



SIA FORM BASED CODE

ZT19-10-02; ZM19-10-02

Abstract:

The following document is a revised proposed FBC that incorporates many of the comments received by the Planning Commission prior to and during the November 12, 2019 Public Hearing

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Amend City Code Article VI (Mixed Use Districts) to add a new section 34-797:

City Code 34-797. SIA Form-Based Code Regulations

Regulations applicable to certain land within the City’s Strategic Investment Area, within areas classified on the City’s Zoning Map (see Sec. 34-1) as a “T4”, “T5” or “T6” transect zone, are set forth within Appendix A to this zoning ordinance, and are incorporated herein by reference. The regulations set forth within Appendix A shall be zoning regulations enforceable as provided in Division 5 of the zoning ordinance, Sec. 34-81 et seq.

APPENDIX A—SIA FORM-BASED CODE REGULATIONS

1.0 GENERAL PROVISIONS

1.1 PURPOSE

1.1.1 Implementation of the Comprehensive Plan

The purpose of this Appendix is to implement recommendations of the Strategic Investment Area Plan (“SIA Plan”), a component of the City’s Comprehensive Plan.

1.2 APPLICABILITY

1.2.1 Generally

The provisions of this Appendix apply to the land, buildings, structures and other premises within areas classified on the Zoning Map (see City Code Sec. 34-1) as a “T4”, “T5” or “T6” transect zone. All buildings, structures and premises, and every use of land or any building, structure or premises, shall comply with the regulations of the applicable transect zone as set forth herein.

1.2.2 Relation to other zoning ordinance provisions

The regulations and standards set forth within this Appendix shall have the following relationship to other provisions of the zoning ordinance:

- a. Where **Table 1.2**, below, specifies that a zoning ordinance section is replaced by any provision(s) within this Appendix, the provisions of this Appendix shall supersede and replace the provisions of the referenced zoning ordinance section.
- b. Generally-applicable provisions within the City’s zoning ordinance shall apply, except as noted within **Table 1.2**, below.
- c. Standards set forth within these zoning district regulations for streets, sidewalks, and other public facilities shall supersede any conflicting standards within City Code Chapter 29, and shall be deemed and interpreted as regulations enacted pursuant to Va. Code §15.2-2240 et seq.

- d. Standards set forth within these zoning district regulations for streets, sidewalks and other public facilities shall supersede any conflicting standards within the City's Standards and Design Manual.
- e. Except as otherwise provided within this Appendix, conflicts between the provisions of this Appendix and other provisions of Chapter 34 of the City Code shall be resolved in accordance with sec. 34-6.

Table 1.2 Relation to other Zoning Ordinance provisions

Article VI			
Division 3. - Regulations - Downtown Extended Corridor (DE)			
	Sec. 34-563	Off-street loading areas	Replaced by Sec. 10.2
	Sec. 34-576	Uses allowed	Replaced by Sec. 8
Article VI: Mixed Use Corridor Districts	Sec. 34-577	Height regulations	Replaced by Sec. 6.1
	Sec. 34-578	Street wall regulations	Replaced by Sec. 6.2
	Sec. 34-579	Buffer regulations	Applicable
	Sec. 34-580	Density	Replaced by Fig. 2.3 & Tables 4.1 to 4.3
	Sec. 34-582	Mixed-use developments	Replaced by Fig. 2.3 & Tables 4.1 to 4.3
	Sec. 34-583	Additional regulations	Applicable
	Sec. 34-796	Use Matrix (for DE district)	Applicable To T4, T5 and T6
Related Sections			
Article I: Administration	Sec. 34-12	Affordable dwelling units	Replaced by Sec. 1.8
Article VII	Sec. 34-800 et seq.	Site Plan Submission and Review	Replaced by Sec. 1.5
Article VIII	Division 5	Public areas, facilities and uses	34-910 and 34-913 shall not apply; otherwise applicable
	Sec. 34-972	Location, yard areas, and driveways	34-972(b) (6) shall not apply ; otherwise applicable
Article IX: General Applicable Regulations	Sec. 34-973	Off-site locations permitted	34-873(6) shall not apply; otherwise applicable
	Sec. 34-984	Off-street parking requirements	Replaced by Sections 10.1 & 10.2
	Sec. 34-1020 et seq.	Signs	Applicable to T4, T5 and T6
	Sec. 34-1100	Height - application of district regulations	34-1100(b) shall not apply ; otherwise applicable
	Sec. 34-1123	Lot area requirements	Replaced by Tables 4.1 to 4.3
	Sec. 34-1144(b) ; 34-1145, 34-1146 and 34-1147	Non-conforming lots, buildings, and uses	Replaced by Sec. 1.3

1.3 NON-CONFORMITIES

1.3.1 Nonconforming uses

A non-conforming use may be continued, if: (i) the non-conforming use or a more restricted use continues and is not discontinued for more than two (2) years, and (ii) the building or structure in which such use is conducted is not structurally altered. A building or structure containing a nonconforming use may be structurally altered, without affecting the status of the nonconforming use, in accordance with Sec. 1.3.2, below.

1.3.2 Nonconforming buildings and structures

Whenever a building or structure is erected, constructed, reconstructed, or altered, the building or structure shall comply with the requirements and standards of this Appendix. Any nonconforming building or structure may be altered or expanded, if the alteration or expansion decreases the nonconformity and thereby results in greater conformance with the regulations and standards of this Appendix.

1.3.3 Nonconforming lots

Any nonconforming lot may be modified, if the modification decreases the nonconformity and thereby results in greater conformance with the regulations and standards of this Appendix.

1.4 ZONING CLASSIFICATIONS OF LAND

- 1.4.1 The land subject to this Appendix is identified on the City's Zoning Map as being within a transect zone identified as "T4", "T5" or T6". See City Code §34-1. For a description of the transect zones, see Sec. 3.0 of this Appendix.

1.5 VERIFICATION OF COMPLIANCE WITH CITY CODES AND STANDARDS; DEVELOPMENT PLANS

- 1.5.1 No permit shall be issued by the City's building code official for construction or alteration of a building or structure, until a landowner has submitted to the department of NDS the information required by City Code §34-1125(1) and (2), and the department of NDS verifies that the proposed construction or alteration will comply with the regulations and standards of this Appendix and with applicable requirements of City Code chapters 10, 29 and 31.

- 1.5.2 When any proposed construction will be used for any commercial or industrial purpose, or when any area of land on which any building(s) are proposed to be constructed will contain three (3) or more residential dwelling units then a plan of development must be approved prior to issuance of any building permit (including any permit for demolition of existing any existing building(s) or structure(s)). The required plan of development shall include or be accompanied by all of the following:

- 1.5.2.1 Regulating Plan, for development sites having an area of two (2) or more acres (See Sec. _____)

- 1.5.2.2 Building elevations and other drawings, schedules, calculations and details necessary to demonstrate compliance with applicable zoning regulations (See Sec. 1.5.3, below)

- 1.5.2.3 A final stormwater management plan for all phases of construction within the common plan of development or sale, as required by City Code Chapter 10 and state regulations.

- 1.5.2.4 An erosion & sediment control plan, as required by City Code chapter 10 and state regulations.

1.5.2.5 Construction plans and specifications for public facilities (all public streets, curb, gutter, sidewalk, and bicycle or pedestrian paths; all public water, sewer, storm sewer, and gas lines, and related facilities; and any other improvement(s) proposed to be constructed and dedicated for public use, to be operated and maintained by the city).

If all public facilities will not be completed prior to the issuance of the first building permit within a development, then a construction phasing plan shall accompany the construction plans. The construction phasing plan shall delineate sections within the entire area of the common plan of development or sale, and shall identify the schedule for completion and acceptance by the city of various public facilities within each section of the development relative to the occupancy of any buildings and structures to be served by those public facilities and improvements. Upon approval by the City of the proposed delineated sections, then the developer may submit construction plans separately for each delineated section and shall not be required to furnish any bond in the amount of the estimated construction cost of the facilities or improvements dedicated for public use, until such time as construction plans have been submitted and approved for the section in which the facilities or improvements are to be located.

1.5.2.6 Deeds of easement, and easement plats, for all public utility lines and related facilities (water, sewer, storm sewer and gas utilities).

1.5.3 The director of neighborhood development services is hereby designated as the City's agent for review of every plan of development within the T4, T5 and T6 transect zones. The agent may delegate responsibility for review of plans to one or more employee(s) over whom he or she exercises supervision. This provision supersedes any conflicting provision(s) within Article VII of this chapter.

1.5.4 The agent shall from time to time, by written regulations, establish submission requirements for plans of development, to assist applicants with preparation of documents in a manner that will contain sufficient details allowing verification of compliance with zoning regulations. In establishing submission requirements, the site plan agent shall consult with the city attorney and the city engineer. The regulations shall be posted prominently on the neighborhood development services website, and the regulations, and changes to the regulations, shall be posted ten (10) business days in advance of taking effect.

1.5.5 The agent shall act on any proposed development plan that includes bonus height (with minimum required ADUs) within 21 days after it has been officially submitted for approval. Otherwise, review of a development plan shall be conducted in accordance with Virginia Code sec. 15.2-2259. A development plan is “officially submitted” when it satisfies all submission requirements established by the site plan agent and all fees required by the City’s fee schedule have been paid.

1.5.6 Preliminary development plans are not allowed within the T4, T5 or T6 transect zones.

1.5.7 *Reserved.*

1.6 INCENTIVE (BONUS HEIGHT) FOR AFFORDABLE HOUSING

1.6.1 A landowner may be authorized to construct a building to a height in excess of that allowed by Sec. 6 of this Appendix, if the landowner demonstrates compliance with all of the eligibility criteria in 1.6.2.

1.6.2 Eligibility Criteria

1.6.2.1 Affordable dwelling units (ADUs) will be provided within the building for which bonus height is sought, and each of the ADUs will be committed to remain continuously affordable over a period of **at least thirty (30) years** (“Affordability Period”).

1.6.2.2 The landowner shall provide a binding commitment for a specific number of ADUs to be established and maintained affordable, at various levels of affordability in accordance with **Table 1.6**, below, throughout the Affordability Period.

1.6.2.3 The landowner shall provide a binding commitment requiring the ADUs to satisfy all of the following requirements:

- (i) The distribution of Affordable Units within the building shall be proportional to that of the Market-Rate Units (e.g., if the Market-Rate Units have a mix of 30% studios, 40% one-bedrooms, and 30% two-bedrooms, the Affordable Units shall have a similar mix)
- (ii) The Affordable Units shall be of a size substantially similar to the Market-Rate Units within the building, provided that Affordable Units may be the smallest size of each market rate type (studio, 1-bedroom and 2 bedroom units) and have no luxury-scaled unit counterpart
- (iii) Landowner agrees that the interior base finishes, appliances and equipment in the Affordable Units shall be functionally equivalent to the Market-Rate Units within the building

- (iv) Affordable Units shall be disbursed throughout the building and shall not be concentrated on any one floor, or within a tier or section of the building
- (v) **Other?**

1.6.2.4 The construction plans submitted with the landowner’s building permit application shall demonstrate compliance with 1.6.2.2 and 1.6.2.3, above.

1.6.2.5 The term “binding commitment” refers to an affordable housing covenant, in a form approved by the City Attorney’s Office, which must be recorded within the land records of the Charlottesville Circuit Court prior to issuance of a building permit for any building(s) or structure(s) for which a height bonus is to be awarded.

1.6.2.6 The city council hereby authorizes the director of NDS to adopt written regulations for the administration of this section 1.6. Pursuant to sec. 34-82(b)(1), the failure of any person to comply with such regulations constitutes unlawful conduct in violation of this section.

Table 1.6: Affordable Dwelling Unit Bonus Heights

T-Zone	By-Right Height	Max. Add'tl Bonus Height	Total Height	Min % of ADUs	Minimum ADUs by Affordability	
					50% of AMI	60% of AMI
T4	3 Stories	+1 Story	4 Stories	10-15%	10%	15%
T5	4 Stories	+2 Stories	6 Stories	10-15%	10%	15%
T6	5 Stories	+4 Stories	9 Stories	10-15%	10%	15%

Note: Share of units that must be ADUs is calculated on the number of incremental units made possible by the additional height.

1.7 INCENTIVE (PARKING REDUCTION) FOR AFFORDABLE HOUSING

1.7.1 If a landowner demonstrates compliance with the eligibility criteria in 1.7.2, then the landowner may obtain (i) up to a maximum 30% reduction of the parking requirements for all ADUs, or (ii) up to a maximum 60% reduction of the parking requirements for all ADUs reserved as housing for the elderly.

1.7.2 Eligibility Criteria

1.7.2.1 The landowner shall provide a binding commitment that fifteen percent (15%) of all dwelling units within the development will be ADUs that will remain continuously affordable over a period of 20 years (“Affordability Period”).

1.8 INCENTIVE FOR COMMUNITY AMENITIES

1.8.1 If a landowner demonstrates compliance with the eligibility criteria in 1.8.2, then the landowner may reduce the minimum number of ADUs required by 1.6 or 1.7, above, by one (1) ADU.

