

**ZONING ORDINANCE ADVISORY COMMITTEE  
DALLAS DEVELOPMENT CODE AMENDMENT  
FILE NO. DCA 212-003**

**THURSDAY, March 3, 2022**

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**Concrete or Asphalt Batching Plants**

**Planner: Lori Levy, AICP**

Consideration of amending permanent and temporary concrete or asphalt batching plant uses, including but not limited to amending potentially incompatible industrial uses, in the Dallas Development Code.

**BACKGROUND:**

Staff initiated a code amendment to consider amending Chapters 51 and 51A of the Dallas Development Code, with consideration to be given to amending concrete or asphalt batching plant uses, including but not limited to amending potentially incompatible industrial uses.

The intent of this code amendment is to review the current concrete or asphalt batching plant and industrial regulations and based on research, best management practices, and other cities approach to industrial use requirements, determine the need to amend the City Code and make a recommendation and proposal.

**UPDATE:**

The Zoning Ordinance Advisory Commission (ZOAC) meeting of February 3, 2022 was cancelled due to inclement weather. At the rescheduled special meeting on February 10, 2022, staff presented a two-phased approach, with Phase I recommendations and requested ZOAC to forward the Phase I recommendations to CPC.

At the meeting, ZOAC raised the following concerns and asked staff to consider these items and to include as part of the Phase II recommendations:

1. Buffering and spacing of concrete or asphalt batching plants from sensitive land uses, such as residential, schools and parks. The Dallas Oil and Gas Drilling ordinance was also suggested as a resource.

Staff will review the Dallas Oil and Gas Drilling Ordinance and continue to review other cities regulations, best management practices, health industry standards and seek public input to determine the appropriate buffer and spacing for Dallas and bring recommendations back to ZOAC as part of Phase II recommendations.

2. Consider requiring an environmental study to determine if the site is suitable for uses other than industrial after the concrete or asphalt batching plant operation ceases and is removed from the site.

Environmental assessments and studies are performed by trained environmental scientists or specialists and are often part of a lengthy and rigorous process required in certain states, such as California and Washington. Staff will review options that may be appropriate for Dallas to consider for language that can be included as part of the conditions for the concrete or asphalt batching plants to ensure that the site is restored back to the original condition when the operation ceases.

3. How would the Specific Use Permit (SUP) process impact those current temporary concrete or asphalt batching plants that are not finished work on the site by the 6 month temporary time frame and request an extension?

As stated in the meeting, the required SUP process as proposed for Phase I would apply at the time of the effective date of ordinance approval, if approved by City Council for any new applications coming in on or after the effective date and would not be retroactive. The SUP process, including expirations and renewals would remain under the current SUP process. The length of time that the temporary concrete or asphalt batching plant would be allowed to operate would be determined at the time of and through the SUP process and within the parameters of the current temporary time frame of 6 months up to 3 yrs. In the event that the work to be performed is not completed and the applicant seeks an extension of time for the temporary concrete or asphalt batching plant, the applicant will be required to follow the current SUP process. Please see the attached 51A-4.219 SUP that has been added to the Appendices.

#### Auto Renewals

As part of an SUP ordinance or ordinance amendment, the city council may declare that an SUP is eligible for automatic renewal. Under the current SUP process, if the applicant reapplies within 3 to 6 months prior to the expiration date as stated in the SUP for the use, the applicant becomes eligible for auto renewal, unless the SUP states otherwise, i.e. if the SUP states that it is not eligible for auto renewal.

Upon the filing of a complete application for automatic renewal, the director shall send written notice to all owners of real property lying within 200 feet of the area governed by the SUP. The notice must state that the SUP is eligible for automatic renewal and may be automatically renewed without further notice. If the owners of 20 percent or more of the land within 200 feet of the area governed by the SUP file a written protest against the automatic renewal in accordance with 51A-4.219, the director shall forward the application to the city plan commission and city council for further action.

The city plan commission or city council may also call a public hearing on its own motion for the purpose of passing an amending ordinance to repeal an SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in an SUP ordinance.

Staff will review options and bring back recommendations for a specified limit on the number of renewals, perhaps conditioned on performance regarding pollution and operating best management practices, as part of Phase II.

4. Requirements for streets and other public infrastructure to be repaired or restored back to original condition from any damages.

Staff will review options, such as performance bonds and other best management practices and bring recommendations forward as part of Phase II.

## **RESEARCH AND STAFF ANALYSIS**

### **Scope and methodology**

In order to understand other cities approach to concrete or asphalt batching plants and industrial uses, staff is researching both local and national cities regulations, best management practices and industry standards, as well as Texas Commission on Environmental Quality (TCEQ) processes and requirements.

Currently, temporary concrete or asphalt batching plants are allowed in most of the zoning districts across the City, including residential districts with administrative approval by the Building Official and are approved if limited criteria such as screening and buffering can be met.

In response, Planning and Urban Design staff have initiated a zoning code amendment for concrete batch plants in support of the adopted Comprehensive Environmental & Climate Action Plan (CECAP) goal of ensuring new industries are an appropriate distance away from neighborhoods.

Due to the urgency and increasing concerns about concrete or asphalt batching plant applications within the City; particularly with respect to residential adjacency, equitable justice, air quality, water quality and other potentially hazardous pollutant emissions, staff is recommending a two phased approach. A short-term approach as recommended in this report, and a long-term approach that staff will present at a future meeting.

The intent of the short-term approach is to immediately address the issue of the lack of public process for these intensive industrial land uses by removing the administrative and by-right approval process allowed by Code and adding in the Specific Use Permit (SUP) process that will require public hearings and City Plan Commission (CPC) and City Council approval.

### **Phase II – Long-term approach**

A review of concrete or asphalt batching plant and similar industrial land uses will be reassessed for appropriateness and may need further changes to land use categories with respect to land use intensity, and potential for residential and business adjacency, and other factors contributing to potential incompatible industrial uses.

This may also include possible additional land use categories for alternative paving materials that are anticipated and encouraged in the future toward achieving CECAP goals.

Phase II, or the longer- term approach will entail a more comprehensive and holistic strategy that staff anticipates will take approximately 4 to 6 months.

Longer- term strategies will include, but not be limited to departmental coordination, including our legal team for consideration of implications on existing land uses with respect to code land use changes, public outreach meetings, meetings with industry and professional organizations, research of local and national cities regulations and best management practices, and external meetings and coordination with state and federal jurisdictions, such as Texas Commission on Environmental Quality (TCEQ).

Longer- term, Zoning Code change strategies may include, but not be limited to:

- ❖ Definitions for categories of land uses.
- ❖ Distances from residential, schools, daycares, parks, and other public spaces, and/or zoning districts other than industrial, or other incompatible uses (measurement from property line, zoning districts and/or structures to be determined)
- ❖ Distances to other concrete batching plants and similar uses, and/or other limits to the number of applications on an annual basis.
- ❖ Time limits or revised time limits for temporary concrete or asphalt batching plants, including renewals.
- ❖ Performance standards or revised standards based on best management practices for stormwater runoff and noxious pollutants and emissions.
- ❖ Standardized signs posted on the property with pertinent information.
- ❖ Additional application information.
- ❖ Additional notification requirements.
- ❖ Curb cuts and other roadway access.
- ❖ Outdoor storage.

In this first, short-term approach to amending Concrete or Asphalt Batching Plant regulations, staff is recommending the following:

1. Striking, ~~“By special authorization of the building official”~~ and adding S (SUP) for R-16(A), R-13(A), R-10(A), R-7.5(A), R-5(A), D(A), TH(1-3)(A), CH, MF-1(A) and MF-2(A) Residential Districts, subsection 6. Temporary concrete or asphalt batching plant in the Residential Districts Use Chart, Ch. 51A-4.203 Industrial Uses.
2. Adding S (SUP) to R-1ac(A), R-1/2ac(A), MF-2(SAH), MF-3(A), MF-4(A) and MH(A) in the Residential Districts Use Chart, Ch. 51A-4.203 Industrial Uses to match the text descriptions of these residential districts in SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED, Division 51A-4.110. Residential District Regulations, ARTICLE IV. ZONING REGULATIONS that include this Temporary concrete or asphalt batching plant use and verbiage.
3. Striking, ~~“By special authorization of the building official”~~ and adding S (SUP) for LI, IR, IM, CA-1(A), CA-2(A), MU-1, MU-1(SAH), MU-2, MU-2(SAH), MU-3, MU-3(SAH) Non-Residential Districts for subsection 6. Temporary concrete or asphalt batching plant in the Non-Residential Districts Use Chart, Ch. 51A-4.203 Industrial Uses.
4. Adding S (SUP) to NO(A), LO(A), MO(A), GO(A), NS(A), CR, RR, UC-1, UC-2, and UC-3 in the Non-Residential Use Chart to match the text descriptions of these residential districts that includes this Temporary concrete or asphalt batching plant use and verbiage.
5. Adding SUP (Specific Use Permit) to Temporary concrete and asphalt batching plant use in subsection (2) Main uses permitted subsection (C) Industrial uses, SEC. 51A-4.111. AGRICULTURAL [A(A)] DISTRICT, Division 51A-4.110. Residential District Regulations, ARTICLE IV. ZONING REGULATIONS.
6. Striking, ~~“By special authorization of the building official”~~ and adding S (SUP) for R-1ac(A) Single family district 1 acre, R-1/2ac(A) Single family district 1/2 acre, R-16(A) Single family district 16,000 square feet, R-13(A) Single family district 13,000 square feet, R-10(A) Single family district 10,000 square feet, R-7.5(A) Single family district 7,500 square feet, R-5(A) Single family district 5,000 square feet, D(A) Duplex district, TH-1(A) Townhouse district 1, TH-2(A) Townhouse district 2, TH-3(A) Townhouse district 3, CH Clustered housing district, MF-1(A) Multifamily district 1, MF-1(SAH)

Multifamily district 1 affordable, MF-2(A) Multifamily district 2, MF-2(SAH) Multifamily district 2 affordable, MF-3(A) Multifamily district 3, MF-4(A) Multifamily district 4, and MH(A) Manufactured home district, subsection (1) Residential districts, SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED, Division 51A-4.100. Establishment of Zoning Districts, ARTICLE IV. ZONING REGULATIONS.

7. ~~Striking, "By special authorization of the building official"~~ and adding S (SUP) for NO(A) Neighborhood office district, LO-1 Limited office district 1, LO-2 Limited office district 2, LO-3 Limited office district 3, MO-1 Mid-range office district 1, MO-2 Mid-range office district 2., and GO(A) General office district, subsection (2) Office districts, SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED, Division 51A-4.100. Establishment of Zoning Districts, ARTICLE IV. ZONING REGULATIONS.
8. ~~Striking, "By special authorization of the building official"~~ and adding S (SUP) for NS(A) Neighborhood service district, CR Community retail district, and RR Regional retail district, subsection (3) Retail districts, SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED, Division 51A-4.100. Establishment of Zoning Districts, ARTICLE IV. ZONING REGULATIONS.
9. ~~Striking, "By special authorization of the building official"~~ and adding S (SUP) for CS Commercial service district, LI Light industrial district, IR Industrial/research district, and IM Industrial/manufacturing district, subsection (4) Commercial service and industrial districts, SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED, Division 51A-4.100. Establishment of Zoning Districts, ARTICLE IV. ZONING REGULATIONS.
10. ~~Striking, "By special authorization of the building official"~~ and adding S (SUP) for CA-1(A) Central area district 1, CA-2(A) Central area district 2, subsection (5) Central area districts, SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED, Division 51A-4.100. Establishment of Zoning Districts, ARTICLE IV. ZONING REGULATIONS.
11. ~~Striking, "By special authorization of the building official"~~ and adding S (SUP) for MU-1 Mixed use district 1, MU-1(SAH) Mixed use district 1 affordable, MU-2 Mixed use district 2, MU-2(SAH) Mixed use district 2 affordable, MU-3 Mixed use district 3, and MU-3(SAH) Mixed use district 3 affordable, subsection (6) Mixed use districts, SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED, Division 51A-4.100. Establishment of Zoning Districts, ARTICLE IV. ZONING REGULATIONS.
12. ~~Striking, "By special authorization of the building official"~~ and adding S (SUP) for MC-1 Multiple commercial district 1, MC-2 Multiple commercial district 2, MC-3 Multiple commercial district 3 and MC-4 Multiple commercial district 4, subsection (7) Multiple commercial districts, SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED, Division 51A-4.100. Establishment of Zoning Districts, ARTICLE IV. ZONING REGULATIONS.
13. ~~Striking, "By special authorization of the building official"~~ and adding S (SUP) for UC-1 Urban corridor district 1, UC-2 Urban corridor district 2, and C-3 Urban corridor district 3, subsection (10) Urban corridor districts, SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED, Division 51A-4.100. Establishment of Zoning Districts, ARTICLE IV. ZONING REGULATIONS.
14. Adding, Concrete batching and Asphalt batching to subsection (2) The following main uses, activities, operations, and processes are hereby declared to be potentially incompatible industrial uses under subsection (a) Potentially incompatible industrial uses of subsection (1)A "potentially incompatible industrial use" listed in this subsection is permitted by SUP only in the IM district of SEC. 51A-4.203. INDUSTRIAL USES.

15. Striking, (B) Districts permitted: ~~Special authorization by the building official is required in accordance with the additional provisions for this use~~ and adding, By SUP only in all districts in subsection (a)Potentially incompatible industrial uses subsection (6)Temporary concrete or asphalt batching plant of SEC. 51A-4.203. INDUSTRIAL USES.

## Appendices

Section 51A—4.219 Special Use Permit (Added since Feb. 10<sup>th</sup> meeting)

[https://codelibrary.amlegal.com/codes/dallas/latest/dallas\\_tx/0-0-0-34769#JD\\_51A-4.219](https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-34769#JD_51A-4.219)

Industrial Base Zoning and SUP Heavy Industrial

DRAFT redlined Use Charts – Ch. 51A-4.203 Industrial Uses

DRAFT redlined copy SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED, ARTICLE IV. ZONING REGULATIONS

## **SEC. 51A-4.219. SPECIFIC USE PERMIT (SUP).**

### **(a) General provisions.**

(1) The SUP provides a means for developing certain uses in a manner in which the specific use will be compatible with adjacent property and consistent with the character of the neighborhood.

(2) The use regulations for each use in Division 51A-4.200 state whether an SUP is required for a use to be permitted in a zoning district. The SUP requirement for a use in a district does not constitute an authorization or an assurance that the use will be permitted. Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate. Each SUP must be granted by the city council by separate ordinance.

(3) The city council shall not grant an SUP for a use except upon a finding that the use will:

- (A) complement or be compatible with the surrounding uses and community facilities;
- (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties;
- (C) not be detrimental to the public health, safety, or general welfare; and
- (D) conform in all other respects to all zoning regulations and standards.

(4) The granting of an SUP has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.

(5) The city council may impose reasonable conditions upon the granting of an SUP consistent with the purposes stated in this chapter.

(6) The applicant shall post the SUP ordinance in a conspicuous place on the property, except where a use has no interior building space (for example, a private street or alley use). The applicant shall post the SUP ordinance by June 1, 2006.

### **(b) Specific use permit procedure.**

(1) An applicant for an SUP shall comply with the zoning amendment procedure for a change in zoning district classification. Each SUP ordinance is incorporated by reference into this chapter.

(2) At the time of applying for an SUP, the applicant shall submit:

(A) a site plan that includes:

- (i) the dimensions, bearings, and street frontage of the property;
- (ii) the location of buildings, structures, and uses;
- (iii) the method of ingress and egress;
- (iv) off-street parking and loading arrangements;
- (v) screening, lighting, and landscaping, if appropriate;
- (vi) the locations, calipers, and names (both common and scientific) of all trees near proposed construction activity (trees in close proximity that all have a caliper of less than eight inches may be designated as a "group of trees" with only the number noted); and
- (vii) any other information the director determines necessary for a complete review of the proposed development; and

(B) a traffic impact analysis if the director determines that the analysis is necessary for a complete review of the impacts of the proposed development.

(3) If the director determines that one or more of the items listed in Paragraph (2) is not necessary to allow for a complete review of the proposed development, he shall waive the requirement that the item(s) be provided.

(4) The minor amendment process allows flexibility as necessary to meet the contingencies of development. Amendments that do not qualify as minor amendments must be processed as a zoning amendment. The city plan commission shall, after a public hearing, authorize minor changes in the site plan that otherwise comply with the SUP ordinance and the underlying zoning and do not:

- (A) alter the basic relationship of the proposed development to adjacent property;
- (B) increase the number of dwelling units shown on the original site plan by more than 10 percent;
- (C) increase the floor area shown on the original site plan by more than five percent or 1,000 square feet, whichever is less;
- (D) increase the height shown on the original site plan;
- (E) decrease the number of off-street parking spaces shown on the original site plan so as to create a traffic hazard or traffic congestion or fail to provide adequate parking; or
- (F) reduce setbacks at the boundary of the site as specified by a building or setback line shown on the original site plan.

For purposes of this paragraph, "original site plan" means the earliest approved site plan that is still in effect, and does not mean a later amended site plan. For example, if a site plan was approved with the specific use permit and then amended through the minor amendment process, the original site plan would be the site plan approved with the specific use permit, not the site plan as amended



through the minor amendment process. If, however, the site plan approved with the specific use permit was replaced through the zoning amendment process, then the replacement site plan becomes the original site plan. The purpose of this definition is to prevent the use of several sequential minor amendments to circumvent the zoning amendment process.

An applicant or owner of real property within the notification area may appeal the decision of the city plan commission to the city council. An appeal must be requested in writing within 10 days after the decision of the city plan commission. City council shall decide whether the city plan commission erred, using the same standards that city plan commission used. Appeal to the city council is the final administrative remedy available.

(5) Reserved.

(6) A time limit may be imposed as a condition upon the granting of an SUP. If a time limit has been imposed, the SUP automatically terminates when the time limit expires. Except as otherwise provided in Subsection (c), the applicant shall go through the procedures outlined above in Paragraphs (1) and (2) to renew an SUP.

(7) As a further condition to the granting of an SUP, the city council may require the property owner to participate in cost-sharing for infrastructure improvements that are in part necessitated by the proposed development. In no case, however, shall the property owner be required to pay for more than 50 percent of the cost of improvements located more than 250 feet from the lot.

(8) The minor amendment process allows flexibility as necessary to meet the contingencies of development. Amendments that do not qualify as minor amendments must be processed as a zoning amendment. The city plan commission shall, after a public hearing, authorize minor changes in the landscape plan that otherwise comply with the SUP ordinance and the underlying zoning and do not:

(A) reduce the perimeter landscape buffer strip shown on the original landscape plan;

(B) detrimentally affect the original landscape plan's aesthetic function relative to adjacent right-of-way or surrounding property;  
or

(C) detrimentally affect the original landscape plan's screening or buffering function.

For purposes of this paragraph, "original landscape plan" means the earliest approved landscape plan that is still in effect, and does not mean a later amended landscape plan. For example, if a landscape plan was approved with the specific use permit and then amended through the minor amendment process, the original landscape plan would be the landscape plan approved with the specific use permit, not the landscape plan as amended through the minor amendment process. If, however, the landscape plan approved with the specific use permit was replaced through the zoning amendment process, then the replacement landscape plan becomes the original landscape plan. The purpose of this definition is to prevent the use of several sequential minor amendments to circumvent the zoning amendment process.

An applicant or owner of real property within the notification area may appeal the decision of the city plan commission to the city council. An appeal must be requested in writing within 10 days after the decision of the city plan commission. City council shall decide whether the city plan commission erred, using the same standards that city plan commission used. Appeal to the city council is the final administrative remedy available.

(c) Automatic renewals.

(1) As part of an SUP ordinance or ordinance amendment, the city council may declare that an SUP is eligible for automatic renewal pursuant to this subsection. Automatic renewal is an alternative to the standard method of renewing an SUP by amending the SUP ordinance. In order for automatic renewal to occur, the property owner or his representative must file a complete application for automatic renewal with the director after the 180th day but before the 120th day before the expiration of the current SUP time period. If a fee is required, the application is not considered "filed" until the fee is paid. For more information regarding fees, see Section 51A-1.105.

(2) Automatic renewal does not result in an amendment to the SUP ordinance. An applicant seeking to change the SUP conditions or to otherwise amend the SUP ordinance must go through the procedures outlined in Subsection (b).

(3) An application for automatic renewal must be filed with the director on a form furnished by the city for that purpose. As part of the application, the property owner or his representative shall state that all existing SUP conditions have been complied with, and that no changes to the conditions or other SUP ordinance provisions are being requested.

(4) Failure to timely file a complete application required under Paragraph (1) renders the SUP ineligible for automatic renewal. The city council may, however, reinstate an SUP's eligibility for future automatic renewals as part of a new SUP ordinance or ordinance amendment.

(5) Upon the filing of a complete application for automatic renewal, the director shall send written notice to all owners of real property lying within 200 feet of the area governed by the SUP. The notice must state that the SUP is eligible for automatic renewal and may be automatically renewed without further notice.

(6) If the owners of 20 percent or more of the land within 200 feet of the area governed by the SUP file a written protest against the automatic renewal in accordance with this paragraph, the director shall forward the application to the city plan commission and city council for further action. Written protests against an automatic renewal must be filed with the director before 5:00 p.m. of the 21st calendar day after the date the notice is mailed. A protest sent through the mail must be received by the director before the deadline. If the deadline falls on a Saturday, Sunday, or official city holiday, then the protests must be filed before noon of the following working day. To the extent that they do not conflict with this subsection, the provisions of Section 51A-4.701 governing written protests in zoning cases apply to protests filed under this subsection.

(7) After the deadline for filing written protests has passed, the director shall review the conditions of the SUP and determine whether the conditions have been met. If the director determines that the conditions have not been met, he shall forward the application to the city plan commission and city council for further action.

(8) "Further action" as that term is used in Paragraphs (6) and (7) means that the director shall schedule the application for public hearings before both the city plan commission and the city council. Notice of the public hearings must be given as would be required by law for a change in zoning district classification. The city plan commission shall make a recommendation to the city council regarding the proposed renewal based on staff reports, field inspections, and the evidence presented at its public hearing.

(9) In connection with an application that has been forwarded to it by the director pursuant to Paragraph (6) or (7), the city council may:

(A) pass an amending ordinance to repeal the SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in the SUP ordinance; or

(B) take no action and thereby allow the SUP to automatically renew as a matter of law.

(10) No renewal or expiration of an SUP may occur while the application is pending before the city plan commission or city council. If the application is pending at the end of the current time period stated in the SUP ordinance, the time period shall be extended as a matter of law until:

(A) the day following the next succeeding official agenda meeting of the city council after the council makes its final decision on the application; or

(B) if the council votes to pass an amending ordinance, until the effective date of the amending ordinance.

(11) The renewal of an SUP eligible for automatic renewal occurs as a matter of law at the end of the current time period as stated in the SUP ordinance, or as extended pursuant to Paragraph (10). Unless otherwise specified in the SUP ordinance, an automatic renewal is for the same time period as the immediately preceding time period [excluding, if applicable, extensions pursuant to Paragraph (10)].

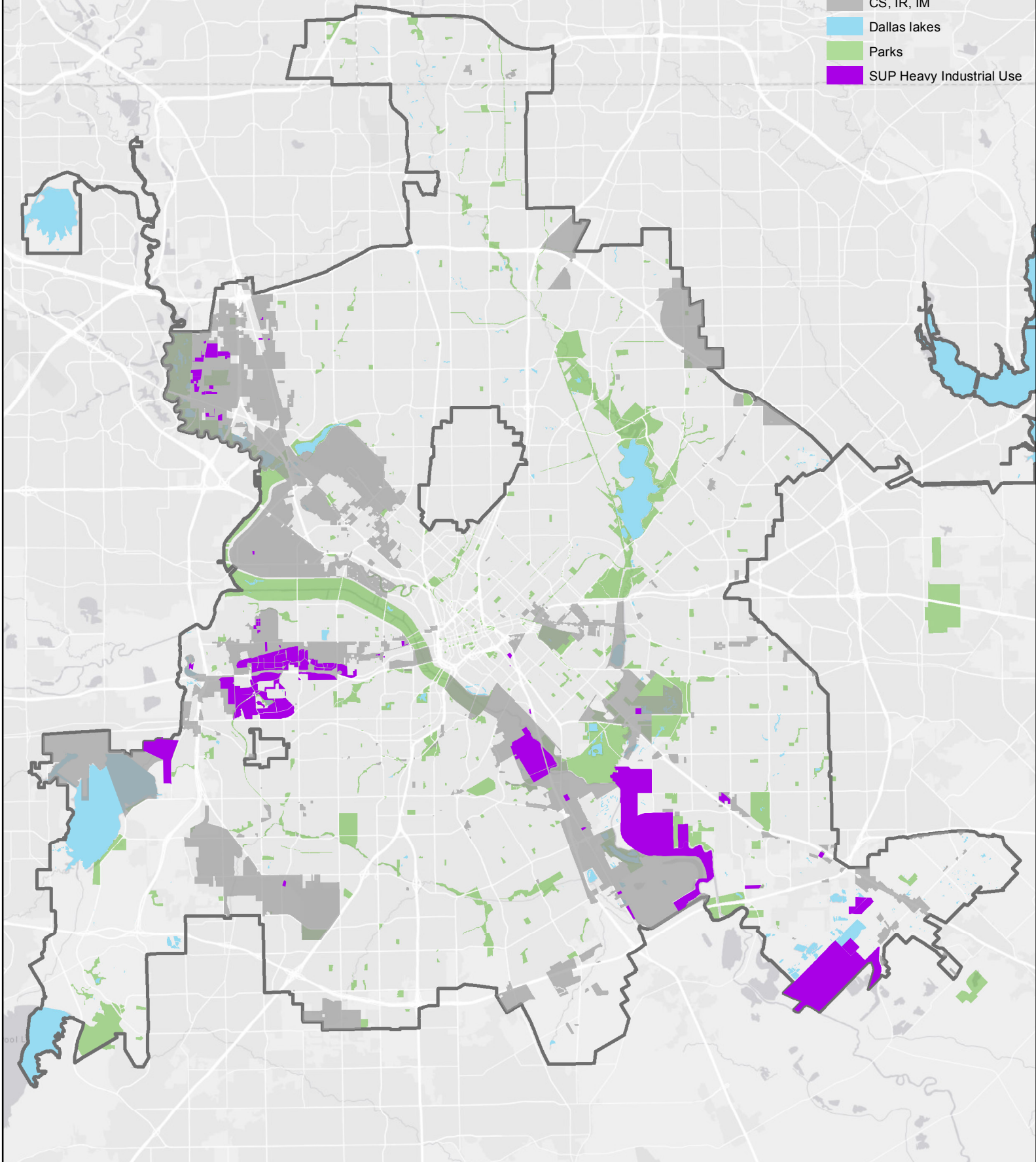
(12) An SUP that is automatically renewed pursuant to this subsection may continue to be automatically renewed in perpetuity so long as the owner or his representative continues to timely file the applications for automatic renewal required under Paragraph (1). Failure to timely file this application during any renewal period renders the SUP ineligible for further automatic renewal. The city council may, however, reinstate the SUP's eligibility for future automatic renewals as part of a new SUP ordinance or ordinance amendment.

(13) This subsection does not impair the ability of the city plan commission or city council to call a public hearing on its own motion for the purpose of passing an amending ordinance to repeal an SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in an SUP ordinance. (Ord. Nos. 19455; 20132; 20496; 22053; 23997; 26270; 26730)

# Industrial Base Zoning (CS,IR,IM) and SUP for heavy industrial use (Map by Asma Shaihk, Planning & Urban Design)

## Legend

- CS, IR, IM
- Dallas lakes
- Parks
- SUP Heavy Industrial Use



**DRAFT**

Dallas Development Code: Ordinance No. 19455, as amended

	DISTRICTS	Single Family							D/TH	CH	Multifamily							
		A(A)	R-1ac(A)	R-1/2ac(A)	R-16(A)	R-13(A)	R-10(A)	R-7.5(A)	R-5(A)	D(A)	TH(1-3)(A)	MF-1(A)	MF-1(SAH)	MF-2(A)	MF-2(SAH)	MF-3(A)	MF-4(A)	MH(A)
4.203	INDUSTRIAL USES	RESIDENTIAL																
0	Alcoholic beverage manufacturing																	
1	Industrial (inside) not potentially incompatible*																	
1A	Industrial (inside) potentially incompatible*																	
1.1	Industrial (inside) light manufacturing																	
2	Industrial (outside) not potentially incompatible*																	
2A	Industrial (outside) potentially incompatible*																	
2.1	Medical / infectious waste incinerator																	
3	Metal salvage facility																	
3.1	Mining	S																
3.2	Gas drilling and production	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
3.3	Gas pipeline compressor station																	
4	Municipal waste incinerator																	
4.1	Organic compost recycling facility	S																
5	Outside salvage or reclamation																	
5.1	Pathological waste incinerator																	
6	Temporary concrete or asphalt batching plant																	

\* See Section 51A-4.203(a) to determine whether the proposed use is "potentially incompatible."

Striking, "~~By special authorization of the building official~~" and adding **S (SUP)** for R-16(A), R-13(A), R-10(A), R-7.5(A), R-5(A), D(A), TH(1-3)(A), CH, MF-1(A) and MF-2(A) Residential Districts for subsection 6. Temporary concrete or asphalt batching plant – and adding **S (SUP)** to R-1ac(A), R-1/2ac(A), MF-2(SAH), MF-3(A), MF-4(A) and MH(A), Residential Districts, Ch. 51A-4.203 Industrial Uses to match the text descriptions of these residential districts in SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED, Division 51A-4.110. Residential District Regulations, ARTICLE IV. ZONING REGULATIONS that include this Temporary concrete or asphalt batching plant use and verbiage.

Office			Retail			Com./Ind.			Cntrl.		Mixed Use					Multiple Com.				Urban Cor.								
NO(A)	LO(A)	MO(A)	GO(A)	NS(A)	CR	RR	CS	LI	IR	IM	CA-1(A)	CA-2(A)	MU-1	MU-1(SAH)	MU-2	MU-2(SAH)	MU-3	MU-3(SAH)	MC-1	MC-2	MC-3	MC-4	UC-1	UC-2	UC-3			
<b>NONRESIDENTIAL</b>																											<b>4.203</b>	
								Ⓡ	Ⓡ	Ⓡ	S	S																0
								Ⓡ	Ⓡ	Ⓡ																		1
										S																		1A
							●	●	●	●																		1.1
									S	Ⓡ																		2
									S																			2A
									S	S																		2.1
										S																		3
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S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	3.2
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											By special authorization of the building official																	

Striking, ~~“By special authorization of the building official”~~ and adding **S (SUP)** for LI, IR, IM, CA-1(A), CA-2(A), MU-1, MU-1(SAH), MU-2, MU-2(SAH), MU-3, MU-3(SAH) Non-Residential Districts for subsection 6. Temporary concrete or asphalt batching plant - and adding **S (SUP)** to NO(A), LO(A), MO(A), GO(A), NS(A), CR, RR, UC-1, UC-2 and UC-3, Non-Residential Districts, in SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED, Division 51A-4.111. Non-Residential District Regulations, ARTICLE IV. ZONING REGULATIONS that include this Temporary concrete or asphalt batching plant use and verbiage.

ARTICLE IV.  
ZONING REGULATIONS.

Division 51A-4.100. Establishment of Zoning Districts.

SEC. 51A-4.101. NEW ZONING DISTRICTS ESTABLISHED.

(1) Residential districts.

