

CITY OF MADISON, WISCONSIN

**AN SECOND SUBSTITUTE
ORDINANCE**

**PRESENTED
REFERRED**

June 12, 2012
Plan Commission; Public
Hearing Dates: Plan
Commission, 8/6/12;
Common Council, 9/4/12

Creating Subchapter 28E, Downtown and Urban Districts of Chapter 28 of the Madison General Ordinances to update the City's ordinances pertaining to zoning and planning.

Drafted by: ~~Katherine C. Noonan~~ Maureen O'Brien

Date: ~~June 6, 2012~~ August 13, September 28, 2012

SPONSORS: Mayor Soglin

DRAFTER'S ANALYSIS: This ordinance creates Subchapter 28E, Downtown and Urban Districts of Chapter 28.

The Common Council of the City of Madison do hereby ordain as follows:

Subchapter 28E entitled "Downtown and Urban Districts" of Chapter 28 entitled "Zoning Code" of the Madison General Ordinances is hereby created to read as follows:

"SUBCHAPTER 28E: DOWNTOWN AND URBAN DISTRICTS ZONING CODE

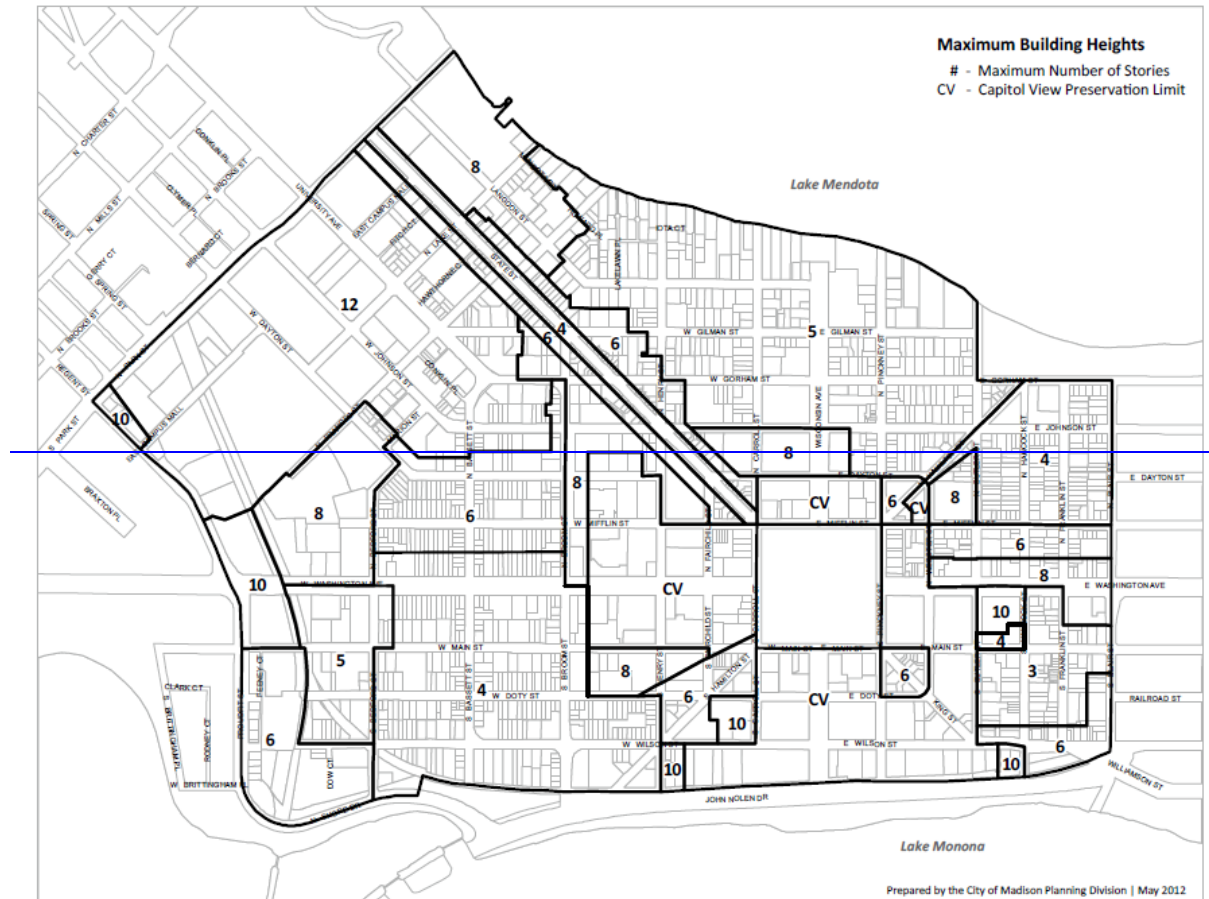
28.071 GENERAL PROVISIONS FOR DOWNTOWN AND URBAN DISTRICTS.

