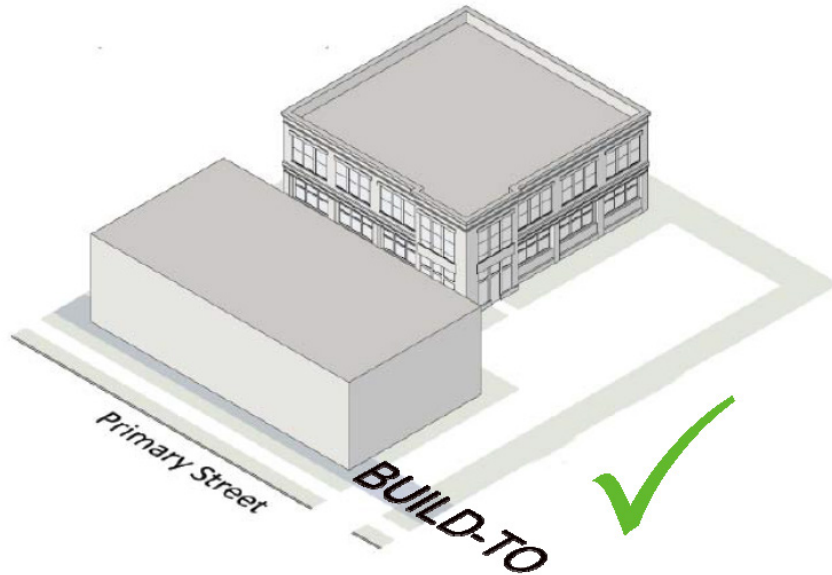


b. New Buildings

Where a new building is being constructed on a lot with an existing building that does not meet the build-to percentage requirement, the following provisions comply:

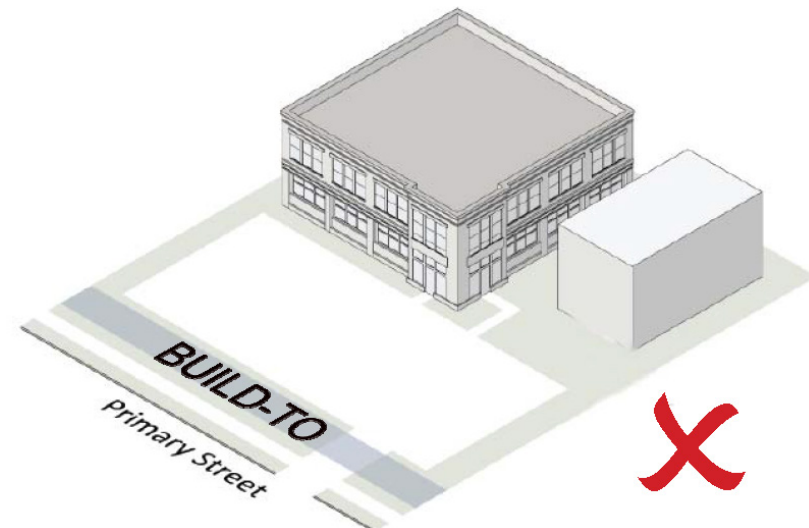
i. Street-Fronting: New Building

All new buildings must be placed in the build-to range until the required build-to percentage requirement has been met for the lot.



iii. Non-street Side: New Building

New buildings located outside of the build-to range are not allowed until the required build-to percentage requirements have been met for the lot.



ii. Rear: New Building

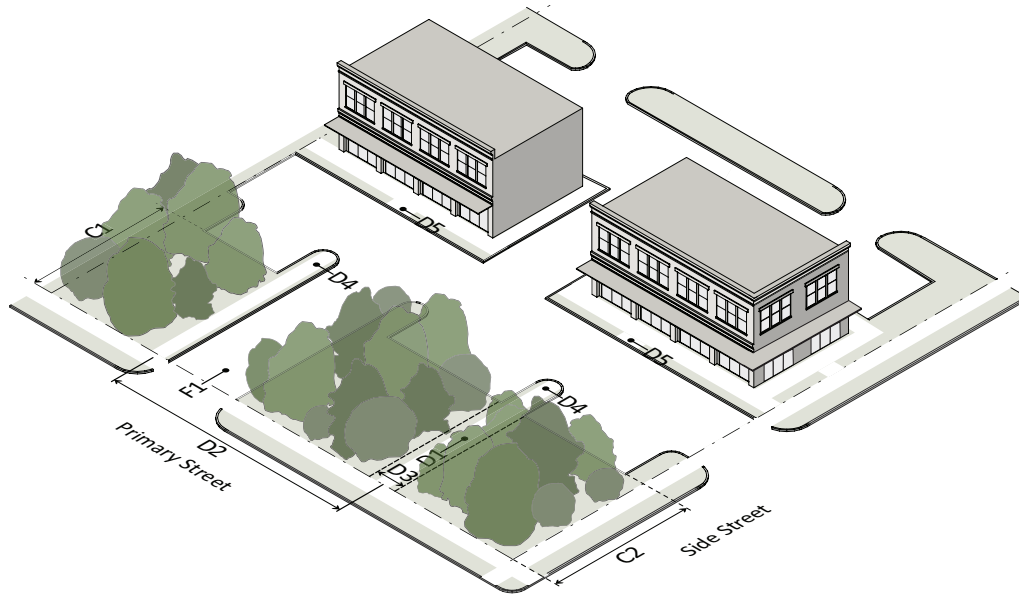
New buildings located in the rear of existing buildings are not allowed until the required build-to percentage requirements have been met for the lot.