- (A) A(A) Agricultural district.
- (B) R-1ac(A) Single family district 1 acre.
- (C) R-1/2ac(A) Single family district 1/2 acre.
- (D) R-16(A) Single family district 16,000 square feet.
- (E) R-13(A) Single family district 13,000 square feet.
- (F) R-10(A) Single family district 10,000 square feet.
- (G) R-7.5(A) Single family district 7,500 square feet.
- (H) R-5(A) Single family district 5,000 square feet.
- (I) D(A) Duplex district.
- (J) TH-1(A) Townhouse district 1.
- (K) TH-2(A) Townhouse district 2.
- (L) TH-3(A) Townhouse district 3.
- (M) CH Clustered housing district.
- (N) MF-1(A) Multifamily district 1.
- (O) MF-1(SAH) Multifamily district 1 affordable.
- (P) MF-2(A) Multifamily district 2.
- (Q) MF-2(SAH) Multifamily district 2 affordable.
- (R) MF-3(A) Multifamily district 3.
- (S) MF-4(A) Multifamily district 4.
- (T) MH(A) Manufactured home district.

(2) Office districts.

- (A) NO(A) Neighborhood office district.
- (B) LO-1 Limited office district 1.
- (C) LO-2 Limited office district 2.
- (D) LO-3 Limited office district 3.
- (E) MO-1 Mid-range office district 1.
- (F) MO-2 Mid-range office district 2.
- (G) GO(A) General office district.

(3) Retail districts.

- (A) NS(A) Neighborhood service district.
  - (B) CR Community retail district.
  - (C) RR Regional retail district.
- (4) Commercial service and industrial districts.
- (A) CS Commercial service district.
  - (B) LI Light industrial district.
  - (C) IR Industrial / research district.
  - (D) IM Industrial/ manufacturing district.
- (5) Central area districts.
- (A) CA-1(A) Central area district 1.
  - (B) CA-2(A) Central area district 2.
- (6) Mixed use districts.
- (A) MU-1 Mixed use district 1.
  - (B) MU-1(SAH) Mixed use district 1 affordable.
  - (C) MU-2 Mixed use district 2.
  - (D) MU-2(SAH) Mixed use district 2 affordable.
  - (E) MU-3 Mixed use district 3.
  - (F) MU-3(SAH) Mixed use district 3 affordable.
- (7) Multiple commercial districts.
- (A) MC-1 Multiple commercial district 1.
  - (B) MC-2 Multiple commercial district 2.
  - (C) MC-3 Multiple commercial district 3.
  - (D) MC-4 Multiple commercial district 4.
- (8) Special purpose districts.
- (A) C Conservation district.
  - (B) PD Planned development district.
  - (C) P(A) Parking district.
- (9) Overlay districts.
- (A) AF suffix Airport flight path overlay district.
  - (B) CP suffix Core pedestrian precinct overlay district.
  - (C) H suffix Historic overlay district.
  - (D) ID suffix Institutional overlay district.
  - (E) D suffix D liquor control overlay district.
  - (F) D-1 suffix D-1 liquor control overlay district.
  - (G) SP suffix Secondary pedestrian precinct overlay district.
  - (H) MD suffix Modified delta overlay district.

- (I) NSO suffix Neighborhood stabilization overlay district.
  - (J) TC suffix Turtle Creek environmental corridor overlay district.
  - (K) SH suffix Shopfront overlay. [See Article XIII.]
  - (L) HM suffix Height map overlay. [See Article XIII.]
  - (M) PM suffix Parking management overlay.
  - (10) Urban corridor districts.
    - (A) UC-1 Urban corridor district 1.
    - (B) UC-2 Urban corridor district 2.
    - (C) UC-3 Urban corridor district 3.
  - (11) Form districts.
    - (A) WMU Walkable urban mixed use. [See Article XIII.]
    - (B) WR Walkable urban residential. [See Article XIII.]
    - (C) RTN Residential transition. [See Article XIII.]
- (Ord. Nos. 19455; 19786; 20360; 21663; 24718; 27404; 27495)

Division 51A-4.110. Residential District Regulations.

**SEC. 51A-4.111. AGRICULTURAL [A(A)] DISTRICT.**

(1) Purpose. There exists in certain fringe areas of the city, land which is presently used for agricultural purposes and to which urban services are not yet available. These lands should appropriately continue to be used for agricultural purposes until needed for urban purposes in conformity with the orderly growth of the city. The uses permitted in the A(A) district are intended to accommodate normal farming, ranching, and gardening activities. It is anticipated that all of the A(A) district area will be changed to other urban zoning categories as the area within the corporate limits of Dallas becomes fully developed. Newly annexed territory will be temporarily zoned as an A(A) district until permanent zoning is established.

- (2) Main uses permitted.
  - (A) Agricultural uses.
    - Animal production.
    - Commercial stable.
    - Crop production.
  - (B) Commercial and business service uses.
    - None permitted.
  - (C) Industrial uses.
    - Gas drilling and production. [SUP]
    - Mining. [SUP]



- Organic compost recycling facility. [SUP]
  - Temporary concrete or asphalt batching plant. [SUP]
- (D) Institutional and community service uses.
- Adult day care facility. [SUP]
  - Cemetery or mausoleum. [SUP]
  - Child-care facility. [SUP]
  - Church.
  - College, university or seminary.
  - Community service center. [SUP]
  - Convalescent and nursing homes, hospice care, and related institutions. [SUP]
  - Convent or monastery.
  - Foster home. [SUP]
  - Hospital. [SUP]
  - Library, art gallery, or museum. [SUP]
  - Open-enrollment charter school or private school. [SUP]
  - Public school other than an open-enrollment charter school. [RAR]
- (E) Lodging uses.
- None permitted.
- (F) Miscellaneous uses.
- Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
- None permitted.
- (H) Recreation uses.
- Country club with private membership. [SUP]
  - Private recreation center, club or area. [SUP]
  - Public park, playground, or golf course.
- (I) Residential uses.
- College dormitory, fraternity, or sorority house.
  - Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]
  - Single family.
- (J) Retail and personal service uses.
- Animal shelter or clinic without outside run.
  - Animal shelter or clinic with outside run. [SUP]
  - Commercial amusement (outside). [SUP]
  - Drive-in theater. [SUP]

- Nursery, garden shop, or plant sales.
- (K) Transportation uses.
  - Helistop. [SUP]
  - Transit passenger shelter.
  - Transit passenger station or transfer center. [SUP]
- (L) Utility and public service uses.
  - Commercial radio or television transmitting station. [SUP]
  - Electrical substation. [SUP]
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
  - Police or fire station. [SUP]
  - Radio, television, or microwave tower. [SUP]
  - Refuse transfer station. [SUP]
  - Sanitary landfill. [SUP]
  - Sewage treatment plant. [SUP]
  - Tower/antenna for cellular communication. [See Section 51A-4.212 (10.1).]
  - Utility or government installation other than listed. [SUP]
  - Water treatment plant. [SUP]
- (M) Wholesale, distribution, and storage uses.
  - Livestock auction pens or sheds. [SUP]
  - Recycling drop-off container. [See Section 51A-4.213(11.2).]
  - Recycling drop-off for special occasion collection. [See Section 51A-4.213(11.3).]
  - Sand, gravel, or earth sales and storage. [SUP]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

- (A) The following accessory uses are not permitted in this district:
  - Accessory community center (private).
  - Accessory outside display of merchandise.
  - Accessory outside sales.
  - Accessory pathological waste incinerator.
- (B) In this district, the following accessory use is permitted by SUP only:
  - Accessory helistop.
- (C) In this district, an SUP may be required for the following accessory uses:
  - Accessory medical/infectious waste incinerator. [See Section 51A-4.217(3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in

Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. Minimum front yard is 50 feet.

(B) Side and rear yard.

(i) Minimum side yard is 20 feet.

(ii) Minimum rear yard is:

(aa) 50 feet for single family structures; and

(bb) 10 feet for other permitted structures.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 24 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 10 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size.

(i) Minimum lot area for residential use is three acres.

(ii) Repealed by Ord. 20441.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions. None. (Ord. Nos. 19455; 19786; 20384; 20441; 20625; 20950; 21002; 21314; 22255; 24271; 24543; 26920)

## SEC. 51A-4.112. SINGLE FAMILY DISTRICTS.

### (a) R-1ac(A) district.

(1) Purpose. There exists in certain parts of the city large areas of single family residential development on estate type lots of one acre or more in area. This development has been supplied with utilities and other public services based upon an estate type density. To conserve the character and value of buildings and building sites existing in these areas and to provide for the gradual expansion of this residential development in accordance with the need and a comprehensive plan for various types of residential districts, the R-1ac(A) district is provided. This district is intended to be composed of

single family dwellings together with public and private schools, churches, and public park areas to serve the area. The sections designated in the R-1ac(A) districts are limited in area and are not intended to be subject to major alteration by future amendment except at the fringe of the districts where minor adjustments may become appropriate to permit the reasonable development of vacant tracts or gradual transition from other districts.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility. [SUP]

-- Cemetery or mausoleum. [SUP]

-- Child-care facility. [SUP]

-- Church.

-- College, university or seminary. [SUP]

-- Community service center. [SUP]

-- Convent or monastery. [SUP]

-- Foster home. [SUP]

-- Library, art gallery, or museum. [SUP]

-- Public or private school. [SUP]

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Carnival or circus (temporary). [By special authorization of the building official.]

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. [SUP]

-- Private recreation center, club, or area. [SUP]

-- Public park, playground, or golf course.

(I) Residential uses.

- Handicapped group dwelling unit [See Section 51A-4.209(3.1).]
- Single family.
- (J) Retail and personal service uses.
  - None permitted.
- (K) Transportation uses.
  - Private street or alley. [SUP]
  - Transit passenger shelter. [See Section 51A-4.211.]
  - Transit passenger station or transfer center. [SUP]
- (L) Utility and public service uses.
  - Electrical substation. [SUP]
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
  - Police or fire station. [SUP]
  - Radio, television, or microwave tower. [SUP]
  - Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
  - Utility or government installation other than listed. [SUP]
- (M) Wholesale, distribution, and storage uses.
  - Recycling drop-off container. [See Section 51A-4.213 (11.2).]
  - Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

- (A) The following accessory uses are not permitted in this district:
  - Accessory helistop.
  - Accessory medical/infectious waste incinerator.
  - Accessory outside display of merchandise.
  - Accessory outside sales.
  - Accessory pathological waste incinerator.

- (B) In this district, the following accessory uses are permitted by SUP only:
  - Accessory community center (private).

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

- (A) Front yard. Minimum front yard is 40 feet.
- (B) Side and rear yard. Minimum side and rear yard is:
  - (i) 10 feet for single family structures; and
  - (ii) 20 feet for other permitted structures.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 40 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

(i) Minimum lot area for residential use is one acre.

(ii) Repealed by Ord. 20441.

(iii) Repealed by Ord. 20441.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(1) not be contrary to the public interest;

(2) not adversely affect neighboring properties; and

(3) not be used to conduct a use not permitted in this district.

**(b) R-1/2ac(A) district.**

(1) Purpose. There exists in certain parts of the city large areas of single family residential development on estate type lots of one-half acre or more in area. This development has been supplied with utilities and other public services based upon an estate type density. To conserve the character and value of buildings and building sites existing in these areas and to provide for the gradual expansion of this residential development in accordance with the need and a comprehensive plan for various types of residential districts, the R-1/2ac(A) district is provided. This district is intended to be composed of single family dwellings together with public and private schools, churches, and public park areas to serve the area. The sections designated in the R-1/2ac(A) districts

are limited in area and are not intended to be subject to major alteration by future amendment except at the fringe of the districts where minor adjustments may become appropriate to permit the reasonable development of vacant tracts or gradual transition from other districts.

(2) Main uses permitted.

(A) Agricultural uses.

- Crop production.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

- Adult day care facility. [SUP]
- Cemetery or mausoleum. [SUP]
- Child-care facility. [SUP]
- Church.
- College, university or seminary. [SUP]
- Community service center. [SUP]
- Convent or monastery. [SUP]
- Foster home. [SUP]
- Library, art gallery, or museum. [SUP]
- Public or private school. [SUP]

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

- Carnival or circus (temporary). [By special authorization of the building official.]
- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

- Country club with private membership. [SUP]
- Private recreation center, club, or area. [SUP]
- Public park, playground, or golf course.

(I) Residential uses.

- Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]

- Single family.
- (J) Retail and personal service uses.  
None permitted.
- (K) Transportation uses.
  - Private street or alley. [SUP]
  - Transit passenger shelter. [See Section 51A-4.211.]
  - Transit passenger station or transfer center. [SUP]
- (L) Utility and public service uses.
  - Electrical substation. [SUP]
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
  - Police or fire station. [SUP]
  - Radio, television, or microwave tower. [SUP]
  - Tower/antenna for cellular communication. [See Section 51A-4.212 (10.1).]
  - Utility or government installation other than listed. [SUP]
- (M) Wholesale, distribution, and storage uses.
  - Recycling drop-off container. [See Section 51A-4.213 (11.2).]
  - Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(B) In this district, the following accessory uses are permitted by SUP only:

- Accessory community center (private).

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

- (A) Front yard. Minimum front yard is 40 feet.
- (B) Side and rear yard. Minimum side and rear yard is:
  - (i) 10 feet for single family structures; and
  - (ii) 20 feet for other permitted structures.
- (C) Dwelling unit density. No maximum dwelling unit density.



(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 40 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

(i) Minimum lot area for residential use is one-half acre.

(ii) Repealed by Ord. 20441.

(iii) Repealed by Ord. 20441.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(i) not be contrary to the public interest;

(ii) not adversely affect neighboring properties; and

(iii) not be used to conduct a use not permitted in this district.

**(c) R-16(A) district.**

(1) Purpose. Single family residential development has taken place on intermediate sized lots in portions of the city in recent years. In order to protect and encourage the continued development of intermediate density with single family residences in appropriate areas of the city, the R-16(A) district is provided. In addition to single family residences, it is intended that churches, public and private schools, and public parks necessary to serve and complement the intermediate density development be permitted. The areas placed in the R-16(A) district are generally limited in area and are not intended to be subject to major alteration by future amendment except where changed conditions might justify the action or where minor adjustments in the boundary of a district may be appropriate to secure a reasonable development of the land.

- (2) Main uses permitted.
  - (A) Agricultural uses.
    - Crop production.
  - (B) Commercial and business service uses.
    - None permitted.
  - (C) Industrial uses.
    - Gas drilling and production. [SUP]
    - Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]
  - (D) Institutional and community service uses.
    - Adult day care facility. [SUP]
    - Cemetery or mausoleum. [SUP]
    - Child-care facility. [SUP]
    - Church.
    - College, university or seminary. [SUP]
    - Community service center. [SUP]
    - Convent or monastery. [SUP]
    - Foster home. [SUP]
    - Library, art gallery, or museum. [SUP]
    - Public or private school. [SUP]
  - (E) Lodging uses.
    - None permitted.
  - (F) Miscellaneous uses.
    - Carnival or circus (temporary). [By special authorization of the building official.]
    - Temporary construction or sales office.
  - (G) Office uses.
    - None permitted.
  - (H) Recreation uses.
    - Country club with private membership. [SUP]
    - Private recreation center, club, or area. [SUP]
    - Public park, playground, or golf course.
  - (I) Residential uses.
    - Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]
    - Single family.
  - (J) Retail and personal service uses.
    - None permitted.
  - (K) Transportation uses.

- Private street or alley. [SUP]
- Transit passenger shelter. [See Section 51A-4.211.]
- Transit passenger station or transfer center. [SUP]
- (L) Utility and public service uses.
  - Electrical substation. [SUP]
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
  - Police or fire station. [SUP]
  - Radio, television, or microwave tower. [SUP]
  - Tower/antenna for cellular communication. [See Section 51A-4.212 (10.1).]
  - Utility or government installation other than listed. [SUP]
- (M) Wholesale, distribution, and storage uses.
  - Recycling drop-off container. [See Section 51A-4.213 (11.2).]
  - Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(B) In this district, the following accessory uses are permitted by SUP only:

- Accessory community center (private).

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

- (A) Front yard. Minimum front yard is 35 feet.
- (B) Side and rear yard.
  - (i) Minimum side and rear yard for single family structures is 10 feet.
  - (ii) Minimum side yard for other permitted structures is 15 feet.
  - (iii) Minimum rear yard for other permitted structures is 20 feet.
- (C) Dwelling unit density. No maximum dwelling unit density.
- (D) Floor area ratio. No maximum floor area ratio.
- (E) Height. Maximum structure height is 30 feet.
- (F) Lot coverage.

- (i) Maximum lot coverage is:
  - (aa) 40 percent for residential structures; and
  - (bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

- (i) Minimum lot area for residential use is 16,000 square feet.
- (ii) Repealed by Ord. 20441.
- (iii) Repealed by Ord. 20441.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

- (6) Environmental performance standards. See Article VI.
- (7) Landscape regulations. See Article X.
- (8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

- (i) not be contrary to the public interest;
- (ii) not adversely affect neighboring properties; and
- (iii) not be used to conduct a use not permitted in this district.

**(d) R-13(A) district.**

(1) Purpose. Single family residential development has taken place on intermediate sized lots in portions of the city in recent years. In order to protect and encourage the continued development of intermediate density with single family residences in appropriate areas of the city, the R-13(A) district is provided. In addition to single family residences, it is intended that churches, public and private schools, and public parks necessary to serve and complement the intermediate density development be permitted. The areas placed in the R-13(A) district are generally limited in area and are not intended to be subject to major alteration by future amendment except where changed conditions might justify the action or where minor adjustments in the boundary of a district may be appropriate to secure a reasonable development of the land.

(2) Main uses permitted.

- (A) Agricultural uses.
  - Crop production.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

(D) Institutional and community service uses.

-- Adult day care facility. [SUP]

-- Cemetery or mausoleum. [SUP]

-- Child-care facility. [SUP]

-- Church.

-- College, university or seminary. [SUP]

-- Community service center. [SUP]

-- Convent or monastery. [SUP]

-- Foster home. [SUP]

-- Library, art gallery, or museum. [SUP]

-- Public or private school. [SUP]

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Carnival or circus (temporary). [By special authorization of the building official.]

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. [SUP]

-- Private recreation center, club, or area. [SUP]

-- Public park, playground, or golf course.

(I) Residential uses.

-- Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]

-- Single family.

(J) Retail and personal service uses.

None permitted.

(K) Transportation uses.

-- Private street or alley. [SUP]

-- Transit passenger shelter. [See Section 51A-4.211.]

-- Transit passenger station or transfer center. [SUP]

- (L) Utility and public service uses.
  - Electrical substation. [SUP]
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
  - Police or fire station. [SUP]
  - Radio, television, or microwave tower. [SUP]
  - Tower/antenna for cellular communication. [See Section 51A-4.212 (10.1).]
  - Utility or government installation other than listed. [SUP]
- (M) Wholesale, distribution, and storage uses.
  - Recycling drop-off container. [See Section 51A-4.213 (11.2).]
  - Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(B) In this district, the following accessory uses are permitted by SUP only:

- Accessory community center (private).

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

- (A) Front yard. Minimum front yard is 30 feet.
- (B) Side and rear yard. Minimum side and rear yard is:
  - (i) 8 feet for single family structures; and
  - (ii) 15 feet for other permitted structures.
- (C) Dwelling unit density. No maximum dwelling unit density.
- (D) Floor area ratio. No maximum floor area ratio.
- (E) Height. Maximum structure height is 30 feet.
- (F) Lot coverage.
  - (i) Maximum lot coverage is:
    - (aa) 45 percent for residential structures; and
    - (bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

(i) Minimum lot area for residential use is 13,000 square feet.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(i) not be contrary to the public interest;

(ii) not adversely affect neighboring properties; and

(iii) not be used to conduct a use not permitted in this district.

**(e) R-10(A) district.**

(1) Purpose. Single family residential development has taken place on intermediate sized lots in portions of the city in recent years. In order to protect and encourage the continued development of intermediate density with single family residences in appropriate areas of the city, the R-10(A) district is provided. In addition to single family residences, it is intended that churches, public and private schools, and public parks necessary to serve and complement the intermediate density development be permitted. The areas placed in the R-10(A) district are generally limited in area and are not intended to be subject to major alteration by future amendment except where changed conditions might justify the action or where minor adjustments in the boundary of a district may be appropriate to secure a reasonable development of the land.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

(D) Institutional and community service uses.

- Adult day care facility. [SUP]
- Cemetery or mausoleum. [SUP]
- Child-care facility. [SUP]
- Church.
- College, university or seminary. [SUP]
- Community service center. [SUP]
- Convent or monastery. [SUP]
- Foster home. [SUP]
- Library, art gallery, or museum. [SUP]
- Public or private school. [SUP]

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

- Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

- Country club with private membership. [SUP]
- Private recreation center, club, or area. [SUP]
- Public park, playground, or golf course.

(I) Residential uses.

- Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]
- Single family.

(J) Retail and personal service uses.

None permitted.

(K) Transportation uses.

- Private street or alley. [SUP]
- Transit passenger shelter. [See Section 51A-4.211.]
- Transit passenger station or transfer center. [SUP]

(L) Utility and public service uses.

- Electrical substation. [SUP]
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station. [SUP]



- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212 (10.1).]
- Utility or government installation other than listed. [SUP]
- (M) Wholesale, distribution, and storage uses.
  - Recycling drop-off container. [See Section 51A-4.213 (11.2).]
  - Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(B) In this district, the following accessory uses are permitted by SUP only:

- Accessory community center (private).

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. Minimum front yard is 30 feet.

(B) Side and rear yard.

- (i) Minimum side and rear yard for single family structures is six feet.
- (ii) Minimum side yard for other permitted structures is 10 feet.
- (iii) Minimum rear yard for other permitted structures is 15 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 30 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

- (aa) 45 percent for residential structures; and
- (bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

- (i) Minimum lot area for residential use is 10,000 square feet.

(ii) Repealed by Ord. 20441.

(iii) Repealed by Ord. 20441.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(i) not be contrary to the public interest;

(ii) not adversely affect neighboring properties; and

(iii) not be used to conduct a use not permitted in this district.

**(f) R-7.5(A) district.**

(1) Purpose. This district comprises a major portion of the existing single family dwelling development of the city and is considered to be the proper zoning classification for large areas of the undeveloped land remaining in the city appropriate for single family dwelling use. This district is intended to be composed of single family dwellings together with public and private schools, churches, and public parks essential to create basic neighborhood units. Limited portions of these neighborhood units may consist of denser residential zoning classifications which are shown on the zoning district map or which later may be created by amendments to the map.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. **[By special authorization of the building official. SUP]**

(D) Institutional and community service uses.

-- Adult day care facility. [SUP]

-- Cemetery or mausoleum. [SUP]

- Child-care facility. [SUP]
  - Church.
  - College, university or seminary. [SUP]
  - Community service center. [SUP]
  - Convent or monastery. [SUP]
  - Foster home. [SUP]
  - Library, art gallery, or museum. [SUP]
  - Public or private school. [SUP]
- (E) Lodging uses.  
None permitted.
- (F) Miscellaneous uses.
- Carnival or circus (temporary). [By special authorization of the building official.]
    - Temporary construction or sales office.
- (G) Office uses.  
None permitted.
- (H) Recreation uses.
- Country club with private membership. [SUP]
  - Private recreation center, club, or area. [SUP]
  - Public park, playground, or golf course.
- (I) Residential uses.
- Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]
  - Single family.
- (J) Retail and personal service uses.  
None permitted.
- (K) Transportation uses.
- Private street or alley. [SUP]
  - Transit passenger shelter. [See Section 51A-4.211.]
  - Transit passenger station or transfer center. [SUP]
- (L) Utility and public service uses.
- Electrical substation. [SUP]
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
  - Police or fire station. [SUP]
  - Radio, television, or microwave tower. [SUP]
  - Tower/antenna for cellular communication. [See Section 51A-4.212 (10.1).]
  - Utility or government installation other than listed. [SUP]
- (M) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(B) In this district, the following accessory uses are permitted by SUP only:

- Accessory community center (private).

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. Minimum front yard is 25 feet.

(B) Side and rear yard.

- (i) Minimum side and rear yard for single family structures is five feet.
- (ii) Minimum side yard for other permitted structures is 10 feet.
- (iii) Minimum rear yard for other permitted structures is 15 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 30 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

- (aa) 45 percent for residential structures; and
- (bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

- (i) Minimum lot area for residential use is 7,500 square feet.
- (ii) Repealed by Ord. 20441.
- (iii) Repealed by Ord. 20441.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(i) not be contrary to the public interest;

(ii) not adversely affect neighboring properties; and

(iii) not be used to conduct a use not permitted in this district.

**(g) R-5(A) district.**

(1) Purpose. This classification creates a single family dwelling district which is appropriate in area requirements for moderate value single family housing development and which, at the same time, provides a reasonable standard of light, air, and similar living amenities. It is intended that the R-5(A) classification be added by amendment in specific areas where higher density single family residence development is shown to be appropriate because of existing development and the adequacy of utilities and where redevelopment of substandard areas at increased single family density is appropriate.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility. [SUP]

-- Cemetery or mausoleum. [SUP]

-- Child-care facility. [SUP]

-- Church.

-- College, university or seminary. [SUP]

- Community service center. [SUP]
- Convent or monastery. [SUP]
- Foster home. [SUP]
- Library, art gallery, or museum. [SUP]
- Public or private school. [SUP]

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

- Carnival or circus (temporary). [By special authorization of the building official.]
- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

- Country club with private membership. [SUP]
- Private recreation center, club, or area. [SUP]
- Public park, playground, or golf course.

(I) Residential uses.

- Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]
- Single family.

(J) Retail and personal service uses.

None permitted.

(K) Transportation uses.

- Private street or alley. [SUP]
- Transit passenger shelter. [See Section 51A-4.211.]
- Transit passenger station or transfer center. [SUP]

(L) Utility and public service uses.

- Electrical substation. [SUP]
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station. [SUP]
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to

their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(B) In this district, the following accessory uses are permitted by SUP only:

- Accessory community center (private).

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. Minimum front yard is 20 feet.

(B) Side and rear yard. Minimum side and rear yard is:

- (i) five feet for single family structures; and
- (ii) 10 feet for other permitted structures.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 30 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

- (aa) 45 percent for residential structures; and
- (bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

- (i) Minimum lot area for residential use is 5,000 square feet.
- (ii) Repealed by Ord. 20441.
- (iii) Repealed by Ord. 20441.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(1) not be contrary to the public interest;

(2) not adversely affect neighboring properties; and

(3) not be used to conduct a use not permitted in this district. (Ord. Nos. 19455; 19786; 19808; 20122; 20384; 20441; 20625; 20950; 21002; 21044; 21314; 24543; 26920)

### SEC. 51A-4.113. DUPLEX [D(A)] DISTRICT.

(1) Purpose. Duplex dwellings have long been a recognized form of housing in the city. In order to provide standards which will protect and encourage the various types of duplex dwellings existing in the city, a duplex dwelling district with minimum area requirements is provided.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility. [SUP]

-- Cemetery or mausoleum. [SUP]

-- Child-care facility. [SUP]

-- Church.

-- College, university or seminary. [SUP]

-- Community service center [SUP]

-- Convent or monastery. [SUP]

-- Foster home. [SUP]

-- Library, art gallery, or museum. [SUP]

-- Public or private school. [SUP]

(E) Lodging uses.



None permitted.

(F) Miscellaneous uses.

- Carnival or circus (temporary). [By special authorization of the building official.]
- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

- Country club with private membership. [SUP]
- Private recreation center, club, or area. [SUP]
- Public park, playground, or golf course.

(I) Residential uses.

- Duplex.
- Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]
- Single family.

(J) Retail and personal service uses.

None permitted.

(K) Transportation uses.

- Private street or alley. [SUP]
- Transit passenger shelter. [See Section 51A-4.211.]
- Transit passenger station or transfer center. [SUP]

(L) Utility and public service uses.

- Electrical substation. [SUP]
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station. [SUP]
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory helistop.
- Accessory medical/ infectious waste incinerator.

- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(B) In this district, the following accessory uses are permitted by SUP only:

- Accessory community center (private).

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. Minimum front yard is 25 feet.

(B) Side and rear yard.

- (i) Minimum side and rear yard for single family structures is five feet.
- (ii) Minimum side yard for duplex structures is five feet.
- (iii) Minimum rear yard for duplex structures is 10 feet.
- (iv) Minimum side and rear yard for other permitted structures is 10 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

- (aa) 60 percent for residential structures; and
- (bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(G) Lot size.

- (i) Minimum lot area for residential use is 6,000 square feet.
- (ii) Repealed by Ord. 20441.
- (iii) Repealed by Ord. 20441.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

- (6) Environmental performance standards. See Article VI.
- (7) Landscape regulations. See Article X.
- (8) Additional provisions.

(A) Electrical service for duplex uses. In this district, a lot for a duplex use may be supplied by not more than one electrical utility service and metered by not more than two electrical meters. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than two electrical meters on a lot for a duplex use in this district when, in the opinion of the board, the special exception will:

- (i) not be contrary to the public interest;
- (ii) not adversely affect neighboring properties; and
- (iii) not be used to conduct a use not permitted in this district.

(B) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

- (i) not be contrary to the public interest;
- (ii) not adversely affect neighboring properties; and
- (iii) not be used to conduct a use not permitted in this district. (Ord. Nos. 19455; 19786; 19808; 20122; 20384; 20441; 20625; 20950; 21002; 21044; 21314; 24543; 26920)

#### SEC. 51A-4.114. TOWNHOUSE [TH-1(A), TH-2(A), and TH-3(A)] DISTRICTS.

(1) Purpose. These classifications create districts that are being recognized as a form of housing in the city, and provide standards which will protect and encourage various types of single family dwellings in the city. The townhouse districts are also established in an effort to provide a more dense single family residential character by providing minimum standards for lot area, yards, lot coverage, and lot frontage.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility. [SUP]

-- Cemetery or mausoleum. [SUP]

-- Child-care facility. [SUP]

-- Church.

-- College, university or seminary. [SUP]

- Community service center. [SUP]
  - Convalescent and nursing homes, hospice care, and related institutions. [SUP]
  - Convent or monastery. [SUP]
  - Foster home. [SUP]
  - Library, art gallery, or museum. [SUP]
  - Public or private school. [SUP]
- (E) Lodging uses.  
None permitted.
- (F) Miscellaneous uses.
- Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.  
None permitted.
- (H) Recreation uses.
- Country club with private membership. [SUP]
  - Private recreation center, club, or area. [SUP]
  - Public park, playground, or golf course.
- (I) Residential uses.
- Duplex.
  - Retirement housing. [SUP]
  - Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]
  - Single family.
- (J) Retail and personal service uses.  
None permitted.
- (K) Transportation uses.
- Private street or alley. [SUP]
  - Transit passenger shelter.
  - Transit passenger station or transfer center. [SUP]
- (L) Utility and public service uses.
- Electrical substation. [SUP]
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
  - Police or fire station. [SUP]
  - Radio, television, or microwave tower. [SUP]
  - Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
  - Utility or government installation other than listed. [SUP]
- (M) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in these districts:

- Accessory helistop.
- Accessory medical/ infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(B) In these districts, the following accessory uses are permitted by SUP only:

- Accessory community center (private).

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. No minimum front yard.

(B) Side and rear yard.

- (i) No minimum side and rear yard for single family structures.
- (ii) Minimum side yard for duplex structures is five feet.
- (iii) Minimum rear yard for duplex structures is 10 feet.
- (iv) Minimum side and rear yard for other permitted structures is 10 feet.

(v) If a townhouse district abuts a district that requires a greater side yard, the side yard requirements of the more restrictive district apply to the abutting side yard in the townhouse district.

(C) Dwelling unit density.

- (i) In a TH-1(A) district, no more than six dwelling units for each acre are allowed.
- (ii) In a TH-2(A) district, no more than nine dwelling units for each acre are allowed.
- (iii) In a TH-3(A) district, no more than 12 dwelling units for each acre are allowed.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

- (aa) 60 percent for residential structures; and
- (bb) 25 percent for nonresidential structures.

(ii) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(iii) In these districts, 80 percent of an individual lot may be covered by structures if the coverage for the total project does not exceed 60 percent and at least 40 percent is reserved for open space.

(G) Lot size.

(i) Minimum lot area for residential use is:

(aa) 2,000 square feet for single family structures; and

(bb) 6,000 square feet for duplex structures.

