

## § 59-7200. - Downtown Design Districts.

*7200.1. Downtown Design Districts (DBD, DTD-1, DTD-2).*

- A. *Purpose and Intent.* This commercial district is intended to support diverse forms of business and residential activity, including mixed-uses in a single building, within the central area of the City. Development regulations and guidelines in this district are intended to:
- (1) promote the development and redevelopment of the downtown area in a manner consistent with the unique and diverse design elements and urban character of the downtown districts;
  - (2) ensure that a proposed use is compatible with the commercial, cultural, historic, and governmental significance of the downtown districts;
  - (3) promote the downtown area as a vital mixed-use area;
  - (4) create a network of pleasant, safe, and connected public spaces and pedestrian amenities in the downtown area;
  - (5) enhance existing structures and circulation patterns;
  - (6) encourage preservation and restoration of the Historic Resources and Architectural Resources of the Downtown districts; and
  - (7) encourage appropriate and complementary transitions between each of the downtown districts and between those districts and the surrounding zoning districts.
- B. *Qualifier.* Except for the provisions specifically contained in this section, all other provisions of this chapter shall apply to and have full force upon the properties contained in the Downtown Design Districts.
- C. *Certificate of Approval Required.*
- (1) A Downtown design review Certificate of Approval is required for all projects, public and private, located in the DBD, DTD-1, and DTD-2 Districts.
    - (a) *Exceptions.*
      1. A Certificate of Approval shall not be required for Ordinary Maintenance and Repair that involves no change in materials, dimensions, design, configuration, texture, surface coating, or visual appearance for work meant to remedy damage or deterioration of site elements, structures, or their appurtenances.
      2. A Certificate of Approval shall not be required for A-frame, sandwich or springer signs.
      3. A Certificate of Approval shall not be required for the installation of additional equipment on existing poles if the equipment is at least eight feet above the sidewalk.
  - (2) The Downtown Design Review Committee shall review and issue Certificates of Approval for the following unless administrative approval is permitted as referenced in this section:
    - (a) New construction, additions, or exterior modifications to an existing structure and the associated sites.
    - (b) Demolition of a structure or site and site elements except structures declared dilapidated and approved for demolition by City Council.
    - (c) Signage, including Electronic Message Display (EMD) signs greater than 25 square feet.
    - (d) City projects and public improvements, excluding:
      1. Installation of traffic control signs and transit related signs,
      2. Installation of underground utilities such as water, wastewater and electrical mains,
      3. Standard roadway improvements from curb to curb, and

4. Drainage or drainage easement improvement projects.
- (e) The application of paint to a previously unpainted brick or masonry exterior surface.
- (3) Staff may review and issue Certificates of Approval for the following:
  - (a) New construction, expansion, and exterior modifications of structures less than 20,000 square feet and the associated sites.
  - (b) New parking lots and expansions of existing parking lots.
  - (c) Demolition of site elements or of a structure less than 20,000 gross square feet, except structures declared dilapidated and approved for demolition by City Council.
  - (d) Signage, including:
    1. Electronic Message Display Signs 25 square feet or less;
    2. Temporary Signs - Large Display Banners and Supergraphics 100 square feet or greater; and
    3. All other signs less than 100 square feet.
  - (e) Expansions and exterior modifications to structures and their associated sites over 20,000 square feet impacting less than 20 percent of the structure or site.
  - (f) Minor City projects and private improvements including, but not limited to installation of streetscape elements, fencing, dumpster enclosures, monuments, landmarks, or small wireless facilities, as defined by State law, associated with sites less than 20,000 square feet.

A Certificate of Approval shall be required for the replacement of public and private improvements.
  - (g) Submittals for extensions to unexpired Certificates of Approval.
  - (h) Temporary Construction Staging Areas - Off-Site.
  - (i) The application of paint to a previously unpainted brick or masonry exterior surface of a structure under 20,000 square feet.
- (4) Revisions to Certificates of Approval.
  - (a) Staff may approve plans previously approved by staff or the Downtown Design Review Committee which require minor revisions that impact less than 20 percent of the site or building, provided that the revisions maintain conformance with Regulations and meet the intent of the Criteria and any conditions associated with the approval.
  - (b) Staff may approve minor revisions to an unexpired Certificate of Approval without additional fee provided the following conditions are satisfied:
    1. No more than five percent of the site or building is modified from the original Certificate of Approval;
    2. Revisions do not significantly alter the work previously approved;
    3. Revisions are in conformance with regulations and meet the intent of the guidelines; and
    4. Revisions are consistent with any conditions associated with the original Certificate of Approval.
- (5) Expirations for Certificates of Approval. Any Certificate of Approval granted by the Downtown Design Review Committee or Staff shall expire two years from date of issuance.
  - (a) Exceptions:
    1. Temporary Signs—Large Display Banners and Supergraphics shall expire six weeks from the date of issuance or one week following the end of the special event referenced by the signage.

2. Projection Image Signs shall expire six weeks from date of issuance or one week following the end of an ever signage.
  3. Temporary Construction Staging Areas, Off-Site shall expire one week after completion of the construction project related to the Certificate of Approval.
- D. *Pedestrian Zone Designation.* The area between the curb and the building shall be designated as the Pedestrian Zone and shall be comprised of the Streetscape Zone, the Sidewalk Zone, and may include a Storefront Zone.
- (1) *Streetscape Zone.* That portion of the Pedestrian Zone located between the back of the curb and the Sidewalk Zone.
  - (2) *Sidewalk Zone.* That portion of the Pedestrian Zone located within the area from the back of the curb to the property line or the existing or newly constructed building, whichever is less.
  - (3) *Storefront Zone.* That portion of the Pedestrian Zone located between the Sidewalk Zone and the building.
- E. *Use Regulations.*
- (1) Table 7200.1 lists the uses allowed in the Downtown Design Districts. Unless allowed conditionally as annotated in Table 7200.1, the owner/operator of any property who wishes to serve or sell alcoholic beverages, as defined by State law and subject to State licensing requirements, for on-premises consumption as an accessory function of the primary use of the property, may apply for a Special Permit providing that the primary use is permitted within the zoning district, and providing that the facility in which the alcoholic beverages are served or sold complies with the City's building code requirements.
  - (2) *Accessory Uses.* Refer to Table 12200.1: Permitted Accessory Structures and Uses.
- F. *Development Regulations.* Table 7200.2 establishes yard and bulk regulations for the Downtown Design Districts.
- (1) *Exceptions.*
    - (a) *Height.*
      1. Expansions to existing structures.
      2. The following use units are exempt from the minimum height regulations: Automotive and Equipment: Automobile Dealerships and Malls (59-8300.18), Food or Beverage Retail Sales (59-8300.41), or Gasoline Sales, Small: Restricted (59-8300.46).
      3. Accessory buildings located behind the front plane of the existing primary structure.
      4. Canopies, awnings, pergolas, and kiosks.
    - (b) *Setbacks and/or Build-To Lines.*
      1. Automotive and Equipment: Automobile Dealerships and Malls (59-8300.18).
      2. Gasoline Sales, Small: Restricted (59-8300.46).
      3. Food and Beverage Sales (59-8300.41) and Retail Sales and Services: General (59-8300.63).
        - i. Where on-site surface parking to the side or rear is being provided for buildings at least 30,000 square feet or larger, the building line may be set back to accommodate a drop-off/pickup lane no wider than 22 feet along the street frontage between the property line and the building face provided that sufficient pedestrian access is also provided.
      4. In the DTD-1 and DTD-2 Districts, the front yard setback, or front and side yard setbacks for corner lots of new Single Family Residential (59-8200.14) and Two Family Residential (59-8200.16) construction shall be a maximum of 20 feet.

