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ARTICLE 5: DIMENSIONAL AND DEVELOPMENT STANDARDS

17.5.1: General

17.5.1.1: Purpose and Intent

The following standards regulate the placement and height of buildings within the City, and shall apply to all new development and redevelopment.

17.5.1.2: Setback Requirements

The following setback requirements apply to all zone districts:

- A. Unless specifically excluded by this Zoning Ordinance, any building or structure, including any accessory building or structure, shall conform to the setback requirements for the applicable zone district as set forth in the dimensional standards identified in Article 5.
- B. Setbacks shall not apply to interior lots within a non-residential development that do not front a public or private street serving the development.
- C. No building or structure may be constructed, placed, or erected within or above public right-of-way or any easements unless otherwise approved by the City. A license agreement may be required.
- D. Where a curvilinear sidewalk exists, the setback shall be measured in a straight line from the furthest point behind a sidewalk between curves or as determined at the discretion of the Director.
- E. Minor architectural or site elements shall be permitted to encroach into required setbacks. Exceptions to setbacks include, but may not be limited to:
 - 1. Awnings that encroach no more than 5 feet into the front setback and are at least 10 feet above a sidewalk surface.
 - 2. Balconies that encroach no more than 5 feet into the front setback and are at least 10 feet above a sidewalk surface.
 - 3. Cantilever windows that encroach no more than 2 feet into the required side or rear setback, or no more than 5 feet into the front or non-primary front setback and are at least 10 feet above a sidewalk surface.
 - 4. Driveways.
 - 5. Eaves, if they encroach no more than 2 feet into the required setback.
 - 6. Flagpoles no greater than 35 feet in height.
 - 7. Mailboxes and newspaper racks.

8. Minor utility facilities.
 9. Planters, if no greater than 30 inches in height.
 10. Patios and decks, if uncovered and no greater than 30 inches in height.
 11. Porches that encroach no more than 8 feet into the required front yard setback.
 12. Retaining walls.
 13. Walkways.
 14. Walls, fences and entry features, if in compliance with Articles 6 and 7.
 15. Window planter boxes that encroach no more than 2 feet and are at least 10 feet above a sidewalk surface.
- .
- F. The Director may grant other exceptions similar to those listed above.

17.5.1.3: Setback Measurements

- A. Setbacks in all Residential zone districts except R-MF shall be measured as follows (See Figure 17.5.1):
1. Front and non-primary front setbacks shall be measured from the back of curb. If a curb does not exist, an additional 3 feet shall be added to the setback distance as measured from the edge of asphalt.
 2. Front setbacks for flag lots shall be measured from the portion of the lot, closest to the back of curb or edge of asphalt, where the lot width meets the minimum standard for the zone district.
 3. Side setbacks shall be measured from each side property line to the outer most exterior finish material of the adjacent structure. Rear setbacks shall be measured from the rear property line to the outer most exterior finish material of the adjacent structure.

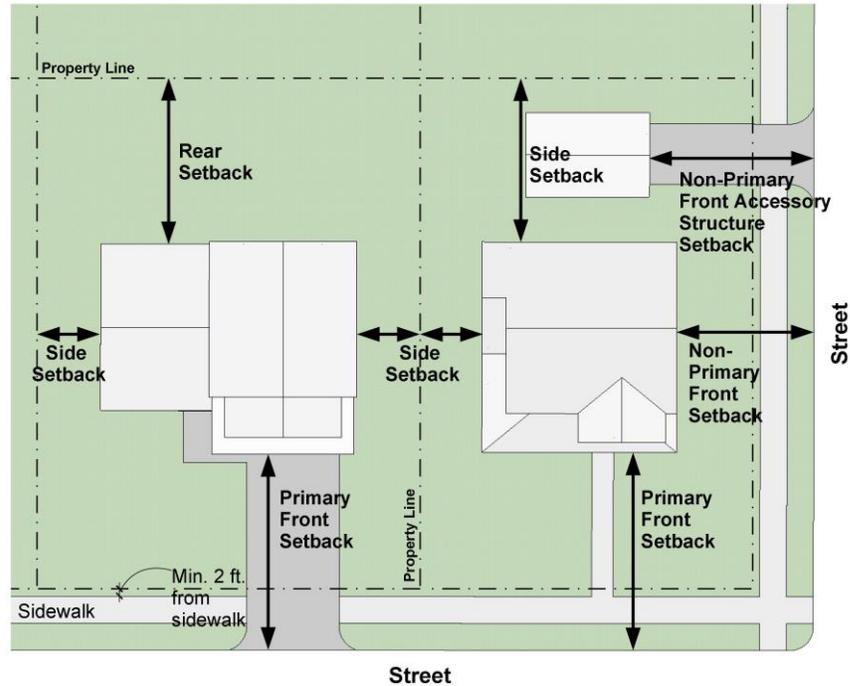


Figure 17.5.1: Residential Zone District Setback Measurements

- B. Setbacks in R-MF, Mixed-Use, Commercial, and Light Industrial zone districts shall be measured as follows (See Figure 17.5.2):
1. Front setbacks within the M, C, and LI zone districts shall be measured as follows:
 - a. From the edge of the existing right-of-way improvements, where such improvement meet the City’s Transportation Engineering Design Standards or Functional Plans; or
 - b. Where existing right-of-way improvements do not meet the City’s Transportation Engineering Design Standards or Functional Plans, the front setbacks shall be measured from the edge of the future required right-of-way improvements; or
 - c. As determined by the Director when a compelling City interest exists.
 2. Side setbacks shall be measured from each side property line. Rear setbacks shall be measured from the rear property line. A setback greater than the minimums identified in [Table 17.5.2](#) and [Table 17.5.5](#) may be required, subject to building code requirements.
 3. Greater front, side, and rear setbacks may be required, based on specific use standards identified in Article 4 or landscape requirements identified in Article 7.

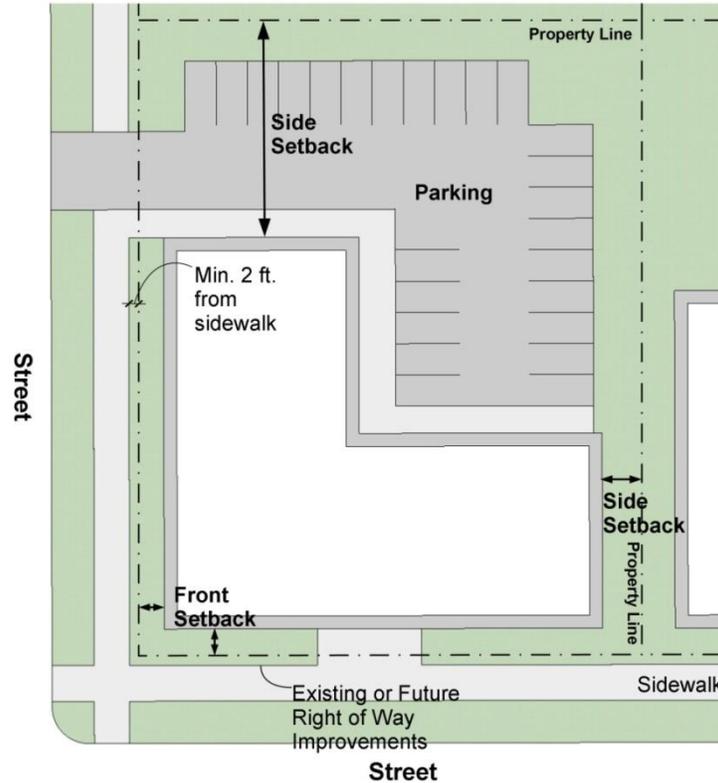


Figure 17.5.2: Multi-Family, Institutional, Mixed Use, Commercial and Light Industrial Zone District Setback Measurements