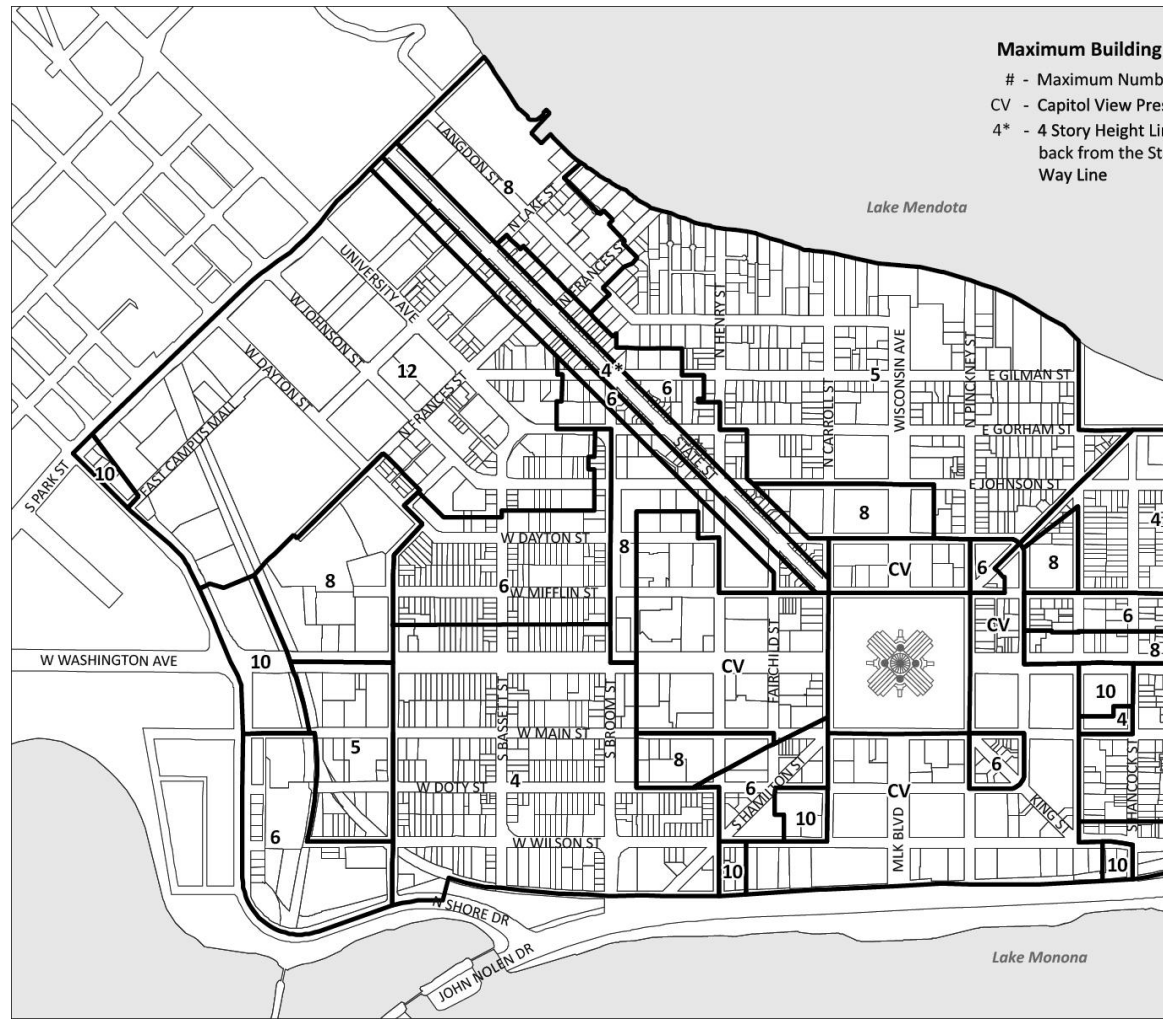
- (1) Statement of Purpose.
 - (a) Recognize and enhance Downtown as the civic and cultural center of the City and region; the seat of state, county, and city government, and a significant retail, entertainment, and employment center;
 - (b) Recognize and enhance the unique characteristics of Downtown neighborhoods;
 - (c) Recognize the architectural heritage and cultural resources of Downtown neighborhoods;
 - (d) Facilitate context-sensitive development;
 - (e) Foster development with high-quality architecture and urban design; and,
 - (f) Protect important views as identified in the Downtown Plan.
- (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.