5. Expansions to existing buildings.
  6. Accessory buildings and secondary buildings where an existing primary structure occupies the street frontage(s).
  7. Canopies, awnings, pergolas, and kiosks.
- (2) *Irrigation.* All in-ground landscaping shall be irrigated by one of the irrigation methods contained in Section 59-11350 of this chapter.
- (3) *Sidewalks.* Sidewalks shall be provided as part of all projects as follows:
- (a) All sidewalks and sidewalk treatments shall be subject to all permitting requirements of the Department.
  - (b) Sidewalks shall be extended along the entire property line to the adjacent lot lines. In cases of corner lots, sidewalks shall be extended to the adjacent lot along each street frontage.
  - (c) The sidewalk shall be at least 60 inches wide, and shall be maintained free of any obstructions to allow for the passage of pedestrians. The sidewalk shall not be shared with the Streetscape or Storefront Zones, unless provided for herein.
    1. In instances where there is not sufficient right-of-way to provide the minimum 60-inch sidewalk, the available space between the back of the curb and the building line shall be used for a Sidewalk Zone only.
    2. The Downtown Design Review Committee or Staff, upon consideration of land use such as residential, may approve a reduced sidewalk width if a landscaped area is located between the back of the curb and the sidewalk and between the building façade or building element and the sidewalk.
- (4) *Parking.* Parking is not required. However, if provided, off-street parking areas shall meet all design standards defined within Article X, and shall meet the Parking Lot Landscaping requirements within Article XI.
- (5) *Service Area, Utility Screening.* All outdoor storage yards, loading docks, service areas, and mechanical equipment or vents larger than eight inches in diameter visible from ground level shall be concealed by screens at least as high as the equipment they hide and of a color and material matching or compatible with the colors and material found on the façade of the primary building.
- (a) Chain link, with or without slats shall not be used to satisfy this screening requirement.
  - (b) Service areas and loading docks accessed from and located within an alleyway shall be exempt.
  - (c) Dumpsters shall be screened in accordance with § 59-12200.4C.(5)
    1. Where landscaping is used as screening, a landscaped buffer shall be installed no less than six feet in width, planted with a series of evergreen plantings at least six feet in height and spaced in a manner to provide an impervious visual barrier.
- (6) *Signage.* Signage within the Downtown Design District shall comply with sign regulations as referenced in Chapter 3 of the Municipal Code and shall be subject to Development Regulations and Guidelines as defined in this chapter.
- (a) A-frame, sandwich and springer signs shall be prohibited except within the Downtown Business District (DBD), shall not require a Certificate of Approval, and shall be subject to the following conditions:
    1. The display area of each side shall not exceed eight square feet;
    2. The height shall not extend more than four feet eight inches above grade;
    3. A minimum of eight feet of right-of-way shall exist from back of curb to building face when located in the right-of-way;

4. A five-foot minimum unobstructed walkway shall be maintained at all times within the Sidewalk Zone;
5. Signs shall be located within the Streetscape Zone, and shall require a revocable permit;
6. Signs shall be weighted to ensure that they are not readily displaced;
7. Signs shall be in place only during any period between dawn and dusk;
8. Sign frames shall be constructed of hard plastic or metal;
9. Sign faces shall be chalk board or printed material;
10. Signs shall only be located over paved surfaces;
11. Signs shall be located so that adequate vehicle sightlines are maintained;
12. Signs shall be located in a manner that does not obstruct pedestrian patterns or accessible routes
13. Quantity of signs shall be limited to one sign per street level tenant at building frontage; and
14. Signs shall be designed such that they typically remain stationary and are not in motion. Signs shall be removed from display when the face swings more than 20 degrees from vertical.

(b) Projection Image Signs.

1. Projection Image Signs shall be prohibited except within the Downtown Business District (DBD);
2. Signs larger than eight square feet shall be limited to one week in duration per location per 30-day period when displayed on surfaces other than sidewalk;
3. Signs shall not be projected within 200 feet of, or onto a residential use (excluding Use Classifications 59-8200.2 and 59-8200.4) unless the location and orientation of the projected graphics ensures that light from the images will not infringe on the residential use; and
4. Signs shall not be projected onto the surface of the public street.

(c) Temporary Signs - Large Display Banners and Supergraphics (Wall Scapes/Building Wraps) are prohibited except in the Downtown Business District (DBD) and shall be subject to the following conditions:

1. Signs shall maintain a minimum clearance of 14 feet from grade;
2. Signs shall be properly secured to the wall;
3. Signs shall not damage the structure while in place or during installation and removal;
4. Certificates of Approval for this use shall be limited to a maximum of four approvals per location per year;
5. Signs shall be constructed of a durable material in a matte finish, equivalent to or better than a billboard-grade vinyl mesh material;
6. Signs shall not cover or attach to significant architectural features of historical significance;
7. Sign area shall not exceed 80 percent of a building face and 50 percent of the total exterior of the building;
8. Signs shall be appropriate to the character of the surrounding area; and
9. Signs shall be compatible with surrounding uses.

(d) Signs on the sidewalk surface are prohibited except in the Downtown Business District (DBD) and shall be subject to the following conditions, but do not require a Certificate of Approval:

1. Signs shall remain in place for a period not to exceed 14 days per permit issued;
2. Signs shall be removed completely by the time of expiration in a manner that leaves no visible evidence or residue on the surface of the sidewalk;
3. Signs shall not damage the sidewalk while in place or during installation and removal;

4. Sign surface shall be non-slip;
5. Signs shall be removed immediately if loosened or damaged during time of permitted use;
6. Signs shall only be applied to unsealed outdoor surfaces (unsealed asphalt, unsealed concrete, paving bricks);
7. Signs in the right-of-way may require a revocable permit. If a revocable permit is required, the permission of the adjacent property owner(s) shall be obtained prior to receipt of the permit; and
8. Signs shall promote or celebrate the City, its civic institutions, City-recognized holidays, or public activities or events in The City of Oklahoma City and that otherwise promote the corporate interests and welfare of The City of Oklahoma City. No Commercial signs shall be permitted.

For this section, Commercial signs shall mean those signs where the sole or chief purpose of which is to advertise or promote the distribution, sale or rental of goods and/or services other than those which are strongly vested with public importance, such as utility, education, recreational, cultural, medical, protective, and governmental goods or services.