1.8.2 Eligibility Criteria

1.8.2.1 The landowner shall provide a binding commitment for space to be reserved for use as a child care facility within the development, and

1.8.2.2 The binding commitment will reserve the space for a period of at least 10 years.

1.8.3 “Binding commitment” for purposes of section 1.8.2, means that the space is leased to the City of Charlottesville for a term of years, not less than required by 1.8.2.2, above, upon terms and conditions acceptable to the City Manager in his or her sole discretion, and the City has the right under the lease to sublease the space to a public or private entity that will operate a child care facility or business support computer lab.

2.0 FRAMEWORK PLAN

2.1 THE FRAMEWORK PLAN

2.1.1 All uses of land, and the location, erection, construction, reconstruction, and alteration of any building or structure, shall comply with the requirements of the Framework Plan, see **Figure 2.2**, as to:

2.1.1.1 Fixed street connections and trajectory

2.1.1.2 Variable street connections and trajectory

2.1.1.3 Variable pedestrian connections

2.1.1.4 Designation of A or B Streets

2.1.1.5 Location of mandatory open space

2.1.1.6 Location of non-mandatory open space

2.1.1.7 Types of permitted open space

2.1.1.8 Location of mandatory retail at grade

2.1.2 The following deviations from the requirements of the Framework Plan are permitted, subject to compliance with Sec. 2.2 through 2.7:

2.1.2.1 **Variable streets**: within a development plan, a landowner may propose a new street trajectory for a variable street, if the variable street connects to a fixed street where illustrated on the Framework Plan.

2.1.2.2 **Retail at grade**: in locations where the Framework Plan requires mandatory retail at grade, a landowner may reduce the amount of retail at grade, but under no circumstances shall the retail at grade space be less than 50% of the ground floor of the building.

2.1.2.3 **Non-mandatory open space**: when the Framework Plan depicts open space but does not specify a mandatory location, a landowner may designate the specific location of the open space, so long as the location designated is in the general or approximate location depicted within the Framework Plan.

2.1.2.4 **Types of open space**: a landowner may change the type of open space (mandatory or non-mandatory) referred to within the Framework Plan. **Table 2.1A**, below, specifies the types of open space and the required location and dimensions for each type. **Table 2.2** specifies the permissible uses of open spaces, by type.

Table 2.1A Open Space Design – Location and Dimensions

Open Space Type	Location and Dimensions				
	Zones	T-Fare Frontage	Size	Dimension	
	A. Park	T4	1 side min.	1 ac. min. 10 ac. max.	n/a
	B. Green	T4	2 sides min.	0.5 ac. min. 5 ac. max.	80 ft. min.
	C. Square	T4, T5, T6	2 sides min.	0.2 ac. min. 3 ac. max.	80 ft. min.
	D. Plaza	T5, T6	1 side min.	0.2 ac. min. 2 ac. max.	60 ft. min.
	E. Pocket Park	T4, T5	1 side min.	1,000 sf. min. 0.25 ac. max.	30 ft. min.
	F. Passage (mid-block)	T4, T5, T6	n/a	n/a	12-40 ft. in width

Table 2.1B Permitted Open Space Uses

Use	A. Park	B. Green	C. Square	D. Plaza	E. Pocket Park	F. Passage (mid-block)
Active Uses						
Athletic Fields (structured)	Permitted	-	-	-	-	-
Athletic Fields (unstructured)	Permitted	Permitted	-	-	-	-
Community Garden	Permitted	Permitted	-	-	Permitted	-
Dog Park (enclosed)	Permitted	-	-	-	-	-
Exercise Equipment	Permitted	Permitted	Permitted	-	Permitted	-
Performance Space	Permitted	Permitted	Permitted	Permitted	-	-
Playground	Permitted	Permitted	Permitted	-	Permitted	-
Paths (walking & cycling)	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Skate Park	Permitted	Permitted	Permitted	Permitted	-	-
Swimming Pool	Permitted	-	-	-	-	-
Passive Uses						
Conservation Area	Permitted	Permitted	Permitted	-	-	-
Concerts	Permitted	Permitted	Permitted	Permitted	-	-
Farmers Market	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Festivals	Permitted	-	-	-	-	-
Furniture Games	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Outdoor Dining	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Food Sales	Permitted	Permitted	Permitted	Permitted	-	Permitted
Public Art	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Water Features	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted

2.2 STREET NETWORK

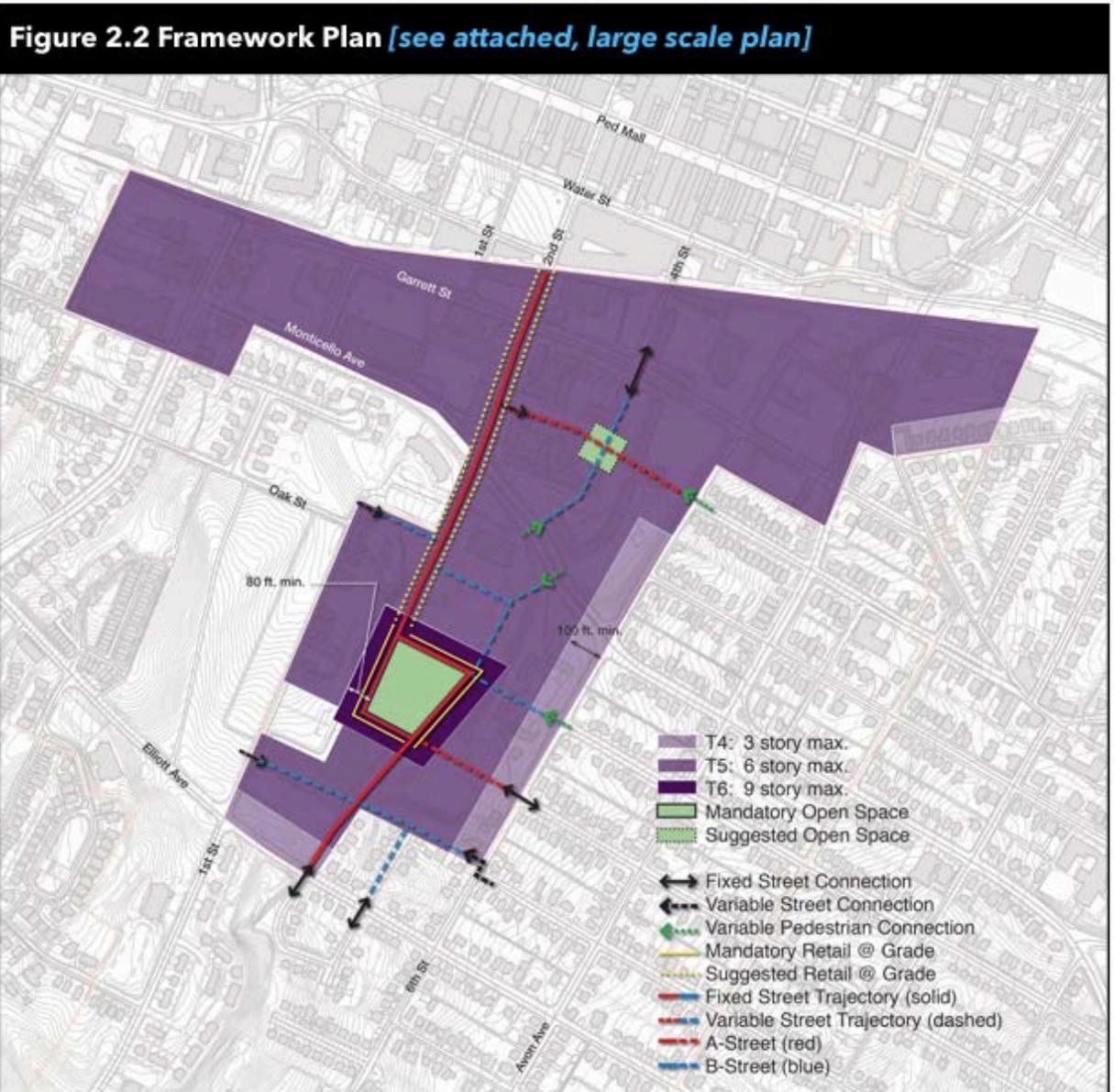
- 2.2.1 All construction and development must occur within the street network required by the Framework Plan, see **Figure 2.2**.
- 2.2.2 Within a development containing four (4) or more acres of land, a street network shall divide the area into blocks that meet the requirements of **Section 5**.
- 2.2.3 Where the Framework Plan requires street connectivity between existing streets, a development shall provide the connection.
- 2.2.4 Where the Framework Plan identifies a variable right of way trajectory, dedicated rights-of-way and constructed streets may deviate from the Framework Plan only as follows:
 - 2.2.4.1 where right-of-way intersections are identified as fixed, dedicated right-of-way and constructed streets shall connect to each intersection where indicated, or
 - 2.2.4.2 where right-of-way intersections are identified as variable, dedicated right-of-way and public streets shall connect within 200 feet of the location indicated.
- 2.2.5 Streets to be used for vehicular travel shall be designated as A-streets or B-streets, as follows:
 - 2.2.5.1 A-streets are active streets that prioritize pedestrian and bicycle access over vehicular access to the interior of lots.
 - 2.2.5.2 B-streets are service streets that prioritize vehicular access to interior parking and service entrances over pedestrian and bicycle access.
 - 2.2.5.3 A street may change in character between A- and B-street standards along its length, except that no B-street segment may be implemented between two A-street segments. Any change in character from an A-street to a B-street shall be implemented at an intersection; no such change may be implemented mid-block.
- 2.2.6 Pedestrian streets are permitted as part of the street network, subject to the following:
 - 2.2.6.1 Pedestrian streets are considered equivalent to A-streets.
 - 2.2.6.2 Pedestrian streets shall be a minimum of 24 feet in width.

2.2.6.3 Pedestrian streets may not exceed twenty percent (20%) of the total street centerline length within the Framework Plan.

2.2.7 Bicycle facilities within Framework Plan area shall be subject to the following:

2.2.7.1 Bicycle facilities shall connect to the bicycle network shown in the City's current Bicycle and Pedestrian Master Plan.

2.2.7.2 Bicycle facilities shall comply with City design guidelines (see City's Standards and Design Manual).



2.3 STREET DESIGN STANDARDS

2.3.1 Sidewalks

2.3.1.1 Sidewalks shall be a minimum of 12 feet in width along A-streets and 6 feet in width along B-streets.

2.3.1.2 Sidewalks shall be clear of obstructions for a minimum of 6 feet in width along A-streets and 4 feet in width along B-streets, along their entire length.

2.3.1.3 Sidewalks shall be continuous along the perimeter of blocks.

2.3.1.4 Crosswalks shall be provided at all street intersections.

2.3.2 Outdoor dining

2.3.2.1 Outdoor dining areas are permitted along A-streets.

2.3.2.2 Outdoor dining areas shall be integrated with sidewalks, not separated by changes in grade, permanent walls, or permanent fences.

2.3.2.3 Furniture within outdoor dining areas, and other areas within a public right of way shall be durable and able to withstand outdoor use. Furniture color shall be compatible with adjacent building color and materials.

2.3.2.4 Outdoor dining areas within any public right of way area shall be subject to applicable provisions of City Code Chapter 28.

2.3.3 Street furnishings

2.3.3.1 Bicycle parking shall be provided along all sidewalks and in corrals adjacent to high-volume uses (e.g., theaters, offices, and multifamily dwelling units).

2.3.3.2 Bicycle racks shall be permanently anchored to a concrete footing.

2.3.3.3 Trash receptacles shall be provided along all A-streets, spaced no further than 200 feet apart.

2.3.3.4 Public seating shall be provided along streets, located between walkways and on-street parking, and shall be regularly spaced along the street trajectory. Seating shall be provided as fixed benches or tree-planter integrated seating.

2.3.3.5 The placement of street furnishings in public rights-of-way shall be further subject to requirements of City Code Chapter 28 or to rules or regulations established by the City Manager or designee to ensure pedestrian passage and ADA accessibility and to ensure no interference with public operations (street cleaning, snow removal, etc.).

2.3.4 Streetscape trees

- 2.3.4.1 Street trees shall be provided in accordance with City Code Sec. 34-870 and applicable design standards (see City's Standards and Design Manual). In the event of any conflict(s) among the requirements of this section and any requirements of either City Code sec. 34-870 or the Standards and Design Manual, the most restrictive regulation or requirement shall apply.
- 2.3.4.2 Streetscape tree wells shall be a minimum of four by 10 feet and shall be installed adjacent to the curb.
- 2.3.4.3 Streetscape trees shall be spaced according to their mature canopy size, typically between 25 and 40 feet between trees. The city arborist is hereby authorized to establish spacing standards for particular species of trees, consistent with the provisions of sec. 34-870; when such spacing standards have been established and incorporated into the City's Standards and Design Manual, street trees will comply with them.
- 2.3.4.4 Streetscape trees shall be provided along all vehicular streets. These trees shall be large canopy trees selected from species on the City's Tree List. Where a vehicular street has a right-of-way width of 60 or more feet, the required streetscape trees shall be planted in an allee pattern with regular spacing on both sides of the street. If the street right of way width is less than 60 feet, the required streetscape trees shall be planted either in an allee pattern or an alternating pattern, with regular spacing on both sides of the street.
- 2.3.4.5 Streetscape trees shall be planted parallel to travel lanes, centerline within 6 feet of curbs, except where the street is a shared space street, or it passes through an open space.
- 2.3.4.6 Where medians are provided, streetscape trees shall be planted within the median, matching the tree spacing along curbs
- 2.3.4.7 Where arcades or galleries are used, streetscape trees shall be planted wherever space allows.
- 2.3.4.8 In locations where both streetscape trees and other street plantings are provided, street plantings shall be installed in line with streetscape trees and along lot frontages. Street plantings shall be installed at ground level or in moveable, raised planting boxes or urns. Permanent raised boxes for street plantings are prohibited within the public right of way; permanent raised boxes for plantings adjacent to a public right of way are allowed if they are twelve (12) inches or less in height.

