

CITY OF ALLEN, TEXAS

DOWNTOWN ZONING DISTRICT



ADOPTION DATE
JANUARY 10TH, 2023

SEC. 4.08.19. DOWNTOWN DISTRICT

PREPARED BY **HDR** FOR: THE CITY OF ALLEN, TX

MAYOR:

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ADMINISTRATION

1. PURPOSE. The Downtown District has been designed to aid in revitalization and redevelopment of the oldest developed area of the city. The purpose of the Downtown District, including all Overlay Districts within the Downtown District, is to:

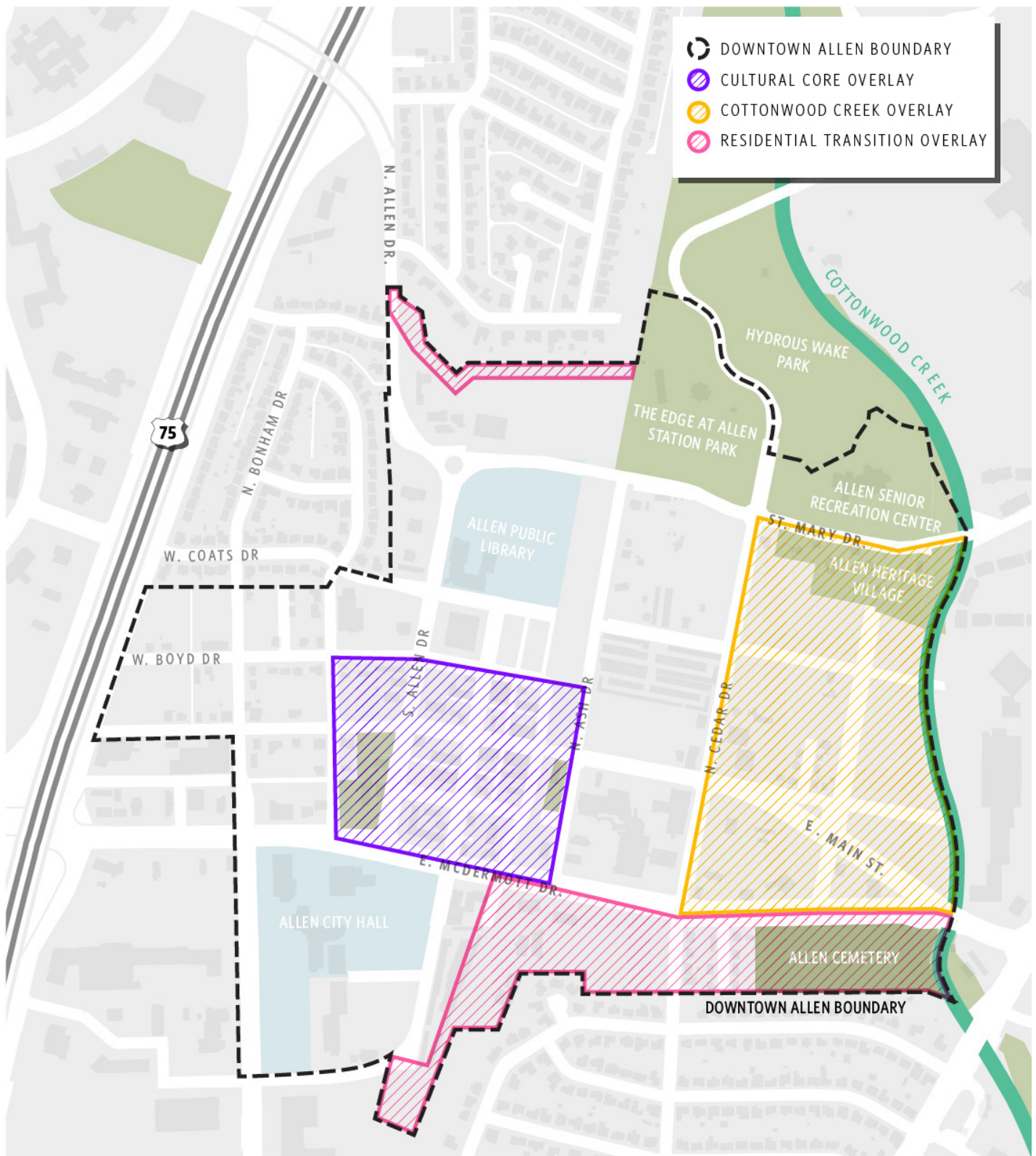
- a. Provide for a diversity of pedestrian-oriented retail, office, residential, and mixed-uses indicative of an urban center. Housing should be considered a desirable activity in the Downtown District;
- b. Provide a venue for artists, musicians, and other entertainment businesses, and serve as a community center and gathering place;
- c. Create a lively day and night urban environment for residents, workers, and visitors through the integration of a range of uses, building types, and open space;
- d. Produce a quality environment by combining inviting streetscapes and excellence in building design; and
- e. Increase property values and stimulate development with strategically placed civic features such as parks, medians, street trees, and public art.

2. APPLICABILITY. No building or structure, or part thereof located within the Downtown District, shall hereafter be erected, constructed, reconstructed, or altered, and no existing use, new use, or change of use of any building, structure, or land, or part thereof located within the Downtown District shall be made or continued except in conformity with the provisions of this section 4.08.19 after March 1, 2023. When the regulations in this section are silent on a development standard, the applicable regulations within the ALDC relating to such standard will apply. If regulations within this section conflict with regulations in other sections of the ALDC, the regulations in this section 4.08.19 shall apply.

3. REGULATING PLAN. The Downtown District consists of Overlay Districts and Street Types established through the attached Regulating Plan as shown in Figure 1. Unless otherwise stated, all references in this section 4.08.19 to the Downtown District shall be inclusive of all of the Overlay Districts located within the Downtown District:

- a. **Overlay Districts:** The Overlay Districts are distinguished from one another by their physical form and function, as well as their location within the Downtown District:
 - i. The Cultural Core Overlay (CCO) District is the central part of the Downtown District and is the core area where the oldest storefronts from the early 1900's exist. It is intended to form the heart of the downtown through mixed-use with active pedestrian-scale development.
 - ii. The Residential Transition Overlay (RTO) District is intended to support the revitalization of the Downtown District by providing for appropriate transitions between the higher density commercial and mixed-use development in the Downtown District and the surrounding single-family residential neighborhoods.
 - iii. The Cottonwood Creek Overlay (CWCO) District is intended to serve as a mixed-use area focusing on activating Cottonwood Creek from a pedestrian use standpoint. The CWCO may allow a residential density bonus where the development meets required criteria as defined in section 4.08.19.6.c.

FIGURE 1. PLAN AREA AND OVERLAY DISTRICTS





- b. **Street Types:** All streets within the Downtown District shall be designed to be in general conformance with the adopted street sections in the Downtown Thoroughfare Plan (Table 1 and Figure 2), which is a component of the city's Master Thoroughfare Plan (article IX, section 9.01 of this Code).

The Downtown District includes three street type classifications: Downtown Arterial Streets, Downtown Primary Streets, and Downtown Secondary Streets. In order to provide design flexibility that is context sensitive, each street type classification includes a number of sections that may be incorporated into the final design. These options are illustrated in the Downtown Thoroughfare Plan Figures 3 to 15.

TABLE 1. PROPOSED STREET CLASSIFICATIONS AND RIGHTS-OF-WAY

RIGHT-OF-WAY		CROSS-SECTION	STREET NAME	FROM	TO	FUNCTIONAL CLASS (EXISTING)	FUNCTIONAL CLASS (PROPOSED)	# OF LANES
ARTERIAL	110'	DA-110	E. McDermott Dr.	Allen Dr.	Cottonwood Creek	Minor Arterial 6D	Arterial	6
			W. McDermott Dr.	N. Central Expy Frontage NB	Allen Dr.	Minor Arterial 6D	Arterial	6
	90'	DA-90	Century Parkway	W. McDermott Dr.	S. Butler Dr.	Collector 4U	Arterial	4
PRIMARY	80'	PS-80A/B/C	W. Main St.	N. Allen Dr.	Dogwood Dr.	Collector 4U	Primary	2
			N. Allen Dr.	St Mary Dr	N. Central Expy Frontage NB	Collector 4U	Primary	2
		PS-80D	S. Allen Dr.	W. McDermott Dr.	W. Main St	Collector 4U	Primary	2
			N. Allen Dr.	W. Main St.	W. St Mary Dr	Collector 4U	Primary	2
	60'	PS-60A/B/C	Dogwood	Astor Dr.	E. Coats	N/A	Primary	2
			N. Dogwood Dr.	E. Main St.	Astor Dr.	Local	Primary	2
			S. Cedar Dr.	Ellis Dr.	E. Main St.	Collector 4U	Primary	2
			S. Dogwood Dr.	E. McDermott Dr.	E. Main St.	Local	Primary	2
			N. Cedar Dr.	E. Main St.	Study Area North	Collector 4U	Primary	2
	50'	PS-50A/B	W. Main St	Dogwood Dr.	Cottownwood Creek	Collector 4U	Primary One-Way	2
			W. Main St	N. Central Expy Serv. NB	N. Allen Dr.	Collector 4U	Primary	2
		PS-50B	St. Marys	N. Ash St.	Cottownwood Creek	Collector 4U	Primary	2
			W. St. Marys	N. Allen Dr.	N. Ash St.	Collector 4U	Primary	2
SECONDARY	50'	SS-50A/B	E. Coats Dr.	N Ash Dr	Terminus	Local	Secondary	2
			N. Anna Dr.	W Main St	W. Coats Dr.	Local	Secondary	2
			N. Ash Dr.	E McDermott Dr	St. Mary Dr.	Local	Secondary	2
			N. Austin Dr.	W Main St	W. Boyd Dr.	Local	Secondary	2
			N. Bonham Dr.	W Coats Dr	W. Main St.	Local	Secondary	2
			N. Butler Dr.	W Main St	W. Coats Dr.	Local	Secondary	2
			S. Anna Dr.	W McDermott Dr	W. Main St.	Local	Secondary	2
			S. Ash Dr.	E McDermott Dr	St. Mary Dr.	Local	Secondary	2
			S. Austin Dr.	W. Boyd Dr	W. Main St.	Local	Secondary	2
			S. Bonham Dr.	W Main St	W. McDermott Dr.	Local	Secondary	2
			S. Butler Dr.	Century Pkwy	W. Main St.	Collector 4U	Secondary	2
			S. Butler Dr.	Century Pkwy	W. Main St.	Collector 4U	Secondary	2
			W. Belmont Dr.	N Allen Dr	S. Austin Dr.	Local	Secondary	2
			W. Boyd Dr.	N Central Expy Serv NM	N. Austin Dr.	Local	Secondary	2
			W. Coats Dr.	N Central Expy Serv NB	N. Butler Dr.	Local	Secondary	2
			W. Coats Dr.	N Central Expy Serv NB	N. Butler Dr.	Local	Secondary	2

FIGURE 2. DOWNTOWN ALLEN STREET HIERARCHY MAP



ARTERIAL STREETS—110' ROW

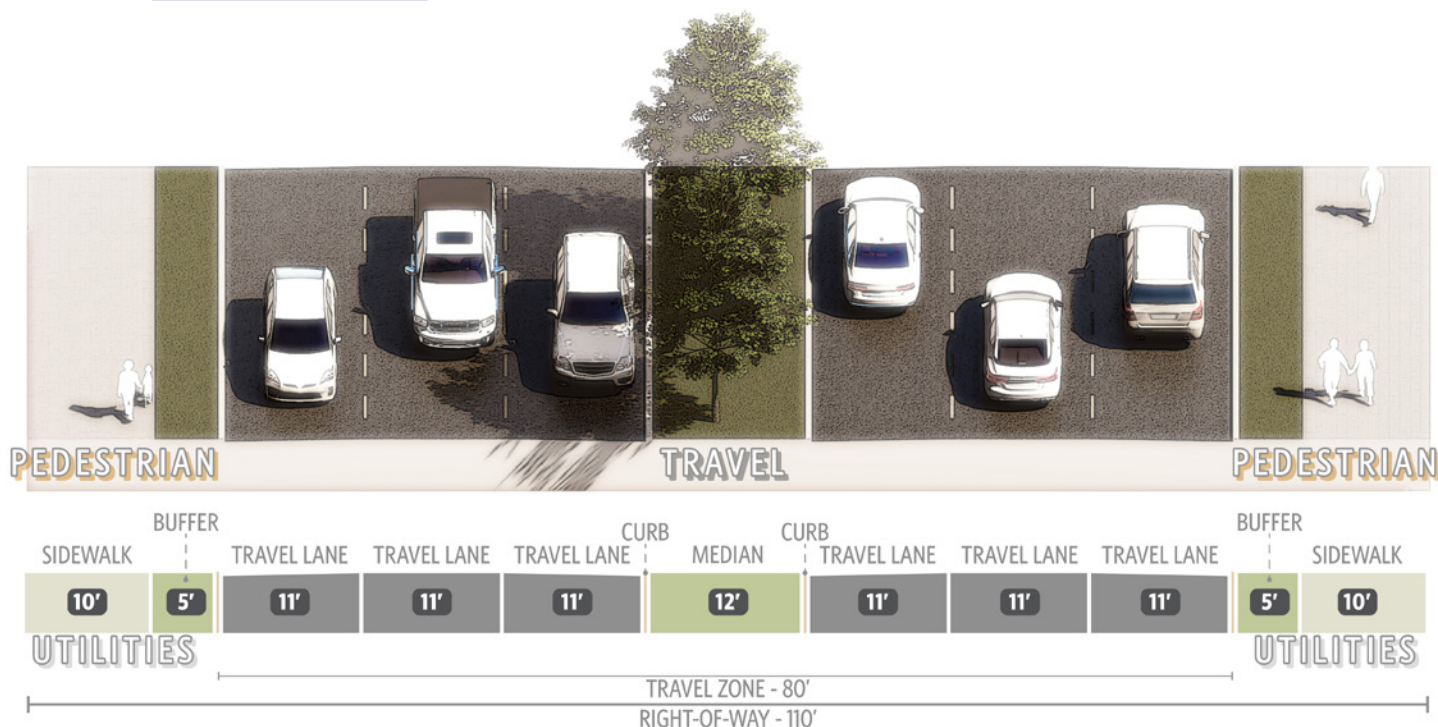
KEY CHARACTERISTICS:

RIGHT-OF-WAY		CROSS-SECTION	STREET NAME
ARTERIAL	110'	DA-110	E. McDermott Dr.
			W. McDermott Dr.

- One Option
 - 110' Travel Zone
- Six lanes
- 11' lane minimums
- 8' sidewalks
- 5' minimum planting strip to allow for separation of pedestrians from the roadway and appropriate lighting



FIGURE 3. CROSS-SECTION DA-110



ARTERIAL STREETS—90' ROW

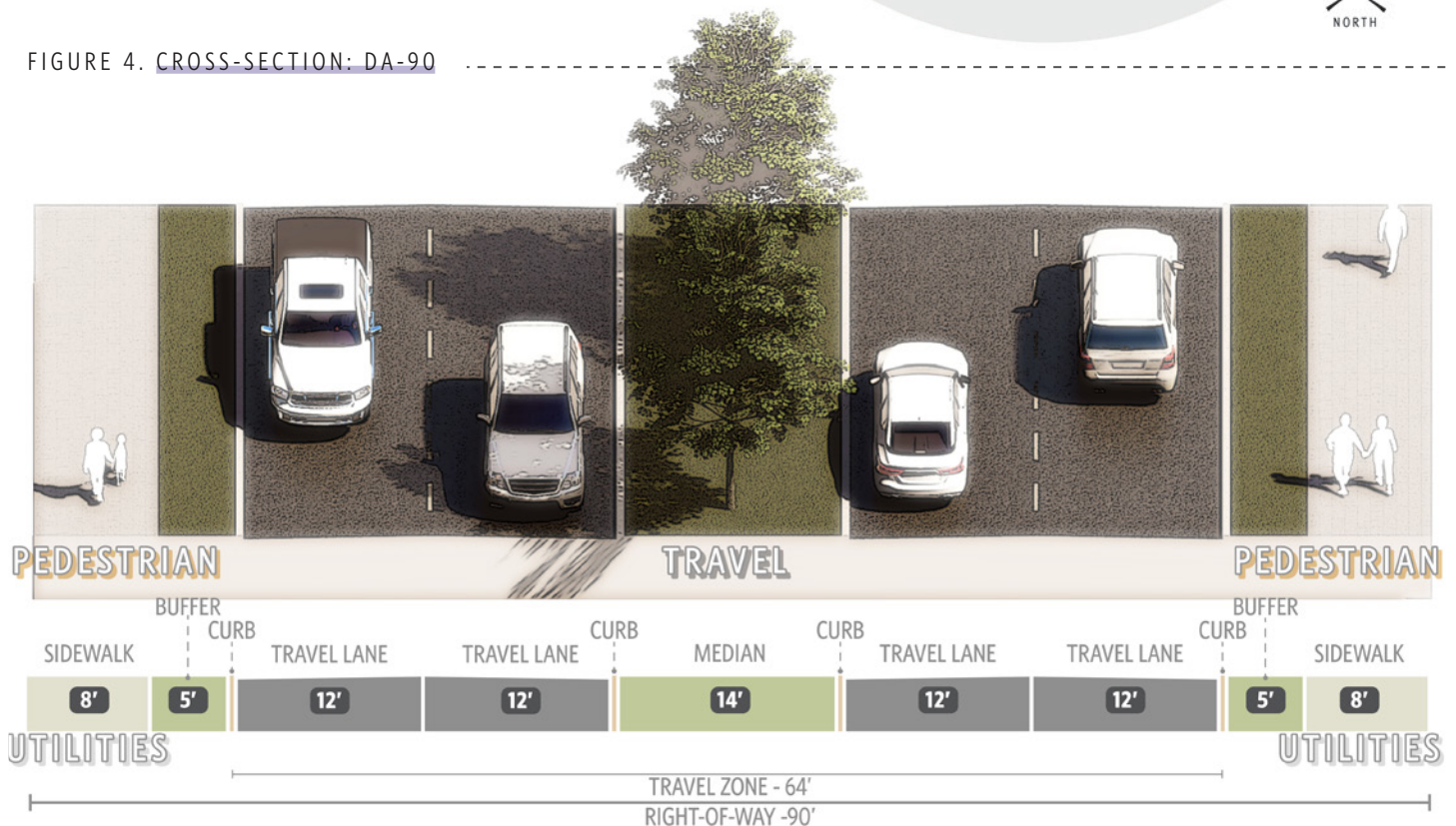
KEY CHARACTERISTICS:

RIGHT-OF-WAY	CROSS-SECTION	STREET NAME
ARTERIAL	90'	DA-90
		Century Parkway

- One Option
 - 90' Travel Zone
- Four lanes
- 12' lane widths
- 8' sidewalk desired
- 5' minimum planting strip to allow for separation of pedestrians from the roadway and appropriate lighting



FIGURE 4. CROSS-SECTION: DA-90



PRIMARY STREETS—80' ROW

KEY CHARACTERISTICS:

RIGHT-OF-WAY		CROSS-SECTION	STREET NAME
PRIMARY	80'	PS-80A/B/C	W. Main St.
		PS-80B/C	W. Main St.
		PS-80B/D	N. Allen Dr.
		PS-80D	S. Allen Dr. N. Allen Dr.

- Four Options
 - 60' Travel Zone
 - 42' Travel Zone
 - 40' Travel Zone
 - 38' Travel Zone
- On street parking remain on along Main Street.
- Reconfiguration to parallel parking allows for larger lanes and additional buffer space.
- Buffer space and sidewalk widths can be adjusted to meet context needs.
- 8' minimum sidewalks with 10'-12' preferred.
- 5' minimum planting strip to allow for appropriate lighting and street trees.
- On-street bike lanes with barriers or off-street hike and bike paths can be integrated for connectivity to trails network.
- Center turn lane along Allen can be converted to median or reduced to add bike lanes.