(ii) Repealed by Ord. 20441.

(iii) Repealed by Ord. 20441.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Single family structure spacing. In this district, a minimum of 15 feet between each group of eight single family structures must be provided by plat.

(B) Electrical service for single family uses. In this district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

(i) not be contrary to the public interest;

(ii) not adversely affect neighboring properties; and

(iii) not be used to conduct a use not permitted in this district.

(C) Electrical service for duplex uses. In this district, a lot for a duplex use may be supplied by not more than one electrical utility service and metered by not more than two electrical meters. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than two electrical meters on a lot for a duplex use in this district when, in the opinion of the board, the special exception will:

(i) not be contrary to the public interest;

(ii) not adversely affect neighboring properties; and

(iii) not be used to conduct a use not permitted in this district. (Ord. Nos. 19455; 19786; 19808; 19912; 19913; 20384; 20441; 20625; 20950; 21002; 21044; 21314; 24543; 26920)

**SEC. 51A-4.115. CLUSTERED HOUSING (CH) DISTRICT.**

(1) Purpose. To provide for the development and protection of areas of moderate density housing with flexibility to allow for common open space.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility. [SUP]

-- Cemetery or mausoleum. [SUP]

-- Child-care facility. [SUP]

-- Church.

-- College, university or seminary. [SUP]

-- Community service center. [SUP]

-- Convalescent and nursing homes, hospice care, and related institutions. [SUP]

-- Convent or monastery. [SUP]

-- Foster home.

-- Library, art gallery, or museum. [SUP]

-- Public or private school. [SUP]

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

-- Carnival or circus (temporary). [By special authorization of the building official.]

-- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

-- Country club with private membership. [RAR]

-- Private recreation center, club, or area. [SUP]

-- Public park, playground, or golf course.

(I) Residential uses.

- Duplex.
- Group residential facility. [See Section 51A-4.209(3).]
- Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]
- Multifamily.
- Retirement housing.
- Single family.

(J) Retail and personal service uses.

None permitted.

(K) Transportation uses.

- Private street or alley. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center. [SUP]

(L) Utility and public service uses.

- Electrical substation. [SUP]
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station. [SUP]
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(B) In this district, the following accessory uses are permitted by SUP only:

- Accessory community center (private).

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)



- (A) Front yard. Minimum front yard is:
  - (i) 15 feet where adjacent to an expressway or a thoroughfare; and
  - (ii) no minimum in all other cases.
- (B) Side and rear yard. Minimum side and rear yard is:
  - (i) 10 feet where adjacent to or directly across an alley from a zoning district other than a TH or TH(A) district; and
  - (ii) no minimum in all other cases.
- (C) Dwelling unit density. Maximum dwelling unit density is 18 dwelling units per net acre.
- (D) Floor area ratio. No maximum floor area ratio.
- (E) Height.
  - (i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. (See Section 51A-4.412.) Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.
  - (ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 36 feet.
- (F) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.
- (G) Lot size. Minimum lot size is 2,000 square feet for each dwelling unit.
- (H) Stories. No maximum number of stories.
- (5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally. In this district, off-street parking must be provided at or below ground level.
  - (6) Environmental performance standards. See Article VI.
  - (7) Landscape regulations. See Article X.
  - (8) Additional provisions.
    - (A) Minimum district size. A minimum of one-half acre is required for the establishment of this district unless the city council determines that a smaller district is justified in a transitional circumstance separating a residential district from a higher density district.
    - (B) Limit on attached units. No group of attached dwelling units may exceed eight in number. (Ord. Nos. 19455; 19786; 19808; 19912; 20384; 20625; 20950; 21002; 21044; 21186; 21314; 22139; 22782; 24543; 26920)

SEC. 51A-4.116. MULTIFAMILY DISTRICTS.

(a) MF-1(A) and MF-1(SAH) districts.

(1) Purpose. The MF-1(A) and MF-1(SAH) districts are composed mainly of areas containing mixtures of single family, duplex, and multifamily dwellings and certain uniformly developed multifamily dwelling sections. These districts are medium density districts and are located in certain areas close into the center of the city and at various outlying locations. The area regulations are designed to protect the residential character and to prevent the overcrowding of the land by providing minimum standards for building spacing, yards, off-street parking, and coverage. All commercial and office uses are prohibited. It is anticipated that additional areas may be designated in the MF-1(A) or MF-1(SAH) district from time to time in the future where the change is appropriate and access and utility services can reasonably accommodate these medium density dwellings. Additionally, the MF-1(SAH) district is created to encourage the provision of affordable housing.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility. [SUP]

-- Cemetery or mausoleum. [SUP]

-- Child-care facility. [SUP]

-- Church.

-- College, university or seminary. [SUP]

-- Community service center. [SUP]

-- Convalescent and nursing homes, hospice care, and related institutions. [RAR]

-- Convent or monastery.

-- Foster home.

-- Hospital. [SUP]

-- Library, art gallery, or museum. [SUP]

-- Public or private school. [SUP]

(E) Lodging uses.

None permitted.

- (F) Miscellaneous uses.
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
  - None permitted.
- (H) Recreation uses.
  - Country club with private membership. [RAR]
  - Private recreation center, club, or area. [SUP]
  - Public park, playground, or golf course.
- (I) Residential uses.
  - College dormitory, fraternity, or sorority house.
  - Duplex.
  - Group residential facility. [See Section 51A-4.209(3).]
  - Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]
  - Multifamily.
  - Retirement housing.
  - Single family.
- (J) Retail and personal service uses.
  - None permitted.
- (K) Transportation uses.
  - Transit passenger shelter.
  - Transit passenger station or transfer center. [SUP]
- (L) Utility and public service uses.
  - Electrical substation. [SUP]
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
  - Police or fire station. [SUP]
  - Radio, television, or microwave tower. [SUP]
  - Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
  - Utility or government installation other than listed. [SUP]
- (M) Wholesale, distribution, and storage uses.
  - Recycling drop-off container. [See Section 51A-4.213 (11.2).]
  - Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

- (A) The following accessory uses are not permitted in this district:

- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(B) In this district, the following accessory uses are permitted by SUP only:

- Accessory helistop.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/ infectious waste incinerator. [See Section 51A-4.217(3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400 . In the event of a conflict between this subsection and Division 51A-4.400 , Division 51A-4.400 controls.)

Except as provided in this paragraph, the following yard, lot, and space regulations apply:

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard.

(i) No minimum side and rear yard for single family structures.

(ii) Minimum side yard for duplex structures is five feet.

(iii) Minimum side yard for other permitted structures is 10 feet.

(iv) Minimum rear yard for duplex structures is 10 feet.

(v) Minimum rear yard for other permitted structures is 15 feet. A minimum rear yard of 10 feet may be provided when a building site backs upon an MF, MF(A), O-1, O-2, NO, NO(A), LO, LO(A), MO, MO(A), GO, GO(A), NS, NS(A), SC, CR, RR, GR, LC, HC, CS, CA-1, CA-1(A), CA-2, CA-2(A), I-1, I-2, I-3, LI, IR, IM, mixed use, or multiple commercial district.

(C) Dwelling unit density.

(i) MF-1(A) district. No maximum dwelling unit density.

(ii) MF-1(SAH) district. Maximum dwelling unit density varies depending on whether a density bonus is obtained in accordance with Division 51A-4.900 as follows:

**MAXIMUM DWELLING UNIT DENSITY**

(dwelling units per net acre)

Percentage of SAH Units Provided

Dwelling Units Permitted

0%

15

5%

16

10%

17

15%

20

20%

30

(D) Floor area ratio. No maximum floor area ratio.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. (See Section 51A-4.412 .) Exception: Except for chimneys, structures listed in Section 51A-4.408 (a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 60 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. Minimum lot area per dwelling unit is as follows:

TYPE OF STRUCTURE	MINIMUM LOT AREA PER DWELLING UNIT
TYPE OF STRUCTURE	MINIMUM LOT AREA PER DWELLING UNIT
Single family	3,000 sq. ft.
Duplex	3,000 sq. ft.
Multifamily:	
No separate bedroom	1,000 sq. ft.
One bedroom	1,400 sq. ft.
Two bedrooms	1,800 sq. ft.
More than two bedrooms (Add this amount for each bedroom over two)	200 sq. ft.

(H) Stories. No maximum number of stories.

(I) Development bonuses for mixed-income housing. In an MF-1(A) district, lot coverage, lot size, and height may vary depending on whether a development bonus is obtained in accordance with Division 51A-4.1100 as follows:

(i) Height and lot coverage. Except as provided in this paragraph, the following increased height and lot coverage requirements apply:

	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Maximum Height	Maximum Lot coverage (residential)
MVA Categories A, B, C	5% at Income band 3;	51 ft.	80%
	5% at Income band 3; and 5% at Income band 2	66 ft.	80%
	5% at Income band 3; 5% at Income band 2; and 5% at Income band 1	85 ft.	85%
MVA Categories D, E, F	5% at Income band 2;	51 ft.	80%
	10% at Income band 2	66 ft.	80%
	10% at Income band 2; and 5% at Income band 1	85 ft.	85%
MVA Categories G, H, I	5% at Income band 1	85 ft.	85%

(ii) Residential proximity slope. In addition to the items listed in Section 51A-4.408 (a)(2)(A), the following additional items may project through the residential proximity slope to a height not to exceed the maximum structure height, or four feet above the slope, whichever is less:

- (aa) railings;
- (bb) parapet walls;
- (cc) trellises; and
- (dd) structures such as wind barriers, wing walls, and patio dividing walls.

(iii) No minimum lot area per dwelling unit. No minimum lot area per dwelling unit is required for qualifying developments.

(iv) Developments with transit proximity. For a development with transit proximity as defined in Section 51A-4.1102 , maximum lot coverage is 85 percent.

(v) Urban form setback. An additional 10-foot front yard setback is required for that portion of a structure above 45 feet in height.

(vi) Retirement housing. The density limits in Section 51A-4.209 (b)(5.2)(E)(ii) do not apply.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Single family structure spacing. In this district, a minimum of 15 feet between each group of eight single family structures must be provided by plat.

**(b) MF-2(A) and MF-2(SAH) districts.**

(1) Purpose. The MF-2(A) and MF-2(SAH) districts are composed mainly of areas containing mixtures of single family, duplex, and multifamily dwellings and certain uniformly developed multifamily dwelling sections. These districts are medium density districts and are located in certain areas close into the center of the city and at various outlying locations. The area regulations are designed to protect the residential character and to prevent the overcrowding of the land by providing minimum standards for building spacing, yards, off-street parking, and coverage. All commercial and office uses are prohibited. It is anticipated that additional areas may be designated in the MF-2(A) or MF-2(SAH) district from time to time in the future where the change is appropriate and access and utility services can reasonably accommodate these medium density dwellings. Additionally, the MF-2(SAH) district is created to encourage the provision of affordable housing.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official- SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility. [SUP]

-- Cemetery or mausoleum. [SUP]

- Child-care facility. [SUP]
- Church.
- College, university or seminary. [SUP]
- Community service center. [SUP]
- Convalescent and nursing homes, hospice care, and related institutions. [RAR]
- Convent or monastery.
- Foster home.
- Hospital. [SUP]
- Library, art gallery, or museum. [SUP]
- Public or private school. [SUP]
- (E) Lodging uses.
  - Lodging or boarding house.
- (F) Miscellaneous uses.
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
 

None permitted.
- (H) Recreation uses.
  - Country club with private membership. [RAR]
  - Private recreation center, club, or area. [SUP]
  - Public park, playground, or golf course.
- (I) Residential uses.
  - College dormitory, fraternity, or sorority house.
  - Duplex.
  - Group residential facility. [See Section 51A-4.209(3).]
  - Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]
  - Multifamily.
  - Residential hotel.
  - Retirement housing.
  - Single family.
- (J) Retail and personal service uses.
 

None permitted.
- (K) Transportation uses.
  - Transit passenger shelter.
  - Transit passenger station or transfer center. [SUP]
- (L) Utility and public service uses.



- Electrical substation. [SUP]
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station. [SUP]
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(B) In this district, the following accessory uses are permitted by SUP only:

- Accessory helistop.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/infectious waste incinerator. [See Section 51A-4.217(3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400 . In the event of a conflict between this subsection and Division 51A-4.400 , Division 51A-4.400 controls.)

Except as provided in this paragraph, the following yard, lot, and space regulations apply:

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard.

- (i) No minimum side and rear yard for single family structures.
- (ii) Minimum side yard for duplex structures is five feet.
- (iii) Minimum side yard for other permitted structures is 10 feet.
- (iv) Minimum rear yard for duplex structures is 10 feet.

(v) Minimum rear yard for other permitted structures is 15 feet. A minimum rear yard of 10 feet may be provided when a building site backs upon an MF, MF(A), O-1, O-2, NO, NO(A), LO, LO(A), MO, MO(A), GO, GO(A), NS, NS(A), SC, CR, RR, GR, LC, HC, CS, CA-1, CA-1(A), CA-2, CA-2(A), I-1, I-2, I-3, LI, IR, IM, mixed use, or multiple commercial district.

(C) Dwelling unit density.

- (i) MF-2(A) district. No maximum dwelling unit density.

(ii) MF-2(SAH) district. Maximum dwelling unit density varies depending on whether a density bonus is obtained in accordance with Division 51A-4.900 as follows:

**MAXIMUM DWELLING UNIT DENSITY**

(dwelling units per net acre)

Percentage of SAH

Units Provided

Dwelling Units

Permitted

0%

20

5%

22

10%

24

15%

30

20%

40

(D) Floor area ratio. No maximum floor area ratio.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. (See Section 51A-4.412 .) Exception: Except for chimneys, structures listed in Section 51A-4.408 (a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 60 percent for residential structures; and

(bb) 50 percent for nonresidential structures.

(ii) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. Minimum lot area per dwelling unit is as follows:

TYPE OF STRUCTURE

MINIMUM LOT AREA PER

TYPE OF STRUCTURE	DWELLING UNIT MINIMUM LOT AREA PER DWELLING UNIT
Single family	1,000 sq. ft.
Duplex	3,000 sq. ft.
Multifamily:	
No separate bedroom	800 sq. ft.
One bedroom	1,000 sq. ft.
Two bedrooms	1,200 sq. ft.
More than two bedrooms (Add this amount for each bedroom over two)	150 sq. ft.

(H) Stories. No maximum number of stories.

(I) Development bonuses for mixed-income housing. In an MF-2(A) district, lot coverage, lot size per bedroom, and height may vary depending on whether a development bonus is obtained in accordance with Division 51A-4.1100 as follows:

(i) Height and lot coverage. Except as provided in this paragraph, the following increased height and lot coverage requirements apply:

	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Maximum Height	Maximum Lot coverage (residential)
MVA Categories A, B, C	5% at Income band 3	51 ft.	80%
	5% at Income band 3; and 5% at Income band 2	66 ft.	80%
	5% at Income band 3; 5% at Income band 2; and 5% at Income band 1	85 ft.	85%
MVA Categories D, E, F	5% at Income band 2	51 ft.	80%
	10% at Income band 2	66 ft.	80%
	10% at Income band 2; and 5% at Income band 1	85 ft.	85%

MVA  
Categories G,  
H, I

5% at Income band 1

85 ft.

85%

(ii) Residential proximity slope. In addition to the items listed in Section 51A-4.408 (a)(2)(A), the following additional items may project through the residential proximity slope to a height not to exceed the maximum structure height, or four feet above the slope, whichever is less:

- (aa) railings;
- (bb) parapet walls;
- (cc) trellises; and
- (dd) structures such as wind barriers, wing walls, and patio dividing walls.

(iii) No minimum lot area per dwelling unit. No minimum lot area per dwelling unit is required for qualifying developments,

(iv) Developments with transit proximity. For a development with transit proximity as defined in Section 51A-4.1102 , maximum lot coverage is 85 percent.

(v) Urban form setback. An additional 10-foot front yard setback is required for that portion of a structure above 45 feet in height.

(vi) Retirement housing. The density limits in Section 51A-4.209 (b)(5.2)(E)(ii) do not apply.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Single family structure spacing. In this district, a minimum of 15 feet between each group of eight single family structures must be provided by plat.

**(c) MF-3(A) district.**

(1) Purpose. To provide for the development and protection of midrise, medium density multifamily residential dwellings built on one lot. This district is not intended to be located in areas of low density residential development.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

None permitted.

- (C) Industrial uses.
  - Gas drilling and production. [SUP]
  - Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~
- (D) Institutional and community service uses.
  - Adult day care facility. [L] [SUP]
  - Cemetery or mausoleum. [SUP]
  - Child-care facility. [L] [SUP]
  - Church.
  - College, university or seminary. [SUP]
  - Community service center. [SUP]
  - Convalescent and nursing homes, hospice care, and related institutions. [RAR]
  - Convent or monastery.
  - Foster home.
  - Hospital. [SUP]
  - Library, art gallery, or museum. [SUP]
  - Public or private school. [SUP]
- (E) Lodging uses.
  - Lodging or boarding house.
- (F) Miscellaneous uses.
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.

None permitted.
- (H) Recreation uses.
  - Country club with private membership. [RAR]
  - Private recreation center, club, or area. [SUP]
  - Public park, playground, or golf course.
- (I) Residential uses.
  - College dormitory, fraternity, or sorority house.
  - Group residential facility. [See Section 51A-4.209(3).]
  - Multifamily.
  - Residential hotel.
  - Retirement housing.
- (J) Retail and personal service uses.
  - Dry cleaning or laundry store. [L]
  - General merchandise or food store 3,500 square feet or less. [L]

- Motor vehicle fueling station. [SUP]
- Personal service uses. [L]
- (K) Transportation uses.
  - Transit passenger shelter.
  - Transit passenger station or transfer center. [SUP]
- (L) Utility and public service uses.
  - Electrical substation. [SUP]
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
  - Police or fire station. [SUP]
  - Post office. [SUP]
  - Radio, television, or microwave tower. [SUP]
  - Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
  - Utility or government installation other than listed. [SUP]
- (M) Wholesale, distribution, and storage uses.
  - Recycling drop-off container. [See Section 51A-4.213 (11.2).]
  - Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

- (A) The following accessory uses are not permitted in this district:
  - Accessory outside display of merchandise.
  - Accessory outside sales.
  - Accessory pathological waste incinerator.
- (B) In this district, the following accessory uses are permitted by SUP only:
  - Accessory helistop.
  - Amateur communication tower.
- (C) In this district, an SUP may be required for the following accessory uses:
  - Accessory medical/infectious waste incinerator. [See Section 51A-4.217(3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400 . In the event of a conflict between this subsection and Division 51A-4.400 , Division 51A-4.400 controls.)

Except as provided in this paragraph, the following yard, lot, and space regulations apply:

- (A) Front yard.
  - (i) In general. Minimum front yard is 15 feet.
  - (ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure over 45 feet in height.

(B) Side and rear yard.

(i) In general. Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) district; and

(bb) 10 feet in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density. Maximum dwelling unit density is 90 dwelling units per net acre.

(D) Floor area ratio. Maximum floor area ratio is 2.0.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. (See Section 51A-4.412 .) Exception: Except for chimneys, structures listed in Section 51A-4.408 (a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 90 feet.

(F) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size.

(i) Minimum lot size for residential use is 6,000 square feet.

(ii) Minimum lot area per dwelling unit is as follows:

TYPE OF STRUCTURE	MINIMUM LOT AREA PER DWELLING UNIT
Multifamily:	
No separate bedroom	450 sq. ft.
One bedroom	500 sq. ft.
Two bedrooms	550 sq. ft.
More than two bedrooms (Add this amount for each bedroom over two)	50 sq. ft.

(H) Stories. No maximum number of stories.

(I) Development bonuses for mixed-income housing. In an MF-3(A) district, lot coverage, lot size per bedroom, and height may vary depending on whether a development bonus is obtained in accordance with Division 51A-4.1100 as follows:

(i) Height and lot coverage. Except as provided in this paragraph, the following increased height and lot coverage requirements apply:

	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Maximum Unit Density per Acre	Maximum Height	Maximum Lot coverage (residential)
MVA Categories A, B, C	5% at Income band 3	100	90 ft.	80%
	5% at Income band 3 and 5% at Income band 2	120	105 ft.	80%
	5% at Income band 3 and 5% at Income band 2 and 5% at Income band 1	150	120 ft.	85%
MVA Categories D, E, F	5% at Income band 2	100	90 ft.	80%
	10% at Income band 2	120	105 ft.	80%
	10% at Income band 2 and 5% at Income band 1	150	120 ft.	85%
MVA Categories G, H, I	5% at Income band 1	150	120 ft.	85%

(ii) Residential proximity slope. In addition to the items listed in Section 51A-4.408 (a)(2)(A), the following additional items may project through the residential proximity slope to a height not to exceed the maximum structure height, or four feet above the slope, whichever is less:

- (aa) railings;
- (bb) parapet walls;
- (cc) trellises; and



(dd) structures such as wind barriers, wing walls, and patio dividing walls.

(iii) No minimum lot area per dwelling unit. No minimum lot area per dwelling unit is required for qualifying developments.

(iv) Floor area ratio. Maximum floor area ratio includes non-residential uses only.

(v) Developments with transit proximity. For developments with transit proximity as defined in Section 51A-4.1102 , maximum lot coverage is 85 percent.

(vi) Retirement housing. The density limits in Section 51A-4.209 (b)(5.2)(E)(ii) do not apply.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions. None.

**(d) MF-4(A) district.**

(1) Purpose. To provide for the development and protection of highrise, high density multifamily residential dwellings built on one lot. This district is not intended to be located in areas of low and medium density residential development.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official- SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility. [L] [SUP]

-- Cemetery or mausoleum. [SUP]

-- Child-care facility. [L] [SUP]

-- Church.

-- College, university or seminary. [SUP]

-- Community service center. [SUP]

-- Convalescent and nursing homes, hospice care, and related institutions. [RAR]

-- Convent or monastery.

-- Foster home.

- Hospital. [SUP]
- Library, art gallery, or museum. [SUP]
- Public or private school. [SUP]
- (E) Lodging uses.
  - Lodging or boarding house.
- (F) Miscellaneous uses.
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
  - None permitted.
- (H) Recreation uses.
  - Country club with private membership. [RAR]
  - Private recreation center, club, or area. [SUP]
  - Public park, playground, or golf course.
- (I) Residential uses.
  - College dormitory, fraternity, or sorority house.
  - Group residential facility. [See Section 51A-4.209(3).]
  - Multifamily.
  - Residential hotel.
  - Retirement housing.
- (J) Retail and personal service uses.
  - Alcoholic beverage establishments. [See Section 51A-4.210 (b)(4).]
  - Dry cleaning or laundry store. [L]
  - General merchandise or food store 3,500 square feet or less. [L]
  - Motor vehicle fueling station. [SUP]
  - Personal service uses. [L]
  - Restaurant without drive-in or drive-through service. [L] [RAR]
  - Theater. [SUP]
- (K) Transportation uses.
  - Transit passenger shelter.
  - Transit passenger station or transfer center. [SUP]
- (L) Utility and public service uses.
  - Electrical substation. [SUP]
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
  - Police or fire station. [SUP]
  - Post office. [SUP]

- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(B) In this district, the following accessory uses are permitted by SUP only:

- Accessory helistop.
- Amateur communication tower.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/infectious waste incinerator. [See Section 51A-4.217(3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard.

- (i) Minimum front yard is 15 feet.
- (ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure over 45 feet in height.

(B) Side and rear yard.

- (i) Minimum side and rear yard is:
  - (aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) district; and
  - (bb) 10 feet in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density. Maximum dwelling unit density is 160 dwelling units per net acre.

(D) Floor area ratio. Maximum floor area ratio is 4.0.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. (See Section 51A-4.412.) Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 240 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size.

(i) Minimum lot size is 6,000 square feet.

(ii) Minimum lot area per dwelling unit is as follows:

TYPE OF STRUCTURE	MINIMUM LOT AREA PER DWELLING UNIT
Multifamily:	
No separate bedroom	225 sq. ft.
One bedroom	275 sq. ft.
Two bedrooms	325 sq. ft.
More than two bedrooms (Add this amount for each bedroom over two)	50 sq. ft.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions. None. (Ord. Nos. 19455; 19786; 19808; 19912; 19913; 20384; 20441; 20625; 20920; 20950; 21002; 21044; 31314; 21663; 21735; 22139; 22531; 22782; 24543; 26920; [31152](#))

**SEC. 51A-4.117. MANUFACTURED HOME [MH(A)] DISTRICT.**

(1) Purpose. The manufactured home is recognized as a specific form of housing for which accommodations should be provided. To provide appropriate standards for density,

spacing, and use, a separate district is created and designated for the specific purpose of providing at appropriate locations, area for the development of manufactured home parks, courts, or subdivisions. In certain commercial and industrial districts, a manufactured home development may be provided for by amending the zoning district map where these projects are appropriate by approval of a specific use permit. The standards for commercial manufactured home development for transient occupancy differ from those of a manufactured home subdivision where more or less permanent occupancy is anticipated.

(2) Main uses permitted.

(A) Agricultural uses.

- Crop production.

(B) Commercial and business service uses.

None permitted.

(C) Industrial uses.

- Gas drilling and production. [SUP]
- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

(D) Institutional and community service uses.

- Adult day care facility. [SUP]
- Cemetery or mausoleum. [SUP]
- Child-care facility. [SUP]
- Church.
- Community service center. [SUP]
- Foster home. [SUP]
- Library, art gallery, or museum. [SUP]
- Public or private school. [SUP]

(E) Lodging uses.

None permitted.

(F) Miscellaneous uses.

- Carnival or circus (temporary). [By special authorization of the building official.]
- Temporary construction or sales office.

(G) Office uses.

None permitted.

(H) Recreation uses.

- Country club with private membership. [RAR]
- Public park, playground, or golf course.

(I) Residential uses.

- College dormitory, fraternity, or sorority house.
- Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]

- Manufactured home park or subdivision.
- Single family.
- (J) Retail and personal service uses.  
None permitted.
- (K) Transportation uses.
  - Transit passenger shelter.
  - Transit passenger station or transfer center. [SUP]
- (L) Utility and public service uses.
  - Electrical substation. [SUP]
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
  - Police or fire station. [SUP]
  - Radio, television, or microwave tower. [SUP]
  - Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
  - Utility or government installation other than listed. [SUP]
- (M) Wholesale, distribution, and storage uses.
  - Recycling drop-off container. [See Section 51A-4.213 (11.2).]
  - Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard.

(i) Minimum front yard is 20 feet.

(ii) In this district, a manufactured home may not be located closer than 20 feet to a public street right-of-way or a private drive used for access, circulation, or service to a lot or stand where a manufactured home is located.

(B) Side and rear yard. Minimum side and rear yard is ten feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. No maximum floor area ratio.

(E) Height. Maximum structure height is 24 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 20 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size.

(i) In this district, a manufactured home must have the following minimum lot area:

(aa) 1,500 square feet for a manufactured home on a transient stand; or

(bb) 4,000 square feet for a manufactured home on a subdivided lot.

(ii) Repealed by Ord. 20441.

(iii) Repealed by Ord. 20441.

(H) Stories. No maximum number of stories.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) In this district, no person may locate a manufactured home nearer than 10 feet to the side line of any lot or stand, and the minimum space between adjacent manufactured homes must be 20 feet. (Ord. Nos. 19455; 19786; 20360; 20441; 20625; 20950; 21002; 21044; 21314; 21442; 22392; 24543; 26920)

SECS. 51A-4.118 THRU 51A-4.119. RESERVED.

(Ord. Nos. 19455; 19786)

Division 51A-4.120. Nonresidential District Regulations.

SEC. 51A-4.121. OFFICE DISTRICTS.

(a) **Neighborhood office [NO(A)] district.**

(1) Purpose. This district represents a group of uses that is restricted to office uses which predominantly serve neighborhood or community needs. They are, therefore, compatible with and are intended for location adjacent to single family, duplex, and townhouse neighborhoods. This district is designed to preserve the environmental quality of neighborhood areas.

- (2) Main uses permitted.
  - (A) Agricultural uses.
    - Crop production.
  - (B) Commercial and business service uses.
    - None permitted.
  - (C) Industrial uses.
    - Gas drilling and production. [SUP]
    - Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~
  - (D) Institutional and community service uses.
    - Adult day care facility. [L]
    - Cemetery or mausoleum. [SUP]
    - Child-care facility. [L]
    - Church.
    - Community service center. [SUP]
    - Library, art gallery, or museum.
    - Open-enrollment charter school or private school. [SUP]
    - Public school other than an open-enrollment charter school. [RAR]
  - (E) Lodging uses.
    - None permitted.
  - (F) Miscellaneous uses.
    - Attached non-premise sign. [SUP]
    - Carnival or circus (temporary). [By special authorization of the building official.]
    - Temporary construction or sales office.
  - (G) Office uses.
    - Financial institution without drive-in window.
    - Medical clinic or ambulatory surgical center.
    - Office.
  - (H) Recreation uses.
    - Country club with private membership.
    - Private recreation center, club, or area. [SUP]
    - Public park, playground, or golf course.
  - (I) Residential uses.
    - College dormitory, fraternity or sorority house. [SUP]
  - (J) Retail and personal service uses.
    - Business school. [SUP]
    - Personal service use up to 1,000 square feet in floor area. [L]



- Restaurant without drive-in or drive-thru service. [SUP]

(K) Transportation uses.

- Transit passenger shelter.

- Transit passenger station or transfer center. [ By SUP or city council resolution.

See Section 51A-4.211.]

(L) Utility and public service uses.

- Electrical substation. [SUP]

- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]

- Police or fire station. [SUP]

- Radio, television, or microwave tower. [SUP]

- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]

- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213 (11.2).]

- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

- Accessory community center (private).

- Accessory helistop.

- Accessory medical/infectious waste incinerator.

- Accessory outside display of merchandise.

- Accessory outside sales.

- Accessory pathological waste incinerator.

- Amateur communication tower.

- Home occupation.

- Private stable.

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard. Minimum side and rear yard is:

- (i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

- (ii) no minimum in all other cases.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is 0.5.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is:

(aa) 35 feet for a structure with a gable, hip, or gambrel roof; and

(bb) 30 feet for any other structure.

(F) Lot coverage. Maximum lot coverage is 50 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories above grade is two. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading.

(A) In general. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(B) Special off-street loading provisions.

(i) In this district, off-street loading spaces may not be located in the required front yard.

(ii) In this district, off-street loading spaces may be located in the front yard behind the setback line if they are screened from the street. Screening must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods described in Section 51A-4.602(b)(3).

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF- 2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(C) Garbage collection and mechanical equipment areas. Garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH district, or that portion of a planned development district restricted to single family and/or duplex uses.

(D) Screening surface parking lots from street. In this district, all off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(E) Screening side and rear yards from residential districts. In this district, if a building or parking structure is erected on a building site and a portion of the side or rear yard abuts or is across an adjoining alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district, any portion of the building site directly across from that district must be screened from that district.

**(b) LO(A) districts (LO-1, LO-2, and LO-3).**

(1) Purpose. These districts represent a group of uses that is restricted to office uses which predominantly serve neighborhood or community needs. In addition, certain limited service uses are allowed where they are contained primarily within the building and primarily serve the occupants of the building and not the general public.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

-- Catering service. [L]

-- Medical or scientific laboratory. [SUP]

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility. [L]

-- Cemetery or mausoleum. [SUP]

-- Child-care facility. [L]

-- Church.

-- College, university, or seminary.

