

ORDINANCE NO. 2016-26-CM
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, NO. 97-51-CM

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
TIPPECANOE COUNTY, INDIANA, THAT THE UNIFIED ZONING ORDINANCE,
BEING A SEPARATE ORDINANCE AND NOT PART OF A UNIFIED COUNTY CODE
IS HEREBY AMENDED AS FOLLOWS:

See attached.

This ordinance shall be in full force and effect from and after its passage.

(Adopted And Passed) (Denied) by the Board of Commissioners of Tippecanoe
County, Indiana, this 7th day of November, 2016.

VOTE:

Y

Dave Byers
Dave Byers, President

Y

Tracy Brown
Tracy Brown, Vice President

Y

Thomas Murtaugh
Thomas Murtaugh, Member

ATTEST:

Robert Plantenge
Robert Plantenge, Auditor

Auditor

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

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SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

October 20, 2016
Ref. No.: 16-242

Tippecanoe County Commissioners
20 N. 3rd Street
Lafayette IN 47901

CERTIFICATION

RE: UZO AMENDMENT #87--FORM BASED CODE (NEW CHAPTER 7):

An amendment to the Unified Zoning Ordinance that introduces form-based code requirements by neighborhood into the ordinance and provides these standards for Centennial Neighborhood
CONTINUED FROM THE SEPTEMBER APC MEETING AT STAFF'S REQUEST.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on October 19, 2016, the Area Plan Commission of Tippecanoe County voted 15 yes - 0 no on the motion to approve the enclosed amendment to the Unified Zoning Ordinance. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed zoning ordinance amendment be approved.

Enclosed Amendment #87 includes the amendment approved at the hearing to *Section 7-2-9 Parking & Loading.*

Sincerely,


Sallie Dell Fahey
Executive Director

SDF/lmu

Enclosure: Staff Report and Ordinance

**Unified Zoning Ordinance Amendment 87
FORM-BASED OVERLAYS AND CENTENNIAL FORM-BASED OVERLAY**

**Staff Report
October 13, 2016**

BACKGROUND:

In November of 2012 the Area Plan Commission adopted the *Historic Centennial Neighborhood Plan* as an amendment to the *Comprehensive Plan*. In December of 2012 the common council of the City of Lafayette adopted the amendment. Central to the plan is the future land use plan and map, which lays out a future land use strategy for the neighborhood rooted in the vision, goals and objectives outlined in the plan. To realize this vision, an implementation strategy – found in the plan – was included that recommended zoning changes, specifically “form-based” zoning (a type of zoning that includes attention to architectural and site details). After a neighborhood-wide rezone was adopted in 2015, which changed some of the conventional zoning districts, staff embarked formally into developing a form-based overlay with city staff that could be integrated into the Unified Zoning Ordinance. The end result, after numerous months working with Lafayette city staff, the Ordinance Committee, architects, attorneys and neighborhood residents is the new “Chapter 7”.

With Chapter 7, form-based zoning is integrated into the Unified Zoning Ordinance as an “overlay” whereby certain geographically described neighborhoods contain additional regulations designed to address architectural and site details so that any new construction is of a character in keeping with the historic context of the neighborhood. In a redevelopment scenario, the underlying zones remain to control uses while the development standards are governed by the overlay specific to that neighborhood. Certain types of development (modest expansions of existing structures, planned developments, etc.) are exempted from the new provisions. Chapter 7 is designed to be expanded to include other neighborhoods that might seek to make use of this innovative type of zoning.

After numerous meetings including individual briefing meetings with Lafayette City Council members and a follow-up neighborhood resident meeting, the Ordinance Committee on August 10, 2016 recommended this amendment be favorably forwarded to the full plan commission.

PROPOSAL

Section 1 provides additions to Chapter 1 Definitions for terms that are mostly specific to form-based overlays.

Section 2 creates Chapter 7 Form-Based Overlays and provides a general administration section applicable to all form-based overlays (Chapter 7-1) and a neighborhood specific section which pertains to only the Historic Centennial Neighborhood (Chapter 7-2).

Section 3 creates Appendix J and provides additional, primarily graphic information that pertains to all overlays including building types, parking types and private street frontage types.

RECOMMENDATION:

Approval

UZO Amendment #87
Staff Report ADDENDUM

October 19, 2016

BACKGROUND:

An issue concerning the parking provisions was raised by the Historic Centennial Neighborhood Association just after the final draft of the UZO amendment was distributed. After consultation with APC and city staff, we have agreed to modify the parking provisions as shown in this addendum accordingly. The changes limit the lower residential parking ratios available to qualifying projects to largely the western half of the neighborhood.

PROPOSED CHANGES:

7-2-9 PARKING & LOADING

- (a) Required off-street parking within the **Form-Based Overlay** shall conform to the following schedule. Required parking for **uses** not specifically mentioned in the chart below shall be determined by the **Administrative Officer**. Loading and bicycle parking shall conform to UZO standards unless waived by the **Administrative Officer**.
- (b) Properties developing under within the **Form-Based Overlay** provisions shall abide by existing UZO parking requirements, unless a less restrictive standard that permits less minimum required parking in a **Development Sector** is available in this chapter.
- (b)(c) Parking for residential uses in the Residential, Residential Transition, and Neighborhood Mixed-Use 1 **Development Sectors** shall abide by existing UZO parking requirements and may only reduce minimum required parking through the administrative modification provisions found in this chapter.
- (c) ~~**Non-residential uses** for the purposes of assigning required parking shall be determined by APC staff in consultation with the **Administrative Officer**.~~

7-2-11 GENERAL PARKING REDUCTIONS IN THE NEAR DOWNTOWN AND NEIGHBORHOOD MIXED-USE 2 SECTORS

STAFF RECOMMENDATION: Approval

Section 1: Change UZO Section 1-10-2 Words and Terms Defined (by adding definitions primarily pertinent to Form Based Overlays) to read as follows:

1. **BUILDING TYPE.** A component within a *Form-Based Overlay* that describes a specific form of a *building* and contains development requirements designed to achieve the required form.
2. **CIVIC USES.** Use types including the performance of educational, recreational, cultural, medical, protective, religious, governmental, and other uses which are strongly vested with public social importance as determined by the *Administrative Officer*.
3. **COMMUNITY GARDEN.** Any piece of privately owned land gardened by a group of people utilizing either individual or shared plots. The land may produce fruit, vegetables, and/or ornamentals which cannot be sold on-site. The use can only be accessory to a residential *Primary Use* and occupy no more than 25% of the residential *Primary Use Lot*.
4. **DEVELOPMENT DIRECTOR.** The person holding the title of "Economic Development Director" in the City of Lafayette and the person holding the title of "Development Director" in the City of West Lafayette.
5. **DEVELOPMENT SECTOR.** A geographic area within a *Form-Based Overlay* District which contains specific development requirements for qualifying projects.
6. **FORM-BASED OVERLAY.** A geographically defined area over existing *zones* which contain land development regulations designed to foster predictable built results and a high-quality public realm by using physical form as the organizing principle.
7. **GREEN BUILDING.** A *building* which meets the certification requirements of the United States Green Building Council's Leadership in Energy & Environmental Design (LEED) green building rating system.
8. **LOCAL HISTORIC DISTRICT.** A single building, structure, object, or site or a concentration of buildings, structures, objects, spaces, or sites, the boundaries of which are described or delineated on a map approved in an ordinance adopted under this title.
9. **NON-RESIDENTIAL USES.** Uses permitted as a matter of right or permitted by special exception that do not contain a residential component. In zones that permit mixed-uses and specify that non-residential uses be located on the ground floor at a minimum, the majority of the required non-residential space may not be related to the corresponding residential uses such as residential parking, the building's leasing office or storage for residents. The majority of the

ground floor non-residential space must be independent of the corresponding residential uses.

10. **PRIMARY STREET FRONTAGE.** In UZO Chapter 7, *Form-Based Overlay*, the street on which a lot has either exclusive frontage or has a higher volume of traffic than the other street or streets on which the property has frontage; except in cases where maintaining the primary frontage on the street or streets with a lower volume of traffic would more positively contribute to the established development pattern set by the other neighboring lots, as determined by the **Administrative Officer**.
11. **SIDE STREET FRONTAGE.** In UZO Chapter 7, *Form-Based Overlay*, the street or streets on which a property has frontage but does not meet the definition of a **primary street**.
12. **UPPER STORY STEPBACK.** A step-like recession in an exterior wall of an upper story of a **building** measured from the lowest floor wall located closest to a property or right-of-way line.
13. **URBAN FORESTER.** The person designated by the **Development Director** to oversee the development and implementation of a jurisdiction's landscape ordinance, including requirements for streetscape amenities and landscaping in public rights-of-way.