2.3.5 On-street parking

2.3.5.1 On-street parking shall be provided along all street frontages, except where streets pass through open space.

2.3.5.2 On-street parking shall be provided as parallel parking spaces; however, non-parallel parking may be provided if compatible with the design of the street and with accepted safety standards (see City's Standards and Design Manual).

2.3.5.3 Parking spaces shall not exceed a maximum of 8 feet in width or a maximum of 22 feet in length, unless otherwise required by federal or state law.

2.3.6 Vehicular travel lanes

2.3.6.1 Vehicular travel lanes may not exceed 10 feet in width per lane, unless otherwise required by mandatory engineering or safety requirements.

2.3.6.2 Streets within the Framework Plan area shall not have more than 2 vehicular travel lanes.

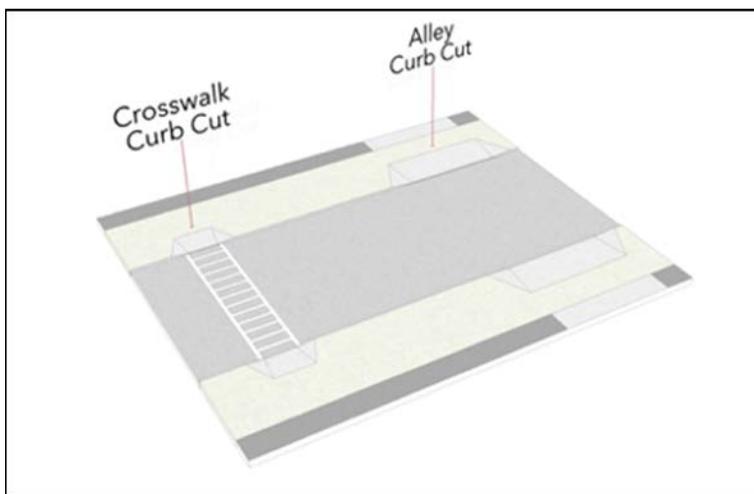
2.3.7 Curbs

2.3.7.1 Curbs shall have a maximum vertical dimension of 6 inches and a minimum dimension of 4 inches.

2.3.8 Curb cuts

2.3.8.1 Curb cuts shall meet all applicable ADA and City standards and shall comply with the standards illustrated in **Figure 2.3**.

Figure 2.3 Curb Cuts



2.3.9 Curb return radii

- 2.3.9.1 Curb return radii is limited to a 15-foot effective turning radius. Mountable curbs shall be provided when mandatory engineering or safety requirements require larger radii

2.3.10 Lighting

- 2.3.10.1 Lighting shall be provided according to Sec. 7.11

2.4 OPEN SPACE

- 2.4.1 The Framework Plan indicates locations for open space, either as a mandatory location or as a general or approximate location. Every lot and all of the area within any development shall provide open space as required by the Framework Plan and other provisions within this Appendix.
- 2.4.2 Prior to issuance of any building permit, the specific location and type of required open space shall be designated within a final site plan or Regulating Plan or, if neither of those is required, the location of required open space shall be verified in accordance with [Sec.34-827\(d\)\(2\)](#).
- 2.4.3 Development sites having an area greater than one acre shall provide Open Space Types B, C, D, E, or publicly accessible courtyards. See **Table 2.1A**.
- 2.4.3.1 Open Space Types C and D shall be activated along their perimeter by ground-floor commercial uses (not residential or office uses).
- 2.4.3.2 Existing open space includes publicly accessible space at ground level and to a maximum of 36 inches above grade.
- 2.4.3.3 Courtyard areas that are publicly accessible may be counted as open space.
- 2.4.3.4 For purposes of this section, “publicly accessible” means that an open space has frontage on a public street (“T-Fare”) as specified in **Table 2.1A** (or, if a courtyard, the courtyard has a pedestrian connection to a public street), the open space area is visible from the public street frontage or connection, and there are no permanent barriers (walls, fences, gates, hedges or other plantings, etc.) that preclude ingress and egress to the open space from the frontage. Walls, hedges or hedges may be utilized, if they do not exceed a height of four (4) feet and there is at least one unobstructed opening per frontage or connection allowing access to the open space.
- 2.4.3.5 Areas under permanent kiosks or other permanent covered spaces shall not be counted as open space.

2.5 OPEN SPACE DESIGN STANDARDS

- 2.5.1 Open Space Types B, C, D and E shall be of the character and shall be configured consistent with the conceptual illustrations in **Table 2.1A**.
- 2.5.2 If any Open Space of Type B, C, D or E provides more than one frontage, then one of the frontages may be a pedestrian street.
- 2.5.3 Open spaces shall provide for active and passive uses, according to **Table 2.2**. Uses not listed in **Table 2.1B** which are determined by the site plan agent to be similar to those listed in **Table 2.2** are permitted, provided they are identified within a development plan.
- 2.5.4 Open spaces shall contain benches, trash receptacles and bike racks, in keeping with the scale of the place.
- 2.5.5 Plantings within open spaces shall be depicted within a landscaping plan, which shall satisfy the requirements of City Code §34-867.

2.6 RETAIL SPACE STANDARDS

- 2.6.1 All ground floor retail space shall meet the storefront requirements of Sec. 7.6 for a minimum depth of 20 feet.
- 2.6.2 Ground floor retail space shall be provided in the locations required by the Framework Plan.

2.7 REGULATING PLAN REQUIREMENTS

- 2.7.1 When a Regulating Plan is required by **Sec. _____**, the Regulating Plan shall apply the requirements of the Framework Plan to the proposed development and shall:
 - 2.7.1.1 Establish and depict a street network, and specify street type(s) (see Sec. 2.2)
 - 2.7.1.2 Specify and depict the applicable street design(s) (see Sec. 2.3)
 - 2.7.1.3 Identify the applicable transect zone
 - 2.7.1.4 Delineate the dimensions of buildable lots
 - 2.7.1.5 Delineate the location and dimensions of each open space
 - 2.7.1.6 Specify the type(s) of open space
 - 2.7.1.7 Depict the location and design of off-street parking areas and the location of access from adjacent public street(s) into the development site

- 2.7.1.8 Provide elevations depicting the height of each building and structure, for all building façade(s). Minimum and maximum building heights shall be specified, within the building height allowed by the applicable transect zone.
- 2.7.1.9 Provide elevations depicting the height of each building story
- 2.7.1.10 Identify build-to lines, and specify specific setbacks for buildings in relation to lot lines, within the setbacks otherwise allowed by the applicable transect zone.
- 2.7.1.11 Identify terminated vistas, specifying locations where buildings respond to axial or deflected terminations of streets and passages with changes in massing, articulation, and design.

3.0 TRANSECT ZONES

3.1 TRANSECT DESCRIPTIONS

- 3.1.1 **T4 Transect:** T4 is a low- to moderate- intensity mixed-use district with neighborhood-scaled commercial buildings and uses, and in which there are both single-family and multifamily residential dwelling types. The T4 design standards provide a transitional area between nearby low-density residential (single-family) neighborhoods and higher intensity mixed use areas.

- 3.1.2 **T5 Transect:** T5 is a medium-intensity, mixed-use district characterized by mid-rise residential, commercial, institutional or mixed-use buildings. Small retail and service-oriented commercial uses, food service establishments, and entertainment venues are encouraged along main streets and at neighborhood centers.

- 3.1.3 **T6 Transect:** T6 is a high-intensity mixed-use district characterized by taller commercial, institutional or mixed-use buildings, apartment buildings (multifamily dwellings), and buildings constructed for offices, or hotels. The design standards for T6 require the front facades of buildings to be constructed on Open Space type C or D (see **Table 2.1.A**). Active, non-residential uses are required on the ground floor of buildings.

3.2 BUILDING AND DEVELOPMENT STANDARDS

- 3.2.1 Building and development standards for T4, T5 and T6 are set forth within **Tables 4.1 through 4.3** and within Sections 4 through 8 of this Appendix.

3.3 PUBLIC FACILITIES

- 3.3.1 All developments and redevelopments shall provide the public areas, facilities and uses specified within §34-911, §34-912 and §34-914.

- 3.3.2 All construction and development plans shall be subject to the provisions of Chapter 29, sec. 29-260, *mutatis mutandis*.

4.0 BULK STANDARDS

4.1 BUILDING FORM STANDARDS

4.1.1 Standards for building form are organized by transect zone according to **Tables 4.1 through 4.3.**

4.1.2 Within each transect zone, parking garages are exempt from maximum lot width.

4.2 LOT COVERAGE STANDARDS

4.2.1 Lot coverage may exceed the maximum, if open space according to **Table 2.1A** is provided on site and is accessible at grade

Table 4.1 Bulk Standards - T4



Setbacks - Principal Building (feet)

a	Front, Primary	10 min.
b	Corner Side	10 min.
c	Side	0 or 5 min.
d	Rear	5 min.

Frontage & Lot Occupation (min.)

Front	70%
Side	40%

Lot Occupation

i	Lot Width	100 ft. max.
	Lot Coverage	60% max.

Building Height (stories, max.)

	Principal Building	3
	Accessory Building	2

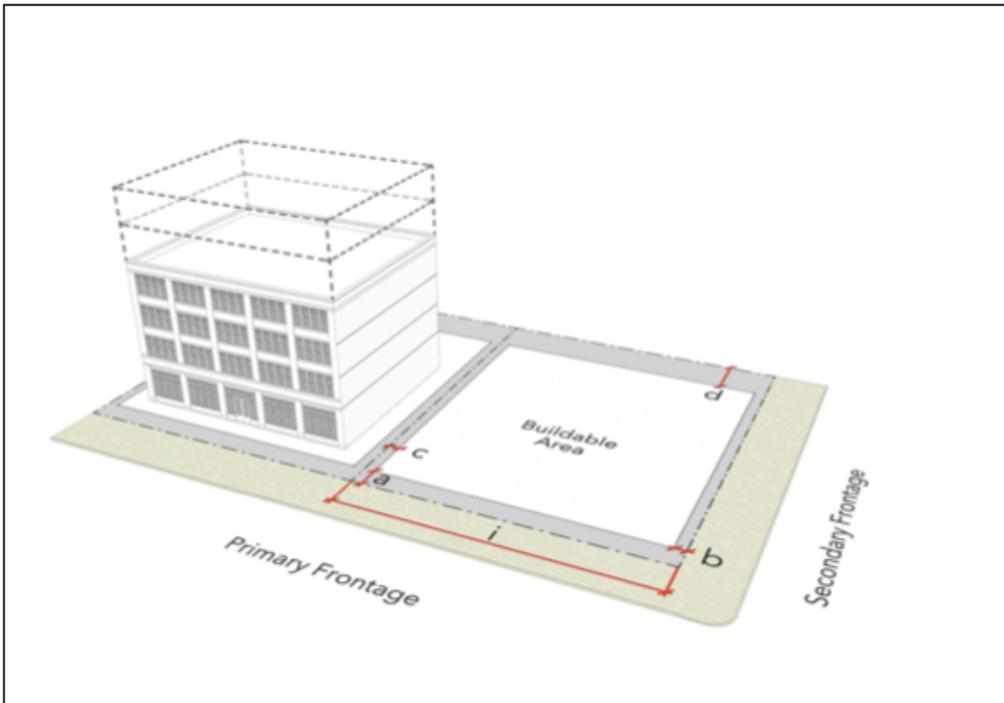
Setbacks - Accessory Building (feet)

e	Front (PB +)	10 min.
f	Corner Side	10 min.
g	Interior Side	0 or 5 min.
h	Rear	4 min.

Frontage Yard Types [see Table 7.1]

Common	Not Permitted
Fenced	Permitted
Cluster Court	Permitted
Shallow	Permitted
Urban	Not Permitted
Pedestrian Forecourt	Not Permitted
Vehicular Forecourt	Not Permitted

Table 4.2 Bulk Standards - T5



Setbacks - Principal Building (feet)

a	Front, Primary	5 min.
b	Corner Side	5 min.
c	Side	0 or 5 min.
d	Rear	5 min.

Frontage & Lot Occupation (min.)

Front	70%
Side	40%

Lot Occupation

i	Lot Width	150 max.
	Lot Coverage	80% max.

Building Height (stories, max.)