17.5.1.4: Height Requirements

The following height requirements apply to all zone districts:

- A. Unless specifically excluded by this Zoning Ordinance, and building or structure, including any accessory building or structure, shall conform to the height requirements applicable to the relevant zone district as set forth in the dimensional standards identified in this Article.
- B. The following architectural elements, and utilities not intended for occupancy, may exceed the maximum height requirements for the applicable zone district. Any exception shall only be erected to the minimum height necessary to accomplish the purpose intended. Height exceptions include, but are not limited to:
 - 1. Belfries
 - 2. Bulkheads
 - 3. Chimneys
 - 4. Cupolas

5. Domes
 6. Elevator penthouses
 7. Flagpoles
 8. Skylights
 9. Spires
 10. Ventilators
 11. Roof mounted solar collection system, if otherwise in compliance with [17.5.5.3](#).
 12. Roof mounted wind-powered electric generator, if otherwise in compliance with Section [17.5.5.4](#).
 13. Roof mounted wireless communication systems on existing buildings that are non-conforming in height, if otherwise in compliance with Article 10.
 14. Necessary mechanical appurtenances and screening usually located above the roof level.
- C. Exceptions listed above, excluding spires, belfries, cupolas, domes, flagpoles, and chimneys, shall be set back from the perimeter of the building a minimum of one foot horizontally for every one foot of vertical height greater than the maximum height allowed in the applicable zone district.
- D. Elevator penthouses not serving the roof and other enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment shall not exceed a height of 15 feet above the permitted height of the building.
- E. The Director may grant other exceptions similar to those listed above.

17.5.1.5: Height Measurements

- A. Building and structure height shall be measured as follows:

1. Building and structure height shall be measured from average grade to the highest point of the structure; or the coping of a flat roof, the deck line of a mansard roof, the highest point of the highest gable of a pitched or hipped roof, or the highest point of any other type of roof (See Figure 17.5.3).

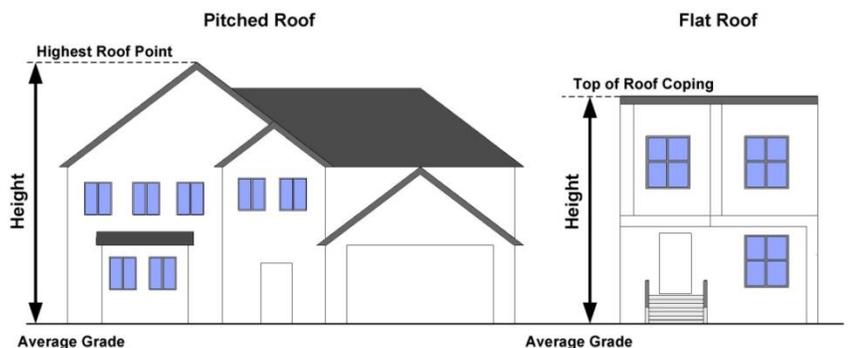


Figure 17.5.3: Example Height Measurements

2. Average grade shall be measured as follows:
 - a. Average grade shall be determined by calculating the average of the highest and lowest elevation points adjacent to the building or structure along the pre-development grade or the improved grade, whichever is more restrictive.
 - b. Within the height transition areas described in Sections [17.5.3.4](#) and [17.5.4.2](#): average grade may be calculated separately from the remainder of the building or structure.
 - c. Where significant grading has been approved by the City, the average grade shall be considered the improved grade following such approved grading.
- B. Fence and wall height shall be measured per Sections 17.6.6.2 for single-family and two-family development, and Section 17.7.8.2 for multifamily, mixed-use, commercial and light industrial development.

17.5.1.6: Build-To-Zone Measurements

The build-to-zone requirement is intended to help create vibrant and pedestrian-friendly mixed-use and commercial corridors by bringing building facades to the street.

The build-to-zone is the area between the minimum and maximum front setbacks. To determine compliance with the build-to-zone requirements, the total width of the building or building portion(s) located in the build-to-zone is divided by the width of the lot or parcel on which the building is located (See Figure 17.5.4).

Where multiple stories are required or where a site has multiple street frontages, the total aggregate of the build-to-zone may be satisfied on one or more of the required number of stories or street frontages. Plaza or patio areas satisfying the requirements of 17.7.5.2.B may be used to meet the build-to-zone requirement.

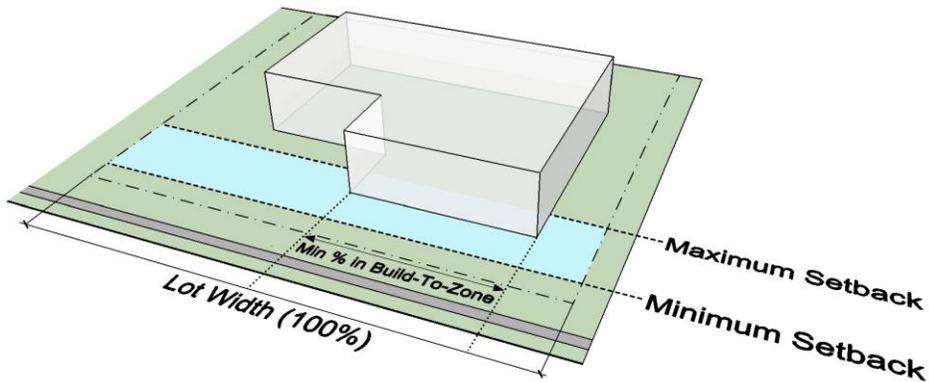


Figure 17.5.4: Build-To-Zone Requirement

17.5.1.7: Build-To-Zone Plazas

When plaza areas are proposed to satisfy the build-to-zone requirement, plaza areas shall be constructed in compliance with Section 17.7.5.2.B

17.5.1.8: Sites with Uses that Have More than Two Public Street Frontages

A site shall have a minimum of two street frontages that must meet the front setback and build-to-zone requirements of this Article. If a site is bounded by more than two public streets, the Director may determine that additional frontages do not need to comply with the front setback and building frontage requirements, based on the following review criteria:

- A. The pedestrian and traffic volume on each street.
- B. The street classification, as identified in the Transportation Engineering Design Standards.
- C. The impact on any adjacent residential properties.
- D. The desired land use and pedestrian characteristic of each adjacent street.
- E. The street frontages that are most appropriately defined by buildings.
- F. Any other applicable criteria that may affect building placement, as determined by the Director.



Figure 17.5.5: Example for Sites with More than 2 Public Street Frontages

17.5.2: Residential Standards

17.5.2.1: Dimensional Standards

All development in residential zone districts must comply with the dimensional standards of [Table 17.5.1](#), except that the minimum lot size and minimum lot width requirements apply only to the creation of new lots. Lots existing prior to the adoption of this Zoning Ordinance and recognized as legal by the City, do not need to comply with the lot size or lot width requirements identified in [Table 17.5.1](#).