Section 2: Add new UZO Section 7 Form-Based Overlays to read as follows:

7 FORM-BASED OVERLAYS

7-1 ADMINISTRATION

7-1-2 PURPOSE AND INTENT

- (a) The purpose of **Form-Based Overlays** are to promote the health, safety and general welfare of the areas governed by them through prescriptive, context-sensitive development standards that stem from adopted plans and policies found in the *Comprehensive Plan of Tippecanoe County*. These standards are designed to promote the economic well-being of an area and enhance the functionality of the pedestrian-oriented public realm in ways that are more achievable than if the development standards in an overlay's underlying **zones** were used exclusively. The intent is to establish a framework for creating a unified and cohesive community within an overlay that is also compatible with the neighborhoods immediately surrounding that overlay. To that end, future development and/or redevelopment activity within an overlay should adhere to the plans and policies found in the *Comprehensive Plan of Tippecanoe County* that are specific to that overlay.

- (b) Development and redevelopment within an overlay shall comply with the standards and the provisions of this section. Where standards may conflict, the regulations within the overlay shall prevail. When regulations and standards are silent in the overlay, the provisions found elsewhere in the Unified Zoning Ordinance shall apply. In all cases, redevelopment efforts shall accommodate the requirements of the Americans with Disabilities Act (ADA).

7-1-3 GENERAL APPLICABILITY

- (a) A **Form-Based Overlay** includes standards that modify otherwise applicable standards in the underlying **zone**, with the exception of the **Flood Plain Zone** (FP). All properties within the FP Zone are exempt from the requirements of this chapter and remain bound to the requirements of the FP Zone as codified in the Unified Zoning Ordinance. Modifications to non-FP zones include but are not limited to reducing or increasing a quantitative zoning standard, such as **building height, density** or **setback** standards, and may include new zoning standards not otherwise applicable in the underlying **zone**. These modifications do not, however, affect permitted primary and/or special exception uses in the underlying **zones**; they remain governed by the use table found in Chapter 3-2 unless otherwise prohibited in this chapter. The standards and regulations set forth in this chapter shall apply to development and redevelopment within the overlay only, thereby creating parallel standards for a **zone**: one standard for a **zone** inside the overlay and another standard for a **zone** outside the overlay.
- (b) All of the provisions of the underlying **zones** in the overlay shall be in full force and effect, unless such provisions are specifically varied by the provisions of an overlay, in which case the standards in this chapter shall apply.

7-1-4 EXEMPTIONS

- (a) The following forms of development, if permitted in the underlying zoning district, are exempted from the requirements of this chapter and instead bound by the requirements of the underlying zoning district. Though exempt from the requirements of this chapter, developers of projects qualifying as exempt, as determined by the **Administrative Officer**, are encouraged to show sensitivity to the purpose and intent of this chapter and make every effort to ensure their project is reasonably compatible with the development standards of this chapter:
 - (1) Redevelopment is permitted of an existing **nonconforming structure** or **building** lawfully established prior to the adoption of this chapter that is damaged by any means to the extent that the **repair cost** is less than 50% of the **replacement cost** of that **structure**. If **repair cost** exceeds 50% of the **replacement cost** of that **structure**, it shall only be reconstructed in conformance with the requirements of this ordinance.
 - (2) Projects that do not add more than thirty percent (30%) to the existing structure's overall **gross floor area**. Interior work that affects assessed value is not bound by this restriction.

- (3) **Historic Buildings:** Restoration work on either an **historic building** or any **building(s)** located within a **local historic district** that have been identified as having historic significance by the applicable **local historic district**;
- (4) Planned Developments
- (5) Utilities: All development connected with public utilities per Chapter 3-2-6;
- (6) Interior remodel work – this exemption is applicable even if the proposed use of the **building** is to change.
- (7) Ordinary repairs and maintenance of any **building, structure** or site, provided that such repairs or maintenance do not result in a conspicuous change in the design, form, proportion, mass, configuration, building material, texture, location or external visual appearance of any **structure**, or part thereof. The inclusion/addition of solar panels and/or other energy saving technologies on the exterior of any **building** or **structure** are not bound by this restriction.
- (8) **Accessory Buildings** for properties developed prior to the adoption of this chapter – In all R1U, R2U and R3U **zones**, **accessory buildings** are only permitted in the side or rear yard and no closer than 1-foot minimum to any **lot line** unless along a **side street frontage** in which case the **building** shall be a minimum of 4-feet from the side street **lot** line.

7-1-5 PROPERTIES DEVELOPED PRIOR TO THE ADOPTION OF THIS CHAPTER

- (a) Properties within a **Form-Based Overlay** are not bound to the standards and regulations set forth in this chapter if they were developed prior to the adoption of this chapter. They instead remain governed by the requirements of the underlying **zone**. Only when such qualifying property or properties are redeveloping, shall they be governed by the standards and regulations set forth in this chapter. **Buildings** with interior renovations or changing **use** (as permitted by their underlying **zone**) do not qualify for the provisions of this section.

7-1-6 VARIANCES AND SPECIAL EXCEPTIONS

- (a) **Variance** requests within a **Form-Based Overlay** are prohibited. **Special exceptions** are permitted as specified in the Unified Zoning Ordinance and their approvals by the **Area Board of Zoning Appeals** shall be conditioned on meeting all the requirements of this chapter. Properties considered exempt from the requirements of this chapter may also seek **special exceptions** within the limits permitted by their **zone** as specified by the Unified Zoning Ordinance.

7-1-7 COMMITMENTS

- (a) Commitments are permitted in any **Form-Based Overlay**.

7-1-8 PLANNED DEVELOPMENTS WITHIN A FORM-BASED OVERLAY DISTRICT

- (a) Existing planned developments within the **Form-Based Overlay** shall not be subject to the requirements of this chapter but shall be subject to the requirements of their approved **planned development zone**. **Lapsed** or

abandoned planned development sites within the overlay seeking to redevelop must be rezoned to either a new **planned development zone** or to a non-planned development zone.

- (b) New planned developments are allowed anywhere within an overlay and are not subject to the requirements of this chapter. Though not bound by the requirements of this chapter, all new planned developments within an overlay should be negotiated with sensitivity to the requirements of this chapter relative to **uses**, building form, public and private **frontages**, and **building** placement.

7-1-9 NONCONFORMITIES

- (a) All existing **buildings**, **uses**, **lots**, **signs** and development standards which do not conform to one or more provisions of this chapter, but which lawfully existed upon the effective date of the provisions of this chapter may continue under the nonconforming provisions of the Unified Zoning Ordinance. Determinations of nonconformities may be obtained from the **Administrative Officer**.

7-1-10 ZONING COMPLIANCE PLAN SUBMISSIONS

- (a) Zoning Compliance Plan approval shall be required prior to issuance of **Improvement Location Permits** for all proposed projects within a **Form-Based Overlay**.

7-1-11 ZONING COMPLIANCE PLAN REVIEW RESPONSIBILITIES

- (a) Area Plan Commission staff, as directed by the **APC Executive Director**, shall be responsible for reviewing and certifying to the **Administrative Officer** that all Zoning Compliance Plan submissions meet all applicable requirements of this chapter. This responsibility is limited to those submissions that do not contain requests for Administrative Modifications. Submissions that contain requests for Administrative Modifications are required to be reviewed by the Form-Based Overlay Review Committee (committee).
- (b) **APC** Staff and committee members may invite other staff members or checkpoint agency members that they deem necessary to complete a review of a Zoning Compliance Plan.

7-1-12 THE FORM-BASED OVERLAY REVIEW COMMITTEE

- (a) Zoning Compliance Plan submissions that contain requests for Administrative Modifications are subject to the review and approval of the Form-Based Overlay Review Committee. The committee is comprised of the **Executive Director** (or designee), the **Administrative Officer** (or designee), the **Development Director** (or designee) and any members of their respective staffs they choose to involve in the review process.

7-1-13 ADMINISTRATIVE MODIFICATIONS

- (a) During the Zoning Compliance Plan review process, the committee is authorized to make recommendations to the **Administrative Officer**

regarding limited Administrative Modifications, requested by an applicant, to certain provisions of this chapter found in section 7-1-13(b) below, where owing to the following special conditions, the committee determines:

- (1) the policies of the *Comprehensive Plan* are being respected,
 - (2) areas adjacent will not be affected in a substantially adverse manner,
 - (3) strict enforcement would be physically impractical based on the size, shape, topography of the land, and location of existing **buildings**.
- (b) The committee shall review requests in the light of the purpose and intent of this chapter. The committee is authorized to make a recommendation by majority vote to the **Administrative Officer** for an Administrative Modification for the following standards. All special conditions for granting an Administrative Modification must be met in order for the committee to consider recommending granting one.
- (1) Unless the **setback** is already zero, a reduction of up to 25% percent of the required minimum **setback** for all **street frontages**.
 - (2) Unless the required **setback** is already zero, a reduction of up to 50% of the required minimum **side** and **rear setbacks** for any **building**, including **accessory buildings**.
 - (3) An increase of up to 25% of any story height for any **building type**.
 - (4) A decrease of up to 25% for the ground floor elevation for any **building type**.
 - (5) The required **setback** for a covered porch may be reduced to zero-feet from the **right-of-way line**.
 - (6) An increase or decrease of up to 20% of the total required parking. In no case shall the parking requirement fall below 1 space.
- (c) Any person, firm or corporation aggrieved by a decision of the **Administrative Officer** concerning the denial of an Administrative Modification request may appeal the decision to the **Area Board of Zoning Appeals**, pursuant to Chapter 6-4.