4. The Planning Director may, in accordance with *Sec. 10.2.17.*, reduce the build-to requirement, subject to the findings set forth in *Sec. 1.5.6.D.*
5. The streetscape requirements shall not apply whenever a plot plan is applicable in accordance with *Sec. 10.2.7.A.*; in all other instances, the streetscape requirements shall apply. The additional parking limitations of this article shall be applied in accordance with *Sec. 7.1.1.B.4.* Related parking requirements of this UDO shall be in accordance with *Sec. 7.1.1.B.*
6. Lots subject to build-to requirements that contain buildings existing at the time the frontage regulations were first applied to the property may, without deference to the build-to requirements, make voluntary renovations or alterations changing the exterior appearance of such buildings, including vertical expansions, that do not enlarge the footprint of the existing buildings, when done in accordance with the transparency and streetscape requirements of this UDO, and the pedestrian access requirements of this UDO when the costs of the improvements exceed cumulatively \$10,000 in any one calendar year. Voluntary demolitions or tear-downs shall be replaced with building improvements that comply with the regulations of the applicable build-to requirements and all other frontage requirements.
7. In the event that buildings, structures, pedestrian accesses, streetscapes and vehicular surface areas existing at the time that the frontage is first applied to the property is damaged or partially destroyed, by exercise of eminent domain, riot, fire, accident, explosion, flood, lightning, wind or other calamity or natural cause to the extent of more than 50% of the replacement cost immediately prior to such damage, such buildings, structures, pedestrian accesses, streetscapes and vehicular surface areas shall not be restored unless either the replacement will conform to all regulations of this UDO or a special use permit is issued by the Board of Adjustment for the restoration. Replacement cost shall be determined in accordance with *Sec. 10.3.3 G.4.* and *5.*

Before a request for the special use permit is granted, the Board of Adjustment must show that all of the following are met:

- a. The applicable standards of this section have been met;
- b. All of the showings of *Sec. 10.2.9.E.* have been met; and
- c. The requested repair, reconstruction, or restoration will not be injurious to property or improvements in the affected area.

Sec. 3.4.3. Parkway (-PK)



A. Description

Provides for a heavily landscaped buffer between the roadway and adjacent development to ensure a continuous green corridor along the street right-of-way.

B. Building Types Allowed

Detached house (see Sec. 3.2.1.)	General building (see Sec. 3.2.5.)
Attached house (see Sec. 3.2.2.)	Mixed use building (see Sec. 3.2.6.)
Townhouse (see Sec. 3.2.3.)	Civic building (see Sec. 3.2.7.)
Apartment (see Sec. 3.2.4.)	Open lot (see Sec. 3.2.8.)

C. Additional Setbacks

C1	Building setback from primary street (min)	50'
C2	Parking setback from primary street (min)	50'

D. Pedestrian Access

D1	Pedestrian access required (minimum of 1 per lot)	yes
D2	Pedestrian access way spacing (max)	300'
D3	Width of pedestrian access way (min/max)	10'/20'
D4	A road or driveway with a sidewalk at least 6 feet in width may substitute for a required pedestrian access way	
D5	Direct pedestrian access is required from the public sidewalk to the primary entrance of the building	

E. Protective Yard Landscaping

E1	The 50-foot protective yard must be landscaped in accordance with Sec. 5.3.1.F. (SHOD-1 requirements) or Sec. 5.3.1.H. for expansions and additions.	
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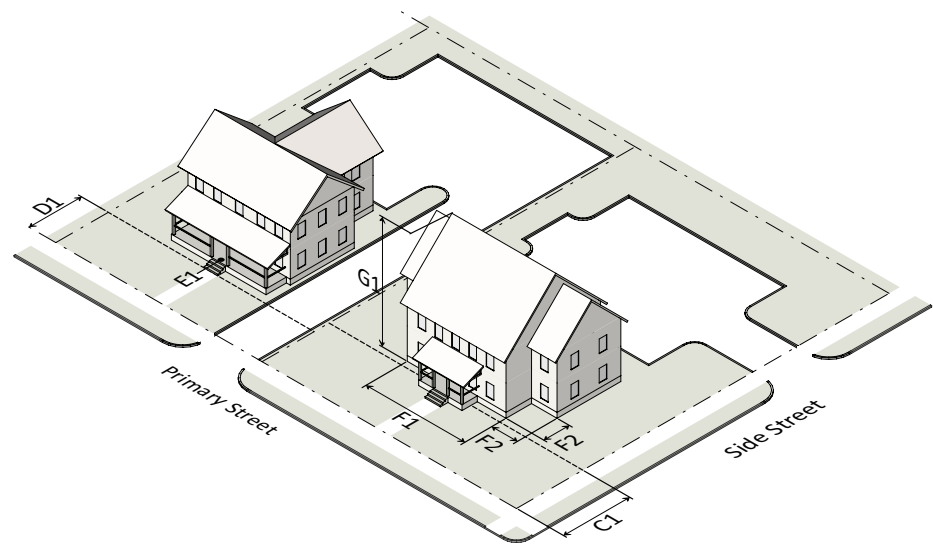
F. Protective Yard Encroachments

F1	Driveways	see Sec. 8.3.5.
F2	Ground signs	see Article 7.3.
F3	Pedestrian access way	