Approved as to form:

10/03/1209/28/1208/44/42-C:\Users\atdma\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\L3V20LVK\Downtown and Urban Second substitute tracked.docF:\Atroot\Docs\MSC\Zoning\Code RE-Write\for Oct 1\Final\Downtown and Urban Track Changes Second substitute tracked.docF:\Atroot\Docs\atdma\Ord General\ORDDRAFT\4991\downtowndistricts.doc

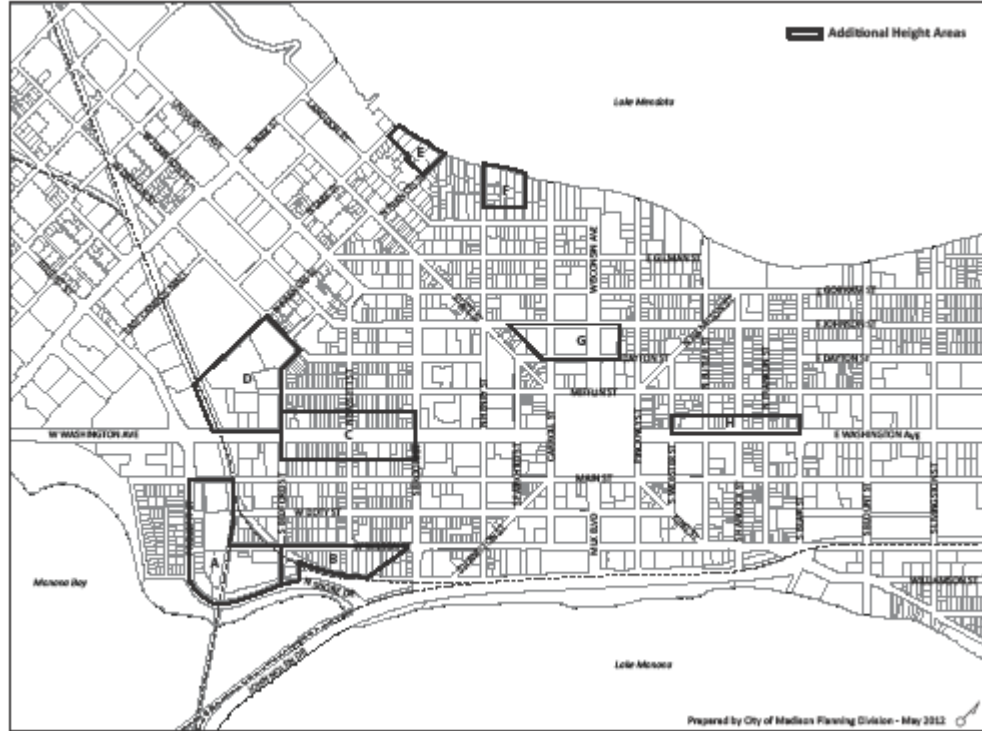
(a) Downtown Height Map.