7-1-14 LOTS IN THE CITY OF LAFAYETTE

- (a) Per the definition of *lot (Lafayette)* in Chapter 1 of the Unified Zoning Ordinance, the **Administrative Officer** shall determine, prior to the review by **APC** staff of the applicant's submission, the final configuration of the *lot* so that the requirements of this chapter can be applied.
- (b) If the project's developer is seeking to combine, split, or replat *lots*, then the project must fulfill the requirements of the **Unified Subdivision Ordinance** in addition to the requirements of this chapter.

7-1-15 REZONES WITHIN A FORM-BASED OVERLAY DISTRICT

- (a) Rezones within a **Form-Based Overlay** that are not **Planned Developments** are permitted and shall be bound by the **building**, public **frontage** and private **frontage** types specified for the development sector in which the subject property is located.

7-1-16 ZONING COMPLIANCE PLAN SUBMISSIONS STEPS

- (a) Those seeking to develop in a **Form-Based Overlay**, who have determined the property is not exempt from the overlay's requirements, should generally follow these steps prior to making a Zoning Compliance Plan submission:
 - (A) Confirm the property to be developed is within an overlay.
 - (B) Confirm the zoning of that property.
 - (C) Identify the **Development Sector** the property is within.
 - (D) Identify the **building types** permitted in that sector.
 - (E) Identify the parking types permitted for that **building type**.
 - (F) Identify the private **frontage** types permitted in that sector.
 - (G) If in the City of Lafayette, confirm the lot configuration with the **Administrative Officer** pursuant to the definition of *lot (Lafayette)*.
 - (H) Confirm the public **frontage** type requirements with the **Administrative Officer**.
 - (I) Confirm and incorporate the design requirements for the selected **building type** and **frontage** types.
- (b) The Zoning Compliance Plan review process in an overlay follows one of two paths depending on whether Administrative Modifications are being requested.
 - (1) If Administrative Modifications are being requested the applicant begins at Step 1.
 - (2) If Administrative Modifications are not being requested the applicant may proceed to Step 2. Applicants not seeking Administrative Modifications are free to request a pre-submission conference with **APC** staff at their choosing in order to clarify ordinance or submission requirements.

7-1-17 STEP 1: PRE-SUBMISSION CONFERENCE

- (a) Prior to making a Zoning Compliance Plan submission with Administrative Modifications, an applicant shall set up a meeting with **APC** staff to introduce the project concept, explain the need for administrative modifications, and receive early feedback relative to the requirements of this chapter. Additional meetings may be requested by **APC** staff or the applicant to clarify any issues prior to the project being cleared to submit a Zoning Compliance Plan.
- (b) There is no fee for a pre-submission conference.

7-1-18 STEP 2: ZONING COMPLIANCE PLAN SUBMISSION AND REVIEW

- (a) For this part of the submission to be complete Zoning Compliance Plans must account for all the items in the **APC** publication, *Form-Based Overlays: Zoning Compliance Plan Submissions Checklist*, and the following:
 - (1) A completed application to the Area Plan Commission;
 - (2) The submission fee as specified in the **APC** fee schedule;
 - (3) Unless additional copies are requested, a single draft set (with digital PDF) of the Zoning Compliance Plans to **APC** staff for review.
 - (4) If Administrative Modifications are being requested an additional set for the **Administrative Officer** and **Development Director** shall also be submitted with proof of delivery submitted to the **APC** staff.
- (b) If Administrative Modifications are not being requested, the **Executive Director** (or designee) shall review the petition for completeness and notify the petitioner regarding the status of the submission within five business days of receipt of the submission. If the submission is incomplete the staff shall promptly inform the petitioner of all deficiencies. If the submission is complete, the petition shall advance to Step 4.
- (c) If Administrative Modifications are being requested, the **Executive Director** (or designee) shall review the petition for completeness and notify the petitioner regarding the status of the submission within five business days of receipt of the submission. If the submission is incomplete the staff shall promptly inform the petitioner of all deficiencies. If the submission is complete, the petition shall advance to Step 3.

7-1-19 STEP 3: ADMINISTRATIVE MODIFICATIONS REVIEW MEETING

- (a) If any Administrative Modifications are being requested, **APC** staff shall assemble in a timely fashion the **Form-Based Overlay** Review Committee to scrutinize all requests. The applicant shall attend this meeting and be prepared to explain the reason for all requested Administrative Modifications. The committee may require additional meetings to fully evaluate the merits of the request and may render a decision either at the meeting or after the meeting if further deliberations are necessary. A recommendation of approval or denial of any Administrative Modifications shall be issued in writing to the **Administrative Officer**, who makes the final determination, and to the petitioner.
- (b) If the **Administrative Officer** approves all the Administrative Modification requests, the petition proceeds to Step 4. If the **Administrative Officer**

denies some or all of the Administrative Modification requests, the petitioner may appeal the decision before the **Area Board of Zoning Appeals**, withdraw his petition, or resubmit an alternative petition.

7-1-20 STEP 4: ZONING COMPLIANCE PLAN CONDITIONAL APPROVAL

- (a) If no deficiencies exist with the Zoning Compliance Plan submission, the **Executive Director** (or designee), shall issue in writing to the petitioner and **Administrative Officer** a conditional approval determination in a timely manner. A conditional approval determination does not expire. Upon receipt of the conditional approval determination, the petitioner may proceed to Step 5.
- (b) The conditions of approval shall include, but are not limited to:
 - (1) If located in a **Local Historic District**, the receipt of a Certificate of Appropriateness from any applicable historic preservation commission.
 - (2) If dividing or replatting land, all Unified Subdivision Ordinance requirements shall be met.
 - (3) As determined by the **Administrative Officer**, the fulfillment of all bonus density improvements prior to receiving a **certificate of compliance**.
 - (4) If public improvements or improvements for common usage are to be installed with the project, all Unified Subdivision Ordinance requirements for surety shall be met prior to issuance of **Improvement Location Permits**.

7-1-21 STEP 5: IMPROVEMENT LOCATION PERMIT ISSUANCE

- (a) Once the applicable conditions of approval have been satisfactorily addressed, the project developer shall be cleared to apply for **Improvement Location Permits** with the appropriate locality.

Section 3: Add new **UZO Section 7-2 Historic Centennial Neighborhood Form-Based Overlay** to read as follows:

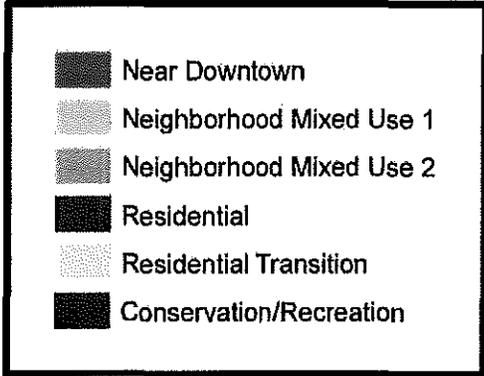
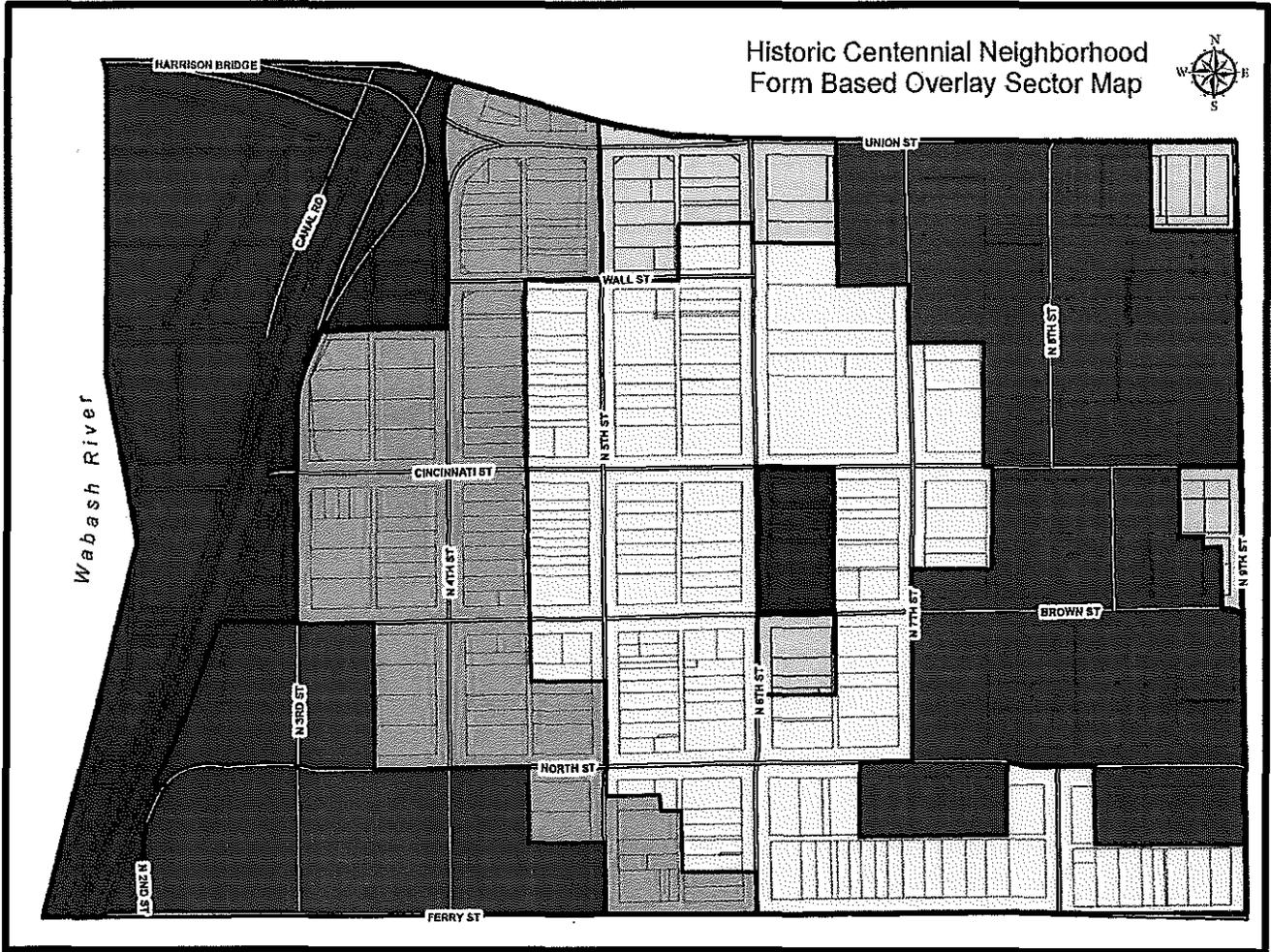
7-2 HISTORIC CENTENNIAL NEIGHBORHOOD FORM-BASED OVERLAY