FIGURE 5. CROSS-SECTION: PS-80A

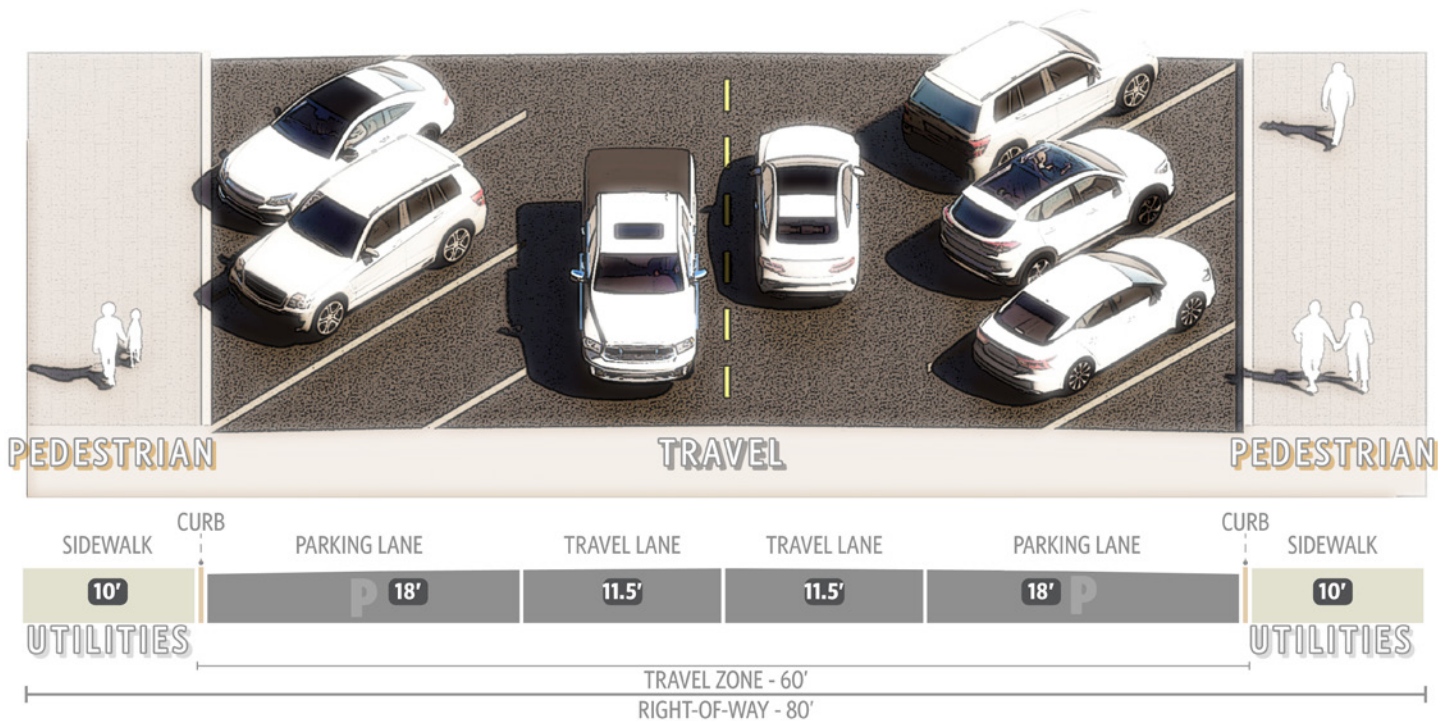


FIGURE 6. CROSS-SECTION: DA-80B

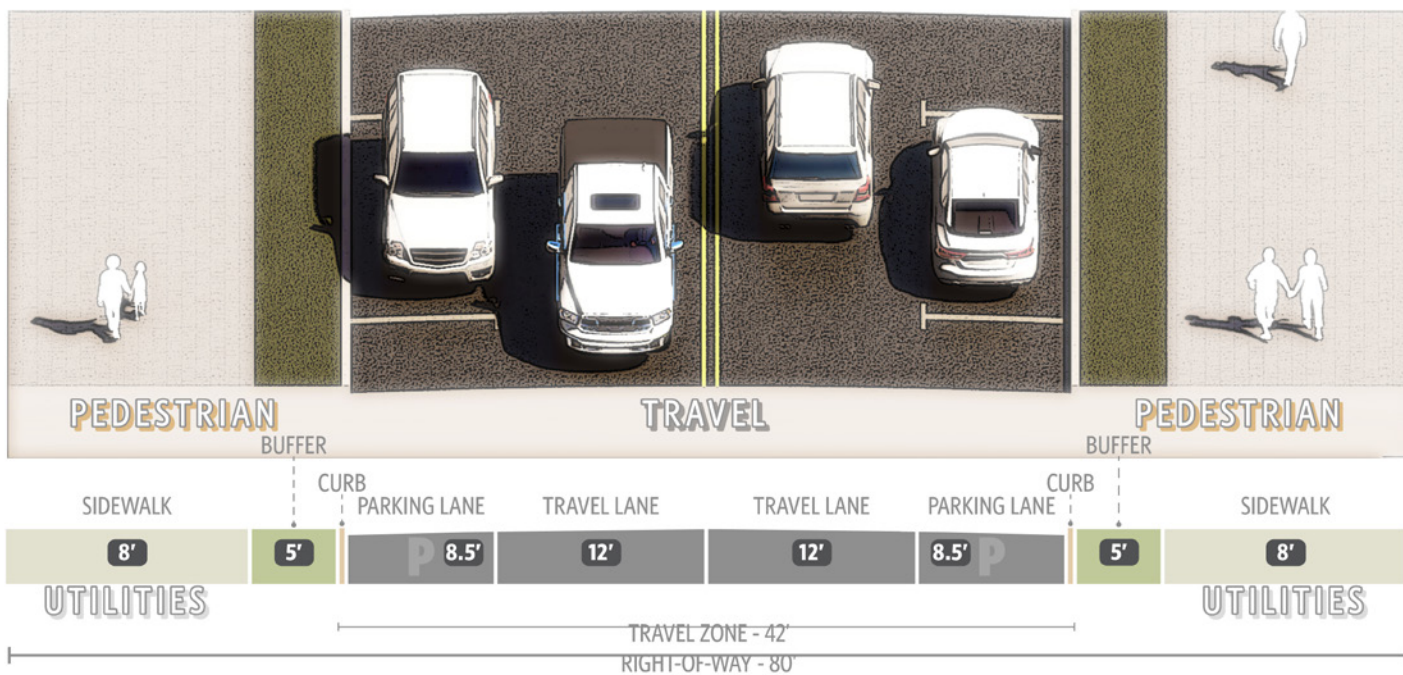


FIGURE 7. CROSS-SECTION: PS-80C

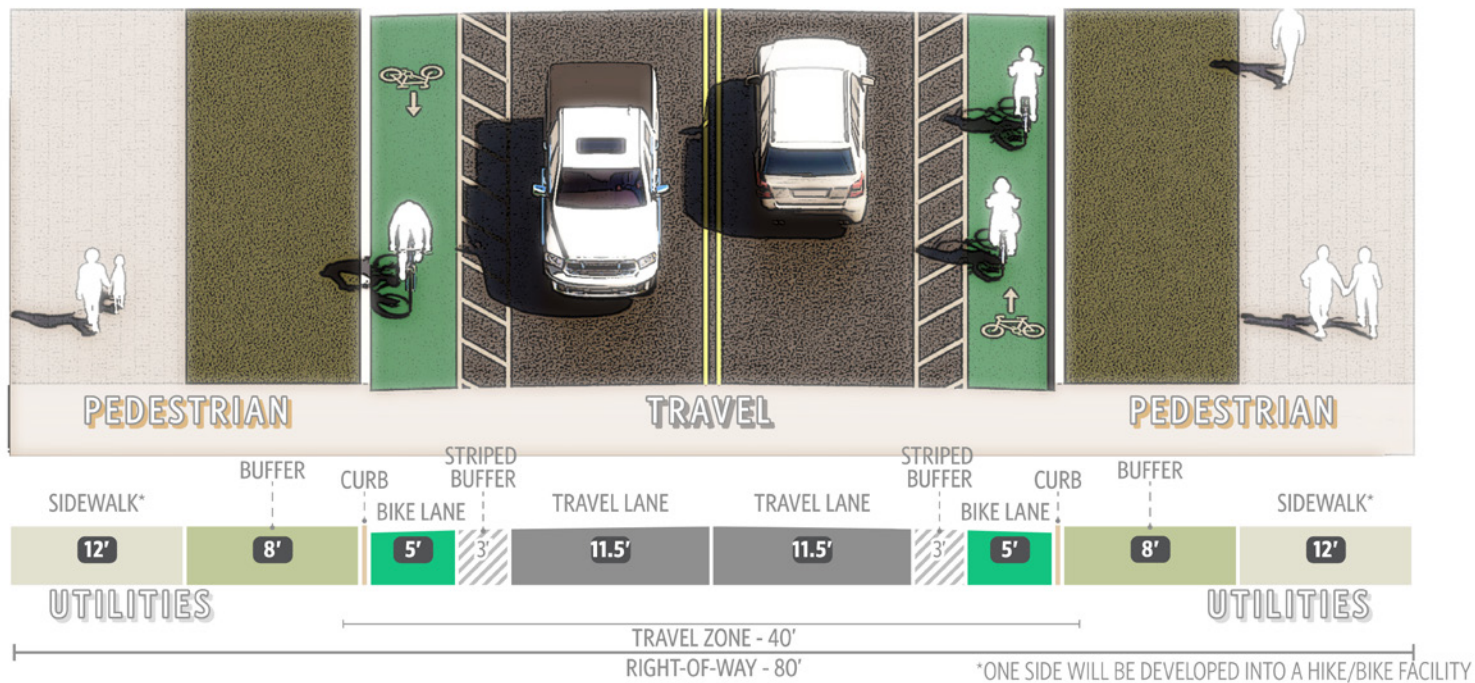
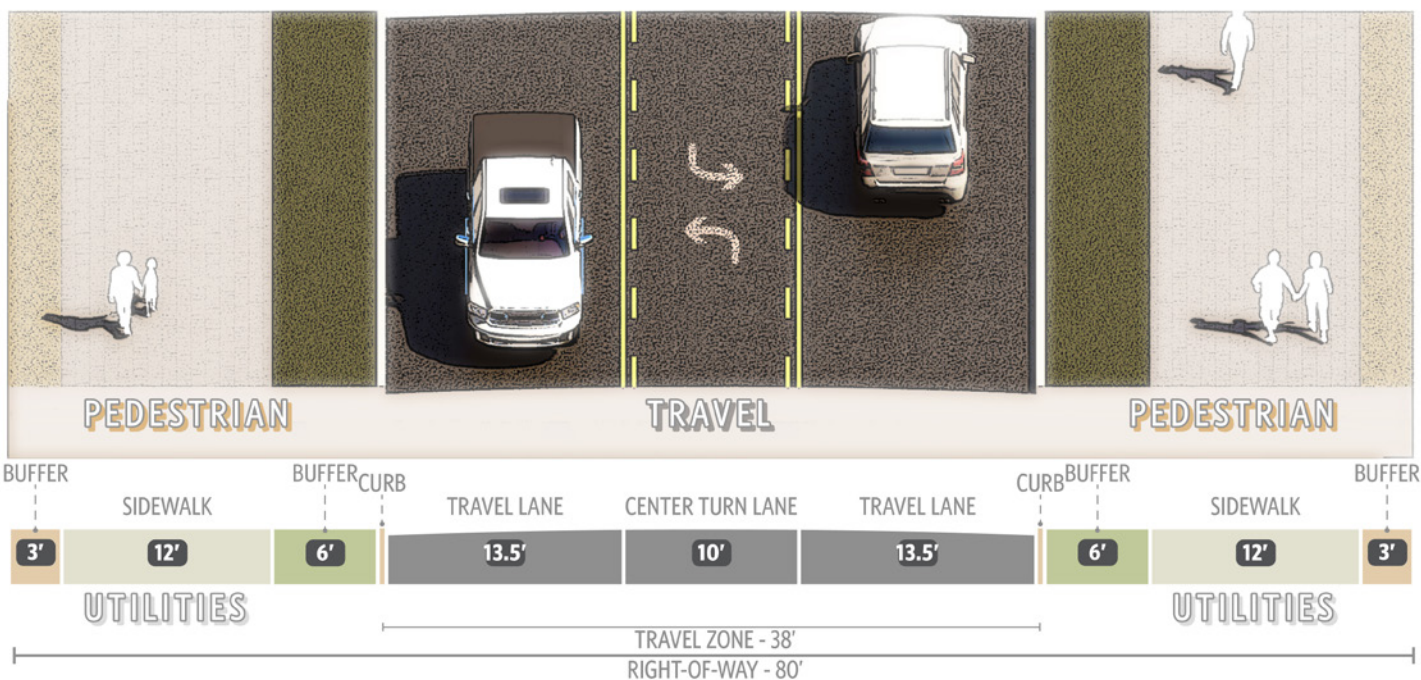


FIGURE 8. CROSS-SECTION: PS-80D



PRIMARY STREETS—60' ROW

KEY CHARACTERISTICS:

RIGHT-OF-WAY		CROSS-SECTION	STREET NAME
PRIMARY	60'	PS-60A/B/C	Dogwood
			N. Dogwood Dr.
			S. Cedar Dr.
			S. Dogwood Dr.
			N. Cedar Dr.



- Three options
 - 23' Travel zone for all options
- 11' lane minimums
- 6.5' minimum planting strip with preferred 10'-12'
- Option for Hike and Bike path on Cedar Dr.
- 6.5' minimum sidewalk. Options for larger 12' sidewalk

FIGURE 9. CROSS-SECTION PS-60A

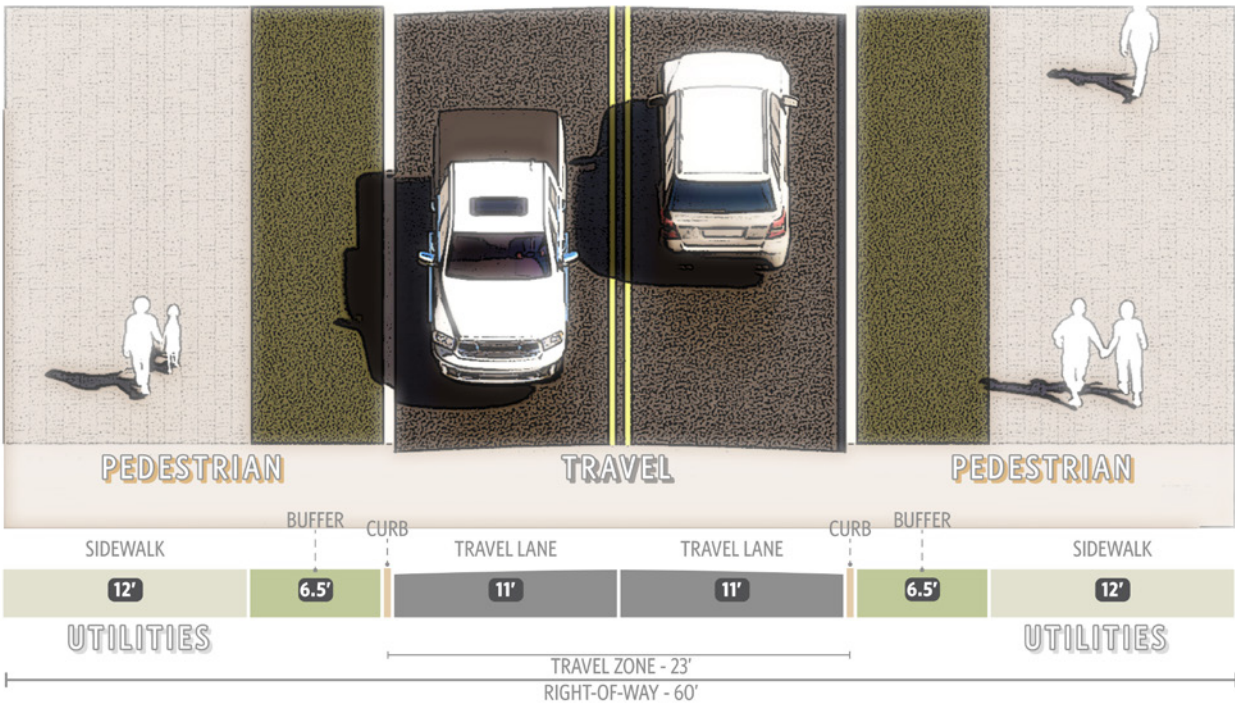


FIGURE 10. CROSS-SECTION: PS-60B

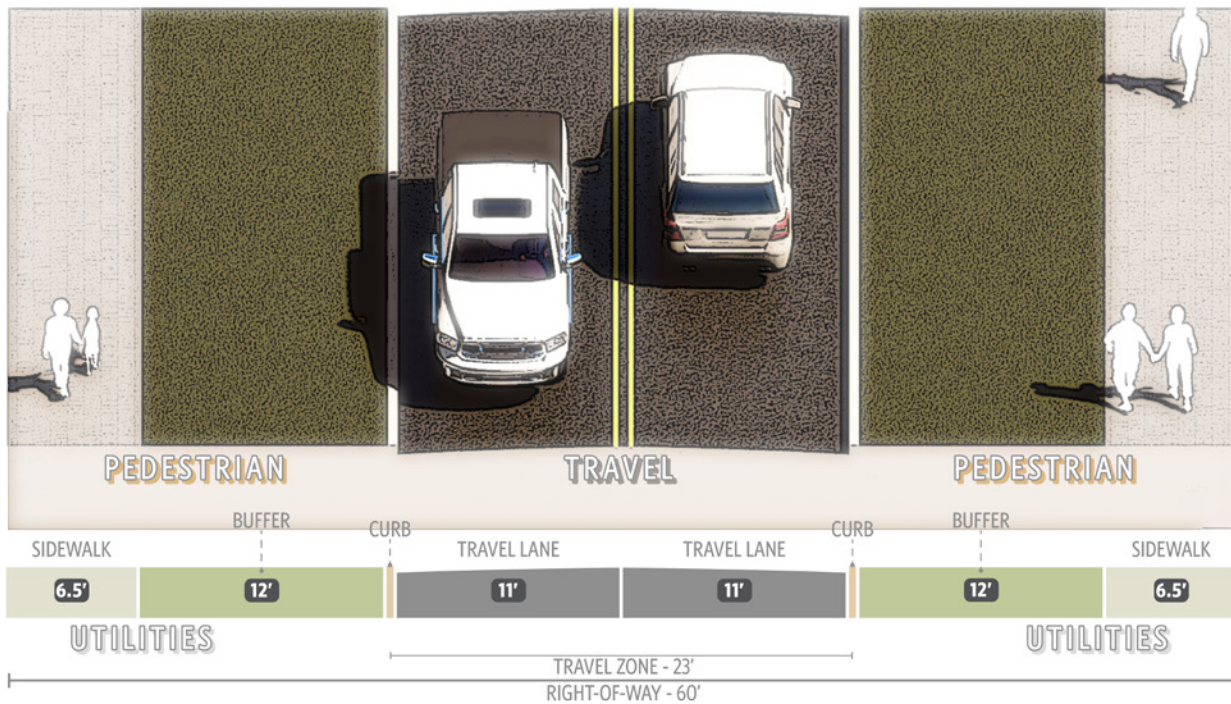
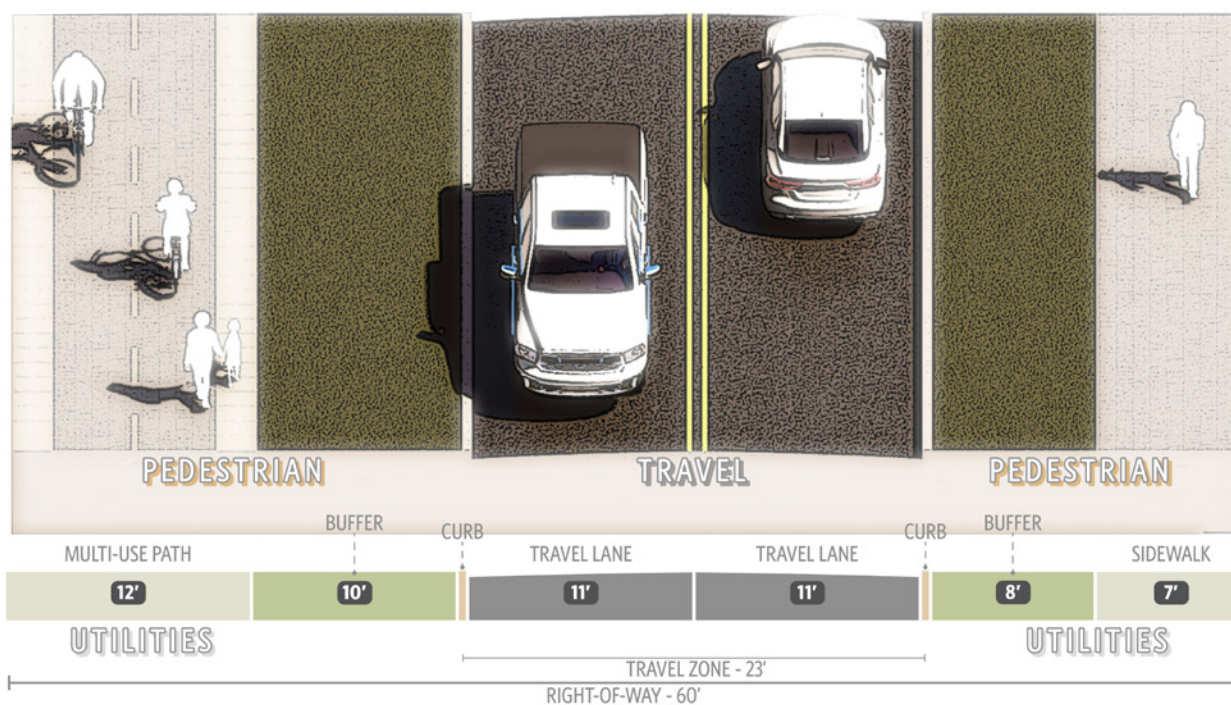


FIGURE 11. CROSS-SECTION: PS-60C



PRIMARY STREETS—50' ROW

KEY CHARACTERISTICS: -----

RIGHT-OF-WAY		CROSS-SECTION	STREET NAME
PRIMARY	50'	PS-50A/B	W. Main St
			W. Main St
		PS-50B	St. Marys
			W. St. Marys

- Two Options
 - 40' Curb to Curb
 - 37' Curb to Curb
- 10' lane minimums
- 8' – 8.5' parallel parking on both sides with or without planting strip will help separate pedestrian from roadway
- 4' sidewalk minimums recommend a 2.5' planting strip to help separate pedestrians from roadway.