Principal Building	4 ⁽¹⁾ / 6 ⁽²⁾
Accessory Building	2

- (1) By-Right, max. base height limit
- (2) With affordable housing incentive

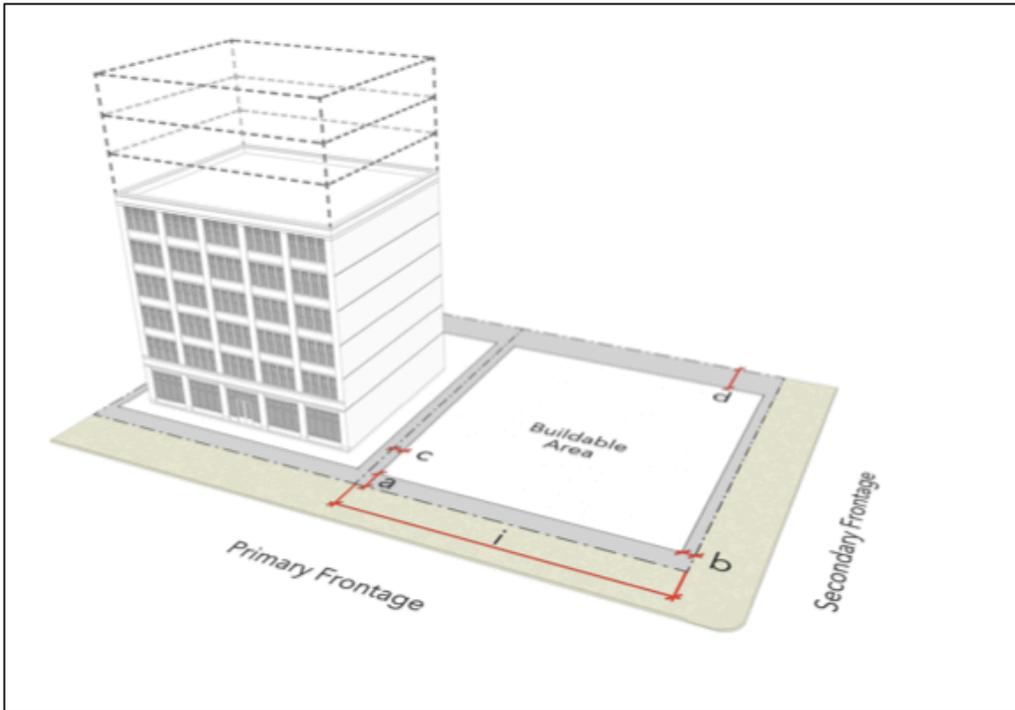
Setbacks - Accessory Building (feet)

e	Front (PB +)	10 min.
f	Corner Side	5 min.
g	Interior Side	0 or 5 min.
h	Rear	4 min.

Frontage Yard Types [see Table 7.1]

Common	Not Permitted
Fenced	Not Permitted
Cluster Court	Not Permitted
Shallow	Permitted
Urban	Permitted
Pedestrian Forecourt	Permitted
Vehicular Forecourt	Not Permitted

Table 4.3 Bulk Standards - T6



Setbacks - Principal Building (feet)	
a	Front, Primary 0 min., 10 max.
b	Corner Side 0 min., 6 max.
c	Side 0 or 5 min.
d	Rear 2 min.

Setbacks - Accessory Building (feet)	
e	Front N/A
f	Corner Side N/A
g	Interior Side N/A
h	Rear N/A

Frontage & Lot Occupation (min.)	
Front	90%
Side	40%

Frontage Yard Types [see Table 7.1]	
Common	Not Permitted
Fenced	Not Permitted
Cluster Court	Not Permitted
Shallow	Not Permitted
Urban	Permitted
Pedestrian Forecourt	Permitted
Vehicular Forecourt	Permitted

Lot Occupation	
i	Lot Width 15 min,
	Lot Coverage 100% max.

Building Height (stories, max.)	
Principal Building	5 ⁽¹⁾ / 9 ⁽²⁾
Accessory Building	N/A

(1) By-Right, max. base height limit
 (2) With affordable housing incentive

5.0 BLOCK AND LOT STANDARDS

5.1 BLOCK STANDARDS

5.1.1 Every development shall provide a block structure (a block is an area of land, consisting of one or more lots, circumscribed by public rights of way).

5.1.1.1 Block perimeter is measured as a line circumscribing the block along the boundary lines of each abutting public right of way. The maximum perimeter of each block is 1,600 feet. The site plan agent may approve a larger perimeter, if the site plan agent verifies that:

5.1.1.1.1 The area within the required block contains slopes in excess of fifteen percent (15%), or the area within the required block contains a civic space of Types B, C or D, and

5.1.1.1.2 No block face will be longer than 600 feet.

5.1.1.2 “Block faces” are the straight or curved line segments that, collectively, form the perimeter of the block. Where two or more line segments along the block perimeter meet at an internal angle greater than 135 degrees, the line segments are considered to be a single block face.

5.1.1.3 Any block face longer than 350 feet requires a cross-block passage that bisects the block to facilitate pedestrian movement. Cross-block passages may be provided through parking lots or structures, provided a clearly marked and dedicated pedestrian path is provided.

5.1.1.4 One block face may be bounded by a non-vehicular pedestrian passage; however, a block that is adjacent to a public park may have pedestrian passages on two sides. The pedestrian passage(s) shall have a minimum public right-of-way of 12 feet.

5.1.1.5 Where there is a grade change that cannot be accommodated by ramps or a sloped sidewalk steps are permitted. Access to each building within a development shall comply with applicable building codes.

5.2 LOT STANDARDS

5.2.1 Each lot within the Framework Plan area shall abut at least one public street.

5.2.2 Each lot within the Framework Plan area shall comply with the dimensional requirements of **Table 4.1, 4.2 or 4.3**, according to the applicable transect zone.

6.0 MASSING AND HEIGHT STANDARDS

6.1 BUILDING HEIGHT

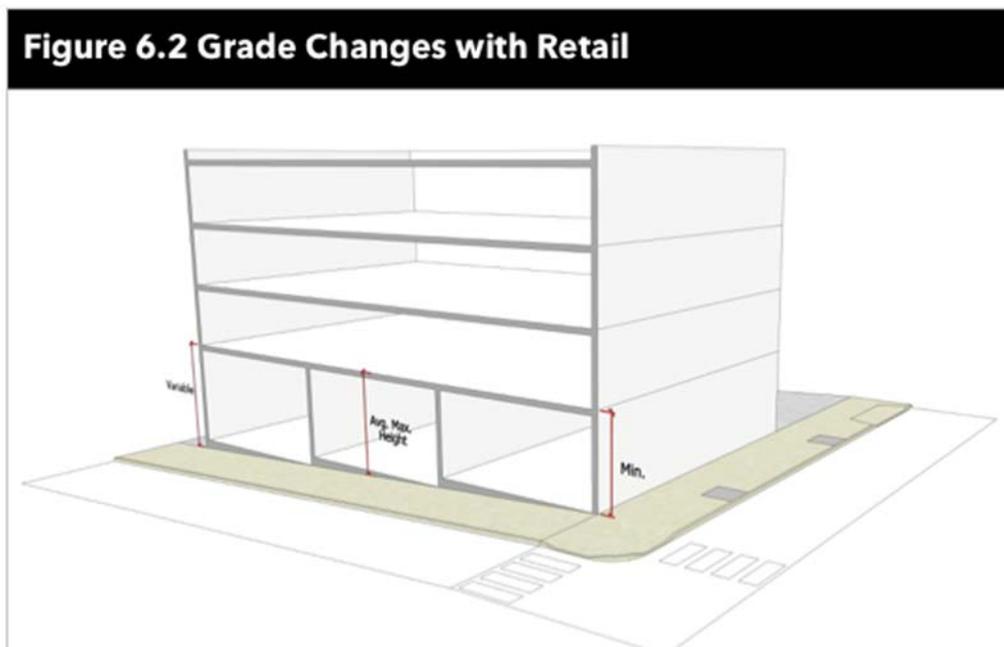
- 6.1.1 Each building within the Framework Plan area shall comply with the building height regulations specified in **Table 4.1, 4.2 or 4.3**, according to the applicable transect zone.
- 6.1.2 Measurement of building height
 - 6.1.2.1 Building height is measured as a number of above-ground building stories, unless otherwise specified. See **Tables 4.1, 4.2 and 4.3**.
- 6.1.3 The following are not counted as a building story, for purposes of measuring building height:
 - 6.1.3.1 Rooftop equipment and equipment cabinets attached above the level of the roof deck; elevator bulkheads; and rooftop stair access enclosures containing no habitable space
 - 6.1.3.2 Towers and loggias, if their footprint is equal to, or less than, 400 square feet, as illustrated in **Figure 6.3**, below, and they are not used for residential occupancy, any other use which requires a certificate of occupancy.

6.2 BUILDING STORIES

- 6.2.1 Measurement of the height of a building story
 - 6.2.1.1 The height of each building story is measured from finished floor to finished floor.
 - 6.2.1.2 The height of the uppermost building story on a building with a flat roof is measured from finished floor to: (i) the level of the deck of a flat roof; (ii) the deck line of a mansard roof; and (iii) the bottom of the eave for pitched or angled roofs (e.g., gable, hip, and gambrel roofs).
 - 6.2.1.3 The first above-ground story of a building is referred to as the “ground floor” story. Any building story which is more than three (3) feet above sidewalk grade at any location shall be subject to the height restrictions of this section 6.2.1. Stories counted as below-ground stories shall not extend more than 3 feet above sidewalk grade at any point.
 - 6.2.1.4 T4 Transect Zone: within the T4 transect zone no building story shall exceed a height of 14 feet, except that the ground-floor story of a building designed to contain commercial uses at grade may have a height of up to 20 feet.
 - 6.2.1.5 T5 Transect Zone: within the T5 transect zone no building story shall exceed a height of 16 feet, except that the ground-floor story of a building designed to contain commercial uses at grade may have a height of up to 20 feet.
 - 6.2.1.6 T6 Transect Zone: within the T6 transect zone no building story shall exceed a height of 16 feet, except that the ground-floor story

of a building designed to contain commercial uses at grade may have a height of up to 24 feet.

- 6.2.2 Building stories below the ground-floor story are not regulated as to height.
- 6.2.3 If a building constructed prior to [the date of adoption of this Appendix] contains any building story(ies) that exceed the maximum permitted story height, the existing stories will be counted as multiple stories by dividing the actual story height by the maximum story height and rounding up to the nearest whole number.
- 6.2.4 Mezzanines exceeding 50% of the ground floor area will be counted as an additional building story.
- 6.2.5 Where the first above-ground story of a building is designed for residential use, the finished floor of that story shall be elevated a minimum 21 inches.
- 6.2.6 Where sidewalk grade changes along the length of a building façade:
 - 6.2.6.1 The average ground floor story height measured across the length of the building facade shall meet the applicable ground floor height requirement, as specified within **Figure 6.2**.
 - 6.2.6.2 Ground floor story height at the lowest end may be up to two feet lower than a minimum required ground floor story height, and
 - 6.2.6.3 Average ground floor story height shall not exceed the maximum building story height according to section 6.1.3



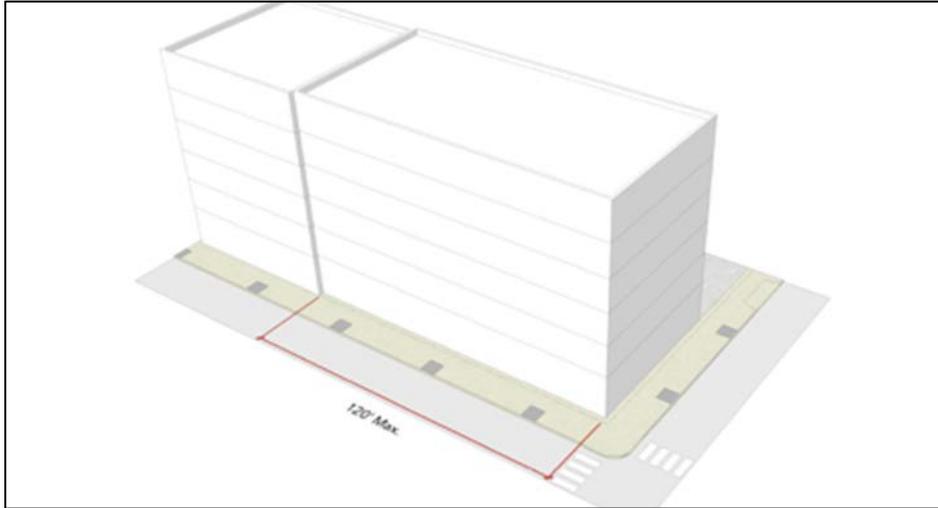
6.3 BUILDING MASS

6.3.1 Maximum facade length

6.3.1.1 No building façade shall exceed 120 feet in length along any A-street, pedestrian street, or open space. See **Figure 6.3**

6.3.1.2 Parking structures are exempt from 6.3.1.1; however, building areas lining parking structures are not exempt from 6.3.1.1

Figure 6.3 Maximum Façade Length



6.4 PARKING STRUCTURES

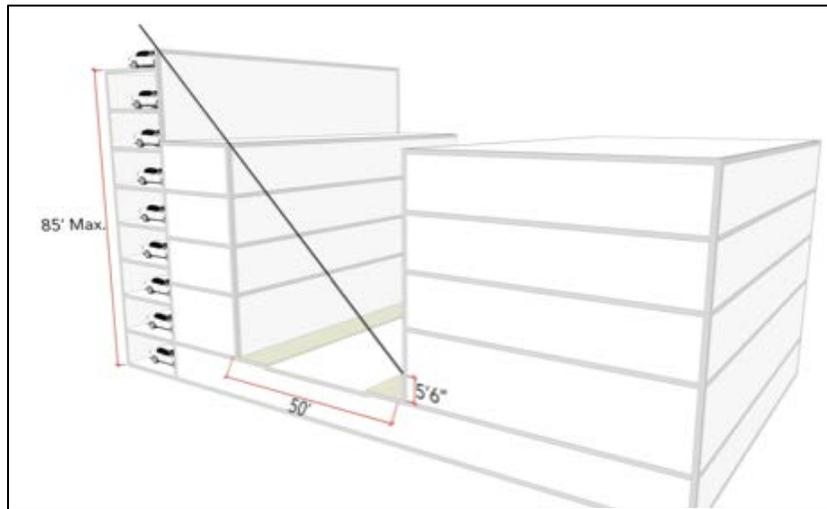
6.4.1 Freestanding parking structures (see §34-1200 “*garage, parking*” and “*garage, mixed-use*”) shall not exceed 48 feet in height, measured in accordance with City Code §34-1100(a), except that the top of the rail or parapet shall be considered the highest point on the structure.