- (e) In order to respect the dignity of the Oklahoma City National Memorial, Non-Accessory Signs, Electronic Message Display (EMD) signs, Temporary Signs - Large Display Banners and Supergraphics (Wallscales/Building Wraps), and Projection Image Signs shall not be permitted in an area of the DBD district located between Dean A McGee Avenue, NW 7th Street, North Broadway Avenue and North Hudson Avenue.
- (7) *Building materials.* Vinyl, aluminum, and sheet metal siding shall not be permitted except as cladding for structures accessory to Single- and Two-Family residences and that are not visible from the street.
- (8) *Fencing.* Fences shall comply with the requirements listed below:
  - (a) *Prohibited Fences;*
    1. Chain link for street frontages;
    2. Ribbed steel, vinyl, aluminum, or plywood panels; and
    3. Electrified, barbed, hog, or chicken wire; or single-strand wire fencing over two and one-half feet in height.
  - (b) *Front yard fences.* A front yard fence shall be defined as a fence located within the front yard area between the primary street frontage property line and the front wall of all structures or in front of the front wall of the main building on the site.
    1. The height of all front yard fences shall not exceed four feet with the exception of ornamental metal picket fencing which shall be permitted up to six feet in height for non-residential uses.
  - (c) *Side and Rear Yard Fences.* A side and rear yard fence shall be a fence located within the side and rear yard as defined in § 59-2150, Yard, Rear; Yard, Side; and illustrated in Figure 2000.7.
    1. No such fence shall exceed eight feet in height.
- G. *Development Guidelines.* These guidelines are intended to promote the development and redevelopment of the downtown area in a manner that is consistent and compatible with existing unique and diverse design elements of downtown Oklahoma City and that also encourages economic development and commerce. These guidelines are also intended to promote downtown as a vibrant, active destination with a variety of land uses, designed in context with the area in which they are located. The Downtown Design Review Committee and staff shall consider these guidelines as appropriate to the specific site and district, taking into account the character and context of the urban environment, and providing flexibility to incorporate new technology and techniques.

- (1) *Existing Buildings; Architectural Resources or Historic Resources.* In order to preserve the legacy of our past, development is encouraged to rehabilitate structures and sites within the Downtown districts that are Architectural Resources or Historic Resources so that as much of the original fabric as is reasonably possible remains intact.
  - (a) Existing buildings and character-defining architectural features such as building mass, roofs, exterior walls, doors, windows, and architectural detailing should be retained, refurbished and remain in the original locations.
  - (b) Site elements such as walkways, pedestrian amenities, and hardscape features should be retained and rehabilitated.
- (2) *Building Materials.*
  - (a) Exterior cladding of buildings should consist of glass, steel, architectural metals, and/or masonry materials such as brick, stone, or cement stucco.
  - (b) Material modules, other than glazing systems, should not exceed wither five feet horizontally and three feet vertically without the clear expression of a joint.
  - (c) Synthetic stucco materials, such as Exterior Insulation and Finish Systems (EIFS), should be limited to a maximum of 20 percent of the total of exterior building materials, not including windows, on a building's first three floors. Above the third floor, materials such as synthetic stucco should be limited to 50 percent of the total of exterior building materials, not including windows.
  - (d) For non-residential uses, composite materials such as fiber cement panels, boards, planks, and shingles may be allowed but should be limited to 30 percent of the total of exterior building materials of any façade, not including windows and doors.
  - (e) *Exceptions.*
    1. Architectural cast-in-place concrete may be approved through the design review process, provided specific review of finish specifications indicates high quality of the finished surface.
    2. Ribbed or corrugated metal panel roofing systems may be approved through the design review process, provided specific review of finish specifications indicates high quality of the finished surface.
    3. In single and two-family residential uses, the use of wood siding or cementitious planked siding may be approved through the design review process, provided the finished surface of the product is durable and of high quality.
    4. Additions to an existing building totaling less than 40 percent of that existing building may be clad with materials consistent with existing materials and exterior finishes of the original structure.
    5. Additional cladding and accent materials may be allowed on a case-by-case basis provided that product warranties and specifications submitted guarantee that the proposed material is equivalent to any of the materials noted in this section.
- (3) *Building Design.* Building design within DBD, DTD-1, and DTD-2 Districts should promote architectural diversity while encouraging design that relates to and reinforces the overall character of the immediate surroundings, creating a strong building-to-pedestrian relationship and supporting a strong urban environment. Building design should be applied as follows:
  - (a) *Vertical Character.* Ground floor building façades of non-residential uses, and including mixed uses and multi-family housing should create vertical breaks at regular intervals by spacing architectural features no less than every 20 feet and no greater than every 40 feet.

- (b) *Horizontal Character.* For non-residential uses, a clear visual division between the second floor line and upper level should be established using cornice lines, windows, or similar architectural elements. The horizontal line established through such architectural elements should not vary in elevation by more than 24 inches from one building to the next.
- (c) *Ground Floor Façade.*
  - 1. When the ground floor use of a building has a non-residential use and abuts a public street, at least 50 percent of the storefront/building wall should consist of clear or tinted windows and/or doors, and/or display windows set into the building wall.
  - 2. Any sign or graphic displayed on or affixed to windows within a single structure along street frontage(s) should not exceed 20 percent of the total of transparent areas at street level.
  - 3. Pedestrian entries should be oriented toward the street and recessed, covered, or otherwise clearly identifiable.
- (4) *Development Pattern.*
  - (a) New development should incorporate the approximate scale and proportions of the traditional block pattern, concentrating mass and height at key intersections and along major pedestrian corridors.
  - (b) Streetwalls formed by existing buildings along arterials and massing of buildings at corners should be maintained.
  - (c) New development occurring adjacent to existing and stable residential neighborhoods should provide appropriate transitions that respect the scale, character, and architectural detailing of the adjacent uses.
  - (d) *Awnings/Canopies.*
    - 1. Awnings, when used, should be installed so that the bottom edge of the valance is at least eight feet above the sidewalk.
    - 2. Awnings and canopies extending into the street right-of-way should terminate no less than 18 inches from the back of the curb and should not extend into the Streetscape Zone.
- (5) *Pedestrian Circulation and Amenities.* Streetscapes are established within the DBD, DTD-1, and DTD-2 Districts to create an attractive and animated sidewalk environment and to foster safe and efficient pedestrian movement.
  - (a) A Streetscape Zone and Sidewalk Zone should be provided whenever sufficient right-of-way exists between the curb and the property line.
  - (b) A safe and accessible route should be provided to establish direct visual and physical access along all street frontages and connections within a site to and between the primary entrance or entrances to each building.
  - (c) Unless the applicant demonstrates that such walkways are necessary to establish safe and accessible pedestrian access, overhead pedestrian walkways should not attach to structures considered Historic Resources.
  - (d) Landscaping and pedestrian amenities should be located within the Streetscape Zone and/or Storefront Zone.
    - 1. These elements, with the exception of some plant material, should be placed at least 18 inches from the back of the curb and may be subject to Revocable Permit requirements.
    - 2. These amenities may include but are not limited to planting strips, raised planters, light standards, signage, transit stops, public art, bike racks, security bollards, Café seating, small wireless facilities, and Street Trees and furnishings.
    - 3. Street tree species are a component of the Downtown Design Review and should comply with the



following:

- i. be adaptable to the conditions of a dense urban environment,
  - ii. follow the species recommendations as referenced in "Trees and Plants for Oklahoma City",
  - iii. meet accepted urban tree planting standards as referenced in the Downtown Streetscape Master Plan,
  - iv. have a minimum caliper of two inches, be installed within the Streetscape Zone, and be spaced at a minimum of 20 feet,
  - v. trees in wells or raised planters should be planted in a minimum volume of soil or structural soil of five feet by five feet by three and one-half feet deep. All tree wells should be covered by tree grates with a minimum size or diameter of five feet by five feet, or topped with brick or stone, or maintained with landscape treatments.
4. Where parking is provided along the abutting curb, landscaping and pedestrian amenities should be spaced so that they do not impede passengers from exiting parked vehicles. At locations of angled parking, landscaping and amenities should be located so that they do not impede vehicle overhangs.
  5. The Downtown Design Review Committee or staff may modify these guidelines, recognizing that not all streets or block faces may be appropriate for Street Trees due to the lack of sunlight or other limitations such as utility locations. The Committee or Staff may allow alternative elements, such as above-ground planters, street furniture, or public art, which may be located within the Storefront Zone.
  6. Existing healthy street trees should not be removed unless replaced with appropriate Street Trees of equal or better height and caliper.
  7. Amenities should match the material, finish, and color of other amenities located within the same block.
  8. Poles should match the color of other poles located within the same block.
  9. Amenities should be installed so that the bottom edge of any suspended component is at least eight feet above the sidewalk.
- (6) *Parking and Loading.* Parking and loading guidelines are established to help manage the supply of off-street parking, improve mobility, promote the use of alternative modes of transportation, support existing and new economic development, maintain air quality and enhance the urban environment.
- (a) *Automotive: Parking Lot (59-8300.13).*
1. Where a parking lot abuts a street frontage, in order to create a clear separation between the sidewalk and parking lot, either a decorative three-foot high wall or fence, constructed of building materials as defined in this section, or a two-foot wide irrigated landscaped area should be installed and maintained so as not to encroach upon the public rights-of-way.
  2. Parking lots should not be adjacent to a street corner, rather, located on the interior of the block in order to allow space for a building or structure to be located on the corner lot, therefore keeping building mass intact on corner lots.
- (b) *Automotive: Parking Garage (59-8300.12).*
1. Ramped and sloping interior floors should not be visible from the street.
  2. Stairwells should be built and located on the exterior corners of parking garages and should be so constructed that at least one wall of the stairwell be visually open to the outdoors.
  3. Parking garage entries and exits, for both pedestrians and vehicles, should be clearly marked by materials,

lighting, signage, etc. to ensure visibility and promote pedestrian safety.

(7) *Parks and Open Areas.*

(a) *Intent.* Parks and open areas should:

1. Support the Design Districts goals for providing a network of destinations for active and passive public spaces within the community;
2. Enhance the quality of urban life for residents within the districts by integrating easily accessible parks and open space;
3. Integrate diversity into the districts urban development patterns in the form of comfortable public gathering spaces with the flexibility of design to accommodate a variety of outdoor public events;
4. Establish an integrated pedestrian circulation network that provides linkages within and between the parks, open spaces, activity centers, and other features in the surrounding areas.

(8) *Signage.*

(a) *Intent.* Signage is an essential element used to convey a sense of the excitement and public vitality of the downtown areas. It should, however, balance the need to promote events with the objective of minimizing visual clutter and enhancing the quality and character of the pedestrian environment. It is also equally accepted that signs should be designed, dimensioned and positioned to avoid an impact which may be out of proportion, excessively dominant, or which would detract from the historical or architectural coherence of the district.

Each district reflects a distinct scale and character of street and activity. The concentration of building mass and increased building heights in the DBD creates the need for different standards for signage in order to be visible to pedestrians and motorists. While it is appropriate for signage in the district to address vehicular orientation, it should also respect the pedestrian experience. Those signs scaled to attract the attention of motorists should be orientated towards highways and/or major vehicular corridors approaching the downtown core.

(b) *Character.* All signs should be:

1. Compatible with and contribute to the character of the surrounding uses, adjacent architecture, and the district;
2. Compatible with and not diminish the architectural characteristics of the buildings on which they appear; and
3. Appropriate to and expressive of the business, use, and/or activity for which they are displayed.

(c) *Materials.*

1. Signs should be constructed of a high quality gauge and of durable materials appropriate to the physical demands of the setting;
2. Signs other than freestanding signs should attach to the structure in such a way as to avoid permanent damage to the structure to which affixed;
3. Attached signs, including projecting blade signs, should be mounted using materials designed as a decorative or complementary element of the sign; and
4. Freestanding signs should be compatible with the materials of the primary structure.

(d) *Illumination.* Interior and Exterior Illuminated signs should:

1. Be shielded to minimize glare;
2. Have electrical power components concealed as much as possible; and
3. Provide a level of light intensity appropriate to the specific location and adjacent uses.

(e) *Design.* All signs should be designed:

1. To be visually engaging to pedestrian and indicative of the product/location being advertised;
2. To be in proportion and scale with the building;
3. To be compatible with the building's materials; and
4. To have human scale where the entire sign is located entirely within the pedestrian viewscape of 14 feet or less above grade.

(f) *Historic Resources.*

1. Existing signs deemed to be Historic Resources should be retained, and where appropriate, restored; and
2. New signs should not detract from or be placed over existing "ghost" signs considered to be Historic Resources.

**TABLE 7200.1: DOWNTOWN DESIGN DISTRICT USES REGULATIONS**

**KEY:**

P = Permitted // C = Conditional // SE = Special Exception // SP = Special Permit // V = Variance

Reference Section 59-9350 for standards for specific uses identified as (C), (SE) or (SP).

