

ARTICLE VII. DISTRICT DEVELOPMENT STANDARDS

7.723. Code Compliance Certificate (CCC).

In order to ensure compliance with the requirements set forth in this section, a Code Compliance Certificate (CCC) shall be required prior to application for any building permit for any exterior and building façade additions, improvements, or renovations within any subarea of the DOWNTOWN DISTRICT. A CCC application shall include a site plan, building floor plans, and elevations, drawn to scale, and shall be approved by the Director of Planning and Economic Development, and the City Building Official, or City Engineer. Requirements set forth in Chapter 7, [section 7.962](#) shall also apply to this section. In addition to building permit applications, a CCC is also required for the following in keeping with other requirements of the DOWNTOWN DISTRICT: OPEN SPACE development and maintenance agreements, paving in parking areas other than asphalt and concrete, reduction of parking requirements, off-site parking, shared parking, angled on-street parking, driveway curb cuts, new streets, SIDEWALK AREA improvements including special or decorative paving and plantings and street furniture location and type, and STREET WALL requirements.

Existing buildings and building facades are grandfathered in, until such time as changes are made to building facades elements that are cited in this section. All changes to elements cited in this section shall revoke the grandfathered status and all section requirements such as SIDEWALK AREA requirements shall be complied with. Internal renovations that do not alter the building façade or building footprint, and upgrades of building and construction materials, do not affect grandfathered status.

7.725. Open Space Requirements.

All OPEN SPACE requirements shall be subject to a CCC. All developments shall be required to dedicate OPEN SPACE. Location of such OPEN SPACE shall be approved by the City either within the confines of the development or at a proximate location. Residential development shall provide either PUBLIC OPEN SPACE or PRIVATE OPEN SPACE. The minimum requirement for OPEN SPACE is twenty (20) percent of the parcel area.

In addition to the definition requirements, OPEN SPACE shall be dedicated, designed and constructed pursuant to the following regulations:

1. Detention ponds and required stream buffers shall not be used in OPEN SPACE calculations.
2. The owner shall submit a maintenance agreement establishing a mechanism for maintaining OPEN SPACE dedication located within subject development.
3. OPEN SPACE requirements shall be constructed or dedicated as part of the first phase of construction, in an amount equivalent to the first phase proportion of the total development.
4. OPEN SPACE dedication shall be guaranteed through bonds, conservation easements, land donation to the City or permanent deed restriction. In lieu of OPEN SPACE dedication, a cash value contribution shall be provided to the City's open space bank, which contribution shall be equivalent to the square footage value of subject land multiplied times the square footage of such OPEN SPACE requirement.
5. Non-residential development shall provide PUBLIC OPEN SPACE, which shall be open to the public during daylight hours and other hours as determined by the City.
6. Where GREENWAY TRAILS are required along streams, there shall be public access along such GREENWAY TRAILS and there shall be a minimum seventy-five (75) feet natural buffer

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along such streams measured from top of bank, which may include such GREENWAY TRAIL and such natural buffer shall be calculated towards OPEN SPACE requirements.

Sam's Club is requesting a variance from the Open Space requirements.

7.726. Parking, Garage, Driveway and Access Requirements.

1. No parking shall be permitted between a building and the street without an intervening building, except in DT-GC (General Commercial) where the STREET FAÇADE FRONTAGE requirements have been met.

Sam's Club is requesting a variance from this requirement based on the existing buildings and parking, and the existing site configuration.

2. Developments are permitted a maximum of one (1) driveway curb cut per block face or one (1) curb cut per four hundred (400) linear feet of block face, whichever is greater. For the purposes of this section, two (2) curb cuts serving two (2) one-way driveways shall only be counted as one (1) curb cut.

The proposed building is just over 400' wide. Sam's Club would like to utilize the 2 existing driveways (curb cuts) that exist on the site today on Main Street and the existing driveway (curb cut) onto Highway 92.

3. No curb cuts, driveways or circular drives shall be permitted on Main Street, Towne Lake Parkway, or Arnold Mill Road when access can be provided from a side or rear street. Circular drives are prohibited, with the exception of hotel and hospital uses, in the DT-CMU (Commercial Mixed-Use) and DT-GC (General Commercial) subareas.

Sam's Club would like to utilize the 2 existing driveways (curb cuts) that exist on the site today on Main Street.

4. Driveway curb cuts shall be limited to a one-way a maximum width of twelve (12) feet or a two-way maximum width of twenty-four (24) feet.

The proposed building is just over 400' wide. Sam's Club would like to utilize the 2 existing driveways (curb cuts) that exist on the site today on Main Street and the existing driveway (curb cut) onto Highway 92. These driveways may be slightly larger than 24' wide to allow for proper access.

5. Parking and loading requirements shall be as established in [section 7.760](#), Parking Performance Standards, except that all MULTIFAMILY residential uses, such as apartments/duplexes and condominiums, shall be required to provide one (1) space per bedroom, but not more than two (2) spaces.

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Sam's Club is requesting a variance to increase the allowable parking ratio to a 4.0 spaces per 1,000 square feet of building area.