6.4.2 If a parking structure is attached to a building for more than 50% of the building perimeter, the height of the parking structure is limited according to **Figure 6.5** and further, as follows:

6.4.2.1 Parking structures may not be visible within 50 feet of: any lining building; any A street or pedestrian street; or any **open space**.

6.4.2.2 Visibility is determined from the point of view of a 5’-6” tall pedestrian at sidewalk level. See **Figure 6.5**.

Figure 6.4 Parking Structure Height



7.0 FRONTAGE STANDARDS

7.1 LOT FRONTAGE

- 7.1.1 Any lot line abutting any street right-of-way or open space shall be designated as a primary frontage or secondary frontage, as follows:
 - 7.1.1.1 For a lot abutting a street right-of-way along a single lot line, that abutting lot line shall be designated the primary frontage
 - 7.1.1.2 For a corner lot abutting a street right-of-way along two connected lot lines, the short side of the lot shall be designated the primary frontage, the other lot line shall be designated the secondary frontage. If the lot lines are of equal length, both shall be designated primary frontage.
- 7.1.2 **Table 7.1** specifies frontage types and requirements. **Figure 7.1** specifies the frequency and location of doors on A Streets.

Table 7.1 Frontage Yard Types

A. Common Yard

<p>Illustration</p>	
<p>Surface</p>	<p>60% minimum must be landscaped with ground cover, shrubs, trees, or understory trees. Paving is limited to walkways, driveways, and per setback.</p>
<p>Walkways</p>	<p>One per frontage providing access to building entries</p>
<p>Fencing</p>	<p>Permitted at or beyond the building setback line a maximum six feet high, not along frontage lines.</p>

B. Fenced Yard

<p>Illustration</p>	
<p>Surface</p>	<p>60% minimum must be landscaped with ground cover, shrubs, trees, or understory trees. Paving is limited to walkways, driveways, and per setback.</p>
<p>Walkways</p>	<p>One per frontage providing access to building entries</p>
<p>Fencing</p>	<p>Permitted along frontage lines. Min. three feet max. four feet when within building setback. At or beyond setback line, fence height may be six feet max.</p>

Table 7.1 Frontage Yard Types

C. Cluster Court

Illustration	
Surface	50% minimum must be landscaped with ground cover, shrubs, trees, or understory trees. Paving is limited to walkways, driveways, and per setback.
Walkways	Court must be a min. 20 feet wide and a min. 1,000 sf in size and must have a walkway connecting the sidewalk at the primary frontage with building entries.
Fencing	Permitted at or beyond the building setback line a maximum six feet high, not along frontage lines.

D. Shallow Yard

Illustration	
Surface	Must be a max. setback of 10 feet. Landscaped in T4 and may be paved in T5.
Walkways	One per frontage providing access to building entries in T4.
Fencing	Permitted at or interior to the building setback line at primary street frontages. Permitted at or interior to secondary street frontage lines. Minimum height is three feet, maximum height is four feet.

Table 7.1 Frontage Yard Types

E. Urban Yard	
Illustration	
Surface	Must be paved at sidewalk grade
Walkways	Must be paved at sidewalk grade. Vegetation is permitted in raised containers.
Fencing	Permitted at outdoor seating only a maximum three feet.

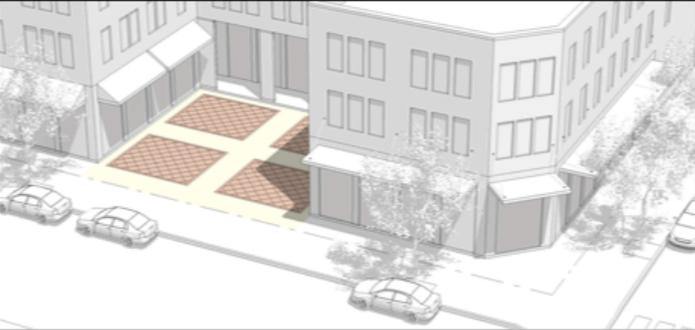
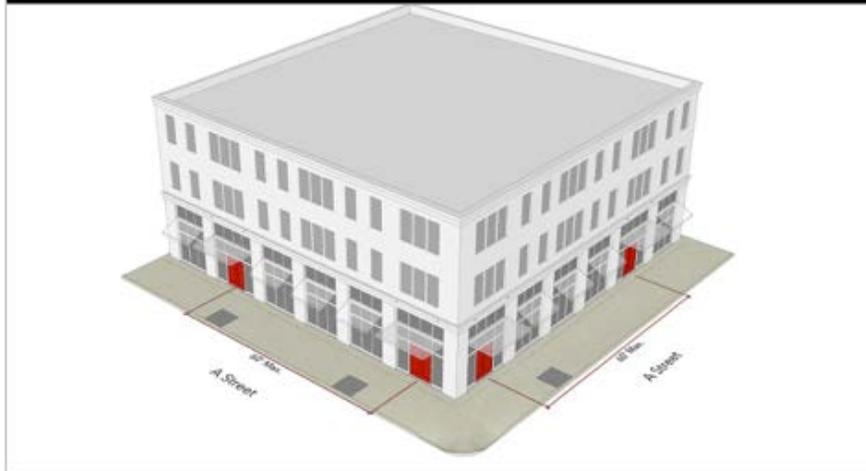
F. Pedestrian Forecourt	
Illustration	
Surface	Min. 80% paving at sidewalk grade.
Fencing	Permitted at outdoor seating and at or interior to building setback lines a maximum three feet.
Area	Forecourt: 2,400 sq.ft. max. and a min. 20 ft. wide up to 30% of the allowable frontage, and a max. 30 ft. deep.
Activation	Must be lined with habitable space on 3-sides, or on 2-sides at corner sites.

Table 7.1 Frontage Yard Types

G. Vehicular Forecourt	
Illustration	
Surface	Driveway must be paved at sidewalk grade. The remainder of frontage setback may be paved or landscaped.
Fencing	Permitted at outdoor seating only a maximum three feet.
Area	Forecourt: 3,000 sq.ft. max.
Activation	Must be lined with habitable space on 3-sides, or on 2-sides at corner sites.

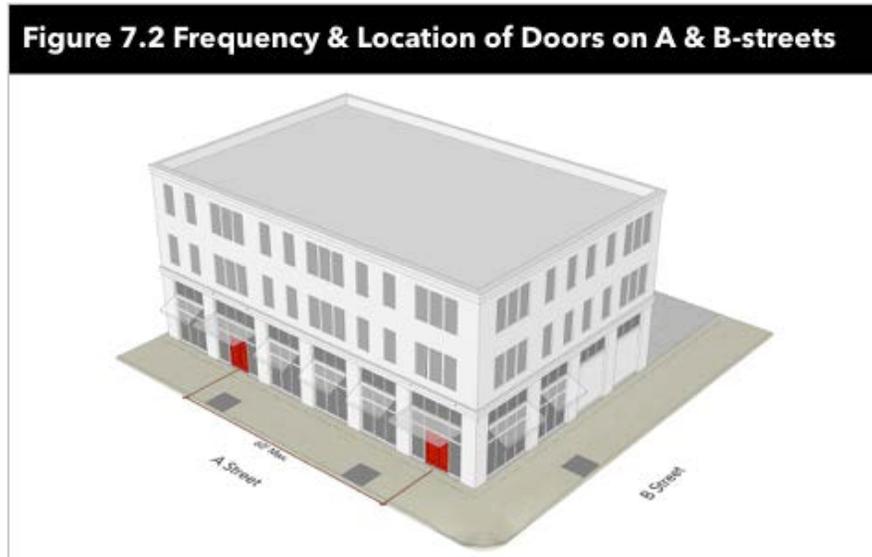
Figure 7.1 Frequency & Location of Doors on A-streets



7.2 FRONTAGE OCCUPATION AND ACTIVATION

- 7.2.1 Frontage occupation is regulated by transect zone, according to **Tables 4.1 through 4.3**
- 7.2.2 Along A-streets, the ground floor story shall contain active uses within the first 20 feet of building depth. “Active uses” include the following, and any similar uses permitted within the district: retail sales and display spaces (excluding offices for the retail space); restaurant food services, dining areas, bars and counters; lobby spaces (for hotels, multifamily dwellings, banks, offices, etc.).
- 7.2.3 The following shall be excluded from lot frontage occupation calculations: pedestrian walkways, pedestrian forecourts, and vehicular access to parking (single travel lane less than 10 feet wide).

- 7.2.4 **Figure 7.2** specifies the frequency and location of doors on A streets and B streets.



7.3 SETBACKS

- 7.3.1 Buildings shall be set back from abutting right-of-way boundaries according to **Tables 4.1 to 4.3** and the following:
- 7.3.1.1 Primary front setbacks pertain to the primary frontage
 - 7.3.1.2 Secondary front setbacks pertain to the secondary frontage
- 7.3.2 Where a maximum setback is specified, it pertains only to the amount of building facade required to meet the minimum frontage occupation requirements of Section 7.4
- 7.3.3 Where existing utilities or irregular site lines create conflicts with required setbacks, setbacks may be adjusted by the minimum amount of distance necessary to resolve the conflict, or 5 percent of the required setback, whichever is less
- 7.3.4 Screened outdoor spaces shall be set back a minimum of 5 feet from side and rear lot lines

7.4 FRONT YARD STANDARDS

- 7.4.1 Frontage yards shall be wholly open to the sky and unoccupied by any building or structure, except for roof projections, architectural elements, awnings, or other encroachments expressly allowed by this Appendix and attached to a primary or accessory building. Under no circumstances shall any such encroachment extend into any frontage yard more than 3 feet.

- 7.4.2 Each development plan shall specify the applicable frontage yard types at primary frontages and secondary frontages.
 - 7.4.2.1 Frontage yard types shall be selected from **Table 7.1**
 - 7.4.2.2 Frontage yard types may be different at primary and secondary frontages.

- 7.4.3 Landscaping in frontage yards is subject to the requirements of **Table 7.1** and further, to the following:
 - 7.4.3.1 Where the minimum number of required streetscape trees cannot practicably be planted given the constraints of a particular location (such as existing utilities, existing street/sidewalk improvements, etc.), they may be accommodated as additional public street improvements
 - 7.4.3.2 Trees shall be selected so that, at maturity, the trunk of the tree will shall be a minimum of 5 feet from street lights, underground utilities, utility meters and service lines, fences, walls, and other ground level features specified within a development plan
 - 7.4.3.3 Ground vegetation or shrub plantings with spines, thorns, or needles that may present hazards to pedestrians, bicyclists, or vehicles and they shall be planted only in locations where, at maturity, they will be more than 2 feet from any sidewalk

- 7.4.4 Impervious surfaces, sidewalks and other walkways in frontage yards are subject to the requirements of **Table 7.1** and further, to the following:
 - 7.4.4.1 Each townhouse with an entrance facing a street frontage shall have a walkway connecting a sidewalk on that street frontage to the townhouse entrance.
 - 7.4.4.2 At **cluster courts**, the common court shall have a walkway connecting the sidewalk at the primary frontage with building entries.