7-2-1 PURPOSE AND INTENT

- (a) The purpose of the Historic Centennial Neighborhood **Form-Based Overlay** is to ensure that future development and redevelopment in the neighborhood is done in accordance with the policies of the *Historic Centennial Neighborhood Plan*, adopted in 2012, the *Comprehensive Plan of Tippecanoe County* and the requirements of any applicable **Local Historic District**. Development and redevelopment within the overlay shall comply with the following standards and the provisions of this Ordinance.
- (b) The intent is to establish a framework for creating a unified and cohesive community within the entire overlay that is compatible with the neighborhoods immediately surrounding the overlay. To that end, future development and/or redevelopment activity within the overlay should adhere to both the vision and goals of the neighborhood as outlined in Chapter 3 of the *Historic Centennial Neighborhood Plan*.

7-2-2 DISTRICT BOUNDARY AND DEVELOPMENT SECTORS

(a) The **Form-Based Overlay**, as shown on the map below, is bounded by the Wabash River to the west, Union Street to the north, North 9th Street to the east and Ferry Street to the South. The overlay is divided into six **development sectors**.



- (b) Each **Development Sector** described below is assigned permitted **building types**, public **street frontage** types, private **street frontage** types, streetscape and signage requirements:
- (1) Conservation/Recreation: This sector is designed to preserve and protect the riverfront area and Centennial Park for expanded opportunities for public passive/active recreational uses and all **civic uses**.
 - (2) Neighborhood Mixed-Use 1: This sector is designed to support less-intense mixed-use environments near the Residential and Residential Transition sectors.
 - (3) Neighborhood Mixed-Use 2: This sector is designed to augment the mixed-use environment of the Near Downtown sector while transitioning into the residential sectors.
 - (4) Near Downtown: This sector serves as an extension of Downtown Lafayette, allowing for increased building heights, residential density and a mix of **uses** proper to its location and character.
 - (5) Residential Transition: This sector is designed to provide for a variety of residential **building types** at a mix of density levels, supporting the already established urban residential character.
 - (6) Residential: This sector is designed to provide for a variety of lower density residential **building types**.

7-2-3 USES IN THE DEVELOPMENT SECTORS

- (a) Unless otherwise prohibited or specified in this section, all permitted and special **uses** within the overlay shall conform to properties' underlying **zones** as delineated in the Permitted Use Table per Chapter 3 of the UZO.
- (b) All **uses** shall be prohibited in the Conservation/Recreation Sector except for the following: public parks, public parking, all **civic uses**, all public utilities, and **community gardens**.
- (c) The following **uses** are prohibited within the overlay:
 - (1) Agriculture (All uses in UZO 3-2-2) (excluding **community gardens**)
 - (2) Alternative financial services (e.g. refund anticipation lenders, short-term loan providers, cash for precious metal stores, or pawn shops) (SIC 6099, 60, 5932, 593)
 - (3) Auto sales
 - (4) "**Massage establishment**" (SIC 7299)
 - (5) Outdoor sales areas over 60 square feet.
 - (6) "**Adult bookstore**" (SIC 5942)
 - (7) "**Adult motion picture theater** and **adult mini motion picture theaters**" (SIC 7832 and 7833)
 - (8) "**Adult motion picture arcade**" (SIC 7993)
 - (9) "**Adult live entertainment arcade**" & "**adult cabaret**" (SIC 7999)

7-2-4 BUILDING TYPES AND DEVELOPMENT SECTORS

- (a) As shown in the chart below, within each **development sector**, the following selection of **building types** are the only types permitted for **primary use buildings**. Illustrations of the **building types** are found in Appendix J-1 and the requirements are found below.

Sector	Building Type						
	Urban House	Urban Duplex	Row House	Apartment	Commercial	Civic	Mixed-Use
Near Downtown				√	√	√	√
Neighborhood Mixed-Use 1	√	√	√	√	√	√	√
Neighborhood Mixed-Use 2			√	√	√	√	√
Residential	√	√				√	
Residential Transition	√	√	√	√		√	
Conservation / Recreation						√	

7-2-5 GENERAL REQUIREMENTS FOR BUILDING TYPES

The following items shall be accounted for with all qualifying developments in the **Form-Based Overlay**. A final determination of compliance with these items shall be made by the **APC** staff in consultation with the **Administrative Officer**, in its review for zoning compliance approval.

(a) Site Layout:

- (1) **Frontage**: The main façade of all **primary use buildings** (and their corresponding main building entrances) shall front directly onto a primary street.
- (2) **Orientation**: Development shall be generally parallel to the **street** or **streets** it fronts or be consistent with existing development patterns rather than being sited at unconventional angles. Upper stories of **buildings** are not bound to this requirement.
- (3) Non-residential and mixed-use **buildings** on **corner lots** with a single main **building** entrance fronting a **street** shall locate the **building** entrance to the **building** corner closest to the **street** intersection.
- (4) Per UZO Section 4-4-1, average **setbacks** along **street frontages** shall be permitted for qualifying, **form-based overlay** redevelopment projects based on the qualifying criteria in that section unless a reduced standard is found in this section.
- (5) For all pitched-roof **primary use buildings**, the area above the top floor that is within the pitched-roof area shall not count as a floor per this chapter.

(b) Architecture, Design & Integrity:

- (1) **Four-Sided Architecture**: As determined by **APC** staff in consultation with the **Administrative Officer**, a finished elevation in terms of quality and distribution of materials on a façade is required on every side of a **primary use building**. Except in situations where **buildings** physically abut one

another, there shall be no windowless facades (unless prohibited by Building Code) and each side of a structure shall be architecturally similar to the other sides.

- (2) Unless specified elsewhere in this code, all **buildings** utilizing a flat roof shall have a cornice or other finished treatment to complete the top of all **building** walls.
 - (3) No fluorescent, neon, or other high intensity colors shall be used as a primary structure color. Accent colors of brighter hues are permitted.
 - (4) Architectural details create an interesting visual environment for the pedestrian. **Building** façades should include architectural details for, at a minimum, the first two floors. Details should be incorporated into a range of façade elements such as windows, spandrels, awnings, porticos, cornices, pilasters, columns and balconies. Details should establish a varied **building** texture and highlight façade articulation.
 - (5) Proposed **buildings** adjacent to **buildings** within a **local historic district** should be compatible with the historic resource so as not to detract from the historic integrity of the area. Compatibility considerations includes general scale, mass, height, detail, proportions, **setbacks**, profile, roof shape, materials, rhythm of window and door openings, platform/foundations, garage location if applicable, and others as deemed appropriate by the **APC** staff in consultation with the **Administrative Officer**.
- (c) Permitted Materials & Style Requirements:
- (1) Below are the materials and style requirements for the **Form-Based Overlay**. Innovative alternative materials, even those on the prohibited list, which enhance the overlay, are encouraged, subject to approval by **APC** staff in consultation with the **Administrative Officer**.