6. Any parking not screened from the street by a building shall have a minimum seven-foot-wide landscaped area between such parking and the street. Such landscaped area shall have a minimum of one (1) shade tree per fifty (50) linear feet, groundcover, and an evergreen hedge at a maximum of thirty-six (36) inches or decorative wall or fence with a minimum height of thirty (30) inches. Trees shall be planted and street lighting placed in line with the stripes of adjacent parking spaces.

Sam's Club is requesting a variance from this requirement based on the existing buildings and parking, and the existing site configuration.

7. Where the end of a parking space has a permanent concrete or masonry curb and abuts a landscaped area that is a minimum width of six (6) feet, the depth of such space may be reduced by two (2) feet.
8. Commercial parking lots are not permitted except where individual businesses lease spaces under a shared parking arrangement.
9. Paving materials used for parking and loading areas other than asphalt or concrete shall be subject to a CCC.
10. Required parking may be provided off-site within one thousand (1,000) feet of use except in DT-LRV (Very Low-density Residential), DT-LR (Low-density Residential), DT-MR-A (Medium-density Residential A), and DT-MR-B (Medium-density Residential B).
11. Angled on street parking on both sides shall be permitted. Forty-five-degree angled parking shall require parking space length of nineteen (19) feet and two (2) travel lanes width of ten (10) feet. Sixty (60) degree angled parking shall require parking space length of twenty (20) feet and two (2) travel lanes width of eleven (11) feet. Ninety (90) degree angled parking shall require parking space length of eighteen (18) feet and two (2) travel lanes width of twelve (12) feet.
12. Reduction of parking requirements may be permitted, subject to a shared parking arrangement under the following criteria:
 - a. The minimum number of parking spaces for a development where shared parking is proposed shall be determined by a study prepared by the applicant following the procedures of the Urban Land Institute (ULI) Shared Parking Report or Institute of Transportation Engineers (ITE) Shared Parking Guidelines. The actual number of parking spaces required shall be based on well-recognized sources of parking data such as the ULI or ITE reports. If standard rates are not available or limited, the applicant may collect data at similar sites to establish local parking demand rates. If the shared parking plan assumes use of an existing parking facility, then field surveys shall be conducted to determine actual parking accumulation. If possible, these surveys shall consider the seasonal peak period for the combination of land uses involved.
 - b. All shared parking spaces shall be clearly marked as such; and
 - c. An applicant shall submit the following information as part of an application to reduce parking requirements and avoid conflicting parking demands:
 - i. A to-scale map indicating location of proposed parking spaces;
 - ii. Hours of business operation of nonresidential parking users;

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- iii. Written consent of property owners agreeing to the shared parking arrangement (when provided off-site);
 - iv. Copies of parking lease agreement, easements for parking, or notarized letter or sworn affidavit as to the intent of lease agreement, including renewed leases, shall be filed with the Department of Planning and Economic Development. Lapse of a required lease agreement shall terminate approval for shared parking.
13. Rear alleys shall be provided to access TOWNHOUSE and MULTIFAMILY garages, single-family dwelling garages, and commercial loading and service areas, where such access is feasible. See Street Type Table - Alley Requirements.
 14. All required off-street parking for TOWNHOUSES and MULTIFAMILY dwellings, excluding ACCESSORY DWELLING UNITS, shall be met in a private on-site garage or parking structure.
 15. Bicycle or moped parking spaces are required as follows: All new non-residential uses shall provide one (1) such space for every twenty (20) automobile spaces and new MULTIFAMILY uses shall provide one (1) such space for every five (5) units provided that no such uses shall have fewer than two (2) such spaces or be required to exceed thirty (30) spaces. Such spaces shall be located within the SIDEWALK LANDSCAPE ZONE a maximum distance of one hundred (100) feet from the primary pedestrian entrance, or shall be located at least as close as the closest automobile space, except for handicapped parking spaces. Bicycle parking spaces shall include a bike rack with a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user-supplied lock.
 16. Garages and carports shall not face adjacent streets except where alley access is not feasible, in which case such garages and carports shall be setback a minimum of ten (10) feet from the STREET FAÇADE.

7.727. Street and Sidewalk Area Requirements.

1. Whenever a development five (5) acres or greater is to be developed or redeveloped, maximum block sizes requirements shall apply in each subarea as indicated on the Downtown Site Limits Table. The right-of-way for such portion of said street shall be platted according to specified street requirements as indicated below and on the Street Type Tables. The owner is responsible for the dedication of the right-of-way in accordance with the provisions of the "The City of Woodstock Land Development Ordinance." The entire dedicated right-of-way shall be shown as such on a final survey plat that is submitted to and approved by the City. Measurements involving minimum lot standards shall be made at the edge of the full right-of-way. Prior to the issuance of an occupancy permit for any new development on such lot, either the street shall be constructed or guaranteed through bonds to the standards established herein. Development permission that would have otherwise been allowed within such dedicated street right-of-way shall be allowed to be developed elsewhere on the site.
2. New streets within DT-VLR (Very Low-density Residential) and DT-LR (Low-density Residential) shall be D1 (Local Residential) or D2 (GIVE-WAY Residential), within DT-MR-A (Medium-density Residential A) and DT-MR-B (Medium-density Residential B) streets shall be D1 (Local Residential), D2 (GIVE-WAY Residential), or B (Local Mixed-Use), and within all other subareas shall be B (Local Mixed-Use) streets. See Street Type Tables.
3. Access streets shall be located adjacent to Towne Lake Parkway from Woodstock Parkway to Mill Street Extension and State Route 92 for any new development. Such access streets shall meet the requirements of B (Local Mixed-Use) streets except that their SIDEWALK SUPPLEMENTAL ZONES that are adjacent to Towne Lake Parkway and State Route 92 shall be landscaped with low evergreen shrubs and street trees.