17.5.2.2: Driveway Length Requirements

A driveway accessing a front loaded garage for an individual single family dwelling unit or duplex home shall be a minimum of 18 feet in length as measured from the back of sidewalk, or 29 feet in length, as measured from the edge of asphalt if no sidewalk or curb exists. (See Figure 17.5.6).

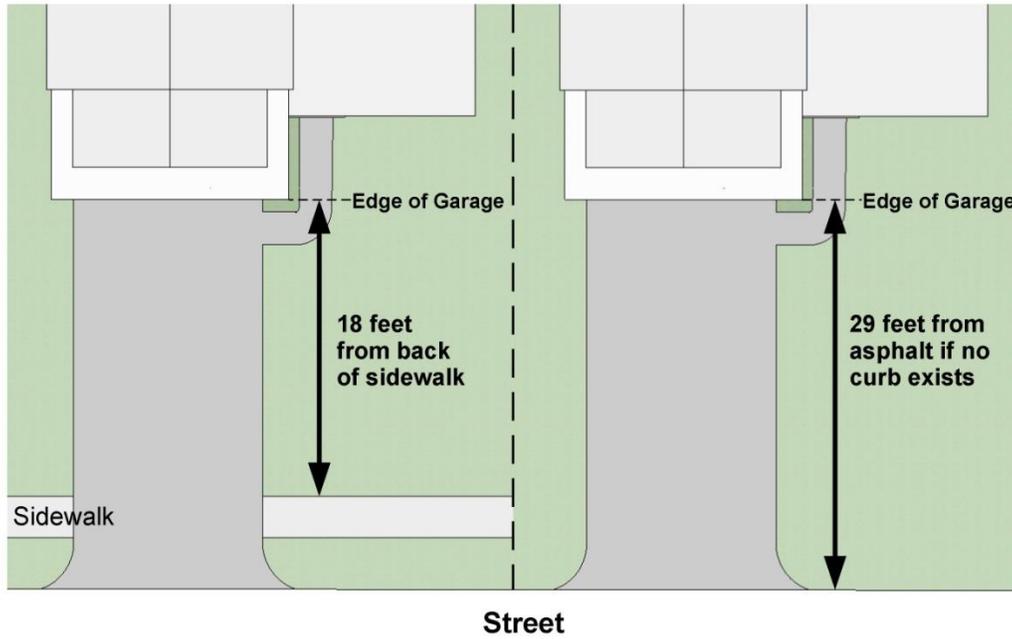


Figure 17.5.6: Driveway Length Measurements

Table 17.5.1: Residential Dimensional Standards									
Standard	R-1-43	R-1-18	R-1-12	R-1-9	R-1-6	R-2	R-MF	R-MH	Notes
Minimum Lot Size and Width									
Minimum Size for New Lots (Square Feet)	43,560	18,000	12,500	9,000	6,000	5,000	-	Minimum parcel size: 5 acres. Single wide dwelling: 2,400. Double wide dwelling: 3,600.	
Minimum Width for New Lots (Feet)	140	75	100	75	60	45	18	Single wide: 35. Double wide: 40.	Refer to the Subdivision Ordinance for corner lot regulations.
Maximum Dwelling Units per Lot									
Maximum Number of Dwelling Units per Lot	1	1	1	1	1	2 ⁽¹⁾	NA	NA	⁽¹⁾ A minimum lot size of 10,000 square feet is required for two dwelling units.

Table 17.5.1: Residential Dimensional Standards

Standard	R-1-43	R-1-18	R-1-12	R-1-9	R-1-6	R-2	R-MF	R-MH	Notes	
Primary Structure Setbacks (Feet)										
Minimum Front	25	25	25	25	25	25	25	25	Refer to Section 17.5.1.3:A.	
Minimum Non-Primary Front	20	20	20	20	20	20	20	20		
Maximum Front and Non-Primary Front	None	None	None	None	None	None	140	None		
Minimum Side	15	10	10	10	5	5/0 ⁽¹⁾	5/0 ⁽¹⁾	5		⁽¹⁾ No setback is required for common wall lot lines.
Minimum Rear	15	15	15	15	15	15	15	15		Corner lots shall have one rear yard setback.
Minimum Accessory Structure Setbacks (Feet)										
Front	All accessory structures shall be located behind the front edge of the primary structure.									
Non-Primary Front	20	20	20	20	20	20	20	20	Refer to Section 17.5.5.1.	
Side	10	10	5	5	5	5	5	5		
Rear	10	10	5	5	5	5	5	5		

Table 17.5.1: Residential Dimensional Standards									
Standard	R-1-43	R-1-18	R-1-12	R-1-9	R-1-6	R-2	R-MF	R-MH	Notes
Maximum Height (Feet)									
Primary Structure	35	35	35	35	35	35	45	35	
Accessory Structure	35	25	20	20	20	20	20	20	
Solar Collection System									
Ground Mounted	10								
Roof Mounted	Refer to Section 17.5.5.4:								
Wind-Powered Generators	60								
Minimum Open Space									
Minimum Open Space (Percent)	65	60	60	60	50	50	30	25	

17.5.3: Mixed-Use Standards

17.5.3.1: Dimensional Standards

All development in M zone districts must comply with the dimensional and density standards of [Table 17.5.2](#), except as otherwise expressly provided.

Table 17.5.2: Mixed Use Dimensional Standards															
Standard	M-N			M-G			M-C		M-E			M-R			Notes
	M-N-S	M-N-U	M-N-T	M-G-S	M-G-U	M-G-T	M-C-U	M-C-T	M-E-S	M-E-U	M-E-T	M-R-S	M-R-U	M-R-T	
Height (Feet)															
Minimum	None	None	30 ⁽¹⁾	None	None	30 ⁽¹⁾	30 ⁽¹⁾	45 ⁽¹⁾	None	None	30 ⁽¹⁾	None	None	40 ⁽¹⁾	(1) Refer to Section 17.5.3.2: .
Maximum	45	45	60	60	90	Varies ⁽²⁾	120	Varies ⁽²⁾	60	60	180	60	60	90	(2) Refer to Section 17.5.3.3: . Refer to Section 17.5.3.4: when adjacent to an R zone district. Refer to Section 17.5.3.7: for incentive regulations regarding height.

Table 17.5.2: Mixed Use Dimensional Standards

Standard	M-N			M-G			M-C		M-E			M-R			Notes
	M-N-S	M-N-U	M-N-T	M-G-S	M-G-U	M-G-T	M-C-U	M-C-T	M-E-S	M-E-U	M-E-T	M-R-S	M-R-U	M-R-T	
Setbacks (Feet)															
Front															Refer to Section 17.5.1.3:B. Refer to Section 17.5.3.5: for additional setback regulations. ⁽³⁾ Buildings not located at the 0 foot setback, shall be located a minimum of 5 feet from the property line.
Minimum	10	0	0	10	0	0	0	0	10	0	0	10	5	0	
Maximum	85	20	20	85	20	20	20	20	85	20	20	140	25	20	
Minimum Side	5	0/5 ⁽³⁾	5	0/5 ⁽³⁾	0/5 ⁽³⁾	5	0/5 ⁽³⁾	0/5 ⁽³⁾							
Minimum Rear	10	0/5 ⁽³⁾	10	0/5 ⁽³⁾	0/5 ⁽³⁾	10	0/5 ⁽³⁾	0/5 ⁽³⁾							
Open Space															
Minimum Open Space (Percent)	20	15	10	20	15	10	15	10	20	15	10	25	20	15	

Table 17.5.2: Mixed Use Dimensional Standards

Standard	M-N			M-G			M-C		M-E			M-R			Notes
	M-N-S	M-N-U	M-N-T	M-G-S	M-G-U	M-G-T	M-C-U	M-C-T	M-E-S	M-E-U	M-E-T	M-R-S	M-R-U	M-R-T	
Build-to-Zone															
Build-to-Zone Req. (Percent)	40	50	60	45	55	65	70	75	40	50	65	25	50	75	Refer to Section 17.5.1.6 ; for additional regulations.
Maximum Non-Residential Building Footprint															
Maximum Building Footprint (Square Feet)	15,000	15,000	30,000	None	75,000	40,000	60,000	40,000	None	40,000	40,000	None	None	None	
Minimum Residential Density															
Minimum Residential Density (Dwelling Units per Acre)	8	10	12	None	None	25	None	35 ⁽⁴⁾	None	None	20	5	10	30	⁽⁴⁾ Refer to Section 17.5.3.6:A .