USE		DBD	DTD-1 <sup>1</sup>	DTD-2
8350.2	Aboveground Flammable Liquid Storage: Restricted	SE	SE	SE
8300.1	Administrative and Professional Offices	P	P	P
8300.2	Adult Day Care Facilities	P	P	P
8300.3	Adult Entertainment Uses	C		
8300.5	Alcoholic Beverage Retail Sales	P	P <sup>1</sup>	P
8300.8	Animal Sales and Services: Grooming	P	P <sup>1</sup>	P
8300.11	Animal Sales and Services: Kennel and Veterinary, Restricted	P	P <sup>1</sup>	P
8250.1	Artistic Graphics	C	C <sup>1</sup>	C
8300.12	Automotive: Parking Garages	P	P <sup>1</sup>	P

8300.13	Automotive: Parking Lots, as a Principal Use	P	P	P
8300.14	Automotive and Equipment: Cleaning and Repairs, Light Equipment	C	C	P
8300.18	Automotive and Equipment: Automobile Dealerships and Malls	P	P <sup>1</sup>	P
8300.21	Automotive and Equipment: Storage		SP	SP
8300.22	Bingo Parlors	P <sup>2</sup>	P <sup>1,2</sup>	P <sup>2</sup>
8300.23	Building Maintenance Services	P	P <sup>1</sup>	P
8300.24	Business Support Services	P	P <sup>1</sup>	P
8300.25	Child Care Centers	P	P	P
8300.26	Commercial Blood Centers	SP	SP	SP
8300.27	Communications Services: Antennas	C	C	C
8300.28	Communications Services: Broadcast Towers	C	C	C
8300.29	Communications Services: Limited	P	P <sup>1</sup>	P
8300.30	Communications Services: Telecommunication Towers	C	C	C
8250.2	Community Recreation: General	P	P <sup>1</sup>	P
8250.3	Community Recreation: Property Owners Association	P	P <sup>1</sup>	P
8250.4	Community Recreation: Restricted	P	P	P
8300.31	Construction Sales and Services			P
8200.1	Congregate Care Housing and Convalescent Homes	P	P	P
8300.32	Convenience Sales and Personal Services	P	P	P
8250.5	Cultural Exhibits	P <sup>2</sup>	P <sup>1,2</sup>	P <sup>2</sup>
8350.3	Custom Manufacturing	P	P <sup>1</sup>	P

8250.6	Domestic Violence Shelters	SP	SP	SP
8300.33	Drinking Establishments: Sitdown, Alcohol Permitted	SP	SP	SP
8200.2	Dwelling Units And Mixed Use	P	P	P
8300.34	Eating Establishments: Drive-In	P	P <sup>1</sup>	P
8300.35	Eating Establishments: Fast Food	P	P <sup>1</sup>	P
8300.36	Eating Establishments: Fast Food, With Drive-Thru Order Window	P	P <sup>1</sup>	P
8300.37	Eating Establishments: Sitdown <sup>3</sup>	P	P <sup>1</sup>	P
8300.38	Eating Establishments: Sitdown, Alcohol Permitted	P	P <sup>1</sup>	P
8300.39	Eating Establishments: Sitdown, Limited Alcohol Permitted	P	P <sup>1</sup>	P
8250.7	Emergency Shelters and Feeding Sites	SP	SP	SP
8300.41	Food and Beverage Retail Sales	P <sup>2</sup>	P <sup>1,2</sup>	P <sup>2</sup>
8250.8	Forced Detention or Correction Facilities	SP	SP	SP
8300.42	Funeral and Interment Services: Cremating	P	SP	SP
8300.44	Funeral and Interment Services: Undertaking	P	SP	SP
8300.46	Gasoline Sales. Small: Restricted	P	P <sup>1</sup>	P
8200.3	Group Residential	P	P <sup>1</sup>	P
8250.10	High Impact Institutional	P	P <sup>1</sup>	P
8150.7	Horticulture	SP	SP	P
8350.7	Moderate Industrial			SP
8300.48	Laundry Services	P	P <sup>1</sup>	P
8250.11	Library Services and Community Centers	P	P <sup>1</sup>	P

8350.8	Light Industrial	SP	P <sup>1</sup>	P
8250.12	Light Public Protection and Utility: General	P	P <sup>1</sup>	P
8250.13	Light Public Protection and Utility: Restricted	P	P <sup>1</sup>	P
8200.4	Live/Work Units	P	P	P
8300.51	Lodging Accommodations: Commercial Lodging	P	P <sup>1</sup>	P
8300.51.1	Lodging Accommodations: Home Sharing	C	C	C
8250.14	Low Impact Institutional: Neighborhood-Related	P	P	P
8200.5	Low Impact Institutional: Residential-Oriented	P	P	P
8300.52	Medical Services: General	P	P <sup>1</sup>	P
8300.53	Medical Services: Restricted	P	P <sup>1</sup>	P
8450.2	Mining and Processing: Oil and Gas	V	V	V
8250.15	Moderate Impact Institutional	P	P <sup>1</sup>	P
8200.12	Multiple-Family Residential	P	P	P
8250.16	Murals	C	C	C
8300.54	Outdoor Sales and Display, and Outdoor Storage	C	C	C
8300.55	Participant Recreation and Entertainment: Indoor	P <sup>2</sup>	P <sup>1,2</sup>	P <sup>2</sup>
8300.56	Participant Recreation and Entertainment: Outdoor	SP <sup>2</sup>	SP <sup>2</sup>	P <sup>2</sup>
8300.57	Payday or Title Loan Agencies	P	P <sup>1</sup>	P
8300.58	Personal Services: General	P <sup>2</sup>	P <sup>1,2</sup>	P <sup>2</sup>
8300.59	Personal Services: Restricted	P <sup>2</sup>	P <sup>1,2</sup>	P <sup>2</sup>
8300.60	Personal Storage	P	P <sup>1</sup>	P

8300.61	Repair Services: Consumer	P	P <sup>1</sup>	P
8300.62	Research Services: Restricted	P	P <sup>1</sup>	P
8250.17	Residential Facilities for Dependent and Neglected Children	SP	SP	SP
8250.18	Residential Facilities for Drug or Alcohol Treatment Center	SP	SP	SP
8300.63	Retail Sales and Services: General	P <sup>2</sup>	P <sup>1,2</sup>	P <sup>2</sup>
8300.66	Signs: Non-Accessory	C		
8200.14	Single-Family Residential	P	P	P
8300.67	Spectator Sports and Entertainment: General	P <sup>2</sup>	SP <sup>2</sup>	P <sup>2</sup>
8300.68	Spectator Sports and Entertainment: High Impact	SP <sup>2</sup>	SP <sup>2</sup>	SP <sup>2</sup>
8300.69	Spectator Sports and Entertainment: Restricted	P <sup>2</sup>	P <sup>1,2</sup>	P <sup>2</sup>
8200.15	Three- and Four-Family Residential	P	P	P
8250.19	Transitional Mental Health Residential Facilities	SP	SP	SP
8200.16	Two-Family Residential	P	P	P
8450.4	Underground Injection Wells: Enhanced Recovery Wells	SE	SE	SE
8350.16	Wholesaling, Storage and Distribution: Restricted	SP	P <sup>1</sup>	P

**FOOTNOTES: TABLE 7200.1**

<sup>1</sup> There are specific areas of the DTD-1, as defined in Section 59-7200.3.B(1)(a) and (b), where the uses noted are not permitted. See Table 7200.3.

<sup>2</sup> The owner/operator of any property who wishes to serve or sell alcoholic beverages, as defined by State law and subject to State licensing requirements, for on-premises consumption as an accessory function of the primary use of the property, shall meet the condition below. If the condition cannot be met, then said property owner/operator may apply for a Special Permit. The facility in which the alcoholic beverages are served or sold must comply with the City's building code requirements.