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4. A SIDEWALK AREA shall be located along all streets and shall consist of a SIDEWALK LANDSCAPE ZONE with street trees, an unobstructed SIDEWALK CLEAR ZONE, and a SUPPLEMENTAL ZONE with requirements as indicated on the Street Type Table - SIDEWALK AREA and GREENWAY TRAIL Requirements.
5. Any paving including concrete, special or decorative paving within the SIDEWALK LANDSCAPE ZONE, SIDEWALK CLEAR ZONE, or SIDEWALK SUPPLEMENTAL ZONE shall continue across any intervening driveway.
6. Dead-end and cul-de-sac streets are prohibited.
7. Within the SIDEWALK LANDSCAPE ZONE:
 - a. Street trees are required as indicated in the Street Type Table - SIDEWALK AREA and GREENWAY TRAIL Requirements. Street trees shall be planted a maximum of fifty (50) feet on center and spaced equal distance between streetlights and in line with stripes of parallel parking spaces. All newly planted trees shall be a minimum caliper of three and one-half (3.5) inches measured twelve (12) inches above ground, shall be limbed up to a minimum height of seven (7) feet and shall have a minimum mature height of forty (40) feet. Trees shall have a minimum planting area of forty (40) square feet.
 - b. Within DT-VLR (Very Low-density Residential) and DT-LR (Low-density Residential) shall be continuous trees and groundcover with exception of intervening driveways. Within all other subareas shall be groundcover, decorative paving, or tree grates with exception of intervening driveways.
 - c. All street furniture and pavers, where installed, shall have a location and type subject to approval including but not limited to the following: benches, waste receptacles, bicycle racks, newspaper stands, tree grates, and pedestrian lights. Tree grates shall be a minimum of eight (8) feet by five (5) feet. Decorative pedestrian lights shall be placed a maximum of fifty (50) feet on center and shall be spaced equal distance between required trees.
 - d. Street tree requirements within the SIDEWALK LANDSCAPE ZONE may be met through landscape bulb-outs between on-street parking spaces on Main Street Downtown, Local Mixed-Use, and Local Residential streets that have on-street parking.
 - e. SIDEWALK AREA width requirements may be reduced for streets with entire total lengths of one hundred fifty (150) feet or less within DT-MR-A (Medium-density Residential A) and DT-MR-B (Medium-density Residential B).
8. Within the SIDEWALK SUPPLEMENTAL ZONE:
 - a. Terraces, porches and stoops, but not stairs, shall encroach a maximum depth of sixty (60) percent of the total zone depth, and shall have a maximum finished floor height of twenty-four (24) inches above finished-grade. Such terraces, porches, and stoops shall not be considered STREET FAÇADE.
 - b. Balconies, awnings and bay windows shall encroach a maximum depth of five (5) feet of the total zone width.
 - c. DT-RO (Residential/Office), DT-MR-A (Medium-density Residential A), and DT-MR-B (Medium-density Residential B) shall provide landscaping for a minimum of forty (40) percent of the zone's horizontal area adjacent to sidewalk level RESIDENTIAL TREATMENTS.
 - d. Hardscaping shall be provided for a minimum of seventy-five (75) percent of the zone's horizontal area adjacent to STOREFRONT TREATMENTS.

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- e. DT-VLR (Very Low-density Residential) and DT-LR (Low-density Residential) shall provide a minimum of three (3) feet between the SIDEWALK CLEAR ZONE and any structure such as stairs, terraces, porches, and stoops.
- f. Buildings with no adjacent SIDEWALK SUPPLEMENTAL ZONE that exist before March 2005 may have outdoor dining areas encroach a maximum of two (2) feet into the SIDEWALK CLEAR ZONE, measured from the STREET FAÇADE.
- g. SIDEWALK SUPPLEMENTAL ZONE width requirements may be reduced where the SIDEWALK LANDSCAPE ZONE is increased to a minimum width of ten (10) feet for purposes of locating outdoor dining.