Table 17.5.2: Mixed Use Dimensional Standards															
Standard	M-N			M-G			M-C		M-E			M-R			Notes
	M-N-S	M-N-U	M-N-T	M-G-S	M-G-U	M-G-T	M-C-U	M-C-T	M-E-S	M-E-U	M-E-T	M-R-S	M-R-U	M-R-T	
Maximum Retail Allowed															
Retail – Maximum Allowed per Business (Square Feet of Gross Floor Area)	20,000(P)	20,000(P)	20,000(P); 20,001-40,000(S)	None	75,000(P) More than 75,000(S)	40,000(P); More than 40,000(S)	60,000(P) More than 60,000(S)	40,000(P); 40,001-60,000(S)	None	40,000(P); More than 40,000(S)	40,000(P); More than 40,000(S)	20,000(P)	20,000(P)	20,000(P)	(P) Indicates Permitted; (S) Indicates Special Use Permit approval is required.
Standards for Single-Family and Duplex Residential in Mixed Use Districts															
Minimum Density (Dwelling Units per acre)	12	12	12	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Setbacks (feet)															
Front															Refer to Section 17.5.1.4.B.
Minimum	5	5	5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Maximum	15	15	15	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Minimum Side	5	5	5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	

Table 17.5.2: Mixed Use Dimensional Standards

Standard	M-N			M-G			M-C		M-E			M-R			Notes	
	M-N-S	M-N-U	M-N-T	M-G-S	M-G-U	M-G-T	M-C-U	M-C-T	M-E-S	M-E-U	M-E-T	M-R-S	M-R-U	M-R-T		
Minimum Rear	10	10	10	N/A												
Height (feet)																
Maximum	40	40	40	N/A												
Open Space																
Minimum Open Space (Percent)	25	25	25	N/A												

17.5.3.2: Minimum Building Story Requirement

In addition to the minimum height identified in [Table 17.5.2](#), the following minimum number of occupiable stories shall be required as identified in [Table 17.5.3](#). When a minimum number of stories are required to be provided in the build-to-zone, the minimum story requirement shall be provided with one vertical building façade plane.

Table 17.5.3: Minimum Building Story Requirement	
Zone District	Minimum Height in Floors
M-N-T	2
M-G-T	2
M-C-U	2
M-C-T	3
M-E-T	2
M-R-T	3

The minimum height in stories shall not apply to the expansion of existing single-family and duplex residential structures.

17.5.3.3: Maximum Building Height in Defined Station Areas

The maximum height allowed within the M-G-T and M-C-T districts varies by the station area location as identified in [Table 17.5.4](#):

Table 17.5.4: Maximum Building Height By Station Area		
Station Area	M-C-T	M-G-T
Sheridan Boulevard	120 feet	90 feet
Wadsworth Boulevard	120 feet	90 feet
Oak Street	90 feet	90 feet
Union Corridor	180 feet	180 feet

17.5.3.4: Height Transition to Adjacent Residential Districts

Where an M zone district abuts an R zone district where a single-family or duplex structure exists, the area within 125 feet of the zone district boundary must be designed to function and interact appropriately with adjacent land uses located outside of the M district.

- A. A building located in the M zone district and within 125 feet of the zone district boundary shall be required to demonstrate compatibility with any adjacent residential property through an analysis of building bulk and plane, potential buffering through the use of landscaping or decorative walls, building and parking orientation, and other similar site specific conditions.

- B. Any portion of a building located in the M zone district and within 75 feet of the zone district boundary shall have a maximum height no greater than the maximum height allowed in the adjacent residential district (See Figure 17.5.7). Where a street separates the zone districts, the measurement shall be from the right-of-way line opposite the M district site (See Figure 17.5.8).

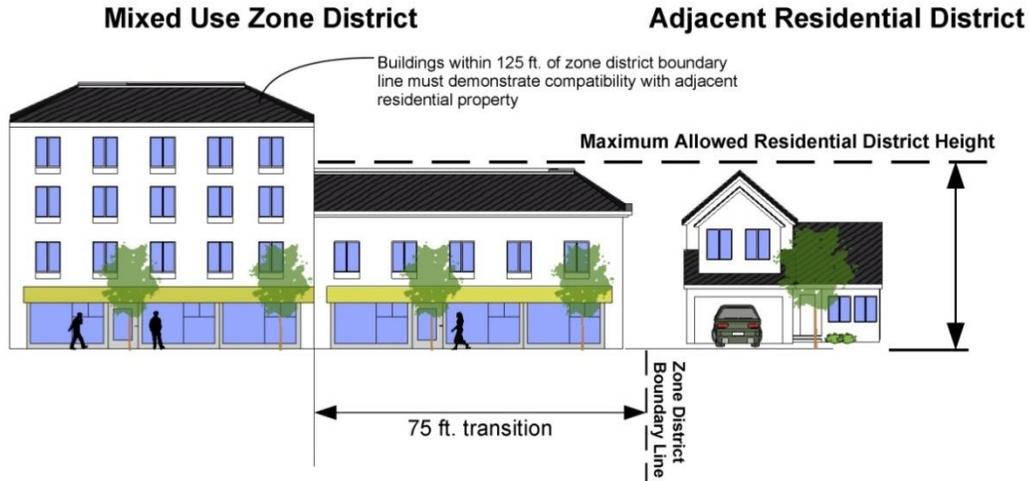


Figure 17.5.7: Example of Height Transition in Mixed Use District Abutting a Residential District

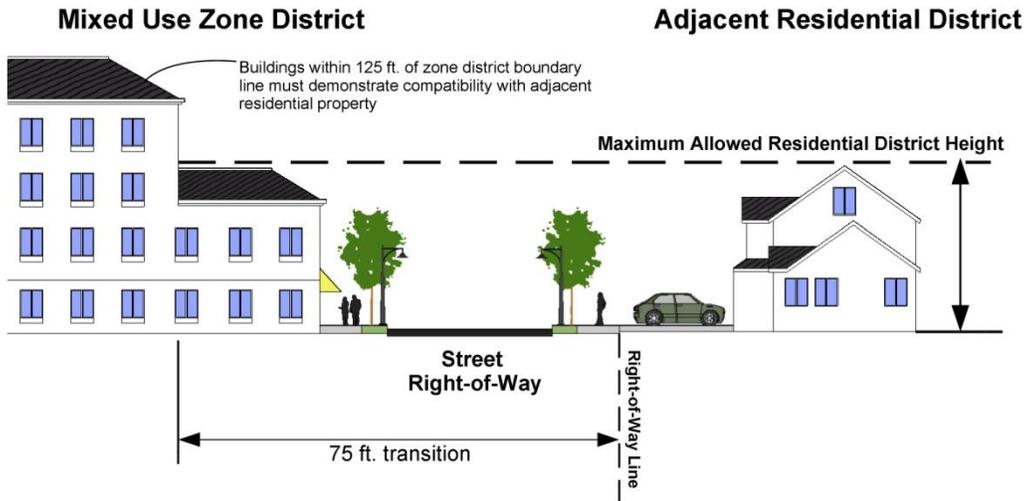


Figure 17.5.8: Example of Height Transition in Mixed Use District Separated by Right-of-Way