-- Community service center. [SUP]

- Convent or monastery.
  - Library, art gallery, or museum.
  - Open-enrollment charter school or private school. [SUP]
  - Public school other than an open-enrollment charter school. [RAR]
- (E) Lodging uses.
- Overnight general purpose shelter. [See Section 51A-4.205 (2.1)]
- (F) Miscellaneous uses.
- Attached non-premise sign. [SUP]
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
- Alternative financial establishment. [SUP]
  - Financial institution without drive-in window.
  - Financial institution with drive-in window. [SUP]
  - Medical clinic or ambulatory surgical center.
  - Office.
- (H) Recreation uses.
- Country club with private membership.
  - Private recreation center, club, or area. [SUP]
  - Public park, playground, or golf course.
- (I) Residential uses.
- College dormitory, fraternity or sorority house.
- (J) Retail and personal service uses.
- Alcoholic beverage establishments. [See Section 51A-4.210 (b)(4).]
  - Business school.
  - Dry cleaning or laundry store. [L]
  - General merchandise or food store 3,500 square feet or less. [L]
  - Personal service uses. [L]
  - Restaurant without drive-in or drive-through service. [L] [RAR]
- (K) Transportation uses.
- Transit passenger shelter.
  - Transit passenger station or transfer center. [By SUP or city council resolution.  
See Section 51A-4.211.]
- (L) Utility and public service uses.
- Commercial radio or television transmitting station. [SUP]
  - Electrical substation.
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]

- Police or fire station. [SUP]
- Post office. [SUP]
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.
- Home occupation.
- Private stable.

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard.

- (i) Minimum front yard is 15 feet.
- (ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure over 45 feet in height.

(B) Side and rear yard.

- (i) Minimum side and rear yard is:
  - (aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and
  - (bb) no minimum in all other cases.
- (ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is:

- (i) 1.0 in the LO-1 district;
- (ii) 1.5 in the LO-2 district; and
- (iii) 1.75 in the LO-3 district.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is:

- (aa) 70 feet in the LO-1 district;
- (bb) 95 feet in the LO-2 district; and
- (cc) 115 feet in the LO-3 district.

(F) Lot coverage: Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories.

(i) Maximum number of stories above grade is:

- (aa) five in the LO-1 district;
- (bb) seven in the LO-2 district; and
- (cc) nine in the LO-3 district.

(ii) Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading.

(A) In general. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(B) Special off-street loading provisions.

(i) In these districts, off-street loading spaces may not be located in the required front yard.

(ii) In these districts, off-street loading spaces may be located in the front yard behind the setback line if they are screened from the street. Screening must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods described in Section 51A-4.602(b)(3).

- (6) Environmental performance standards. See Article VI.
- (7) Landscape regulations. See Article X.
- (8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in these districts if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF- 2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(C) Garbage collection and mechanical equipment areas. Garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH district, or that portion of a planned development district restricted to single family and/or duplex uses.

(D) Screening surface parking lots from street. In these districts, all off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(E) Screening side and rear yards from residential districts. In these districts, if a building or parking structure is erected on a building site and a portion of the side or rear yard abuts or is across an adjoining alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district, any portion of the building site directly across from that district must be screened from that district.

**(c) MO(A) districts (MO-1 and MO-2).**

(1) Purpose. These districts represent a group of uses that is restricted to office and limited service uses, which serve the building occupants. These districts are intended to serve both community and city-wide needs, and should be located adjacent to higher density residential, and low and medium density office, retail, commercial, and light industrial districts. In addition to office uses, certain complementary retail uses are permitted in these districts in order to meet the day-to-day retail needs of area residents and office patrons.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

-- Catering service. [L]

-- Electronics service center. [L]

-- Medical or scientific laboratory.

- (C) Industrial uses.
  - Gas drilling and production. [SUP]
  - Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~
- (D) Institutional and community service uses.
  - Adult day care facility. [L]
  - Cemetery or mausoleum. [SUP]
  - Child-care facility. [L]
  - Church.
  - College, university, or seminary.
  - Community service center. [SUP]
  - Convent or monastery.
  - Hospital. [SUP]
  - Library, art gallery, or museum.
  - Open-enrollment charter school or private school. [SUP]
  - Public school other than an open-enrollment charter school. [RAR]
- (E) Lodging uses.
  - Extended stay hotel or motel. [SUP]
  - Hotel or motel. [RAR] or [SUP] [See Section 51A-4.205(1).]
  - Overnight general purpose shelter. [See Section 51A-4.205(2.1).]
- (F) Miscellaneous uses.
  - Attached non-premise sign. [SUP]
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
  - Alternative financial establishment. [SUP]
  - Financial institution without drive-in window.
  - Financial institution with drive-in window. [DIR]
  - Medical clinic or ambulatory surgical center.
  - Office.
- (H) Recreation uses.
  - Country club with private membership.
  - Private recreation center, club, or area. [SUP]
  - Public park, playground, or golf course.
- (I) Residential uses.
  - College dormitory, fraternity or sorority house.
- (J) Retail and personal service uses.



- Alcoholic beverage establishments. [See Section 51A-4.210 (b)(4).]
- Business school.
- Dry cleaning or laundry store. [L]
- General merchandise or food store 3,500 square feet or less. [L]
- Motor vehicle fueling station. [L]
- Personal service uses. [L]
- Restaurant without drive-in or drive-through service. [L] [RAR]
- Theater. [SUP]

(K) Transportation uses.

- Helistop. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution.

See Section 51A-4.211.]

(L) Utility and public service uses.

- Commercial radio or television transmitting station. [SUP]
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station. [SUP]
- Post office. [SUP]
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.
- Home occupation.
- Private stable.

(B) In these districts, the following accessory use is permitted by SUP only:

-- Accessory helistop.

(C) In this district, an SUP may be required for the following accessory uses:

-- Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure over 45 feet in height.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no minimum in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density. Not applicable.

(D) Floor area ratio. Maximum floor area ratio is:

(i) 2.0 in the MO-1 district; and

(ii) 3.0 in the MO-2 district.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is:

(aa) 135 feet in the MO-1 district; and

(bb) 160 feet in the MO-2 district.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories.

(i) Maximum number of stories above grade is:

(aa) 10 stories in the MO-1 district; and

(bb) 12 stories in the MO-2 district.

(ii) Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading.

(A) In general. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(B) Special off-street loading provisions.

(i) In these districts, off-street loading spaces may not be located in the required front yard.

(ii) In these districts, off-street loading spaces may be located in the front yard behind the setback line if they are screened from the street. Screening must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods described in Section 51A-4.602(b)(3).

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in these districts if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(C) Garbage collection and mechanical equipment areas. Garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH district, or that portion of a planned development district restricted to single family and/or duplex uses.

(D) Screening surface parking lots from street. In these districts, all off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(E) Screening side and rear yards from residential districts. In these districts, if a building or parking structure is erected on a building site and a portion of the side or rear

yard abuts or is across an adjoining alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district, any portion of the building site directly across from that district must be screened from that district.

**(d) General office [GO(A)] district.**

(1) Purpose. This district represents a group of uses which would accommodate sophisticated office developments and may include certain complementary retail and residential uses as a minor component of such developments. This district is intended to serve city-wide needs and should be located near higher density zoning districts, especially where the potential trip generation allowed by this group will have a minimal effect on low density communities.

(2) Main uses permitted.

(A) Agricultural uses.

- Crop production.

(B) Commercial and business service uses.

- Catering service. [L]
- Electronics service center. [L]
- Medical or scientific laboratory.

(C) Industrial uses.

- Gas drilling and production. [SUP]
- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

- Adult day care facility. [L]
- Cemetery or mausoleum. [SUP]
- Child-care facility. [L]
- Church.
- College, university, or seminary.
- Community service center. [SUP]
- Convent or monastery.
- Hospital. [RAR]
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school. [RAR]

(E) Lodging uses.

- Extended stay hotel or motel. [SUP]
- Hotel or motel. [RAR]
- Overnight general purpose shelter. [See Section 51A-4.205(2.1).]

(F) Miscellaneous uses.

- Attached non-premise sign. [SUP]
- Carnival or circus (temporary). [By special authorization of the building official.]
- Temporary construction or sales office.

(G) Office uses.

- Alternative financial establishment. [SUP]
- Financial institution without drive-in window.
- Financial institution with drive-in window. [DIR]
- Medical clinic or ambulatory surgical center.
- Office.

(H) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(I) Residential uses.

- College dormitory, fraternity or sorority house.
- Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]
- Single family, duplex, and multifamily uses may occupy up to five percent of the total floor area of any building. See the “additional provisions” [Paragraph (8)] in this subsection.

(J) Retail and personal service uses.\*

- Alcoholic beverage establishments. [See Section 51A-4.210 (b)(4).]
- Business school.
- Dry cleaning or laundry store.
- General merchandise or food store 3,500 square feet or less.
- Motor vehicle fueling station. [L]
- Nursery, garden shop, or plant sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service. [RAR]
- Theater. [SUP]

\*In this district, a retail and personal service use: (1) must be contained entirely within a building; and (2) may not have a floor area that, in combination with the floor areas of other retail and personal service uses in the building, exceeds 10 percent of the total floor area of the building.

(K) Transportation uses.

- Helistop. [SUP]
- Railroad passenger station. [SUP]
- Transit passenger shelter.

-- Transit passenger station or transfer center. [By SUP or city council resolution. See Section 51A-4.211.]

(L) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [RAR]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in these districts:

(A) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory pathological waste incinerator.
- Home occupation.
- Private stable.

(B) Reserved.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard.

- (i) Minimum front yard is 15 feet.
- (ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure over 45 feet in height.

(B) Side and rear yard.

- (i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no minimum in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is 4.0.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 270 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories above grade is 20. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading.

(A) In general. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(B) Special off-street loading provisions.

(i) In this district, off-street loading spaces may not be located in the required front yard.

(ii) In this district, off-street loading spaces may be located in the front yard behind the setback line if they are screened from the street. Screening must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods described in Section 51A-4.602(b)(3).

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(C) Garbage collection and mechanical equipment areas. Garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site in an R, R(A), D, D(A), TH, TH(A), or CH district, or that portion of a planned development district restricted to single family and/or duplex uses.

(D) Screening surface parking lots from street. In this district, all off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street. For more information regarding this requirement, see Section 51A-4.301.

(E) Screening side and rear yards from residential districts. In this district, if a building or parking structure is erected on a building site and a portion of the side or rear yard abuts or is across an adjoining alley from an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district, any portion of the building site directly across from that district must be screened from that district.

(F) Residential use restrictions. In this district, single family, duplex, and multifamily uses are permitted as a component of a building if they collectively comprise no more than five percent of the total floor area of the building.

(G) Retail and personal service use restrictions. In this district, a retail and personal service use:

(i) must be contained entirely within a building; and

(ii) may not have a floor area that, in combination with the floor areas of other retail and personal service uses in the building, exceeds 10 percent of the total area of the building. (Ord. Nos. 19455; 19786; 19806; 19808; 19873; 19928; 20382; 20625; 20920; 20950; 21002; 21044; 21314; 21399; 21442; 21663; 21735; 22392; 22531; 22782; 24232; 24271; 24543; 24857; 25815; 26920; 28214)

#### SEC. 51A-4.122. RETAIL DISTRICTS.

##### (a) Neighborhood service [NS(A)] district.

(1) Purpose. To accommodate convenience retail shopping, services, and professional offices principally servicing and compatible in scale and intensity of use with adjacent residential uses.

(2) Main uses permitted.

(A) Agricultural uses.



- Crop production.
- (B) Commercial and business service uses.
  - None permitted.
- (C) Industrial uses.
  - Gas drilling and production. [SUP]
  - Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official.] SUP]~~
- (D) Institutional and community service uses.
  - Adult day care facility.
  - Cemetery or mausoleum. [SUP]
  - Child-care facility.
  - Church.
  - College, university, or seminary. [SUP]
  - Community service center. [SUP]
  - Convent or monastery.
  - Library, art gallery, or museum.
  - Open-enrollment charter school or private school. [SUP]
  - Public school other than an open-enrollment charter school. [RAR]
- (E) Lodging uses.
  - None permitted.
- (F) Miscellaneous uses.
  - Attached non-premise sign. [SUP]
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
  - Financial institution without drive-in window.
  - Medical clinic or ambulatory surgical center.
  - Office.
- (H) Recreation uses.
  - Country club with private membership.
  - Private recreation center, club, or area. [SUP]
  - Public park, playground, or golf course.
- (I) Residential uses.
  - College dormitory, fraternity, or sorority house. [SUP]
- (J) Retail and personal service uses.
  - Dry cleaning or laundry store.
  - General merchandise or food store 3,500 square feet or less.

- Motor vehicle fueling station. [SUP]
- Personal service uses.
- Restaurant without drive-in or drive-through service. [RAR]

(K) Transportation uses.

- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution.

See Section 51A-4.211.]

(L) Utility and public service uses.

- Electrical substation. [SUP]
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station. [SUP]
- Post office. [SUP]
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Home occupation.
- Private stable.

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(ii) no minimum in all other cases.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is 0.5.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is:

(aa) 35 feet for a structure with a gable, hip, or gambrel roof; and

(bb) 30 feet for any other structure.

(F) Lot coverage. Maximum lot coverage is 40 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories above grade is two. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF- 2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

**(b) Community retail (CR) district.**

(1) Purpose. To provide for the development of community-serving retail, personal service, and office uses at a scale and intensity compatible with residential communities.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

-- Building repair and maintenance shop. [RAR]

-- Catering service.

-- Custom business services.

-- Electronics service center.

-- Medical or scientific laboratory. [SUP]

-- Tool or equipment rental.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official.] SUP~~

(D) Institutional and community service uses.

-- Adult day care facility.

-- Cemetery or mausoleum. [SUP]

-- Child-care facility.

-- Church.

-- College, university, or seminary.

-- Community service center. [SUP]

-- Convent or monastery.

-- Hospital. [SUP]

-- Library, art gallery, or museum.

-- Open-enrollment charter school or private school. [SUP]

-- Public school other than an open-enrollment charter school. [RAR]

(E) Lodging uses.

-- Hotel and motel. [SUP]

-- Lodging or boarding house. [SUP]

-- Overnight general purpose shelter. [See Section 51A-4.205 (2.1)]

(F) Miscellaneous uses.

-- Attached non-premise sign. [SUP]

-- Carnival or circus (temporary). [By special authorization of the building official.]

-- Temporary construction or sales office.

(G) Office uses.

- Alternative financial establishment. [SUP]
- Financial institution without drive-in window.
- Financial institution with drive-in window. [DIR]
- Medical clinic or ambulatory surgical center.
- Office.
- (H) Recreation uses.
  - Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (I) Residential uses.
  - College dormitory, fraternity, or sorority house.
- (J) Retail and personal service uses.
  - Alcoholic beverage establishments. [See Section 51A-4.210 (b)(4).]
  - Ambulance service. [RAR]
  - Animal shelter or clinic without outside runs. [RAR]
  - Auto service center. [RAR]
  - Business school.
  - Car wash. [DIR]
  - Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
  - Commercial amusement (outside). [SUP]
  - Commercial parking lot or garage. [RAR]
  - Convenience store with drive-through. [SUP]
  - Dry cleaning or laundry store.
  - Furniture store.
  - General merchandise or food store 3,500 square feet or less.
  - General merchandise or food store greater than 3,500 square feet.
  - General merchandise or food store 100,000 square feet or more. [SUP]
  - Home improvement center, lumber, brick or building materials sales yard. [DIR]
  - Household equipment and appliance repair.
  - Liquor store.
  - Mortuary, funeral home, or commercial wedding chapel.
  - Motor vehicle fueling station.
  - Nursery, garden shop, or plant sales.
  - Paraphernalia shop. [SUP]
  - Pawn shop.
  - Personal service uses.

- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater.

(K) Transportation uses.

- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution.

See Section 51A-4.211.]

(L) Utility and public service uses.

- Commercial radio and television transmitting station.
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station.
- Post office.
- Radio, television or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Mini-warehouse. [SUP]
- Recycling buy-back center. [See Section 51A-4.213 (11).]
- Recycling collection center. [See Section 51A-4.213 (11.1).]
- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Home occupation.
- Private stable.

(B) In this district, the following accessory use is permitted by SUP only:

- Accessory helistop.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(ii) no minimum in all other cases.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is:

(i) 0.5 for office uses; and

(ii) 0.75 for all uses combined.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 54 feet.

(F) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories above grade is four. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF- 2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

**(c) Regional retail (RR) district.**

(1) Purpose. To provide for the development of regional-serving retail, personal service, and office uses. This district is not intended to be located in areas of low density residential development.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

-- Building repair and maintenance shop. [RAR]

-- Catering service.

-- Custom business services.

-- Electronics service center.

-- Labor hall. [SUP]

-- Machinery, heavy equipment, or truck sales and services. [RAR]

-- Medical or scientific laboratory. [SUP]

-- Tool or equipment rental.

-- Vehicle or engine repair or maintenance. [RAR]

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility.

-- Cemetery or mausoleum. [SUP]

-- Child-care facility.

-- Church.

-- College, university, or seminary.

-- Community service center.

-- Convent or monastery.

-- Halfway house. [SUP]

-- Hospital. [RAR]

-- Library, art gallery, or museum.



- Open-enrollment charter school or private school. [SUP]
  - Public school other than an open-enrollment charter school. [RAR]
- (E) Lodging uses.
- Extended stay hotel or motel. [SUP]
  - Hotel or motel. [RAR] or [SUP] [See Section 51A-4.205(1).]
  - Lodging or boarding house.
  - Overnight general purpose shelter. [See Section 51A-4.205(2.1).]
- (F) Miscellaneous uses.
- Attached non-premise sign. [SUP]
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
- Alternative financial establishment. [SUP]
  - Financial institution without drive-in window.
  - Financial institution with drive-in window. [DIR]
  - Medical clinic or ambulatory surgical center.
  - Office.
- (H) Recreation uses.
- Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (I) Residential uses.
- College dormitory, fraternity, or sorority house.
- (J) Retail and personal service uses.
- Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
  - Ambulance service. [RAR]
  - Animal shelter or clinic without outside runs. [RAR]
  - Animal shelter or clinic with outside runs. [SUP]
  - Auto service center. [RAR]
  - Business school.
  - Car wash. [RAR]
  - Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
  - Commercial amusement (outside). [SUP]
  - Commercial parking lot or garage. [RAR]
  - Convenience store with drive-through. [SUP]
  - Dry cleaning or laundry store.

- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- General merchandise or food store 100,000 square feet or more.
- Home improvement center, lumber, brick or building materials sales yard. [RAR]
- Household equipment and appliance repair.
- Liquor store.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Outside sales. [SUP]
- Paraphernalia shop. [SUP]
- Pawn shop.
- Personal service uses.
- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service. [RAR]

(K) Transportation uses.

- Commercial bus station and terminal. [DIR]
- Heliport. [SUP]
- Helistop. [SUP]
- Railroad passenger station. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution.

See Section 51A-4.211.]

(L) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station.
- Post office.
- Radio, television or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

- (M) Wholesale, distribution, and storage uses.
  - Mini-warehouse. [SUP]
  - Recycling buy-back center. [See Section 51A-4.213 (11).]
  - Recycling collection center. [See Section 51A-4.213 (11.1).]
  - Recycling drop-off container. [See Section 51A-4.213 (11.2).]
  - Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Home occupation.
- Private stable.

(B) In this district, the following accessory use is permitted by SUP only:

- Accessory helistop.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure over 45 feet in height.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(ii) no minimum in all other cases.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is:

(i) 0.5 for office uses; and

(ii) 1.5 for all uses combined.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever

is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 70 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories above grade is five. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF- 2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412 .) For purposes of this paragraph, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use. (Ord. Nos. 19455; 19786; 19806; 19808; 19873; 19931; 20242; 20273; 20382; 20494; 20625; 20895; 20902; 20920; 20950; 21002; 21044; 21259; 21314; 21399; 21442; 21663; 21735; 22204; 22531; 22782; 24232; 24271; 24543; 24857; 25785; 26920; 27572; 28079; 28214; [30477](#))

#### SEC. 51A-4.123. COMMERCIAL SERVICE AND INDUSTRIAL DISTRICTS.

##### (a) Commercial service (CS) district.

(1) Purpose. To provide for the development of commercial and business serving uses that may involve outside storage, service, or display. This district is not intended to be located in areas of low and medium density residential development.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

- (B) Commercial and business service uses.
  - Building repair and maintenance shop. [RAR]
  - Bus or rail transit vehicle maintenance or storage facility. [RAR]
  - Catering service.
  - Commercial bus station and terminal. [DIR][By right or SUP. See Section 51A-4.211(2).]
  - Commercial cleaning or laundry plant. [RAR]
  - Custom business services.
  - Custom woodworking, furniture construction, or repair.
  - Electronics service center.
  - Job or lithographic printing. [RAR]
  - Labor hall. [SUP]
  - Machine or welding shop. [RAR]
  - Machinery, heavy equipment, or truck sales and services. [RAR]
  - Medical or scientific laboratory.
  - Technical school.
  - Tool or equipment rental.
  - Vehicle or engine repair or maintenance. [RAR]
- (C) Industrial uses.
  - Gas drilling and production. [SUP]
  - Industrial (inside) for light manufacturing.
  - Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~
- (D) Institutional and community service uses.
  - Adult day care facility.
  - Cemetery or mausoleum. [SUP]
  - Child-care facility.
  - Church.
  - College, university, or seminary.
  - Community service center. [SUP]
  - Convent or monastery.
  - Halfway house. [SUP]
  - Hospital. [RAR]
  - Open-enrollment charter school or private school. [SUP]
  - Public school other than an open-enrollment charter school. [RAR]
- (E) Lodging uses.
  - Extended stay hotel or motel. [SUP]

- Hotel or motel. [RAR] or [SUP] [See Section 51A-4.205(1).]
- Lodging or boarding house.
- Overnight general purpose shelter. [See Section 51A-4.205(2.1).]
- (F) Miscellaneous uses.
  - Attached non-premise sign. [SUP]
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
  - Alternative financial establishment. [SUP]
  - Financial institution without drive-in window.
  - Financial institution with drive-in window. [RAR]
  - Medical clinic or ambulatory surgical center.
  - Office.
- (H) Recreation uses.
  - Country club with private membership.
  - Private recreation center, club or area.
  - Public park, playground, or golf course.
- (I) Residential uses.
  - College dormitory, fraternity, or sorority house.
- (J) Retail and personal service uses.
  - Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
  - Ambulance service. [RAR]
  - Animal shelter or clinic without outside runs. [RAR]
  - Animal shelter or clinic with outside runs. [SUP may be required. See Section 51A-4.210(b)(2).]
  - Auto service center. [RAR]
  - Business school.
  - Car wash. [RAR]
  - Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
  - Commercial amusement (outside). [DIR]
  - Commercial motor vehicle parking. [By SUP only if within 500 feet of a residential district.]
  - Commercial parking lot or garage. [RAR]
  - Convenience store with drive-through. [SUP]
  - Drive-in theater. [SUP]
  - Dry cleaning or laundry store.

- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- General merchandise or food store 100,000 square feet or more. [SUP]
- Home improvement center, lumber, brick or building materials sales yard. [RAR]
- Household equipment and appliance repair.
- Liquefied natural gas fueling station. [SUP]
- Liquor store.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Paraphernalia shop. [SUP]
- Outside sales. [SUP]
- Pawn shop.
- Personal service uses.
- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Taxidermist.
- Temporary retail use.
- Theater.
- Truck stop. [SUP]
- Vehicle display, sales, and service. [RAR]
- (K) Transportation uses.
  - Commercial bus station and terminal. [DIR]
  - Heliport. [SUP]
  - Helistop. [SUP]
  - Railroad passenger station. [SUP]
  - Transit passenger shelter.
  - Transit passenger station or transfer center. [By SUP or city council resolution.

See Section 51A-4.211.]

- (L) Utility and public service uses.
  - Commercial radio or television transmitting station.
  - Electrical substation.
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]

- Police or fire station.
  - Post office.
  - Radio, television, or microwave tower. [RAR]
  - Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
  - Utility or government installation other than listed. [SUP]
- (M) Wholesale, distribution, and storage uses.
- Auto auction. [SUP]
  - Building mover's temporary storage yard. [SUP]
  - Contractor's maintenance yard. [RAR]
  - Freight terminal. [RAR]
  - Manufactured building sales lot. [RAR]
  - Mini-warehouse.
  - Office showroom/warehouse.
  - Outside storage. [RAR]
  - Petroleum product storage and wholesale. [SUP]
  - Recycling buy-back center. [See Section 51A-4.213(11).]
  - Recycling collection center. [See Section 51A-4.213(11.1).]
  - Recycling drop-off container. [See Section 51A-4.213(11.2).]
  - Recycling drop-off for special occasion collection. [See Section 51A-4.213(11.3).]
  - Sand, gravel, or earth sales and storage. [SUP]
  - Trade center.
  - Vehicle storage lot. [SUP]
  - Warehouse. [RAR]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Home occupation.
- Private stable.

(B) In this district, the following accessory use is permitted by SUP only:

- Accessory helistop.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/ infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in



Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. Minimum front yard is:

- (i) 15 feet where adjacent to an expressway or a thoroughfare; and
- (ii) no minimum in all other cases.

(B) Side and rear yard. Minimum side and rear yard is:

- (i) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and
- (ii) no minimum in all other cases.

(C) Dwelling unit density. Not applicable.

(D) Floor area ratio. Maximum floor area ratio is:

- (i) 0.5 for any combination of lodging, office, and retail and personal service uses; and
- (ii) 0.75 for all uses combined.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 45 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories above grade is three. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot

collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

**(b) Light industrial (LI) district.**

(1) Purpose. To provide for light industrial office, research and development, and commercial uses in an industrial park setting. This district is designed to be located in areas appropriate for industrial development which may be adjacent to residential communities.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

-- Building repair and maintenance shop. [RAR]

-- Bus or rail transit vehicle maintenance or storage facility. [RAR]

-- Catering service.

-- Commercial bus station and terminal.

-- Commercial cleaning or laundry plant. [RAR]

-- Custom business services.

-- Custom woodworking, furniture construction, or repair.

-- Electronics service center.

-- Job or lithographic printing. [RAR]

-- Labor hall. [SUP]

-- Machine or welding shop. [RAR]

-- Machinery, heavy equipment, or truck sales and services. [RAR]

-- Medical or scientific laboratory.

-- Technical school.

-- Tool or equipment rental.

-- Vehicle or engine repair or maintenance.

(C) Industrial uses.

-- Alcoholic beverage manufacturing. [RAR]

-- Gas drilling and production. [SUP]

-- Industrial (inside) for light manufacturing.

-- Inside industrial. [RAR]

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

(D) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center. [SUP]
- Halfway house. [SUP]
- Hospital. [SUP]
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school. [RAR]

(E) Lodging uses.

- Extended stay hotel or motel. [SUP]
- Hotel or motel. [RAR] or [SUP] [See Section 51A-4.205(1).]
- Lodging or boarding house.
- Overnight general purpose shelter. [See Section 51A-4.205(2.1).]

(F) Miscellaneous uses.

- Attached non-premise sign. [SUP]
- Carnival or circus (temporary). [By special authorization of the building official.]
- Temporary construction or sales office.

(G) Office uses.

- Alternative financial establishment. [SUP]
- Financial institution without drive-in window.
- Financial institution with drive-in window. [RAR]
- Medical clinic or ambulatory surgical center.
- Office.

(H) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(I) Residential uses.

- None permitted.

(J) Retail and personal service uses.

- Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
- Animal shelter or clinic without outside runs.

- Animal shelter or clinic with outside runs. [SUP may be required. See Section 51A-4.210(b)(2).]
- Auto service center. [RAR]
- Business school.
- Car wash. [RAR]
- Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
- Commercial motor vehicle parking. [By SUP only if within 500 feet of a residential district.]
- Commercial parking lot or garage. [RAR]
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store 100,000 square feet or more. [SUP]
- Home improvement center, lumber, brick or building materials sales yard. [RAR]
- Household equipment and appliance repair.
- Liquefied natural gas fueling station. [By SUP only if the use has more than four fuel pumps or is within 1,000 feet of a residential zoning district or a planned development district that allows residential uses.]
- Motor vehicle fueling station.
- Paraphernalia shop. [SUP]
- Personal service uses.
- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. [DIR]
- Taxidermist.
- Temporary retail use.
- Theater.
- Truck stop. [SUP]
- Vehicle display, sales, and service. [RAR]
- (K) Transportation uses.
  - Commercial bus station and terminal. [RAR]
  - Heliport. [SUP]
  - Helistop. [SUP]
  - Railroad passenger station. [SUP]
  - Transit passenger shelter.
  - Transit passenger station or transfer center. [By SUP or city council resolution. See Section 51A-4.211.]
- (L) Utility and public service uses.

- Commercial radio or television transmitting station. [SUP]
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station.
- Post office.
- Radio, television or microwave tower. [RAR]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Freight terminal. [RAR]
- Manufactured building sales lot. [RAR]
- Mini-warehouse.
- Office showroom/warehouse.
- Outside storage. [RAR]
- Recycling buy-back center. [See Section 51A-4.213(11).]
- Recycling collection center. [See Section 51A-4.213(11.1).]
- Recycling drop-off container. [See Section 51A-4.213(11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213(11.3).]
- Trade center.
- Warehouse. [RAR]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory pathological waste incinerator.
- Home occupation.
- Private stable.

(B) In this district, the following accessory uses are permitted by SUP only:

- Accessory helistop.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/ infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 30 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(ii) no minimum in all other cases.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is:

(i) 0.5 for retail and personal service uses;

(ii) 0.75 for any combination of lodging, office, and retail and personal service uses; and

(iii) 1.0 for all uses combined.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 70 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories above grade is five. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district.

(See Section 51A-4.412.) For purposes of this paragraph, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

**(c) Industrial/research (IR) district.**

(1) Purpose. To provide for research and development, light industrial, office, and supporting commercial uses in an industrial research park setting. This district is not intended to be located in areas of low and medium density residential development.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

-- Building repair and maintenance shop. [RAR]

-- Bus or rail transit vehicle maintenance or storage facility. [RAR]

-- Catering service.

-- Commercial cleaning or laundry plant. [RAR]

-- Custom business services.

-- Custom woodworking, furniture construction, or repair.

-- Electronics service center.

-- Job or lithographic printing. [RAR]

-- Labor hall. [SUP may be required. See Section 51A-4.202 (8.1).]

-- Machine or welding shop. [RAR]

-- Machinery, heavy equipment, or truck sales and services. [RAR]

-- Medical or scientific laboratory.

-- Technical school.

-- Tool or equipment rental.

-- Vehicle or engine repair or maintenance.

(C) Industrial uses.

-- Alcoholic beverage manufacturing. [RAR]

-- Gas drilling and production. [SUP]

-- Industrial (inside). [See Section 51A-4.203(b)(1).]

-- Industrial (inside) for light manufacturing.

-- Industrial (outside). [See Section 51A-4.203(b)(2).]

-- Medical/infectious waste incinerator. [SUP]

-- Municipal waste incinerator. [SUP]

-- Organic compost recycling facility. [SUP]

-- Pathological waste incinerator. [SUP]

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

(D) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Hospital. [RAR]
- Public or private school. [SUP]

(E) Lodging uses.

- Extended stay hotel or motel. [SUP]
- Hotel or motel. [RAR]
- Lodging or boarding house.
- Overnight general purpose shelter. [See Section 51A-4.205(2.1).]

(F) Miscellaneous uses.

- Attached non-premise sign. [SUP]
- Carnival or circus (temporary). [By special authorization of the building official.]
- Hazardous waste management facility. [Except when operated as a hazardous waste incinerator.]
- Temporary construction or sales office.

(G) Office uses.

- Alternative financial establishment. [SUP]
- Financial institution without drive-in window.
- Financial institution with drive-in window. [RAR]
- Medical clinic or ambulatory surgical center.
- Office.

(H) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(I) Residential uses.

- None permitted.

(J) Retail and personal service uses.

- Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
- Animal shelter or clinic without outside runs.