Street Type Table - SIDEWALK AREA and GREENWAY TRAIL Requirements (See Illustrations)					
Required new streets and the streets shown on the DOWNTOWN DISTRICT REGULATING PLAN shall be subject to the following requirements.					
	SIDEWALK LANDSCAPE ZONE Minimum Width	SIDEWALK CLEAR ZONE Minimum Width	SIDEWALK SUPPLEMENTAL ZONE Minimum Width	Street Trees in SIDEWALK LANDSCAPE ZONE	Total Width Minimum/Maximum*
A1 (Arterial with Median)	7 ft.	10 ft.	10 ft.	50 ft. o.c.	27 to 35 ft.
A2 (Arterial with Optional Parking)	7 ft.	10 ft.	10 ft.	50 ft. o.c.	27 to 35 ft.
A3 (Arterial)	7 ft.	10 ft.	10 ft.	50 ft. o.c.	27 to 35 ft.
A4 (Main Street Downtown)	7 ft.	10 ft. (8 ft. adjacent to railroad r.o.w.)	5 ft.	50 ft. o.c.	22 to 30 ft.
B (Local Mixed-Use)	7 ft.	10 ft.	5 ft.	50 ft. o.c.	22 to 30 ft.
C (Highway Commercial)	10 ft.	10 ft.	10 ft.	50 ft. o.c.	30 to 38 ft.
D1 (Local Residential)	7 ft.	5 ft.	5 to 20 ft	50 ft o.c.	17 to 32 ft.
D2 (GIVE-WAY Residential)	7 ft.	5 ft.	5 to 20 ft.	50 ft. o.c.	17 to 32 ft.
E (Commercial Service)	On-street parking bulb-outs	5 to 10 ft.	None	50 ft. o.c.	5 to 10 ft.
GW1 (GREENWAY TRAIL 1)	10 ft.	12 ft.	NA**	50 ft. o.c./3 ft. from trail	19 to 24 ft.

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GW2 (GREENWAY TRAIL <u>2</u>)	5 ft. both sides	12 ft.	NA**	50 ft. o.c./3 ft. from trail	22 ft.
*Total width includes SIDEWALK LANDSCAPE ZONE, SIDEWALK CLEAR ZONE, and SIDEWALK SUPPLEMENTAL ZONE.					
**Where streets and GREENWAY TRAILS are adjacent, SIDEWALK SUPPLEMENTAL ZONE requirements shall be in addition to GW1 requirements.					

Street Type Table - Pavement Requirements (See Illustrations)					
Required new streets and the streets shown on the DOWNTOWN DISTRICT REGULATING PLAN shall be subject to the following requirements.					
	Number of Total Travel Lanes	Maximum Lane Width	On-Street Parking (Minimum Width)	Median Optional (Minimum Width)	Total Minimum Pavement Width (not including median if present)
A1 (Arterial with Median)	<u>4</u>	10 ft.	No	Yes (4 ft.)	40 ft.
A2 (Arterial with Optional Parking)	<u>4</u>	10 ft.	Optional (7.5 ft.)	Yes (4 ft.)	40 ft. (not including parking if present)
A3 (Arterial)	2 to <u>4</u>	10 ft.	No	No	24 ft.
A4 (Main Street Downtown)	<u>4</u>	10 ft.	Yes - east side only (30 degree angled 17 ft.)	No	57 ft.
B (Local Mixed- Use)	2 to <u>4</u>	10 ft.	Yes (7.5 ft.)	No	35 ft.
C (Highway Commercial)	<u>4 to 6</u>	10 ft.	No	Yes (4 ft)	40 ft.
D1 (Local Residential)	2	9 ft.	Yes (7 ft.)	No	32 ft.
D2 (GIVE-WAY Residential)	2	9 ft.	Yes - GIVE-WAY	No	22 ft.
E** (Commercial Service)	2	9 ft.	Yes (7 ft.)	No	32 ft.

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*Not including center turn lanes.

**SIDEWALK AREA REQUIREMENTS do not apply to pedestrian alleys.

7.728. Site Limits.

1. Where such STREET FAÇADE FRONTAGE requirements are satisfied by existing principal buildings, additional principle buildings shall be exempt from these requirements.
2. Any balconies, awnings and bay windows may encroach into any SIDEWALK SUPPLEMENTAL ZONE or required setback a maximum depth of five (5) feet.
3. Walkways with a minimum width of four (4) feet shall be provided from the closest public SIDEWALK CLEAR ZONE to the primary entrance of all buildings and structures not built to the SIDEWALK AREA, including parking structures.
4. The minimum project size for redevelopment of any existing single family residential lots fronting on Noonday Street shall be five (5) contiguous lots. Construction of a residence or residences on lots in which a single family home can be constructed prior to the date of this Ordinance shall be allowed, provided the density allowed as of the date of this Ordinance shall not be exceeded.