- 7.4.5 The following equipment and structures, and other similar equipment and structures, are prohibited in frontage yards:
 - 7.4.5.1 Pools, jacuzzis, spas, hot tubs, tennis courts, and their related enclosures, pumps, and equipment
 - 7.4.5.2 Air conditioning compressors and other outdoor HVAC equipment
 - 7.4.5.3 Emergency generators
 - 7.4.5.4 Dumpsters
 - 7.4.5.5 Parking structure ventilation
 - 7.4.5.6 Drive-through uses, including drive-through windows, travel lanes, signs, and services

- 7.4.6 T5 and T6 Frontage Yards—any portion of a frontage in T5 and T6 not occupied by buildings, driveways, or walkways shall be lined with a streetscreen as follows:
 - 7.4.6.1 Streetscreens shall meet the fencing and wall standards for the frontage yard type
 - 7.4.6.2 Streetscreens shall be **coplanar** with the primary building facade or located further into the lot than the façade
 - 7.4.6.3 Parking and service areas shall not be located between streetscreens and lot lines

7.5 BUILDING ENTRANCE STANDARDS

- 7.5.1 Frequency of doors/entries
 - 7.5.1.1 Building entries shall be spaced no greater than 60 feet apart along A-streets, pedestrian streets, or open spaces, according to **Figure 7.1**
- 7.5.2 Locations of doors/entries
 - 7.5.2.1 The primary entry to a building shall be located along an A-street, a pedestrian street, or an open space, according to **Figure 7.1**
 - 7.5.2.2 Where tenant spaces occupy a corner, doors shall be provided along both streets except where one street is a B-street, as per **Figure 7.2**

7.6 STOREFRONTS

- 7.6.1 All buildings designed for ground floor retail and commercial spaces shall be constructed with storefronts along their street facades, with the exception of any façade(s) fronting along B-streets. All such buildings and storefronts shall comply with Sections 7.6.2 through 7.6.6, below.
- 7.6.2 Storefront Windows**
 - 7.6.2.1 Storefront windows, doors, signage, awnings, details and lighting shall be constructed as a unified composition
 - 7.6.2.2 Storefront windows shall be divided into lower panels and upper transom windows
 - 7.6.2.3 Transom windows shall be between 2 and 4 feet in height
 - 7.6.2.4 Lower panels shall extend to at least 9 feet above sidewalk grade
- 7.6.3 Storefront Doors**
 - 7.6.3.1 Storefront entrance doors shall be recessed to allow the door to swing out without obstructing pedestrian flow on the sidewalk

- 7.6.3.2 Where storefront entrance doors are recessed, the walls of the recess shall be a minimum of 70% glazed, except as otherwise required by BAR guidelines
- 7.6.3.3 Where storefront entrance doors do not extend to the top of adjacent display windows, a glazed transom panel shall be installed above the door
- 7.6.3.4 Storefront entrances shall be provided at building corners
- 7.6.3.5 Sliding or folding doors that allow the activity of the business to open adjacent to and onto the public sidewalk shall be installed for restaurants and food service uses, if allowed by applicable building codes
- 7.6.3.6 Rear and side doors facing service alleys and parking lots shall be provided

7.6.4 Storefront Bulkheads

- 7.6.4.1 Storefronts shall have a minimum 12-inch high masonry kick plate or bulkhead along all street frontages
- 7.6.4.2 Storefront bulkheads shall not exceed 36 inches above the adjacent sidewalk
- 7.6.4.3 Bulkheads shall be designed as an integral component of the overall storefront

7.6.5 Security Gates and Shutters

- 7.6.5.1 Solid metal security gates and solid roll-down shutters are not permitted
- 7.6.5.2 Interior link or grill security devices may be permitted if they can be completely enclosed or hidden from view when not in use

7.6.6 Design for Flexibility of Use

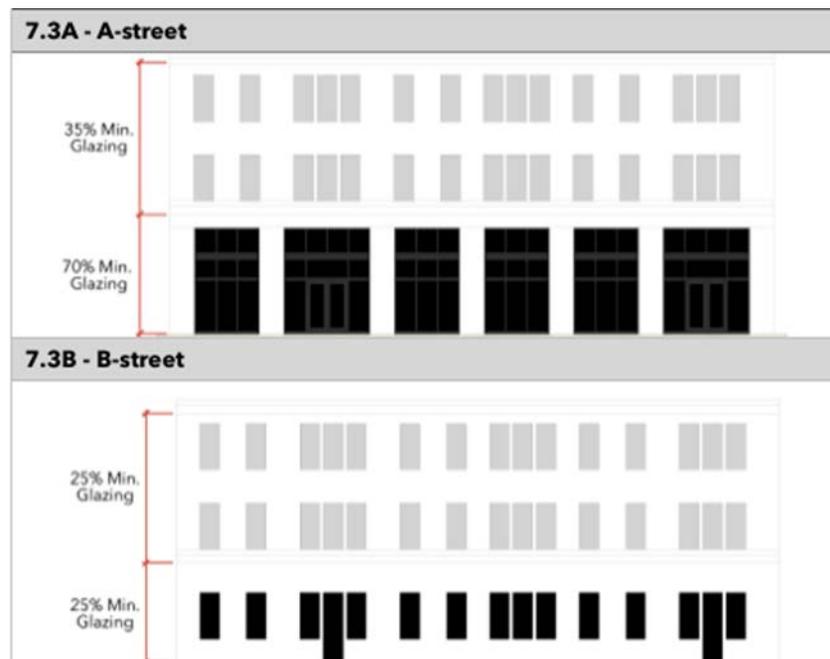
- 7.6.6.1 The design and layout of the ground floor story and second story of each building shall anticipate potential occupancy by restaurant uses, by incorporating exhaust venting and facilities such as grease traps and interceptors, or spaces in which such venting or facilities can easily be retrofitted.
- 7.6.6.2 Buildings constructed to include any non-residential uses shall be designed to accommodate facilities for commercial electric and gas services.

7.7 GLAZING

- 7.7.1 Along A-streets, pedestrian streets, and open spaces, ground floor glazing shall comply with the following, unless otherwise required by applicable building codes:

- 7.7.1.1 The percentage of glazed wall area shall be greater than 70% at storefronts and 35% elsewhere
- 7.7.1.2 Highly reflective glazing is discouraged. Glazing shall meet a visible light transmittance of 60
- 7.7.1.3 The percentage of glazed wall area of all upper floors along A-streets, pedestrian streets, and open spaces shall be greater than 35%
- 7.7.1.4 The percentage of glazed wall area of all upper floors and ground floors along B-streets shall be greater than 25%
- 7.7.1.5 Glazing percentages are calculated according to **Figure 7.7**

Figure 7.7 Glazing on A-streets & B-streets

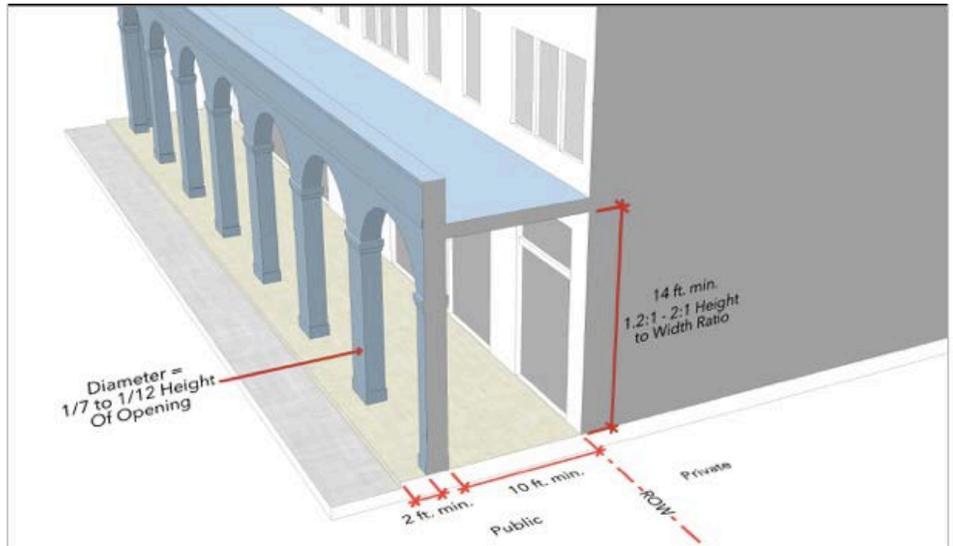


7.8 ENCROACHMENTS; PROTRUSIONS

7.8.1 Except as otherwise provided within this Section 7.8, or by No building, structure or improvement, or any portion thereof, shall encroach into any public right-of-way (including areas above and below the surface of the ground), and no building, structure or improvement, or any pGalleries may encroach into a public right-of-way in locations which have been approved in advance by City Council.

7.8.1.1 Galleries covering the entire sidewalk along an A-Street may be approved by council in advance, as an encroachment. Where a gallery encroaches over a sidewalk, it shall extend to within two (2) feet of the street curb, per **Figure 7.8A**.

Figure 7.8A Galleries



7.8.1.2 Galleries shall be a minimum of 10 feet in depth and a minimum of 14 feet in height, maintaining a 1.2:1 - 2:1 height to width ratio, as per **Figure 7.8A**. Vertical clearance shall be provided in accordance with applicable state law and building code requirements.

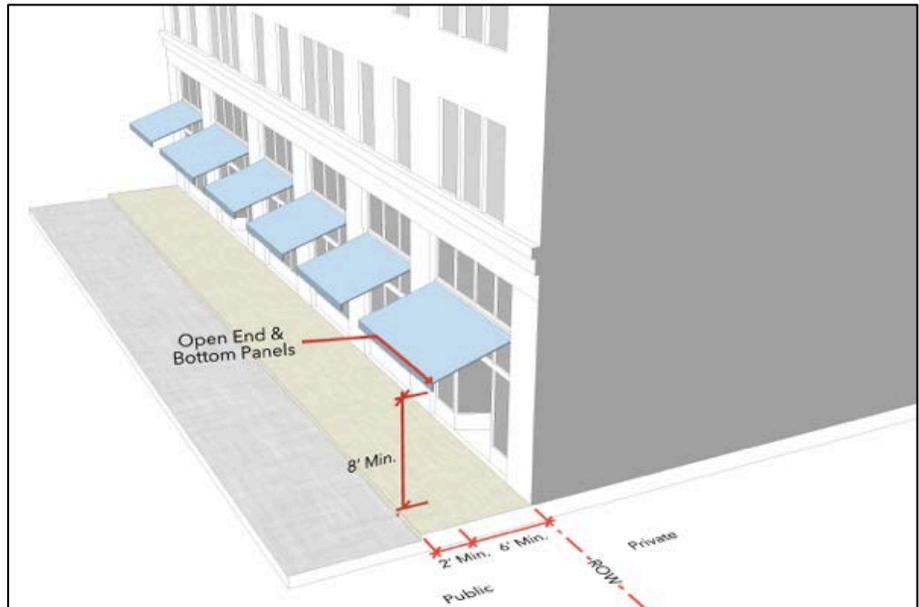
7.8.1.3 Galleries may not change in height or width along a building façade. Exceptions shall be provided for galleries on sloping streets where the height of the gallery may vary in order to accommodate the slope of the street

7.8.1.4 Gallery columns shall have a diameter between 1/7th and 1/12th their height, measured from the base to the bottom of the entablature or arched opening.

7.8.2 Awnings

7.8.2.1 Awnings shall be a minimum of 6 feet in depth and have a minimum of eight feet of vertical clearance, as per **Figure 7.8B**. Awnings shall be a minimum of 36 inches wide.

Figure 7.8B Awnings



7.8.2.2 Where multiple awnings are installed on a single tenant facade, breaks between awnings shall not exceed 12 inches.

7.8.2.3 Awnings shall have a slope of 1:3 or less

7.8.2.4 Awnings that encroach over a sidewalk or other public right-of-way shall be deemed to be present pursuant to a revocable license from the City, if they comply with the requirements of this Appendix. Where awnings extend over sidewalks or other areas within a public right-of-way, vertical clearance shall be provided in accordance with applicable state law and building code requirements. **If an awning extends over a sidewalk, it shall be extended to within two feet of the street curb**

7.8.2.5 Awnings may encroach into building setbacks

7.8.2.6 Awnings along storefronts shall attach to facades between the storefront display windows and transom windows, as per **Figure 7.8B**

7.8.2.7 Awnings shall not have side or bottom panels

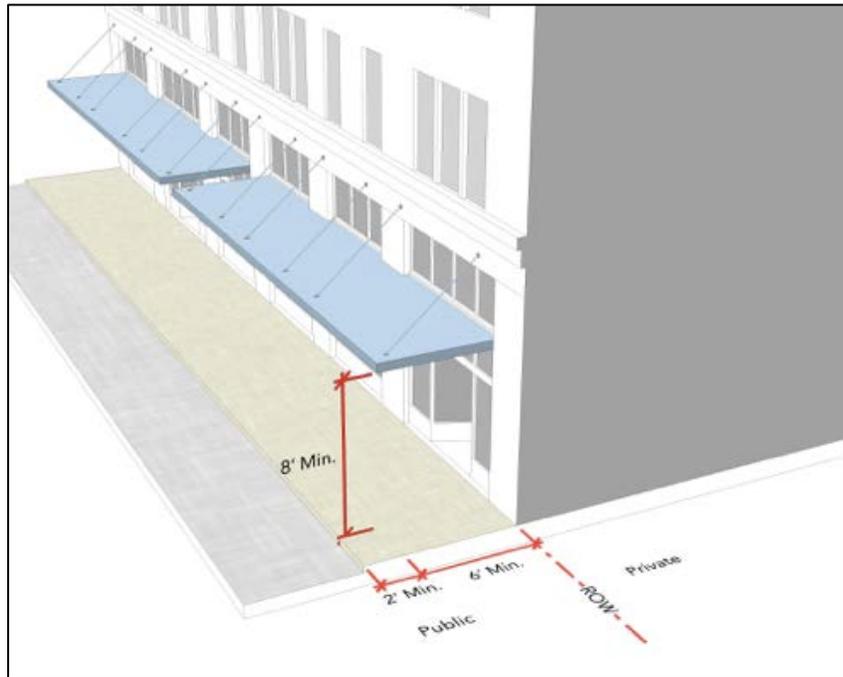
7.8.2.8 Awnings shall not be backlit or internally illuminated. Awnings may be externally illuminated, subject to the City's outdoor lighting standards