G. Streetscape Requirement

	Sidewalk & tree lawn	see Sec. 8.5.2.G.
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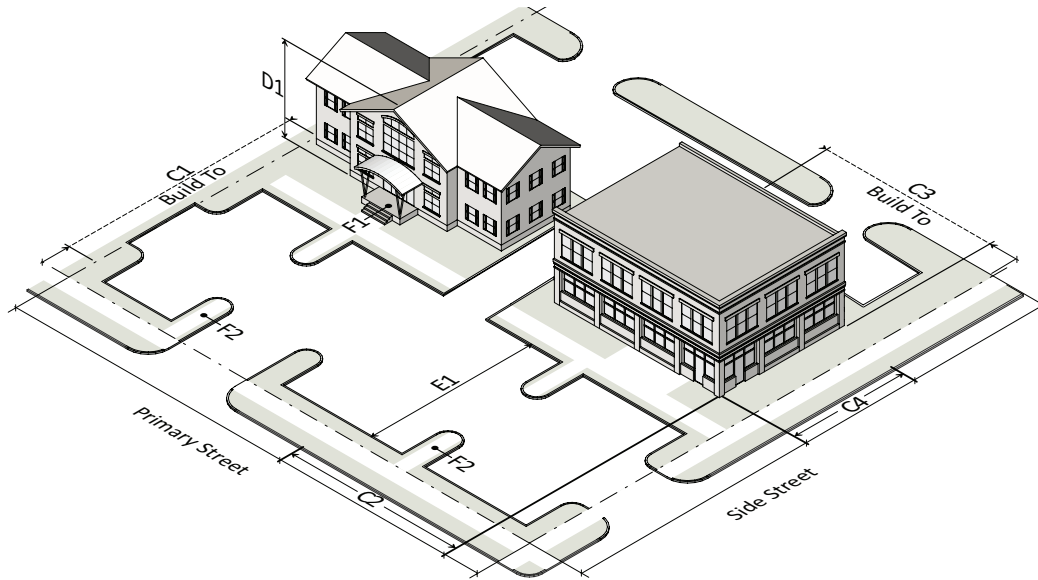
Sec. 3.4.4. Detached (-DE)



A. Description	
Intended for areas adjacent to roadways transitioning from residential to commercial. Accommodates neighborhood-scaled, low intensity commercial uses while maintaining the residential character of the street right-of-way.	
B. Building Types Allowed	
Detached house (see Sec. 3.2.1.)	Apartment (see Sec. 3.2.4.)
Attached house (see Sec. 3.2.2.)	Civic building (see Sec. 3.2.7.)
Townhouse (see Sec. 3.2.3.)	Open lot (see Sec. 3.2.8.)
C. Additional Buildings Setbacks	
C1	Average front setback applies (see Sec. 2.2.7.C.)
D. Additional Parking Limitations	
D1	No on-site parking or vehicular surface area permitted between the building and the street

E. Pedestrian Access	
E1	Primary street-facing entrance required (min of 1 per building)
E2	Direct pedestrian access is required from the public sidewalk to the primary street-facing entrance of the building
F. Facade Articulation	
F1	Front wall length without offset (max) 40'
F2	Front wall offset length and depth (min) 10'
G. Height Limitations	
G1	Height limit for frontage (max) 3 stories/50'
H. Streetscape Requirement	
Residential	see Sec. 8.5.2.D.

Sec. 3.4.5. Parking Limited (-PL)



A. Description

Intended for areas where access to buildings by automobile is desired but where some level of walkability is maintained. Permits a maximum of 2 bays of on-site parking with a single drive aisle between the building and the street right-of-way.

B. Building Types Allowed

Townhouse (see Sec. 3.2.3.)	Mixed use building (see Sec. 3.2.6.)
Apartment (see Sec. 3.2.4.)	Civic building (see Sec. 3.2.7.)
General building (see Sec. 3.2.5.)	Open lot (see Sec. 3.2.8.)

C. Build-to

	Minimum setback based on base dimensional standards for the specific building type/100'
C1 Primary street build-to (min/max)	
C2 Building width in primary build-to (min)	50%
C3 Side street build-to (min/max)	0'/100'
C4 Building width in side build-to (min)	25%

D. Height Limitations

D1 Height limit for frontage (max)	7 stories/90'
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E. Additional Parking Limitations

E1	A maximum of 2 bays of on-site parking with a single drive aisle is permitted between the building and the street.
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F. Pedestrian Access

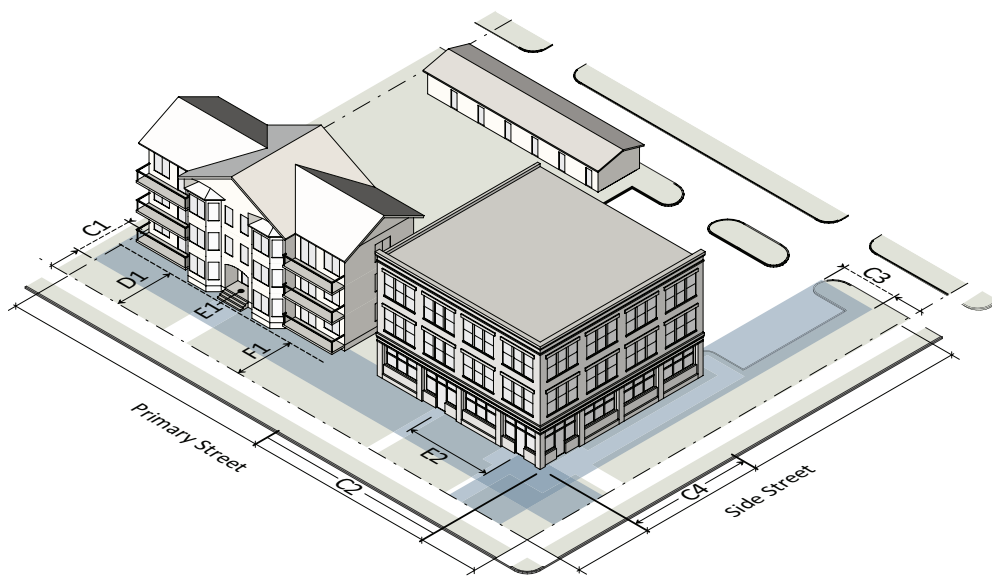
F1	Primary street-facing entrance required (min of 1 per building)
F2	Direct pedestrian access is required from the public sidewalk to the primary street-facing entrance of the building

G. Streetscape Requirement

Main Street; or	see Sec. 8.5.2.A.
Mixed Use; or	see Sec. 8.5.2.B.
Commercial; or	see Sec. 8.5.2.C.
Multi-way; or	see Sec. 8.5.2.E.
Parking.	see Sec. 8.5.2.F.