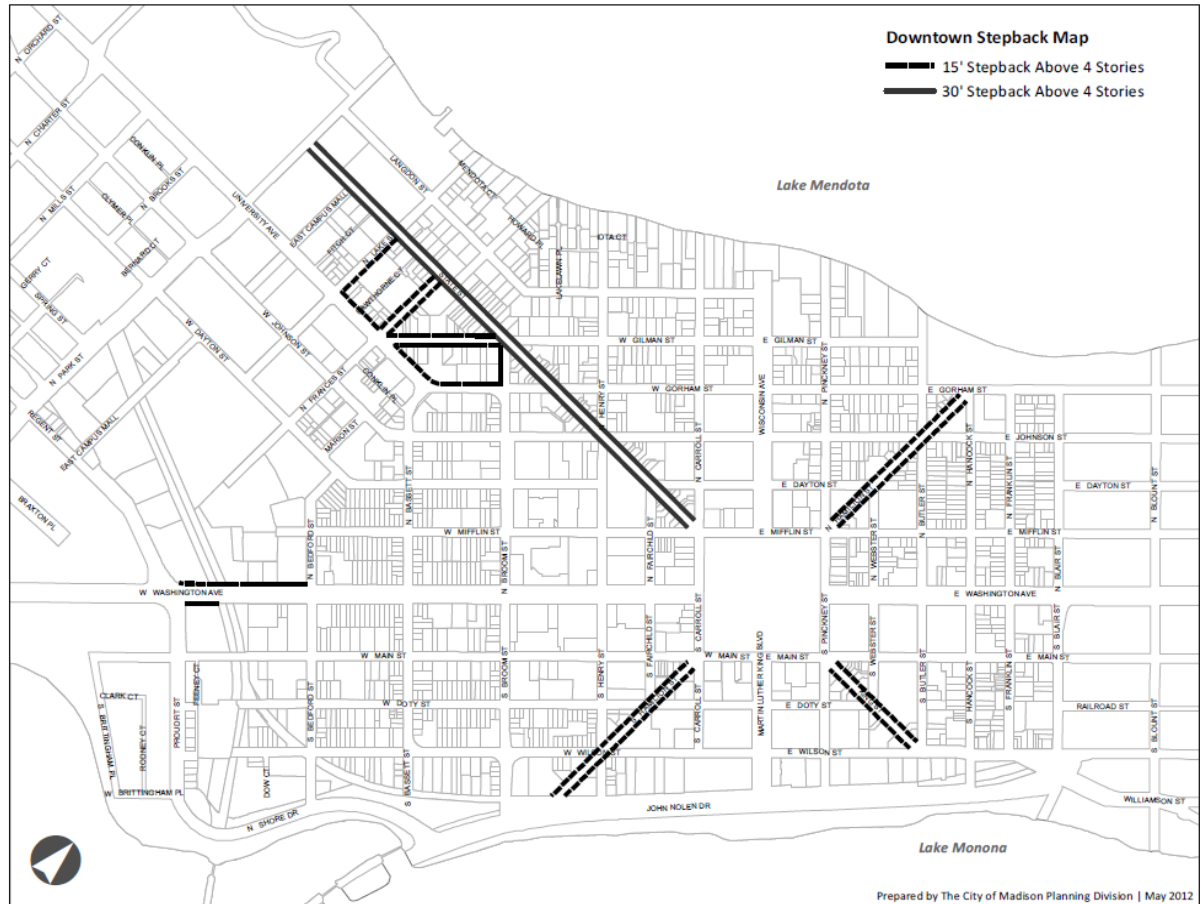
- [1. Existing buildings as of January 1, 2013 that are taller than the maximum building heights allowed by Section 28.071\(2\)\(a\) Downtown Height Map may be redeveloped at the same height, volume and mass provided the new building is approved under the requirements of Section 28.183 Conditional Uses.28.098 Planned Development District.](#)
- [2. Existing zero-lot line buildings as of January 1, 2013 as depicted on the Parcel Analysis Map in the City of Madison Downtown Plan may be redeveloped at up to a maximum of five \(5\) stories, plus an additional story if stepped back on all sides if approved under the requirements of Section 28.098 Planned Development District.](#)