17.5.3.5: Additional Building Setback Regulations

Within any Suburban or Urban context, buildings located interior to a site shall not be required to meet the front setback requirements or, where applicable, the minimum height as required by [Table 17.5.2](#), provided that liner buildings meeting the requirements of [Table 17.5.2](#) are provided. The liner buildings shall have a minimum depth of 60 feet. Within the Urban context, the liner buildings shall be designed as multi-tenant structures.

17.5.3.6: Requirements for Specific Mixed-Use Zone District Contexts

The following mixed-use development requirements apply to all projects within the districts indicated:

- A. The following shall apply to all M-C-T zones:
1. A vertical mix of residential, commercial and/or public/civic/institutional uses as allowed in M-C-T zone district shall be required for all buildings adjacent to arterial or collector streets.
 2. All buildings adjacent to arterial or collector streets shall include ground floor space designed for retail occupancy fronting on the street(s) and meet the following requirements:
 - a. The ground floor space shall have a minimum depth of 60 feet.
 - b. The minimum floor to ceiling height of the ground floor space shall be 14 feet.
 - c. The ground floor space shall meet the building code requirements for retail occupancy.
 3. Amenities associated with the building may occupy up to 50 percent of the space designed for retail occupancy (See Figure 17.5.9).

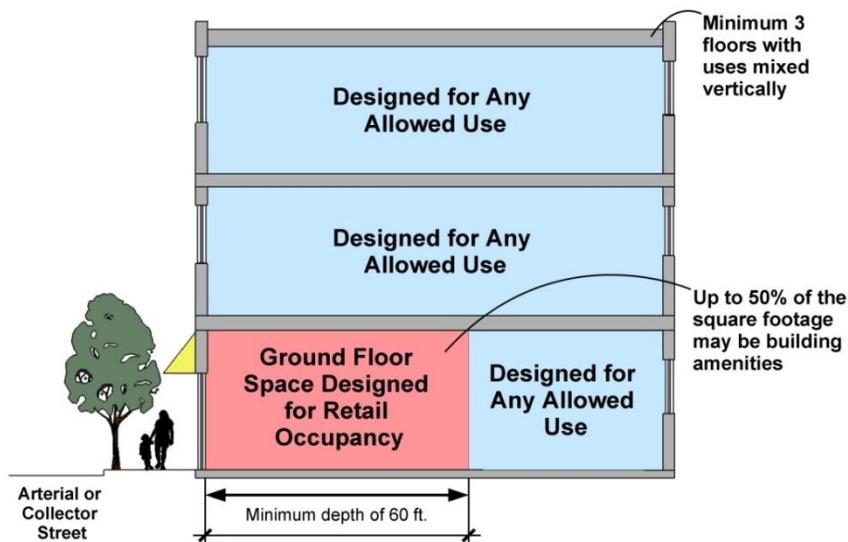


Figure 17.5.9: Institutional, Mixed-Use, Commercial, and Light Industrial Requirement and Minimum Commercial Use Depth in M-C-T

4. Other portions of the ground floor not required to be designed for retail occupancy may be designed for any allowed use.
5. Where a building is located at the intersection of an arterial or collector street with a local street, the ground floor commercial space shall extend along the local street a minimum length of 60 feet (See Figure 17.5.10).

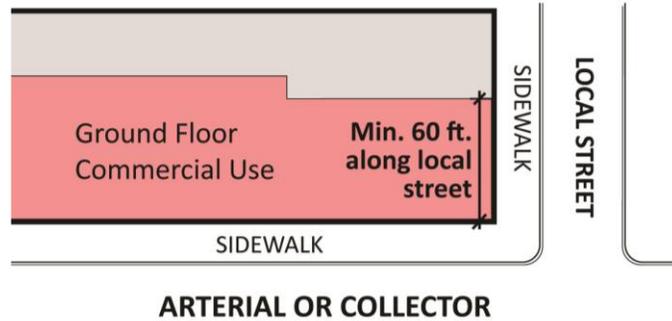


Figure 17.5.10: Minimum Commercial Depth along a Local Street

6. Single-use buildings are allowed within the zone district, provided that the requirements of [17.5.3.6:A.1](#) through [17.5.3.6:A.3](#) above are met, or if the parcel on which the building is located is only adjacent to a local street or streets.
- B. The following shall apply to all M-G-T zones:
1. All buildings adjacent to arterial or collector streets shall include ground floor space designed for retail occupancy. The retail space shall be provided along the entire building frontage, excluding space used for vehicular access. Buildings shall front on the street(s) and meet the following requirements:
 - a. The ground floor space shall have a minimum depth of 60 feet.
 - b. The minimum floor to ceiling height of the ground floor space shall be 14 feet.
 - c. The ground floor space shall meet the building code requirements for retail occupancy.
 2. Amenities associated with the building may occupy up to 50 percent of the space designed for retail occupancy (See Figure 17.5.11).

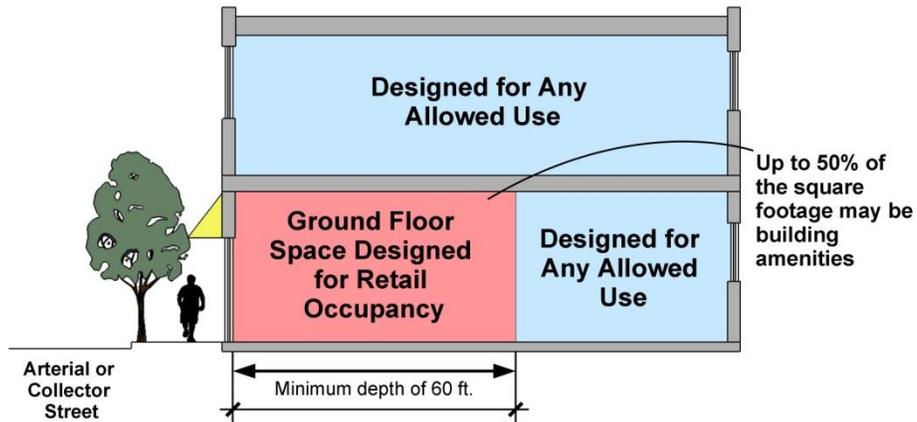


Figure 17.5.11: Institutional, Mixed-Use, Commercial and Light Industrial Use Requirement and Minimum Commercial Depth in M-G-T

3. Other portions of the ground floor not required to be designed for retail occupancy may be designed for allow other use.
4. Single-use buildings are allowed within the zone district, provided that the requirements of [17.5.3.6.B.1](#) above are met, or if the parcel on which the building is located is only adjacent to a local street or streets.