FIGURE 12. CROSS-SECTION: PS-50A

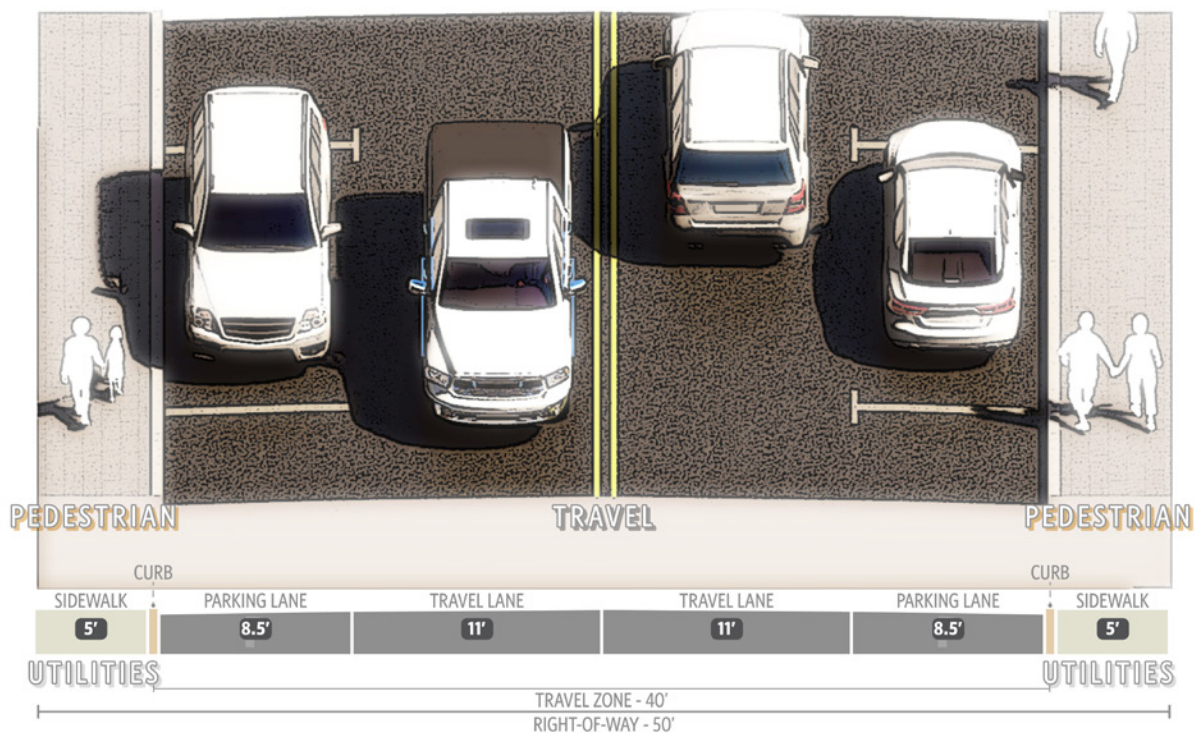
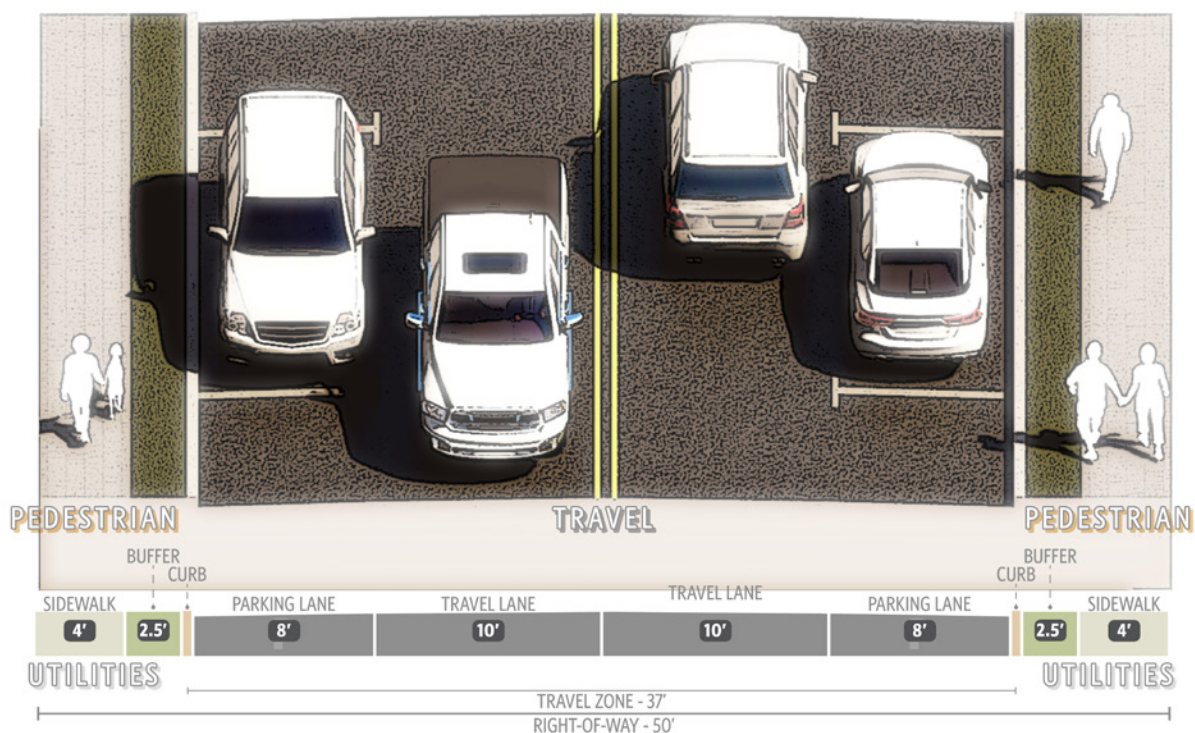


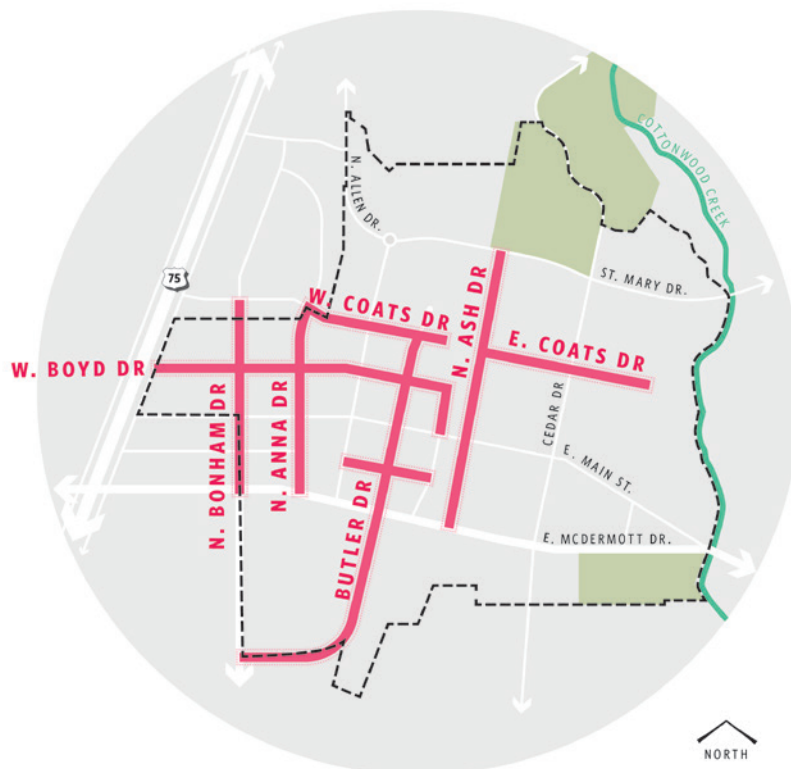
FIGURE 13. CROSS-SECTION: DA-50B



SECONDARY STREETS—50' ROW

KEY CHARACTERISTICS: -----

RIGHT-OF-WAY	CROSS-SECTION	STREET NAME
SECONDARY	50'	SS-50A/B



- Two Options
 - 37' Travel Zone
 - 25' Travel Zone
- 10' lane minimums
- 8' – 8.5' parallel parking on both sides with planting strip will help separate pedestrian from roadway
- 4' sidewalk minimums recommend a minimum 2.5' planting strip to help separate pedestrians from roadway.
- 8' sidewalks without on-street parking

FIGURE 14. CROSS-SECTION: SS-50A

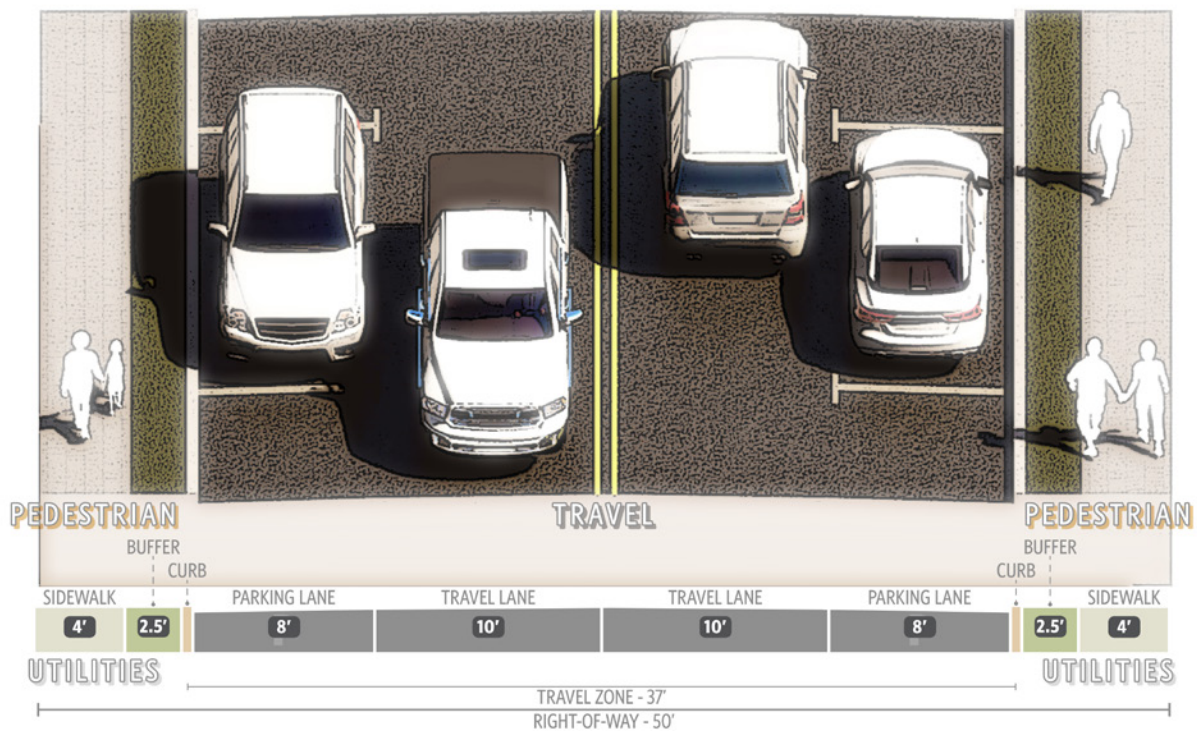
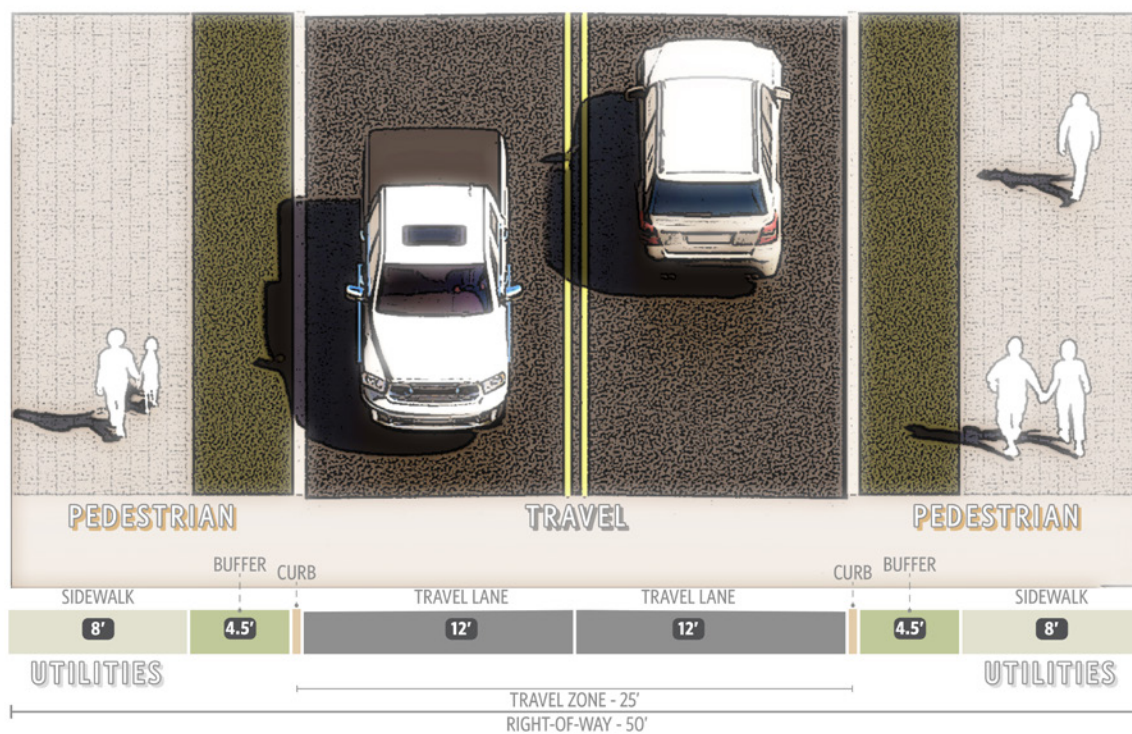


FIGURE 15. CROSS-SECTION: SA-50B



4. DOWNTOWN DESIGN REVIEW BOARD.

- a. **Membership.** The Downtown Design Review Board shall consist of seven voting members appointed by the city council who have the following qualifications:
- To the extent possible, two members shall be design professionals with a degree and/or not less than five years of experience in real estate development, architecture, landscape architecture, planning, urban design, or similar professional field who have resided in the city for a period of at least one year prior to the date of appointment and are, at the time of their appointment, registered voters within the city, and are residents of the city throughout their term of appointment; and
 - Two members who, at the time of their appointment are owners of property within the Downtown District, owners, officers, or employees in a management position of a business located in the Downtown District, and/or owners, officers, or employees in a management position of a business entity that owns a business located in the Downtown District; and
 - Three members who have resided in the city for a period of at least one year prior to the date of appointment and are, at the time of their appointment, registered voters within the city, and are residents of the city throughout their term of appointment.

If the city council does not receive sufficient applications to fill the positions described in paragraphs i. and/or ii., above, such positions may be filled by people who satisfy the qualifications of the other paragraphs above; provided, however, the majority of the members shall at all times be people who have resided in the city for a period of at least one year prior to the date of appointment and are, at the time of their appointment, registered voters within the city.

- b. **Organization; Meetings.** The Downtown Design Review Board shall elect a chairperson and vice-chairperson annually at its first regular meeting in October who shall serve for a period of one year or until the person's successor is elected.
- Chairperson.** The Chairperson shall preside at all meetings when present and shall implement any practice or procedure in the calling of meetings, conducting of meetings, or reporting of activities, that the Chairperson considers in the best interest of the Board and shall inform or consult with the city council when requested and at such times when it deems necessary.
 - Vice-Chairperson.** The Vice-Chairperson shall assist the Chairperson in directing the affairs of the Board and shall preside in the absence of the Chairperson.

- City Manager.** The City Manager shall be responsible for keeping of minutes of all Board meetings, maintaining the records of the Board, and for delivery and posting of notices. References in this section to the City Manager shall include such other city employees to whom the City Manager may from time to time delegate the City Manager's authority and responsibilities described in this section.
 - The Board shall establish its own rules and procedures and conduct such meetings as may be required to fulfill its responsibilities; provided, however, all meetings shall be conducted in accordance with the Texas Open Meetings Act.
 - The Board shall meet in the City Hall or other specified location at such times as may be designated by the chairperson and at such intervals as may be necessary to transact the business of the Board in a proper and orderly manner.
- c. **Term.** To provide for staggered terms, the appointment of Downtown Design Review Board members identified by the City Secretary as places 2 and 7, shall be appointed to initially serve a full three-year term. The appointment of Downtown Design Review Board members identified by the City Secretary as places 4 and 6, shall be appointed to serve an initial term of two years, and Downtown Design Review Board members identified by the City Secretary as places 1, 3, and 5 shall be appointed to serve an initial term of one year, with places 1, 3, 4, 5, and 6, being subsequently appointed to serve a full three-year term.
- d. **Powers and Duties.** The Downtown Design Review Board shall have the following powers and duties:
- To review and approve or disapprove minor modifications in the Cultural Core Overlay District as defined in section 4.08.19.6.a;
 - To review and approve or disapprove major modifications in the Downtown District as defined in section 4.08.19.6.b;
 - To review and approve or disapprove architectural renderings and plans of all proposed façade improvements (either modifications or new construction) in the Cultural Core Overlay;
 - To review requests for designation of a culturally significant structure and make a recommendation for such designation to the city council;
 - To serve as an advisory board for any long-range planning activities related to the Downtown District; and
 - To make recommendations to the city council concerning amendments to the regulations relating to the use and development of property within the Downtown District.

- e. **Procedures.** The Downtown Design Review Board shall meet in City Hall or other specified location at such times as may be designated by the Chairperson and at such intervals as may be necessary to transact the business of the Downtown Design Review Board in a proper and orderly manner, but not less than once every three months. All meetings will be held in conformance with State law.
 - i. Four members of the Downtown Design Review Board shall constitute a quorum and all members, including the chairperson, shall have the right of one vote each, a quorum being present. All actions of the Downtown Design Review Board shall be by a majority vote of those members present and an affirmative vote of four members shall be necessary for the passage of any action.
 - ii. Staff should coordinate periodic training workshops for Downtown Design Review Board members regarding the subject of planning, zoning, comprehensive plans, historic preservation, open meetings, or other subjects of benefit to the members and the functioning of the Downtown Design Review Board.
- f. **Appeal.** Any determination of the Downtown Design Review Board regarding standards of the Downtown District may be appealed to the city council by the applicant. An appeal must be filed in writing with the Community Development Department accompanied by a fee established by the city council by resolution from time to time not later than the tenth business day after the date of the decision of the Board. The appeal shall state the specific relief sought and the reasons therefor and provide the justification for the relief requested. The city council shall act on an appeal not later than 60 business days after the date the written appeal is filed. The failure to act within the 60-day period shall be deemed an approval of the appeal. In considering the appeal, the sole issue before the city council is whether the Board erred in its decision. The appeal to the city council shall be the final administrative remedy.
- g. **Variances and Special Exceptions.** Applications for variances and special exceptions that are not specifically included in section 4.08.19 Downtown District shall comply with the procedures set forth in Article II. Administration; Section 2.01 Planning and Zoning Commission, section 2.02 Board of Adjustments, and Article IV Zoning Regulations, section 4.06 Changes and Amendments of this Code.

5. APPLICATION REVIEW PROCESS.

Each application for a Major Modification, Minor Modification, or Designation of Culturally Significant Structure, shall be made in writing on an application form available from the city and shall be accompanied by payment of the fees required in the fee schedule adopted by resolution of the city council. If no progress is made toward completion of the application within two years following acceptance of the application, then the application shall be deemed expired and subsequently withdrawn from consideration. Progress toward completion shall be defined in V.T.C.A., Local Government Code § 245.005, as amended.

6. CODE MODIFICATIONS. Based on site-specific issues, an applicant may request one or more Minor Modifications and/or Major Modifications to the standards of the Downtown District as described in this section 4.08.19.6 without the necessity of seeking an amendment to the zoning regulations applicable to the property. Such modification may be granted if intent of the standards of the Downtown District are substantially satisfied, the modification results in a better urban design for the area, and the modification does not impede or burden existing or future development of adjacent properties. Minor and Major Modifications may be approved as follows:

- a. **Minor Modifications:** Except for Minor Modifications for property within the Cultural Core Overlay District, Minor Modifications may be approved by the City Manager. Minor modifications for property within the Cultural Core Overlay District may only be approved by the Downtown Design Review Board. Any decision made by the City Manager relating to the failure to grant in part or in full a request for a Minor Modification may be appealed to the Downtown Design Review Board. Any decision made by the Downtown Design Review Board relating to the failure to grant in part or in full a request for a Minor Modification, including a decision upholding an appeal to the City Manager's prior decision to deny in part or in full a request for a Minor Modification, may be appealed to the city council. Minor Modifications shall be limited to the following:
 - i. Deviations of twenty percent or less to the following standards provided the project (i) continues to meet or exceed all other requirements for buildings in this section and (ii) provides public open space in accordance with and may be used to satisfy the requirements in section 4.08.19.6.c.i.:
 - 1) Height and Area Requirements in section 4.08.19.8.d Table 3, specifically:
 - a) Minimum Lot Area;
 - b) Maximum Lot Coverage;
 - c) Maximum Block Length;
 - d) Minimum Building Frontage; and
 - e) Minimum First Floor Transparency;
 - 2) Quantity of landscape materials and/or area required by section 4.08.19.11; and
 - 3) Number and/or size of signs authorized by section 4.08.19.13.
 - ii. A reduction not to exceed twenty percent of the number of required off-street parking spaces for non-residential uses if:
 - 1) Required off-street parking is provided entirely in structured garage, located within 800 feet of the non-residential use; and
 - 2) Not less than ten percent of the remaining off-street parking spaces provided in the structured parking garage are unreserved and open for general public parking.

- b. **Major modifications:** The Downtown Design Review Board shall have the authority to approve Major Modifications for any property within the Downtown District. Any decision made by the Downtown Design Review Board relating to the failure to grant in part or in full a request for a Major Modification may be appealed to the city council, whose decision shall be final. Major Modifications shall be limited to the following:
- i. Deviations from the Architectural Standards in section 4.08.19.9 limited to the following may be granted, provided the proposed design, after the Major Modifications (i) continues to the extent possible to retain and/or be compatible with the architectural details (e.g., trim, shutters, columns, porches, and other elements) of the existing structure and/or adjacent structures and (ii) reflects at least two similarities to the elements shown in images for building types and in Figures 16 to 21 in section 4.08.19.9, below:
 - 1) Location of building types;
 - 2) Location and placement of a building on the lot;
 - 3) Orientation of the principal entrance to a building; and
 - 4) Requirements for building facades, fenestration, and materials
 - ii. A reduction not to exceed twenty percent of the number of required off-street parking spaces is allowed for non-residential uses in the Cultural Core Overlay District if:
 - 1) A parking study submitted to the Downtown Design Review Board shows proximity of the property to transit supportive modes of transportation (such as pedestrian or bike trail reducing daily trips by car or mass transit where available) and specific land uses that support a reduction in parking through time of use, type, patronage distribution, systems, and other appropriate factors, including walkable, livable environments; and
 - 2) Not less than ten percent of the remaining off-street parking spaces provided in the structured garage are unreserved and open for general public parking
- c. **Cottonwood Creek Overlay District Density Bonus.** The maximum residential density within the Cottonwood Creek Overlay District may be increased up to 45 dwelling units per acre (i.e., a “Density Bonus”) subject to the following:
- i. **Eligibility Requirements for Density Bonus.** A Density Bonus may be requested for a development located in the Cottonwood Creek Overlay District subject to compliance with one of the following:
 - 1) **Structured Parking.** All off-street parking for the development consists of structured parking subject to the following:
 - a) Not less than twenty percent of the parking spaces must be unreserved, available and accessible for general public parking, of which ten percent of the public parking spaces may be counted toward off-street parking requirements;
 - b) The structured parking must be located on the interior of the site or lined with habitable space along all street-facing façades at street level and follow the Architectural Standards in section 4.08.19.9.d.viii.; and
 - c) The structured parking facility must otherwise comply with the parking requirements in this section and the ALDC; or

- 2) **Public Open Space.** In addition to any park land dedication that may be required in relation to the development, the development includes not less than 2,500 square feet of privately maintained and publicly accessible open-air and functional open space to support community cultural activities or a payment into the Downtown Improvement Fund according to the requirement in section 4.08.19.14 may be made in lieu of the dedication and development of the open space. Such open space shall be subject to the following:
- a) Such open space must consist of a plaza, a park, or a combination thereof accessible from the street and connected to an adjacent sidewalk or trail;
 - b) Such open space must be developed with:
 - i) Hardscape and/or softscape that includes a minimum of two of the following per 2,500 square feet of open space:
 - a. Minimum two ornamental or one shade trees;
 - b. Minimum four raised planters with plant materials equaling 75 sq. ft. in size;
 - c. Minimum 125 sq. ft. of at-grade plantings in the hardscape;
 - d. Minimum two trash receptacles similar to those shown in Figure 16;
 - e. Minimum two bike racks similar to those shown in Figure 17;
 - f. Minimum one outdoor electrical receptacle and speaker for outdoor music; and
 - ii) Not less than one of the following amenities:
 - a. A shade structure over at least five percent area of the provided open space with a minimum of two shade sails in a design similar to those shown in Figure 18. A shade structure made of wood or metal in designs similar to those shown in Figure 19 may be used to satisfy this requirement;
 - b. A central water feature not less than 100 sq. ft. similar to those shown in in Figure 20,
 - c. Not less than two benches for seating similar to the ones shown in in Figure 21; or
 - d. any other amenity approved by the City Manager and found to be equivalent in value to those noted above in this section 4.08.19.6.c.i.2).b).ii).