- Animal shelter or clinic with outside runs. [SUP may be required. See Section 51A-4.210(b)(2).]
- Auto service center. [RAR]
- Business school.
- Car wash. [RAR]
- Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
- Commercial motor vehicle parking. [By SUP only if within 500 feet of a residential district.]
- Commercial parking lot or garage. [RAR]
- Convenience store with drive-through. [SUP]
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- Home improvement center, lumber, brick or building materials sales yard. [RAR]
- Household equipment and appliance repair.
- Liquefied natural gas fueling station. [By SUP only if the use has more than four fuel pumps or is within 1,000 feet of a residential zoning district or a planned development district that allows residential uses.]
- Motor vehicle fueling station.
- Paraphernalia shop. [SUP]
- Pawn shop.
- Personal service uses.
- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. [DIR]
- Taxidermist.
- Temporary retail use.
- Theater.
- Truck stop. [SUP]
- Vehicle display, sales, and service. [RAR]
- (K) Transportation uses.
  - Airport or landing field. [SUP].
  - Commercial bus station and terminal. [RAR].
  - Heliport. [RAR]
  - Helistop. [RAR]
  - Railroad passenger station. [SUP]
  - STOL (short take off or landing) port. [SUP]

- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution. See Section 51A-4.211.]

(L) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [RAR]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]
- Water treatment plant. [SUP]

(M) Wholesale, distribution, and storage uses.

- Freight terminal. [RAR]
- Manufactured building sales lot. [RAR]
- Mini-warehouse.
- Office showroom/warehouse.
- Outside storage. [RAR]
- Recycling buy-back center. [See Section 51A-4.213(11).]
- Recycling collection center. [See Section 51A-4.213(11.1).]
- Recycling drop-off container. [See Section 51A-4.213(11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213(11.3).]
- Trade center.
- Warehouse. [RAR]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

(A) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory pathological waste incinerator.
- Home occupation.
- Private stable.

(B) Reserved.

(C) In this district, an SUP may be required for the following accessory uses:

-- Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard. Minimum side and rear yard is:

(i) 30 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(ii) no minimum in all other cases.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is:

(i) 0.5 for retail and personal service uses;

(ii) 0.75 for any combination of lodging, office, and retail and personal service uses; and

(iii) 2.0 for all uses combined.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 200 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories above grade is 15. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF- 2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

**(d) Industrial manufacturing (IM) district.**

(1) Purpose. To provide for heavy industrial manufacturing uses with accompanying open storage and supporting commercial uses. This district is not intended to be located in or near areas of residential development.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

-- Building repair and maintenance shop. [RAR]

-- Bus or rail transit vehicle maintenance or storage facility. [RAR]

-- Catering service.

-- Commercial cleaning or laundry plant. [RAR]

-- Custom business services.

-- Custom woodworking, furniture construction, or repair.

-- Electronics service center.

-- Job or lithographic printing. [RAR]

-- Labor hall. [SUP may be required. See Section 51A-4.202 (8.1).]

-- Machine or welding shop. [RAR]

-- Machinery, heavy equipment, or truck sales and services. [RAR]

-- Medical or scientific laboratory.

-- Technical school.

-- Tool or equipment rental.

-- Vehicle or engine repair or maintenance. [RAR]

(C) Industrial uses.

-- Alcoholic beverage manufacturing. [RAR]

-- Gas drilling and production. [SUP]

-- Gas pipeline compressor station. [SUP]

- Industrial (inside). [SUP may be required. See Section 51A-4.203(a); otherwise RAR.]
- Industrial (inside) for light manufacturing.
- Industrial (outside). [SUP may be required. See Section 51A-4.203(a); otherwise RAR.]
- Medical/infectious waste incinerator. [SUP]
- Metal salvage facility. [SUP]
- Mining. [SUP]
- Municipal waste incinerator. [SUP]
- Organic compost recycling facility. [RAR]
- Outside salvage or reclamation. [SUP]
- Pathological waste incinerator. [SUP]
- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~
- (D) Institutional and community service uses.
  - Adult day care facility.
  - Cemetery or mausoleum. [SUP]
  - Child-care facility.
  - Church.
  - College, university, or seminary.
  - Hospital. [SUP]
  - Public or private school. [SUP]
- (E) Lodging uses.
  - Extended stay hotel or motel. [SUP]
  - Hotel or motel. [RAR]
  - Lodging or boarding house. [SUP]
- (F) Miscellaneous uses.
  - Attached non-premise sign. [SUP]
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Hazardous waste management facility.
  - Temporary construction or sales office.
- (G) Office uses.
  - Alternative financial establishment. [SUP]
  - Financial institution without drive-in window.
  - Financial institution with drive-in window. [RAR]
  - Medical clinic or ambulatory surgical center.
  - Office.

- (H) Recreation uses.
  - Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (I) Residential uses.
  - None permitted.
- (J) Retail and personal service uses.
  - Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
  - Animal shelter or clinic without outside runs.
  - Animal shelter or clinic with outside runs. [SUP may be required. See Section 51A-4.210(b)(2).]
  - Auto service center. [RAR]
  - Business school.
  - Car wash. [RAR]
  - Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
  - Commercial motor vehicle parking. [By SUP only if within 500 feet of a residential district.]
    - Commercial parking lot or garage. [RAR]
    - Convenience store with drive-through. [SUP]
    - Drive-in theater. [SUP]
    - Dry cleaning or laundry store.
    - Furniture store.
    - General merchandise or food store 3,500 square feet or less.
    - Home improvement center, lumber, brick or building materials sales yard. [RAR]
    - Household equipment and appliance repair.
    - Liquefied natural gas fueling station. [By SUP only if the use has more than four fuel pumps or is within 1,000 feet of a residential zoning district or a planned development district that allows residential uses.]
      - Motor vehicle fueling station.
      - Paraphernalia shop. [SUP]
      - Pawn shop.
      - Personal service uses.
      - Restaurant without drive-in or drive-through service. [RAR]
      - Restaurant with drive-in or drive-through service. [DIR]
      - Taxidermist.
      - Temporary retail use.

- Theater.
- Truck stop. [SUP]
- Vehicle display, sales, and service. [RAR]

(K) Transportation uses.

- Airport or landing field. [SUP]
- Commercial bus station and terminal. [RAR]
- Heliport. [RAR]
- Helistop. [RAR]
- Railroad passenger station. [SUP]
- Railroad yard, roundhouse, or shops. [RAR]
- STOL (short take off or landing) port. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution.

See Section 51A-4.211.]

(L) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical generating plant. [SUP]
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [RAR]
- Refuse transfer station. [SUP]
- Sanitary landfill. [SUP]
- Sewage treatment plant. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]
- Water treatment plant. [RAR]

(M) Wholesale, distribution, and storage uses.

- Auto auction. [SUP]
- Building mover's temporary storage yard. [SUP]
- Contractor's maintenance yard. [RAR]
- Freight terminal. [RAR]
- Livestock auction pens or sheds. [SUP]
- Manufactured building sales lot. [RAR]
- Mini-warehouse.
- Office showroom/warehouse.

- Outside storage. [RAR]
- Petroleum product storage and wholesale. [RAR]
- Recycling buy-back center. [See Section 51A-4.213(11).]
- Recycling collection center. [See Section 51A-4.213(11.1).]
- Recycling drop-off container. [See Section 51A-4.213(11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213(11.3).]
- Sand, gravel, or earth sales and storage. [RAR]
- Trade center.
- Vehicle storage lot.
- Warehouse. [RAR]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. The following accessory uses are not permitted in this district:

(A) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory pathological waste incinerator.
- Home occupation.
- Private stable.

(B) Reserved.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. Minimum front yard is:

- (i) 15 feet where adjacent to an expressway or a thoroughfare; and
- (ii) no minimum in all other cases.

(B) Side and rear yard. Minimum side and rear yard is:

- (i) 30 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and
- (ii) no minimum in all other cases.

(C) Dwelling unit density. No maximum dwelling unit density.

(D) Floor area ratio. Maximum floor area ratio is:

- (i) 0.5 for retail and personal service uses;



(ii) 0.75 for any combination of lodging, office, and retail and personal service uses; and

(iii) 2.0 for all uses combined.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 110 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories above grade is eight. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF- 2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section 51A-4.412 .) For purposes of this paragraph, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use. (Ord. Nos. 19455; 19786; 19806; 19873; 19931; 20242; 20273; 20363; 20382; 20425; 20478; 20625; 20806; 20895; 20902; 20920; 20950; 21002; 21044; 21186; 21259; 21314; 21399; 21442; 21456; 21663; 21735; 22204; 22255; 22392; 22531; 22782; 23735; 24232; 24271; 24543; 24759; 24857; 25056; 25785; 25815; 26269; 26920; 27563; 28079; 28214; 28700; 28737; 28803; 29228; 29917; 30477)

SEC. 51A-4.124. CENTRAL AREA DISTRICTS.

(a) CA-1(A) district.

(1) Purpose. This district is provided to accommodate existing development in the central area of the city, to encourage the most appropriate future use of land, and to prevent the increase of street congestion. This district is hereby designated as an area of historical, cultural, and architectural importance and significance.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business services uses.

-- Building repair and maintenance shop.

-- Bus or rail transit vehicle maintenance or storage facility.

-- Catering service.

-- Commercial cleaning or laundry plant

-- Custom business services.

-- Custom woodworking, furniture construction, or repair.

-- Electronics service center.

-- Job or lithographic printing.

-- Labor hall. [SUP]

-- Medical or scientific laboratory.

-- Technical school.

-- Tool or equipment rental.

-- Vehicle or engine repair or maintenance. [DIR]

(C) Industrial uses.

-- Alcoholic beverage manufacturing. [SUP]

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility.

-- Cemetery or mausoleum. [SUP]

-- Child-care facility.

-- Church.

-- College, university, or seminary.

-- Community service center. [SUP]

-- Convalescent and nursing homes, hospice care, and related institutions.

- Convent or monastery.
  - Foster home. [SUP]
  - Halfway house. [SUP]
  - Hospital.
  - Library, art gallery, or museum.
  - Open-enrollment charter school or private school. [SUP]
  - Public school other than an open-enrollment charter school.
- (E) Lodging uses.
- Extended stay hotel or motel. [SUP]
  - Hotel or motel.
  - Lodging or boarding house.
  - Overnight general purpose shelter. [See Section 51A-4.205(2.1).]
- (F) Miscellaneous uses.
- Attached non-premise sign. [SUP]
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
- Alternative financial establishment. [SUP]
  - Financial institution without drive-in window.
  - Financial institution with drive-in window. [DIR]
  - Medical clinic or ambulatory surgical center.
  - Office.
- (H) Recreation uses.
- Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (I) Residential uses.
- College dormitory, fraternity, or sorority house.
  - Duplex.
  - Group residential facility. [See Section 51A-4.209(3).]
  - Handicapped group dwelling unit. [See Section 51A-4.209 (3.1).]
  - Multifamily.
  - Residential hotel.
  - Retirement housing.
  - Single family.
- (J) Retail and personal service uses.

- Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
- Ambulance service.
- Auto service center.
- Business school.
- Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
- Commercial amusement (outside).
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- General merchandise or food store 100,000 square feet or more.
- Household equipment and appliance repair.
- Liquor store.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Outside sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. [SUP]
- Swap or buy shop. [SUP]
- Taxidermist.
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service. [SUP]
- (K) Transportation uses.
  - Commercial bus station and terminal. [DIR]
  - Heliport. [SUP]
  - Helistop. [SUP]
  - Private street or alley. [SUP]
  - Railroad passenger station.
  - Railroad yard, roundhouse, or shops.
  - STOL (short takeoff or landing) port. [SUP]
  - Transit passenger shelter.
  - Transit passenger station or transfer center.

- (L) Utility and public service uses.
- Commercial radio or television transmitting station.
  - Electrical substation.
  - Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
  - Police or fire station.
  - Post office.
  - Radio, television, or microwave tower.
  - Sewage treatment plant. [SUP]
  - Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
  - Utility or government installation other than listed. [See Section 51A-4.212 (11)]
  - Water treatment plant. [SUP]

(M) Wholesale, distribution, and storage uses.

- Freight terminal. [DIR]
- Mini-warehouse.
- Office showroom/warehouse.
- Outside storage. [SUP]
- Recycling buy-back center. [See Section 51A-4.213(11).]
- Recycling collection center. [See Section 51A-4.213(11.1).]
- Recycling drop-off container. [See Section 51A-4.213(11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213(11.3).]
- Trade center.
- Warehouse.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. In this district, the following accessory use is permitted by SUP only:

(A) Reserved.

(B) In this district, the following accessory use is permitted by SUP only:

- Accessory helistop.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard. No minimum front yard.

(B) Side and rear yard.

- (i) Minimum side yard is:
  - (aa) five feet for duplex structures;
  - (bb) 10 feet for multifamily structures 36 feet or less in height; and
  - (cc) no minimum in all other cases.
- (ii) Minimum rear yard is:
  - (aa) 10 feet for duplex structures;
  - (bb) 15 feet for multifamily structures 36 feet or less in height; and
  - (cc) no minimum in all other cases.
- (C) Dwelling unit density. No maximum dwelling unit density.
- (D) Floor area ratio.
  - (i) Maximum floor area ratio is 20.0.
  - (ii) Reserved. (Repealed by Ord. 20361)
  - (iii) The maximum floor area ratio in the CA-1(A)-CP and CA-1(A)-SP districts may be increased to 24 to 1 by the use of the building setback bonus provisions in the “additional provisions” [Paragraph (8)] in this subsection.
- (E) Height. Maximum structure height is any legal height.
- (F) Lot coverage. Maximum lot coverage is 100 percent.
- (G) Lot size. No minimum lot size.
- (H) Stories. No maximum number of stories.
- (5) Off-street parking and loading.
  - (A) In general. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.
  - (B) Special off-street parking provisions.
    - (i) Except as provided in this section, for all uses except single-family and duplex, off-street parking is only required for a building built after June 26, 1967, or an addition to an existing building, at a ratio of one parking space for each 2,000 square feet of floor area.
    - (ii) Except as provided in this section, no parking is required for ground-floor retail and personal service uses except for the following:
      - (aa) Alcoholic beverage establishment operating as a bar, lounge, or tavern.
      - (bb) Commercial amusement (inside).
    - (iii) No parking is required for the first 5,000 square feet of ground-floor floor area for a restaurant without drive-in or drive-through service.
    - (iv) If there is a conflict, this paragraph controls over other off-street parking regulations in this chapter.
  - (C) Special off-street loading provisions.
    - (i) In this district, off-street loading spaces must be provided in accordance with Section 51A-4.303(a) for only new structures or additions to an existing structure.

(ii) In this district, once the required off-street loading has been established for a structure, no additional off-street loading is required if the use of the structure changes.

(iii) In this district, once an off-street loading space has been provided, the off-street loading space may not be reduced, eliminated, or made unusable in any manner during the life of the structure.

(iv) In this district, on-street loading spaces may satisfy the off-street loading space requirement subject to the following standards:

(aa) Any on-street loading spaces must be approved by the traffic engineer.

(bb) Required off-street loading spaces furnished on-street must be provided at curbside contiguous to the building site.

(cc) If no adjacent curb space is available due to traffic or transit needs, indented curb space may be provided if the required sidewalk width is maintained.

(dd) All required medium and large loading spaces must be provided off-street.

(ee) Structures meeting Subparagraphs (aa) through (dd) above and requiring seven or more off-street loading spaces may satisfy the off-street loading requirement as follows:

REQUIRED SPACES	MINIMUM OFF-STREET	NUMBER ON STREET
7	6	1
8	6	2
9	6	3
10 or more	60%	40%

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Single family structure spacing. In this district, a minimum of 15 feet between each group of eight single family structures must be provided by plat.

(B) Minimum 10-foot setback in CA- 1(A)-CP and CA-1(A)-SP districts. In the CA-1(A)-CP and CA-1(A)-SP districts, a 10 foot setback is required that is measured from the street curb as established by the Dallas Central Business District Streets and Vehicular Circulation Plan, Ordinance No. 13262, as amended. When an owner establishes a setback on his property greater than the 10 foot requirement, a floor area bonus of six times the additional setback area is allowed. The maximum permitted floor area ratio with a bonus is 24 to one.

(C) Sidewalk regulations. In this district, a sidewalk must be provided between the back of the street curb and the face of a building at grade in accordance with this subsection. The face of a building is behind the columns for a building with exterior columns.

(i) Average sidewalk width equals the total sidewalk surface area divided by the lineal feet of frontage.

(aa) Each frontage on each blockface must contain the required average sidewalk width.

(bb) The computation of average sidewalk width excludes the area occupied by structural walls or columns.

(cc) In computing average sidewalk width, the surface area at a corner is counted only once.

(ii) In a CA-1(A)-CP district, sidewalks must be constructed and maintained in accordance with the following regulations:

(aa) An average sidewalk width of 18 feet is required.

(bb) A minimum sidewalk width of 12 feet that is unobstructed by any structure or planting is required. The 12 foot minimum sidewalk width may be divided into seven and five foot minimum segments.

(iii) In the CA-1(A)-SP district, sidewalks must be constructed and maintained in accordance with the following regulations:

(aa) A building with a floor area ratio of more than 15 to one is subject to the requirements of the CA-1(A)-CP district in Subparagraph (ii).

(bb) A building with a floor area ratio of 15 to one or less must have an average sidewalk width of 15 feet and a minimum sidewalk width of nine feet that is unobstructed by any structure or planting.

(iv) In a CA-1(A) district without a CP or SP overlay district designation, sidewalks must be constructed and maintained in accordance with the following regulations:

(aa) A building with a floor area ratio of more than 15 to one is subject to the requirements of the CA-1(A)-CP district in Subparagraph (ii).

(bb) A building with a floor area ratio of 10 to one through 15 to one must have an average sidewalk width of 15 feet and a minimum sidewalk width of nine feet that is unobstructed by any structure.

(cc) All other buildings must provide a minimum sidewalk width of 10 feet with seven feet unobstructed by any structure or planting.

(v) Waiver of sidewalk width requirements. An applicant for a sidewalk width waiver shall submit an application to the director on a form approved by the director and signed by all owners of property abutting the sidewalk. The director shall take into account the needs of pedestrians and the proximity of the sidewalk to intersections and crosswalks, transit stops, parks and playgrounds, and other pedestrian-intensive areas when considering the application. The director may grant a sidewalk waiver if the director finds:

(aa) the potential pedestrian traffic in the area does not warrant the width of the sidewalk required;

(bb) the waiver will facilitate an amenity that promotes pedestrian activity such as sidewalk seating areas, enhanced landscaping, or retail kiosks; or



(cc) there are sufficient alternative pedestrian passageways to accommodate pedestrian traffic in the area.

The granting of a waiver does not preclude the city from requiring compliance with all sidewalk standards at some later time and assessing the abutting owners for the cost of the installation or replacement.

(9) Commercial parking garages and surface parking lots.

(A) Intent. The intent of this paragraph is to create a distinct boundary between public space and private parking facilities, raise the aesthetic standards for parking facilities, and improve the quality of right-of-ways.

(B) Definitions. In this paragraph:

(i) COMMERCIAL PARKING GARAGE means a multistory vehicle parking facility that is operated as a business enterprise by charging a fee for parking.

(ii) CORNER LANDSCAPING AREA means an area of any shape abutting the intersection of two right-of-ways equal to the area on a surface parking lot covered by a triangle formed by connecting together the point of intersection of adjacent right-of-way lines and points on each of the right-of-way lines 12.5 percent of the length of the surface parking lot's right-of-way frontage from the intersection, but in no case to exceed 225 square feet.

(iii) PARKWAY means the portion of a right-of-way located between the street curb and the property line of an adjoining commercial parking garage or surface parking lot.

(iv) RIGHT-OF-WAY means an area dedicated to public use for pedestrian and vehicular movement, but does not include alleys.

(v) SELF-PARK SPACE means a parking space where a customer parks his vehicle and it remains there until a customer drives it away. It does not include a space where an attendant parks a customer vehicle.

(vi) STRIP LANDSCAPING AREA means an area 1.5 feet in width abutting the parkway (or right-of-way if there is no parkway) and extending the length of the street frontage of a surface parking lot, excluding the corner landscaping area and openings for pedestrian and vehicular access.

(vii) SURFACE PARKING LOT means an at-grade parking lot that is operated as a business enterprise by charging a fee for parking.

(viii) WROUGHT IRON includes metal that resembles wrought iron in appearance.

(C) Site plan.

(i) When required. A site plan must be submitted to and approved by the building official in accordance with this subparagraph before a building permit or certificate of occupancy may be issued.

(ii) Requisites. The site plan must include the following information:

(aa) The number of existing and proposed parking spaces on the property.

(bb) The location and dimensions of the property.

(cc) The location and dimensions of all existing and proposed off-street parking and loading areas, parking bays, aisles, driveways, pedestrian access openings, and attendant booths.

(dd) The location and type of all existing and proposed landscaping, fencing, trash receptacles, lighting, and signs.

(ee) Any other reasonable and pertinent information that the building official determines to be necessary for site plan review.

(iii) Development. If a site plan is approved by the building official, development of the property must be in accordance with the site plan.

(D) Construction.

(i) Slope. The entire surface of a surface parking lot may not deviate more than seven degrees from the horizontal plane. No portion of the surface may deviate more than 12 degrees from the horizontal plane.

(ii) Driveways. No more than one two-way driveway or two one-way driveways may be maintained for each 300 feet, or fraction thereof, of frontage of a surface parking lot. This provision does not require the closure or relocation of driveways existing as of January 28, 2004.

(iii) Pervious surface. The use of pervious surfacing materials for surface parking lots is encouraged.

(E) Striping. All self-park spaces must be clearly and permanently identified by stripes. All self-park spaces for compact cars must be at least 7.5-foot wide stalls and must be clearly and permanently marked "compact car only." All other self-park spaces must be at least 8-foot wide stalls. Except as specified in this provision, these spaces must be provided and striped in accordance with Section 51A-4.301(d)(1).

(F) Lighting.

(i) Requirement. The following must be lighted between one-half hour after sunset and 2:30 a.m. and between 6:00 a.m. and one-half hour before sunrise:

(aa) A surface parking lot.

(bb) The first story of an above-grade commercial parking garage.

(cc) All other portions of a commercial parking garage that are accessible to pedestrians or vehicles during the time between one-half hour after sunset and one-half hour before sunrise.

(ii) Intensity. The intensity of required lighting on the surface where vehicles are parked must be:

(aa) an average of at least two footcandles, initial measurement, and at least one footcandle on a maintained basis; and

(bb) a minimum at any point of at least 0.6 footcandle initial, and at least 0.3 footcandle maintained or one-third of the average footcandle measurement for the lighted area, whichever is greater.

(iii) Type of fixtures. Light sources must be indirect, diffused, or shielded-type fixtures, installed to reduce glare and the consequent interference with boundary streets. Bare bulbs or strings of lamps are prohibited.

(iv) Location of fixtures for surface parking lots. Fixtures must be attached to buildings or mounted on permanent poles. Fixtures may be located on adjoining property. This requirement does not apply to commercial parking garages.

(v) Height of fixtures for surface parking lots. Fixtures on surface parking lots must be at least 20 feet above the lot surface. This requirement does not apply to commercial parking garages.

(vi) Reconciliation. This subparagraph controls over Section 51A-4.301(e).

(G) Trash receptacles. At least one trash receptacle must be provided for each commercial parking garage or surface parking lot. Trash receptacles must not have a fluorescent color.

(H) Attendant booths. An attendant booth may not be constructed of flammable materials or have a fluorescent color.

(I) Access openings.

(i) Access openings for surface parking lots may not exceed:

(aa) 30 feet in width for a two-way drive.

(bb) 20 feet in width for a one-way drive.

(cc) 10 feet in width for pedestrian access openings.

(ii) At least one pedestrian access opening must be provided for each commercial parking garage and surface parking lot. The spacing between pedestrian access openings must be from 30 feet to 150 feet.

(iii) This subparagraph does not require the closure or relocation of access openings existing as of January 28, 2004.

(J) Fencing.

(i) Fencing must be provided:

(aa) For surface parking lots, along an abutting right-of-way, excluding openings for pedestrian and vehicular access. Fencing may be located behind a corner landscaping area.

(bb) For commercial parking garages, to eliminate openings not intended for pedestrian and vehicular access in the first story above grade where the garage abuts the right-of-way.

(cc) Fencing is not required along a DART right-of-way if DART has provided fencing along the right-of-way.

(ii) Surface parking lots in the middle of a blockface with buildings on both adjoining lots and less than 100 feet of frontage and all commercial parking garages must have wrought iron fencing.

(iii) All other surface parking lots must have:

(aa) a wrought iron fencing;

- (bb) bollards;
- (cc) post-and-cable fencing; or
- (dd) other fencing that is in keeping with the intent of this paragraph, as determined by the director.
- (iv) If a wrought iron fence is provided:
  - (aa) it must be at least 36 inches in height;
  - (bb) its bars must be spaced no more than eight inches apart; and
  - (cc) it may have a foundation that does not exceed twelve inches in height.
- (v) If bollards are provided, each bollard must be:
  - (aa) constructed of concrete, brick or stone;
  - (bb) at least eight inches in width or diameter;
  - (cc) at least 30 inches in height;
  - (dd) no more than seven feet from another bollard, unless connected by a metal chain, in which case they may be no more than nine feet from another bollard.
- (vi) If post-and-cable fencing is provided, the posts must:
  - (aa) be finished metal with caps;
  - (bb) have a minimum diameter of two and one-half inches;
  - (cc) be spaced no more than 18 feet apart; and
  - (dd) be connected with stainless steel tension cable.

(K) Landscaping.

(i) Parkway landscaping requirement for commercial parking garages and surface parking lots. Unless a parkway landscape permit is denied or revoked, one tree or shrub must be provided in the adjoining parkway for each 30 feet along the frontage abutting the right-of-way. This provision does not apply to commercial parking garages or surface parking lots existing as of January 28, 2004.

(ii) Perimeter landscaping requirement for surface parking lots. The corner landscaping area must be planted with a combination of ground cover, shrubs, and trees, or used for kiosks with decorative paving. As used in this subparagraph, "kiosk" means a multi-sided structure for the display of premise and non-premise signs. The strip landscaping area must be planted with a combination of ground cover, shrubs, and trees. Car bumpers may overhang the strip landscaping area.

(iii) Exemption along certain DART right-of-ways. Landscaping is not required along a DART right-of-way if DART has provided landscaping along the right-of-way.

(iv) Exemption for certain small surface parking lots. Landscaping is not required for surface parking lots with a total area of 10,000 square feet or less, unless two or more contiguous lots have an aggregate area of 10,000 square feet or more.

(v) Alternative landscape plan. The director may approve an alternative landscape plan only if compliance with this paragraph is not possible, the inability to comply is not self-created, and the alternative landscape plan is in keeping with the intent of this paragraph. An alternative landscape plan may include placement of landscaping in

alternative locations. An alternative landscape plan may reduce the square footage of landscape area if additional trees or shrubs are provided.

(vi) Trees. All trees provided must be recommended for local area use by the director. Each tree planted must have a caliper of at least two and one-half inches.

(vii) Shrubs. All shrubs provided must be recommended for local area use by the director. Each shrub provided must be at least 30 inches in height.

(viii) Minimum tree clearance. All portions of a tree above street pavement must be at least thirteen and one-half feet in height.

(ix) Tree grates. Tree grates conforming to state and federal standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth must be provided for all trees planted within a public sidewalk.

(x) Private license granted. The city council hereby grants a private license to the owners of all commercial parking garages and surface parking lots in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements. A property owner is not required to pay an initial or annual fee for this license. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance. A property owner is not required to comply with any landscaping requirement of this subparagraph if compliance is made impossible due to the termination of this license. This provision controls over Article VI, "License for Use of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of this code. Note: This private license does not eliminate the need for a parkway landscape permit or commercial general liability insurance.

(xi) Parkway landscape permit. A parkway landscape permit must be obtained from the director for all landscaping in the parkway.

(aa) An application for a parkway landscape permit must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the parkway affected and the planting proposed.

(bb) Upon receipt of the application, the director shall circulate it to all affected city departments, utilities, and other franchise holders for review and comment. If, after receiving those comments, the director determines that the construction and planting proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, he shall issue a parkway landscape permit to the property owner; otherwise, he shall deny the permit.

(cc) A parkway landscape permit issued by the director is subject to immediate revocation upon written notice if at any time he determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way.

(dd) The issuance of a parkway landscape permit under this subparagraph does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees or shrubs in the right-of-way.

(xii) Xeriscape. The use of xeriscape is encouraged.

(L) Additional regulations. All commercial parking garages and surface parking lots must comply with Subsection (e), "Wheel Guards and Barriers," Subsection (f), "Passenger Unloading Zone Required in Certain Cases," and Subsection (g), "Stacking Space Required in Certain Cases," of Section 51A-4.306, "Off-Street Parking in the Central Business District." Consult Section 51A-4.306, "Off-Street Parking in the Central Business District," for regulations concerning off-street parking in the Central Business District.

(M) Compliance.

(i) All commercial parking garages and surface parking lots in the Central Subdistrict must comply with this paragraph before January 28, 2007. Fencing within the Central Subdistrict is required only when the City Center Tax Increment Financing District finances its installation. As used in this subparagraph, "Central Subdistrict" means the area bounded by Ross Avenue, Pearl Street, Bryan Street, Central Expressway, Live Oak Street, Olive Street, Harwood Street, Young Street, Akard Street, Wood Street, and Griffin Street.

(ii) All commercial parking garages and surface parking lots in the Secondary Subdistrict must comply with this paragraph before January 28, 2009. As used in this subparagraph, "Secondary Subdistrict" means the area with CA-1(A) zoning inside the Central Business District (including property under the freeways), but excluding the Central Subdistrict.

(N) Maintenance.

(i) Any improvements required by this paragraph must be properly maintained in a state of good repair and neat appearance at all times.

(ii) Plant materials required by this paragraph must be maintained in a healthy, growing condition at all times.

(O) Special exception.

(i) In general. The board of adjustment may grant a special exception to any requirement of this paragraph if the board finds, after a public hearing, the special exception will not adversely affect the other properties within the subdistrict and strict compliance with the requirement would result in unnecessary hardship. If the board grants a special exception, it must specify the length of time the special exception is effective.

(ii) Lighting. The board shall not grant a special exception to a lighting requirement unless the board also finds, after a public hearing, that the special exception will not compromise the safety of persons using the parking. In determining whether to grant this special exception, the board shall consider:

(aa) the extent to which the parking will be used after dark;

(bb) the crime statistics for the area;

(cc) the extent to which adequate lighting may be provided by light sources located on adjacent property; and

(dd) the extent to which the commercial parking garage or surface parking lot will be secured by fences, gates, and chains.

(b) CA-2(A) district.

(1) Purpose. This district is provided to accommodate existing development in the central area of the city, to encourage the most appropriate future use of land, and to prevent the increase of street congestion.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business services uses.

-- Building repair and maintenance shop.

-- Bus or rail transit vehicle maintenance or storage facility.

-- Catering service.

-- Commercial cleaning or laundry plant.

-- Custom business services.

-- Custom woodworking, furniture construction, or repair.

-- Electronics service center.

-- Job or lithographic printing.

-- Labor hall. [SUP]

-- Medical or scientific laboratory.

-- Technical school.

-- Tool or equipment rental.

-- Vehicle or engine repair or maintenance. [DIR]

(C) Industrial uses.

-- Alcoholic beverage manufacturing. [SUP]

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility.

-- Cemetery or mausoleum. [SUP]

-- Child-care facility.

-- Church.

-- College, university, or seminary.

-- Community service center.

-- Convalescent and nursing homes, hospice care, and related institutions.

-- Convent or monastery.

-- Foster home.

-- Halfway house. [SUP]

-- Hospital.