C. The following shall apply to all M-E-T zones:

1. The lower two floors of all buildings adjacent to arterial or collector streets shall be designed to contain non-residential space and meet the following:
 - a. The space shall have a minimum depth of 60 feet.
 - b. The minimum floor to ceiling height of the ground floor space shall be 14 feet.
 - c. The space shall meet the building code requirements for retail or office occupancy.
2. Amenities associated with the building may occupy up to 50 percent of the space designed for retail or office occupancy (See Figure 17.5.12).
3. Other portions of the lower two floors not required to be designed for retail or office occupancy may be designed for any other use.
4. Single-use buildings are allowed within the zone district, provided that the requirements of [17.5.3.6.C.1](#) above are met, or if the parcel on which the building is located is only adjacent to a local street or streets.

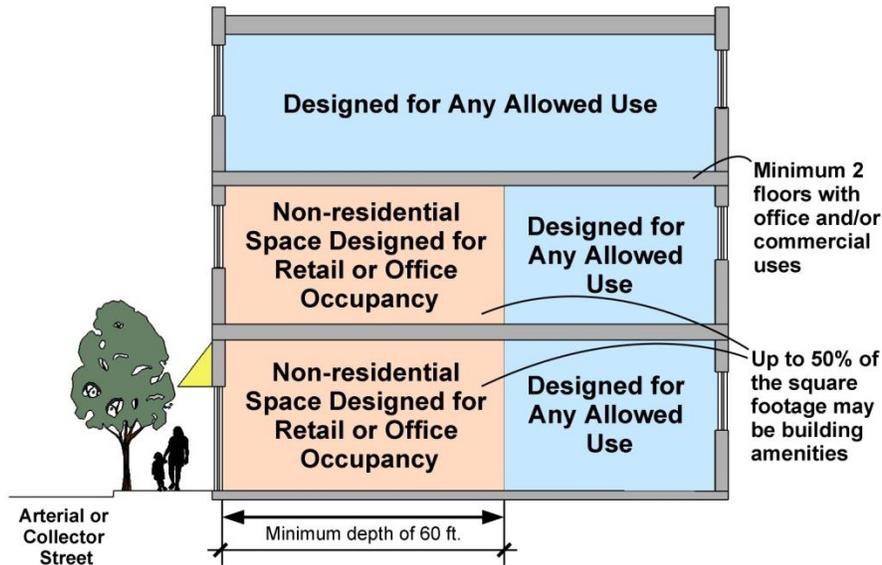


Figure 17.5.12: Institutional, Mixed-Use, Commercial, and Light Industrial Use Requirement in M-E-T

D. The following shall apply to all M-R zones:

1. All buildings located adjacent to an arterial street may contain leasable commercial and/or office space on the ground floor adjacent to the arterial street. However, the amount of commercial and/or office space shall not exceed 30 percent of the total building gross floor area (See Figure 17.5.13).
2. For buildings located adjacent to collector or local streets, the amount of commercial and/or office space shall not exceed 20 percent of the total building gross floor area (See Figure 17.5.13).

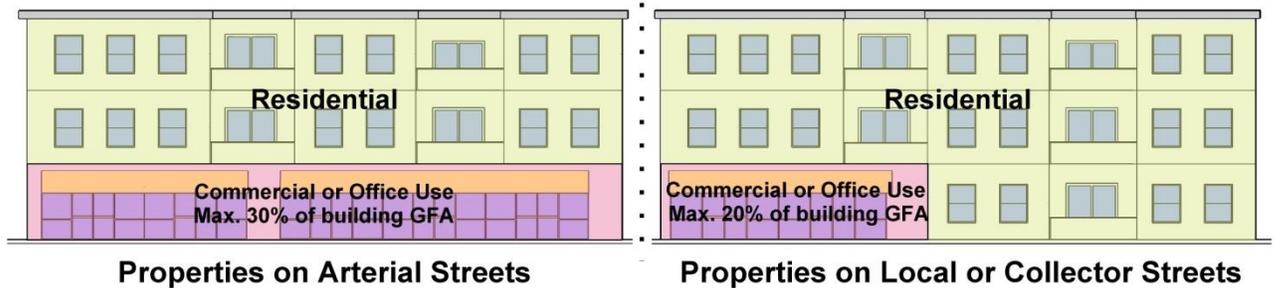


Figure 17.5.13: Commercial or Office Space Allowance in M-R zones

17.5.3.7: Incentives for Increased Height

The maximum building height within the mixed use districts may be increased by one story to a maximum of 12 additional feet, for each of the following incentives that are achieved:

- A. The development project shall be registered with the GBCI with the goal of LEED Gold certification or greater at the time of building permit issuance. The applicant must submit a LEED scorecard and proof of LEED registration.
- B. The development project includes affordable units that utilize federal low-income housing tax credits (LIHTC), pursuant to Section 42 of the Internal Revenue Code and include at least 20 percent market rate units.

17.5.4: Commercial and Light Industrial Standards

17.5.4.1: Dimensional Standards

All development in C and LI zone districts must comply with the dimensional and density standards of Table 17.5.5, except as otherwise expressly provided.

Table 17.5.5: Commercial and Light Industrial Dimensional Standards				
Standard	C-R	LI	LI-RD	Notes
Height (Feet)				
Minimum	None	None	None	
Maximum	90	60	60	Refer to Section 17.5.3.4 ; when adjacent to an R zone district.
Setbacks (Feet)				
Front				Refer to Section 17.5.1.4.B .
Minimum	15	15	10	
Maximum	None	None	None	
Minimum Side	5	5	5	
Minimum Rear	5	5	5	
Open Space				
Minimum Open Space (Percent)	20	20	15	

17.5.4.2: Height Transition Requirements Adjacent to Residential Zone Districts

Where a C or LI zoned property abuts an R zone district where a single-family or two-family dwelling exists, the area within 125 feet of the zone district boundary must function and interact appropriately with adjacent land uses located outside of the C or LI district.

- A. A building located in the C or LI zone district and within 125 feet of the zone district boundary shall be required to demonstrate compatibility with any adjacent residential property through an analysis of building bulk and plane, potential buffering through the use of landscaping or decorative walls, building and parking orientation, and other similar site specific conditions.
- B. Any portion of a building located in the C or LI zone district and within 75 feet of a zone district boundary line shall have a maximum height no greater than the maximum height allowed in the adjacent residential district (See Figure 17.5.14). Where a street separates the zone districts, the measurement shall be from the right-of-way line opposite the M district site (See Figure 17.5.15).