FIGURE 16. EXAMPLE IMAGERY OF TRASH CANS



FIGURE 17. EXAMPLE IMAGERY OF BIKE RACKS



FIGURE 18. EXAMPLE IMAGERY OF SHADE SAILS



FIGURE 19. EXAMPLE IMAGERY OF SHADE STRUCTURES



FIGURE 20. EXAMPLE IMAGERY OF WATER FEATURES



FIGURE 21. EXAMPLE IMAGERY OF BENCHES



- ii. **Criteria for Density Bonus.** If a development is determined to be eligible for a Density Bonus, the density for the development may be increased up to (i) 38 dwelling units per acre upon compliance with at least one of the following conditions and (ii) 45 dwelling units per acre upon compliance with at least two of the following conditions and approval of such increase in accordance with section 4.08.19.6.c.iii, below:
- 1) **Land Donation.** Not less than the greater of (i) five percent of the total area of the property to be developed and (ii) 1/2-acre of land is donated to the city to be used for public open space or public parking within the Downtown District, with the location of the land to be approved by the City Manager based on city council adopted long range plans for development in the city;
 - 2) **Trail Connection.** Construct and dedicate to the city on behalf of the public in accordance with the city's trail design standards in Appendix I of this Code a public trail connecting the development site to the city's existing trail system; provided, however, in areas where there is a proposed future trail more than 1,500 feet from the development, then not less than 1,500 feet of public trail connection is constructed and dedicated at a location that will facilitate a future connection of the development to the city's public trail system;
 - 3) **Ground Level.** The ground floor of the building(s) constructed on the property is designed, constructed, and used subject to the following:
 - a) Not less than fifty percent of the gross floor area of the interior space is constructed with ceiling heights with not less than fourteen feet of clearance and designed for non-residential purposes; and
 - b) Not less than fifty percent of the area of the ground floor facades along all street frontages are transparent; or
 - 4) **Senior Independent Living.** Restrict the use of not less than twenty percent of the dwelling units for people 55 years of age or older through execution of a restrictive covenant enforceable by the city in a form approved by the City Attorney.
- iii. **Approval of Density Bonus.**
- 1) **Downtown Design Review Board Approval.** The Downtown Design Review Board shall have the authority to approve applications for a Density Bonus up to 38 dwelling units per acre upon a finding that:
 - a) The development is eligible for obtaining a Density Bonus;
 - b) The development of the subject property does not require any other deviations from the requirements of the ALDC, such as a waiver, variance, or special exception; and
 - c) The condition required to obtain the Density Bonus has been satisfied or, if the condition is one that requires construction of improvements as part of the development, the development plans approved by the city provide for construction of such improvements in accordance with the condition to be satisfied, in which case the issuance of a certificate of occupancy for any portion of the development shall be subject to completion of construction of such improvements in accordance with the approved plans and in satisfaction of the required condition(s).
 - d) The increased density is compatible with the character, scale, and function of its surrounding area.
 - 2) **City Council Approval.** The City Council shall have the authority to approve applications for a Density Bonus of up to 45 dwelling units per acre upon a finding that:
 - a) The development is eligible to obtain a Density Bonus;
 - b) The development of the subject property does not require any other deviations, such as a waiver, variance, or special exception, from the requirements of ALDC over which the Downtown Design Review Board does not have authority to grant; and
 - c) The conditions required to obtain the Density Bonus have been satisfied or, if one or more of conditions require construction of improvements as part of the development, the development plans approved by the city provide for construction of such improvements in accordance with the condition(s) to be satisfied, in which case the issuance of a certificate of occupancy for any portion of the development shall be subject to completion of construction of such improvements in accordance with the approved plans and in satisfaction of the required condition(s).
 - d) The increased density is compatible with the character, scale, and function of its surrounding area.
- An applicant may appeal the denial in whole or in part of a request for a Density Bonus by the Downtown Design Review Board to the City Council by filing with the Director of Community Development a written appeal to such denial not later than ten days delivery of written notice of such denial.

REGULATIONS FOR ALL DISTRICTS



SOURCE: ADOBE STOCK

7. PRINCIPAL AND ACCESSORY LAND USES.

- a. **Principal Uses:** Buildings or land shall not be used, and buildings shall not be erected, except for the following specified uses, unless otherwise provided for in this section 4.08.19. Land and/or buildings in the Downtown district may be used as shown in Table 1 and denoted by the following abbreviations:
 - i. **Permitted Use (P).** Land and/or buildings in the Downtown District may be used by right, subject to all other applicable provisions of this Code.
 - ii. **Specific Use (S).** Land and/or buildings are subject to and will be reviewed and permitted in accordance with Article VI. Special Zoning Provisions, section 6.01 Specific Use Permits of the ALDC.
 - iii. **Not Permitted.** Blank cells indicate that a use is not permitted within the Downtown District or respective overlay district.

Where there is a conflict in Table 1 of this section between the Base Zoning and one or more of the Overlay Districts with respect to whether a use is Permitted, permitted following approval of a Specific Use Permit, or Prohibited, the indication with respect to the Overlay District shall be controlling within the applicable Overlay District.

- b. **Accessory Uses:** Accessory uses shall not exceed twenty-five percent of the total floor area of the main use.
 - i. In the CCO District, accessory uses shall only be allowed within the same building as the principal use and shall not be allowed in a separate building or structure.
 - ii. All uses allowed as Principal Uses in the Downtown District shall be allowed as accessory uses in the Downtown District but only the principal uses allowed in CCO, RTO and CWCO Districts shall be allowed as accessory uses in those specific Overlay District.
- c. Drive thrus shall not be permitted in the Downtown District as a part of any Principal or Accessory Use.
- d. Schedule of Principal & Accessory Land Uses in Downtown District in Table 2.

TABLE 2. SCHEDULE OF PRINCIPAL & ACCESSORY LAND USES IN DOWNTOWN DISTRICT

P = PERMITTED
 S = SPECIAL USE
 BLANK = PROHIBITED USE

PRINCIPAL USES	D	CCO	RTO	CWCO
ACID MANUFACTURE				
ADULT BOOKSTORE				
ADULT DAY CARE	P	S	S	P
AGRICULTURAL USE				
AIRPORT				
AMUSEMENT, COMMERCIAL (INDOOR)	P	P	P	P
AMUSEMENT, COMMERCIAL (OUTDOOR)	S	S	S	S
ANTIQUE SHOP	P	P	P	P
APPAREL & RELATED MANUFACTURE				
ARTISANS AND ARTIST STUDIO	P	P	P	P
ASSISTED LIVING	S	S	S	S
AUTO PAINTING OR BODY SHOP				
AUTO PARTS SALES				
AUTO, TRAILER, TRUCK RENTAL				
AUTOMOTIVE REPAIRS, MAJOR				
AUTOMOTIVE REPAIRS, MINOR				
BAKERIES (WHOLESALE)				
BAKERY OR CONFECTIONERY	P	P	P	P
BANKS AND FINANCIAL INSTITUTIONS	P			P
BED & BREAKFAST	P	P	P	P
BICYCLE SHOP/REPAIR SERVICE	P	P	P	P
BIRTHING CENTER	S			S
BOAT DISPLAY SALES AND REPAIR				
BOAT STORAGE				
BOOK, CARD OR NOVELTY SHOPS	P	P	P	P
BOTTLING WORKS P DISTRIBUTION				
BUILDING MATERIALS SALES (OUTDOOR)				
BUILDING MATERIALS SALES (INDOOR)				
BULK HANDLING FACILITY				
BUS STATIONS/TERMINALS	S	S	S	S
CAR WASH				
CARPENTRY, PAINTING SHOP	S	S	S	S
CATERING	P	P	P	P
CEMENT, LIME, GYPSUM MANUFACTURE				
CEMETERY			P	
CHEMICALS & ALLIED PRODUCTS				
CHURCH, TEMPLE, RECTORY, OR OTHER RELIGIOUS FACILITY	P	P	P	P

CONTINUES ON THE FOLLOWING PAGE

P = PERMITTED
S = SPECIAL USE
BLANK = PROHIBITED USE

PRINCIPAL USES (CONTINUED)	D	CCO	RTO	CWCO
COAL, COKE OR WOOD YARD				
COLLEGE UNIVERSITY OR TRADE SCHOOL	S	S	S	S
COMMUNITY CENTER	P	P	P	P
CONCRETE BATCH PLANT (NON-TEMP)				
CONCRETE BATCH PLANT (TEMPORARY) (MUST BE LOCATED A MINIMUM OF 500 FEET FROM ANY EXISTING RESIDENTIAL STRUCTURE)				
CONGREGATE RESIDENCE				
CONSTRUCTION OFFICE (TEMPORARY)	P	P	P	P
CONTRACTOR'S YARD				
CONVALESCENT CENTER OR NURSING HOME	S		S	S
CONVENIENCE STORE	P	P	P	P
COUNTRY CLUB				
DAY CARE FACILITY	P	P	P	P
DEPARTMENT OR DISCOUNT STORES				
DRUG STORE OR PHARMACY	P	P	P	P
DRUGS, PHARMACEUTICAL MFG.				
DWELLING, CONDOMINIUM	P			P
DWELLING, LIVE-WORK	P	P	P	P
DWELLING, MULTIPLEX	P		P	
DWELLING, URBAN RESIDENTIAL	P			P
DWELLING, SINGLE-FAMILY ATTACHED (TOWNHOME)	P		P	S
DWELLING, SINGLE-FAMILY (DETACHED)	S		S	
DWELLING, TWO-FAMILY	S		P	S
ELECTRICAL GENERATING PLANT, PUBLIC				
ELECTRONIC ASSEMBLY				
EQUIPMENT RENTAL				
FABRICS OR NEEDLEWORK SHOP	P	P	P	P
FAMILY HOME				
FARMERS MARKET	P	P		P
FARM IMPLEMENT SALES AND SERVICE				
FARMS AND NURSERIES				
FITNESS AND HEALTH CENTER*	P	P		P
FLEA MARKET				
FLORIST	P	P	P	P
FOOD PROCESSING (HEAVY)				
FOOD SERVICE	P	P		P
FOOD TRUCK SITE	P	P		P

CONTINUES ON THE FOLLOWING PAGE

P = PERMITTED
S = SPECIAL USE
BLANK = PROHIBITED USE

PRINCIPAL USES (CONTINUED)	D	CCO	RTO	CWCO
FOOD TRUCK PARK	P	P		P
FORESTRY				
FORGE PLANT				
FRATERNAL ORG., LODGE, CIVIC CLUBS	P	P	P	P
FUELING STATION				
FUNERAL HOMES AND MORTUARIES				
FURNITURE/APPLIANCE SALES*	P	P		P
GARAGE, PUBLIC PARKING	P	P	P	P
GOLF COURSE				
GOLF COURSE (PUBLIC)				
GROCERY**	P	P		P
GYMNASTICS AND SPORTS TRAINING FACILITY*	P	P		P
HARDWARE STORE	P	P	P	P
HEAVY MACHINERY SALES/STORAGE				
HELIPORT				
HELISTOP				
HELISTOP (TEMPORARY)				
HOSPICE				
HOSPITAL				
HOTEL	P	S		P
KEY SHOP, LOCKSMITH	P	P	P	P
LABORATORIES: BIO SAFETY LEVEL 2				
LABORATORIES: BIO SAFETY LEVEL 3				
LABORATORIES: BIO SAFETY LEVEL 4				
LABORATORIES: DENTAL	P			P
LAUNDRY, SELF-SERVICE	P			P
LAUNDRY/CLEANING PLANT, COMMERCIAL				
LAUNDRY/CLEANING PLANT, RETAIL w/PK/UP				
LAUNDRY/DRY CLEANING, PICK-UP ONLY	P	P	P	P
LAWN EQUIPMENT SALES P REPAIR				
LONG-TERM CARE FACILITY				
MACHINE SHOP OR WELDING				
MAINTENANCE & STORAGE FACILITIES				
MANUFACTURED HOUSING UNIT				
MANUFACTURED OR MOBILE HOME PARK				
MANUFACTURING, HEAVY				
MANUFACTURING, LIGHT				
MASS TRANSIT COMMUTER PICK-UP	S			S

CONTINUES ON THE FOLLOWING PAGE

P = PERMITTED
S = SPECIAL USE
BLANK = PROHIBITED USE

PRINCIPAL USES (CONTINUED)	D	CCO	RTO	CWCO
MASSAGE ESTABLISHMENT	P	P	P	P
MEDICAL CLINIC*	P	P	P	P
MEDICAL OR DENTAL OFFICE	P	P	P	P
MICRO BREWERY	P	P		P
MICRO DISTILLERY	P	P		P
MINING				
MINI-WAREHOUSES				
IMPLEMENT DISPLAY & SALES				
MONUMENT SALES				
MOTOR CYCLE SALES & SERVICE				
MOTOR FREIGHT TERMINAL				
MUSEUM/ART GALLERY	P	P	P	P
NURSERY, RETAIL PLANT	P	P		P
OFFICE SHOWROOM/WAREHOUSE				
OFFICE USE	P	P	P	P
OIL AND GAS WELLS				
OPEN STORAGE				
OUTDOOR PRODUCE MARKET	P	P		P
PARK (PRIVATE)	P		P	P
PARK OR PLAYGROUND (PUBLIC)	P	P	P	P
PARKING (SURFACE LOT)	S	S	S	S
PARKING (STRUCTURED/ GARAGE)	P	P	P	P
PAWN SHOPS				
PERSONAL SERVICE BUSINESS	P	P	P	P
PEST CONTROL SERVICE				
PETROLEUM PRODUCTS REFINING/STORAGE				
PRINTING OR NEWSPAPER ESTABLISHMENT				
PRIVATE CLUB	S	S		S
PUBLIC SERVICE FACILITY	P	P	P	P
RADIO OR TV BROADCAST STUDIO	P	S		P
RAILROAD FREIGHT STATION				
REAL ESTATE SALES OFFICE (TEMP.)	P	P	P	P
RECREATION CAMP				
RECREATION CENTER (PUBLIC)	P	P	P	P
RENTAL, AUTO, TRAILER, TRUCK				
RESTAURANT (DRIVE-IN OR THROUGH)				
RESTAURANT (NO DRIVE-IN OR THROUGH)	P	P	S	P

CONTINUES ON THE FOLLOWING PAGE

P = PERMITTED
 S = SPECIAL USE
 BLANK = PROHIBITED USE

PRINCIPAL USES (CONTINUED)	D	CCO	RTO	CWCO
RETAIL STORE	P	P	P	P
SAND OR GRAVEL MINING OR STORAGE				
SANITARY LANDFILL				
SCHOOL, PRIVATE OR PAROCHIAL (IN CCO*)	P	P*		P
SCHOOL, PUBLIC	S	S	S	S
SENIOR INDEPENDENT LIVING	P			P
SERVICE CONTRACTOR				
SEXUALLY-ORIENTED BUSINESS				
SIGN SHOP	P	P	S	P
SPECIALTY/HEALTH FOODS	P	P	P	P
SMEETING OF ORES OR METALS				
STABLE				
STUDIOS	P	P	P	P
SWIM OR TENNIS CLUB	P			P
SWIM POOL (PUBLICS)				
TARGET RANGE				
TATTOO STUDIO (Res. #1512-7-97(R))				
TEEN CLUB	P			P
THEATER	P	P		P
TIRE RECAPING				
TRUCK SALES AND REPAIR - NEW				
TRUCK STORAGE				
TRUCK TERMINAL				
UPHOLSTERY SHOP	P	P	P	P
VETERINARY HOSPITAL, ANIMAL CLINIC OR ANIMAL BOARDING FACILITY				
VIDEO REDEMPTION MACHINES (8-LINER MACHINES) - 5 OR MORE				
WAREHOUSE/DISTRIBUTION CENTER				
WINERY	P	P		P
WRECKING, JUNK OR AUTO SALVAGE YARD	○	○	○	○

* Less than 5,000 square feet in floor area.

** Less than 10,000 square feet in floor area.

e. Supplementary Regulations for Dwelling, Single-Family Attached (Townhome).

Townhome developments within the Downtown District shall be subject to only the development and use regulations in this section.

- i. Units. There shall be no limit to the number of dwelling units attached in one continuous row provided the townhome units meet all other requirements in this section 4.08.19. Developments with 10 or more townhome units shall be developed with common public outdoor space with an area of not less than 100 sq. ft./unit but not less than 10,000 square feet for a single development. Such outdoor space shall be restricted or platted as a common area for open space and developed as any combination of the open space types – park, or plaza and identified on the final plat(s) of the property. Such open space shall be developed subject to the following:
 - 1) For every 2,500 sq. ft. of open space no fewer than two of the following amenities maintained by a homeowners'/property owners association shall be installed in the common outdoor space:
 - a) Minimum two ornamental or one shade trees;
 - b) Minimum four raised planters with plant materials equaling 75 sq. ft. in size;
 - c) Minimum 125 sq. ft. of at-grade plantings in the hardscape;
 - d) Hardscape gathering space with outdoor movable tables and chairs; or
 - e) Outdoor trail fitness/stretch equipment.
 - 2) All common public outdoor spaces shall incorporate trash receptacles, electrical outlets, and pedestrian lighting as part of the design; and
 - 3) The location of such common outdoor space within the townhome development or within 600 feet of the townhome development in the Downtown District shall be approved by the City Manager as a part of the overall site plan application review.
- ii. Lot Design. Townhome developments shall be developed with units that face a public street or an open space in accordance with the following:
 - 1) Dwelling units that front a public street shall be developed subject to the following:
 - a) On-street parallel parking spaces are required. On-street spaces complying with the minimum dimensional requirements of this code may be counted in satisfying the minimum number of visitor parking spaces required for the development;
 - b) A utility and pedestrian access easement not less than ten feet wide must be located between the tree planting area and townhome but no closer than five feet from any structure, including any porches, steps or stoops, extending from the front of the dwelling unit, the width of which easement may need to be increased to accommodate utility depth requirements;
 - c) All franchise utilities and telecommunication facilities shall be located in easements located within the rear (alley side) of the dwelling units;
 - d) Front-loading garages are prohibited;
 - e) Rear access garage door shall be located six feet from the alley right-of-way;
 - f) No fence shall be located closer to an alley than the face of the garage or within a utility easement; and
 - g) Alleys with garage access shall be not less than 24 feet wide.

- 2) Dwelling units that front an open space shall be developed subject to the following:
 - a) The open space shall be not less than 30 feet wide. The depth of any required front yard shall not be counted in determining the required width of an open space;
 - b) Pedestrian access easements in which sidewalks must be constructed, must be dedicated across the open space and/or front yards;
 - c) Front-loading garages are prohibited;
 - d) Rear access garage door shall be located six feet from the alley right-of-way;
 - e) No fence shall be located closer to an alley than the face of the garage or within a utility easement;
 - f) Alleys with garage access shall be not less than 24 feet wide of pavement within a 28-ft right-of-way;
 - g) Franchise utilities and telecommunication facilities shall be located in the front of each dwelling unit in an easement that maybe a part of the usable open space.
 - h) City-owned facilities shall be located in easements located within the rear (alley side) of the dwelling units, which easement may be a part of the alley right-of-way; and
 - i) No fence shall be located closer to an alley than the face of the garage.

iii. Parking.

- 1) A two-car garage shall be required for each unit for off-street parking.
- 2) Visitor parking spaces may be provided as on-street parking spaces or as off-street spaces in a surface parking lot or a parking structure and shall be constructed subject to the following:
 - a) One visitor parking space must be constructed for every two dwelling units constructed within the development;
 - b) No dwelling unit shall be located more than 200 feet from a visitor parking space; and
 - c) Surface parking, if provided, shall be located behind or to the side of the buildings in the Downtown Zoning District.

8. HEIGHT AND AREA REGULATIONS

- a. Cooling towers, roof gables, chimneys, vent stacks, and citizens band (CB) antennae may extend up to an additional ten feet above the maximum allowable roof height.
- b. Water standpipes and tank, church steeples, domes and spires, school buildings, and institutional buildings may be erected to exceed three stories or 45 feet in height, provided that one additional foot shall be added to the width and depth of front, side, and rear yards for each foot that such structures exceed the maximum height.
- c. No structure may be erected to a height in excess of that permitted by applicable airport hazard zoning regulations.
- d. Schedule of Downtown District Height and Area regulations see Table 3.

9. ARCHITECTURAL STANDARDS -

GENERALLY. The following standards shall apply to all building types constructed or reconstructed within the Downtown District. To the extent of any conflicts between this section and requirements in the other sections of ALDC, this section shall apply.