7.8.2.9 Round, half domed, and plastic awnings are prohibited

7.8.3 Canopies

7.8.3.1 Canopies shall be a minimum of six feet in depth and have a minimum of nine feet of vertical clearance, as per **Figure 7.8C**

Figure 7.8C Canopies



7.8.3.2 Canopies that encroach over a sidewalk or other public right-of-way shall be deemed to be present pursuant to a revocable license from the City, if they comply with the requirements of this Appendix. Where a canopy extends over sidewalks or other areas within a public right-of-way, vertical clearance shall be provided in accordance with applicable state law and building code requirements. **If a canopy extends over a sidewalk, it shall be extended to within two feet of the street curb**

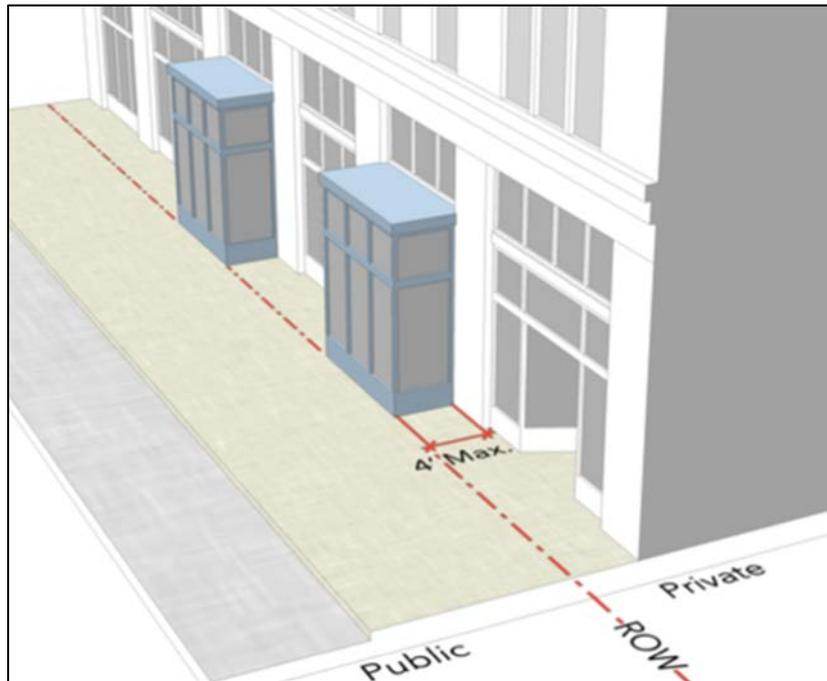
7.8.3.3 Canopies along storefronts shall attach to facades between the storefront display windows and transom windows, as per **Figure 7.8C**

7.8.3.4 Canopies shall be continuous across the entire width of a building façade occupied by multiple uses

7.8.4 Displays

7.8.4.1 Retail display windows may encroach into required building setbacks a maximum of 4 feet, as per **Figure 7.8D**, but may not encroach into any public right-of-way

Figure 7.8D Display Windows

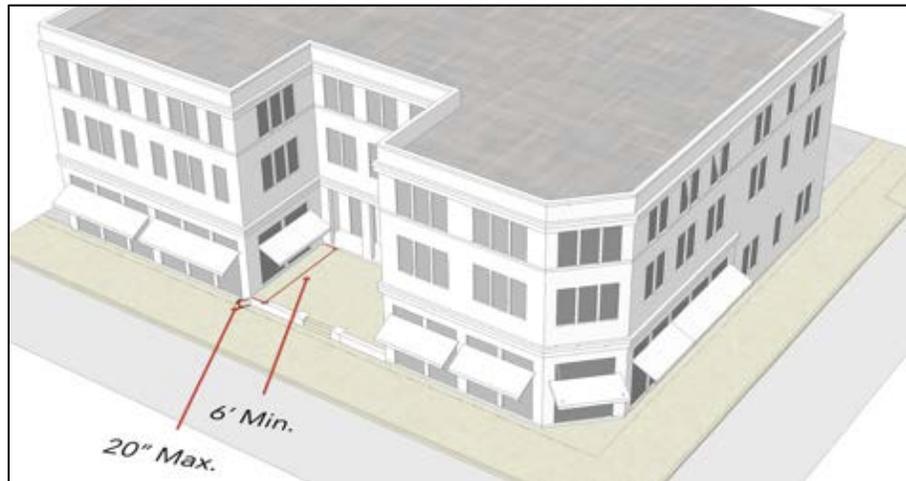


7.8.4.2 Display windows and shop doors shall allow an unobstructed view into the interior of the building. They shall not be blocked by posters or other items affixed directly to glazing

7.9 WALLS, FENCES, TERRACES

- 7.9.1 Fencing and walls in frontage yards are subject to the requirements of **Table 7.1**. Fencing and walls in frontages shall provide complete enclosure by connecting with other walls, fences, hedges or buildings on a lot
- 7.9.2 Fencing is prohibited along A-streets, pedestrian streets, and open spaces
- 7.9.3 Fencing is prohibited along A-streets, pedestrian streets, and open spaces, to define boundaries of pedestrian forecourts or as screening for service and parking areas
- 7.9.4 Pedestrian forecourts may be terraced with an initial height change of not more than 20 inches from sidewalk grade for a distance of 6 feet and measured from the center of the access entry point, per **Figure 7.8E**.

Figure 7.8E Terraced Pedestrian Forecourt



- 7.9.5 Fencing and wall materials shall satisfy the following requirements:
 - 7.9.5.1 A fence shall be uniform in construction, design, material, color and pattern, and the fence material shall be of a standard material, conventionally used by the fencing industry
 - 7.9.5.2 Chain link, vinyl, unpainted wood, barbed wire, razor wire and electrified fences are prohibited
 - 7.9.5.3 Painted wood is permitted only in T4
 - 7.9.5.4 Masonry and/or decorative metal is permitted in T4, T5, and T6
 - 7.9.5.5 Masonry with or without decorative metal is required in T6
 - 7.9.5.6

7.10 MECHANICAL EQUIPMENT

- 7.10.1 Mechanical equipment and entries to mechanical spaces may not be located along A-streets, pedestrian streets, or open spaces
- 7.10.2 Mechanical equipment, including rooftop equipment, shall be shielded from view along A-streets, pedestrian streets, and open spaces, using architecturally integrated walls or screens at least as tall as the equipment
- 7.10.3 Mechanical vents may not exhaust within 8 feet of sidewalk level
- 7.10.4 No vents for any building or building system shall exhaust over, onto or along any A-streets, pedestrian streets, or open spaces. All vents shall exhaust to B-streets, alleys, or rooftops.
- 7.10.5 Sound screening shall be provided for any mechanical equipment that generates any sound above 65 dB at sidewalk level, and shall reduce the sound to below 65 dB at sidewalk level.

7.11 LIGHTING

- 7.11.1 Lighting shall be provided along all streets, in accordance with Appendix A of the City of Charlottesville City Standards and Design Manual (SADM) and further, in accordance with the following:
 - 7.11.1.1 Cobra head fixtures are prohibited
 - 7.11.1.2 Pedestrian-scaled street lamps are required along A-Streets

- 7.11.1.3 Street light fixtures or their support structures may not impede any required clear area of sidewalks
- 7.11.2 A-Streets—along all A-streets
 - 7.11.2.1 The top of a luminaire shall be no higher than 12 feet above the sidewalk
 - 7.11.2.2 Street lights shall be spaced no more than 40 feet apart
 - 7.11.2.3 Street lights shall be installed on both sides of vehicular streets
- 7.11.3 B-Streets—along all B-streets:
 - 7.11.3.1 The top of a luminaire shall be no higher than 12 feet above the sidewalk
 - 7.11.3.2 Street lights shall be spaced no more than 60 feet apart
 - 7.11.3.3 Street lights may alternate sides of a street, in compliance with the spacing standard in 7.11.3.2
- 7.11.4 Fixtures and bulbs—unless otherwise specified by applicable building codes:
 - 7.11.4.1 Lighting shall be shielded to avoid uplighting
 - 7.11.4.2 Flood-lighting is prohibited
 - 7.11.4.3 LED lighting shall be diffused or indirect
 - 7.11.4.4 The design and type of fixtures shall be coordinated along building facades
 - 7.11.4.5 Exterior lighting color temperature shall be between 2700K and 3800K.
- 7.11.5 Use of Lighting
 - 7.11.5.1 Interior lighting of storefronts and exterior lighting of signs shall remain lit until at least 11pm, to accentuate storefront displays and promote public safety
 - 7.11.5.2 Lighting of frontages and alleys shall remain lit from dusk to dawn.
 - 7.11.5.3 Motion-sensored lighting is prohibited along A-Streets, pedestrian streets, and open spaces.

7.12 SIGNS

- 7.12.1 Signs within the Framework Plan area shall comply with the requirements of City Code Chapter 34, Article X, Division 4, and with applicable overlay district regulations.

8.0 PARKING

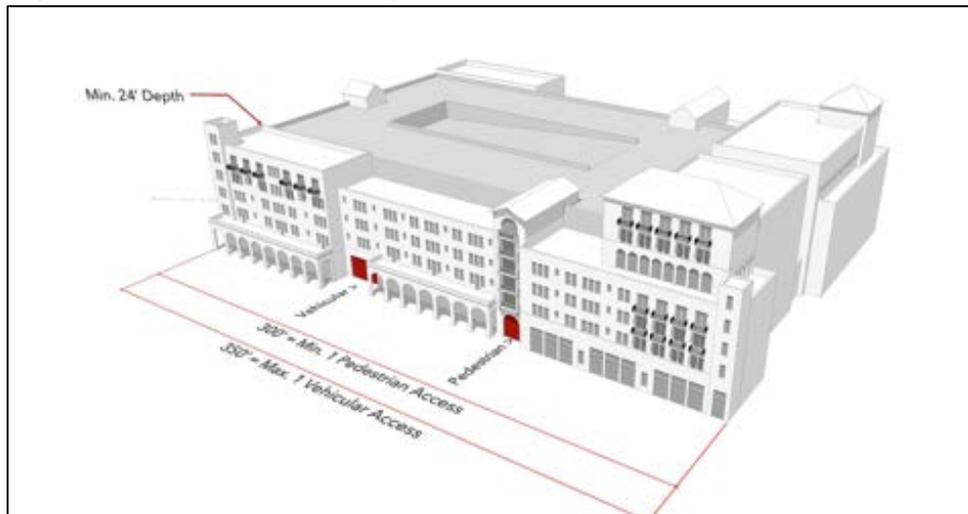
8.1 MINIMUM PARKING STANDARDS

8.1.1 Parking shall be provided for the land use(s) and occupancies allowed within T4, T5 and T6, in accordance with the minimum requirements in **Table 8.1**. Figure 8.1 specifies requirements for vehicular parking access.

Table 8.1 Minimum Parking Requirements

Uses	T4	T5	T6
Residential	1 spaces / unit 0.5 spaces / adu	1 space / unit 0.5 spaces / adu	0.5 spaces / unit 0.5 spaces / adu
Hotel & Lodging	1 space / 1.5 rooms	0.5 space / room	
Commercial	see below		
Office	N/A	3 spaces / 1,000 sq.ft	2 spaces / 1,000 sq.ft
Food Service	5 spaces / 1,000 sq.ft	4 spaces / 1,000 sq.ft	3 spaces / 1,000 sq.ft
Assembly	1 space / 6 fixed seats + 1 space / employee OR 5 spaces / 1,000 sq.ft. for unfixed seats	1 space / 8 fixed seats + 1 space / employee OR 5 spaces / 1,000 sq.ft. for unfixed seats	
All Other	3 spaces / 1,000 sq.ft	2 spaces / 1,000 sq.ft	1 space / 1,000 sq.ft
Education	Assembly per Assembly use; 1 space / staff + 1 space for every 5 high school students		no minimum
Higher Education	Assembly per Assembly use; 1 space / staff + 1 space for every 3 students		no minimum
All Other	2 spaces / 1,000 sq.ft	1 spaces / 1,000 sq.ft	no minimum

Figure 8.1 Vehicular Parking Access



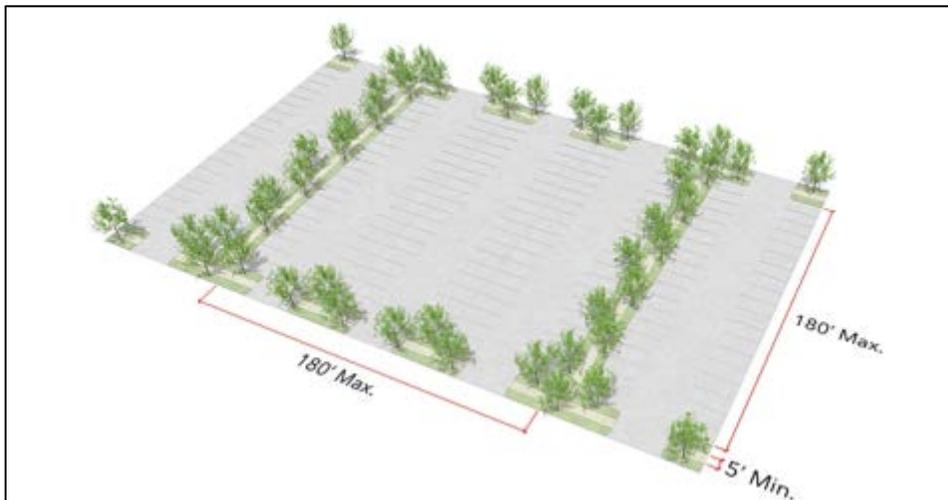
8.2 OFF-STREET PARKING STANDARDS

8.2.1 **Figure 8.2** specifies the design of surface parking lots.