Description	Permitted (Including But Not Limited To)	Prohibited
Brick and Masonry Work	<ul style="list-style-type: none"> • Clay Brick, Natural Stone, Fiber cement , Simulated wood synthetic excluding vinyl siding, Terra Cotta, wood siding, ACM (up to 10% of a façade) • Material changes shall occur along a horizontal line or where two forms meet; material changes may occur as accents around windows, doors, cornices, at corners, or as a repetitive pattern 	EIFS, Styrofoam, vinyl siding, corrugated fiberglass, unfinished concrete block, mirrored glass and other foam-based products
Windows and Doors	<ul style="list-style-type: none"> • Transparent glass or glass with low reflectivity • The frame should be recessed or projected from the wall plane consistent with the architecture of the building • Operable windows may be single hung, casement, sliding or double-hung • External door shall be framed with wood, aluminum or anodized aluminum as appropriated by use • Unless elsewhere controlled in this chapter, windows and doors may be recessed or projected into a structure to create definition or a usable patio/balcony • Except for the ground-floor, non-residential portion of a building or unless an alternative arrangement is justified based upon historical precedent, doors and windows on front building facades shall be vertically oriented (i.e., the vertical dimension is greater than the horizontal dimension) and vertically aligned between floors • The ground floor of buildings (excluding Civic buildings) requiring first floor non-residential uses shall be transparent storefronts consisting of a minimum of 40% glass on street frontage facades. Such windows shall not be obstructed by interior walls. Window signage shall not obstruct more than 25% of the window area. 	Steel, exposed anodized metal and stainless steel frames
Roof	<ul style="list-style-type: none"> • Wood shingles, standing seam metal, slate, clay tile, asphalt shingles, a combination of similar material or a flat roof • Standing seam metal roofing is allowed as an accent material only and shall not comprise more than 50% of the overall roof area 	For pitched-roof conditions only: Concrete tile , bitumen, plastic and exposed fiberglass, PVC

- (d) **Building** Façade and Projections:
- (1) Permitted projections from a **building's** façade shall include: balconies, windows, awnings, signs, flags, and cornice elements.
 - (2) Any facades facing a public **right-of-way** shall have a minimum of 25 percent transparent glass for all floors.
 - (3) Except in situations where **buildings** physically abut one another, facades not facing the public **right-of-way** shall have a minimum of 10 percent transparent glass for all floors unless prohibited by the Building Code.
 - (4) Permitted encroachments in the public **right-of-way** include: awnings, galleries, stoops, flags, **signs**, and patio seating areas designed to improve the pedestrian environment. Private use of the public **right-of-way** is encouraged where the encroachment meets this chapter's intent and the encroachments do not impact existing or anticipated utility or other public infrastructure. All proposed encroachments are subject to the approval of the **Administrative Officer**.
 - (5) Awnings, marquees, and **signs** should be located where they do not obscure significant architectural or historic features. These features should be attached in a way that prevents damage to historic materials. Historic awnings, marquees, and **signs** should be retained when possible.
- (e) Mechanical Equipment:
- (1) Mechanical equipment shall not be located along any **primary street** frontage.
 - (2) Mechanical equipment may be located on the roof of the **building** or in an integral location within the **building**.
- (f) Other Requirements:
- (1) **Accessory buildings** that are not garages shall be of the same or complementary materials as the **primary use building(s)**. They must be located in the side or rear yard and no closer than 1-foot minimum to any **lot line** unless along a **side street frontage** in which case the **building** shall be a minimum of 4-feet from the side street **lot** line. Height: 10' maximum.
 - (2) Free standing trash enclosures shall not be placed in any front yard and shall be masonry or of a material that matches the **primary use building**.
 - (3) Outdoor storage along **street frontages** is prohibited.
 - (4) Bike racks, trash bins, and seating shall be incorporated into streetscape designs on all **streets** with high levels of pedestrian activity as determined by the **APC** staff in consultation with the **Administrative Officer** and pursuant to city code.
 - (5) Outdoor dining/seating areas are encouraged along the **street frontages** for all **buildings** located in non-residential or mixed-use **zones**. Maximum **setback** from **streets** may be modified, subject to the approval of **APC** staff in consultation with the **Administrative Officer**, to incorporate a public plaza, seating, or outdoor dining into the development.

- (6) Residential Density: For qualifying projects with a residential component in all **development sectors**, there shall be no maximum residential density requirement.
- (7) Walls and Fences along street frontages: Front yard 30-42 inches maximum height. Walls and fences along the side and rear yards: 72 inches maximum height. Allowable materials subject to the approval of **APC** staff in consultation with the **Administrative Officer**.
- (8) **Bufferyard**: Landscape **bufferyards** between **zones** shall adhere to UZO requirements. Where landscape buffering requirements conflict with the development standards of this section, the landscape buffering requirements shall prevail and the development adjusted to accommodate.

7-2-6 SPECIFIC REQUIREMENTS FOR **BUILDING TYPES**

(Note: Capital letters in quotation marks refers to building type illustrations and corresponding labels found in Appendix J-1.)

(a) Urban House

<p>Residential Use:</p> <ul style="list-style-type: none"> • All single-family zones: a single unit on its own lot with a single entrance on the primary street frontage. • All two-family zones: units shall have a single entrance into a common lobby at the primary street frontage, 2 entrances at the primary street frontage or if on a corner lot a single entrance on both the primary and side street frontages. • Multi-family zones: urban houses are permitted with a single entrance into a common lobby at the primary street frontage with an optional second entrance permitted along the side street frontage into a common lobby for corner lots. 	<p>Non-Residential Use or Mixed-Use:</p> <ul style="list-style-type: none"> • Non-Residential zones: non-residential uses permitted on all floors. The building shall have, at least, a single entrance on the primary street frontage. Additional entrances along the street frontage(s) may be considered by the APC staff, in consultation with the Administrative Officer. • Mixed-Use zones: non-residential uses are reserved for the ground floor along street frontages with residential and additional non-residential uses permitted on the upper floors. The building shall have, at least, a single entrance on the primary street frontage. Additional entrances along the street frontage(s) may be considered by the APC staff, in consultation with the Administrative Officer.
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<p>Building Height:</p> <ul style="list-style-type: none"> • Roof Height "A": none • Stories "B": 2 maximum, 3 (with density bonus) • Flat Roof Parapet Height: 2' minimum • Roof Pitch Range: 6:12 or steeper • Ground Story Floor Elevation Above Ground Elevation: 3' minimum • Ground Story Floor to floor height: 9' minimum • Upper Story Floor to floor height: 9' minimum, 15' maximum 	<p>Lot:</p> <ul style="list-style-type: none"> • Width "C": 40' minimum, 80' maximum • Area: minimum: 4,000 square foot / 10,000 square foot maximum <p>Lot Coverage:</p> <ul style="list-style-type: none"> • In the Residential Transition Sector: vegetative cover per lot 25% minimum, impervious surface per lot 75% maximum • In the Residential Sector: vegetative cover per lot 35% minimum, impervious surface coverage per lot 65% maximum
<p>Primary Use Building Setbacks:</p> <ul style="list-style-type: none"> • Primary Street "D": 10' minimum, 15' maximum • Side Street "E": 5' minimum, 10' maximum • Side "F": 5' minimum, 12' maximum • Rear "G": 12' minimum (alley), 20' minimum (no alley) 	

- (1) Garages & parking for all single-family and two-family **zones "H":**
 - (A) Rear-loaded garages are required in the rear yard for **lots** with alley **frontage**. 1' minimum **setback** from alley and side yard, 4' minimum from **side street lot line** if detached.
 - (B) Front-loaded attached garages: are permitted for **lots** with no alley **frontage** only and must be at least 5 feet minimum behind the **primary use building's primary street frontage** facade.
 - (C) Front-loaded detached garage: Located in the rear yard and 1' minimum **setback** from **side/rear lot lines**. **Corner lots** with no alley **frontage** must load from the **side street**.
 - (D) Detached Garage Height: 1 story
- (2) Parking (not driveways) shall be located behind the **primary use building** utilizing one of the required parking options found in the parking section of this section.
- (3) General Design Criteria:
 - (A) Unless the **building** is being constructed under the Historic Preservation Contributions bonus density provisions, the primary entrance to the **building** on the **primary street frontage** shall be under a roofed porch. **Buildings** with more than 1 unit, located on **corner lots**, may add a building entrance to the **side street frontage**.
 - (B) The porch shall be completely roofed: 6' deep minimum, width: 50% (minimum) of **primary street building** facade width, porch height: 1.5' minimum from ground elevation, porch clear height 8' minimum, may encroach into **primary street setback** within 2 feet of **right-of-way line**.
- (4) Permitted Required Private **Frontages**: common yard, porch & fence (see Appendix J-1-4 for descriptions).