- a. **Building Types.** The following are descriptions of the types of buildings that can be developed in the Downtown District. Each building type has unique characteristics that contributes to walkability, built character, and the public realm to create a framework for good urbanism. These building types do not indicate land use but are meant to ensure consistency in building scale, form, and design. For example, a Townhome may have non-residential uses such as retail sales, coffee shop, or an office use within the same building as the dwelling unit. The building types allowed in Downtown District are:
 - i. Single Family Detached
 - ii. Townhome
 - iii. Live-Work Townhome
 - iv. Multiplexes (Multifamily)
 - v. Urban Residential Walk-Up
 - vi. Urban Residential Elevator
 - vii. Live-Work Mixed Use
 - viii. Vertically Integrated Mixed Use
 - ix. Traditional Downtown Retail
 - x. Office

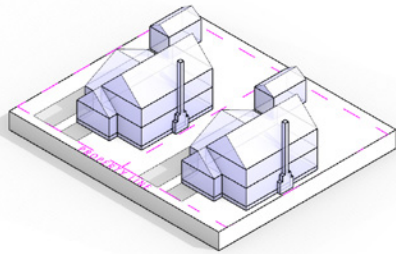
TABLE 3. SCHEDULE OF DOWNTOWN DISTRICT HEIGHT AND AREA REGULATIONS

REGULATION TYPE	D	CCO	RTO	CWCO
MIN. LOT AREA (SQ. FT.)	5,000	3,000	800	5,000
MIN. LOT WIDTH (FT)	-	-	-	-
MIN. LOT DEPTH (FT)	-	-	-	-
MAX. LOT COVERAGE	85%	100%	80%	85%
MAX. DENSITY (DU/ACRE)	32	18	18	32 (UP TO 45 WITH DENSITY BONUS)
MAX. BLOCK LENGTH (FT)*	350	350	500	500
MIN. BUILDING FRONTAGE	90%	95%	75%	85%
MIN. FRONT YARD SETBACK (FT)	0	0	0	0
MIN. SIDE YARD SETBACK (FT)	0	0	0	0
MIN. REAR YARD SETBACK (FT)	0	0	5	0
MAX. HEIGHT (FT)	55	35	35	55
MAX. STORIES (#)	4	2	2.5	4
BUILDING STEP BACK	-	-	-	25% STEP BACK @ 3RD STORY
MINIMUM FIRST FLOOR TRANSPARENCY	50%	75%	25%	25%
MINIMUM OPEN SPACE REQUIREMENT**	10%	-	5%	10%

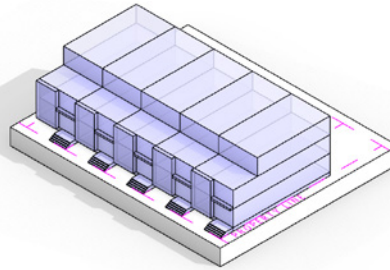
* Block lengths can be met using pedestrian only pathways

** See Landscape requirements for additional regulations

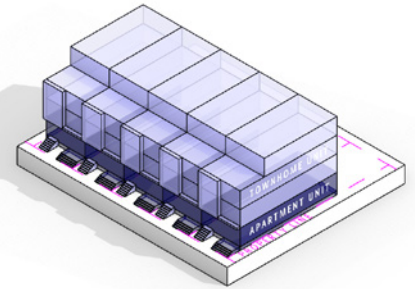
FIGURE 22. BUILDING TYPES



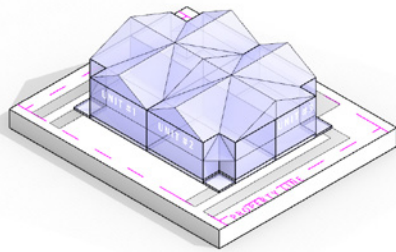
I) SINGLE-FAMILY(SF) DETACHED



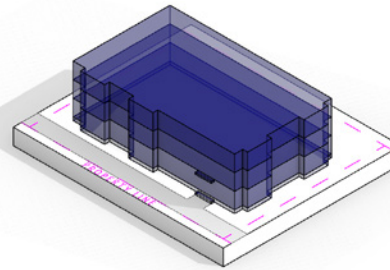
II) TOWNHOME



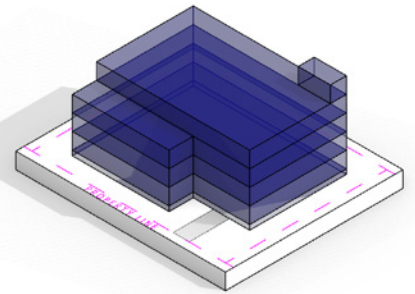
III) LIVE-WORK TOWNHOME



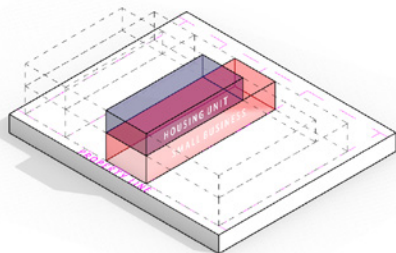
IV) MULTIPLEX



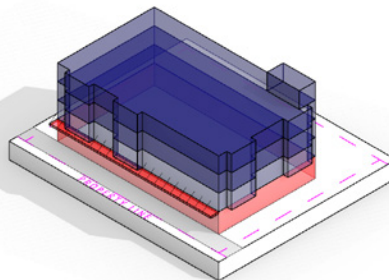
V) URBAN RESIDENTIAL - WALK-UP



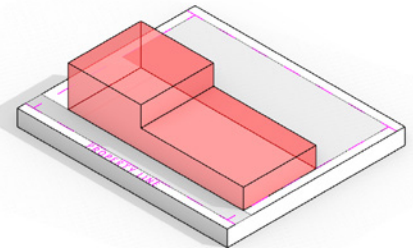
VI) URBAN RESIDENTIAL - ELEVATOR



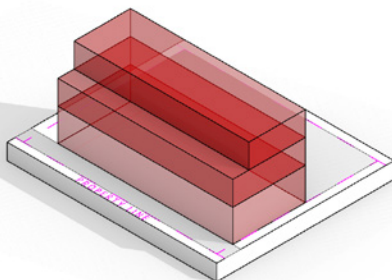
VII) LIVE-WORK MIXED-USE



VIII) VERTICALLY INTEGRATED MIXED-USE



IX) TRADITIONAL DOWNTOWN RETAIL



X) OFFICE

FIGURE 23. TYPICAL SINGLE-FAMILY DETACHED



FIGURE 23(A). SINGLE-FAMILY DETACHED-CONTEMPORARY



FIGURE 23(B). SINGLE-FAMILY DETACHED-TRADITIONAL

SINGLE-FAMILY(SF) DETACHED

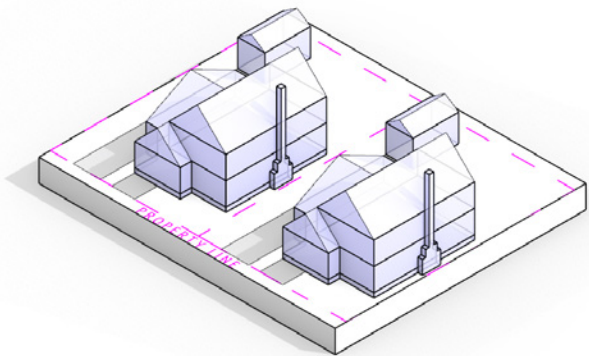
Single-Family Detached homes are a type of housing that feature standalone buildings, moderate to generous street setbacks, rear yards, and individual unit entrances.

These homes are typical to suburban environments and considered low density with 8-12 units per acre. While typically car-oriented they can encourage walkable neighborhoods by orienting entrances to the street, providing rear accessed parking, and providing welcoming landscaping. Parking is typically located off-street or with access from a secondary street or an alley, reserving primary building frontage for windows, entrances, and landscaping.

DIMENSIONS*

- Minimum Width: 30'
- Maximum Width: 65'
- Minimum Depth: 60'
- Maximum Height: 2.5 Stories

**Dimensions must follow the area and height requirements of the specific Overlay District in which this building type is located.*



WHERE CAN THIS BE BUILT?			
OVERLAY	CCO	RTO	CWCO
PERMISSION			
<div>● ALLOWED</div> <div>◐ ALLOWED WITH CODE MODIFICATION</div> <div>○ NOT ALLOWED</div>			

TOWNHOME

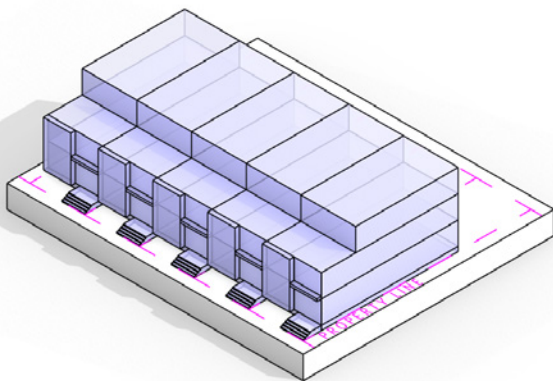
Townhomes are a type of housing that feature shared walls between housing units, minimal street setbacks, rear yards, and individual unit entrances.

Townhomes encourage walkable neighborhoods by providing a medium level of housing density with about 12-18 dwelling units an acre. Parking is typically located on the street or with access from an alley, reserving building frontage for windows, entrances, and landscaping. Townhomes are typically more narrow than single-family detached housing units and should have a variety of facade styles to cultivate visual interest and architectural character.

DIMENSIONS*

- Minimum Width: 20'
- Minimum Depth: 75'
- Maximum Height: 4 Stories

**Dimensions must follow the area and height requirements of the specific Overlay District in which this building type is located.*



WHERE CAN THIS BE BUILT?

OVERLAY	CCO	RTO	CWCO
PERMISSION	●	●	●
● ALLOWED			
● ALLOWED WITH CODE MODIFICATION			
○ NOT ALLOWED			

FIGURE 24. TYPICAL TOWNHOME



FIGURE 24(A). TOWNHOME-CONTEMPORARY



FIGURE 24(B). TOWNHOME-TRADITIONAL

FIGURE 25. TYPICAL LIVE-WORK TOWNHOME



FIGURE 25(A). LIVE-WORK TOWNHOME-CONTEMPORARY



FIGURE 25(B). LIVE-WORK TOWNHOME-TRADITIONAL

LIVE-WORK TOWNHOME

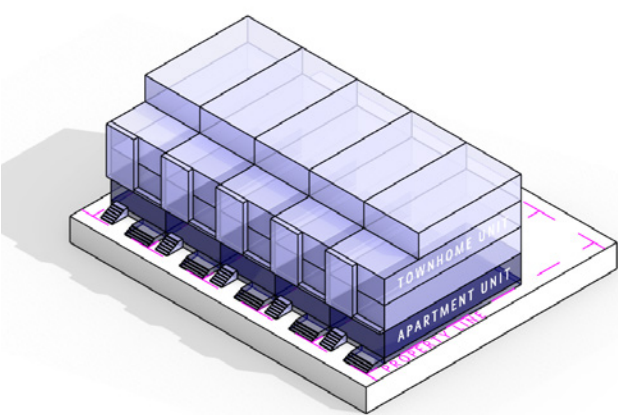
Live-Work townhomes are a higher density type of townhome where multiple units are integrated into a vertical span. Typically this manifests as an apartment ‘flat’ on the ground level with a multi-level 2-3 story townhome above. The “flat” can be used for a separate live-work unit or a commercial studio space. Each unit has a private entrance at street level.

Stacked Townhomes encourage walkable neighborhoods by providing a medium to high level of housing density with about 24-36 dwelling units an acre. Parking is typically located on the street or with access from an alley, reserving building frontage for windows, entrances, and landscaping. Stacked Townhomes should have a variety of facade styles to cultivate visual interest and architectural character.

DIMENSIONS*

- Minimum Width: 20’
- Minimum Depth: 75’
- Maximum Height: 4 Stories

**Dimensions must follow the area and height requirements of the specific Overlay District in which this building type is located.*



WHERE CAN THIS BE BUILT?			
OVERLAY	CCO	RTO	CWCO
PERMISSION			
<div>● ALLOWED</div> <div>◐ ALLOWED WITH CODE MODIFICATION</div> <div>○ NOT ALLOWED</div>			

MULTIPLEX

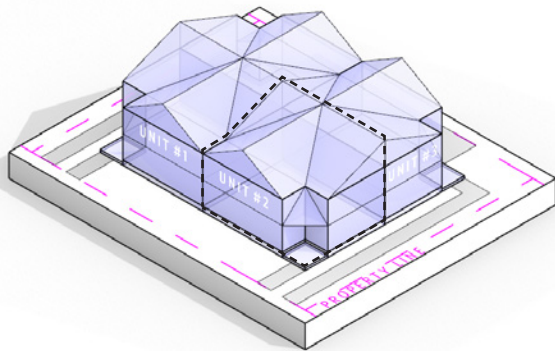
Multiplexes are a higher density type of housing where multiple units are integrated into a horizontal span. Typically this manifests as units sharing one to two walls with other units. These configurations typically range from a duplex (two units) to a fourplex (four units). Each unit has a private entrance at street level.

Multiplexes encourage walkable neighborhoods by providing a medium to high level of housing density with about 15-22 dwelling units an acre. Parking is typically located on the street or with access from an alley, reserving building frontage for windows, entrances, and landscaping. Stacked Townhomes should have a variety of facade styles to cultivate visual interest and architectural character.

DIMENSIONS*

- Minimum Width: 50'
- Minimum Depth: 100'
- Maximum Height: 3 Stories

**Dimensions must follow the area and height requirements of the specific Overlay District in which this building type is located.*



WHERE CAN THIS BE BUILT?

OVERLAY	CCO	RTO	CWCO
DUPLEX	○	●	◐
TRIPLEX	○	◐	◐
FOURPLEX	○	◐	●

- ALLOWED
- ◐ ALLOWED WITH CODE MODIFICATION
- NOT ALLOWED

FIGURE 26. TYPICAL MULTIPLEX



FIGURE 26(A). DUPLEX-CONTEMPORARY



FIGURE 26(B). FOURPLEX-CONTEMPORARY

FIGURE 27. TYPICAL URBAN RESIDENTIAL - WALKUP



FIGURE 27(A).URBAN RESIDENTIAL WALKUP



FIGURE 27(B).URBAN RESIDENTIAL WALKUP

URBAN RESIDENTIAL - WALKUP

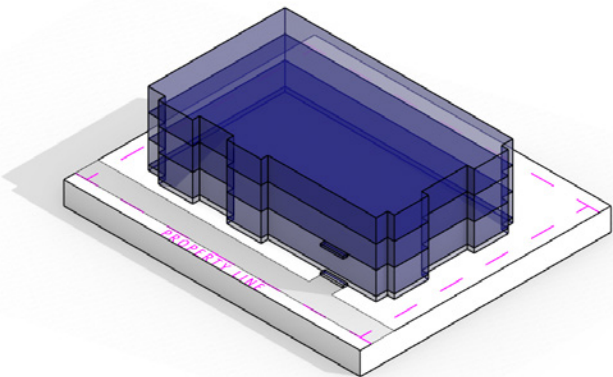
A walkup building is a residential building with multiple housing units, usually in the form of apartment “flats”. Typically walk-ups have a shared primary entrance and an internal stairwell and shared corridors to access units. Walk-ups generally are three stories or less and often do not have elevators.

Walkups encourage walkable neighborhoods by providing a medium to high level of housing density with about 19-25 dwelling units an acre. Parking is typically located on the street or in a surface lot, reserving building frontage for windows, entrances, and landscaping. These buildings typically have minimal setbacks and are oriented to a primary street frontage.

DIMENSIONS*

- Minimum Width: 125’
- Minimum Depth: 125’
- Maximum Height: 4 Stories

**Dimensions must follow the area and height requirements of the specific Overlay District in which this building type is located.*



WHERE CAN THIS BE BUILT?			
OVERLAY	CCO	RTO	CWCO
PERMISSION	○	○	●
● ALLOWED			
⦿ ALLOWED WITH CODE MODIFICATION			
○ NOT ALLOWED			

URBAN RESIDENTIAL - ELEVATOR

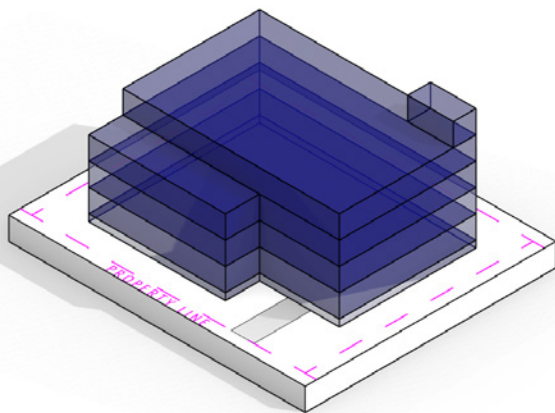
An Elevator building is a residential building with multiple housing units, usually in the form of apartment “flats”. Typically these have a shared primary entrance, an internal stairwell and shared corridors to access units. Elevator buildings generally are three stories or higher.

Multifamily Elevator buildings encourage walkable neighborhoods by providing a high level of housing density with about 30 or more dwelling units an acre. Parking is typically located on the street, in a surface lot, or in a structure. These buildings typically have minimal setbacks and are oriented to a primary street frontage with access from the sidewalk.

DIMENSIONS*

- Minimum Width: 125'
- Minimum Depth: 125'
- 4 Stories

**Dimensions must follow the area and height requirements of the specific Overlay District in which this building type is located.*



WHERE CAN THIS BE BUILT?

OVERLAY	CCO	RTO	CWCO
PERMISSION	○	○	●

● ALLOWED
 ○ ALLOWED WITH CODE MODIFICATION
 ○ NOT ALLOWED

FIGURE 28. TYPICAL URBAN RESIDENTIAL - ELEVATOR



FIGURE 28(A). URBAN RESIDENTIAL-ELEVATOR



FIGURE 28(B). URBAN RESIDENTIAL-ELEVATOR

FIGURE 29. TYPICAL LIVE-WORK



FIGURE 29(A).LIVE-WORK-CONTEMPORARY



FIGURE 29(B). LIVE-WORK-TRADITIONAL

LIVE-WORK MIXED-USE

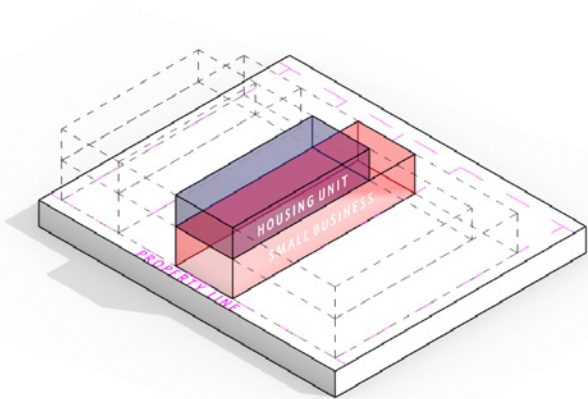
Live Work buildings are a unique mixed-use development. These typically involve a non-residential space on the ground floor with a housing unit above. Live Work development is often specialized to the land use and can vary from Traditional Downtown Retail with apartments above to industrial makerspaces and artist lofts.

The diversity of this building type results in a variety of housing densities. Typically this building type can be found on traditional main streets and in revitalized industrial areas. Parking is typically located on the street, in a surface lot, or in a structure. These buildings typically have minimal setbacks and are oriented to a primary street frontage with access from the sidewalk.

DIMENSIONS*

- Minimum Width: Varies
- Minimum Depth: Varies
- Maximum Height: 2 Stories

**Dimensions must follow the area and height requirements of the specific Overlay District in which this building type is located.*



WHERE CAN THIS BE BUILT?			
OVERLAY	CCO	RTO	CWCO
PERMISSION	●	●	●
● ALLOWED			
● ALLOWED WITH CODE MODIFICATION			
○ NOT ALLOWED			

VERTICALLY INTEGRATED MIXED-USE

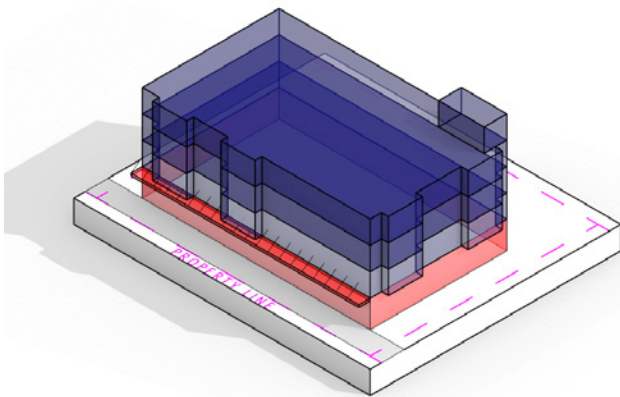
A Vertically Integrated Mixed-Use building is a mixed-use building with multiple housing units, usually in the form of apartment “flats” over a non-residential base. Typically these have a shared primary entrance, for residences with an internal stairwell or elevator and shared corridors to access units. Typically the first floor features neighborhood retail and service uses with separate entrances. These buildings generally are three stories or higher.

VI buildings encourage walkable neighborhoods by providing a high level of housing density with about 30 or more dwelling units an acre. Parking is typically located on the street, in a surface lot, or in a structure. These buildings typically have minimal setbacks and are oriented to a primary street frontage with access from the sidewalk.

DIMENSIONS*

- Minimum Width: 125'
- Minimum Depth: 125'
- Maximum Height: 4 Stories

**Dimensions must follow the area and height requirements of the specific Overlay District in which this building type is located.*



WHERE CAN THIS BE BUILT?

OVERLAY	CCO	RTO	CWCO
PERMISSION	○	○	●
● ALLOWED			
○ ALLOWED WITH CODE MODIFICATION			
○ NOT ALLOWED			

FIGURE 30. TYPICAL VERTICALLY INTEGRATED



FIGURE 30(A). VERTICALLY INTEGRATED-CONTEMPORARY



FIGURE 30(B). VERTICALLY INTEGRATED-TRADITIONAL

FIGURE 31. TRADITIONAL DOWNTOWN RETAIL



FIGURE 31(A).TRADITIONAL DOWNTOWN RETAIL-CONTEMPORARY



FIGURE 31(B). TRADITIONAL DOWNTOWN RETAIL-TRADITIONAL

TRADITIONAL DOWNTOWN RETAIL

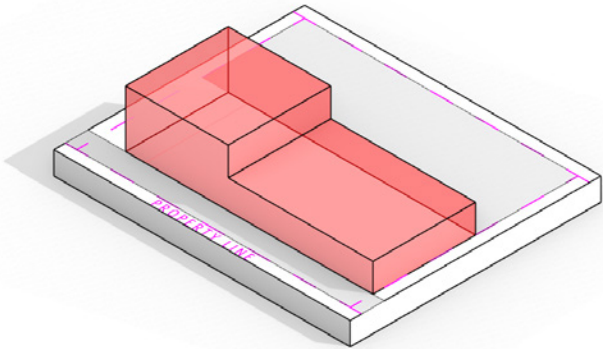
Traditional Downtown Retail is a commercial building type that features a standalone retail or service use. These buildings typically occur on mixed-use or non-residential streets and vary greatly in lot size, building massing, and site configuration.

When feasible, a Traditional Downtown Retail building should have the primary entrance and building frontage close to pedestrian circulation areas like sidewalks, plazas, or open space. Parking should be located in the rear of the building or accessed off a secondary street.

DIMENSIONS*

- Minimum Width: Varies
- Minimum Depth: Varies
- Maximum Height: Varies

**Dimensions must follow the area and height requirements of the specific Overlay District in which this building type is located.*



WHERE CAN THIS BE BUILT?			
OVERLAY	CCO	RTO	CWCO
PERMISSION	●	●	●
● ALLOWED			
⦿ ALLOWED WITH CODE MODIFICATION			
○ NOT ALLOWED			

OFFICE

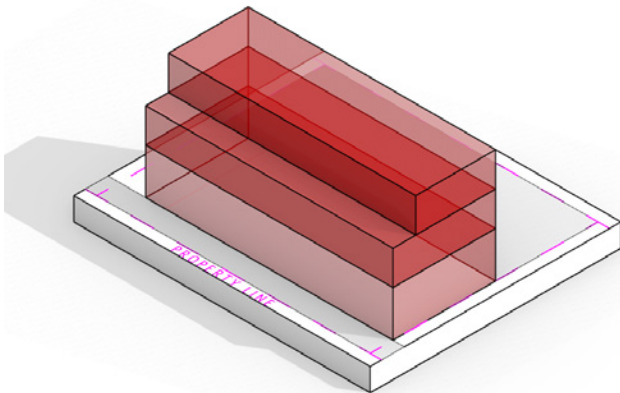
Offices are a building type that serves as a center business operations for a company. These buildings typically have restricted access and may not be publicly accessible. In some cases retail or service uses may be integrated into the ground floor. Office buildings vary greatly in layout, massing, and site configuration.