Table 8.2 Shared Parking Table

Use Utilizing Shared Parking	Req. Parking / Min. Standard	Mon - Fri 8am-6pm		Mon - Fri 6pm-12am		Mon - Fri 12am-8am		Sat - Sun 8am-6pm		Sat - Sun 6pm-12am		Sat - Sun 12am-8am	
		%	Spaces	%	Spaces	%	Spaces	%	Spaces	%	Spaces	%	Spaces
Residential	60	60%	36	100%	60	100%	60	80%	48	100%	60	100%	60
Hotel & Lodging	0	70%	0	100%	0	100%	0	70%	0	100%	0	100%	0
Commercial													
Office, Ind.	20	100%	20	20%	4	5%	1	5%	1	5%	1	5%	1
Food Service	30	70%	21	100%	30	10%	3	70%	21	100%	30	20%	6
All Other	0	90%	0	80%	0	5%	0	100%	0	70%	0	5%	0
Assembly, Rec.	80	60%	48	100%	80	100%	80	80%	64	100%	80	100%	80
Education	0	60%	0	100%	0	100%	0	80%	0	100%	0	100%	0
All Other	0	70%	0	100%	0	100%	0	70%	0	100%	0	100%	0
Total Req. Spaces	190		125		174		144		134		171		147

Figure 8.2 Surface Parking Design



8.2.2 Off-street parking may be provided through shared parking arrangements managed collectively for land uses located within the Framework Plan area.

8.2.3 The site plan agent shall establish a shared parking table to be used in determining whether shared parking arrangements provide adequate parking for each of the individual properties and land uses participating in the use of the shared parking at various times of day.

8.2.4 Design

- 8.2.4.1 All off-street parking stalls and aisles shall have dimensions compliant with sec. 34-975, and sec. 34-977 and shall also be compliance with the following
 - 8.2.4.1.1 Parking space width is measured from the centerline of stripes
 - 8.2.4.1.2 Tandem parking (where a parking space is deep enough to accommodate two cars) is permitted for residential uses, limited to two spaces per tandem space
 - 8.2.4.1.3 Compact car parking may be provided for up to 25% of required parking spaces
- 8.2.4.2 Off-street parking shall be designed to make the most efficient use of land and to minimize parking lot size
- 8.2.4.3 Surface parking lots with any dimension greater than 180 feet shall provide a pedestrian walkway according to **Figure 8.2** and as follows:
 - 8.2.4.3.1 Parking lot walkways shall span the parking lot in a straight line connecting two ends of the lot.
 - 8.2.4.3.2 Walkways shall be no less than 5 feet wide
 - 8.2.4.3.3 Trees and shrubs shall be planted between walkways and parking spaces to provide shade for pedestrians
 - 8.2.4.3.4 Surface parking lots shall be landscaped according to City Code §34-873
 - 8.2.4.3.5 For off-street parking areas serving a single development and that have more than 20 spaces, no more than 50% of the spaces shall be open to the sky
- 8.2.4.4 Portions of parking structures exposed to pedestrian view shall be screened as follows:
 - 8.2.4.4.1 Vegetative installations may be used to screen parking along south and west facing elevations
 - 8.2.4.4.2 Architectural screens, integrated with the architecture of attached or surrounding buildings, may be used to screen any elevation. Openings shall be vertical in proportion, appearing as windows. The elevation shall have between 60% and 75% solid wall
 - 8.2.4.4.3 Photovoltaic panels may be used to screen elevations conducive to solar energy collection
 - 8.2.4.4.4 Parapet walls shall be provided at the top floor to shield direct view of rooftop lights

8.2.5 Location

8.2.5.1 Off-street parking shall be separated from A-streets, pedestrian streets, and open spaces by liner buildings no less than 24 feet in depth

8.2.6 Access

8.2.6.1 Off-street parking facilities may be accessed by vehicles as follows:

8.2.6.1.1 Vehicular access is prohibited from A-streets, except when the parking is bordered only by A-streets

8.2.6.1.2 Vehicular access along B-streets shall be spaced a minimum of 350 feet centerline to centerline, measured along the block perimeter, as per **Figure 8.1**

8.2.6.1.3 Vehicular access is restricted along B-streets as follows

8.2.6.1.3.1 Paved areas for vehicular travel are limited to 24 feet in width, unless a greater width is required by a mandatory engineering or safety code

8.2.6.1.3.2 Breaks in buildings for vehicular access are limited to 40 feet in total width, including pedestrian and bicycle provisions

8.2.6.1.4 Vehicular access to underground parking is not restricted, provided that it is not visible from any A-street, pedestrian street, or open space

8.2.6.2 Driveways

8.2.6.2.1 Driveways to off-street parking shall be according to the following:

8.2.6.2.1.1 Residential driveways shall not exceed 10 feet in width

8.2.6.2.1.2 Shared driveways shall be provided whenever feasible, and whenever a lot is developed or redeveloped

8.2.6.3 Pedestrian access

8.2.6.3.1 Pedestrian access to off-street parking shall be provided according to **Figure 8.1** and as follows:

8.2.6.3.1.1 Pedestrian access shall be provided from adjacent A-streets, pedestrian streets, and open spaces at a minimum centerline spacing of 300 feet

8.2.6.3.1.2 Pedestrian access shall be a minimum of 12 feet in width

8.2.6.3.1.3 Breaks in buildings for pedestrian access are limited to 24 feet in total width

8.3 BICYCLE PARKING

8.3.1 Bicycle parking shall be provided in accordance with **Table 10.3**

Table 8.3 Bicycle Parking Requirements

Uses	Space Requirements
Residential (Multi-Family > 5 units)	0.5 space per unit
Sororities, Fraternities, Dormitories	1 space per 500 sq.ft. of bedroom area
Hotel & Lodging	no min. required
Commercial: Office	0.2 per 1,000 sq.ft.
Commercial: Food Service	0.2 per 1,000 sq.ft.
Commercial: Assembly	1 per 1,000 sq.ft.
Commercial: All Other	0.2 per 1,000 sq.ft.

8.3.2 Location

8.3.2.1 Bicycle racks may not be located within:

8.3.2.1.1 5 feet of a fire hydrant

8.3.2.1.2 4 feet of any loading zone or bus stop marker

8.3.2.1.3 3 feet of any driveway or manhole

8.3.2.1.4 2 feet of any utility meter or tree planter

8.3.2.2 Bicycle parking located along public streets shall comply with the following:

8.3.2.2.1 Bicycle racks installed parallel to curbs shall be set back from the curb a minimum of 2 feet

8.3.2.2.2 Bicycle racks installed perpendicular to curbs shall allow for a minimum clearance of 2 feet at the curb and five feet of pedestrian walkway with a 56cm bicycle properly locked to the rack

8.3.2.2.3 Bicycle racks shall be spaced a minimum of 48 inches apart from each other

8.3.2.2.4 Bicycle racks shall be located within 100 feet of a building entrance and be visible from the street

8.3.2.2.5 Bicycle racks shall allow bicycle frames to be locked at two points of contact with the rack

8.3.2.2.6 Comb and wave type bicycle racks are prohibited

8.4 SERVICE AND LOADING

8.4.1 Loading spaces have the dimensions specified in City Code sec. 34-983

8.4.2 Service, loading, and deliveries shall be provided from alleys and B-streets adjacent to a building or structure. Where alleys or B-streets are not

available, on-street loading and deliveries may take place within on-street parking and loading spaces.

8.4.3 Loading docks, dedicated service areas, and refuse service are not permitted along A-streets, pedestrian streets, or open spaces except at service courts, subject to the following:

8.4.3.1 Service courts on different lots along a street shall be spaced a minimum of 300 feet apart

8.4.3.2 Service courts are limited to 40 feet of lot frontage

8.4.3.3 Service courts shall be screened from sidewalk view, noise, and odor. Service courts shall be screened by architecturally integrated walls and gates, between five and eight feet in height. Walls may be covered with art, wayfinding signage, or vegetation

8.4.3.4 Vehicular access to service courts is limited to 14 feet in width

9.0 USES

9.1 USE MATRIX

- 9.1.1 Any use or residential dwelling type allowed within the Downtown Extended Mixed Use zoning district pursuant to the provisions of City Code §34-796 (whether by right, or by special use, provisional use or temporary use permit) shall be allowed in the same manner within each of the T4, T5 and T6 transect zones.

Amend City Code §34-1200 to add the following new definitions:

A-street means an active street that prioritizes pedestrian and bicycle access to commercial and residential spaces over vehicular access. Reference the City's Streets that Work Plan.

Affordable dwelling unit, workforce (Type 1 ADU), means dwelling units that are affordable to households with incomes between 80% - 100% of the area mean income (AMI).

Affordable dwelling unit, low income (Type 2 ADU), means dwelling units that are affordable to households with incomes between 60% - 80% of the area mean income (AMI).

Affordable dwelling unit, very low income (Type 3 ADU), means dwelling units that are affordable to households with incomes between 30% - 60% of the area mean income (AMI).

Affordable dwelling unit, very low income (Type 4 ADU), means dwelling units that are affordable to households with incomes less than 30% of the area mean income (AMI).

Allee means a regularly spaced and aligned row of trees usually planted along a street or path.

Arcade means a series of arches, supported by columns, or piers. Arcades may cover sidewalks and may front retail storefronts.

Awning means a movable or fixed roof-like structure of canvas or other material, extending over a doorway or from the top of a window, in order to provide protection from the sun.

B-street means a service street that prioritizes vehicular access to parking and service areas over pedestrian and bicycle access

Canopy means a fixed-roofed overhanging structure, which provides shade or protection and is in whole or in part self-supporting with open sides. Canopies often stretch from a building's doorway to a curb.

Cluster Court means a collection of buildings fronting on an open space other than a public park.

Colonnade means a row of columns joined by an entablature. Colonnades may cover sidewalks and may front retail storefronts.

Display window means a window built to project outward from a storefront for the purpose of displaying merchandise.

Entablature means a horizontal, continuous building element supported by columns or a wall.

Facade, building, means the exterior wall of a building that faces a frontage line.

Forecourt means a private frontage where a portion of a building is close to the frontage line and the central portion of the building is set back.

Frontage line means a property line bordering a public frontage. Facades facing frontage lines define the public realm and are therefore more regulated than the elevations facing other property lines.

Frontage Occupation means the length of the frontage that is occupied by a building.

Frontage Yard Type means the configuration of the area between the facade of the building and the frontage line such as a fenced, shallow, cluster court, etc.

Gallery means a covered sidewalk in front of a retail storefront that supports either a roof or outdoor balcony above.

Glazing means the transparent area of a building facade.

Habitable Space means building space which use involves human presence (including residential, commercial, retail, industrial and other types of occupancies), but excluding parking garages, self-service storage facilities, warehouses, and display windows that are separated from retail activity.

Liner Building means a building conceived specifically to mask a parking lot or a parking structure from the frontage. Liner buildings are shallow in depth as they are conceived to mask parking without consuming it, as a conventional building would.

Open Space means an outdoor area available for use as a “commons” regardless of whether publicly or privately owned. Open space types are defined by the combination of certain physical characteristics including their size, their landscaping and their enfronting buildings. (Syn: Public Open Space, Civic Space)

Pedestrian street means a street without vehicular traffic consisting of a right-of-way and public frontage that provides access to lots and Open Spaces.

Regulating Plan means a map precisely locating various uses and zoning requirements, as well as the form and location of required open spaces, the types and trajectories of the various streets and the locations of ground-floor retail uses.

Streetscreen means a freestanding wall built along the frontage line or aligned with the facade. It may mask a parking lot from a street, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm.

Temporary Structure means the construction or location of a structure for use for a limited period of time, such as construction trailers, sale trailers or temporary portable storage containers.

Street means the entire width between the boundary lines of a way or place open to the public for purposes of vehicular or pedestrian traffic