(b) Urban Duplex:

- (1) For all **zones**: the design from the **street** shall indicate the appearance of only two units, attached to one another and side-by-side with distinct facades. This constitutes a **building** group. **Building** groups are spaced 10' minimum in multi-family, non-residential and mixed-use **zones** where multiple **building** groups may be placed on a single **lot**.

<p>Residential Use:</p> <ul style="list-style-type: none"> • All single-family zones: an Urban Duplex is not permitted. • All two-family zones: two units shall be attached on a single lot and divided internally along a common party wall. Units shall each have their own entrance on a primary street frontage. For corner lots, the side street frontage may also be utilized for a unit's entrance. • All multi-family zones: maintaining the duplex appearance, multiple units are permitted in a duplex building group with two entrances into common lobbies along the primary street frontage. For corner lots, the side street frontage may also be utilized for one lobby entrance with the other lobby entrance being on the primary street frontage. 	<p>Non-Residential or Mixed-Use:</p> <ul style="list-style-type: none"> • Non-residential zones: non-residential uses permitted on all floors with each building group having 2 entrances along the primary street frontage. For corner lots, the side street frontage may also be utilized for a building's entrance. • Mixed-Use zones: non-residential uses reserved for the ground floor along street frontages with residential and additional non-residential uses permitted on the upper floors. Each building group shall have 2 entrances along the primary street frontage unless on a corner lot. For corner lots, the side street frontage may also be utilized for a building's lobby entrance.
<p>Building Height:</p> <ul style="list-style-type: none"> • Roof Height "A": none • Stories "B": 2 minimum, 3 (maximum with bonus density) • Flat Roof Parapet Height: 2' minimum • Roof Pitch Range: 6:12 or steeper • Ground Story Floor Elevation Above Ground Elevation: 3' minimum • Ground Story Floor to floor height: 9' minimum • Upper Story Floor to floor height: 9' minimum, 15' maximum 	<p>Lot:</p> <ul style="list-style-type: none"> • Lot Width "C": 40' minimum, 80' maximum • Lot Area / unit: 2,500 square foot minimum / 10,000 square foot maximum • Vegetative Cover per lot: 30% minimum • Impervious Surface coverage: 70% maximum
<p>Primary Use Building Setbacks:</p> <ul style="list-style-type: none"> • Primary Street "D": 10' minimum, 15' maximum 	

- **Side Street "E":** 5' minimum, 10' maximum
- Side "F": 5' minimum, 12' maximum
- Rear "G": 12' minimum (alley), 20' minimum (no alley)

- (1) Garages & Parking for all two-family **zones** "H"
 - (A) Rear-loaded garages are required in the rear yard for **lots** with alley **frontage**. 1' minimum **setback** from alley and side yard, 4' minimum from **side street lot line** if detached.
 - (B) Front-loaded attached garages: are permitted for **lots** with no alley **frontage** only and must be at least 5 feet minimum behind the **primary use building's primary street frontage** facade.
 - (C) Front-loaded detached garage: Located in the rear yard and 1' minimum **setback** from **side/rear lot lines**. **Corner lots** with no alley **frontage** must load from the **side street**.
 - (D) Detached garage height: 1 story
- (2) Parking (not driveways) shall be located behind the **primary use building** utilizing one of the required parking options found in the parking section of this section.
- (3) General Design Criteria:
 - (A) Unless the **building** is being constructed under the Historic Preservation Contributions bonus density provisions, duplex **building** shall either have two primary entrances (one for each unit) on the **primary street frontage** under individual roofed porches or, if located on a **corner lot**, one entrance along the **side street** under roofed porch and one along the **primary street** under roofed porch.
 - (B) Porches shall be completely roofed: 6' deep minimum, width: 50% (minimum) of **primary street building** facade width, porch height: 1.5' minimum from ground elevation, porch clear height 8' minimum, may encroach into **primary street setback** within 2 feet of the **right-of-way line**.
- (4) Permitted Required Private **Frontages**: common yard, porch & fence, terrace or lightwell (see Appendix J-1-4 for descriptions).

(c) Row House:

- (1) All **zones**: The row house **building type** is permitted on **lots** primarily with alley **frontage** to facilitate rear loading. The **APC** staff, in consultation with the **Administrative Officer**, may consider driveways off the **street frontages** leading to common parking areas behind the **buildings** as an alternative.
- (2) There must be at least three row house units/facades in a single **building** group, but no more than ten units/facades. Unit entrances must be located along the **primary street frontage** in all single-family **zones**. For **corner lots**, the **side street frontage** may also be utilized for a unit's entrance.

Residential Use:

- All single-family **zones**: **building** groups

Non-Residential or Mixed-Use:

- Non-residential **zones**: To maintain

<p>shall be on lots divided along common party walls with lot lines running through the party walls.</p> <ul style="list-style-type: none"> • All two-family zones: units shall be stacked one on top of the other. Each duplex stack divided along common party walls with lot lines running through the party walls. Unit entrances shall either be two along the primary street frontage or a single entrance with common lobby along the primary street frontage. Corner lots may have an additional entrance on the side street frontage. • All multi-family zones: maintaining the row house appearance in the style proper to the single-family zone, multiple dwelling units are permitted with a single entrance into a common lobby at the primary street frontage for every 2 row-house facades maximum. Corner lots may have an additional entrance on the side street frontage. 	<p>the row house appearance in the style proper to the single-family zone, non-residential uses permitted on all floors with each building group shall have a single entrance along the primary street frontage into either a common lobby or into a single non-residential use for every two row-house facades at a minimum. Corner lots may have an additional entrance on the side street frontage.</p> <ul style="list-style-type: none"> • All Mixed-use zones: non-residential uses are reserved for the ground floor, residential uses and non-residential uses are permitted on the upper floors, and a single entrance into a common lobby at the primary street frontage for every two row-house facades maximum. Corner lots may have an additional entrance on the side street frontage.
<p>Building Height:</p> <ul style="list-style-type: none"> • Roof Height "A": none • Stories "B": 2 minimum, 3 maximum "H" (with density bonus and 5' minimum upper story stepback from ground floor street frontage facades) • Flat Roof: Parapet Height: 2' minimum • Roof Pitch Range: 6:12 or steeper • Ground Story Floor Elevation Above Ground Elevation: 3' minimum • Ground Story Floor to floor height: 10' minimum, 12' maximum • Upper Story Floor to floor height: 9' minimum, 12' maximum 	<p>Lot:</p> <ul style="list-style-type: none"> • Width per row house unit/façade: 20' minimum / 40' maximum • Impervious Surface coverage: 80% maximum • Vegetative Coverage: 20% minimum •
<p>Primary Use Building Setbacks:</p> <ul style="list-style-type: none"> • Primary Street "C": 8' minimum, 15' maximum 	

- **Side Street "D"**: 5' minimum, 10' maximum
- Side "E": 5' minimum between **Building** groups
- Rear "F": 12' minimum (alley), 20' minimum (no alley)

- (3) Garages and Parking for single and two-family **zones**:
- (A) Rear-loaded detached garages "G" are required in the rear yard for **lots** with alley **frontage**. 0' minimum **setback** from alley, 4' side yard and **side street setback** if detached. **Corner lots** with no alley **frontage** must load from the **side street**.
- (B) For **lots** without alley **frontage**: parking shall be located behind the **primary use buildings** with access driveways between **building** groups from the **primary** and/or **side street frontages**.
- (C) Detached Garage Height: 1 story
- (4) Parking (not driveways) shall be located behind the **primary use building** utilizing one of the required parking options found in the parking section of this section.
- (5) General Design Criteria
- (A) The primary entrance to the **building** "I" shall be located on the **primary street frontage** and either under a covered porch or a 3' minimum recessed entrance. **Corner lots** may use the **side street frontage** for the unit entrance.
- (B) Covered Porches shall be completely roofed: 5' deep minimum, width: 50% (minimum) of **primary street building** unit/facade width, porch height above grade: 1.5' minimum from ground elevation, porch clear height 8' minimum, may encroach into the **primary street setback** within 2 feet of the **right-of-way line**.
- (6) Permitted Required Private **Frontages**: common yard, porch & fence, terrace or lightwell, forecourt, stoop (see Appendix J-1-4 for descriptions).