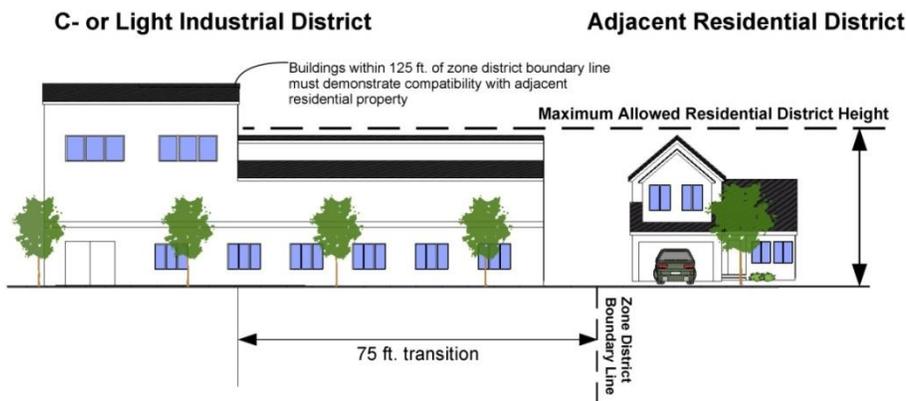


Figure 17.5.14: Example of Height Transition in Commercial or Light Industrial District Abutting a Residential District

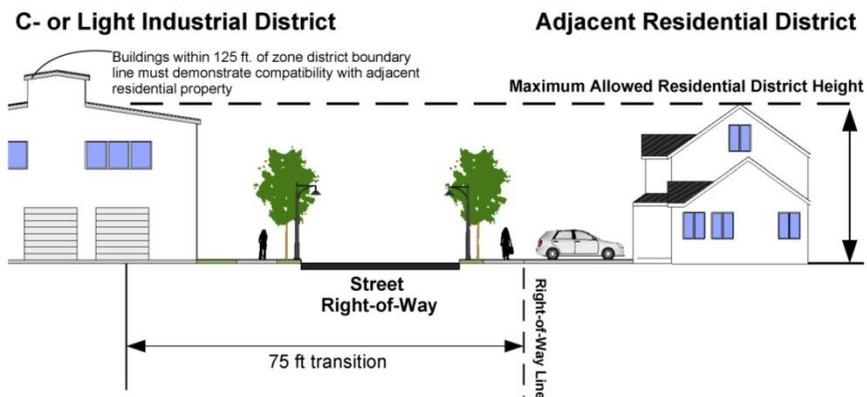


Figure 17.5.15: Example of Height Transition in Commercial or Light Industrial District Separated by Right-of-Way

17.5.5: Accessory Structures and Elements

17.5.5.1: Detached Structures

- A. A detached accessory structure shall be located a minimum of 3 feet from the primary structure as measured from the closest adjacent walls and a minimum of two feet from the primary structure as measured from the closest adjacent eaves.
- B. A detached accessory structure located on a single-family, duplex, or attached dwelling unit lot shall be subject to the following standards:
 - 1. An accessory structure or combination of accessory structures shall not exceed more than 50 percent coverage of the rear, side, and non-primary front yard area of a lot, and no more than 10 percent of the total lot area (See Figure 17.5.16).

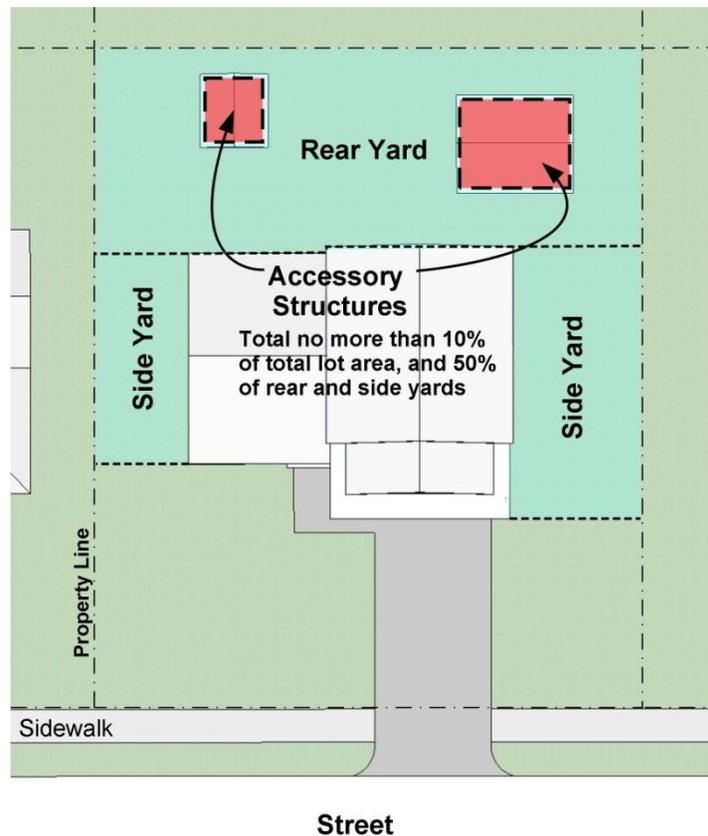


Figure 17.5.16: Determination of Accessory Structure Lot Coverage

2. Accessory structures with any wall greater than 32 feet in length or with a vertical wall 12 feet or greater in height shall comply with the minimum setbacks for a primary structure and be architecturally complementary to, and compatible with, the primary structure (See Figure 17.5.17).

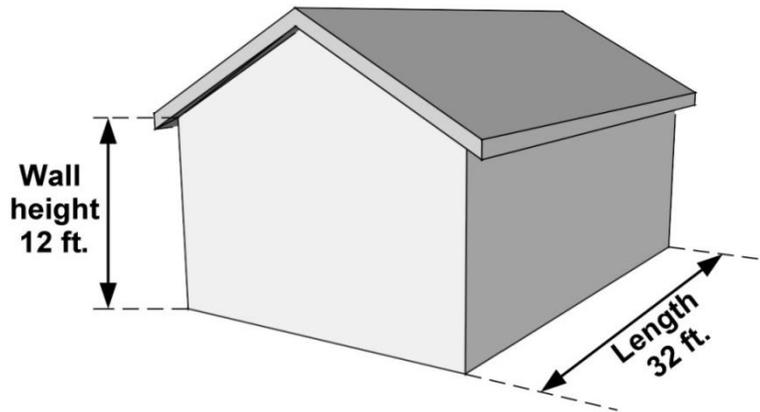


Figure 17.5.17: Measurement of Wall Height and Length

3. An accessory structure that is less than or equal to 120 square feet in size, does not exceed 10 feet in height, and does not require a building permit shall comply with the accessory structure front setback requirements, but shall be exempt from side and rear setback requirements. The structure may encroach into the non-primary front setback, if it is located behind a solid 6 foot high fence or wall. The structure shall not be placed in a designated easement, or flood plain.
- C. A detached accessory structure located on an institutional, multi-family mixed-use, commercial, or industrial lot shall be subject to the following standards:
1. An accessory structure shall not be located between a primary building and a public street.
 2. An accessory structure shall not be located within any required landscape area or parking spaces.
 3. The structure shall reflect the design and color scheme of the primary structure.

17.5.5.2: Satellite Dish Antenna

- A. A satellite dish antenna located on a single-family, duplex, or attached dwelling unit lot shall be subject to the following:
1. Satellite dish antennas with a diameter of 40 inches or less shall be allowed without restrictions.
 2. One dish antenna greater than 40 inches in diameter shall be allowed per dwelling unit.
 3. A satellite dish antenna with a diameter greater than 40 inches shall be ground-mounted, shall be no greater than 10 feet in height, and shall comply with the accessory structure dimensional standards identified in [Table 17.5.1](#).