Downtown Site Limits Table

Downtown District Subareas											
	DT-CBD Central Business District	DT-CMU Commercial Mixed- Use	DT-GC General Commercial	DT-CI Civic/Institutional	DT-RO Residential/Office	DT-MR-A Medium-density Residential A	DT-MR-B Medium-density Residential B	DT-LR Low-density Residential	DT-VLR Very Low-density Residential	DT-OS OPEN SPACE	DT-HO HISTORIC ZONE**
Minimum lot area (square feet)	NA	600	600	NA	800	1,200	1,000	3,500	7,500	NA	800
Minimum lot width (feet)	NA	20	20	NA	16	16	16	35	50	NA	40
STREET FAÇADE FRONTAGE*	100%	100%	60%	100%	100%	NA	NA	NA	NA	NA	NA
Rear setback (minimum feet)	0	With alley - 0 No alley - 20	With alley - 0 No alley - 20	With alley - 0 No alley - 20	With alley - 0 No alley - 20	Residential alley or No alley - 5	Residential alley or No alley - 5	Residential alley or No alley - 5	Residential alley or No alley - 5	0	Residential alley or No alley - 5

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Side setback (minimum feet)	0	0	0	0 or 10**	0 or 5**	0 or 5**	0 or 5**	5	5	5	5
Block size (maximum feet) perimeter/block face	1,600/400	1,800/600	1,800/600	NA	1,600/600	1,800/600	1,800/600	2,000/600	2,000/600	NA	1,600/600
Served by alley to parking	•	•	•	•	•	•	•	•	•		
* With the exception of driveway ingress/egress and Public Open Space or residential courtyards											
**Side setbacks of zero shall only be permitted between adjacent Townhouse units, otherwise the larger setback shall apply.											
***HISTORIC ZONE supersedes the subarea and street requirements.											

7.729. Street Façade Requirements.

Along the STREET FAÇADE of all new and renovated buildings and structures the following shall apply:

1. Sidewalk level uses shall have a primary pedestrian entrance, which faces, is visible from, and directly adjacent to required SIDEWALK AREA or adjoining OPEN SPACE, including but not limited to dwelling units, MULTIFAMILY lobbies, and individual business establishments. Where an individual use has a STREET FAÇADE on more than one (1) street, such entrance requirement shall apply along Main Street, or when on other streets, such requirement shall apply along the higher order of street shown on the DOWNTOWN DISTRICT REGULATING PLAN, with "A" being the highest order and "E" being the lowest. Where both streets are the same order, entrance orientation may be to either street.

Variance: The Sam's Club is seeking a variance from this provision as the primary pedestrian entrance is not located on Main Street. Due to the operation of the warehouse club the corner primary pedestrian entrance needs to be located adjacent to the parking field. The elevation along Main Street has been enhanced to promote the look and feel of storefront elements.

2. All buildings with more than four (4) SIDEWALK AREA level residential units along a single street shall have individual entrances to such units directly accessible from the required SIDEWALK AREA or adjoining OPEN SPACE except in the HISTORIC ZONE. All walkways providing such access shall be shared between no more than two (2) adjacent units.
3. The first two (2) stories of building façades shall be brick, cast stone, concrete siding such as Hardiplank, natural wood or stone, with the exception of pedestrian entrances and windows. In

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DT-CBD (Central Business District) such requirements shall apply to the entire building façade along Main Street, Towne Lake Parkway, and Arnold Mill Road and building facades seen from such streets.

Variance: The Sam's Club is seeking a variance from this provision by using Quik Brik, EIFS, painted smooth and split faced block. Since the building façade is long Quik Brik and EIFS is introduced into the (6) storefront elements and the section of walls between the storefront elements will receive painted smooth and split faced block and glass block. Variation in materials allows for the breaking up of the façade

4. Awnings shall be of fabrics, canvas, fixed metal, or similar material. Internally lit awnings and canopies that emit light through the awning or canopy material are prohibited.

5. Blank, windowless walls are prohibited. All building stories with the exception of storefront treatments shall have windows and doors that equal a minimum of thirty (30) percent and maximum of sixty (60) percent of the total facade area with each story being calculated independently.

Variance: The Sam's Club is seeking a variance from this provision as no windows are incorporated in the design for the Main Street elevation. The warehouse club has high steel racks with merchandise stacked along the face of this elevation. The façade is broken up using (6) storefront elements of varying heights to match the grade along Main Street. Glass block is introduced in between the storefront elements to provide some light into and out of the building.

6. All windows shall be vertically shaped with a height greater than width, including display windows but not transoms.

Variance/Comply: The Sam's Club is seeking a variance on the windows but the glass blocks are in compliance with a window configuration with the height greater than the width.

7. Glass panels in windows and storefronts shall be clear and unpainted, and shall not be tinted such that views into the building are obstructed.

Variance: The Sam's Club is seeking a variance on glass panels but glass blocks are not intended to be clear vision. Storefront elements designed are faux windows so the Sam's Club is seeking a variance from the unobstructed views into the building. Due to the operation of a warehouse club and merchandise along the face of the façade does not lend to unobstructed views.

8. Entry façade window trim shall not be flush with the exterior wall and shall have a minimum relief of one-quarter-inch from the exterior wall.

Variance/Comply: The Sam's Club is seeking a variance on windows therefore considering a faux window design, it complies in that it is not flush with the exterior wall.

9. Doors and windows that operate as horizontal sliders are prohibited.

Variance/Comply: The Sam's Club is seeking a variance to not have doors and windows on Main Street, however, the front entrance doors are not located on Main Street so the horizontal sliders comply.

10. Window frames shall be recessed a minimum of two (2) inches from the exterior façade.

Variance: The Sam's Club is seeking a variance to not have windows therefore there are no windows frames in the exterior walls.