(d) Apartment:

<p>Multi-family zones only:</p> <ul style="list-style-type: none"> • Building entrance "H" into a common lobby along the primary street frontage. Secondary lobby entrance on a side street or a single corner entrance also permitted on corner lots. 	<p>General Height Requirements:</p> <ul style="list-style-type: none"> • Roof Height "A": none • Flat Roof Parapet Height: 2' minimum • Ground story floor elevation above ground elevation: 3' minimum
<p>Requirements In Residential Transition and Neighborhood Mixed-Use 1 Sectors</p>	
<p>Height</p> <ul style="list-style-type: none"> • Stories: 2 minimum, 3 maximum • Ground Story Floor to floor height: 10' minimum • Upper Story Floor to floor height: 10' minimum, 15' maximum 	<p>Lot:</p> <ul style="list-style-type: none"> • Primary Use Building width along primary street frontage per lot: 75' maximum • Vegetative Coverage per lot: 25% • Impervious Surface coverage per lot:

	75%
Primary Use Building Setbacks: <ul style="list-style-type: none"> • Primary Street "B": 10' minimum, 20' maximum • Side Street "C": 5' minimum, 15' maximum • Side "D": 6' minimum • Rear "E": 12' minimum (alley), 20' min (no alley) 	

Requirements In Neighborhood Mixed-Use 2 Sector	
Height <ul style="list-style-type: none"> • Stories: 2 minimum, 4 maximum (with 10' upper story setback "F" from ground floor street frontage facades), 5 (with density bonus and 20' upper story setback "G" from ground floor street frontage facades) • Ground Story Floor to floor height: 10' minimum • Upper Story Floor to floor height: 10' minimum, 15' maximum 	Lot: <ul style="list-style-type: none"> • Building width along primary street frontage per lot: 100' maximum • Vegetative Coverage per lot: 15% • Impervious Surface coverage per lot: up to 85%
Primary Use Building Setbacks: <ul style="list-style-type: none"> • Primary Street "B": 5' minimum, 15' maximum • Side Street "C": 5' minimum, 10' maximum • Side "D": 5' minimum • Rear "E": 12' minimum (alley), 20' minimum (no alley) 	

Requirements Near Downtown Sector	
Height <ul style="list-style-type: none"> • Stories: 3 minimum, 5 maximum (with required 10' upper story setback "F" from ground floor street frontage facades), 6 (with density bonus and 20' upper story setback "G" from ground floor street frontage facades) • Ground Story Floor to floor height: 10' minimum • Upper Story Floor to floor height: 10' minimum, 15' maximum 	Lot: <ul style="list-style-type: none"> • Building width along primary street frontage per lot: 125' maximum • Vegetative Coverage per lot: none • Impervious Surface coverage per lot: up to 100%

Primary Use Building Setbacks:

- **Primary Street "B":** 0' minimum, 10' maximum
- **Side Street "C":** 0' minimum, 10' maximum
- Side "D": 0' minimum
- Rear "E": 0' minimum (alley), 0' minimum (no alley)

(1) Required off-street parking (not driveways) shall be located behind the **primary use building** utilizing one of the required parking options found in the parking section of this section.

(2) General Design Criteria

(A) **Corner lot buildings** are encouraged to locate the entrance to the corner as part of an architecturally prominent focal point.

(3) Permitted Required Private **Frontages:** terrace or lightwell, forecourt, stoop, shopfront (see Appendix J-1-4 for descriptions).

(e) Commercial:

Non-residential & Mixed-Use **zones** only:

- Multiple ground floor entrances permitted along **primary** and **side street frontages** to accommodate smaller tenants and lobby entrances for upper floors. At a minimum there shall be a single **building** entrance "H" on the **primary street frontage** and, if on a **corner lot**, a secondary entrance on the **side street frontage**.

General Height Requirements:

- Roof Height "A": none
- Flat Roof Parapet Height: 2' minimum
- Ground story floor elevation from ground floor elevation: 0' minimum

Requirements In the Neighborhood Mixed-Use 1 Sector

Height:

- Stories: 2 minimum, 3 maximum
- Ground Story Floor to floor height: 10' minimum
- Upper Story Floor to floor height: 10' minimum, 15' maximum

Lot:

- **Building** width along **primary street frontage** per **lot:** 125' maximum
- **Vegetative Coverage** per **lot:** 10%
- **Impervious Surface** coverage per **lot:** 90%

Primary Use Building setbacks

- **Primary Street "B":** 0' minimum, 15' maximum
- **Side Street "C":** 0' minimum, 10' maximum
- Side "D": 0' minimum
- Rear "E": 0' minimum (alley), 10' minimum (no alley)

Requirements In the Neighborhood Mixed-Use 2 Sector	
<p>Height:</p> <ul style="list-style-type: none"> • Stories: 2 minimum, 4 maximum (with 10' upper story setback "F" from ground floor street frontage facades), 5 (with density bonus and 20' upper story setback "G" from ground floor street frontage facades) • Ground Story Floor to floor height: 10' minimum • Upper Story Floor to floor height: 10' minimum, 15' maximum 	<p>Lot:</p> <ul style="list-style-type: none"> • Building width along primary street frontage per lot: 125' maximum • Vegetative Coverage per lot: 10% • Impervious Surface coverage per lot: 90%
<p>Primary Use Building setbacks</p> <ul style="list-style-type: none"> • Primary Street "B": 0' minimum, 15' maximum • Side Street "C": 0' minimum, 10' maximum • Side "D": 0' minimum <p>(A) Rear "E": 0' minimum (alley), 10' minimum (no alley)</p>	

Requirements In the Near Downtown Sector	
<p>Height:</p> <ul style="list-style-type: none"> • Stories: 3 minimum, 5 maximum (with required 10' upper story setback "F" from ground floor street frontage facades), 6 (with density bonus and 20' upper story setback "G" from ground floor street frontage facades) • Ground story floor to floor height: 10' minimum • Upper story floor to floor height: 10' minimum, 15' maximum 	<p>Lot:</p> <ul style="list-style-type: none"> • Building width along primary street frontage per lot: 200' maximum • Vegetative Coverage per lot: 0% • Impervious Surface coverage per lot: 100%
<p>Primary Use Building setbacks</p> <ul style="list-style-type: none"> • Primary Street "B": 0' minimum, 10' maximum • Side Street "C": 0' minimum, 5' maximum • Side "D": 0' minimum • Rear "E": 0' minimum (alley), 10' minimum (no alley) 	

- (1) Required off-street parking (not driveways) shall be located behind the **primary use building** utilizing one of the required parking options found in the parking section of this section.
- (2) General Design Criteria
 - (A) **Corner lot buildings** are encouraged to locate the entrance to the **building** at the corner as part of an architecturally prominent focal point.
- (3) Permitted Required Private **Frontages**: forecourt, stoop, shopfront, gallery, arcade (see Appendix J-1-4 for descriptions).

(f) Civic:

- (1) All non-FP **zones: primary use building** entrance(s) "F" along the **primary street frontage**. A minimum of one secondary entrance on a **side street** or a single corner entrance is also permitted on **corner lots**.
- (2) General Height Requirements
 - (A) Roof Height "A": none
 - (B) Flat Roof Parapet Height: 2' minimum
 - (C) Ground Story Floor Elevation Above Ground Elevation: 0' minimum
 - (D) Steeples and similar architectural elements shall be governed by existing Unified Zoning Ordinance standards.

Requirements In the Conservation/Recreation and Residential Sectors	
Height: <ul style="list-style-type: none"> • Stories: 2 maximum • Ground Story Floor to floor height: 10' minimum • Upper Story Floor to floor height: 10' minimum, 15' maximum 	Lot: <ul style="list-style-type: none"> • Building width along primary street frontage per lot: 100' maximum • Vegetative Coverage per lot: 25% • Impervious Surface coverage per lot: 75%
Primary Use Building setbacks: <ul style="list-style-type: none"> • Primary Street "B": 10' minimum, 20' maximum • Side Street "C": 5' minimum, 15' maximum • Side "D": 10' minimum • Rear "E": 12' minimum (alley), 20' minimum (no alley) 	

Requirements In the Residential Transition Sector	
Height: <ul style="list-style-type: none"> • Stories: 3 maximum • Ground Story Floor to floor height: 10' minimum • Upper Story Floor to floor height: 10' minimum, 15' maximum 	Lot: <ul style="list-style-type: none"> • Building width along primary street frontage per lot: 125' maximum • Vegetative Coverage per lot: 25% • Impervious Surface coverage per lot: 75%
Primary Use Building setbacks: <ul style="list-style-type: none"> • Primary Street "B": 10' minimum, 25' maximum • Side Street "C": 5' minimum, 15' maximum • Side "D": 10' minimum • Rear "E": 12' minimum (alley), 20' minimum (no alley) 	

Requirements In the Neighborhood Mixed-Use 1 Sector	
Height: <ul style="list-style-type: none"> • Stories: 2, minimum, 3 maximum • Ground Story Floor to floor height: 10' minimum • Upper Story Floor to floor height: 10' minimum, 15' maximum 	Lot: <ul style="list-style-type: none"> • Building width along primary street frontage per lot: 150' maximum • Vegetative Coverage per lot: 15% • Impervious Surface coverage per lot: 85%

Primary Use Building setbacks

- **Primary Street "B"**: 5' minimum, 15' maximum
- **Side Street "C"**: 5' minimum, 10' maximum
- Side "D": 5' minimum
- Rear "E": 12' minimum (alley), 20' minimum (no alley)