[\(b\) Additional Height Areas Map.](#)



- [1. The Additional Height Areas Map defines eight \(8\) areas where buildings may be allowed up to two \(2\) additional stories above the maximum building height if approved as a conditional use under Section 28.183 provided that height is the only bulk requirement sought to be modified and the conditional use standards for additional height are met.](#)
- [2. Buildings along the frontage of the 400 and 500 blocks of West Washington Avenue may be allowed two \(2\) additional stories above the four- \(4\) story building height limit provided there is a thirty- \(30\) foot setback.](#)

(c) Downtown Stepback Map.



(3) Design Standards.

The following standards are applicable to all new buildings and additions, within any ten-(10) year period, exceeding fifty percent (50%) of existing building's floor area for non-residential buildings, mixed-use buildings, lodging houses, and residential buildings with 8 or more dwelling units.

(a) Parking.

1. 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 ground floor office or retail uses along all street-facing facades.
2. 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 located a minimum of ten (10) feet from the street property line.
3. Parking garage openings visible from the sidewalk shall have a clear maximum height of sixteen (16) feet and a maximum width of twenty-two (22) feet. Garage doors or gates shall be located a minimum of ten (10) feet from the front property line. Doors to freight loading bays are exempt from this requirement.
4. No doors or building openings providing motor vehicular-vehicle access to structured parking or loading facilities shall face State Street, King Street, or the Capitol Square.

(b) Entrance Orientation.

1. Primary building entrances on all new buildings shall be oriented to the primary abutting public street and have a functional door.
2. Additional secondary entrances may be oriented to a secondary street or parking area.
3. 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.
4. Within ten (10) feet of a block corner, the facade may be set back to form a corner entry.

(c) Facade Articulation.

1. The facades of new buildings more than forty (40) feet in width shall be divided into smaller vertical intervals through techniques including but not limited to the following:
 - a. Facade modulation, step backs, or extending forward of a portion of the facade.
 - b. Vertical divisions using different textures, materials, or colors of materials.
 - c. Division into multiple storefronts, with separate display windows and entrances.
 - d. Variation in roof lines to reinforce the modulation or vertical intervals.
 - e. Arcades, awnings, window bays, arched windows, and balconies to reinforce the vertical intervals.

(d) Story Heights and Treatment.

1. For all buildings, the maximum ground story height is ~~twenty-two~~eighteen (2218) feet, measured from the sidewalk to the second story floor. An atrium that exceeds ~~twenty-two~~eighteen (2218) feet will be considered more than one (1) story.

2. Upper stories shall not exceed fourteen (14) feet floor to floor.

- ~~23.~~ For all buildings, the minimum ground story height is twelve (12 feet), measured from the sidewalk to the second story floor.
- ~~34.~~ For non-residential uses, the average ground story floor elevation shall not be lower than the front sidewalk elevation nor higher than eighteen (18) inches above the sidewalk elevation.
- ~~45.~~ For ground-story residential uses, landscaping, steps, porches, grade changes, and low ornamental fences or walls or similar treatments shall be located between the sidewalk and the front door to create a private yard area.

(e) Door and Window Openings.

1. For street-facing facades with ground story non-residential uses, the ground story door and window openings shall comprise a minimum of fifty percent (50%) of the facade area.
2. For street-facing facades with ground story residential uses, ground story openings shall comprise a minimum of fifteen percent (15%) of the facade area.
3. For all buildings, upper story openings shall comprise a minimum of fifteen percent (15%) of the facade area per story.
4. Garage doors and opaque service doors shall not count toward the above requirements.
5. Glass on all windows and doors shall be clear or slightly tinted, allowing views into and out of the interior. Spandrel glass may be used on service areas on the building.

(f) Building Materials.