When feasible office buildings should have the primary entrance and building frontage close to pedestrian circulation areas like sidewalks, plazas, or open space. Parking should be located in the rear of the building or accessed off a secondary street.

DIMENSIONS*

- Minimum Width: Varies
- Minimum Depth: Varies
- Maximum Height: 4 Stories ($\leq 55'$)

**Dimensions must follow the area and height requirements of the specific Overlay District in which this building type is located.*



WHERE CAN THIS BE BUILT?

OVERLAY	CCO	RTO	CWCO
PERMISSION	●	●	●

- ALLOWED
- ALLOWED WITH CODE MODIFICATION
- NOT ALLOWED

FIGURE 32. TYPICAL OFFICE

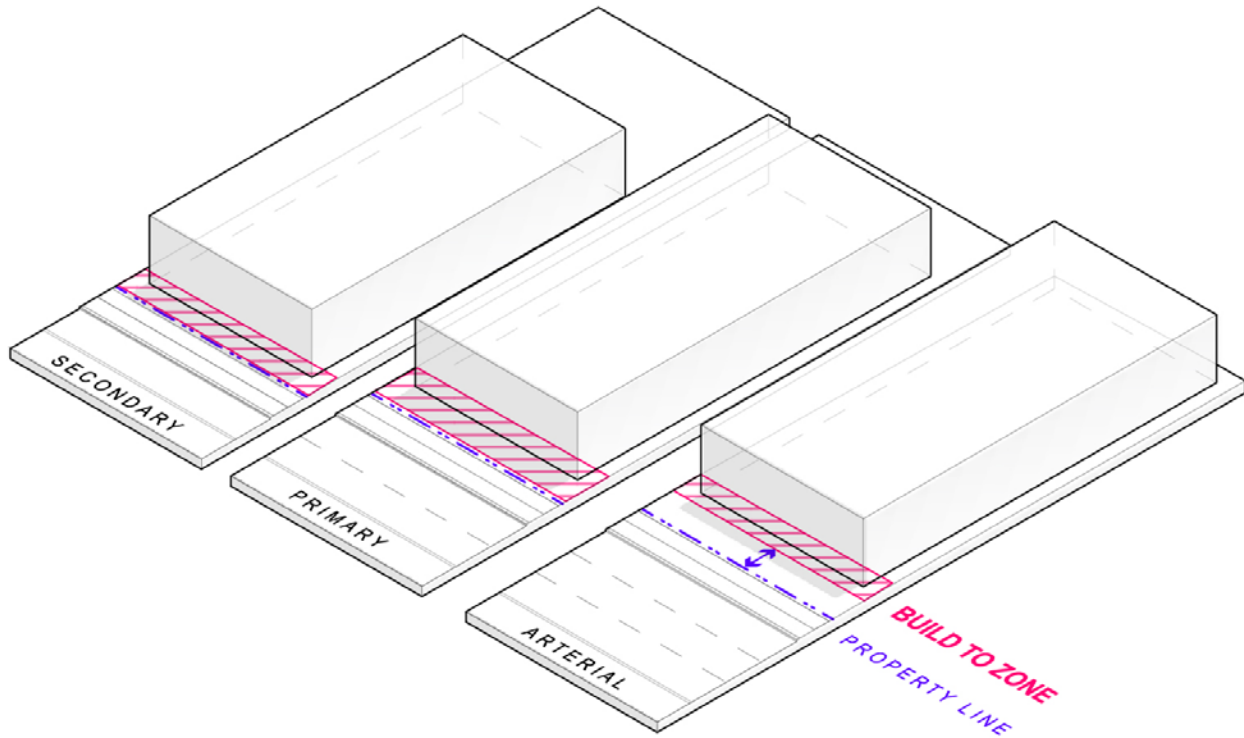


FIGURE 32(A). OFFICE-CONTEMPORARY



FIGURE 32(B). OFFICE-TRADITIONAL

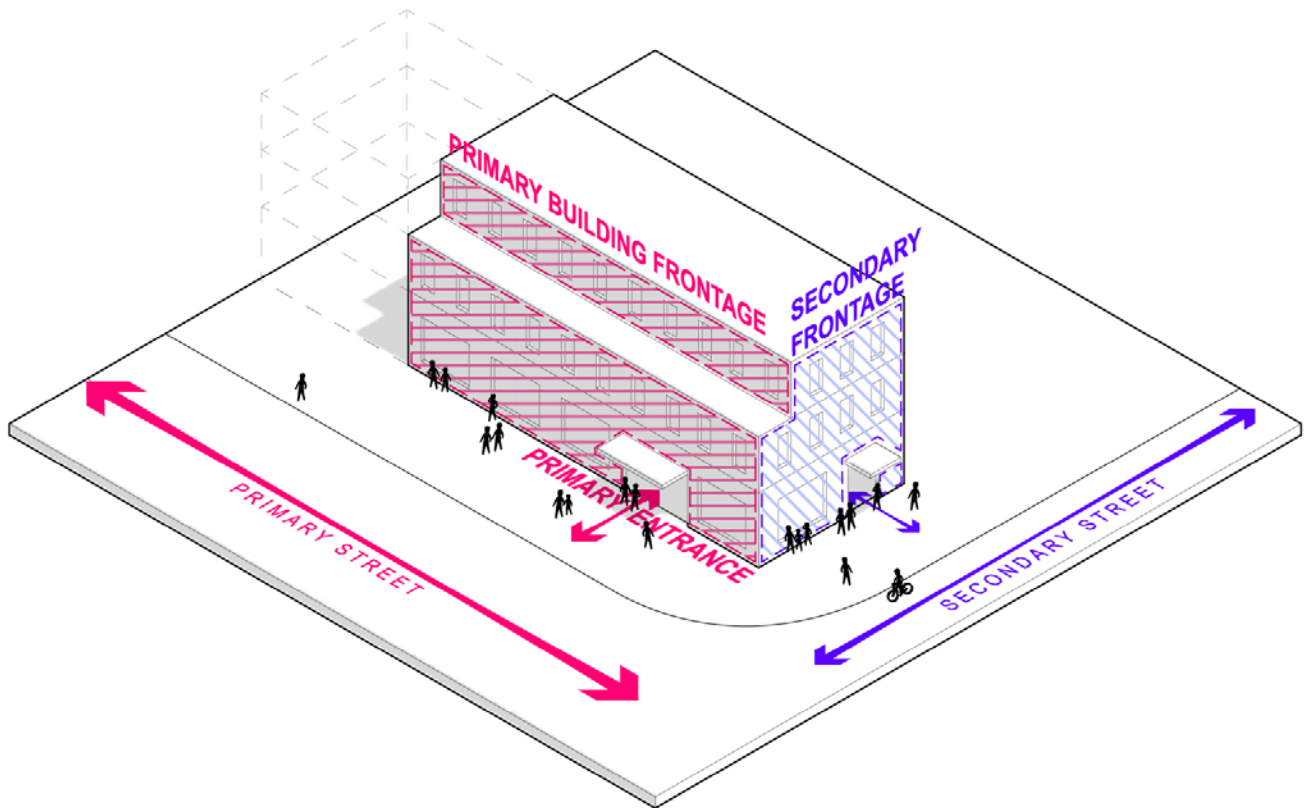
FIGURE 33. BUILDING PLACEMENT REFERENCE DIAGRAM



b. **Building Placement.**

- i. The placement of buildings on a lot shall be compatible with the area, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation. For example: the setback from the property line along a street frontage shall be the same as the adjacent buildings or an average of the setbacks along the block regardless of the allowed setbacks for the property, windows shall face the street frontage, and sidewalks shall be connected to the building entrance through a pedestrian access.
- ii. The building frontages shall be located within a build-to zone regulated by the street type adjacent to the front of the building. Build-to Zones are as follows:
 - 1) Downtown Arterial Streets - 10 feet to 20 feet
 - 2) Downtown Primary Streets - 0 to 15 feet
 - 3) Downtown Secondary Streets - 0 to 10 feet

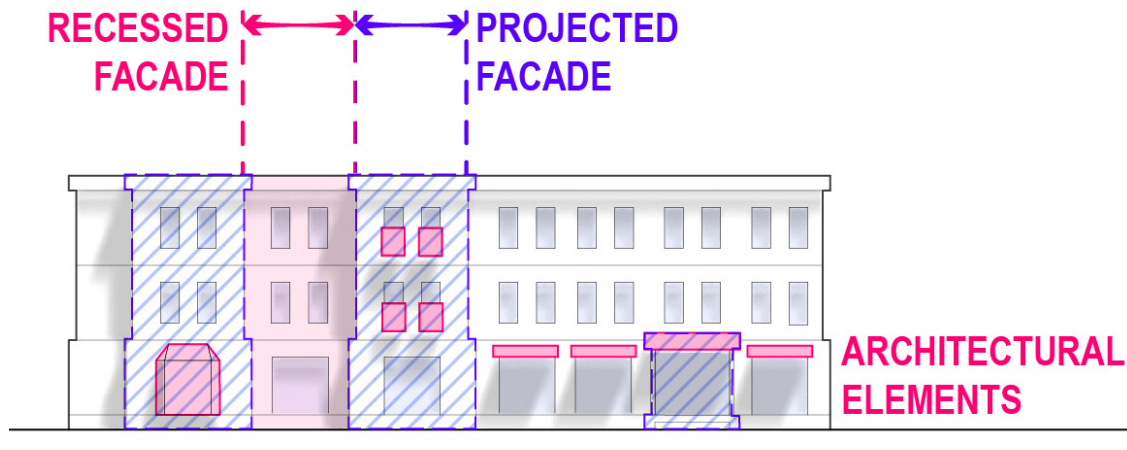
FIGURE 34. BUILDING ORIENTATION REFERENCE DIAGRAM



c. ***Building Orientation.***

- i. Buildings shall be oriented to street or toward another focal point, such as a civic open space or public plaza. A building's front/principal entrance shall be facing and located on a Primary or Secondary Street; provided, however, residential land uses may front on a shared open space.
- ii. Front/principal entrances of buildings shall be clearly defined and emphasized using architectural features such as porches, roofs, awnings, overhangs, or signs that express the importance of the entrance.
- iii. All building facades with public entrances shall be oriented to face the adjoining public street.
- iv. A building with multiple street frontages must have an entrance on each street frontage.

FIGURE 35. BUILDING FACADES REFERENCE DIAGRAM



d. ***Building Facades (Elevations).***

- i. No blank façade shall be allowed on buildings, and each façade shall have windows regardless of the presence of an adjacent street frontage, except in instances where openings may be prohibited by the building and/or fire code.
- ii. Recesses and/or projections shall be provided in the façade every twenty-five feet to thirty-five feet in length to divide the building into smaller identifiable sections.
- iii. Variations in the rhythms within individual building facades shall be achieved within a block of building facades with the use of at least three architectural elements, such as bays, columns, bay-windows, storefront display windows, cornices, balconies, porches or stoops, and canopies or awnings over building entrances.
- iv. Office, Urban Residential, and Vertically Integrated Mixed-Use buildings in the Downtown District shall have building facade widths between twenty-five feet and thirty-five feet by using recesses, projections, and/or cornices and console brackets. If such building façade sectioning is not practicable, a Major Modification may be requested in accordance with section 4.08.19.6.b.
- v. A building's facade shall serve to define entry points and help orient pedestrians by:
 - 1) Installing not less than one of the following elements at the entry point:
 - a) Porch or stoop;
 - b) Canopy or awning; and
 - c) Console brackets; or
 - 2) Integrating one or more of the features listed in 1), above, on a larger area along the façade other than just at the entrance.

vi. Building facades shall emphasize and frame individual buildings in a block of buildings by installing:

- 1) In a non-residential or mixed-use building type façade, no fewer than two of the following architectural elements:
 - a) Eaves;
 - b) Console brackets;
 - c) Arcades;
 - d) Colonnades; or
 - e) Balconies; and
- 2) In a residential building type façade, no fewer than three of the following architectural elements:
 - a) Bay window;
 - b) Vertical offsets;
 - c) Fireplace structures;
 - d) Balconies (including juliet balconies); or
 - e) Entryway stoops or porches.

vii. The following roof styles shall be subject to the following:

- 1) Gable roofs, shall have a minimum pitch of 5:12.
- 2) Hipped roofs shall have a minimum pitch of 6:12.
- 3) Other roof types shall be appropriate to the architectural style of the building
- 4) In the Cultural Core Overlay District only flat roofs shall be allowed.

FIGURE 36. BUILDING FACADE EXAMPLES - PARKING GARAGE/STRUCTURE

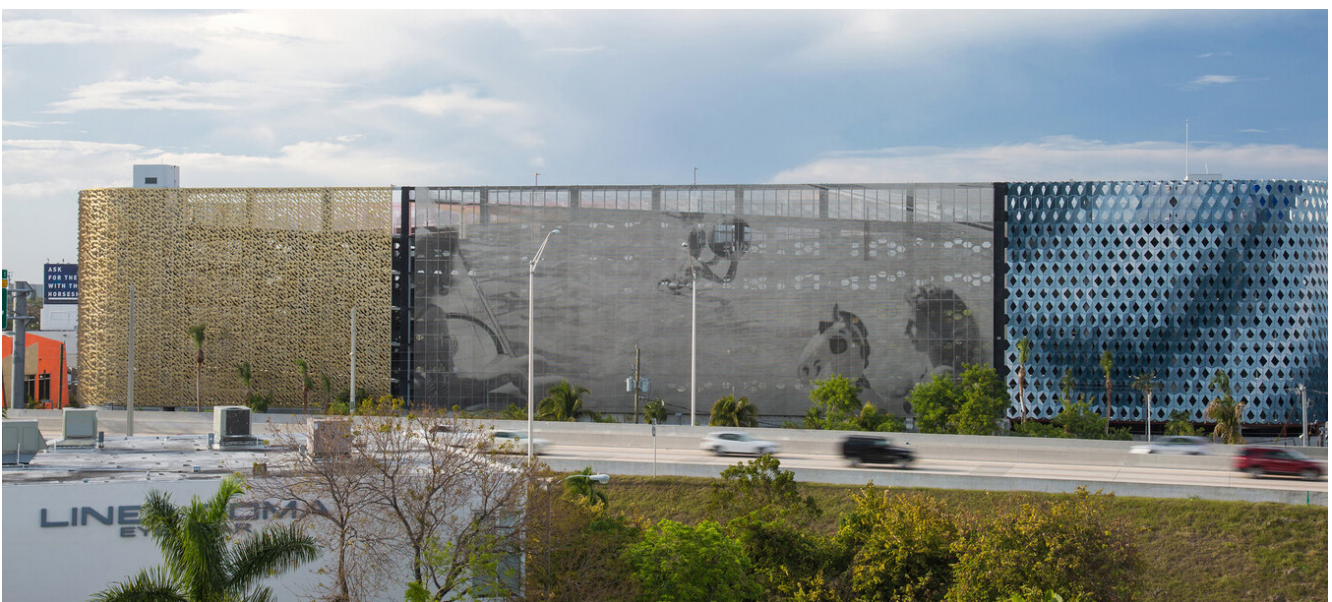
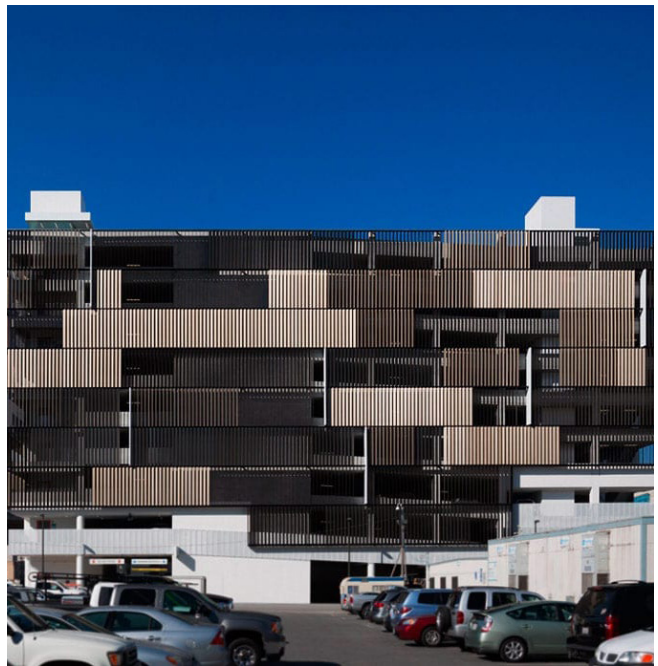
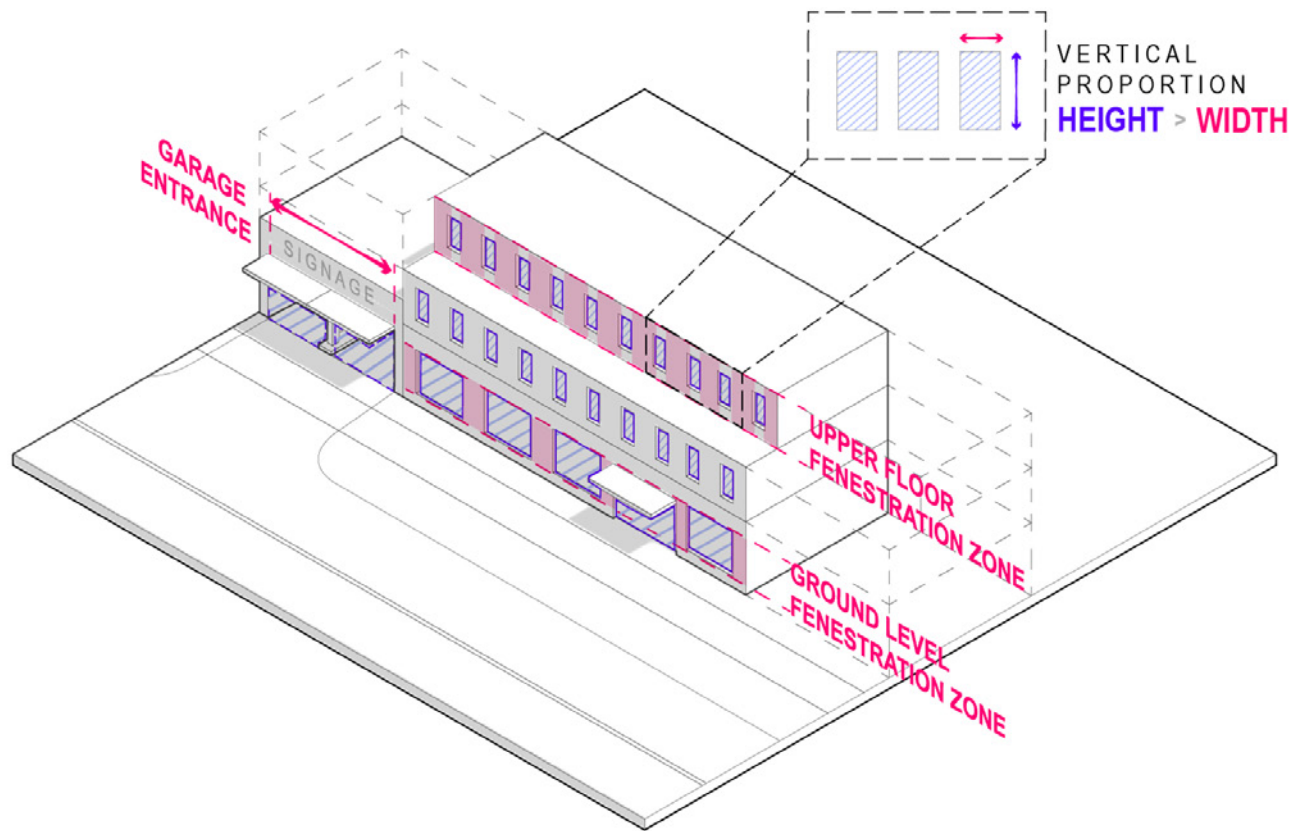


FIGURE 37. BUILDING FENESTRATION REFERENCE DIAGRAM



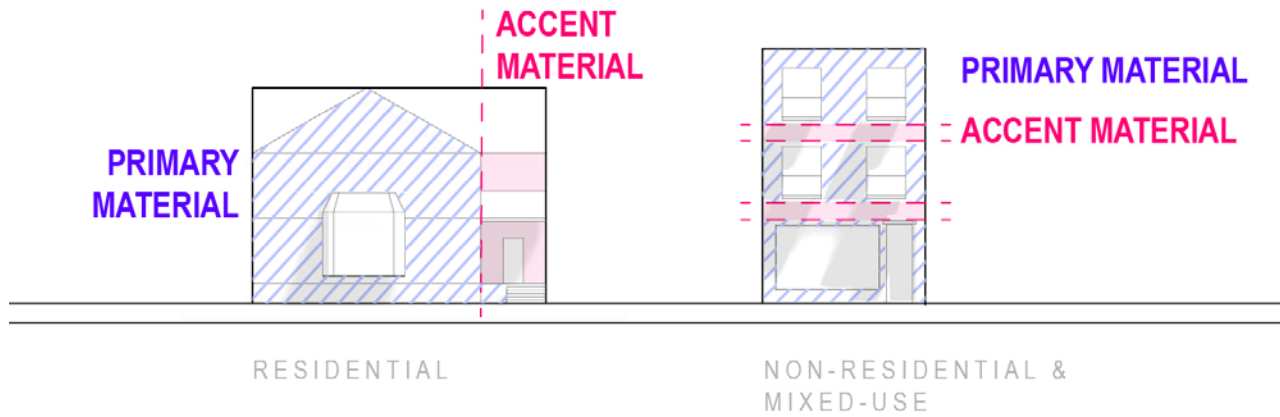
viii. Parking Garage/Structure shall be designed and constructed subject to the following:

- 1) A minimum ground floor clear height of 18 feet must be provided for commercial space or pedestrian-oriented uses on the parking garage ground floor facing a primary or secondary street where commercial/retail space is adjacent;
- 2) Facades of parking structures must incorporate design components and materials utilized and compatible with the primary building(s) that it serves or to which it is adjacent; and
- 3) On facades adjacent to primary and secondary streets, architectural treatments, artwork, lattices, and/or other design features similar to the images in Figure 36 must be used, which design features shall cover a not less than sixty percent of the facade. If lattice is used, the material shall be decorative and durable to enable vines to attach themselves for support.

e. **Building Fenestrations (Openings).**

- i. Window openings shall be vertical in proportion and distributed in an even manner. Dormer windows shall also be vertically proportioned and slightly shorter than the windows below, in order to provide clear views of merchandise and perceived connections.
- ii. Except as otherwise provided in this paragraph, building fenestrations shall be used to provide fifty percent transparency on the ground level or first floor and ten percent of the wall area on each floor above the first along a building façade that faces a public street, public sidewalk, public pathway, civic open space or public plaza, or on-site parking lot, except for:
 - 1) Ground level or first floor in the Cultural Core Overlay District must have not less than seventy-five percent transparency;
 - 2) Ground level or first floor in the Cottonwood Creek Overlay District and Residential Transition Overlay District must have not less than twenty five percent transparency; and
 - 3) Ground level or first floor of a Parking Garage with a facade adjacent to a Primary or Secondary Street must have not less than twenty percent transparency

FIGURE 38. FACADE MATERIALS REFERENCE DIAGRAM



- iii. Minimum window area shall be measured as follows:
 - 1) Between two and ten feet above the adjacent grade at the first floor or ground level.
 - 2) Between the upper surface of a floor and the upper surface of the floor above on walls above the first floor.
 - iv. In the Cultural Core Overlay District, windows and doors on the first floor or ground level shall be designed in the traditional downtown retail architectural style shown in Figure 31;
 - v. The door openings/entrance on the first floor or ground level shall be minimum ten feet in height and have a minimum of one of the following architectural elements: fanlight, canopy, or console brackets; and
 - vi. The entrance to a parking structure/garage shall front on a Primary or Secondary Street, be clearly marked by signs when visitor or public parking is available in the garage, and the entrance shall not exceed 50 feet in length.
 - f. **Building Materials.** All exterior building materials are divided into the following two types: (i) "primary materials," used for the majority of the building façade, and (ii) "accent materials," used for additional design and character of the façade.
 - i. **Primary Material.** The primary materials shall be those defined as "masonry materials" in section 4.08.19.9.g, below, and shall be installed on not less than seventy percent of the visible area of each façade, excluding the area for doors and windows.
 - 1) For non-residential building types, the primary material shall be one or more masonry materials.
 - 2) For residential building types, wood and cementitious fiber board may be used as primary materials but shall not be installed on more than fifty percent of the area of each façade.
 - ii. **Accent Material.** Accent materials shall be installed on no more than thirty percent of the area of each façade, excluding the area of doors and windows. Accent materials shall be one or a combination of the following:
 - 1) Architectural metal (not corrugated aluminum);
 - 2) Wood;
 - 3) Cementitious fiber board and form line;
 - 4) Stucco; and
 - 5) Glass
 - iii. **Material Mix.** Each façade shall be designed and constructed with no fewer than two but no more than five different materials on the same façade.
 - iv. **Roofing Materials.** Roofs shall consist of copper, factory finished painted metal, slate, synthetic slate, terra cotta, cement tile, glass fiber shingles or similar approved materials.
 - v. **Rear and Side Facades.** The exterior materials and appearance of the rear and side facades of any building shall comply with the same architectural requirements as the front façade of the building.
 - vi. **Plain Face Concrete Block.** Plain face concrete block is prohibited for use as an exterior material on a façade adjacent to a public street, public sidewalk, or public pathway.