The determination of the appropriate streetscape treatment will be made by the Planning Director, based on the existing built context and character.

Sec. 3.4.6. Green (-GR)



A. Description

Intended for areas where it is desirable to locate buildings close to the street, but where parking between the building and street is not permitted. Requires a landscaped area between the building and the street right-of-way.

B. Building Types Allowed

Townhouse (see Sec. 3.2.3.)	Mixed use building (see Sec. 3.2.6.)
Apartment (see Sec. 3.2.4.)	Civic building (see Sec. 3.2.7.)
General building (see Sec. 3.2.5.)	Open lot (see Sec. 3.2.8.)

C. Build-to

C1	Primary street build-to (min/max)	20'/50'
C2	Building width in primary build-to (min)	50%
C3	Side street build-to (min/max)	20'/50'
C4	Building width in side build-to (min)	35%

D. Additional Parking Limitations

D1	Parking setback from primary street (min)	20'
D2	No on-site parking or vehicular surface area permitted between the building and the street	

E. Pedestrian Access

E1	Primary street-facing entrance required	yes
E2	Street-facing entrance spacing (max)	100'

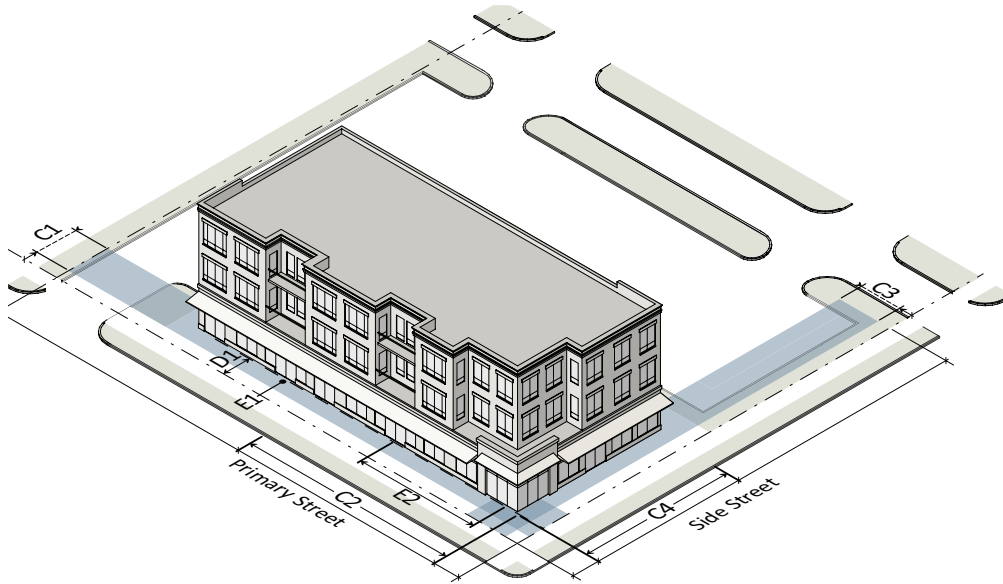
F. Landscape Yard Encroachments

F1	Driveways	see Sec. 8.3.5.
F2	Ground signs	see Article 7.3. Signs
F3	Pedestrian access way	

G. Streetscape Requirement

	Commercial	see Sec. 8.5.2.C.
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Sec. 3.4.7. Urban Limited (-UL)



A. Description

Intended for areas where parking between the building and street is not allowed. Buildings abut the street and sidewalk but to balance the needs of both the pedestrian and automobile lower street wall continuity is required.

B. Building Types Allowed

Townhouse (see Sec. 3.2.3.)	Mixed use building (see Sec. 3.2.6.)
Apartment (see Sec. 3.2.4.)	Civic building (see Sec. 3.2.7.)
General building (see Sec. 3.2.5.)	Open lot (see Sec. 3.2.8.)

C. Build-to

C1	Primary street build-to (min/max)	0'/20'
C2	Building width in primary build-to (min)	50%
C3	Side street build-to (min/max)	0'/20'
C4	Building width in side build-to (min)	25%

D. Additional Parking Limitations

D1	No on-site parking or vehicular surface area permitted between the building and the street
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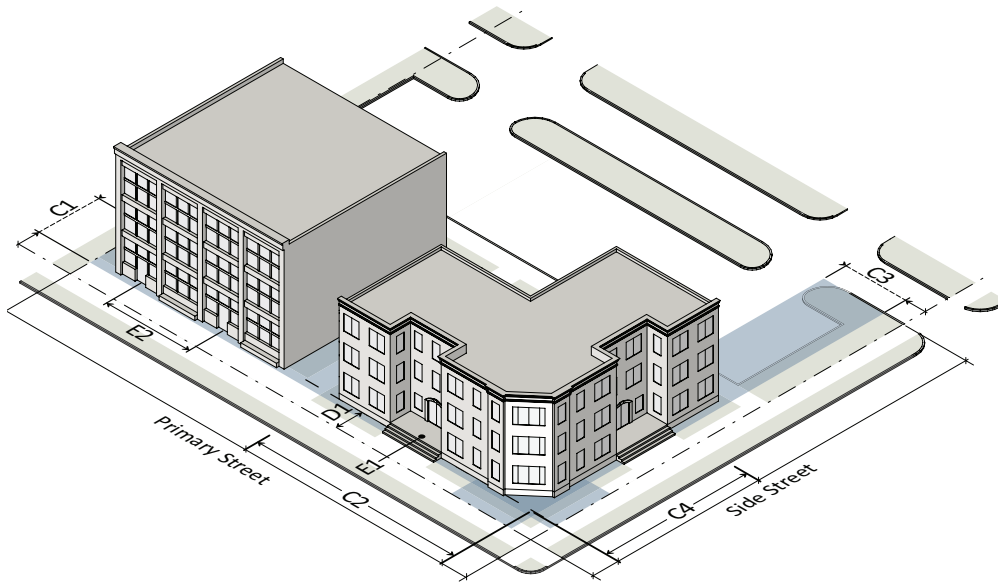
E. Pedestrian Access

