

28.071 GENERAL PROVISIONS FOR DOWNTOWN AND URBAN DISTRICTS

(1) Statement of Purpose.

- To recognize and enhance Downtown as the civic and cultural center of the City and region; the seat of state, county, and city government, and a significant retail, entertainment, and employment center
- To recognize and enhance the unique characteristics of Downtown neighborhoods
- To protect the architectural heritage and cultural resources of Downtown neighborhoods
- To facilitate context-sensitive development
- To foster development with high-quality architecture and urban design
- To protect important views

Insert Map with Downtown Boundary

(2) Downtown Height and Stepback Requirements.

Building height within the Downtown, as defined, is established by the Downtown Height Map and the Downtown Stepback Map, which establish maximum building heights and stepback requirements.

Insert Downtown Height Map and Downtown Stepback Map

(3) Design Standards.

The following standards are applicable to all new buildings and additions exceeding fifty percent (50%) of original building's floor area for non-residential buildings, mixed-use buildings, lodging houses, and residential buildings with 8 or more dwelling units.

(a) Parking

- i. Parking shall be located in parking structures, underground, or in surface parking lots behind principal buildings. Parking structures shall be designed with liner buildings or with provisions for active ground floor office or retail uses along all street-facing facades.
- ii. For corner lots or through lots, rear yard surface parking areas abutting any street frontage are limited to fifty percent (50%) of that frontage, and shall be placed a minimum of 10 feet from the street property line.
- iii. Parking garage openings visible from the sidewalk shall have a clear maximum height of 16 feet and a maximum width of 22 feet. Garage doors or gates shall be placed a minimum of 10 feet from the front property line. Doors to freight loading bays are exempt from this requirement.
- iv. No doors providing vehicular access to parking or loading facilities shall face State Street, King Street, or the Capitol Square.

(b) Entrance Orientation

- i. Primary building entrances on all new buildings shall be oriented to the primary abutting public street and have a functional door.
- ii. Additional secondary entrances may be oriented to a secondary street or parking area.

- iii. Entries shall be clearly visible and identifiable from the street, and delineated with elements such as roof overhangs, recessed entries, landscaping, or similar design features.
- iv. Within 10 feet of a block corner, the ground story facade may be pulled away to form a corner entry.

(c) Facade Articulation

- i. The facades of new buildings more than forty (40) feet in width shall be divided into smaller vertical intervals through combinations of the following techniques, and others that may meet the intent of this section.
 - a. Facade modulation, stepping back or extending forward a portion of the facade.
 - b. Vertical divisions using different textures, materials, or colors of materials.
 - c. Division into storefronts, with separate display windows and entrances.
 - d. Variation in roof lines to reinforce the modulation or articulation interval.
 - e. Arcades, awnings, window bays, arched windows, and balconies to reinforce the articulation interval.

(d) Story Heights and Treatment

- i. For all buildings, the maximum ground story height is 22 feet, measured from the sidewalk to the second story floor (taller atriums are allowed, but will count as more than one story if they exceed 22 feet).
- ii. For all buildings, the minimum ground story height is 12 feet, measured from the sidewalk to the second story floor.
- iii. For non-residential uses, the average ground story floor elevation shall be not lower than the front sidewalk elevation and not higher than 18 inches above that sidewalk.
- iv. Where ground story residential uses are present, these shall be separated from the sidewalk by landscaping, steps, porches, grade changes, and low ornamental fences or walls or similar treatments in order to create a private yard area between the sidewalk and the front door.

(e) Door and Window Openings

- i. For street-facing facades with ground story non-residential uses, the ground story door and window openings shall comprise a minimum of 50% of the facade area.
- ii. For street-facing facades with ground story residential uses, ground story openings shall comprise a minimum of 15% of the facade area.
- iii. For all buildings, upper story openings shall comprise a minimum of 15% of the facade area per story.
- iv. Garage doors and opaque service doors shall not count toward the above requirements.

(f) Building Materials

- i. Buildings shall be constructed of durable, high-quality materials. Table 28 E-1 below lists allowable building materials.
- ii. All building facades visible from a public street or public walkway shall employ materials and design features similar to or complementary to those of the front facade.