- Library, art gallery, or museum.
  - Open-enrollment charter school or private school. [SUP]
  - Public school other than an open-enrollment charter school.
- (E) Lodging uses.
- Extended stay hotel or motel. [SUP]
  - Hotel or motel.
  - Lodging or boarding house.
  - Overnight general purpose shelter. [See Section 51A-4.205(2.1).]
- (F) Miscellaneous uses.
- Attached non-premise sign. [SUP]
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
- Alternative financial establishment. [SUP]
  - Financial institution without drive-in window.
  - Financial institution with drive-in window. [DIR]
  - Medical clinic or ambulatory surgical center.
  - Office.
- (H) Recreation uses.
- Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (I) Residential uses.
- College dormitory, fraternity or sorority house.
  - Duplex.
  - Group residential facility. [See Section 51A-4.209(3).]
  - Handicapped group dwelling unit. [See Section 51A-4.209 (3.1).]
  - Multifamily.
  - Residential hotel.
  - Retirement housing.
  - Single family.
- (J) Retail and personal service uses.
- Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
  - Ambulance service.
  - Auto service center.
  - Business school.



-- Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]

- Commercial amusement (outside).
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- General merchandise or food store 100,000 square feet or more.
- Household equipment and appliance repair.
- Liquor store.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Outside sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. [SUP]
- Swap or buy shop. [SUP]
- Taxidermist.
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service. [SUP]

(K) Transportation uses.

- Commercial bus station and terminal. [DIR]
- Heliport. [SUP]
- Helistop. [SUP]
- Private street or alley. [SUP]
- Railroad passenger station.
- Railroad yard, roundhouse, or shops.
- STOL (short takeoff or landing) port. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center.

(L) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]

- Police or fire station.
  - Post office.
  - Radio, television, or microwave tower.
  - Sewage treatment plant. [SUP]
  - Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
  - Utility or government installation other than listed.
  - Water treatment plant. [SUP]
- (M) Wholesale, distribution, and storage uses.
- Freight terminal. [DIR]
  - Mini-warehouse.
  - Office showroom/warehouse.
  - Outside storage. [SUP]
  - Recycling buy-back center. [See Section 51A-4.213(11).]
  - Recycling collection center. [See Section 51A-4.213(11.1).]
  - Recycling drop-off container. [See Section 51A-4.213(11.2).]
  - Recycling drop-off for special occasion collection. [See Section 51A-4.213(11.3).]
  - Trade center.
  - Warehouse.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. In this district, the following accessory use is permitted by SUP only:

- (A) Reserved.
- (B) In this district, the following accessory use is permitted by SUP only:
  - Accessory helistop.
- (C) In this district, an SUP may be required for the following accessory uses:
  - Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

- (A) Front yard. There is no minimum front yard.
- (B) Side and rear yard.
  - (i) Minimum side yard is:
    - (aa) five feet for duplex structures;
    - (bb) 10 feet for multifamily structures 36 feet or less in height; and
    - (cc) no minimum in all other cases.

- (ii) Minimum rear yard is:
  - (aa) 10 feet for duplex structures;
  - (bb) 15 feet for multifamily structures 36 feet or less in height; and
  - (cc) no minimum in all other cases.

- (C) Dwelling unit density. No maximum dwelling unit density.
- (D) Floor area ratio. Maximum floor area ratio is 20.0.
- (E) Height. Maximum structure height is any legal height.
- (F) Lot coverage. Maximum lot coverage is 100 percent.
- (G) Lot size. Minimum lot area per dwelling unit is as follows:

TYPE OF STRUCTURE	MINIMUM LOT AREA PER DWELLING UNIT
TYPE OF STRUCTURE	MINIMUM LOT AREA PER DWELLING UNIT
Single family	1000 sq. ft.
Duplex	2500 sq. ft.
Multifamily:	
No separate bedroom	50 sq. ft.
One bedroom	65 sq. ft.
Two bedrooms	75 sq. ft.
More than two bedrooms	10 sq. ft.
(Add this amount for each bedroom over two)	

- (H) Stories. No maximum number of stories.

(5) Off-street parking and loading. In this district, for all uses except single family and duplex, off-street parking is only required for a building built after June 1, 1981, or an addition to an existing building, at a ratio of one parking space for each 2,000 square feet of floor area which exceeds 5,000 square feet. No off-street parking is required for a building with 5,000 square feet or less of floor area. If there is a conflict, this paragraph controls over other off-street parking regulations in this chapter. Consult the off-street parking and loading regulations (Division 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

- (6) Environmental performance standards. See Article VI.
- (7) Landscape regulations. See Article X.
- (8) Additional provisions.

(A) Single family structure spacing. In this district, a minimum of 15 feet between each group of eight single family structures must be provided by plat. (Ord. Nos. 19455; 19786; 19806; 19912; 20242; 20273; 20361; 20625; 20731; 20752; 20895; 20902; 20920; 20950; 21001; 21002; 21044; 21259; 21314; 21735; 21960; 22097; 22139; 22204; 22531;

22799; 24232; 24271; 24543; 24857; 25047; 25133; 25487; 25785; 26920; 28073; 28125; 28214; 28272; 28700; 29128; [29917](#); [30932](#))

#### SEC. 51A-4.125. MIXED USE DISTRICTS.

(a) In general. Single or multiple uses may be developed on one site in a mixed use district as in any other district; however, in order to encourage a mixture of uses and promote innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel, density bonuses are awarded to developments that qualify as “mixed use projects” as defined in Subsection (b). If a development does not qualify as an MUP, it is limited to a “base” dwelling unit density and floor area ratio. When a development qualifies as an MUP, it earns a higher maximum dwelling unit density and floor area ratio and, in some instances, a greater maximum structure height. Additional FAR bonuses are incrementally awarded to encourage the inclusion of “residential” as part of an MUP. The exact increments of increase vary depending on the actual use categories mixed and the district that the MUP is in. For more information regarding the exact increments of increase, consult the yard, lot, and space regulations in this section governing the particular district of interest.

(b) Qualifying as a mixed use project. To qualify as a MIXED USE PROJECT (MUP) for purposes of this section, a development must contain uses in two or more of the following categories, and the combined floor areas of the uses in each category must equal or exceed the following percentages of the total floor area of the project:

#### MU-1 AND MU-1(SAH) DISTRICTS

Use Category

% of Total Floor Area

Lodging

15%

Office

15%

Residential

15%

Retail and personal service

10%

#### MU-2 AND MU-2(SAH) DISTRICTS

Use Category

% of Total Floor Area

Lodging

10%

Office  
15%  
Residential  
10%  
Retail and personal service  
5%

#### MU-3 AND MU-3(SAH) DISTRICTS

Use Category  
% of Total Floor Area  
Lodging  
10%  
Office  
15%  
Residential  
10%  
Retail and personal service  
5%  
Wholesale, distribution, and storage  
15%

(c) Mixed use project (MUP) regulations.

(1) If an MUP is proposed, a project plan must be submitted to and approved by the building official.

(2) If an MUP is constructed in phases:

(A) the first phase must independently qualify as an MUP under Subsection (b); and

(B) each subsequent phase combined with all previous phases already completed or under construction must also qualify as an MUP under Subsection (b).

(3) An MUP may consist of two or more building sites if they are developed under a unified development plan. The plan must be:

(A) signed by or on behalf of all of the owners of the property involved;

(B) approved by the building official; and

(C) filed in the deed records of the county where the property is located.

(4) When an MUP consists of multiple building sites, its development standards and off-street parking and loading requirements are calculated by combining the sites and treating them as a single building site.

(d) MU-1 and MU-1(SAH) districts.

(1) Purpose. To provide for the development of moderate density retail, office, and/or multifamily residential uses in combination on single or contiguous building sites; to encourage innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel. Additionally, the MU-1(SAH) district is created to encourage the provision of affordable housing.

(2) Main uses permitted.

(A) Agricultural uses.

- Crop production.

(B) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Labor hall. [SUP]
- Medical or scientific laboratory. [SUP]

(C) Industrial uses.

- Gas drilling and production. [SUP]
- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university or seminary.
- Community service center. [SUP]
- Convalescent and nursing homes, hospice care, and related institutions. [RAR]
- Convent or monastery.
- Foster home.
- Hospital. [SUP]
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school. [RAR]

(E) Lodging uses.

- Extended stay hotel or motel. [SUP]
- Hotel or motel. [RAR] or [SUP] [See Section 51A-4.205(1).]

(F) Miscellaneous uses.

- Attached non-premise sign. [SUP]
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
- Financial institution without drive-in window.
  - Financial institution with drive-in window. [DIR]
  - Medical clinic or ambulatory surgical center.
  - Office.
- (H) Recreation uses.
- Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (I) Residential uses.
- College dormitory, fraternity, or sorority house.
  - Duplex.
  - Group residential facility. [See Section 51A-4.209(3).]
  - Handicapped group dwelling unit. [See Section 51A-4.209 (3.1).]
  - Multifamily.
  - Residential hotel.
  - Retirement housing.
  - Single family.
- (J) Retail and personal service uses.
- Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
  - Animal shelter or clinic without outside runs. [RAR]
  - Auto service center. [RAR]
  - Business school.
  - Car wash. [RAR]
  - Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
  - Commercial amusement (outside). [SUP]
  - Commercial parking lot or garage. [RAR]
  - Dry cleaning or laundry store.
  - Furniture store.
  - General merchandise or food store 3,500 square feet or less.
  - General merchandise or food store greater than 3,500 square feet.
  - General merchandise or food store 100,000 square feet or more. [SUP]
  - Mortuary, funeral home, or commercial wedding chapel.

- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Paraphernalia shop. [SUP]
- Personal service uses.
- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater.

(K) Transportation uses.

- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution.

See Section 51A-4.211.]

(L) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Mini-warehouse. [SUP]
- Recycling buy-back center [See Section 51A-4.213 (11).]
- Recycling collection center. [See Section 51A-4.213 (11.1).]
- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Private stable.

(B) In this district, the following accessory use is permitted by SUP only:

- Accessory helistop.

(C) In this district, an SUP may be required for the following accessory uses:



-- Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400 . In the event of a conflict between this subsection and Division 51A-4.400 , Division 51A-4.400 controls.)

Except as provided in this paragraph, the following yard, lot, and space regulations apply:

(A) Front yard.

(i) In general. Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(B) Side and rear yard.

(i) In general. Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no minimum in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density.

(i) MU-1 district. Maximum dwelling unit density varies depending on whether the development is a "mixed use project" as follows:

MAXIMUM DWELLING UNIT DENSITY

(dwelling units per net acre)

Base (No MUP)

MUP with Mix of 2 Categories

MUP with Mix of 3 or More Categories

15

20

25

(ii) MU-1(SAH) district. Maximum dwelling unit density varies depending on whether a density bonus is obtained in accordance with Division 51A-4.900 and the development is a "mixed use project" as follows:

MAXIMUM DWELLING UNIT DENSITY

(dwelling units per net acre)

Percentage of SAH Units Provided

Base (No MUP)  
MUP with Mix of 2 Categories  
MUP with Mix of 3 or More Categories  
0%  
10  
15  
20  
20%  
15  
20  
25

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a "mixed use project" as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is "residential." The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two or more other use categories.]

#### MAXIMUM FLOOR AREA RATIO

Use Categories

Base  
(no MUP)

MUP=2  
(no Res)

MUP=2  
(with Res)

MUP=3  
(no Res)

MUP=3  
(with Res)

Lodging

0.8  
0.85  
0.9  
0.85

0.95  
 Office  
 0.8  
 0.85  
 0.9  
 0.85  
 0.95  
 Residential  
 0.8  
 ---  
 0.95  
 ---  
 0.95  
 Retail and personal service  
 0.4  
 0.5  
 0.5  
 0.6  
 0.6  
 TOTAL DEVELOPMENT  
 0.8  
 0.9  
 1.0  
 1.0  
 1.1

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408 (a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height varies depending on whether the development is a "mixed use project" as follows:

[Note: The first column is the base height, which applies when there is no MUP. The second column (MUP/No Retail) is the height for an MUP with a mix of two use categories when

neither category is "retail and personal service." The third column (MUP/with Retail) is the height for an MUP with a mix of "retail and personal service" plus one or more other use categories.]

MAXIMUM STRUCTURE HEIGHT

(in feet)

Base

(No MUP)

MUP with Mix

(No Retail)

MUP

(with Retail)

80

90

120

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories.

(i) Maximum number of stories above grade is:

(aa) seven when the maximum structure height is 90 feet; and

(bb) nine when the maximum structure height is 120 feet.

(ii) Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(I) Development bonuses for mixed-income housing. In an MU-1 district, certain regulations vary depending on whether a development bonus is obtained in accordance with Division 51A-4.1100 as follows:

(i) Maximum dwelling unit density. Except as provided in this paragraph, the following density bonuses apply:

	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Additional Maximum Unit Density: 51A-4.125(d)(4)(C), plus:
	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Additional Maximum Unit Density: 51A-4.125(d)(4)(C), plus:
MVA Category A, B, C	5% at Income band 3	65 per acre
	5% at Income band 3; and	80 per acre

	5% at Income band 2	
	5% at Income band 3;	105 per acre
	5% at Income band 2; and	
	5% at Income band 1	
MVA Category D, E, F	5% at Income band 2	65 per acre
	10% at Income band 2;	80 per acre
	10% at Income band 2; and	105 per acre
	5% at Income band 1	
MVA Categories G, H, I	5% at Income band 1	105 per acre

(ii) Residential proximity slope. In addition to the items listed in Section 51A-4.408 (a)(2)(A), the following additional items may project through the residential proximity slope to a height not to exceed the maximum structure height, or four feet above the slope, whichever is less:

- (aa) railings;
- (bb) parapet walls;
- (cc) trellises; and
- (dd) structures such as wind barriers, wing walls, and patio dividing walls.

(iii) Floor area ratio. In calculating the maximum floor area ratios in Subparagraph (D), residential uses are not included.

(iv) Developments with transit proximity. For developments with transit proximity as defined in Section 51A-4.1102, an additional bonus of 15 dwelling units is allowed and the maximum lot coverage is 85 percent.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(SAH), MF-1(A), MF-2, MF- 2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope which originates in that district. (See Section 1A-4.412.) For purposes of this paragraph, the term “opening” means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

**(e) MU-2 and MU-2(SAH) districts.**

(1) Purpose. To provide for the development of medium density retail, office, hotel, and/or multifamily residential uses in combination on single or contiguous building sites; to encourage innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel. Additionally, the MU-2(SAH) district is created to encourage the provision of affordable housing.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

-- Catering service.

-- Custom business services.

-- Electronics service center.

-- Labor hall. [SUP]

-- Medical or scientific laboratory.

-- Tool or equipment rental.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility.

-- Cemetery or mausoleum. [SUP]

-- Child-care facility.

-- Church.

-- College, university or seminary.

-- Community service center. [SUP]

-- Convalescent and nursing homes, hospice care, and related institutions. [RAR]

-- Convent or monastery.

-- Foster home.

-- Halfway house. [SUP]

-- Hospital. [SUP]

- Library, art gallery, or museum.
  - Open-enrollment charter school or private school. [SUP]
  - Public school other than an open-enrollment charter school. [RAR]
- (E) Lodging uses.
- Extended stay hotel or motel. [SUP]
  - Hotel or motel. [RAR]
  - Overnight general purpose shelter. [See Section 51A-4.205(2.1).]
- (F) Miscellaneous uses.
- Attached non-premise sign. [SUP]
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
- Alternative financial establishment. [SUP]
  - Financial institution without drive-in window.
  - Financial institution with drive-in window. [DIR]
  - Medical clinic or ambulatory surgical center.
  - Office.
- (H) Recreation uses.
- Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (I) Residential uses.
- College dormitory, fraternity, or sorority house.
  - Duplex.
  - Group residential facility. [See Section 51A-4.209(3).]
  - Multifamily.
  - Residential hotel.
  - Retirement housing.
- (J) Retail and personal service uses.
- Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
  - Animal shelter or clinic without outside runs. [RAR]
  - Auto service center. [RAR]
  - Business school.
  - Car wash. [RAR]
  - Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
  - Commercial amusement (outside). [SUP]

- Commercial parking lot or garage. [RAR]
- Convenience store with drive-through. [SUP]
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- General merchandise or food store 100,000 square feet or more. [SUP]
- Household equipment and appliance repair.
- Liquor store.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Paraphernalia shop. [SUP]
- Personal service uses.
- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater.

(K) Transportation uses.

- Helistop. [SUP]
- Railroad passenger station. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution.

See Section 51A-4.211.]

(L) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Mini-warehouse. [SUP]
- Recycling buy-back center [See Section 51A-4.213 (11).]



- Recycling collection center. [See Section 51A-4.213 (11.1).]
- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Private stable.

(B) In this district, the following accessory use is permitted by SUP only:

- Accessory helistop.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400 . In the event of a conflict between this subsection and Division 51A-4.400 , Division 51A-4.400 controls.)

Except as provided in this paragraph, the following yard, lot, and space regulations apply.

(A) Front yard.

(i) In general. Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(B) Side and rear yard.

(i) In general. Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no minimum in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density.

(i) MU-2 district. Maximum dwelling unit density varies depending on whether the development is a "mixed use project" as follows:

#### MAXIMUM DWELLING UNIT DENSITY

(dwelling units per net acre)

Base

(No MUP)

MUP with Mix of 2 Categories  
MUP with Mix of 3 or More Categories  
50  
75  
100

(ii) MU-2(SAH) district. Maximum dwelling unit density varies depending on whether a density bonus is obtained in accordance with Division 51A-4.900 and whether the development is a "mixed use project" as follows:

MAXIMUM DWELLING UNIT DENSITY  
(dwelling units per net acre)  
Percentage of SAH Units Provided  
Base (No MUP)  
MUP with Mix of 2 Categories  
MUP with Mix of 3 or More Categories  
0%  
30  
45  
60  
5%  
33  
50  
65  
10%  
37  
55  
70  
15%  
42  
60  
75  
20%  
50  
75  
100

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a "mixed use project" as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is "residential." The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two or more other use categories.]

## MAXIMUM FLOOR AREA RATIO

### Use Categories

Base

(no MUP)

MUP=2

(no Res)

MUP=2

(with Res)

MUP=3

(no Res)

MUP=3

(with Res)

Lodging

1.6

1.7

1.8

1.8

1.9

Office

1.6

1.7

1.8

1.8

1.9

Residential

1.6

--

1.8

--

1.9  
 Retail and personal service  
 0.6  
 0.7  
 0.7  
 0.8  
 0.8  
 TOTAL DEVELOPMENT  
 1.6  
 1.8  
 2.0  
 2.0  
 2.25

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408 (a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height varies depending on whether the development is a "mixed use project" as follows:

[Note: The first column is the base height, which applies when there is no MUP. The second column (MUP/no Retail) is the height for an MUP with a mix of two use categories when neither category is "retail and personal service." The third column (MUP/with Retail) is the height for an MUP with a mix of "retail and personal service" plus one or more other use categories.]

MAXIMUM STRUCTURE HEIGHT

(in feet)

Base (No MUP)

MUP (No Retail)

MUP with Retail

135

135

180

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories.

(i) Maximum number of stories above grade is:

(aa) 10 when the maximum structure height is 135 feet; and

(bb) 14 when the maximum structure height is 180 feet.

(ii) Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(I) Development bonuses for mixed-income housing. In an MU-2 district, certain regulations vary depending on whether a development bonus is obtained in accordance with Division 51A-4.1100 as follows:

(i) Maximum dwelling unit density. Except as provided in this paragraph, the following density bonuses apply:

	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Additional Maximum Unit Density: 51A-4.125(e)(4)(C), plus:
	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Additional Maximum Unit Density: 51A-4.125(e)(4)(C), plus:
MVA Categories A, B, C	5% at Income band 3	40 per acre
	5% at Income band 3; and	60 per acre
	5% at Income band 2	
	5% at Income band 3;	80 per acre
	5% at Income band 2; and	
	5% at Income band 1	
MVA Categories D, E, F	5% at Income band 2	35 per acre
	10% at Income band 2;	55 per acre
	10% at Income band 2; and	75 per acre
	5% at Income band 1	
MVA Categories G, H, I	5% at Income band 1	75 per acre

(ii) Residential proximity slope. In addition to the items listed in Section 51A-4.408 (a)(2)(A), the following additional items may project through the residential proximity slope to a height not to exceed the maximum structure height, or four feet above the slope, whichever is less:

- (aa) railings;
- (bb) parapet walls;
- (cc) trellises; and
- (dd) structures such as wind barriers, wing walls, and patio dividing walls.

(iii) Floor area ratio. In calculating the maximum floor area ratios in Subparagraph (D), residential uses are not included.

(iv) Developments with transit proximity. For developments with transit proximity as defined in Section 51A-4.1102, an additional bonus of 15 dwelling units is allowed and the maximum lot coverage is 85 percent.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

- (6) Environmental performance standards. See Article VI.
- (7) Landscape regulations. See Article X.
- (8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope which originates in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

**(f) MU-3 and MU-3(SAH) districts.**

(1) Purpose. To provide for the development of high density retail, office, hotel, and/or multifamily residential uses in combination on single or contiguous building sites; to encourage innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel. Additionally, the MU-3(SAH) district is created to encourage the provision of affordable housing.

- (2) Main uses permitted.
  - (A) Agricultural uses.
    - Crop production.
  - (B) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Labor hall. [SUP]
- Medical or scientific laboratory.
- Tool or equipment rental.
- (C) Industrial uses.
  - Gas drilling and production. [SUP]
  - Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~
- (D) Institutional and community service uses.
  - Adult day care facility.
  - Cemetery or mausoleum. [SUP]
  - Child-care facility.
  - Church.
  - College, university or seminary.
  - Community service center. [SUP]
  - Convalescent and nursing homes, hospice care, and related institutions. [RAR]
  - Convent or monastery.
  - Foster home.
  - Halfway house. [SUP]
  - Hospital. [RAR]
  - Library, art gallery, or museum.
  - Open-enrollment charter school or private school. [SUP]
  - Public school other than an open-enrollment charter school. [RAR]
- (E) Lodging uses.
  - Extended stay hotel or motel. [SUP]
  - Hotel or motel. [RAR]
  - Overnight general purpose shelter. [See Section 51A-4.205(2.1).]
- (F) Miscellaneous uses.
  - Attached non-premise sign. [SUP]
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
  - Alternative financial establishment. [SUP]
  - Financial institution without drive-in window.
  - Financial institution with drive-in window. [DIR]

- Medical clinic or ambulatory surgical center.
- Office.
- (H) Recreation uses.
  - Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (I) Residential uses.
  - College dormitory, fraternity or sorority house.
  - Duplex.
  - Group residential facility. [See Section 51A-4.209(3).]
  - Multifamily.
  - Residential hotel.
  - Retirement housing.
- (J) Retail and personal service uses.
  - Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
  - Animal shelter or clinic without outside runs. [RAR]
  - Auto service center. [RAR]
  - Business school.
  - Car wash. [RAR]
  - Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
  - Commercial amusement (outside). [SUP]
  - Commercial parking lot or garage. [RAR]
  - Convenience store with drive-through. [SUP]
  - Dry cleaning or laundry store.
  - Furniture store.
  - General merchandise or food store 3,500 square feet or less.
  - General merchandise or food store greater than 3,500 square feet.
  - General merchandise or food store 100,000 square feet or more. [SUP]
  - Household equipment and appliance repair.
  - Liquor store.
  - Mortuary, funeral home, or commercial wedding chapel.
  - Motor vehicle fueling station.
  - Nursery, garden shop, or plant sales.
  - Paraphernalia shop. [SUP]
  - Personal service uses.
  - Restaurant without drive-in or drive-through service. [RAR]



- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater.

(K) Transportation uses.

- Heliport. [SUP]
- Helistop. [SUP]
- Railroad passenger station. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution.

See Section 51A-4.211.]

(L) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Mini-warehouse. [SUP]
- Office showroom/warehouse.
- Recycling buy-back center [See Section 51A-4.213 (11).]
- Recycling collection center. [See Section 51A-4.213 (11.1).]
- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]
- Trade center.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory use is not permitted in this district:

- Private stable.

(B) Reserved.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400 . In the event of a conflict between this subsection and Division 51A-4.400 , Division 51A-4.400 controls.)

Except as provided in this paragraph, the following yard, lot, and space regulations apply:

(A) Front yard.

(i) In general. Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(B) Side and rear yard.

(i) In general. Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no minimum in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density.

(i) MU-3 district. No maximum dwelling unit density.

(ii) MU-3(SAH) district. Maximum dwelling unit density varies depending on whether a density bonus is obtained in accordance with Division 51A-4.900 and whether the development is a "mixed use project" as follows:

MAXIMUM DWELLING UNIT DENSITY

(dwelling units per net acre)

Percentage of SAH Units Provided

Base (No MUP)

MUP with Mix of 2 Categories

MUP with Mix of 3 Categories

0%

50

50

50

5%

53

55

55

10%

57  
60  
60  
15%  
62  
65  
65  
20%  
NO MAXIMUM

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a "mixed use project" as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is "residential." The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two or more other use categories.]

#### MAXIMUM FLOOR AREA RATIO

##### Use Categories

Base

(no MUP)

MUP=2

(no Res)

MUP=2 (with Res)

MUP=3

(no Res)

MUP=3 (with Res)

##### Lodging

3.2

3.4

3.6

3.6

3.8

##### Office

3.2

3.4

3.6

3.6

3.8

Residential

3.2

--

3.8

--

3.8

Retail and personal service

2.0

2.6

3.0

3.2

3.75

TOTAL DEVELOPMENT

3.2

3.6

4.0

4.0

4.5

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408 (a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 270 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories above grade is 20. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(I) Development bonuses for mixed-income housing. In an MU-3 district, certain regulations vary depending on whether a development bonus is obtained in accordance with Division 51A-4.1100 as follows:

(i) Maximum floor area bonuses and lot coverage. Except as provided in this paragraph, the following floor area bonuses and lot coverage requirements apply:

	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Floor Area Ratio: 51A-4.125(f)(4)(D ), plus:	Maximum Lot coverage (residential)
MVA Categories A, B, C	5% at Income band 3;	1.0	80%
	5% at Income band 3; and 5% at Income band 2	2.0	85%
	5% at Income band 3; 5% at Income band 2; and 5% at Income band 1	3.0	85%
	5% at Income band 2;	1.0	80%
MVA Categories D, E, F	10% at Income band 2	2.0	85%
	10% at Income band 2; and 5% at Income band 1	3.0	85%
	5% at Income band 1	3.0	85%
MVA Categories G, H, I	5% at Income band 1	3.0	85%

(ii) Residential proximity slope. In addition to the items listed in Section 51A-4.408 (a)(2)(A), the following additional items may project through the residential proximity slope to a height not to exceed the maximum structure height, or four feet above the slope, whichever is less:

- (aa) railings;
- (bb) parapet walls;
- (cc) trellises; and
- (dd) structures such as wind barriers, wing walls, and patio dividing walls.

(iii) Floor area ratio. The floor area ratio bonuses in this paragraph are limited to residential uses only.

(iv) Developments with transit proximity. For developments with transit proximity as defined in Section 51A-4.1102, the maximum floor area ratio is increased by 1.0 above the FAR allowed in this section (for example: if the allowed FAR for a mixed use project is 4.0 and a development bonus of 1.5 is utilized, this transit proximity bonus allows an FAR of 6.5) and the maximum lot coverage is 90 percent.

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope which originates in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use. (Ord. Nos. 19455; 19786; 19806; 19808; 19912; 19931; 20237; 20242; 20273; 20380; 20382; 20625; 20895; 20902; 20920; 20928; 20950; 21002; 21044; 21259; 21314; 21399; 21400; 21442; 21663; 21735; 21796; 22139; 22204; 22531; 22782; 24232; 24271; 24543; 24857; 25785; 25815; 26920; 27572; 28079; 28214; [30477](#); [31152](#))

#### SEC. 51A-4.126. MULTIPLE COMMERCIAL DISTRICTS.

(a) In general. Single or multiple uses may be developed on one site in a multiple commercial district as in any other district; however, in order to encourage a mixture of uses, density bonuses are awarded to developments that qualify as "multiple commercial projects" as defined in Subsection (b). If a development does not qualify as an MCP, it is limited to a "base" floor area ratio. When a development qualifies as an MCP, it earns a higher maximum floor area ratio. For more information regarding the exact increments of

increase, consult the yard, lot, and space regulations in this section governing the particular district of interest.

(b) Qualifying as a multiple commercial project. To qualify as a MULTIPLE COMMERCIAL PROJECT (MCP) for purposes of this section, a development must contain uses in two or more of the following categories, and the combined floor areas of the uses in each category must equal or exceed the following percentages of the total floor area of the project:

#### MC-1 AND MC-2 DISTRICTS

Use Category

% of Total Floor Area

Lodging

15%

Office

15%

Retail and personal service

10%

#### MC-3 AND MC-4 DISTRICTS

Use Category

% of Total Floor Area

Lodging

10%

Office

15%

Retail and personal service

5%

(c) Multiple commercial project (MCP) regulations.

(1) If an MCP is proposed, a project plan must be submitted to and approved by the building official.

(2) If an MCP is constructed in phases:

(A) the first phase must independently qualify as an MCP under Subsection (b); and

(B) each subsequent phase combined with all previous phases already completed or under construction must also qualify as an MCP under Subsection (b).

(3) An MCP may consist of two or more building sites if they are developed under a unified development plan. The plan must be:

- (A) signed by or on behalf of all of the owners of the property involved;
- (B) approved by the building official; and
- (C) filed in the deed records of the county where the property is located.

(4) When an MCP consists of multiple building sites, its development standards and off-street parking regulations are calculated by combining the sites and treating them as a single building site.

**(d) MC-1 district.**

(1) Purpose. To provide for the development of moderate density lodging, office, and retail uses in or adjacent to a residential community where development options need to remain flexible, and where a moderate density mixed use development having a residential component could adversely impact the community.

(2) Main uses permitted.

(A) Agricultural uses.

- Crop production.

(B) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Labor hall. [SUP]
- Medical or scientific laboratory. [SUP]

(C) Industrial uses.

- Gas drilling and production. [SUP]
- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center. [SUP]
- Convent or monastery.
- Hospital. [SUP]
- Library, art gallery, or museum.
- Open-enrollment charter school or private school. [SUP]
- Public school other than an open-enrollment charter school. [RAR]

(E) Lodging uses.

- Extended stay hotel or motel. [SUP]



- Hotel or motel. [RAR] or [SUP] [See Section 51A-4.205(1).]
- Overnight general purpose shelter. [See Section 51A-4.205(2.1).]
- (F) Miscellaneous uses.
  - Attached non-premise sign. [SUP]
  - Carnival or circus (temporary). [By special authorization of the building official.]
  - Temporary construction or sales office.
- (G) Office uses.
  - Alternative financial establishment. [SUP]
  - Financial institution without drive-in window.
  - Financial institution with drive-in window. [DIR]
  - Medical clinic or ambulatory surgical center.
  - Office.
- (H) Recreation uses.
  - Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (I) Residential uses.
  - College dormitory or fraternity or sorority house.
- (J) Retail and personal service uses.
  - Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
  - Animal shelter or clinic without outside runs. [RAR]
  - Auto service center. [RAR]
  - Business school.
  - Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
  - Commercial amusement (outside). [SUP]
  - Commercial parking lot or garage. [RAR]
  - Convenience store with drive-through. [SUP]
  - Dry cleaning or laundry store.
  - Furniture store.
  - General merchandise or food store 3,500 square feet or less.
  - General merchandise or food store greater than 3,500 square feet.
  - General merchandise or food store 100,000 square feet or more. [SUP]
  - Mortuary, funeral home, or commercial wedding chapel.
  - Motor vehicle fueling station.
  - Nursery, garden shop, or plant sales.
  - Personal service use.

- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater.

(K) Transportation uses.

- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution.

See Section 51A-4.211.]

(L) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Mini-warehouse. [SUP]
- Recycling buy-back center. [See Section 51A-4.213 (11).]
- Recycling collection center. [See Section 51A-4.213 (11.1).]
- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. Generally speaking, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Home occupation.
- Private stable.

(B) The following accessory use is permitted by SUP only:

- Accessory helistop.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no minimum in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density. Not applicable.

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a “multiple commercial project” as follows:

[Note: The first column is the base FAR, which applies when there is no MCP. The second column is the FAR for an MCP with a mix of two use categories. The third column is the FAR for an MCP with a mix of three or more use categories.]