- The area allocated to the sale and consumption of alcoholic beverages shall not exceed 15,000 square feet.

<sup>3</sup> Any Planned Unit Development or Simplified Planned Unit Development adopted prior to the effective date of this ordinance that permitted the 8300.37 Eating Establishment: Sitdown, Alcohol Not Permitted use unit shall be permitted to develop according to the 8300.38 Eating Establishment: Sitdown, Alcohol Permitted or 8300.39 Eating Establishment: Sitdown, Limited Alcohol Permitted uses provided they meet the applicable conditions, unless the PUD/SPUD specifically prohibited said uses.

**TABLE 7200.2: DOWNTOWN DESIGN DISTRICTS BULK STANDARDS**

BULK STANDARDS	DBD	DTD-1	DTD-2
Minimum Lot Size	None	None	None
Minimum Lot Width	None	None	None
Maximum Height	None <sup>7</sup>	None <sup>1,6</sup> 3 stories or 50 ft <sup>2</sup>	None <sup>1</sup>
Minimum Height <sup>4</sup>	3 stories or 50 ft on all street frontages	2 stories or 30 ft on all street frontages	2 stories or 30 ft on all street frontages
<b>YARDS (Additional applicable yard regulations are found in Section 59-12100.3)</b>			
Front and Side Yard <sup>3, 5</sup>	None, however, for new construction a Build-To-Line along street frontages is established as follows: <ul style="list-style-type: none"> <li>• The first two floors of new construction shall be placed at or within 10 ft of the street right-of-way.</li> <li>• Up to forty percent of the building on the primary street-frontage may be recessed to allow for entryways, plazas, or similar design features.</li> <li>• Where any setback from the Build-To Line is not a hardscaped plaza or entryway, a landscaped area shall be installed.</li> </ul>		
Rear Yard	None	None	None

;sz=8q; FOOTNOTES: TABLE 7200.2

<sup>1</sup> There are specific locations within the DTD-1 District, found in Section 59-7200.3.C(1)(a), and within the DTD-2 District, found in Section 59-7200.4.C(1)(a), where exceptions to the maximum height apply.

<sup>2</sup> Applies within the specific area of the DTD-1, known as the "Cottage District", as defined in Section 59-7200.3.B(1)(a).



- <sup>3</sup> Exceptions to setback / build-to lines within the Downtown Design Districts are found in Section 59-7200.1.F(1)(b) and in Section 59-7200.3.C. (2) for the area known as the "Cottage District".
- <sup>4</sup> Exceptions to minimum height within the Downtown Design Districts are found in Section 59-7200.1.F(1)(a).
- <sup>5</sup> Where a platted building line exists that requires a greater setback than the DBD, DTD-1 or DTD-2 Districts, the setback/build-to regulations of the zoning district shall be enforced. *Enforcement of this regulation does not remove the platted setback from the plat, but allows for the issuance of a building permit with an encroachment on the platted setback.*
- <sup>6</sup> Chimneys, cooling towers, elevator shafts, bulkheads, broadcasting or receiving antennas, towers, fire towers, tanks, water towers, ornamental towers and spires, wireless towers, and necessary mechanical appurtenances shall be excluded from the measured height of a building. These accessory features may be erected to a height not exceeding 15 feet above the applicable permitted maximum height for that building and shall not be considered a building story.
- <sup>7</sup> The maximum building height along both sides of Broadway Avenue, extending to the north/south alley ways running on both sides of Broadway Ave, and from the north side of NW 6<sup>th</sup> St to the south side of W Park Place shall be 80 ft. The maximum building height along both sides of Broadway Avenue, extending to the north/south alley ways running on both sides of Broadway Ave, and from the north side of NW 4<sup>th</sup> St to the south side of NW 6<sup>th</sup> St shall be 140 ft.

(9) *Demolition.*

(a) *General Provisions.*

1. A Certificate of Approval shall be required for the demolition or removal of any structure within any DBD, DTD-1, or DTD-2 District. Applications for demolition permits shall not be issued unless accompanied by a Certificate of Approval.
2. A Certificate of Approval shall not be required for the demolition or removal by the City of a structure that has been declared dilapidated by the City Council.
3. Burden of Proof. The applicant has the burden of proof to establish, by a preponderance of evidence, the necessary facts to warrant demolition.

(b) *Purpose and Intent.* Buildings and structures form the framework of special districts. The placement height, and materials of buildings and structures, as well as their history, form the character of a district; therefore, it is appropriate to evaluate the impact of the proposed demolition of a structure on the district as a whole. In some cases, demolition or removal of an existing structure may have an adverse affect on the quality and character of the district. However, in other cases, demolition or removal of an existing structure may be appropriate to provide for the continued growth and vitality of the district, and may facilitate economic development or otherwise improve a district's appearance or viability.

(c) *Guidelines for Demolition.* In considering a Certificate of Approval for the demolition or removal of a structure, the Downtown Design Review Committee (or staff, if applicable) may consider any of the following factors:

1. *Design, Form, or Urban Character.*

- i. Staff shall make a recommendation (or determination, if applicable) regarding whether removal of the structure will have an adverse impact on the design, form, or urban character of the district. For purposes of this section, the terms design, form, and urban character shall mean:
  - a. Design refers to the use of architectural components, building materials, or other distinct elements

of structures that create a cohesive theme and standard of quality within the urban environment.

- b. Form refers to the physical layout and design of the built environment, taking into consideration building height, density and floor-area ratio, mass and scale, and the configuration and relationships formed between adjacent buildings, streets, pedestrian areas, and open spaces.
- c. Urban character refers to the general atmosphere and experience created by an environment exhibiting heavy concentrations of entertainment, civic, residential, office, commercial, and cultural uses. Urban character may be physically expressed through:
  - i. Buildings defining corners and blocks and forming a sense of enclosure through a continuous street wall:
  - ii. Landscaping within public rights-of-way, defining public spaces, and the pedestrian realm; and
  - iii. A well-connected, accessible network of sidewalks, streets, and public spaces.

2. *Significance.*

- i. Staff shall make a recommendation (or determination, if applicable) regarding whether the structure is a Historic Resource or Architectural Resource, using information that may include, but not be limited to, the following.
  - a. Research, investigations, and historical or architectural surveys;
  - b. Archival information from newspapers and libraries, which may include photographs, a review of Sanborn Fire Insurance Maps, and historic city directories such as Polk or Criss-Cross; or
  - c. Documentation verifying that the structure is listed in the National Register of Historic Places or has an official Determination of Eligibility from the National Park Service for the National Register.
- ii. Burden of Proof. In support of the application, the applicant may (but is not required to) submit information as described in this Section regarding whether the structure is a Historic Resource or Architectural Resource.

3. *Structural Integrity.*

- i. The structure, which has not otherwise been declared a public nuisance by the City Council, poses an imminent threat to public health or safety and the demolition of said structure is required to alleviate said threat.
- ii. Burden of Proof. In support of the application, the applicant may (but is not required to) submit:
  - a. A signed, stamped analysis from a licensed professional engineer describing any structural deficiencies in the building or structure proposed for demolition.
  - b. The scope of work that would be necessary to repair or remedy such deficiencies.