- B. A satellite dish antenna located on a lot other than listed in [17.5.5.2:A](#) shall be subject to the following:
1. Satellite dish antennas with a diameter of 40 inches or less shall be allowed without restrictions.
 2. A ground-mounted satellite dish antenna with a diameter greater than 40 inches shall comply with the dimensional standards identified in [Table 17.5.1](#) for R-MF zones, [Table 17.5.2](#) for mixed-use zones, or [Table 17.5.5](#) for commercial and light industrial zones.
 3. A ground-mounted satellite dish shall not be located in an area required for parking, landscaping, buffering, or water detention.
 4. A ground-mounted satellite dish antenna shall not exceed 12 feet in height.
 5. A ground-mounted satellite dish antenna shall be screened from any adjacent public street or residential use through the installation of landscaping or decorative solid fencing. Landscaping shall be capable of reaching a height of 8 feet within two years of the installation of the dish antenna. Fencing shall be constructed to a height equal to the dish antenna, or to the maximum height allowed within the zone district, whichever is less.
 6. A roof-mounted satellite dish antenna greater than 40 inches in diameter shall be screened. This screening can be accomplished through the utilization of parapet walls, through the installation of mechanical equipment screens, or other means to the extent that the dish antenna is hidden from view from all adjacent public streets or residential uses.

17.5.5.3: Solar Collection System

- A. A solar collection system located on single-family, duplex, or attached dwelling unit lot shall be subject to the following:
1. Ground mounted solar collection system:
 - a. Solar collectors shall not be located in the front yard between a primary structure and a public right-of-way, unless the collectors are located more than twice the distance as the required setback identified in [Table 17.5.1](#) and the collectors are screened and not visible from the adjacent street.
 - b. A solar collector shall be allowed in the non-primary front yard, if it is located behind a solid 6 foot high fence or wall.
 - c. Solar collectors shall be located a minimum of 5 feet from all property lines.
 - d. The area covered by solar collector arrays in any residential district shall be considered a detached accessory structure, and shall comply with the coverage limitations of Section [17.5.5.1](#): (See Figure 17.5.18).

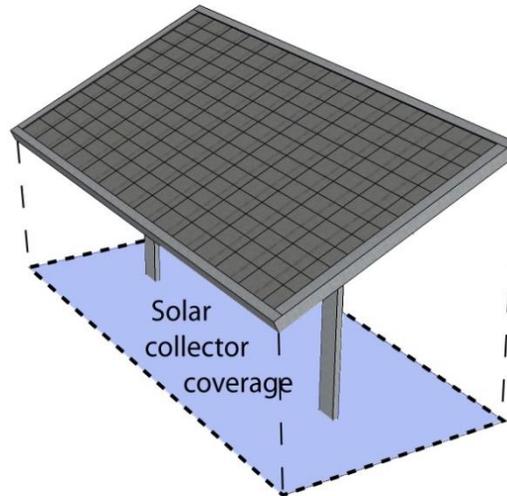


Figure 17.5.18: Measurement of Solar Collector Coverage

- e. Solar collectors shall not exceed 10 feet in height.
 - f. A ground mounted solar collection system shall be subject to the minor site plan process, as described in Article 2.
2. Roof mounted or wall mounted solar collection system:
- a. Solar collectors shall be located a minimum of 5 feet from all property lines and other structures, except the structure on which it is mounted.
 - b. Solar collectors shall not project beyond the peak of the roof. If a solar collector is attached to a flat roof, the collector shall not extend more than 5 feet above the roof (See Figure 17.5.19).

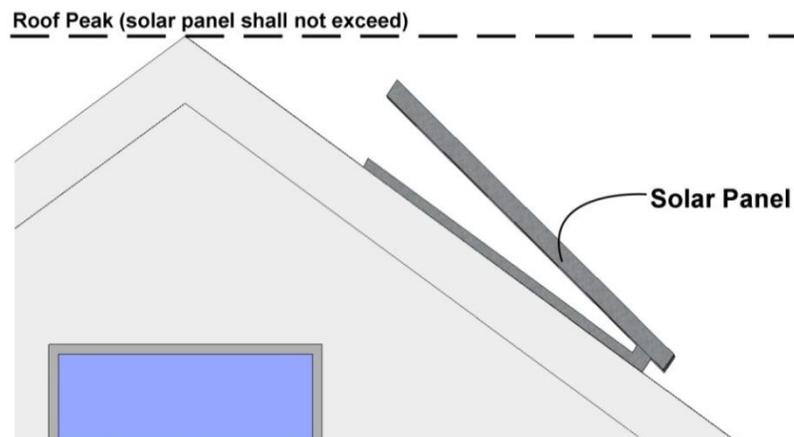


Figure 17.5.19: Solar Collector Projection Above Roof Peak

3. Solar easements:
 - a. A property owner shall be responsible for negotiating a solar easement with other adjacent property owners in the vicinity of a solar collector to protect solar access, and shall record the easement with the county recorder.
 - b. If no such easement is recorded, the owner of the solar collection system shall have no right to prevent the construction of structures or the installation of landscape materials on nearby properties based upon the grounds that the construction would cast shadows on the solar collection system.
 - c. Landscaping required by this Ordinance shall be exempt from any solar easement agreement.

B. A solar collection system located on a lot other than those specific listed in Section [17.5.5.3:A](#) shall be subject to the following:

1. All collection systems shall comply with the primary structure dimensional requirements.
2. Solar easements:
 - a. A property owner shall be responsible for negotiating a solar easement with other adjacent property owners in the vicinity of a solar collector to protect solar access, and shall record the easement with the county recorder.
 - b. If no such easement is recorded, the owner of the solar collection system shall have no right to prevent the construction of structures or the installation of landscape materials on nearby properties based upon the grounds that the construction would cast shadows on the solar collection system.
 - c. Landscaping required by this Ordinance shall be exempt from any solar easement agreement.
3. A solar collection system shall be subject to the minor site plan process, as described in Article 2.

17.5.5.4: Wind-Powered Electric Generator

- A. A wind-powered electric generator located on a single-family, duplex, or attached dwelling unit lot shall be subject to the following:
1. No wind-powered electric generator shall exceed 60 feet in height measured from ground level to the top of the blade diameter.
 2. No wind-powered electric generator blade shall be located closer than 15 feet above the finished grade of the surrounding property.
 3. No wind-powered electric generator or portion thereof may extend or encroach into the accessory building setbacks or onto any adjacent property.

4. Sound produced by the turbine under normal operating conditions, as measured at the nearest property line and at ground level of any adjacent property improved with a dwelling unit at the time of the issuance of a building permit, shall not exceed 55 dBA sound level for any period of time, except during short-term events out of the owner's control, such as utility outages or strong windstorms.
 5. A turbine and tower shall be of a neutral color.
 6. All electrical wiring shall be located underground and within the tower.
 7. A wind-powered electric generator shall be subject to the minor site plan process, as described in Article 2.
- B. A wind-powered electric generator located on a lot other than those specific listed in Section [17.5.5.3:A](#) shall be subject to the following:
1. No ground-mounted wind-powered electric generator shall exceed 60 feet in height measured from ground level to the top of the blade diameter.
 2. All roof mounted wind-powered electric generators shall comply with the dimensional requirements of the zone district in which it is located.
 3. No wind-powered electric generator or portion thereof may extend or encroach into the building setbacks or onto any adjacent property.
 4. Sound produced by the turbine under normal operating conditions, as measured at the property line of any adjacent property improved with a dwelling unit at the time of the issuance of a building permit, shall not exceed 55 dBA sound levels for any period of time. The 55 dBA sound level may be exceeded during short-term events out of the owner's control such as utility outages or strong windstorms.
 5. A turbine and tower shall be of a neutral color.
 6. All electrical wiring shall be underground or contained within the building to which the generator is attached.
 7. A wind-powered electric generator shall be subject to the minor site plan process, as described in Article 2.

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