E1	Primary street-facing entrance required	yes
E2	Street-facing entrance spacing (max)	75'

F. Streetscape Requirement

Main Street; or	see Sec. 8.5.2.A.
Mixed Use.	see Sec. 8.5.2.B.

Sec. 3.4.8. Urban General (-UG)



A. Description

Intended for areas where parking between the building and street is not allowed. Buildings abut the street and sidewalk but higher street wall continuity is required than the -UL Frontage.

B. Building Types Allowed

Townhouse (see Sec. 3.2.3.)	Mixed use building (see Sec. 3.2.6.)
Apartment (see Sec. 3.2.4.)	Civic building (see Sec. 3.2.7.)
General building (see Sec. 3.2.5.)	Open lot (see Sec. 3.2.8.)

C. Build-to

C1	Primary street build-to (min/max)	0'/20'
C2	Building width in primary build-to (min)	70%
C3	Side street build-to (min/max)	0'/20'
C4	Building width in side build-to (min)	35%

D. Additional Parking Limitations

D1	Parking setback from primary street (min)	30'
D2	No on-site parking or vehicular surface area permitted between the building and the street	

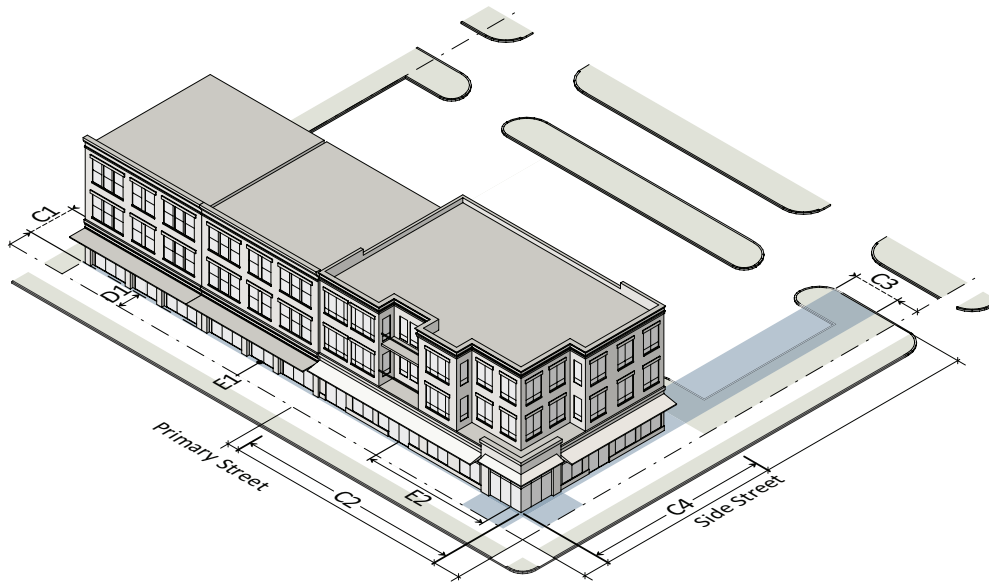
E. Pedestrian Access

E1	Primary street-facing entrance required	yes
E2	Street-facing entrance spacing (max)	75'

F. Streetscape Requirement

Main Street; or	see Sec. 8.5.2.A.
Mixed Use.	see Sec. 8.5.2.B.

Sec. 3.4.9. Shopfront (-SH)



A. Description

Intended for areas where the highest level of walkability is desired. The -SH Frontage is intended to create a "main street" type of environment; therefore, mixed use buildings are the primary building type allowed.

B. Building Types Allowed

Mixed use building (see Sec. 3.2.6.)

Civic building (see Sec. 3.2.7.)

Open lot (see Sec. 3.2.8.)

C. Build-to

C1	Primary street build-to (min/max)	0'/15'
C2	Building width in primary build-to (min)	80%
C3	Side street build-to (min/max)	0'/15'
C4	Building width in side build-to (min)	40%

D. Additional Parking Limitations

D1	Parking setback from primary street (min)	30'
D2	No on-site parking or vehicular surface area permitted between the building and the street	

E. Pedestrian Access

E1	Primary street-facing entrance required	yes
E2	Street-facing entrance spacing (max)	50'

F. Streetscape Requirement

Main Street	see Sec. 8.5.2.A.
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Article 3.5. Neighborhood Transitions

Sec. 3.5.1. Applicability

- A. The following neighborhood transition standards apply in the Mixed Use and Campus Districts when the following occurs:
 1. The site immediately abuts a district boundary of an R-1, R-2, R-4 or R-6 district, except where the abutting property contains a civic use; or
 2. The site immediately abuts a district boundary of an R-10 district where the abutting property is vacant or contains an existing detached house or attached house used for residential purposes.
- B. Zone B does not apply to sites 50 feet or less in depth. In such cases, Zone C starts immediately adjacent to the Zone A protective yard.
- C. Zones B and C do not apply to detached house, attached house, townhouse or apartment building types in RX- where 3 stories is the maximum height.
- D. Where an intervening alley is located between the residential property and the Mixed Use District or Campus District, the transition regulations apply. One-half of the width of the alley shall be included in the required transition yard measurement and shall be first applied to the required width of Zones A and B and then to Zone B. In all cases, landscaping, fences and walls shall not be required where there is an intervening alley.
- E. In addition to the alley transition described in paragraph D, the Historic Alley Transition described in Section 3.5.6 is available where an alley lies between a residential district and a mixed use district and the following conditions are met:
 1. The alley abuts or lies within a National Register Historic District; and
 2. The mixed-use parcel has not within the last two years contained a structure that is, or was, individually designated as a local, State, or national historic landmark.