#### MAXIMUM FLOOR AREA RATIO

Use Categories

Base (No MCP)

MCP with Mix of 2 Categories

MCP with Mix of 3 Categories

Lodging

0.8

0.85

0.85

Office

0.8

0.85

0.85

Retail and personal service

0.3

0.4

0.5

TOTAL DEVELOPMENT

0.8

0.9

1.0

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 70 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories above grade is five. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF- 2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope which originates in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(e) MC-2 district.

(1) Purpose. To provide for the development of moderate density lodging, office, and retail uses adjacent to a residential community where development options need to remain flexible, and where a moderate density mixed use development having a residential component could adversely impact the community.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

-- Catering service.

-- Custom business services.

-- Electronics service center.

-- Labor hall. [SUP]

-- Medical or scientific laboratory. [SUP]

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility.

-- Cemetery or mausoleum. [SUP]

-- Child-care facility.

-- Church.

-- College, university, or seminary.

-- Community service center. [SUP]

-- Convent or monastery.

-- Hospital. [SUP]

-- Library, art gallery, or museum.

-- Open-enrollment charter school or private school. [SUP]

-- Public school other than an open-enrollment charter school. [RAR]

(E) Lodging uses.

-- Extended stay hotel or motel. [SUP]

-- Hotel or motel. [RAR] or [SUP][See Section 51A-4.205(1).]

-- Overnight general purpose shelter. [See Section 51A-4.205(2.1).]

(F) Miscellaneous uses.

-- Attached non-premise sign. [SUP]

-- Carnival or circus (temporary). [By special authorization of the building official.]

- Temporary construction or sales office.
- (G) Office uses.
  - Alternative financial establishment. [SUP]
  - Financial institution without drive-in window.
  - Financial institution with drive-in window. [DIR]
  - Medical clinic or ambulatory surgical center.
  - Office.
- (H) Recreation uses.
  - Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (I) Residential uses.
  - College dormitory or fraternity or sorority house.
- (J) Retail and personal service uses.
  - Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
  - Animal shelter or clinic without outside runs. [RAR]
  - Auto service center. [RAR]
  - Business school.
  - Car wash. [RAR]
  - Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
  - Commercial amusement (outside). [SUP]
  - Commercial parking lot or garage. [RAR]
  - Convenience store with drive-through. [SUP]
  - Dry cleaning or laundry store.
  - Furniture store.
  - General merchandise or food store 3,500 square feet or less.
  - General merchandise or food store greater than 3,500 square feet.
  - General merchandise or food store 100,000 square feet or more. [SUP]
  - Household equipment and appliance repair.
  - Liquor store.
  - Mortuary, funeral home, or commercial wedding chapel.
  - Motor vehicle fueling station.
  - Nursery, garden shop, or plant sales.
  - Personal service use.
  - Restaurant without drive-in or drive-through service. [RAR]
  - Restaurant with drive-in or drive-through service. [DIR]

- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater.

(K) Transportation uses.

- Helistop. [SUP]
- Railroad passenger station. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution.

See Section 51A-4.211.]

(L) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Mini-warehouse. [SUP]
- Recycling buy-back center [See Section 51A-4.213 (11).]
- Recycling collection center. [See Section 51A-4.213 (11.1).]
- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

(3) Accessory uses. Generally speaking, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Home occupation.
- Private stable.

(B) The following accessory use is permitted by SUP only:

- Accessory helistop.

(C) In this district, an SUP may be required for the following accessory uses:

- Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no minimum in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density. Not applicable.

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a “multiple commercial project” as follows:

[Note: The first column is the base FAR, which applies when there is no MCP. The second column is the FAR for an MCP with a mix of two use categories. The third column is the FAR for an MCP with a mix of three or more use categories.]

#### MAXIMUM FLOOR AREA RATIO

Use Categories

Base (No MCP)

MCP with Mix of 2 Categories

MCP with Mix of 3 Categories

Lodging

0.8

0.85

0.85

Office

0.8

0.85

0.85

Retail and personal service

0.5



0.5

0.5

TOTAL DEVELOPMENT

0.8

0.9

1.0

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 90 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories above grade is seven. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope which originates in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(f) MC-3 and MC-4 districts.

(1) Purpose. To provide for the development of medium density lodging, office, and retail uses in areas where a medium density mixed use development having a residential component could adversely impact a residential community.

(2) Main uses permitted.

(A) Agricultural uses.

-- Crop production.

(B) Commercial and business service uses.

-- Catering service.

-- Custom business services.

-- Electronics service center.

-- Labor hall. [SUP]

-- Medical or scientific laboratory.

-- Tool or equipment rental.

(C) Industrial uses.

-- Gas drilling and production. [SUP]

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

(D) Institutional and community service uses.

-- Adult day care facility.

-- Cemetery or mausoleum. [SUP]

-- Child-care facility.

-- Church.

-- College, university, or seminary.

-- Community service center. [SUP]

-- Convent or monastery.

-- Hospital. [SUP]

-- Library, art gallery, or museum.

-- Open-enrollment charter school or private school. [SUP]

-- Public school other than an open-enrollment charter school. [RAR]

(E) Lodging uses.

-- Extended stay hotel or motel. [SUP]

-- Hotel or motel. [RAR] or [SUP] [See Section 51A-4.205(1).]

-- Overnight general purpose shelter. [See Section 51A-4.205(2.1).]

(F) Miscellaneous uses.

-- Attached non-premise sign. [SUP]

-- Carnival or circus (temporary). [By special authorization of the building official.]

- Temporary construction or sales office.
- (G) Office uses.
  - Alternative financial establishment. [SUP]
  - Financial institution without drive-in window.
  - Financial institution with drive-in window. [DIR]
  - Medical clinic or ambulatory surgical center.
  - Office.
- (H) Recreation uses.
  - Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (I) Residential uses.
  - College dormitory or fraternity or sorority house.
- (J) Retail and personal service uses.
  - Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
  - Ambulance service. [RAR]
  - Animal shelter or clinic without outside runs. [RAR]
  - Auto service center. [RAR]
  - Business school.
  - Car wash. [RAR]
  - Commercial amusement (inside). [SUP may be required. See Section 51A-4.210(b)(7)(B).]
  - Commercial amusement (outside). [SUP]
  - Commercial parking lot or garage. [RAR]
  - Convenience store with drive-through. [SUP]
  - Dry cleaning or laundry store.
  - Furniture store.
  - General merchandise or food store 3,500 square feet or less.
  - General merchandise or food store greater than 3,500 square feet.
  - General merchandise or food store 100,000 square feet or more. [SUP]
  - Household equipment and appliance repair.
  - Liquor store.
  - Mortuary, funeral home, or commercial wedding chapel.
  - Motor vehicle fueling station.
  - Nursery, garden shop, or plant sales.
  - Personal service use.
  - Restaurant without drive-in or drive-through service. [RAR]

- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater.

(K) Transportation uses.

- Heliport. [SUP]
- Helistop. [SUP]
- Railroad passenger station. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution.

See Section 51A-4.211.]

(L) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
- Utility or government installation other than listed. [SUP]

(M) Wholesale, distribution, and storage uses.

- Mini-warehouse. [SUP]
- Recycling buy-back center [See Section 51A-4.213 (11).]
- Recycling collection center. [See Section 51A-4.213 (11.1).]
- Recycling drop-off container. [See Section 51A-4.213 (11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]
- In MC-4 only: Trade center.

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in these districts:

- Accessory community center (private).
- Home Occupation.
- Private stable.

(B) The following accessory use is permitted by SUP only:

- Accessory helistop.

(C) In these districts, an SUP may be required for the following accessory uses:

-- Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

(A) Front yard.

(i) Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(B) Side and rear yard.

(i) Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no minimum in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density. Not applicable.

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a “multiple commercial project” as follows:

[Note: The first column is the base FAR, which applies when there is no MCP. The second column is the FAR for an MCP with a mix of two use categories. The third column is the FAR for an MCP with a mix of three or more use categories.]

#### MAXIMUM FLOOR AREA RATIO IN THE MC-3 DISTRICT

Use Categories

Base (No MCP)

MCP with Mix of 2 Categories

MCP with Mix of 3 Categories

Lodging

1.2

1.3

1.3

Office

1.2

1.3

1.3

Retail and personal service

0.6

0.6

0.6

TOTAL DEVELOPMENT

1.2

1.35

1.5

MAXIMUM FLOOR AREA RATIO IN THE MC-4 DISTRICT

Use Categories

Base (No MCP)

MCP with Mix of 2 Categories

MCP with Mix of 3 Categories

Lodging

1.6

1.7

1.7

Office

1.6

1.7

1.7

Retail and personal service

0.75

0.75

0.75

TOTAL DEVELOPMENT

1.6

1.8

2.0

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever

is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is:

(aa) 115 feet in the MC-3 district; and

(bb) 135 feet in the MC-4 district.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories.

(i) Maximum number of stories above grade is:

(aa) 9 in the MC-3 district; and

(bb) 10 in the MC-4 district.

(ii) Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(5) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(6) Environmental performance standards. See Article VI.

(7) Landscape regulations. See Article X.

(8) Additional provisions.

(A) Development impact review. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(B) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF- 2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope which originates in that district. (See Section 51A-4.412.) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use. (Ord. Nos. 19786; 19806; 19808; 19873; 20242; 20273; 20380; 20382; 20625; 20895; 20902; 20920; 20950; 21002; 21044; 21259; 21314; 21399; 21400; 21442; 21663; 21735; 21796; 22204; 22531; 22782; 24232; 24271; 24543; 24857; 25785; 25815; 26920; 28079; 28214)

#### SEC. 51A-4.127. URBAN CORRIDOR DISTRICTS.

(a) In general. A minimum of two land uses must be developed on a lot in an urban corridor district, with one use being residential use above street level. Density bonuses are

awarded to lots that have parking structures. Parking requirements are reduced for lots that have linkages to transit and have a high level of pedestrian amenities. There are three types of urban corridor districts, differing principally in their density and height allowances: UC-1, UC-2, and UC-3. The urban corridor district regulations apply to all frontages of the lot, except where otherwise specified.

(b) Qualifying a segment of a street as an urban corridor.

(1) Urban corridor requirements. A segment of street must have all of the following characteristics to be an urban corridor:

- (A) A minimum outside lane width of 10 feet.
- (B) A road composition that supports buses.
- (C) No speed bumps.
- (D) A minimum turning radius of 50 feet.
- (E) A minimum overhead clearance of 11 feet.

(2) Community collectors and arterial streets. An urban corridor segment of street must be built in accordance with the city's thoroughfare plan, and must be the following type of thoroughfare for each urban corridor district:

- (A) UC-1: community collector or four-or six-lane arterial.
- (B) UC-2: four-or six-lane arterial.
- (C) UC-3: six-lane arterial.

(3) State highways. A UC-1, UC-2, or UC-3 district may exist along a segment of a state highway designated by the Texas Department of Transportation if the segment has all of the characteristics required for an urban corridor, and the department determines the frontage to be safe (based on vehicular traffic speed and volume) for the level of pedestrian traffic expected for the type of urban corridor district requested.

(4) Ineligible streets. Interstate highways, freeways, expressways, and their frontage roads are ineligible streets for urban corridors.

**(c) UC districts.**

(1) Purpose. To encourage medium density mixed use development with a required above-grade residential component, pedestrian-friendly site design, and an urban street character, in order to increase pedestrian traffic, reduce vehicular traffic, promote innovative use of space, promote energy efficient design, conserve land, and accommodate a range of compatible land uses through appropriate site design.

(2) Main uses permitted.

- (A) Agricultural uses.
  - Crop production.
- (B) Commercial and business service uses.
  - Catering service.
  - Custom business services.
  - Electronics service center.
  - Job or lithographic printing.



- Medical or scientific laboratory. [SUP]
- (C) Industrial uses.
  - Gas drilling and production. [SUP]
  - Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~
- (D) Institutional and community service uses.
  - Adult day care facility.
  - Child-care facility.
  - Church.
  - College, university, or seminary.
  - Community service center. [SUP]
  - Convalescent and nursing homes, hospice care, and related institutions.
  - Convent or monastery.
  - Hospital. [SUP]
  - Library, art gallery, or museum.
  - Open enrollment charter school or private school. [SUP]
  - Public school other than open enrollment charter school. [RAR]
- (E) Lodging uses.
  - None permitted.
- (F) Miscellaneous uses.
  - Temporary construction or sales office.
- (G) Office uses.
  - Alternative financial establishment. [SUP in UC-2 and UC-3 only.]
  - Financial institution without drive-in window.
  - Medical clinic or ambulatory surgical center.
  - Office.
- (H) Recreation uses.
  - Private recreation center, club, or area. [UC-2 and UC-3 only.]
  - Public park, playground, or golf course. [DIR]
- (I) Residential uses.
  - College dormitory, fraternity, or sorority house. [SUP]
  - Group residential facility. [SUP]
  - Handicapped group dwelling unit. [SUP]
  - Multifamily.
  - Retirement housing. [SUP]
- (J) Retail and personal service uses.

- Alcoholic beverage establishments. [See Section 51A-4.210(b)(4).]
- Animal shelter or clinic without outside runs.
- Business school. [UC-2 and UC-3 only.]
- Commercial amusement (inside). [UC-2 and UC-3 only. SUP may be required. See Section 51A-4.210 (b)(7)(B).]
- Commercial parking lot or garage.
- Dry cleaning or laundry store without drive-in or drive-through service.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet [UC-2 and UC-3 only.]
- General merchandise or food store 100,000 square feet or more. [SUP]
- Household equipment and appliance repair.
- Nursery, garden shop, or plant sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Temporary retail use.
- Theater [DIR required. This use is limited to a theater with less than 1,000 seats. See Section 51A-4.210(b)(30).]

(K) Transportation uses.

- Transit passenger shelter.

(L) Utility and public service uses.

- Local utilities.
- Police or fire station.
- Post office.
- Mounted cellular antenna. [UC-3 only.]
- Utility or other government installation other than listed.

(M) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213(11.2).]
- Recycling drop-off for special occasion collection. [See Section 51A-4.213(11.3).]

(3) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(A) The following accessory uses are not permitted in these districts:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.

- Accessory outside storage.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Day home.
- General waste incinerator.
- Private stable.

(B) The following accessory uses are permitted in these districts by SUP only:

- Accessory community center (private).
- Pedestrian skybridges.

(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(A) Front yard.

(i) There is no minimum front yard.

(ii) The maximum front yard is the smallest possible distance that meets the requirements for buffer zone and pedestrian zone in the curb-to-building area, except for any area in the front yard that meets the qualifications for a pedestrian plaza in Subparagraph (iii) below. See Subsection (c)(8)(B) for details about the curb-to-building area.

(iii) Part of the front yard may be used for a pedestrian plaza. A plaza may have a maximum depth of 50 feet (measured perpendicular from the frontage to the opposite side of the plaza) and a maximum length (measured along the side of the plaza parallel to the frontage) of 20 percent of the length of the building along the frontage.

(iv) Urban form setback. An additional front yard setback of one foot for each two feet in height above 55 feet is required for that portion of a building above 55 feet in height.

(B) Side and rear yard.

(i) No side yard is required on a side of the lot that is adjacent to a central area, mixed use, or urban corridor district; however, if a side yard is provided, it must be at least five feet wide.

(ii) The minimum side yard is 10 feet on any side of a lot where that side of the lot is directly across a street 64 feet or less in width from, or is directly across an alley from, an R, R(A), D, D(A), TH, TH(A), or CH district, or where part of a structure on that side of the lot is within 330 feet of an R, R(A), D, D(A), TH, TH(A), or CH district.

(iii) The minimum side yard is five feet in all other cases.

(iv) The minimum rear yard is 10 feet in UC-1, and 15 feet in UC-2 and UC-3.

(C) Dwelling unit density.

(i) The minimum number of dwelling units per acre is 10 in UC-1; 35 in UC-2; and 45 in UC-3.

(ii) The minimum dwelling unit area is 500 square feet.

(D) Floor area ratio.

(i) The maximum floor area ratio without any bonuses is 0.6 in UC-1; 0.85 in UC-2; and 1.0 in UC-3.

(ii) The maximum floor area ratio with a bonus for having an above-grade parking structure is 1.8 in UC-1; 3.0 in UC-2; and 4.0 in UC-3.

(iii) The maximum floor area ratio with a bonus for having a below-grade parking structure is 2.0 in UC-1; 3.6 in UC-2; and 4.5 in UC-3.

(E) Height.

(i) The maximum structure height without any bonuses is 30 feet in UC-1; 40 feet in UC-2; and 55 feet in UC-3.

(ii) The maximum structure height with a bonus for having an above-or below-grade parking structure is 55 feet in UC-1; 80 feet in UC-2; and 100 feet in UC-3.

(iii) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(F) Lot coverage. The maximum lot coverage is 80 percent. Above-ground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. There is no minimum lot size.

(H) Stories.

(i) The minimum number of stories above street level is two in UC-1; three in UC-2; and four in UC-3.

(ii) The maximum number of stories above street level with bonuses for an above-or below-street-level parking structure is four in UC-1; six in UC-2; and eight in UC-3.

(5) Off-street parking and loading. The off-street parking requirements in Division 51A-4.200 and the off-street parking and loading regulations in Division 51A-4.300 apply, except as follows:

(A) Multifamily use parking requirements. One parking space is required per 500 square feet of multifamily dwelling unit floor area on the lot, up to a maximum of two parking spaces per dwelling unit.

(B) Parking reductions. A lot located within 500 feet of a bus stop on a DART bus route, or a shuttle bus route connecting to a DART light rail station, with a minimum headway, i.e. the scheduled time interval between the arrival of successive same-route buses, trains, or other vehicles used for public transportation at a passenger stop, of 10 minutes during peak hours and 30 minutes during non-peak hours as these times are set by DART, shall be granted reductions of four percent of total parking requirements for each additional pedestrian amenity type provided in excess of the minimum amenities required [See Subsection (c)(8)(D) for pedestrian amenities rules], up to a maximum 20 percent reduction. If parking reduction is sought, bicycle parking must be provided as an amenity

type. The additional pedestrian amenities must be provided within the curb-to-building area and must serve to enhance the pedestrian pathways from building entrances on the lot to transit stops. These parking reductions do not apply to uses that already have parking exemptions based on delta theory. [See Subsection 51A-4.704(b)(4)(A) for delta theory parking regulations.]

(C) On-street parallel parking. On-street parallel parking spaces adjacent to the lot provided on community collectors or four-lane arterials count toward off-street parking requirements. Notwithstanding the foregoing, nothing in this section shall abrogate the authority granted to the city's traffic engineer by Chapter 28 of the Dallas City Code to regulate traffic, including parking, on public streets.

(D) Shared parking. Shared parking is required for all nonresidential uses on the lot. The utilization rates in the following table provide the basis for calculation of parking spaces required with shared parking. The adjusted standard off street parking requirement for the development is the largest of the five "time-of-day" column sums.

Shared Parking Table  
(for calculating adjusted standard parking requirement)

Use Category
Morning
Noon
Afternoon
Late Afternoon
Evening
Residential uses
80%
60%
60%
70%
100%
Office-related uses
100%
80%
100%
85%
35%
Retail related uses
60%
75%
70%

65%

70%

Bar and restaurant uses

20%

100%

30%

30%

100%

All other uses

100%

100%

100%

100%

100%

(6) Environmental performance standards. See Article VI.

(7) Landscape and open space provisions.

(A) In general. See Article X. Section 51A-10.126 does not apply, and Subsections (b)(2) and (b)(4) of Section 51A-10.125 are superseded by this subsection. All private licensing requirements must be met.

(B) Parking lot screening. Except as otherwise provided, all requirements of Section 51A-4.301(f) apply to parking lots and parking structures in urban corridor districts, and to remote parking lots and parking structures serving a building in an urban corridor district. A five-foot-wide landscaped strip must be located along any edge of the parking lot or parking structure that is visible at grade level from a street or alley, in accordance with the following provisions:

(i) Small trees must be located every 15 feet, or fraction thereof, or clustered every 30 feet, within the landscaped strip. A small tree must have a minimum caliper width of three inches, with the exception of multi-trunk trees, which may have a minimum caliper width of two inches per trunk.

(ii) A continuous row of large evergreen shrubs must be located in the landscaped strip.

(iii) For every four rows of parking, parking lots must contain at least one interior landscaped strip of at least 15 linear feet that is planted with ground cover, shrubbery of 24-36 inches in height, and at least one large tree.

(iv) Fences may complement but not substitute for parking lot trees and shrubbery screening.

(v) Covered parking may substitute for trees and shrubbery in the interior of the parking area, but not for those required along its perimeter. Covered parking may not

replace shrubbery or substitute for trees that provide buffering between parking lots or parking structures and the street.

(C) Screening of off-street loading spaces.

(i) All off-street loading spaces must be screened from all public streets adjacent to the lot.

(ii) Screening of all off-street loading spaces must be at least six feet high.

(iii) Garbage storage areas must be visually screened on all sides by a brick, stone, or concrete masonry, stucco, concrete, or wood wall or fence. Screening is not required on a side adjacent to an alley or easement used for garbage pick-up service. Trellises or other coverings must be used to screen the top of garbage storage areas.

(D) Street trees. A small street tree must be provided for every 50 feet of frontage, with a minimum of two trees per lot. A small tree must have a minimum caliper width of three inches, with the exception of multi-trunk trees which may have a minimum caliper width of two inches per trunk. Street trees must be located in the buffer zone between the street curb and the sidewalk. If the buffer zone is located in the public right-of-way, street trees must be located in the public right-of-way. The city arborist recommends the following list of trees as being most suitable for planting in the buffer zone in all urban corridor districts, and the city strongly encourages the use of these trees in the buffer zone:

(i) Japanese Maple, *Acer palmatum*.

(ii) Eastern Redbud, *Cercis canadensis*.

(iii) Thornless Cockspur Hawthorne, *Crataegus crus-galli* 'inermis.'

(iv) Thornless Honeylocust, *Gleditsia triacanthos* var. *inermis*.

(v) Possumhaw Holly, *Ilex decidua*.

(vi) Yaupon Holly, *Ilex vomitoria*.

(vii) Eastern Red Cedar, *Juniperus virginiana*.

(viii) Eldarica, Mondell, or Afghan Pine, *Pinus eldarica*.

(ix) Austrian or Black Pine, *Pinus nigra*.

(x) Japanese Black Pine, *Pinus thunbergii*.

(xi) Chinese Pistachio, *Pistachia chinensis*.

(xii) Mexican Plum, *Prunus mexicana*.

(xiii) Western Soapberry, *Sapindus drumondii*.

(xiv) Eve's Necklace, *Sophora affinis*.

(xv) Rusty Blackhaw, *Viburnum rufidulum*.

(E) Tree grates. Any tree within 18 inches of a curb must be protected by a tree grate.

(F) Permeable surface area. A minimum of 10 percent of the lot area must be open space in the form of permeable surfaces such as perimeter landscape buffer strip, recreation area, or conservation area. Discrete open space areas smaller than 25 square feet or less than 5 feet wide, and landscaping in the public right-of-way, are not counted towards this 10 percent requirement.

(8) Site design requirements.

(A) Land use placement.

(i) Off-street parking. Parking is permitted on any level of a building, but no part of any parking area or parking structure may front on an urban corridor or be located directly across a street 64 feet or less in width from, or be directly across an alley from, an R, R(A), D, D(A), TH, TH(A), or CH district, or be within 330 feet of an R, R(A), D, D(A), TH, TH(A), or CH district. The length of any portion of a parking lot or structure that is visible at grade-level from a street may not exceed 24 feet.

(ii) Street level uses. Residential uses are not permitted at street-level along an urban corridor frontage.

(iii) Residential uses are the only uses permitted at street level along frontages that are not on an urban corridor and:

(aa) the frontage is directly across a street 64 feet or less in width from, or is directly across an alley from, an R, R(A), D, D(A), TH, TH(A), or CH district; or

(bb) any part of a structure on that frontage is within 330 feet of an R, R(A), D, D(A), TH, TH(A), or CH district.

(iv) Uses above street level. Residential uses are the only uses permitted on all levels above street level, except that adult daycare uses, child-care facility uses, and office uses that are accessory to street-level uses in the building are permitted on the second level of a building that has three or more levels.

(B) Curb-to-building area. The area between the curb and the building line must meet the following standards:

(i) It must have a width of 10 feet in a UC-1 district; 12 feet in a UC-2 district; and 15 feet in a UC-3 district.

(ii) Where public right-of-way provides insufficient space, the curb-to-building area must be provided on private property until the prescribed width is met.

(iii) It must include a buffer zone, located between the curb and the pedestrian zone, that contains all required street trees [see Subsection (c)(7)(D)] as well as trees and shrubs provided as pedestrian amenities [see Subsection (c)(8)(E)]. Other pedestrian amenities may also be located in the buffer zone.

(iv) It must include a pedestrian zone, located between the buffer zone and the building line, that contains a sidewalk that meets urban corridor district sidewalk standards. [See Subsection (c)(8)(C).] The pedestrian zone may contain pedestrian amenities that are attached to the building facade and do not impede pedestrian movement or visually obstruct the street-level windows. [See Subsection (c)(8)(F)(iii).]

(v) A pedestrian plaza located on a frontage is considered to begin at the building line for purposes of this Subparagraph (B).

(C) Sidewalk standards. Sidewalks must be located in the pedestrian zone for the entire length of the frontage, and must meet the following standards:

(i) In a UC-1 district, they must have a minimum clear zone of five feet.

(ii) In a UC-2 district, they must have a minimum clear zone of seven feet.

(iii) In a UC-3 district, they must have a minimum clear zone of 10 feet.



(iv) Sidewalk widths must match up with the width of existing sidewalks in front of adjacent properties at the point of intersection. Where there are different sidewalk widths on each side of the urban corridor district frontage, the width matched must be that which most closely approximates the required 5- to 10-foot width, and the new sidewalk must taper to meet the incongruous sidewalks.

(v) Additional pedestrian pathways that are not in the pedestrian zone must have a minimum width of four feet.

(D) Pedestrian amenities.

(i) At least three of the following types of pedestrian amenities must be provided within the curb-to-building area of the lot:

(aa) Awnings/canopies with a minimum overhang of 4 feet and a minimum length of 25 feet per 100 feet of building facade along the frontage; or a combination of street trees and evergreen shrubs with a minimum of one small tree per 25 feet of frontage and a minimum of one shrub per 5 feet of frontage.

(bb) Benches at one per 100 feet of frontage, with a minimum of two per lot.

(cc) Trash receptacles at one per 100 feet of frontage, with a minimum of two per lot.

(dd) Bicycle parking at one 5- bicycle unit per 100 feet of frontage, with a minimum of two per lot.

(ee) Pedestrian street lamps (free-standing or wall-mounted) at one per 50 feet of frontage.

(ff) Enhanced sidewalk with stamped concrete or brick pavers in the pedestrian zone for the full width of the sidewalk, along the entire frontage.

(gg) Public art or water features costing no less than \$2,500, at one per lot.

(hh) Drinking fountains at one per lot.

(ii) Amenities must be placed far enough from the street curb so as not to create a physical barrier to buses.

(iii) Canopies, awnings, and pedestrian street lamp fixtures must have a minimum nine-foot clearance. Lamp fixtures may not exceed 14 feet in height. Light fixtures may not emit light upward into the windows of dwelling units.

(iv) All pedestrian amenities must be maintained by the owner of the lot; if there is more than one owner, all owners are jointly and severally liable for maintenance.

(E) Driveway design requirements.

(i) Pedestrian crosswalks must be clearly marked to indicate where the crosswalk crosses the driveway.

(ii) Common or joint driveways are required when adjacent lots have direct vehicular access.

(iii) Curb cuts must be no less than 12 and no more than 24 feet in length (measured parallel to the frontage). Each lot may have a maximum of one curb cut for each frontage.

(iv) Driveways into parking areas or structures must be from an urban corridor.

(v) No part of a circular or semi-circular driveway is permitted on an urban corridor.

(F) Building envelope design requirements.

(i) Building facades. Building facades must be as close as possible to the pedestrian zone. Columns of an arcade must be on the building line, and the internal facade of an arcade must be set back from the building line no more than 10 feet. Parking deck and garage facades visible at ground level from any street or alley must have the appearance of a multiple-story building. It is recommended that parking deck and garage facades visible at ground level from any street or alley have the appearance of similar material finish as the building on the site for which the parking is being provided.

(ii) Building height and setback. Building height and setback is subject to both residential proximity slope and urban form setback requirements. In all instances, residential proximity slope requirements supersede all other height allowances.

(iii) Storefront treatments. The following provisions apply to all uses at ground level except church use and residential uses.

(aa) All street-fronting street-level portions of a building must have windows and primary entrances facing the street or a plaza. No more than 10 continuous linear feet of street-fronting street-level facade may lack a transparent opening (e.g. a window or a transparent door).

(bb) Corner lot structures must have corner entrances in compliance with the visibility triangle standards set by the department of development services.

(cc) Street-fronting, street-level windows must:

(I) cover 50 percent or more of street-level frontage;

(II) not have a bottom edge higher than three feet above the base of building; and

(III) be less than 10 feet high.

(dd) It is recommended that street-fronting, street-level windows be clear, unpainted, or made of similarly treated glass allowing visibility within street-level uses.

(iv) Pedestrian access to the building. Primary pedestrian (i.e. residential and customer) ingress and egress must be to or from an urban corridor. Pedestrian ingress and egress for all other functions must be to or from rear or side yard entrances. Pedestrian pathways must be provided to connect the pedestrian zone to the parking lot, rear entrances to dwellings, and to emergency exits.

(d) Site plan.

(1) A site plan must be submitted in accordance with the requirements of this subsection before an application is made for a permit for work on a lot in an urban corridor district.

(2) Procedure. The applicant should contact the department to arrange a pre-application conference, at which the applicant should provide a sketch plan of the site with the information requested by the department. When the applicant is ready to apply for site plan review, the applicant must provide a detailed site plan.

(3) The site plan must:

(A) satisfy the requirements of Subparagraphs (A) through (G), (J), and (N) through (Q) in Section 51A-4.803(d)(1);

(B) show all existing and proposed points of ingress and egress, building entrances, exits, service areas, and windows;

(C) show all public right-of-way lines;

(D) show the location and indicate the type, size, and height of perimeter fencing, screening, and buffering elements proposed or required;

(E) show all provisions to be made to direct and detain storm water and to mitigate erosion both during and following the completion of construction;

(F) show the location and indicate the type, orientation, size, and height of light standards that will illuminate any portion of a required yard;

(G) show the location of existing and proposed signs;

(H) show the existing and proposed locations of all exterior loudspeakers and sound amplifiers;

(I) show the existing and proposed locations for all mechanical equipment capable of producing high levels of noise;

(J) show all existing and proposed provisions for pedestrian circulation on the lot including the location of the pedestrian amenity zones and the location and description of amenities provided to satisfy the three-amenity rule and the requirements for parking reductions;

(K) demonstrate how the urban corridor district site meets the minimum open space requirements showing location and landscape plans of all open space including buffer zones and screening areas;

(L) demonstrate eligibility for parking requirement reduction or density bonuses, if requested by applicant; and

(M) any other reasonable and pertinent information that the director determines to be necessary for site plan review. (Ord. Nos. 24718; 25785; 26920; 28125; 28214; 28424; 28700; *31607*; *32002*)

## USE CHARTS

[To view charts, click on the link below. Adobe Acrobat Reader is required to view charts.

[\[Cover Page\]](#)

[\[Chart 4.201\]](#)

[\[Chart 4.202\]](#)

[\[Chart 4.203\] – See Redlined separate Word Doc I attached](#)

[\[Chart 4.204\]](#)

[\[Chart 4.205 and 4.206\]](#)

[\[Charts 4.207 and 4.208\]](#)

[\[Chart 4.209\]](#)

*[Chart 4.210]*

*[Chart 4.211]*

*[Chart 4.212]*

*[Chart 4.213]*

*[Chart 4.217]*

## **SEC. 51A-4.203. INDUSTRIAL USES.**

### **(a) Potentially incompatible industrial uses.**

(1) A “potentially incompatible industrial use” listed in this subsection is permitted by SUP only in the IM district.