11. Porches and stoops shall not be enclosed with screen wire or glass.

12. Porch and arcade columns shall be a minimum width of eight (8) inches.

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- 13. Residential porches shall be covered and have a minimum depth of five (5) feet, a minimum length of eight (8) feet and a minimum area of forty (40) feet.
- 14. Exterior entry steps shall have enclosed risers.
- 15. Building foundations shall be brick, stone, stucco, or concrete with similar appearance.
- 16. Parking structures shall conceal automobiles from visibility; shall have the appearance of a horizontal storied building on all levels; shall be faced in brick, stone, cast stone, poured-in-place rubbed concrete, or pre-cast concrete faced in or having the appearance of brick or stone.
- 17. The minimum building height as measured along the BUILD-TO LINE shall be eighteen (18) feet in all subareas except DT-OS (OPEN SPACE), where there shall be no minimum building height.
- 18. All buildings shall have STREET FACADES with continuous STOREFRONT TREATMENT or RESIDENTIAL TREATMENT requirements as indicated in the Building Façade and Materials Requirements Table.

Variance: See Storefront Treatment Section

- 19. See Building Façade and Material Requirements Table for maximum building height requirements.

Building Façade and Materials Requirements Table									
Downtown District Subareas									
	DT-CBD Central Business District	DT-CMU Commercial Mixed-Use	DT-GC General Commercial	DT-CI Civic/Institutional	DT-RO Residential/Office	DT-MR-A Medium- density Residential A and DT-MR-B Medium- Density Residential B	DT-LR Low- density Residential and DT-VLR Very Low- density Residential	DT-OS OPEN SPACE	DT-HO HISTORIC ZONE
100% STOREFRONT TREATMENT at STREET FAÇADE FRONTAGE	• (within 400 feet of Main Street, Towne Lake Parkway, and Arnold Mill Road)								
RESIDENTIAL TREATMENT					•	•	•		•

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STOREFRONT TREATMENT or RESIDENTIAL TREATMENT at Street FAÇADE FRONTAGE	•	•	•			• (LIMITED USES only)			
Maximum building height	5 stories/85 ft.	8 stories/100 ft.	6 stories/85 ft.	None	40 ft. above street grade	5 stories/85 ft. or 65 ft. above Main Street, whichever is less	40 ft.	None	3 stories/40 ft.
Height bonus for minimum of 65% of parking structured	None	12 stories/150 ft. max.	10 stories/125 ft. max.	None	None	8 stories/100 ft. max.	None	None	None
Minimum ceiling height *(see STOREFRONT TREATMENT)	*14 ft. sidewalk level/9 ft. other	*14 ft. sidewalk level/9 ft. other	*14 ft. sidewalk level/9 ft. other	14 ft. sidewalk level/9 ft. other	*12 ft. sidewalk level/9 ft. other	*10 ft. sidewalk level/9 ft. other	9 ft. min.	9 ft. min.	10 ft. sidewalk level/9 ft. other
RESIDENTIAL TREATMENT sidewalk level finished floor to finished ceiling	NA	10 ft.	10 ft.	10 ft.	10 ft.	9 ft.	9 ft.	9 ft.	10 ft.

7.730. General Requirements.

1. The primary pedestrian entrance to all sidewalk level retail and eating and drinking establishments shall remain unlocked during business hours.
2. Primary sidewalk level pedestrian entrances to individual businesses and residential units shall be adjacent to required SIDEWALK AREA, PARK, PLAZA, or courtyard.

Variance: The Sam's Club is seeking a variance to have the pedestrian entrance away from Main Street.

3. Building façade materials shall be combined only horizontally, with the heavier below the lighter.

Variance: The Sam's Club is seeking a variance from the building materials shall be combined only horizontally. Due to the length of the wall the Main Street façade is broken up in (6) storefront elements vertically along the façade. There are elements that are horizontal as well.

Chapter VII - PERFORMANCE ZONING STANDARDS

ARTICLE VII. DISTRICT DEVELOPMENT STANDARDS

4. Chimneys shall extend to the ground.

Not Applicable.

5. All roofs shall have a minimum 25-year roof and no visible roll roofing.

Complies.

6. The height of fences and walls located between the STREET FAÇADE of principal structures and a street shall not exceed forty (40) inches and in other areas shall not exceed six (6) feet.

Not Applicable.

7. Fences and walls located along the alley right-of-way line shall be a minimum height of six (6) feet and seventy-five (75) percent opaque.

8. No barbed wire, razor wire, chain link or similar elements shall be visible from any public PARK, required SIDEWALK AREA, or SIDEWALK AREA level outdoor dining area.

Complies.

9. Loading docks and dumpsters shall be entirely screened from view of any PUBLIC OPEN SPACE or SIDEWALK AREA, with vertically enclosed opaque walls.

Complies: Truck dock doors face away from Main Street.

10. Utilities shall be placed underground or in alleys wherever feasible.

Complies.

11. Building mechanical and accessory features:

a. Shall be located to the side or rear of the principal structure or on rooftops and shall not be visible from any PUBLIC OPEN SPACE or SIDEWALK AREA.