1. Buildings shall be constructed of durable, high-quality materials. Table 28 E-1 below lists allowable building materials.
2. All building facades visible from a public street or public walkway shall use 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)	√	√	√	√	
Smooth-Face / Split-Face Block	√	√	√	√	A
Wood / Wood Composite	√	√	√	√	B
Fiber-Cement Siding / Panels	√	√	√	√	B
Concrete Panels (Tilt-up or Precast)	√	√	√	√	C
EIFS / Synthetic Stucco	√	√			D
Stone / Stone Veneer	√	√	√	√	
Metal Panels	√	√	√	√	E
Hand-Laid Stucco	√	√			D
Reflective Glass / Spandrel	√				F
Glass (Transparent)	√	√	√	√	

- A- Shall be used in conjunction with a palette of materials and shall not comprise more than thirty-three percent (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) Equipment and Service Area Screening.

1. Outdoor loading areas or mechanical equipment are not permitted in the front yard. When visible from an abutting public street or walkway, they shall be screened by a decorative fence, wall, or screen of plant material.
2. No doors or openings providing access to parking or loading facilities shall abut the Capitol Square, State Street or King Street.
3. Fences and walls shall be architecturally compatible with the principal structure.

(h) Screening of Rooftop Equipment.

1. 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.
2. The equipment shall be within an enclosure. This structure shall be set back a distance of one and one-half (1½) 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.

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, <u>General office</u>	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			
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			

Downtown and Urban Districts							Supplemental Regulations
	DC	UOR	UMX	DR1	DR2		
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				✗
Outdoor recreation	C		C				Y
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							✗
Parking, Storage and Display Facilities							
Parking facility, public	P	P	P				
Parking facility, private	P		C				
Parking lot exceeding maximum required parking	C	C	C				
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				
Laboratory, research and development	C	C	C				
Limited production and processing	C						Y
Printing and publishing			P				
Wholesale establishment			C				
Residential - Family Living							

Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
Single-family detached dwellings				P	P	✗
Two-family dwelling – two unit				P	P	✗
Two-family dwelling - twin						✗
Three-family dwelling – three unit				P	P	
Single-family attached dwelling (3-8 dwelling units)		P	P	P	P	✗
Single-family attached dwelling (> 8 dwelling units)		P	P	C	C	✗
Dwelling units in mixed-use buildings	P	C	P			✗
Multi-family dwelling (4 dwelling units)	P	P	P	P	P	✗
Multi-family dwelling (5-8 dwelling units)	P	P	P	C	P	✗
Multi-family dwelling (> 8 dwelling units)	P	C	C	C	C	✗
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	Y
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, <u>Skilled nursing home/facility.</u>	C	C	P		C	Y
Convent, monastery or similar <u>religious community residential group</u>	C	C	P	C	C	Y
Civic and Institutional						
College, university	C	C	C			
Correctional Facility	C					
Counseling, community services organization	P	P	P			
Day care center, <u>nursery-school</u>	P	C	P	C	C	Y
Library, museum	P	C	P		C	
Parks and playgrounds	P	P	P	P	P	
Place of worship	P/C	P/C	P/C	P/C	P/C	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	
Market garden	C	C	C	C	C	Y

Downtown and Urban Districts						
	DC	UOR	UMX	DR1	DR2	Supplemental Regulations
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	
Sewerage system lift stations	C	C	C	C	C	Y
Water pumping stations, water reservoirs	C	C	C	C	C	
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	✗
Service business		C			C	✗
Restaurant		C			C	✗
Coffee Shop, Tea House		C			C	✗
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		C	Y
Outdoor display	P	P	P		C	Y
Outdoor storage	P	P	P			Y
Vending machine	C	C	C			Y
Walk-up service window	P/C		P/C			Y
<u>Keeping of honey bees</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Y</u>
<u>Office, Professional and general</u>		<u>C</u>			<u>C</u>	

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		√		√	√
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	√	√	√	√	√

28.074 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 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.
- (3) Dimensional Standards.
Standards represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

Downtown Core District	
Lot area (sq. ft.)	No minimum
Minimum front yard setback	0 See (a) below
Maximum front yard setback	Buildings facing State Street, King Street or Capitol Square: 5 See (a) below
Side yard setback	The first two (2) stories of one side of all buildings: 0 See (a) below
Rear yard setback	0
Minimum height	2 Stories
Maximum height	See Downtown Height Map
Stepback	See Downtown Stepback Map