4. *Economic Feasibility.*

- i. There is no viable economic use of the structure. For purpose of this paragraph, the term "no viable economic use" shall mean:
  - a. The existing structure is incapable of earning a reasonable economic return.
  - b. The structure cannot reasonably be adapted or rehabilitated for any other use which would result in a reasonable economic return.
  - c. The owner or developer, using due diligence, has been unable to find a financier, purchaser or tenant that would enable the owner or developer to realize a reasonable economic return.

- ii. Standard. For purposes of evaluating a reasonable economic return, the applicable standard is what an ordinary person of good faith judgment, would consider to be a reasonable economic return for such a structure, as determined consistent with commonly accepted practices and expectations of persons who buy, sell, develop or invest in property in the community.
- iii. Burden of Proof. In support of the application, the applicant may (but is not required to) submit: a cost analysis and supporting documents, including the cost of demolition and financial information regarding stabilization, repair, rehabilitation, and/or re-use of the building or structure, which may include appraisals, profit and loss statements, itemized expenses, listings of the property for sale, current fair market value, records depicting the current conditions of the property and other relevant documentation.
- iv. Economic Review Board
  - a. If the applicant requests issuance of a Certificate of Approval for demolition based upon "no viable economic use" of the property, the Downtown Design Review Committee (or staff, if applicable) shall either (i) approve the application, or (ii) immediately refer the application to the Economic Review Board, which shall consist of three independent experts appointed by the City Manager. Economic Review Board members shall be knowledgeable in the economics of real estate, renovation and redevelopment. "Independent" as used in this Paragraph means that the expert has no financial interest in the property, its renovation or redevelopment; is not an employee of the property owner; is not a City employee; is not a member of the Downtown Design Review Committee, and is not compensated for serving on the Economic Review Board.
  - b. The Economic Review Board shall have 60 days to hold a public hearing, review the submitted documentation (which may include appraisals, profit and loss statements, itemized expenses, listings of the property for sale, current fair market value, records depicting the current condition of the property and other relevant documentation, including the cost of demolition and financial information regarding stabilization, repair, rehabilitation, and/or re-use of the building or structure), consider all options for renovation, adaptive reuse and redevelopment, and forward a non-binding recommendation to the Downtown Design Review Committee.
  - c. After the Economic Review Board has made a written recommendation, the application shall be deemed complete and the Downtown Design Review Committee shall hold a public hearing within 65 days of receiving said recommendation for the purpose of considering the Certificate of Approval for demolition or removal. The Downtown Design Review Committee shall either approve or deny the application unless the applicant agrees to a continuance.
5. *Demolition with Accompanying Proposal for Replacement.*
  - i. If demolition of an existing structure is requested and a new development is being proposed to replace the existing structure, the applicant is encouraged to submit information demonstrating that the proposed new development's contribution to the design, form, and urban character of the district would outweigh that of the building or structure proposed for demolition. Such information may include (but not be limited to) the following:
    - a. Information showing that the new development would conform with adopted plans, such as the City's comprehensive plan and special use plans. If such information is submitted, staff may review applicable plans and make a recommendation concerning the level of conformance that the

proposed development demonstrates.

- b. Information showing that the height, massing, architecture, and placement of the new development would complement the urban form and character of the district.
- c. Information showing that the overall contribution of the new development would outweigh the loss of any building or structure that is determined to be a Historic Resource or an Architectural Resource.

(10) *Fencing*. Fences should comply with the guidelines listed below:

(a) Front yard fences.

1. The front yard fence should be a decorative-type open fence of wood picket, split-rail wood fencing, or ornamental metal pickets (including ornamental iron, galvanized steel, aluminum, or similar material having the appearance of traditional wrought iron).
2. Picket width and separation should comply with the following:
  - a. For ornamental metal picket fencing four feet or less in height, the maximum picket width should not be less than one inch and the minimum separation of pickets should not be less than two and one-half inches. Spiked caps or spears should not be used.
  - b. On ornamental metal picket fences in excess of four feet in height, minimum separation of pickets should not be less than six inches above the first four feet in height of the fence.
  - c. For wood picket fencing the maximum picket width should be three and one-half inches and the minimum separations of the pickets should be three and one-half inches.
3. Support posts for ornamental metal fencing should be metal or masonry columns and shall be spaced so that visibility is not obstructed so as to present a hazard to pedestrians or vehicular traffic.

(b) Side and Rear Yard Fences.

1. Fencing materials should consist of open ornamental metal pickets, slatted wood panels, wood pickets, or masonry.
2. Ornamental metal fences may be allowed to include masonry columns as referenced for Front Yard Fences.
3. Sizes and spacing for pickets on ornamental metal and wood picket fencing should comply with guidelines for Front Yard Fences.

#### *7200.2. Downtown Business District (DBD).*

- A. *Purpose and Intent*. The DBD District is intended to support diverse forms of business and residential activity, including mixed-uses in a single building, within the central area of the City. Development regulations and guidelines in this district are intended to promote the development and redevelopment of the downtown area in a manner consistent with the unique and diverse design elements and urban character of the downtown district; ensure that uses are compatible with the commercial, cultural, historical and governmental significance of downtown, promote the downtown as a vital mixed-use area; create a network of pleasant, safe, and connected public spaces and pedestrian amenities; enhance existing structures and circulation patterns; and encourage preservation and restoration of historic features.
- B. *Use Regulations*. Table 7200.1 lists the uses allowed in the Downtown Business District.
- C. *Development Regulations*. Table 7200.2 establishes yard and bulk regulations for the Downtown Business District.