Complies: Building mechanical will be located on the roof and will not be visible from any Public Open Space or Sidewalk Area.

b. When located on rooftops shall be incorporated in the design of the building and screened with materials similar to the building.

Complies: Screening of rooftop units will be incorporated in the design of the building.

7.767. Required Spaces.

The number of parking spaces required for a particular use shall be as set forth in the table below. These figures shall be used as minimum and maximum parking space requirements. There shall be no more and no less than the number of parking spaces set forth below. However, in the event of exceeding the required number, the parking spaces shall be a pervious material.

Use	Parking Spaces
Gas Station, including Convenience Store	One space per 300 square feet of gross floor area
Retail Store	One space per 300 square feet gross floor area

Shopping Center	One space per 300 square feet gross floor area
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Sam's Club is requesting a variance to increase the allowable parking ratio to a 4.0 spaces per 1,000 square feet of building area.

7.768. Interpretation of Required Spaces.

1. The parking requirements in the chart do not limit other parking requirements contained in these regulations.
2. The parking requirements in the chart do not limit special requirements, which may be imposed.
3. Where fractional spaces result, the parking spaces required shall be constructed to be the next highest whole number.
4. The parking space requirements for a use not specifically listed on the chart shall be the same as for a listed use of similar characteristics of parking demand generation.
5. Where parking structures are utilized, only spaces on the top level of any exposed structure shall be counted towards parking requirements.

7.769. Off-Street Loading Requirements.

Off-street loading shall be established in accordance with all applicable provisions of this section.

1. *Design Standards* - Where required, one (1) or more off-street loading spaces shall be provided on the same or adjoining premises with the facility it serves, either inside or outside a building and shall:
 - a) Have a minimum dimension of thirteen and one-half (13.5) feet by sixty (60) feet by fourteen and one-half (14.5) feet overhead clearance;
 - b) Be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys, and surfaced with erosion resistant material.
 - c) Be located so as not to hinder the free movement of vehicles nor pedestrians over a street, sidewalk, or alley.
2. *Use of Area* - Loading space(s) shall be maintained in a clean, orderly and dust-free condition at the expense of the owner or leasee and not be used for the sale, repair, dismantling nor servicing of any vehicles, equipment, and materials or supplies.
3. *Mixed Uses in a Building* - Where a building is used for more than one use or for different uses, and where the floor area used for each use for which loading space is required is below the minimum for required loading spaces but the aggregate floor area used is greater than such minimum, than off-street loading spaces shall be provided as if the entire building were used for that use in the building for which the most spaces are required. In such cases, the Building Inspector may make reasonable requirements for the location of required loading spaces.

Chapter II DEFINITIONS

Chapter II DEFINITIONS ⁽¹⁾

For the purpose of this Ordinance and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; words used in the singular number include the plural, and words in the plural number include the singular; the word "person" includes a firm, partnership, association, governmental body, corporation and all other legal entities. The term "shall" is mandatory and the word "may" is permissive. The word "used" or "occupied" as applied to any land or Building shall be construed to include the words "intended, arranged, or designed to be used or occupied." The masculine gender includes the feminine and neuter. Where requirements are set based on number of days, days are computed based on the calendar, except that when the final date falls on a weekend or holiday, the day due shall continue until the next regular working day.

The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout the Ordinance. Terms not herein defined shall be as defined elsewhere in the Ordinance, or as defined in Webster's New World Dictionary of the American Language-Second College Edition and shall have the meaning customarily assigned to them.

Build-To Line: The Build-To Line is the line along which the building Street Facade is permitted to be located. The distance between the Build-To Line and the nearest street curb is equal to the Sidewalk Area width requirements, except where Public or Private Open Space is adjacent to the Sidewalk Area, the Build-To Line shall extend around the perimeter of such Open Space Requirements include the minimum Street Facade Frontage of principal structures.

Downtown District: The area approved on the accompanying Downtown District Subarea Map, which includes areas surrounding the intersection of Towne Lake Parkway and Arnold Mill Road and Main Street.

Downtown District Regulating Plan: The Downtown District Regulating Plan is a supplement to the Official Zoning Map and shall only apply to the Downtown District and identifies street types for the purposes of regulating street and Sidewalk Area requirements.

Sidewalk Area: Begins at the street curb and consists of a contiguous Sidewalk Landscape Zone, Sidewalk Clear Zone, and Sidewalk Supplemental Zone including intervening driveways.

1. Sidewalk Landscape Zone: The portion of a Sidewalk Area adjacent to the street curb and reserved for the placement of trees, groundcover, and street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, traffic control boxes, tree grates, newspaper boxes, bus shelters, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.
2. Sidewalk Clear Zone: The portion of a Sidewalk Area that is reserved for pedestrian passage and is unobstructed by permanent objects to a height of eight (8) feet, including but not limited to, steps and stoops, traffic control boxes, and utility structures. The Sidewalk Clear Zone shall be adjacent and between the Sidewalk Landscape Zone and the Sidewalk Supplemental Zone and shall have a consistent cross-slope not exceeding two (2) percent.
3. Sidewalk Supplemental Zone: The area between the back of the Sidewalk Clear Zone and the Build-To Line. Adjacent to Storefront Treatments, Sidewalk Supplemental Zones may be used for pedestrian amenity elements such as benches, merchandise display, potted plants, and decorative fountains. Outdoor dining is permitted only when adjacent to eating and drinking establishments. Elements that are prohibited in the Supplemental Zone include: recreational areas and facilities such as swimming pools, tennis courts; fences and walls greater than forty (40) inches in height; service elements such as dumpsters, loading docks and similar elements; mechanical features; and parking. Public access may be restricted only for areas adjacent to Residential Treatment, and for outdoor dining areas when adjacent to Storefront Treatments. No element shall be attached to the Sidewalk Supplemental Zone in any way.