Sec. 3.5.2. Transition Zones

A. Zone A: Protective Yard

1. Intent

Intended to buffer and screen. Consists of vegetative landscaping and wall or fence. No buildings or structures allowed.

2. Location

Immediately abutting district boundary line.

3. Width

Varies (depends on protective yard type applied).

B. Zone B: Use Restricted

1. Intent

Intended to be occupied by open areas and low intensity uses, such as surface parking, alleys, landscaping, playgrounds, outdoor dining, community serving buildings and service-related structures.

2. Location

Located between Zone A and Zone C. Zone B starts at the inside edge of the Zone A protective yard (edge furthest from the district boundary line) and ends 50 feet from the district boundary line.

3. Width

50 feet from the district boundary line.

C. Zone C: Height and Form

1. Intent

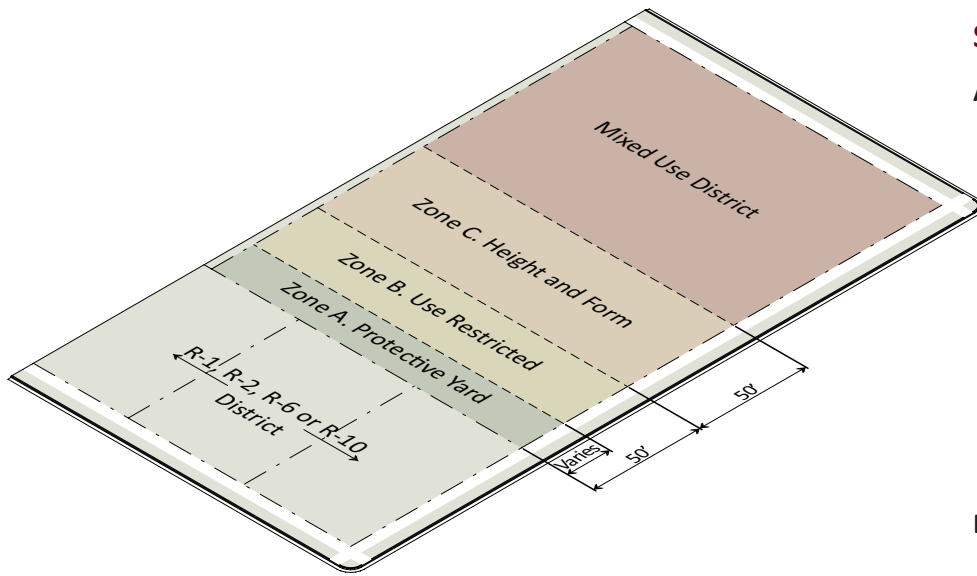
Intended to restrict the height and form of development so as to decrease the impact of new multi-story structures.

2. Location

Located beyond and adjacent to Zone B. Zone C extends from 50 to 100 feet from district boundary line. When Zone B does not exist, Zone C starts at the inside edge of the Zone A protective yard (edge furthest from the district boundary line).

3. Width

50 to 100 feet from the district boundary line. When Zone B does not exist, Zone C extends a maximum of 50 feet from inside edge of the Zone A protective yard (edge furthest from the district boundary line).



Sec. 3.5.3. Zone A: Protective Yard

A. Type 1: Narrow (10 feet)

1. Width

A Type 1 protective yard must be an average width of at least 10 feet.

2. Installation Requirements

A Type 1 protective yard must include the following:

- A wall between 6.5 and 9 feet in height;
- Four shade trees per 100 lineal feet;
- Three understory trees per 100 lineal feet; and
- 40 shrubs per 100 lineal feet.

B. Type 2: Medium (20 feet)

1. Width

A Type 2 protective yard must be an average width of at least 20 feet.

2. Installation Requirements

A Type 2 protective yard must include the following:

- A wall or fence between 6.5 and 9 feet in height;
- Five shade trees per 100 lineal feet;
- Four understory trees per 100 lineal feet; and
- 30 shrubs per 100 lineal feet.