- (a) Specific front and/or side yard setbacks may be designated on the zoning map and may be designated as a specific location (build to line), a minimum, or -a range.
- (4) Design Review.
Design review for all buildings and structures shall be as follows:
 - (a) Minor exterior changes or additions may be approved by the Director of the Department of Planning, Community, and Economic Development if he/she determines that the changes or additions are compatible with the existing design or consistent with the ~~guidelines ... (still no name)~~ [Downtown Urban Design Guidelines](#).
 - (b) All new buildings and additions that are less than twenty-thousand (20,000) square feet and are not approved pursuant to (a) above, as well as all major exterior alterations to any building shall be approved by the Urban Design Commission based on the design standards in Sec. 28.071(3), if applicable, and

the ~~guidelines~~....[Downtown Urban Design Guidelines](#). The applicant or the Alderperson of the District in which the use is located may appeal the decision of the Urban Design Commission to the Plan Commission.

- (c) All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in Sec. 28.071(3), if applicable, and the ~~guidelines~~.... [Downtown Urban Design Guidelines](#) and shall report its findings to the Plan Commission.

(5) Alterations to Approved Designs.

For buildings approved pursuant to (b) or (c) above, the Director of the Department of Planning, Community and Economic Development may approve minor alterations or additions if he/she determines that such alterations or additions are consistent with Sec. 28.071(3), if applicable, the ~~guidelines~~....[Downtown Urban Design Guidelines](#)-, and the previously approved design.

(6) Site Standards: New and Existing Development.

(a) All business activities shall be conducted within completely enclosed buildings except:

1. Off-street parking and off-street loading.
2. Outdoor display and outdoor storage.
3. Vending machines.
4. Outdoor-eating areas associated with food and beverage establishments.
5. Bicycle-sharing facilities.
6. Auto service stations.
7. Agricultural activities.
8. Temporary outdoor events.
9. Solar energy systems and wind energy systems.
10. Walk-up service windows.
11. Yard sales.
12. Composting
13. Keeping of chickens and keeping of honeybees.
14. Outdoor recreation.
15. Vehicle access sales and service windows
16. Farmers market

28.075 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 (sq. ft.)	8,000
Lot width	65
Front yard setback	15 See (a) below
Side yard setback	10

Rear yard setback	20% of lot depth, but at least 30 See (b) below
Maximum lot coverage	75%
Minimum height	2 stories
Maximum height	See Downtown Height Map
Stepback	See Downtown Stepback Map
Usable open space	20 sq. ft. per bedroom See (c) below

- (a) Specific front yard setbacks may be designated on the zoning map and may be designated as a specific location (build to line), a minimum, or a range.
- (b) Underground parking may extend into the rear yard setback if located completely below grade.
- (c) Usable open space may take the form of at-grade open space, porches, balconies, roof decks, green roofs or other above-ground amenities.

(4) Site Standards: New and Existing Development.

(a) All business activities shall be conducted within completely enclosed buildings except:

- 1. Off-street parking and off-street loading.**
- 2. Outdoor display and outdoor storage.**
- 3. Vending machines.**
- 4. Bicycle-sharing facilities.**
- 5. Agricultural activities.**
- 6. Temporary outdoor events.**
- 7. Solar energy systems and wind energy systems.**
- 8. Yard sales.**
- 9. Composting**
- 10. Keeping of chickens and keeping of honeybees.**
- 11. Outdoor recreation.**

28.076 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.
- (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 (sq. ft.)	3,000
Lot width	30
Minimum front yard setback	Nonresidential or mixed-use buildings: 0 Residential buildings: 5 See (a) below
Maximum front yard setback	10 See (a) below
Side yard setback	0
Rear yard setback	10 See (b) below
Maximum lot coverage	90%
Minimum height	2 Stories
Maximum height	See Downtown Height Map

Stepback	See Downtown Stepback Map
Usable open space	10 sq. ft. per bedroom See (c) below