Table 28E-1: Building Materials in Downtown and Urban Districts

Building Materials	Trim / Accent Material	Top of Building	Middle of Building	Base / Bottom of Building	Standards (see footnotes)
Brick (Face/Veneer)	Y	Y	Y	Y	
Smooth-Face / Split-Face Block	Y	Y	Y	Y	A
Wood / Wood Composite	Y	Y	Y	Y	B
Fiber-Cement Siding / Panels	Y	Y	Y	Y	B
Concrete Panels (Tilt-up or Precast)	Y	Y	Y	Y	C
EIFS / Synthetic Stucco	Y	Y	N	N	D
Stone / Stone Veneer	Y	Y	Y	Y	
Metal Panels	Y	Y	Y	Y	E
Hand-Laid Stucco	Y	Y	N	N	D
Reflective Glass / Spandrel	Y	N	N	N	F
Glass (Transparent)	Y	Y	Y	Y	

A- Shall be used in conjunction with a palette of materials and shall not comprise more than 33% of any building

B- Wood and fiber cement panels shall not be used on the ground story except between the sidewalk and the bottom of storefront windows or as an accent material

C- Shall incorporate horizontal and vertical articulation and modulation, including but not limited to changes in color and texture, or as part of a palette of materials

D- Shall not be within three feet of the ground or used on building facades facing State Street, King Street, or the Capitol Square

E- Shall be used in conjunction with a palette of materials; shall be a heavy gauge, non-reflective metal

F- Shall be used in limited quantities as an accent material

(g) Compatibility with Traditional Buildings

- i. New development shall relate to the design of traditional buildings adjacent to the site, where present, in scale and character. This can be achieved by maintaining similar facade divisions, roof lines, rhythm, and proportions of openings, building materials, and colors
- ii. Historic architectural styles need not be replicated.

(h) Equipment and Service Area Screening

- i. Outdoor loading areas or mechanical equipment are not permitted in the front yard. When such elements are visible from an abutting public street or walkway, they shall be screened by a decorative fence, wall, or screen of plant material.
- ii. Fences and walls shall be architecturally compatible with the primary structure.

(i) Screening of rooftop equipment

- i. All rooftop equipment, with the exception of solar and wind equipment, shall be screened from view from adjacent streets and public rights-of-way. Rooftop equipment shall be screened from view from adjacent buildings to the extent possible.
- ii. The equipment shall be within an enclosure. This structure shall be set back a distance of one and one-half (1 ½) times its height from any primary facade fronting a public street. Screens shall be of durable, permanent materials (not including wood) that are compatible with the primary building materials, and shall be constructed to a height of at least one (1) foot above the height of the equipment.
- iii. Exterior mechanical equipment such as ductwork shall not be located on primary building facades.

28.072 DOWNTOWN DISTRICT USES

- (1) Table 28E-2 lists all permitted and conditional uses in the downtown and urban districts.
 - (a) “P” means permitted in the districts where designated.
 - (b) “C” means allows as conditional uses in the districts where designated, in compliance with all applicable standards.
 - (c) “P/C” means permitted or conditional, depending on specific requirements in Supplemental Regulations, Subchapter 28J.
 - (d) “Y” means there are specific requirements in Subchapter 28J associated with the use.
 - (e) “DC” means Downtown Core District.
 - (f) “UOR” means Urban Office Residential District.
 - (g) “UMX” means Urban Mixed Use Districts.
 - (h) “DR1” means Downtown Residential 1 District.
 - (i) “DR2” means Downtown Residential 2 District.

Table 28E-2

Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
Offices						
Artist, photographer studio, etc.	P	P	P			
Insurance office, real estate office, sales office	P	P	P			
Professional Office	P	P	P			
Medical Facilities						
Clinic, medical, dental or optical	P	C	P			
Hospital	C		C			Y
Medical laboratory	P	C	P			
Physical, occupational or massage therapy	P	P	P			
Veterinary clinic	P	P	P			Y
Retail Sales and Services						
General retail	P		P			
Animal grooming	P		P			
Bank, financial institution	P		P			
Business sales and services	P		P			
Farmers market	P		P			Y
Food and related goods sales	P		P			
Free-standing vending carts	C					
Furniture and household goods sales	P		P			
Garden center			C			
Home occupation	P/C	P/C	P/C	P/C	P/C	Y
Laundromat, self-service	P		P			
Liquor store	P		P			

Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
Limited retail use of a landmark site or building	P	P	P	C	C	Y
Mortuary, funeral home	P		P			
Animal daycare	C		C			Y
Post office	P	P	P			
Secondhand goods sales	P		P			
Service business	P		P			
Contractor's business with showroom or workshop	C		C			Y
Sporting goods store, bait shop	P		P			
Tattoo shop	P		P			
Food and Beverages						
Catering	P		P			
Coffee shop, tea house	P		P			
Restaurant	P		P			
Restaurant-tavern	P		P			
Tavern, brewpub	P		P			
Commercial Recreation, Entertainment and Lodging						
Bed and breakfast establishment	P	C	P	C	C	Y
Health/sports club	P		P			
Hostel	P		P			
Hotel, inn, motel	P		P			
Indoor recreation	P		P			Y
<u>Outdoor recreation</u>	<u>C</u>		<u>C</u>			<u>Y</u>
Lodge, private club, reception hall	P	C	P			Y
Theater, assembly hall, concert hall	P		P			
Automobile Services						
Auto body shop			C			Y
Auto service station, convenience store	C		C			Y
Auto repair station	C		C			Y
Auto sales and rental	C		C			Y
Car wash						Y
Parking, Storage and Display Facilities						
Parking facility, public	P	P	P			<u>Y</u>
Parking facility, private	P		C			<u>Y</u>
Parking lot exceeding maximum required parking	C	C	C			

Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
Transportation						
Bus or railroad passenger depot	C		C			
Railroad right-of-way	P	P	P			
Transit stop or station	C	P	C			
Limited Production, Processing and Storage						
Artisan workshop	P		P			Y
Laboratory, research and development	C	C	C			
Limited production and processing	C					Y
Printing and publishing			P			
Wholesale establishment			C			Y
Residential - Family Living						
Single-family detached dwellings				P	P	Y
Two-family dwelling – two unit				P	P	Y
Two-family dwelling - twin						Y
Three-family dwelling – three unit				P	P	Y
Single-family attached dwelling (3-8 dwelling units)		P	P	P	P	Y
Single-family attached dwelling (> 8 dwelling units)		P	P	C	C	Y
Dwelling units in mixed-use buildings	P	C	P			Y
Multi-family dwelling (4 dwelling units)	P	P	P	P	P	Y
Multi-family dwelling (5-8 dwelling units)	P	P	P	C	P	Y
Multi-family dwelling (> 8 dwelling units)	P	C	C	C	C	Y
Multi-family building complex	C	C	C	C	C	Y
Residential - Group Living						
Adult family home	P/C	P/C	P/C	P/C	P/C	Y
Cohousing community	P/C	P/C	P/C	C	C	Y
Community living arrangement (up to 8 residents)	P		P	P	P	Y
Community living arrangement (9-15 residents)	C		C	C	C	Y
Community living arrangement (>15 residents)				C	C	
Dormitory	C	C	P			Y
Housing cooperative	P/C	P/C	P	P/C	P/C	Y
Lodging house, fraternity or sorority	C	C	P		C	Y
Assisted living, congregate care, nursing home	C	C	P		C	Y
Convent, monastery or similar religious community	C	C	P	C	C	Y

Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
Civic and Institutional						
College, university	C	C	C			Y
Correctional Facility	C					
Counseling, community services organization	P	P	P			
Day care center, nursery school	P	C	P	C	C	Y
Library, museum	P	C	P		C	
Parks and playgrounds	P	P	P	P	P	
Place of worship	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	Y
Public safety facilities	P	P	P	P	P	
Schools, public and private	P	C	P	C	C	Y
Schools, arts, technical or trade	C	C	C		C	Y
Agriculture						
Community garden	P	P	P	P	P	Y
Market garden	C	C	C	C	C	Y
Public Utility and Public Service Uses						
Electric substations	C	C	C	C	C	
Gas regulator stations, mixing and gate stations	C	C	C	C	C	
Telecommunications towers, antennas and transmission equipment buildings	C	C	C	C	C	Y
Sewerage system lift stations	C	C	C	C	C	Y
Water pumping stations, water reservoirs	C	C	C	C	C	Y
Accessory Uses and Structures						
Emergency electric generator	P		P	P	P	Y
Accessory building or structure	P/C	P/C	P/C	P/C	P/C	Y
Keeping of up to 4 chickens	P	P	P	P	P	Y
Solar energy systems	P	P	P	P	P	Y
Wind energy systems	C	C	C	C	C	Y
Real estate sales office	P		P	P	P	Y
Temporary buildings for storage of construction materials and equipment	P	P	P	P	P	Y
Yard sales	P		P	P	P	Y
Farmers market		P		P	P	Y
General Retail		C			C	Y
Service business		C			C	Y
Restaurant		C			C	Y
Coffee Shop, Tea House		C			C	Y

Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
Daycare, home - family	P	P	P	P	P	Y
Daycare center in school or religious institution	P	P	P	C	C	✗
Mission house	P		C			Y
Lease of off-street parking facility accessory to residential use to non-tenants	P		P			Y
Vehicle access sales and service	C		C			Y
Outdoor eating area associated with food & beverage establishment	C		C			Y
Outdoor display	P	P	P			Y
Outdoor storage	P	P	P			Y
Vending machine	C	C	C			Y
Walk-up service window	P/C		P/C			Y

28.073 DOWNTOWN DISTRICT BUILDING FORMS

	DC	UOR	UMX	DR1	DR2
Single family detached				√	√
Two Unit and Three Flat				√	√
Two-Family Twin				√	√
Single-Family Attached Townhouse		√		√	√
Small Multi-family	√	√	√	√	√
Large Multi-family	√	√	√	√	√
Courtyard Multi-family		√	√		√
Commercial Block	√	√	√		
Liner Building	√	√	√		
Parking Building	√	√	√		
Live/Work Building	√				
Residential Commercial Conversion	√	√	√		
Podium Building	√	√	√		
Flex Building		√	√		
Civic / Institutional Building	√	√	√	√	√

28.073 DOWNTOWN CORE DISTRICT

(1) Statement of Purpose.

The DC District is established to recognize the Capitol Square, the State Street corridor, and surrounding properties as the center of governmental, office, educational, cultural, specialty retail and recreational activities for the City and the region. Residential uses are also appropriate in some locations or in combination with other uses. This district is intended to allow intensive development with high-quality architecture and urban design.

(2) Permitted and Conditional Uses.

See Table 28E-2 for a complete list of allowed uses within the downtown and urban districts.

***There shall be no ground floor dwelling units facing State Street, King Street, or the Capitol Square [this will be moved into 28J, Supplemental Regulations]*

(3) Dimensional Standards.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

Downtown Core District	
Lot area	No minimum
Front yard setback	0 10 max. 5 max. facing State Street, King Street, or Capitol Square
Side yard setback	0 One side of building or structure must be placed at side lot line for the first 2 stories
Rear yard setback	None
Minimum height	2 Stories
Maximum height	See Downtown Height Map
Stepback	See Downtown Stepback Map
Usable Open Space	Usable open space accessible by all residents shall be provided on the property

(4) Design Review.

In addition to complying with the Design Standards in Section 28.071(3):

- (a) All new buildings and additions less than 20,000 sq. ft. and major exterior alterations shall be approved by the Urban Design Commission based on the guidelines in XX *[reference new Design Guidelines document]*, with an appeal to the Plan Commission.
- (b) All new buildings and additions \geq 20,000 sq. ft. or >4stories require conditional use review and approval by the Plan Commission following a recommendation by the Urban Design Commission based on the guidelines in XX *[reference new Design Guidelines document]*.

28.074 URBAN OFFICE-RESIDENTIAL (UOR) DISTRICT

(1) Statement of Purpose.

This district is intended to provide for office uses in combination with medium-density residential uses in close proximity to residential neighborhoods. Limited retail and service uses serving the immediate neighborhood may be appropriate in combination with the primary office and residential uses. This district may also serve as a transition between more intense zoning districts and surrounding residential uses.

(2) Permitted and Conditional Uses.

See Table 28E-2 for a complete list of allowed uses within the downtown and urban districts.

(3) Dimensional Standards.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

Urban Office-Residential District	
Lot area	8,000 square feet
Lot width	65
Front yard setback	15
Side yard setback	10
Rear yard setback	20% of lot depth, but no less than 30 See (a) below
Maximum lot coverage	75%
Minimum height	2 Stories
Maximum height	See Downtown Height Map
Stepback	See Downtown Stepback Map
Usable open space	20 square feet per bedroom See (b) below

(a) Underground parking may extend into the rear yard setback if located completely below grade.

(b) Usable open space may be shared among units, and may take the form of balconies, roof decks, green roofs or other above-ground amenities.

28.075 URBAN MIXED-USE (UMX) DISTRICT

(1) Statement of Purpose.

This district is intended to provide opportunities for high-density residential and office uses in combination with limited retail and service uses designed to serve the immediate surroundings, within areas bordering the Downtown Core.

(2) Permitted and Conditional Uses.

See Table 28E-2 for a complete list of allowed uses within the downtown and urban districts.