C. Type 3: Wide (50 feet)

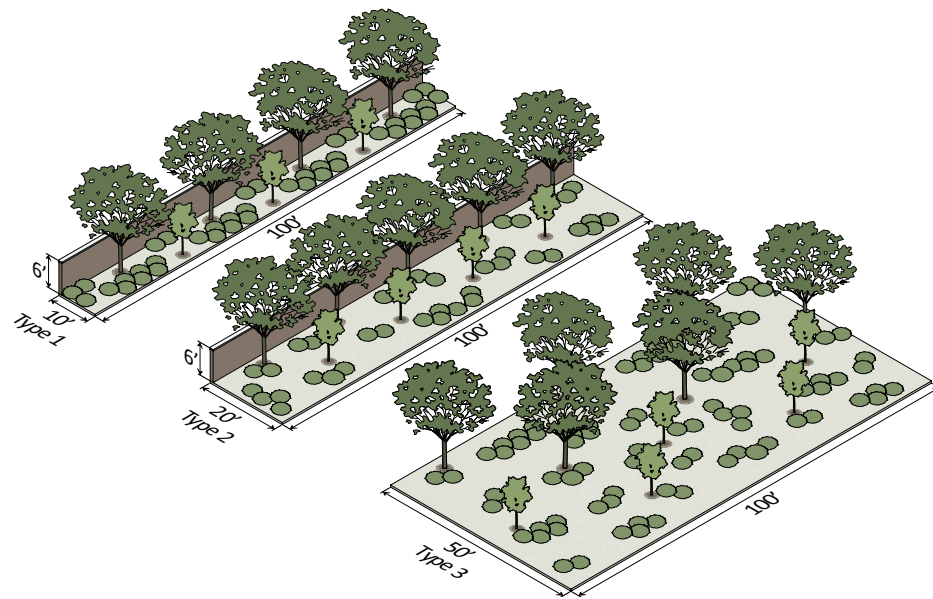
1. Width

A Type 3 protective yard must be an average width of at least 50 feet.

2. Installation Requirements

A Type 3 protective yard must include the following:

- Six shade trees per 100 lineal feet;
- Five understory canopy trees per 100 lineal feet; and
- 60 shrubs per 100 lineal feet.



3. Optional Provisions

- A fence or wall between 6.5 and 8 feet in height may be installed.
- In lieu of planting required shrubs, a berm with a minimum height of 3 feet may be installed.

4. Permitted uses

- Landscaping, fences, walls and berms.
- Swales, underground detention facilities and bioretention facilities. Detention facilities must be located at least 20 feet from the district boundary line. Landscaping quantities specified in Sec. 3.5.3.C.2. above may not be reduced.

D. Design and Installation

- A required protective yard may be replaced with a tree conservation area that meets the requirements of Article 9.1.Tree Conservation.
- Required landscaping in a protective yard must meet the design and installation requirements of Sec. 7.2.4.

- In no case shall required landscaping exceed 30% of the total lot area, see Sec. 7.2.2.D.
- Protective yards must meet the location requirements of Sec. 7.2.4.C.
- Fences, walls and berms located in a protective yard must meet the requirements of Sec. 7.2.4.D. Fences, walls and berms cannot be located in a protective yard when the protective yard is also a tree conservation area.

Sec. 3.5.4. Zone B: Use Restrictions

A. Permitted Activity

- Protective yard, landscaping, fence, wall.
- Garden.
- Outdoor dining (not between the hours of 10 PM and 6 AM).
- Service area.
- Accessory garage, storage area.
- Park, playground.
- Stormwater detention.
- Surface parking lot.
- Path, walkway, sidewalk.
- Alley.

B. Civic Building and Accessory Structures

- An accessory structure can be no more than 14 feet in height and must be located at least 15 feet from the district boundary line.
- Building walls parallel to the district boundary line can be no longer than 75 feet.
- Buildings and structures must be spaced apart to maintain views. There must be a minimum of 40 feet between buildings and structures.

C. Service Areas

Trash collection, trash compaction, recycling collection and other similar service areas must be located at least 25 feet from the district boundary line.

Sec. 3.5.5. Zone C: Height and Form

A. Permitted Activity

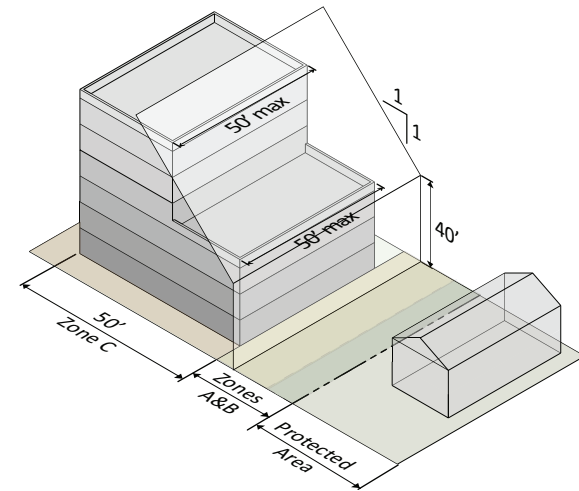
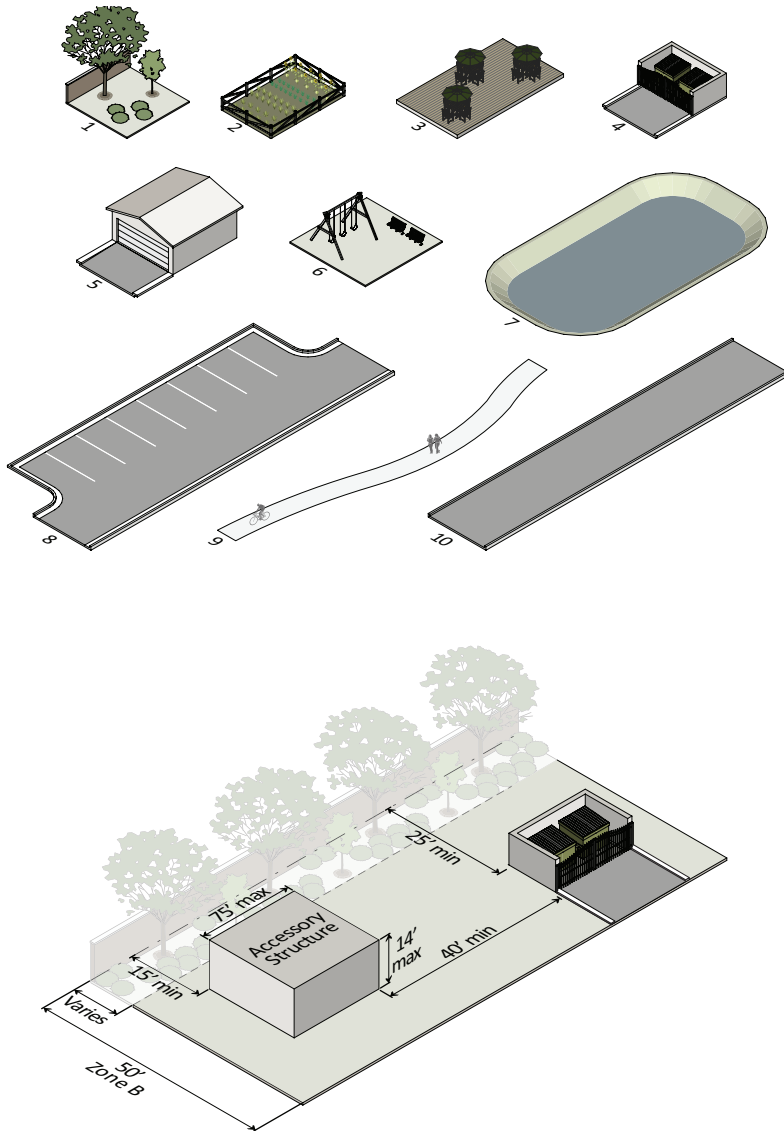
All structures and uses allowed in the zoning district are permitted in Zone C.