Chapter II DEFINITIONS

Sign, or other Advertising Device: Any Structure or part thereof or device attached thereto or represented thereon, which shall display or include any letter, words, model, banner, flag, pennant, insignia, or representation used as, or which is in the nature of an announcement, direction, or advertisement. The word "sign" includes the word "billboard" or any other type of advertising device.

Storefront Treatment: An architectural treatment that:

1. Is provided on the sidewalk level of a Street Facade.

Complies: The Sam's Club is seeking a variance for the provision of providing all elements dictated in the Storefront Treatment Definition and is to be treated as a faux storefront.

2. Provides Habitable Space for a minimum of the first twenty (20) feet in depth behind the Street Facade.

Complies: The Sam's Club is seeking a variance for the provision of providing all elements dictated in the Storefront Treatment Definition and habitable space is provided but not as defined here.

3. Provides a display window area consisting of:

- a. A non-glass base or knee wall beginning at grade and extending to a point no less than eight (8) inches but not more than twenty-four (24) inches above the Sidewalk Area at the Build-To Line.

Complies: The Sam's Club is seeking a variance for the provision of providing all elements dictated in the Storefront Treatment and display windows are not applicable to a warehouse operation facility.

- b. A glass display window a minimum of seventy-five (75) percent of the length of the built portion of the Build-To Line beginning at the top of the bulkhead or knee wall, to a height not less than ten (10) feet and not more than twelve (12) feet above said Sidewalk Area at the Build-To Line below the base of the window. Such glass shall provide views into display windows that have a minimum depth of two and one-half (2½) feet into and are accessible from the building interior.

Variance: The Sam's Club is seeking a variance for the provision of glass display windows in that the storefront elements do not contain any glass. Display windows are not applicable to a warehouse operation facility.

- c. Primary pedestrian entrances on the Street Facade recessed a maximum of seven (7) feet from the exterior facade, remain unlocked during normal business hours, and have a surface area that is a minimum of seventy (70) percent glass.

Variance: The Sam's Club is seeking a variance for this provision in that the primary pedestrian entrances are not located along the Street Façade. The pedestrian entrance is located near the parking field as noted above.

- d. A glass transom located along the Street Facade of a structure above the glass display window and entry door shall have a minimum height of twenty-four (24) inches and a maximum height of thirty-six (36) inches.

Variance: The Sam's Club is seeking a variance for this provision in that the primary pedestrian entrances are not located along the Street Façade. Glass transoms are part of the the pedestrian entrance that is located near the parking field as noted above.

- e. Provides no length of facade exceeding twenty (20) feet without intervening glass display windows or glass doors.

Variance: The Sam's Club is seeking a variance for the provision of glass display windows in that the storefront elements do not contain any glass. Display windows are not applicable to a warehouse operation facility.

Chapter II DEFINITIONS

4. A non-glass sign band located above the glass transom having a minimum height of thirty-six (36) inches.

Not Applicable.

5. A cornice line above the sign band a minimum height of eight (8) inches.

Not Applicable.

6. Street address numbers, a minimum of six (6) inches in height located above the primary pedestrian entrance.

Complies.

7. Recesses any sidewalk level drop ceiling a minimum of eighteen (18) inches from the display window opening.

Not Applicable.

8. Finished floor to ceiling slab shall be a minimum of eighteen (18) feet. Finished ceiling height shall be a minimum of fourteen (14) feet.

Not Applicable.

Street Facade: The exterior wall of a building, not including extruding structures such as porches, stoops or bay windows, that is located along the Build-To Line or street without an intervening building or Street Wall.

Street Facade Frontage: The percent of Street Facade required along the Build-To Line.

Street Wall: A wall no less than seventy-five (75) percent opaque built along the Build-To Line and co-planer with the Street Facade, often for the purpose of masking a parking lot from the street. Street Walls shall be a minimum of three and one-half (3½) feet in height, and constructed of a material matching the adjacent Street Facade or dense evergreen hedge. Street Walls shall be discontinued no more than necessary to allow automobile and pedestrian access. The Street Wall shall have other individual openings not exceeding four (4) square feet in area at height of less than three and one-half (3½) feet.

FOOTNOTE(S):

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Editor's note— Ord. of 9-12-2011(1), § 1(Exh. A), repealed Ch. II and enacted a new Ch. II as set out herein. The former Ch. II pertained to similar subject matter and derived from Ord. of 7-12-2010(1), Exh. A. ([Back](#))