(3) Dimensional Standards.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

Urban Mixed-Use District	
Lot area	3,000 square feet
Lot width	30
Front yard setback	Nonresidential or mixed-use buildings: 0 Residential buildings: 5 10 max.
Side yard setback	0
Rear yard setback	10 See (a) below
Maximum lot coverage	75 90%
Minimum height	2 Stories
Maximum height	See Downtown Height Map
Stepback	See Downtown Stepback Map
Usable open space	<u>Usable open space accessible by all residents shall be provided on the property</u> 20 square feet per bedroom See (b) below

(a) Underground parking may extend into the rear yard setback if located completely below grade.

~~(b) Usable open space may be shared among units, and may take the form of balconies, roof decks, usable portions of green roofs or other above-ground amenities.~~

(4) Design Review.

In addition to complying with the Design Standards in Section 28.071(3):

- (a) All new buildings and additions less than 20,000 sq. ft. and major exterior alterations shall be approved by the Urban Design Commission based on the guidelines in XX [reference new Design Guidelines document], with an appeal to the Plan Commission.
- (b) All new buildings and additions \geq 20,000 sq. ft. or >4stories require conditional use review and approval by the Plan Commission following a recommendation by the Urban Design Commission based on the guidelines in XX [reference new Design Guidelines document].

28.077 DOWNTOWN RESIDENTIAL DISTRICTS

(1) Statement of Purpose.

These districts are intended to recognize historic Downtown neighborhoods comprised of predominantly residential uses with some non-residential uses. The districts are also intended to:

- (a) Facilitate the preservation, development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.
- (b) Promote the preservation and conservation of historic buildings and districts while allowing selective infill and redevelopment based on the recommendations of adopted City plans.
- (c) Ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of scale and rhythm, building placement, facade width, height and proportions, garage and driveway placement, landscaping and similar design features.

28.078 DOWNTOWN RESIDENTIAL 1 DISTRICT

(1) Permitted and Conditional Uses.

See Table 28E-2 for a complete list of allowed uses within the downtown and urban districts.

(2) Dimensional Standards.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

Downtown Residential 1 District	
Lot area	3,000 square feet
Lot width	1, 2, and 3-unit buildings: 30 >3-unit buildings, and non-residential and mixed-use buildings: 40
Front yard setback	15
Side yard setback	5 Lot width <40: 10%
Rear yard setback	20% of lot depth, but no less than 30 See (a) below
Maximum lot coverage	75%
Maximum height	See Downtown Height Map
Stepback	See Downtown Stepback Map
Usable open space	40 square feet per bedroom

(a) Underground parking may extend into the rear yard setback if located completely below grade.

(3) Residential Point System.

To ensure a variety of housing types in the downtown area, the following point values are established:

Type of Dwelling Unit	Point Value
Studio/efficiency unit	0.75
One-bedroom unit	1
Two-bedroom unit	2
Three or more bedroom unit	3

In any building-development site except for the Residential - Group Living category (see Table 28E-2) the average point value for all dwelling units must be at least 1.25.

(4) Building Standards.

The following standards are applicable to new buildings and additions exceeding 50% of original building's floor area.

- (a) Maximum building width. The maximum width of any building fronting the primary abutting street shall not exceed eighty (80) feet.
- (b) Through-lotblock development. Development of through lots shall be designed with buildings oriented to each street and shall maintain the same rear yard setback that would be required for interior lot development (30 feet) as open space. Underground parking may extend into this shared rear yard area if located completely below grade.

28.079 DOWNTOWN RESIDENTIAL 2 DISTRICT

(1) Permitted and Conditional Uses.

See Table 28E-2 for a complete list of allowed uses within the downtown and urban districts.

(2) Dimensional Standards.

Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

Downtown Residential 2 District	
Lot area	3,000 square feet
Lot width	30 for 1, 2, and 3-unit buildings 40 for 4-unit buildings and higher, and for non-residential and mixed-use buildings
Front yard setback	10
Side yard setback	5 Lot width <40: 10%
Rear yard setback	20% of lot depth, but no less than 20 See (a) below
Maximum lot coverage	80%
Minimum height	2 stories
Maximum height	See Downtown Height Map
Stepbacks	See Downtown Stepback Map
Usable open space	20 square feet per bedroom

a) Underground parking may extend into the rear yard setback if located completely below grade.

(3) Residential Point System.

To ensure a variety of housing types in the downtown area, the following point values are established:

Type of Dwelling Unit	Point Value
Studio/efficiency unit	0.75
One-bedroom unit	1
Two-bedroom unit	2
Three or more bedroom unit	3

In any building except for the Residential - Group Living category (see Table 28E-2) the average point value for all dwelling units must be at least 1.25.