- vii. If seventy-five percent or more of the buildings on the street on which the new construction, or redevelopment project is located is not consistent with the masonry requirements of this section, then the applicant may use materials similar to and compatible with the existing materials used on facades of the existing structures on the street with administrative approval from the City Manager, when the building is located outside the Cultural Core Overlay District. Such administrative approval shall be based on the following considerations:
 - 1) The condition and maintenance history of the existing buildings on the street; and/or
 - 2) Likelihood of redevelopment of the existing buildings in the future; and/or
 - 3) The compatibility of the existing facades with the vision set forth in the long range plans for that particular area.
- g. **"Masonry Materials" Defined.** For purposes of this section, "masonry materials" means natural stone, face brick, face tile, concrete, glass, split face concrete masonry units, decorative pattern concrete block, and brick or stone veneer.
- h. **Percentage of Masonry Materials; How Measured.**
 - i. Except for the Cultural Core Overlay District, all building facades within the Downtown District shall consist of not less than seventy percent masonry materials.
 - ii. All building facades within the Cultural Core Overlay District shall consist of not less than ninety percent masonry materials.
 - iii. The percentage of masonry materials on a façade shall be determined by (1) determining the vertical surface area of the wall between its farthest corners and from where the façade meets ground level to the point where the wall meets the eaves of the roof including the areas of doors and windows installed within the façade, and (2) dividing the area of the façade determined by (1) in this paragraph by the area of the façade covered by masonry materials.

10. PARKING REQUIREMENTS.

- a. **Generally.** With respect to development in the Downtown District, the provisions of this section 4.08.19.10 shall control over any conflicts with section 7.04.
- b. **Parking Reductions.** Except for an Urban Residential dwelling development, the number of required off-street parking spaces for a single development may be reduced by the following amounts if the development complies with all other conditions, which reductions can be cumulative if two or more of the below conditions:
 - i. A twenty percent reduction in off-street parking spaces required by section 7.04.1. Table 7.04.1. is allowed for all non-residential uses with less than 10,000 sq. ft. in floor area developed by right in the Downtown District;
 - ii. A ten percent reduction in the number of required off-street parking spaces is allowed by right for a mixed-use development or for residential-only development in the Downtown District.
 - iii. Up to a twenty percent reduction in the number of required off-street parking spaces if approved as a Minor Modification or Major Modification pursuant to section 4.08.19.6.; provided, however, in no case shall a Minor Modification and a Major Modification be granted resulting in a combined reduction pursuant to section 4.08.19.6 of more than twenty percent in the required number of off-street parking spaces.

c. Parking Alternatives.

- i. Required off-street parking for a use within the Downtown District may be satisfied in whole or in part through the use of remote parking, shared parking, or on-street parking if such spaces are located within 800 feet of the property where the off-street parking is otherwise required subject to the following:
 - 1) On-Street Parking may be used to satisfy no more than twenty five percent of the off-street parking requirement for developments with a front entrance on a street with 15 or more on-street parking spaces located within 800 feet of the front entrance of the development; and/or
 - 2) Shared parking may be used to satisfy no more than fifty percent of the off-street parking requirement using publicly accessible private parking lots and/or structured parking located within 800 feet of the front entrance of the building, subject to a shared parking agreement approved by the City Attorney's office; and/or
 - 3) Remote parking may be used to satisfy up to seventy-five percent of the off-street parking requirement of a development using publicly accessible private parking lots and/or structured parking located within 800 feet of the front entrance of the development.
 - a) Remote parking may be provided in parking lots and/or structured parking under same ownership as the development for which the parking is being provided, subject to a restrictive covenant or other instrument signed by the owner of both properties enforceable by the city and approved as to form by the City Attorney's office that provides for such remote parking for the benefit of the occupants and/or visitors to the property requiring use of such remote parking; or
 - b) Remote parking may be provided in parking lots and/or structured parking owned by a separate person or entity, subject to a shared parking agreement approved as to form by the City Attorney's office.
- ii. Required parking for non-residential and mixed-use developments may be satisfied by making a one-time payment to the city of cash to the Downtown Improvement Fund in lieu of constructing or otherwise providing for required off-street parking. The amount of the payment is calculated by taking the cost of constructing a garage space and multiplying that cost by

the number of parking spaces that will not be required by reason of the payment. The cost of constructing a garage space shall be at a rate set by the council by resolution. The payment into the Downtown Improvement Fund is due prior to issuance of a building permit for construction of any building on the property being developed.

- iii. Prior to counting any shared parking and/or remote parking space toward the minimum off-street parking for a use, the owner of the property needing to satisfy the off-street parking requirement and the owner of the property on which the shared and/or remote parking spaces are located shall sign a parking agreement in a form acceptable to the City Attorney that provides, as a minimum, the parking agreement cannot be terminated or otherwise amended in a manner that reduces the number of off-site spaces available to the owner of the property needed to satisfy the off-street parking requirement without the written consent of the city.

d. Other Parking Related Requirements.

- i. If more than one use is to be located on a building site, all uses on the building site must share parking. The number of required parking spaces shall be determined by (1) adding the parking space requirement for each use using the parking reductions from section 4.08.19.10.b. above, and then (2) applying another ten percent reduction to the total number of spaces. No off-street parking for new developments (not including the expansion or redevelopment of existing buildings) shall be allowed in the front of the building adjacent to primary or secondary streets. Utilities shall be allowed under the surface of a parking lot in the Downtown District in a dedicated utility easement.
- ii. Utilities shall be allowed under the surface of a parking lot in the Downtown District in a dedicated utility easement.
- iii. The number of off-street parking spaces required for an Urban Residential development shall be not less than 1.1 spaces for each Urban Residential dwelling unit in the development.

FIGURE 39. SIDEWALK LANDSCAPE



11. LANDSCAPE REQUIREMENTS.

- a. There is no on-site minimum landscape requirement for building sites in the Downtown District except as provided herein.
- b. Landscaping shall be planted or updated, to comply with the requirements of this section when:
 - i. A site is being developed; or
 - ii. A site is redeveloped where an existing parking area is altered or expanded to increase the total number of spaces by 1/3 or more of the total existing spaces, in which case the entire parking lot shall be updated to comply with the landscape standards in this section; or
 - iii. The existing building area square footage increases more than twenty-five percent.
- c. Properties adjacent to Downtown Arterial Streets with two cross sections: 110 feet right-of-way (DA 110) and 90 feet right-of-way (DA 90) shall comply with the landscaping requirements in Article VII of this Code.
- d. Properties adjacent to Downtown Primary Streets:
 - i. Properties located along seven cross sections: 80 feet right-of-way (PS-80B, PS-80C, PS-80D), and 60 feet right-of-way (PS-60A, PS-60B, PS-60C) shall be planted with shade trees in the buffer area between the back of curb and the sidewalk on centers not greater than 30 feet center to center.
 - ii. Properties located along 80 feet right-of-way (PS-80A) cross sections shall be planted with shade trees not greater than 30 feet center to center along the property frontage and within five feet adjacent to the sidewalk. If placement of buildings on a property does not allow the location of trees as required in the previous sentence, in lieu of planting the required shade trees, a Minor Modification may be requested to authorize the installation of city-specified self-watering planters located in the sidewalk along the frontage of the property at not greater than 10 feet center to center and setback one (1) foot from back of curb.
 - iii. Properties located along 50 feet right-of-way (PS-50A and PS-50B) cross sections shall be planted with shade trees not greater than 30 feet center to center along the property frontage and within five feet adjacent to the sidewalk. If placement of buildings on a property does not allow the location of trees as required by the prior sentence, in lieu of planting the required shade trees:
 - 1) A minor modification may be requested to authorize the installation of city-specified self-watering planters located in the sidewalk along the frontage of the property at not greater than 10 feet center to center and setback one (1) foot from back of curb; or
 - 2) Prior to issuance of a Building Permit for construction of any building to be located on the property, the developer or owner of the property may pay into the Downtown Improvement Fund an amount equal to the cost of purchasing and installing the number of city specified self-watering planters that would be required to obtain the Minor Modification pursuant to paragraph (1), above.

- e. Properties located adjacent to Downtown Secondary Streets along 50 feet right-of-way (SS- 50A and SS-50B) cross sections shall be planted with shade trees not greater than 30 feet center to center along the property frontage and within five feet adjacent to the sidewalk. If placement of buildings on a site does not allow the location of trees as required in the prior sentence, in lieu of planting the required shade trees:
 - i. A minor modification may be requested to authorize the installation of city-specified self-watering planters located in the sidewalk along the frontage of the property at not greater than 10 feet center to center and setback one (1) foot from back of curb; or
 - ii. Prior to issuance of a Building Permit for construction of any building to be located on the property, the developer or owner of the property may pay into the Downtown Improvement Fund in an amount equal to the cost of purchasing and installing the number of city specified self-watering planters that would be required to obtain the Minor Modification pursuant to paragraph (i), above.
- f. In addition to the landscaping requirements along street types described above, surface parking lots shall be required to:
 - i. Be developed with not less than five percent of the area of the parking lot or 400 square feet, whichever is greater, for a public plaza adjacent to a sidewalk or a paseo connecting parking spaces in the lot to the sidewalk.
 - 1) Such public plaza shall consist of:
 - a) Pedestrian hardscape and soft-scape that includes at least one of the following:
 - i) raised planters;
 - ii) at-grade plantings in the hard-scape; or
 - iii) potted plant material; and
 - b) At least one of the following amenities:
 - i) ornamental shade trees;
 - ii) shade structures;
 - iii) water features;
 - iv) bench seating;
 - v) water fountains;
 - vi) trash receptacles;
 - vii) bike racks;
 - viii) electrical receptacles; or
 - ix) any other amenity approved by the City Manager.
 - ii. With parking lots with more than ten parking spaces, plant shade trees at a ratio one shade tree for each five parking spaces in the public plaza or, to the extent possible for parking lots with less than 200 spaces, along a paseo.
 - iii. In parking lots with more than 200 spaces, a landscape island not less than 81 square feet in area is required to be located at the end of every ten spaces and shall be planted with at least one shade tree and a mix of ground cover and shrubs covering the entire area of the island.
 - iv. Parking lots shall be screened in compliance with section 4.08.19.12.d. below.
- 2) Such paseo or publicly accessible urban linear open spaces used for pedestrian connectivity, if provided, shall be designed and constructed in accordance with the following:
 - a) A paseo shall be a minimum of 18 feet in width and must have a minimum height clearance of eight feet;
 - b) To the extent possible, paseos shall be straight with the opening at the opposite end readily visible from the other end with a minimum of two public access points;
 - c) Hardscape of pedestrian scaled detail, texture, and color shall be provided to enhance the pedestrian experience; and
 - d) Two of the following supportive amenities shall be provided:
 - i) shade structures;
 - ii) water features;
 - iii) public art;
 - iv) distinctive planters;
 - v) raised planters;
 - vi) at-grade plantings in the hard-scape;
 - vii) benches
 - viii) trash receptacles; or
 - ix) pedestrian lighting.

FIGURE 40(A). LANDSCAPE REFERENCE DIAGRAM

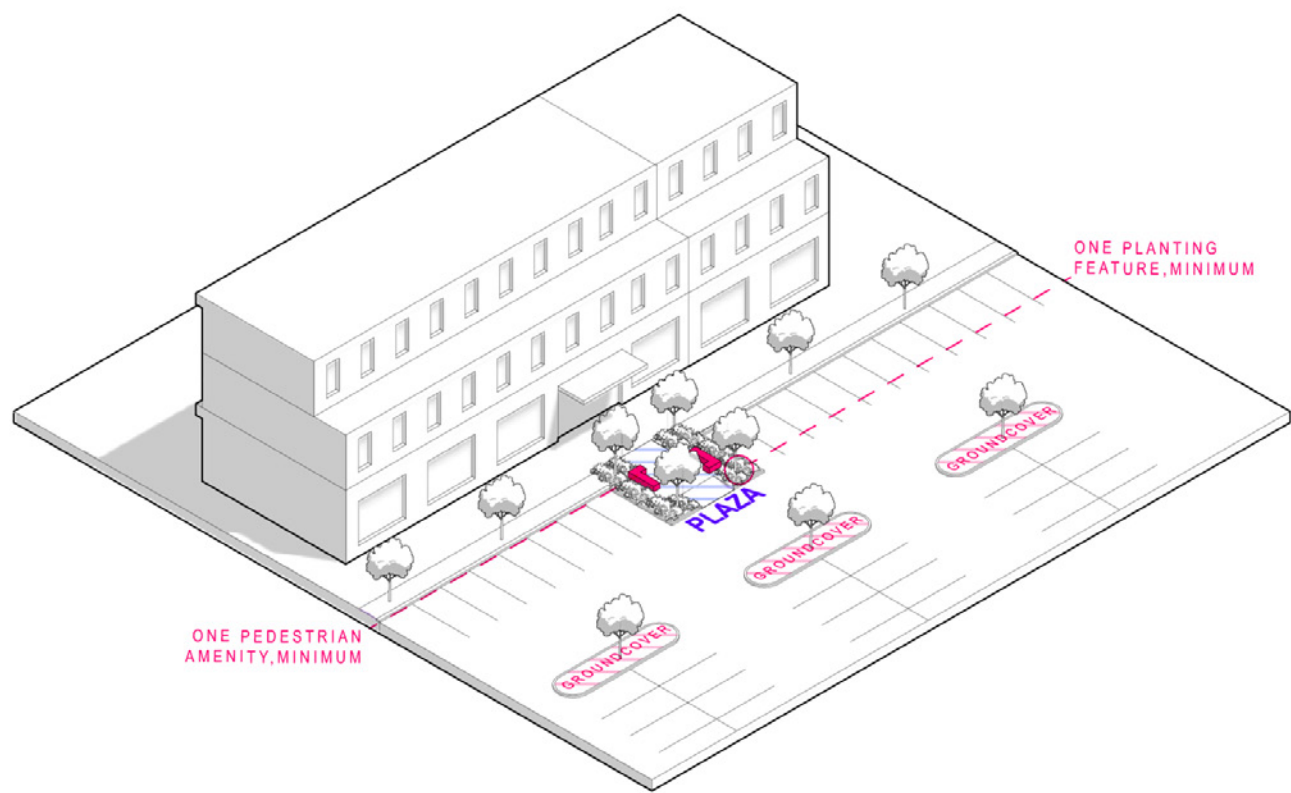


FIGURE 40(B). LANDSCAPE REFERENCE DIAGRAM

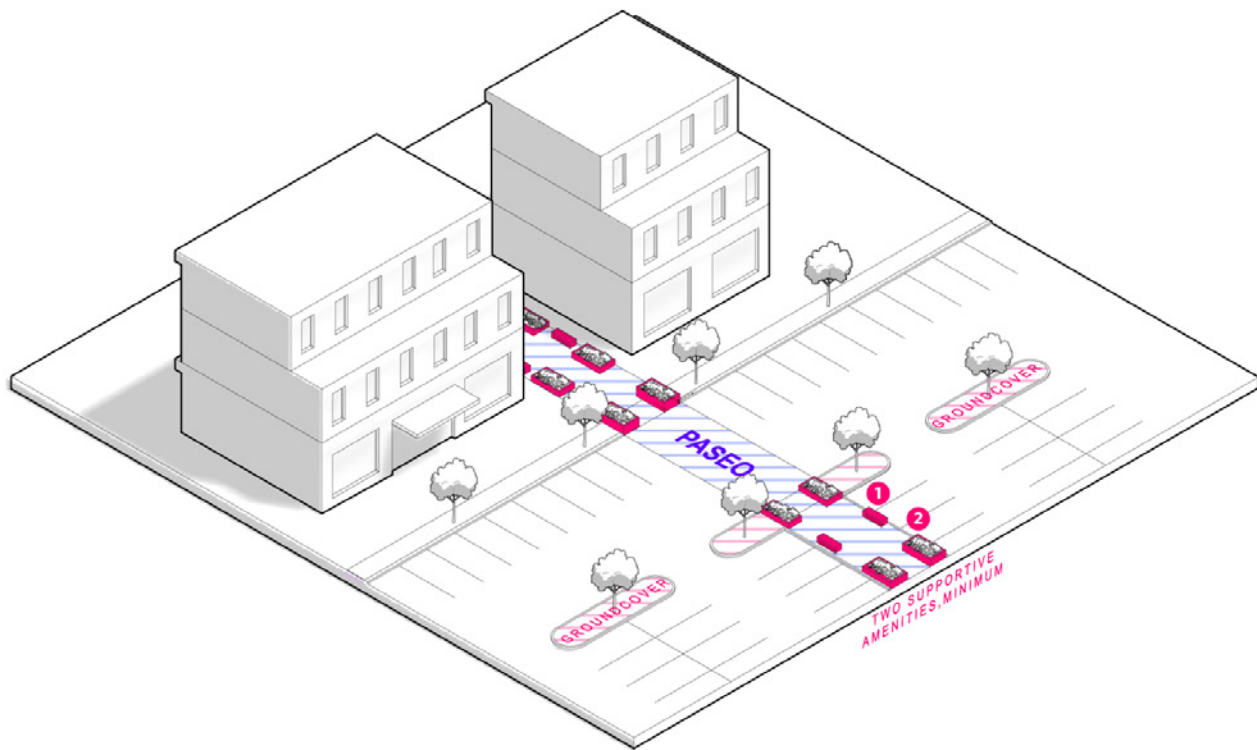
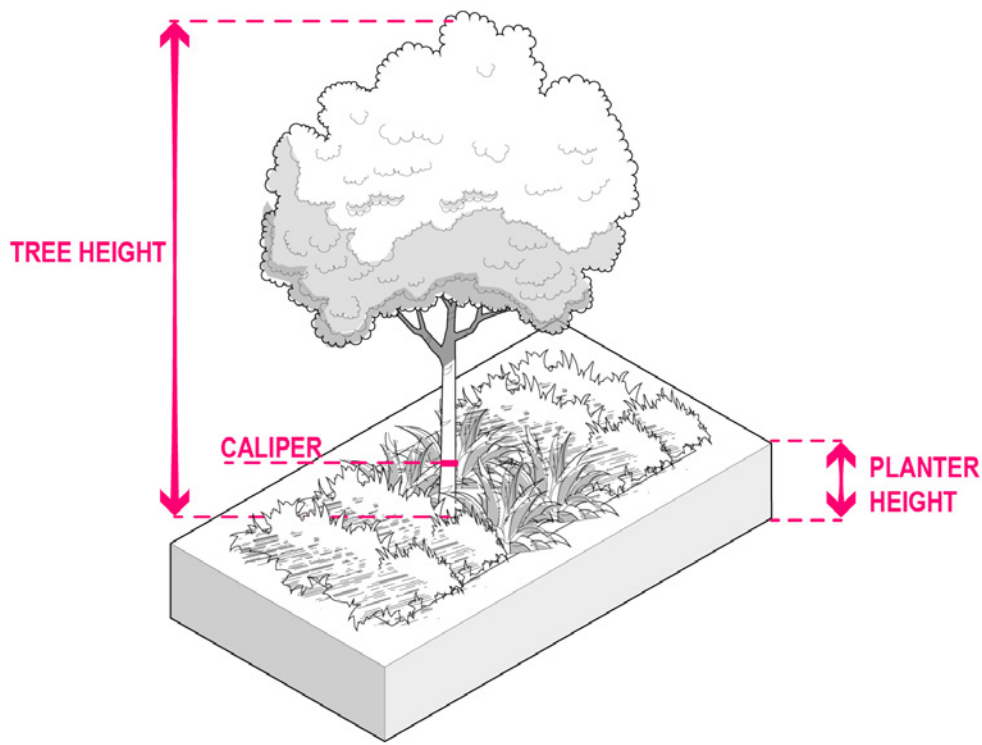
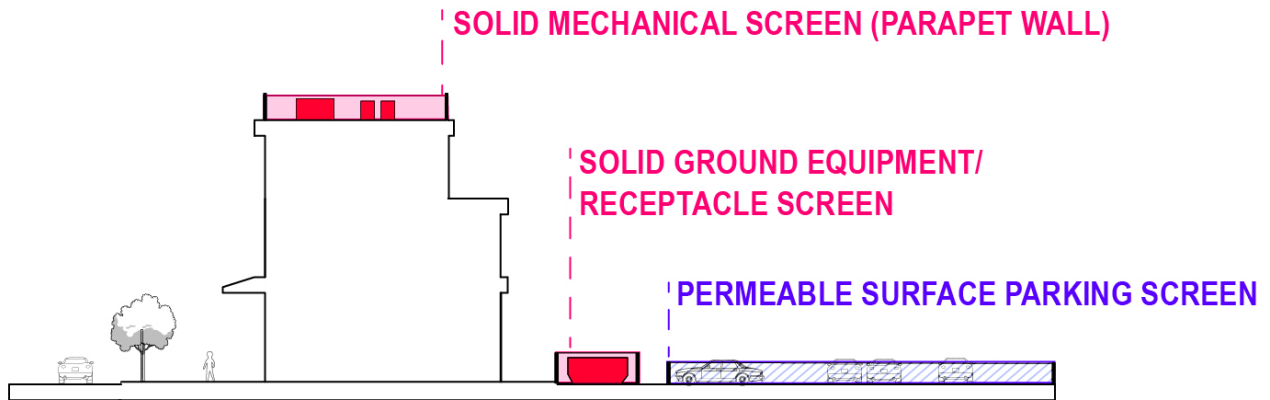


FIGURE 41. PLANTING REFERENCE DIAGRAM

- g. Landscaping installed within the Downtown District shall be subject to the following standards:
 - i. Trees:
 - 1) Minimum caliper for trees required under this section is three inches.
 - 2) Minimum height required for shade trees is ten feet and for ornamental trees is eight feet.
 - 3) Trees shall be selected from the city approved tree list in Appendix C of this Code.
 - ii. Planters:
 - 1) The height of planters shall be between not less than 18 inches nor greater than 36 inches.
 - 2) The planting materials in a planter may contain any combination of ground cover, shrubs, and ornamental trees/grasses as approved by the City Manager.
 - 3) The planters shall be self-watering type planters and must be of city specified variety.
 - 4) Planters located along cross-section PS-80A shall incorporate seating in the design as shown in Figure 21.
 - iii. Required Plant Material. Materials and planting standards must comply with the American Standard for Nursery Stock (latest edition) published by the American Association of Nurserymen also known as American Nursery and Landscape Association (ANLA).
- h. Property owners shall be responsible for the maintenance of all landscaping on their properties and the soft-scape landscaping in the right-of-way in front of their property and shall comply with section 7.05.5 of this Code.