*7200.3. Downtown Transitional District, Limited (DTD-1).*

- A. *Purpose and Intent.* The DTD-1 District is intended to promote a high quality mix of commercial, office, and residential uses, including mixed-uses in a single building, for areas adjacent to the DBD District. Development regulations are intended to promote the development and redevelopment of areas adjacent to the DBD District in a manner consistent with the unique and diverse design elements of the area, ensure compatible commercial and residential uses, create a network of pleasant public spaces and pedestrian amenities, enhance existing structures and circulation patterns, encourage preservation and restoration of historic features, encourage preservation of the cultural significance of the central city, and promote the areas adjacent to the downtown business district as dense, urban and mixed-use neighborhoods.
- B. *Use Regulations.* Table 7200.1 lists the general uses allowed in the DTD-1 District, and Table 7200.3 lists the limited uses allowed within specific areas of the DTD-1 District.
- (1) *Permitted Uses for Specific Areas.* In order to ensure compatible development with existing traditional mixed residential uses, there are two specific areas within the DTD-1 District where only a limited number of uses are permitted.
- (a) Area 1, known as the "Cottage District", is defined as: Beginning at a point of intersection between the centerlines of NW 8th Street and North Dewey Avenue; thence west to the centerline of North Lee Avenue; thence north a distance of 190 feet to the centerline of the platted east-west alley between NW 8th and 9th Streets; thence west along said alley to the centerline of North Shartel Avenue; thence north to a point of intersect with the extended centerline of the east-west alley, located in Block 6, Northwest Addition; thence west along the centerlines of said Block 6 and Block 5, Northwest Addition, to a point of intersection with the extended west line of Lot 10, said Block 5, according to the recorded plat, thereof; thence south along said west line to a point of intersection between the extended west line of Lot 23 and the centerline of the platted east-west alley, located in Block 8, Northwest Addition; thence east to the centerline of North Francis Avenue; thence south to NW 7th Street; thence west to a point of intersection with the extended west line of Lot 27, Block 11, Northwest Addition; thence south along said west line to a point of intersection with the centerline of the platted alley located in said Block 11; thence east to the centerline of North Francis Avenue; thence south to the centerline of NW 6th Street; thence east to the centerline of North Shartel Avenue; thence north to the centerline of NW 7th Street; thence east to the centerline of North Lee Avenue; thence south to the centerline of the platted alley, located between NW 5th and 6th Streets; thence east to the centerline of North Dewey Avenue; thence north and along the centerline of Dewey Ave. to the point of beginning.
1. The "Cultural Exhibits" use unit (8250.5) is not allowed in Area 1.
- (b) Area 2 is defined as: all property on the north side of NW 13th Street from the east right-of-way line of Classen Boulevard, to a point 100 feet east of the east right-of-way line of Hudson Avenue.
- C. *Development Regulations.* Table 7200.2 establishes yard and bulk regulations for the DTD-1 District with the following exceptions:
- (1) *Maximum Height.*
- (a) When abutting or within 300 feet of R-1, R-1ZL, R-2, R-3, R-3M, R-4, R-4M, or HP, building height shall be limited within a bulk plane.
- When abutting said districts:
1. Within 100 feet shall not exceed two stories or 35 feet;

2. When over 100 feet and within 300 feet shall not exceed four stories or 65 feet.

(2) *Setbacks.*

(a) Within the area known as the "Cottage District"

1. For new construction, the front yard setback, or front and side yard setbacks for corner lots, shall be within the range of existing building setbacks on the same side of the street on the same block. The setbacks shall be measured from the plane of any structural element closest to the right-of-way, including enclosed entries and covered porches of either of the first two levels of the building(s).
2. Where less than two structures are located on that same side of the street on the same block, the front yard setback, or front and side yard setbacks for corner lots shall be a maximum of 20 feet from the street frontage property line.

(3) *Signage Regulations.* Signage within the Downtown Transitional District, Limited (DTD-1) shall comply with O-2 sign regulations as referenced in Chapter 3 of the Municipal Code and with the regulations and guidelines of this design district as referenced in Sections 59-7200.1.F. and 59-7200.1.G.

D. *Development Guidelines.* The following additional guidelines are applicable to the area known as the "Cottage District," as defined in Section 59-7200.3.B(1)(a).

- (1) The following permitted uses: Single-Family Residential (59-8200.14); Two-Family Residential (59-8200.16); Three- and Four-Family Residential (59-8200.15); and Multiple-Family Residential (59-8200.12), are subject to:
  - (a) *Garages.* Where alleys are accessible, front-facing garages should not be permitted, rather access should be provided from the alley. In instances of detached garages, access should be behind the rear wall of the house.

**TABLE 7200.3: DOWNTOWN TRANSITIONAL DISTRICT, LIMITED (DTD-1) USES REGULATIONS**

**KEY:**

P = Permitted // C = Conditional // SE = Special Exception //

SP = Special Permit // A = ABC Overlay

Reference Section 59-9350 for standards for specific uses identified as (C), (SE), (SP), or (ABC).

USE		DTD-1
8300.1	Administrative and Professional Offices	P
8300.13	Automotive: Parking Lots, as a Principal Use	P
8250.4	Community Recreation: Restricted	P
8200.1	Congregate Care Housing and Convalescent Homes	P
8300.32	Convenience Sales and Personal Services	P
8250.5	Cultural Exhibits	P <sup>1</sup>

8200.2	Dwelling Units and Mixed Use	P
8200.4	Live/Work Units	P
8250.14	Low Impact Institutional: Neighborhood-Related	P
8200.5	Low Impact Institutional: Residential-Oriented	P
8200.12	Multiple-Family Residential	P
8200.14	Single-Family Residential	P
8200.15	Three- and Four-Family Residential	P
8200.16	Two-Family Residential	P

;sz=8q; **FOOTNOTES: TABLE 7200.3**

<sup>1</sup> The "Cultural Exhibits" use is not permitted within the "Cottage District" area, as defined in Section 59-7200.3.B(1)(a).

*7200.4. Downtown Transitional District, General (DTD-2).*

- A. *Purpose and Intent.* The DTD-2 District is intended to promote a high quality mix of commercial, office, residential, and industrial uses, including mixed-uses in a single building, for areas adjacent the DBD District. Development regulations in this district are intended to promote the development and redevelopment of areas adjacent to the DBD District in a manner consistent with the unique and diverse design elements of the area, ensure that areas adjacent to the DBD District contain land uses compatible with commercial, residential, and cultural significance of the central City, create a network of pleasant public spaces and pedestrian amenities, enhance existing structures and circulation patterns, encourage preservation and restoration of historic features, encourage preservation of the cultural significance of the central city, and promote the areas adjacent to the downtown business district as dense, urban and mixed-use neighborhoods.
- B. *Use Regulations.* Table 7200.1 lists the uses allowed in the DTD-2 District.
  - (1) *Signage Regulations:* Signage within the Downtown Transitional District, General (DTD-2) shall comply with O-2 sign regulations as referenced in Chapter 3 of the Municipal Code and with the regulations and criteria of this design district as referenced in Section 59-7200.1.F.
- C. *Development Regulations.* Table 7200.2 establishes yard and bulk regulations for the DTD-2 District.
  - (1) *Exceptions to Maximum Height.*
    - (a) When abutting or within 300 feet of R-1, R-1ZL, R-2, R-3, R-3M, R-4, R-4M or HP, building height shall be limited within a bulk plane: When abutting said zoning districts,
      - 1. Within 100 feet shall not exceed two stories or 35 feet;
      - 2. When over 100 feet and within 300 feet, shall not exceed four stories or 65 feet.

(Ord. No. 23755, § 4, 12-2-08; Ord. No. 24009, § 5, 2-2-10; Ord. No. 24128, § 3, 8-31-10; Ord. No. 24291, § 3, 6-21-11; Ord. No. 24609, § 4, 2-19-13; Ord. No. 24726, § 4, 8-13-13; Ord. No. 24901, § 3, 6-10-14; Ord. No. 25264, § 5, 10-27-15; Ord. No. 25972, § 4, 7-31-18); Ord. No. 26081, § 3, 1-15-19; Ord. No. 26085, § 2, 2-12-19; Ord. No. 26280, § 1, 10-22-19)