**(2) The following main uses, activities, operations, and processes are hereby declared to be potentially incompatible industrial uses:**

- Bulk processing, washing, curing, or dyeing of hair, felt, or feathers
- Concrete crushing
- **Concrete batching**
- **Asphalt batching**
- Fat rendering
- Foundries, ferrous or non-ferrous
- Grain milling or processing
- Leather or fur tanning, curing, finishing, or dyeing
- Metal or metal ore reduction, refining, smelting, or alloying
- Metal or metal product treatment or processing, including enameling, japanning, lacquering, galvanizing, or similar processes
- Petroleum or petroleum product refining
- Radioactive waste disposal services involving the handling or storage of radioactive waste, excluding hazardous waste management facilities as defined in this chapter
- Solvent extracting
- Slaughtering of animals, fish, or poultry
- Sugar refining
- Textile bleaching
- Wood or bone distillation
- Wood or lumber processing, including sawmills or planing mills, wood-preserving treatment, and similar processes
- Wood pulp or fiber reduction or processing, including paper mill operations
- Wool scouring or pulling

(3) Main uses that manufacture the following products are hereby declared to be potentially incompatible industrial uses:

- Asphalt or asphalt products

- Brick, tile, or clay
- Cement
- Charcoal, lampblack, or fuel briquettes
- Chemicals, including acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black or bone black, cleaning or polishing preparations, creosote, exterminating agents, hydrogen or oxygen, industrial alcohol, potash, plastic materials or synthetic resins, rayon yarns, or hydrochloric, picric, or sulphuric acids or derivatives
- Coal, coke, or tar products
- Excelsior or packing materials
- Fertilizers
- Gelatin, glue, or size
- Glass or glass products, including structural or plate glass or similar products
- Graphite or graphite products
- Gypsum
- Heavy metal casting or foundry products, including ornamental iron work or similar products
- Insecticides, fungicides, disinfectants, or related industrial or household chemical compounds
- Linoleum or oil cloth
- Lumber, plywood, veneer, or similar wood products
- Matches
- Miscellaneous metal alloys or foil, including solder, pewter, brass, bronze, or tin, lead, or gold foil, or similar products
- Paint, varnishes, or turpentine
- Paper
- Porcelain products, including bathroom or kitchen equipment, or similar products
- Raw plastic
- Rubber, natural or synthetic, including tires, tubes, or similar products
- Soaps or detergents
- Stone products, including abrasives, asbestos, stone screenings, and sand or lime products

(b) Specific uses.

(0) Alcoholic beverage manufacturing.

(A) Definition: An establishment for the manufacture, blending, fermentation, processing, and packaging of alcoholic beverages with a floor area exceeding 10,000 square feet that takes place wholly inside a building. A facility that only provides tasting or retail sale of alcoholic beverages is not an alcoholic beverage manufacturing use.

(B) Districts permitted: By right in industrial districts with RAR required. By SUP only in central area districts.

- (C) Required off-street parking:
  - (i) Except as otherwise provided, one space per 600 square feet of floor area.
  - (ii) One space per 1,000 square feet of floor area used for storage.
  - (iii) One space per 100 square feet of floor area used for retail sales and seating.
- (D) Required off-street loading:

SQUARE FEET OF MANUFACTURING OR STORAGE FLOOR AREA	TOTAL REQUIRED SPACES OR BERTHS
10,000 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

- (E) Additional provisions:
  - (i) Retail sales of alcoholic beverages and related items and tastings or sampling are allowed in accordance with Texas Alcoholic Beverage Commission regulations.
  - (ii) Except for loading, all activities must occur within a building.
  - (iii) Silos and containers of spent grain are allowed as outdoor storage. Containers of spent grain must be screened. All other outdoor storage or repair is prohibited.
  - (iv) If an SUP is required, silos and outdoor storage areas for spent grain must be shown on the site plan.
  - (v) Drive-through facilities are prohibited.

(1) Industrial (inside).

- (A) Definition: An industrial facility where all processing, fabricating, assembly, or disassembly takes place wholly within an enclosed building.
- (B) Districts permitted: If this use is "potentially incompatible" [See Subsection (a)], it is permitted by SUP only in the IM district; otherwise, it is permitted by right in industrial districts with RAR required.
- (C) Required off-street parking: One space per 600 square feet of floor area.
- (D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

- (E) Additional provisions:
  - (i) Accessory outside storage is limited to five percent of the lot. Outside storage that occupies more than five percent of the lot is only allowed in a district where outside

storage is permitted as a main use. For more information regarding accessory outside storage, see Section 51A-4.217. For more information regarding outside storage as a main use, see Section 51A-4.213.

(ii) Accessory inside retail sales may occupy up to 10 percent of the total floor area of the main use.

(1.1) Industrial (inside) for light manufacturing.

(A) Definition: A light industrial use where all processing, fabricating, assembly, or disassembly of items takes places wholly within an enclosed building. Typical items for processing, fabricating, assembly, or disassembly under this use include but are not limited to apparel, food, drapes, clothing accessories, bedspreads, decorations, artificial plants, jewelry, instruments, computers, and electronic devices.

(B) Districts permitted: By right in CS and industrial districts.

(C) Required off-street parking: One space per 600 square feet of floor area.

(D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Potentially incompatible industrial uses, as defined in this section, are prohibited as part of any activity, operation, or processing conducted under this use.

(ii) This use may not exceed 10,000 square feet of floor area.

(2) Industrial (outside).

(A) Definition: An industrial facility where any portion of the processing, fabricating, assembly, or disassembly takes place outside or in an open structure.

(B) Districts permitted: If this use is "potentially incompatible" [See Subsection (a)], it is permitted by SUP only in the IM district; otherwise it is permitted:

(i) by right in the IM district with RAR required; and

(ii) by SUP only in the IR district.

(C) Required off-street parking: One space per 600 square feet of floor area, plus one space per 600 square feet of outside manufacturing area.

(D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) Accessory outside storage may occupy to 50 percent of the lot. Outside storage that occupies more than 50 percent of the lot is only allowed in a district where outside storage is permitted as a main use. For more information regarding accessory outside storage, see Section 51A-4.217. For more information regarding outside storage as a main use, see Section 51A-4.213.

(ii) Any portion of the building site containing this use that is adjacent to or directly across a street or alley from a district other than an IR or IM district must be screened from that district.

(iii) Accessory inside retail sales may occupy up to 10 percent of the total floor area of the main use.

(2.1) Medical/infectious waste incinerator.

(A) Definition: A facility used to incinerate plastics, special waste, and waste containing pathogens or biologically active material, which because of its type, concentration, and quantity, is capable of transmitting disease to persons exposed to the waste.

(B) Districts permitted: By SUP only in IR and IM districts.

(C) Required off-street parking: One space per 1,000 square feet of floor area.

(D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) All medical/infectious waste incinerators must be located at least:

(aa) 1,000 feet from all lots containing residential; public or private school; church; and public park, playground, or golf course uses; and

(bb) one mile from all lots containing municipal and hazardous waste incinerators.

(ii) A medical/infectious waste incinerator used to incinerate up to 225 pounds of waste per hour must be located:

(aa) on a lot that is no smaller than one acre in size;

(bb) at least 100 feet from the lot line; and

(cc) at least one-fourth mile from all lots containing main use medical/infectious and pathological waste incinerators.

(iii) A medical/infectious waste incinerator used to incinerate more than 225 pounds of waste per hour must be located:



- (aa) on a lot that is no smaller than five acres in size;
- (bb) at least 200 feet from the lot line; and
- (cc) at least one mile from all lots containing main use medical/infectious and pathological waste incinerators.
- (iv) No outside storage is permitted in conjunction with this use.
- (v) The area of notification for a public hearing to consider an SUP application for this use is 500 feet.

(3) Metal salvage facility.

(A) Definition: A facility that collects, separates, and processes scrap metal in bulk form for reuse and manufacturing.

(B) Districts permitted: By SUP only in the IM district.

(C) Required off-street parking: The off-street parking requirement may be established in the ordinance granting the SUP, otherwise a minimum of five spaces required.

(D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) This use must have a visual screen of at least nine feet in height which consists of a solid masonry, concrete, or corrugated sheet metal wall, or a chain link fence with metal strips through all links.

(ii) The owner of a metal salvage facility shall not stack objects higher than eight feet within 40 feet of the visual screen. The owner of a metal salvage facility may stack objects one foot higher than eight feet for each five feet of setback from the 40 foot point.

(iii) If an inoperable or wrecked motor vehicle remains outside on the premises for more than 24 hours, the premises is an outside salvage or reclamation use. However, a premise is not an outside salvage or reclamation use if the premise stores not more than four inoperable or wrecked motor vehicles each of which having a valid state registration, current safety inspection certificate, and documentary record of pending repairs or other disposition, and if the premise has a current certificate of occupancy for a motor vehicle related use.

(iv) A minimum distance of 500 feet is required between a metal salvage facility and an R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district.

(3.1) Mining.

(A) Definition: The extraction, removal, or stockpiling of earth materials, including soil, sand, gravel, oil, or other materials found in the earth. The excavation of earth

materials for ponds or lakes, including excavations for fish farming ponds and recreational lakes, are considered mining unless otherwise expressly authorized by another provision of this code. The following are not considered mining:

(i) The extraction, removal, or stockpiling of earth materials incidental to an approved plat or excavation permit, incidental to construction with a building permit, or for governmental or utility construction projects such as streets, alleys, drainage, gas, electrical, water, and telephone facilities and similar projects.

(ii) The extraction, removal, or stockpiling of earth materials incidental to construction of landscaping, retaining walls, fences, and similar activities consistent with the land use allowed at the site of removal.

(iii) Gas drilling and production. See Section 51A-4.203(b)(3.2).

(B) Districts permitted: By SUP only in A(A) and IM districts.

(C) Required off-street parking: None.

(D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) The applicant shall submit a site plan of existing conditions, operations plan, reclamation plan, and the proposed bond to the director for review and recommendation.

(ii) If a specific use permit is granted, the city shall inspect and monitor the mining and reclamation operation at least once annually.

(iii) A specific use permit may not be issued for mining on city park land.

(F) Site plan of existing conditions: The applicant shall submit a site plan of existing conditions that includes:

(i) a site location map on a small scale showing major circulation routes and other landmarks which would aid in the location of the site;

(ii) contours shown at no greater than five-foot intervals;

(iii) connections to roads outside the site;

(iv) location, identification, and dimensions of all public and private easements;

(v) location of flood plain, water bodies, natural and man-made channels (wet and dry), and subsurface channels;

(vi) tree and other vegetation groupings, rock outcroppings, and any other significant natural features;

(vii) location and depth of any known former or current mines or landfills in or within 500 feet of the boundaries of the excavation and an indication of the type of fill used;

(viii) analyzed core samples if the city determines that contaminants may be present;  
and

(ix) any other information the director determines is reasonably necessary for a complete review of the proposed operations.

(G) Operations plan: The applicant shall submit an operations plan that includes:

(i) storage of reclamation topsoil and methods of disposing of all material not to be sold or reclaimed;

(ii) hours of operation;

(iii) location and depth of excavation;

(iv) drainage and erosion control measures;

(v) method for the disposal of contaminants, if present;

(vi) roads to be used for transportation of stone, sand, or gravel;

(vii) fences or any other barriers necessary for safety;

(viii) noise and dust control measures;

(ix) the length of time necessary to complete the mining and reclamation of the site;  
and

(x) any other information the director determines is reasonably necessary for a complete review of the proposed operations.

(H) Reclamation plan: The applicant shall submit a reclamation plan that is verified by a registered surveyor. The reclamation plan must show the reclamation of the entire site upon completion of operation and the phases of reclamation to be completed at no greater than five-year intervals. The reclamation plan must include the following information:

(i) contours shown at no greater than five-foot intervals with slopes not steeper than a three-to-one (horizontal to vertical) ratio;

(ii) circulation routes, including roadways, any internal circulation, rights-of-way, and connections to roads outside the site;

(iii) location, identification, and dimensions of all public and private easements;

(iv) location of flood plain, water bodies, natural and man-made channels (wet and dry), subsurface dams, dikes, or channels;

(v) location of any areas to be filled with water including a description of the source of the water, the means of water retention, and the prevention of stagnation and pollution;

(vi) location and type of vegetation;

(vii) structures (including height), utilities, and proposed land uses, if any;

(viii) the amount of the performance bond that will be posted in accordance with Subparagraph (I) below; and

(ix) any other information the director determines is reasonably necessary for a complete review of the proposed operation.

(I) Performance bond:

(i) The applicant shall post a performance bond with the city controller before passage of the ordinance granting the specific use permit. The performance bond must be approved as to form by the city attorney.

(ii) The bond must be twice the estimated cost to the city of restoring the premises in a manner shown on the reclamation plan. The amount of the bond shall be determined by the director on the basis of relevant factors including expected changes in the price index, topography of the site, project methods being employed, depth and composition of overburden, and data provided in the reclamation plan.

(iii) The bond must be issued by a surety company licensed to do business in Texas. The applicant may deposit cash, certificates of deposit, or government securities in lieu of a bond. Interest received on deposits and securities must be returned to the applicant upon the approval of reclamation of the site.

(iv) The director shall conduct a final inspection to determine whether the site has been reclaimed in accordance with the specific use permit. Final inspection must be made not more than two years after the expiration of the specific use permit. A registered surveyor provided by the applicant shall verify the final topography of the site.

(v) The director shall report to the city council on the completion of the project. The city council shall determine by resolution whether the reclamation has been completed in accordance with the specific use permit and whether the performance bond should be released.

(vi) The city controller shall release the bond or deposit if the city council finds that the applicant has completed reclamation of the site in accordance with the specific use permit. If the site is not restored in accordance with the reclamation plan, the director shall use the bond or deposit to restore the site in accordance with the plan.

### (3.2) Gas drilling and production.

#### (A) Definitions:

(i) BOUNDARY means the perimeter of the operation site. OPERATION SITE means the area identified in the SUP to be used for drilling, production, and all associated operational activities after gas drilling is complete.

(ii) ENVIRONMENTALLY SIGNIFICANT AREA means an area:

(aa) with slopes greater than three to one;

(bb) containing endangered species of either flora or fauna;

(cc) that is geologically similar to the Escarpment Zone, as defined in Division 51A-5.200, "Escarpment Regulations," of Article V, "Flood Plain and Escarpment Zone Regulations;"

(dd) identified as wetlands or wildlife habitat;

(ee) determined to be an archeological or historical site; or

(ff) containing more than 1,000 inches of trunk diameter of protected trees, in the aggregate, within a 10,000 square foot area. Trunk diameter is measured at a point 12 inches above grade. To be included in the aggregate calculations of trunk diameter, a protected tree must have a trunk diameter of six inches or more. For purposes of this provision, a protected tree is defined in Section 5A-10.101.

(iii) GAS DRILLING AND PRODUCTION means the activities related to the extraction of any fluid, either combustible or noncombustible, that is produced in a natural state from the earth and that maintains a gaseous or rarefied state at standard temperature and pressure conditions, or the extraction of any gaseous vapors derived from petroleum or natural gas.

(iv) HABITABLE STRUCTURE means any use or structure that is not a protected use but has a means of ingress or egress, light, and ventilation. Habitable structure does not include an accessory structure, such as a garage or shed.

(v) PROTECTED USE means institutional and community service uses (except cemetery or mausoleum); lodging uses; office uses; recreation uses (except when the operation site is on a public park, playground, or golf course); residential uses; and retail and personal service uses (except commercial motor vehicle parking or commercial parking lot or garage). Parking areas and areas used exclusively for drainage detention are not part of a protected use.

(vi) See Article XII for additional definitions that apply to gas drilling and production.

(B) Districts permitted: By SUP only in all districts.

(C) Required off-street parking: None.

(D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) See Article XII for additional regulations relating to gas drilling and production. No provision found in Articles IV or XII may be waived through the adoption of or amendment to a planned development district.

(ii) Before an SUP for a gas drilling and production use within a public park, playground, or golf course may be processed, city council must hold a public hearing and make a determination in accordance with Texas Parks and Wildlife Code Chapter 26, "Protection of Public Parks and Recreational Lands."

(iii) A favorable vote of three-fourths of all members of the city council is required to approve a gas drilling and production use on a public park, playground, or golf course if city council finds that the approval will not harm the public health, safety, or welfare.

(iv) In addition to the findings required in Section 51A-4.219 for the granting of an SUP, city plan commission and city council must consider the:

(aa) proximity of a proposed gas drilling and production use to an environmentally significant area; and

(bb) potential impact the proposed gas drilling and production use may have on the environmentally significant area.

(v) Compliance with federal and state laws and regulations and with city ordinances, rules, and regulations is required, and may include platting, a flood plain fill or alteration permit, building permits, and gas well permits. Compliance with these additional regulations may be required before, concurrently with, after, or independently of the SUP process.

(vi) Trailers or mobile homes that are temporarily placed on the operation site and used by gas drilling workers as a residence are a permitted accessory use.

(vii) Once any gas drilling related activity begins on the operation site, the applicant shall limit access to the operation site by erecting an eight-foot-tall temporary chain-link fence. Within 30 days after any well completion activity ceases, an eight-foot-tall permanent fence must be erected and maintained around the perimeter of the operation site. This provision controls over the fence height regulations of the zoning district. City council, by SUP, may require a different form of screening, but may not reduce the fence height requirements of this provision.

(viii) Access to the operation site must comply with the Dallas Fire Code. The operation site plan must be reviewed and approved by the fire marshal before an SUP can be granted.

(ix) The operation site may not have a slope greater than 10 degrees unless the director determines that all equipment is located and activities occur on a portion of the operation site that does not have a slope greater than 10 degrees, there is adequate erosion control, and the slope of the operation site will not be a threat to the public safety or welfare.

(x) The operator shall provide the director with a statement of intent to enter into a road repair agreement before an SUP may be scheduled for a public hearing.

(xi) The director shall revise the zoning district maps upon the granting of an SUP for a gas drilling and production use, to provide a 1,000 foot gas drilling and production use notice overlay around the boundary of the operation site.

(F) Spacing:

(i) Habitable structure.

(aa) Except as otherwise provided in this provision, a gas drilling and production use must be spaced at least 300 feet from a habitable structure.

(bb) If a gas drilling and production use is located on the same property as a habitable structure, the spacing requirements in this provision may be waived for that habitable structure with a favorable vote of two-thirds of all members of the city council if city council finds that the reduction will not harm the public health, safety, or welfare.

(cc) Spacing is measured from the boundary of the operation site in a straight line, without regard for intervening structures or objects, to the closest point of the habitable structure.

(ii) Protected use.

(aa) Except as otherwise provided in this provision, a gas drilling and production use must be spaced at least 1,500 feet from a protected use (except trailers or mobile homes placed on the operation site as temporary residences for workers).

(bb) City council may reduce the minimum 1,500 foot spacing requirement from a protected use by not more than 500 feet with a favorable vote of two-thirds of all members of the city council if city council finds that the reduction will not harm the public health, safety, or welfare.

(cc) If a gas drilling and production use is located on the same property as a protected use, the spacing requirements in this provision may be waived for that protected use with a favorable vote of two-thirds of all members of the city council if city council finds that the reduction will not harm the public health, safety, or welfare.

(dd) If a gas drilling and production use is located on a public park, playground, or golf course, the spacing requirements in this subparagraph do not apply to protected uses or habitable structures located on the public park, playground, or golf course. The spacing requirements in this provision for protected uses and habitable structures off the public park, playground, or golf course use still apply.

(ee) Spacing is measured as follows:

(11) For institutional and community service uses (except cemetery or mausoleum), and residential uses, from the boundary of the operation site in a straight line, without regard to intervening structures or objects, to the property line of the institutional and community service use (except cemetery or mausoleum) or the residential use.

(22) For recreation uses (except when the operation site is on a public park, playground, or golf course), lodging uses, office uses, and retail and personal service uses (except commercial motor vehicle parking or commercial parking lot or garage) from the boundary of the operation site in a straight line, without regard to intervening structures or objects, to the closest point of a physical barrier or demarcation that establishes a boundary of the protected use. Examples of physical barriers or demarcations include fencing around activity areas, such as play fields, courts, or pools; or edges, borders, or boundaries of maintained areas adjacent to trails, golf courses, or active recreation areas. If the protected use is conducted exclusively inside, from the boundary of the operation site in a straight line, without regard to intervening structures or objects, to the closest point of the structure housing the protected use.

(G) Neighborhood meeting:

(i) Within 60 days after filing an SUP application, the applicant or operator shall, at the applicant or operator's expense, provide notice of a neighborhood meeting regarding the pending SUP application.

(ii) The applicant or operator shall mail notice of the neighborhood meeting by depositing the notice properly addressed and postage paid in the United States mail. The notice must be written in English and Spanish. The applicant or operator shall mail notice of the neighborhood meeting to all real property owners as indicated by the most recent appraisal district records and all mailing addresses within 2,000 feet of the boundary of the proposed gas drilling and production use operation site.

(iii) The notice of the neighborhood meeting must include:

- (aa) the date, time, and location of the neighborhood meeting;
- (bb) the identity of the applicant and the operator;
- (cc) the location of the pending SUP application;
- (dd) information about the proposed gas drilling and production use;
- (ee) the purpose of the neighborhood meeting; and
- (ff) information about subscribing to the operator's electronic notification list to receive updates about when specific operations will occur, including site preparation, drilling, casing, fracturing, pipeline construction, production, transportation, and maintenance of the operation site.

(iv) Within five days after mailing the notice of the neighborhood meeting, the applicant shall file an affidavit with the director swearing and affirming that all real property owners and mailing addresses within 2,000 feet of the boundary of the proposed gas drilling and production use operation site were mailed notice of the neighborhood meeting in accordance with this subparagraph. The affidavit must include a list of the real property owners and mailing addresses to which notice was sent.

(v) The applicant and operator shall attend and conduct the neighborhood meeting not less than seven or more than 21 days after providing notice of the neighborhood meeting. The neighborhood meeting must be held at a facility open to the public near the proposed gas drilling and production use.

(vi) The purpose of the neighborhood meeting is for the applicant or operator to:

- (aa) inform the community about the proposed gas drilling and production use;
- (bb) explain the operations associated with gas drilling and production, including site preparation, site development and construction, drilling, casing, fracturing, pipeline construction, production, transportation, and maintenance of the operation site; and
- (cc) explain and provide information about subscribing to the operator's electronic notification list to receive updates about when specific operations will occur, including site preparation, drilling, casing, fracturing, pipeline construction, production, transportation, and maintenance of the operation site.

### (3.3) Gas pipeline compressor station.

#### (A) Definition:

(i) BOUNDARY means the perimeter of the compressor station site. GAS PIPELINE COMPRESSOR STATION SITE means the area identified in the SUP to be used for the gas pipeline compressor station.

(ii) GAS PIPELINE COMPRESSOR STATION means a facility for devices that raise the pressure of a compressible fluid (gas) in order for the gas to be transported through a transmission pipeline. This use does not include compressors that are part of a gas drilling and production use that only provide compression for gas to circulate into a gathering system.

(iii) PROTECTED USE means institutional and community service uses (except cemetery or mausoleum); lodging uses; office uses; recreation uses (except when the operation site is on a public park, playground, or golf course); residential uses; and retail



and personal service uses (except commercial motor vehicle parking or commercial parking lot or garage). Parking areas and areas used exclusively for drainage detention are not part of a protected use.

(B) Districts permitted: By SUP only in IM district.

(C) Required off-street parking: Five spaces.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) A gas pipeline compressor station must be spaced at least 1,500 feet from a protected use, measured from the boundary of the gas pipeline compressor station site in a straight line, without regard to intervening structures or objects, to the closest point of the protected use or areas of the protected use activity.

(ii) To reduce noise, all compressors must be fully enclosed in a building.

(iii) Except as otherwise provided in this subparagraph, the perimeter of the gas pipeline compressor station site must be screened from public view. City council may, by SUP, require a different form of screening but may not reduce the height requirements in this subparagraph. Screening must be at least six feet in height and must be constructed of:

(aa) earthen berm planted with turf grass or ground cover that does not have a slope that exceeds one foot of height for each two feet of width;

(bb) brick, stone, metal, or masonry wall that significantly screens equipment and structures from view;

(cc) landscaping materials recommended for local area use by the chief arborist. The landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. The initial plantings must be capable of obtaining a solid appearance within 18 months; or

(dd) any combination of the above.

(iv) Unless a specific color is required by federal or state law, all equipment and structures must be painted with a neutral color to match the nearby surroundings as nearly as possible.

(v) To reduce noise and emissions, electric motors must be used on the gas pipeline compressor station unless the operator submits a report to the gas inspector and the gas inspector finds that electric motors cannot be used.

(vi) Internal combustion engines and compressors, whether stationary or mounted on wheels, must be equipped with an exhaust muffler or a comparable device that suppresses noise and disruptive vibrations and prevents the escape of gases, fumes, ignited carbon, or soot.

(vii) Exhaust from any internal combustion engine or compressor may not be discharged into the open air unless it is equipped with an exhaust muffler or mufflers or an exhaust muffler box constructed of non-combustible materials sufficient to suppress noise and disruptive vibrations and prevent the escape of noxious gases, fumes, ignited carbon, or soot.

(viii) Compressors must comply with the low and high frequency noise requirements in Section 51A-12.204(1), "Noise."

(4) Municipal waste incinerator.

(A) Definition: A facility used to incinerate solid waste, other than industrial or hazardous waste, resulting from or incidental to municipal, community, institutional, and recreational activities, including, but not limited to, garbage, rubbish, ashes, street cleanings, dead animals, and abandoned automobiles.

(B) Districts permitted: By SUP only in IR and IM districts.

(C) Required off-street parking: One space per 1,000 square feet of floor area.

(D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) A municipal waste incinerator must front on a principal arterial.

(ii) The incinerator must be located on a lot that is no smaller than five acres in size, and be located at least 200 feet from the lot line.

(iii) The incinerator must be located at least:

(aa) 1,500 feet from all lots containing residential; public or private school; church; public park, playground, or golf course; convalescent or nursing home; medical clinic or ambulatory surgical center; and hospital uses;

(bb) two miles from all lots containing municipal and hazardous waste incinerators; and

(cc) one mile from all lots containing medical/infectious and pathological waste incinerators.

(iv) No outside storage is permitted in conjunction with this use.

(v) The area of notification for a public hearing to consider an SUP application for this use is 750 feet.

(4.1) Organic compost recycling facility.

(A) Definition: A commercial facility where the production of compost from organic materials takes place outside or in an open structure. For purposes of this definition, organic materials mean leaves, grass clippings, yard and garden debris, and brush, including clean woody vegetative material not greater than six inches in diameter that results from landscape maintenance and land-clearing operations. Tree stumps, roots, and shrubs with intact root balls are not organic materials.

(B) Districts permitted: By right in the IM district with RAR required. By SUP only in A(A) and IR districts.

(C) Required off-street parking: One space per 500 square feet of floor area.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) In an IM district, an organic compost recycling facility must be visually screened on any side that is within 200 feet of and visible from a thoroughfare or an adjacent property that is not zoned an IM district. For purposes of this paragraph, adjacent means across the street or sharing a common lot line.

(5) Outside salvage or reclamation.

(A) Definition: A facility which stores, keeps, dismantles, or salvages scrap or discarded material or equipment outside. Scrap or discarded material includes but is not limited to metal, paper, rags, tires, bottles, or inoperable or wrecked motor vehicles, motor vehicle parts, machinery, and appliances.

(B) Districts permitted: By SUP only in the IM district.

(C) Required off-street parking: The off-street parking requirement may be established in the ordinance granting the SUP, otherwise a minimum of five spaces required.

(D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) This use must have a visual screen of at least nine feet in height which consists of a solid masonry, concrete, or corrugated sheet metal wall, or a chain link fence with metal strips through all links.

(ii) The owner of an outside salvage or reclamation use shall not stack objects higher than eight feet within 40 feet of the visual screen. The owner of an outside salvage or reclamation use may stack objects one foot higher than eight feet for each five feet of setback from the 40 foot point.

(iii) If an inoperable or wrecked motor vehicle remains outside on the premises for more than 24 hours, the premises is an outside salvage or reclamation use. However, a premise is not an outside salvage or reclamation use if the premise stores not more than four inoperable or wrecked motor vehicles each of which having a valid state registration, current safety inspection certificate, and documentary record of pending repairs or other disposition, and if the premise has a current certificate of occupancy for a motor vehicle related use.

(iv) A minimum distance of 500 feet is required between an outside salvage or reclamation use and an R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, or MH(A) district.

(5.1) Pathological waste incinerator.

(A) Definition: A facility used to incinerate organic human or animal waste, including, but not limited to:

(i) Human materials removed during surgery, labor and delivery, autopsy, or biopsy, including body parts, tissues or fetuses, organs, and bulk blood and body fluids.

(ii) Products of spontaneous human abortions, regardless of the period of gestation, including body parts, tissue, fetuses, organs, and bulk blood and body fluids.

(iii) Anatomical remains.

(iv) Bodies for cremation.

(B) Districts permitted: By SUP only in IR and IM districts.

(C) Required off-street parking: One space per 1,000 square feet of floor area.

(D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) A pathological waste incinerator must be located on a lot that is no smaller than one acre in size, and be at least 100 feet from the lot line.

(ii) The incinerator must be located at least:

(aa) 1,000 feet from all lots containing residential; public or private school; church; and public park, playground, or golf course uses;

(bb) one mile from all lots containing municipal and hazardous waste incinerators; and

(cc) one-fourth mile from all lots containing medical/infectious and pathological waste incinerators.

(iii) Reserved.

(iv) All waste must be disposed of within a 24 hour period.

(v) No outside storage is permitted in conjunction with this use.

**(6) Temporary concrete or asphalt batching plant.**

(A) Definition: A temporary facility for mixing cement or asphalt.

(B) Districts permitted: ~~Special authorization by the building official is required in accordance with the additional provisions for this use.~~ **By SUP only in all districts.**

(C) Off-street parking:

Required off-street parking: Two spaces. Off-street parking requirements for this use may be satisfied by providing temporary parking spaces that do not strictly comply with the construction and maintenance provisions for off-street parking in this chapter. The operator of this use has the burden of demonstrating to the satisfaction of the building official that the temporary parking spaces:

- (i) are adequately designed to accommodate the parking needs of the use; and
- (ii) will not adversely affect surrounding uses.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) A temporary certificate of occupancy is required for this use. The building official may issue a temporary certificate of occupancy in any zoning district for a temporary batching plant to mix, compound, and batch concrete, asphalt, or both, for a public or private project. The certificate is valid for six months. The building official shall deny the certificate if he determines that on-site fencing, screening, or buffering elements do not provide adequate protection for adjacent property. If the project is not completed within six months, the building official may extend the certificate to complete the project.

(ii) A person to whom a temporary certificate of occupancy is issued shall:

- (aa) comply with city, state and federal laws at the batching plant site;
- (bb) clear the site of equipment, material and debris upon completion of the project;
- (cc) repair or replace any public improvement that is damaged during the operation of the temporary batching plant; and
- (dd) locate and operate the temporary plant in a manner which eliminates unnecessary dust, noise, and odor (as illustrated by, but not limited to covering trucks, hoppers, chutes, loading and unloading devices and mixing operations, and maintaining driveways and parking areas free of dust).

(iii) A person shall only furnish concrete, asphalt, or both, to the specific project for which the temporary certificate of occupancy is issued.

(iv) The placement of a temporary batching plant for a private project is restricted to the site of the project. The board may grant a special exception to this requirement when, in the opinion of the board, the special exception will not adversely affect neighboring properties. (Ord. Nos. 19455; 19786; 20411; 20478; 20493; 21002; 21456; 22026; 22255; 22388; 22392; 24792; 25047; 26920; 28553; 28700; 28803; 29228; 29557; [29917](#); [30890](#))