FIGURE 42. SCREENING REFERENCE DIAGRAM



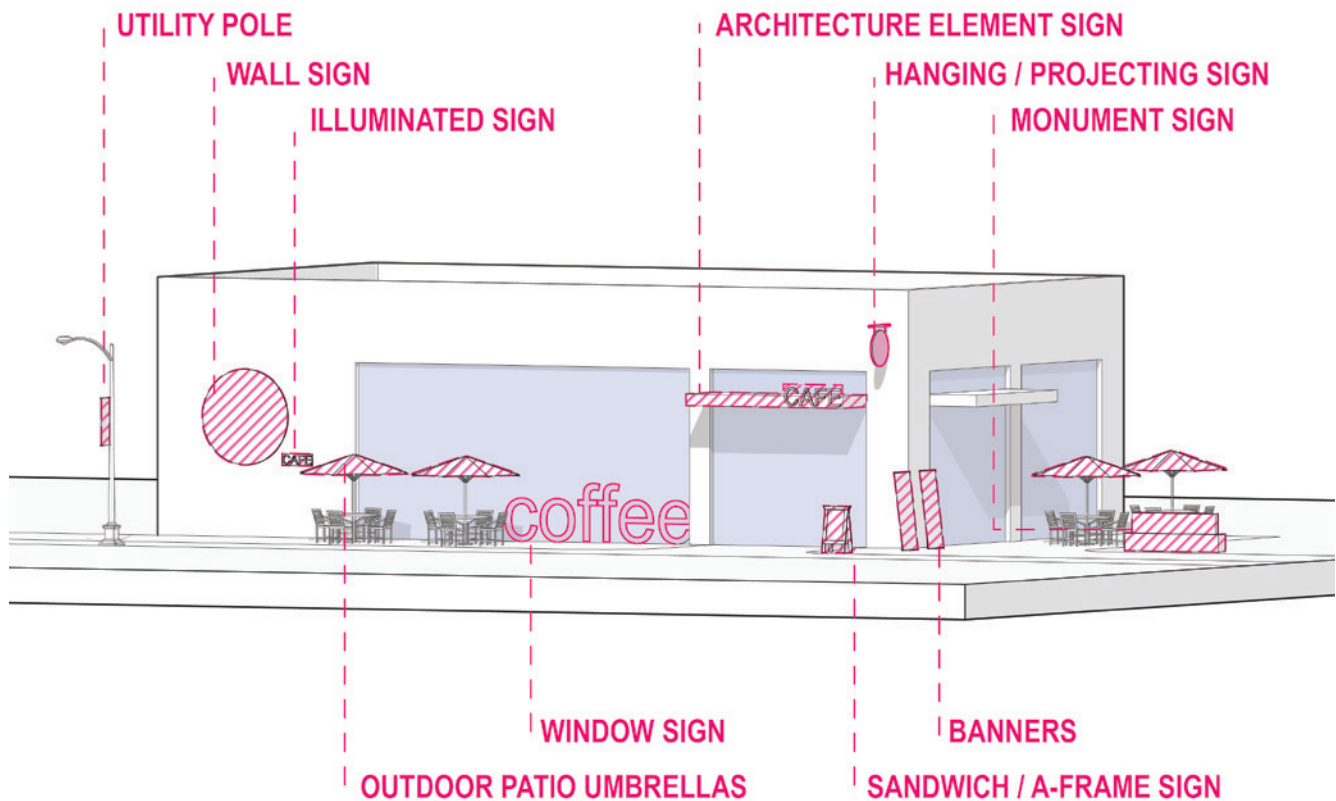
12. SCREENING REQUIREMENTS. Screening walls and fences are prohibited in the Downtown District except as follows:

- a. Roof-mounted mechanical equipment shall be screened with a parapet wall;
- b. Ground mounted mechanical equipment shall be located in the side or rear of the buildings and screened from the view of pedestrians and the primary and secondary streets. Artwork or landscape features may be used as a screening mechanism for ground mounted equipment in lieu of screening walls or enclosures as represented in Figure 42. However, if such enclosures are used to screen equipment, then the enclosure shall be constructed with the same materials and architecture as the main building;
- c. Trash receptacle areas for non-residential building type developments shall be screened with an enclosure using the same materials and architecture as the main building;
- d. Surface parking lots shall be designed to allow clear visibility into parking areas from the street to promote crime prevention and safety subject to the following:
 - i. Screening shall consist of wrought iron or tubular steel fencing not greater than four feet in height; and
 - ii. Screening may additionally incorporate landscaping or a trellis or grillwork with climbing vines and/or pedestrian amenities, such as a seating ledge.

FIGURE 43. EXAMPLE OF GROUND MOUNTED EQUIPMENT SCREENING



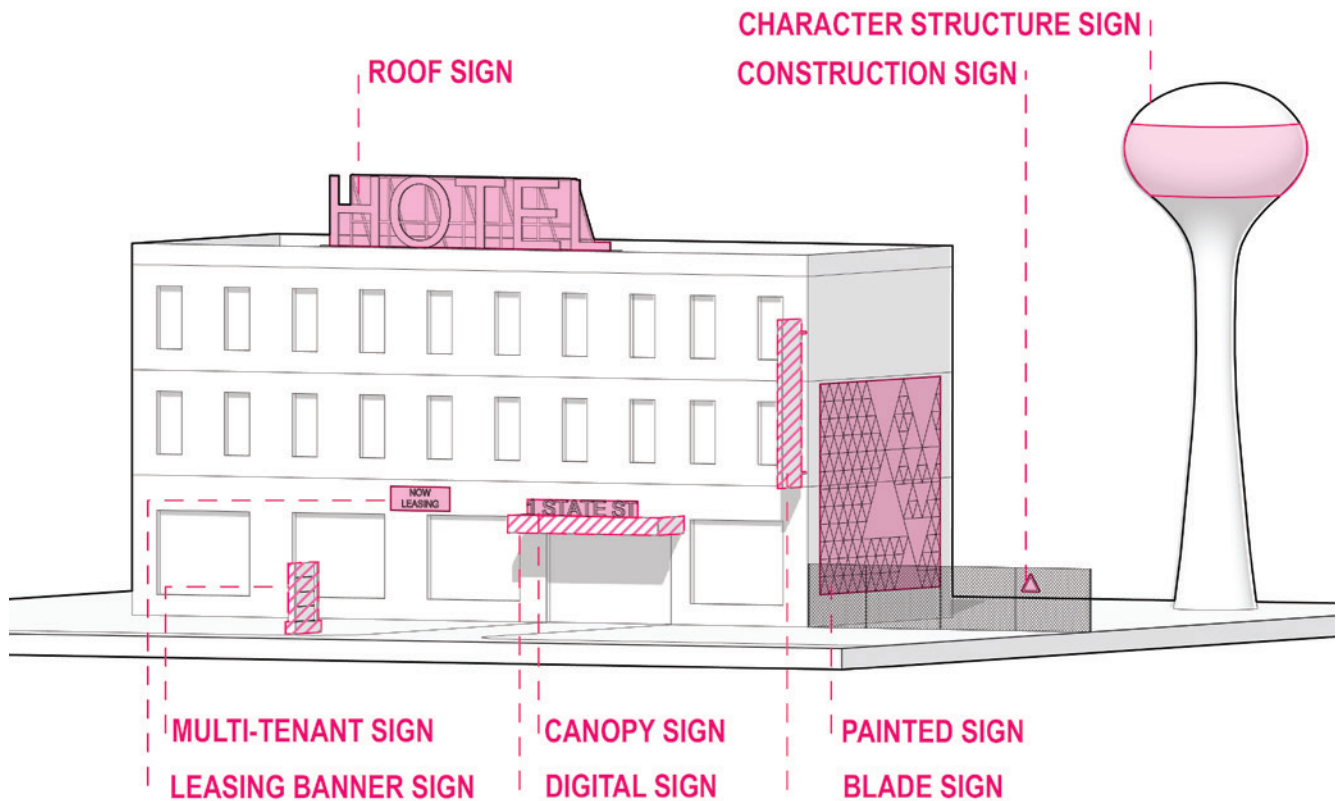
FIGURE 44(A). SIGNAGE REFERENCE DIAGRAM



13. SIGNS. Article VII. Zoning Development Standards, section 7.09 Sign Regulations, shall apply in the Downtown District except as follows:

- a. **Prohibited Signs.** Except for Temporary Signs, off-premise signs are prohibited.
- b. **Allowed Signs.** The following signs are permitted subject to the size restrictions set forth in the ALDC except as follows
 - i. **Temporary Signs.**
 - 1) **Sandwich/A-Frame Sign.** Sandwich/ A-frame signs may be located subject to the following:
 - a) The sign height shall not exceed four feet;
 - b) Each sign face shall not exceed an area of eight square feet;
 - c) The sign may be placed on the sidewalk, provided that:
 - i) The sign is located no closer than one foot to the face of the curb;
 - ii) A minimum unobstructed sidewalk width of six feet is maintained;
 - d) A sign permit must be obtained prior to placement of the sign on the property;
 - e) Only one A-frame sign is permitted per occupancy; and
 - f) A-frame signs may be placed on the sidewalk adjacent to the associated business with the sign only during the hours in which the business is open to customers and/or clients.

FIGURE 44(B). SIGNAGE REFERENCE DIAGRAM



- 2) **Utility Poles.** Signs may be attached to public utility poles or light poles if approved by the Sign Control Board, the owner of the pole, and any other party that has prior rights to use of the pole. These signs shall be subject to:
 - a) The overall size and dimensions of an authorized utility pole sign shall be no greater than sixty inches in length and thirty inches in width;
 - b) Locations and placement of the signs shall be determined by the City Manager. Additionally, the City Manager shall develop and implement administrative regulations for the orderly installation and maintenance of the signs. The administrative regulations may be amended by the City Manager as needed in the interest of public safety; and
 - c) A Revocable Non-Exclusive License Agreement, approved by the City Manager, shall also be required of any person, group, entity or organization that desires to install a utility pole sign in addition to requirements referenced above.
- 3) **Special Event Banners.** Banners for special events shall not be restricted by number of permits per year or restrictions on running consecutively; provided, however, banner signs may be installed no earlier than three weeks prior to the special event to which the sign relates and must be removed no later than one week after the conclusion of the special event.

FIGURE 45. EXAMPLE OF SIGNS



ii. ***Attached Signs.***

1) ***General.***

- a) All signs shall be securely attached to a building façade/structure.
- b) Total combined area of all attached signs on a building facade shall not exceed forty percent of the total area of each building façade.
- c) For the purpose of determining the size of attached signs the building façade area shall be calculated as shown in Figure 44.
- d) Signs must be located to fit within one architectural element (such as the lintel or sign frieze) to prevent overlap of multiple architectural elements.

2) ***Wall Signs.***

- a) Maximum area of a wall sign shall be five percent of the building facade to which it is attached. If a sign extends across the corner of a building, the sign area will be calculated by adding five percent of each building façade over which the sign extends, provided that the sign area of the wall sign does not exceed five percent of the area of each facade.
- b) A wall sign may extend no more than six inches horizontally from the surface of the building façade to which it is attached.
- c) No more than one wall sign shall be allowed on each building façade for each space within a building for which a certificate of occupancy has been issued; provided, however, the cumulative sign area of all wall signs on the building façade shall not exceed five percent of the area of the façade.
- d) The holder of a certificate of occupancy shall be allowed no more than one wall sign to be attached to the building to which the certificate of occupancy applies.

3) ***Canopy and Awning Signs.*** A canopy or awning sign shall not exceed seventy-five percent of the linear width of the canopy/awning or 50 square feet, whichever is less, with lettering and/or logo not to exceed 24 inches in height.

4) ***Blade Signs.***

- a) No more than one blade sign will be allowed for each building face. No monument sign shall be permitted on the same street frontage adjacent to the building facade when a blade sign is installed on the same building face.
- b) Each sign face of a Blade sign shall not exceed an area of fifty square feet or five feet in width.
- c) The lowest edge of the Blade sign shall be not less than nine feet above the ground beneath the sign.
- d) The top edge of the Blade sign shall not exceed a height that is two-thirds (in linear feet) of the height of the building face at the location of the building face where the sign is attached.

- 5) Hanging/Projecting Signs.
 - a) No more than one hanging sign will be allowed for each first-floor occupancy; provided, however, a first floor building occupant with public entrances on more than one street frontage may have one hanging sign on each street frontage;
 - b) The holder of a certificate of occupancy shall be allowed no more than one hanging sign to be attached to the building to which the certificate of occupancy applies.
 - c) Each sign face shall not exceed an area of twelve square feet;
 - d) Each sign face shall not exceed a width of five feet;
 - e) The lowest edge of the sign shall not be less than eight feet above the ground below the sign; and
 - f) No hanging sign shall be closer than fifteen feet from another hanging sign.
- 6) Painted Signs. Signs with commercial speech painted directly on the surface of a building or structure may be permitted after a recommendation by the Sign Control Board and approval of the Downtown Design Review Board.
- 7) Murals. Also known as art with no commercial speech may be painted to cover an entire building façade subject to a recommendation from the City of Allen Public Art Committee and approval by the Downtown Design Review Board.
- 8) Character Structure Signs. Signs are permitted to be erected on character structures (e.g., water towers, windmills, or similar structures), subject to the following:
 - a) Character Structure Signs may be illuminated internally or externally, or both; and
 - b) Character Structure Signs may not exceed 1,200 square feet total effective area.
- 9) Roof Signs. One rooftop-mounted premise sign is permitted per lot, for buildings three stories or more, subject to the following conditions:
 - a) A rooftop-mounted premise sign may be illuminated internally or externally, or both;
 - b) A rooftop-mounted premise sign may not exceed 300 square feet total effective area and shall not exceed 20 feet in width or 15 feet in height; and
 - c) A roof sign in the Cultural Core Overlay District may be installed following approval by the Downtown Design Review Board, which approval shall be based on the following findings:
 - i) The proposed sign is historically appropriate to the era of the building's architecture; and/or
 - ii) The proposed sign is aligned with the history of Allen; and/or
 - iii) The proposed sign is culturally appropriate in Allen.
- 10) Window Signs. One window sign per window is allowed. The sign may not be directly painted on the window and may be in the form of a window display or a decal, not to exceed thirty percent area of the window including the window frame

iii. ***Detached/ Freestanding Signs.***

- 1) ***General.***
 - a) All freestanding signs shall be setback a minimum five feet from the property line.
 - b) Freestanding signs, except Architectural element signs, are prohibited in the Cultural Core Overlay District.
 - c) Pole signs are prohibited in the Downtown district.
 - d) A property may not be developed with both a multi-tenant sign and a monument sign.
 - e) The following combination of freestanding sign types is allowed on a premises at any given time:
 - i) An architectural element sign or a vehicle sign may be combined with any other freestanding signs; and
 - ii) A flag sign (defined as a flag on a flagpole) may be combined only with a monument sign.
- 2) ***Architectural Element Sign.*** A freestanding sign that is attached to an architectural element (a structure such as a pergola, freestanding canopy, fence, or retaining wall) that is built for the purpose of serving as an architectural enhancement of the site, is architecturally compatible to the main building and the overall site, but does not include sign structures for other sign types and/or structures for antennas or similar type structures. Architectural element signs shall be subject to the following:
 - a) Signs shall be attached to the surface of the architectural element.
 - b) The area of the sign including the structure, shall not exceed 200 square feet;
 - c) Sign height may not extend beyond the surface of the architectural element to which it is attached; and
 - d) One sign per elevation of the architectural element.
- 3) ***Monument Sign.*** Monument signs are permitted in the Downtown District subject to the following:
 - a) Only one monument sign is permitted per lot per street frontage;
 - b) The sign shall not be located in the visibility triangle;
 - c) Sign area shall not exceed 50 square feet;
 - d) Sign height shall not exceed five feet;
 - e) Monument signs on the same side of the street shall not be less than 100 feet from any other monument sign measured from the closest point of the outer frames or elements of the signs; and
 - f) Monument signs are prohibited in the Cultural Core Overlay District.
- 4) ***Multi-Tenant Sign.*** Multi-tenant signs located in the Downtown District are subject to the following:
 - a) Multi-tenant signs may only be installed on lots adjacent to the Downtown Arterial Street cross-section or the U.S. Highway 75 service road;
 - b) Only one multi-tenant may be installed on a lot, per street frontage;
 - c) Multi-tenant signs on the same side of the street shall be not less than 150 feet from any other multi-tenant sign measured from the closest point of the outer frames or elements of the signs;
 - d) Sign area shall not exceed 180 square feet; and
 - e) Sign height shall not exceed 15 feet.
- 5) ***Outdoor Patio Umbrellas.*** Outdoor patio umbrellas may contain advertising and be allowed for special events, retail, service, or restaurant uses.

iv. ***Other Signs.***

- 1) **Changeable Electronic Variable Message Signs (CEVMS).** CEVMS shall be allowed on all permitted signs subject to the following:
 - a) One CEVMS may be a part of an attached sign or a freestanding sign;
 - b) A CEVMS shall not comprise an area greater than fifty percent of the allowed area of a monument sign;
 - c) If constructed as part of a monument sign, the CEVMS cabinet must be wrapped in material to match or complement the building served by the sign;
 - d) A CEVMS may not be used as a temporary sign;
 - e) Only one CEVMS may be installed on a lot, per street frontage;
 - f) A CEVMS on the same side of the street shall not be less than 200 feet from any other CEVMS measured from the closest point of the outer frames or elements of the signs;
 - g) Every CEVMS shall have an auto dimmer photo eye installed in the sign to limit the illumination of the signs as follows:
 - i) Maximum brightness between 7:00 a.m. and 6:00 p.m. shall be 5000 nits; and
 - ii) Maximum brightness between 6:01 p.m. and 6:59 a.m. shall be 660 nits;
 - h) Message changes shall be allowed with no less than two-second transition with and not less than an eight-second hold time;
 - i) Attached signs may be a CEVMS with a light source that is not directly visible;
 - j) The copy area for any individual CEVMS shall not exceed fifty percent of the allowed sign area per side;
 - k) The copy area for a CEVMS used as a multi-tenant sign is 180 square feet;
 - l) A CEVMS may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance; and
 - m) No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.
- 2) **Illuminated Signs.** Illuminated signs are allowed within 150 feet of a residential property internal to the Downtown District, but only if the illumination does not exceed 2.0 foot-candles measured at a level five feet above the common property line. Illuminated signs are prohibited within 150 feet of a residential zoning district.
- 3) **Undefined Signs.** Sign types not clearly defined in this section or the ALDC may be allowed in the Downtown District including all Overlay Districts within Downtown if approved by the Downtown Design Review Board.



14. DOWNTOWN IMPROVEMENT FUND, RIGHT TO REFUND.

- a. All money paid pursuant to section 4.08.19.6.c.i.2), 4.08.19.10.c.ii., or 4.08.19.11 shall be deposited in an interest-bearing account identified as the Downtown Improvement Fund.
- b. Funds deposited in the Downtown Improvement Fund shall be used only within the boundaries of the Downtown District and shall only be used for:
 - i. Acquisition and development of public parks, civic places, and plazas;
 - ii. Acquisition and development of structured public parking garage, surface parking lot, or on-street parking; or
 - iii. Street and alley improvements, including, but not limited to, acquisition or property interest necessary to add or enhance multi-modal connectivity with and through the Downtown District including streetscape or public improvements along public streets.
- c. The city will account for all funds paid into the Downtown Improvement Fund and must spend the funds received within 15 years from the date received and on a first in, first out basis. If funds paid into the Downtown Improvement Fund are not spent within the time required, the then record owner(s) of the property, the development of which the payment of the funds was related, shall be entitled to a refund of the unpaid balance of the funds originally paid without interest upon filing a written claim for such funds not prior to nor later than one year after the expiration of the fifteen-year period or such right shall be barred. The city shall only be obligated to pay the refund described in the paragraph c to the current record owner of the property, even if different than the original payor of the funds.
- d. A payment into the Downtown Improvement Fund made in lieu of the dedication and development of the open space described in section 4.08.19.6.c.i.2).b), the amount of which shall be determined by adding
 - i. the market value of a 2,500 square foot portion of the land proposed to be developed as determined by the Collin Central Appraisal District as of January 1 of the year in which the payment is made; and
 - ii. \$ 20,000 in open space development costs.