- (a) Specific front yard setbacks may be designated on the zoning map and may be designated as a specific location (build to line), a minimum, or a range.
 - (b) Underground parking may extend into the rear yard setback if located completely below grade.
 - (c) Usable open space may take the form of at-grade open space, porches, balconies, roof decks, green roofs or other above-ground amenities.
- (4) Design Review.
Design review for all buildings and structures shall be as follows:
- (a) Minor exterior changes or additions may be approved by the Director of the Department of Planning, Community, and Economic Development if he/she determines that the changes or additions are compatible with the existing design or consistent with the ~~guidelines ... (still no name)~~ [Downtown Urban Design Guidelines](#).
 - (b) All new buildings and additions that are less than twenty-thousand (20,000) square feet and are not approved pursuant to (a) above, as well as all major exterior alterations to any building shall be approved by the Urban Design Commission based on the design standards in Sec. 28.071(3), if applicable, and the ~~guidelines....~~ [Downtown Urban Design Guidelines](#). The applicant or the Alderperson of the District in which the use is located may appeal the decision of the Urban Design Commission to the Plan Commission.
 - (c) All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in Sec. 28.071(3), if applicable, and the ~~guidelines....~~ [Downtown Urban Design Guidelines](#) and shall report its findings to the Plan Commission.
- (5) Alterations to Approved Designs.
For buildings approved pursuant to (b) or (c) above, the Director of the Department of Planning, Community and Economic Development may approve minor alterations or additions if he/she determines that such alterations or additions are consistent with Sec. 28.071(3), if applicable, the ~~guidelines....~~ [Downtown Urban Design Guidelines](#), and the previously approved design.
- (6) Site Standards: New and Existing Development.
- (a) All business activities shall be conducted within completely enclosed buildings except:
 1. Off-street parking and off-street loading.
 2. Outdoor display and outdoor storage.
 3. Vending machines.
 4. Outdoor-eating areas associated with food and beverage establishments.
 5. Bicycle-sharing facilities.
 6. Auto service stations.
 7. Agricultural activities.
 8. Temporary outdoor events.
 9. Solar energy systems and wind energy systems.
 10. Walk-up service windows.
 11. Yard sales.
 12. Composting
 13. Keeping of chickens and keeping of honeybees.
 14. Outdoor recreation.
 15. Vehicle access sales and service windows
 16. Farmers market

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 (sq. ft.)	3,000
Lot width	1, 2, and 3-unit dwellings: 30 >3-unit dwellings, and non-residential and mixed-use buildings: 40
Front yard setback	15 See (a) below
Side yard setback	5 Lot width <40: 10% lot width
Rear yard setback	20% of lot depth, but at least 30 See (b) below
Maximum lot coverage	75%
Maximum height	See Downtown Height Map
Stepback	See Downtown Stepback Map
Usable open space	40 sq. ft. per bedroom See (c) below

- (a) Front yard setbacks may be designated on the zoning map as a specific location (build to line), a minimum, or a range.
 - (b) Underground parking may extend into the rear yard setback if located completely below grade.
 - (c) Usable open space may take the form of at-grade open space, porches, balconies, roof decks, green roofs or other above-ground amenities.
- (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 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, within any ten-(10) year period, exceeding fifty percent (50%) of existing building's floor area.

- (a) Maximum Building Width. The maximum width of any building fronting the primary abutting street shall not exceed ~~eighty-sixty (8060)~~ feet.
- (b) Through-lot Development. Development of through lots shall be designed with buildings oriented to each street and with a minimum distance of sixty (60) feet between rear facades of above-ground building elements. 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 sq. ft.
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 See (a) below
Side yard setback	5 Lot width <40: 10%
Rear yard setback	20% of lot depth, but no less than 20 See (b) below
Maximum lot coverage	80%
Minimum height	2 stories
Maximum height	See Downtown Height Map
Stepbacks	See Downtown Stepback Map
Usable open space	20 sq. ft. per bedroom See (c) below

- (a) Front yard setbacks may be designated on the zoning map as a specific location (build to line), minimum, or a range.
- (b) Underground parking may extend into the rear yard setback if located completely below grade.
- (c) Usable open space may take the form of at-grade open space, porches, balconies, roof decks, green roofs or other above-ground amenities.

(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.”