B. Height

1. No building or structure can be more than 40 feet in height at the Zone C line.
2. Height can increase subject to a 45 degree height plane measured from a height of 40 feet at the Zone C line, extending upward one foot for every additional foot of setback into the site.
3. The height plane applies up to 100 feet from the district boundary line.

C. Wall Articulation

The rear facade of the building that faces the residential property as described in Sec. 3.5.1.A. is subject to a maximum blank wall area of 30 feet as calculated in Sec. 1.5.10. The blank wall area provisions are not subject to an Administrative Alternate.



Sec. 3.5.6. Historic Alley Transition

A. Intent

The Historic Alley Transition is intended to ensure a graduated height transition between the National Register District and nearby mixed-use development; to avoid abrupt contrasts of scale between the residential properties in a National Register District and mixed use structures; to avoid incompatible development facing the residential properties in a National Register District; and to improve historic alleys with active frontages and uses more beneficial to the National Register District.

B. Extent

The Historic Alley Transition extends from the residential parcel property line across the intervening alley and into the mixed-use parcel for a distance of 50 feet from the residential parcel property line.

C. Restrictions

In addition to the other restrictions imposed by this Unified Development Ordinance, the following additional restrictions apply to construction within the Historic Alley Transition:

1. Content

This Historic Alley Transition Area may contain vegetative landscaping, walls, fences, gardens, paths, walkways, sidewalks, surface parking, parks, playgrounds, stormwater detention, outdoor dining areas associated with residential uses, accessory structures compliant with the limits set forth in Paragraph 3.5.4.B, service areas compliant with the limits set forth in Paragraph 3.5.4.C, detached houses, attached houses, townhouses, apartments, general buildings, mixed use buildings, and open lots.

2. Height

No portion of a detached house, attached house, townhouse, apartment, general building, mixed use building, or other structure that lies within the Historic Alley Transition shall exceed the maximum building height applicable to the residential parcel across the alley from the mixed use parcel, as specified in the residential zoning district or applicable overlay district or otherwise. For this purpose only, height shall be measured from the elevation of the alley.

3. Uses

Any use extending into the Historic Alley Transition must be one of the residential uses permitted in R-10 Districts.

4. Setback

Notwithstanding any base dimensional standards or frontage requirements that might otherwise apply, any building constructed in the Historic Alley Transition shall be set back at least 10 feet from the alley-facing property line of the mixed use parcel. This setback must contain a sidewalk of at least 5-foot width immediately adjacent to the alley right-of-way, over which a permanent public access easement must be granted. This immediately adjacent sidewalk will be separated from the street by sharply contrasting materials. The sidewalk shall not exceed the elevation of alley by more than two inches, unless a mountable curb is installed. No building element or other item or obstruction may extend into or be placed in this sidewalk portion of the setback. The remainder of the setback shall meet the requirements of Section 3.5.2.A and 3.5.3.A, except

- a. If the remainder of the setback is less than 10 feet in width, the protective yard need not contain shade trees; and
- b. No wall is required when a building immediately abuts the protective yard.

5. Design Requirements

- a. Structured parking is permitted in the Historic Alley Transition, but residential uses must screen the structured parking and conceal the structured parking (other than an entrance with no visible point source lighting) consistent with the regulations contained in Section 3.4.2.B, except that all upper levels of the parking structure that face the alley shall also be screened by residential uses.
- b. An alley-facing entrance is required at least every 100 feet, regardless of building type. There must be direct pedestrian access to that entrance from the adjoining sidewalk.
- c. The alley-facing facade is subject to a maximum blank wall area of 30 feet as calculated in Sec. 1.5.10. The blank wall area provisions are not subject to an Administrative Alternate.
- d. Private residential garage parking that satisfies the requirements of Section 1.5.12 is permitted along the alley as part of a detached house,

attached house, or townhouse within the Historic Alley Transition. Such parking must be concealed behind a garage door of not more than 12-foot width. Any standard contained in Section 1.5.12 that is applied must be consistent with G.S. 160A-381(h).

- e. Entrances to structured parking and private residential garage parking shall not occupy more than 50% of the parcel's linear alley frontage.
- f. The requirements of Section 3.5.4.C apply, though residential trash and recycling bins may be collected from the alley if placed according to the applicable rules. Ground-mounted mechanical equipment other than individual residential HVAC units must be placed according to Section 3.5.4.C.

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