Requirements In the Neighborhood Mixed-Use 2 Sector

<p>Height:</p> <ul style="list-style-type: none">• Stories: 2 minimum, 4 maximum (with 10' upper story setback "F" from ground floor street frontage facades), 5 (with density bonus and 20' upper story setback "G" from ground floor street frontage facades)• Ground Story Floor to floor height: 10' minimum• Upper Story Floor to floor height: 10' minimum, 15' maximum	<p>Lot:</p> <ul style="list-style-type: none">• Building width along primary street frontage per lot: 150' maximum• Vegetative Coverage per lot: 15%• Impervious Surface coverage per lot: 85%
---	---

Primary Use Building setbacks:

- **Primary Street "B"**: 5' minimum, 15' maximum
- **Side Street "C"**: 5' minimum, 10' maximum
- Side "D": 5' minimum
- Rear "E": 12' minimum (alley), 20' minimum (no alley)

Requirements In the Near Downtown Sector

<p>Height:</p> <ul style="list-style-type: none">• Stories: 3 minimum, 5 maximum (with required 10' upper story setback "F" from ground floor street frontage facades), 6 (with density bonus and 20' upper story setback "G" from ground floor street frontage facades)• Ground Story Floor to floor height: 10' minimum• Upper Story Floor to floor height: 10' minimum, 15' maximum	<p>Lot:</p> <ul style="list-style-type: none">• Building width along primary street frontage per lot: 200' maximum• Vegetative Coverage per lot: 0%• Impervious Surface coverage per lot: 100%
--	---

Primary Use Building setbacks

- **Primary Street "B"**: 0' minimum, 10' maximum
- **Side Street "C"**: 0' minimum, 10' maximum
- Side "D": 0' minimum
- Rear "E": 0' minimum (alley), 10' minimum (no alley)

(3) Required off-street parking (not driveways) shall be located behind the **primary use building** utilizing one of the required parking options found in the parking section of this section.

(4) General Design Criteria

- (A) UZO Section 4-5-1 relative to height exceptions applies to the Civic **building type**, unless otherwise prohibited by this section.
- (B) **Corner lot buildings** are encouraged to locate the entrance to the **building** at the corner as part of an architecturally prominent focal point.
- (5) Permitted Required Private **Frontages**: Any from Appendix J-1-4

(g) Mixed-Use:

<p>Mixed-Use zones only:</p> <ul style="list-style-type: none"> • Multiple ground floor entrances permitted along primary and side street frontages to accommodate smaller tenants and lobby entrances for upper floors. • Non-residential uses permitted on all floors. Residential uses permitted on upper-floors only. • At a minimum there shall be a single building entrance along the primary street frontage "H" and, if on a corner lot, a secondary entrance on the side street frontage. 	<p>General Height Requirements:</p> <ul style="list-style-type: none"> • Roof Height "A": none • Flat Roof Parapet Height: 2' minimum • Ground Story Floor Elevation Above Ground Elevation: 0' minimum
<p>Requirements In the Neighborhood Mixed-Use 1 Sector</p>	
<p>Height:</p> <ul style="list-style-type: none"> • Stories: 2 minimum, 3 maximum • Ground Story Floor to floor height: 10' minimum • Upper Story Floor to floor height: 10' minimum, 15' maximum 	<p>Lot:</p> <ul style="list-style-type: none"> • Building width along primary street frontage per lot: 100' maximum • Vegetative Coverage per lot: 10% • Impervious Surface coverage per lot: 90%
<p>Primary Use Building setbacks</p> <ul style="list-style-type: none"> • Primary Street "B": 0' minimum, 15' maximum • Side Street "C": 0' minimum, 10' maximum • Side "D": 0' minimum • Rear "E": 0' minimum (alley), 10' minimum (no alley) 	

<p>Requirements In the Neighborhood Mixed-Use 2 Sector</p>	
<p>Height:</p> <ul style="list-style-type: none"> • 2 minimum, 4 maximum (with 10' upper story setback "F" from ground floor street frontage facades), 5 (with density bonus and 20' upper story setback "G" from ground floor street frontage facades) • Ground Story Floor to floor height: 10' minimum • Upper Story Floor to floor height: 10' 	<p>Lot:</p> <ul style="list-style-type: none"> • Building width along primary street frontage per lot: 100' maximum • Vegetative Coverage per lot: 10% • Impervious Surface coverage per lot: 90%

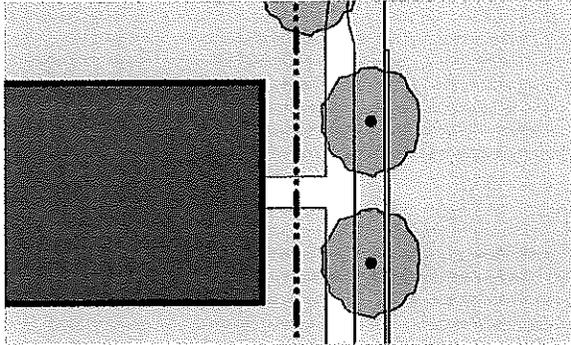
minimum, 15' maximum
Primary Use Building setbacks <ul style="list-style-type: none"> • Primary Street "B": 0' minimum, 15' maximum • Side Street "C": 0' minimum, 10' maximum • Side "D": 0' minimum • Rear "E": 0' minimum (alley), 10' minimum (no alley)

Requirements In the Near Downtown Sector	
Height: <ul style="list-style-type: none"> • Stories: 3 minimum, 5 maximum (with required 10' upper story setback "F" from ground floor street frontage facades), 6 (with density bonus and 20' upper story setback "G" from ground floor street frontage facades) • Ground Story Floor to floor height: 10' minimum • Upper Story Floor to floor height: 10' minimum, 15' maximum 	Lot: <ul style="list-style-type: none"> • Building width along primary street frontage per lot: 200' maximum • Vegetative Coverage per lot: 0% • Impervious Surface coverage per lot: 100%
Primary Use Building setbacks <ul style="list-style-type: none"> • Primary Street "B": 0' minimum, 10' maximum • Side Street "C": 0' minimum, 5' maximum • Side "D": 0' minimum • Rear "E": 0' minimum (alley), 10' minimum (no alley) 	

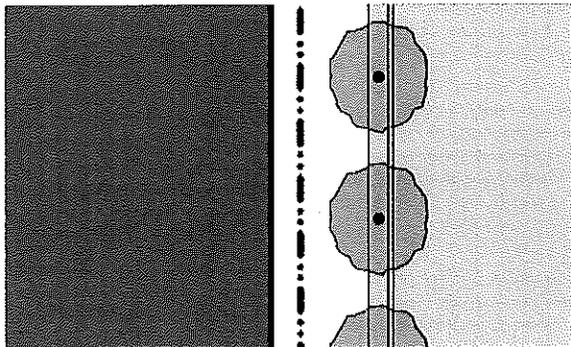
- (1) Required off-street parking (not driveways) shall be located behind the **primary use building** utilizing one of the required parking options found in the parking section of this section.
- (2) General Design Criteria
 - (A) **Corner lot buildings** are encouraged to locate the entrance of the **building** at the corner as part of an architecturally prominent focal point.
- (3) Permitted Required Private **Frontages**: Any from Appendix J-1-4.

7-2-7 PUBLIC FRONTAGE REQUIREMENTS

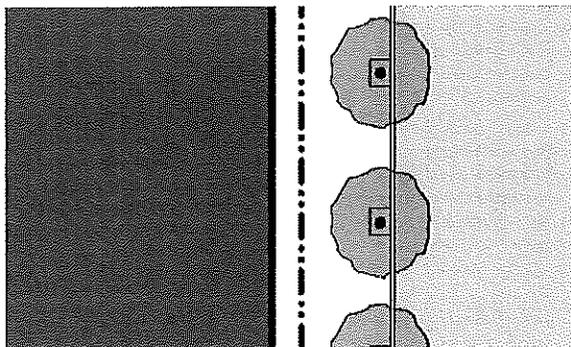
FRONTAGE PLAN VIEW



1. **Common Lawn:** Appropriate primarily in the Residential, Residential Transition and Conservation/Recreation sectors, this Frontage has raised Curbs and Sidewalks separated from the vehicular lanes by a tree lawn with a variable width common lawn between the sidewalk and right-of-way line. Tree lawn width: 4'/6' (min/max). Sidewalk width: 5'/7' (min/max). Tree spacing in tree lawn: subject to the approval of the Urban Forester.



2. **Urban Tree Lawn:** Appropriate primarily in the Residential Transition and Neighborhood Mixed-Use sectors; this Frontage has raised Curbs and Sidewalks which are separated from the vehicular lanes by a tree lawn. Regularly spaced raised brick planters (to allow for pedestrians to pass through) can be substituted for the tree lawn. Tree lawn width: 4'. Sidewalk width: 6'/10' (min/max). Planter height: 3' max. Tree spacing in tree lawn: subject to the approval of the Urban Forester.



3. **Urban Tree Well:** Appropriate primarily in the Neighborhood Mixed-Use and Near Downtown sectors, this Frontage has raised Curbs and Sidewalks which are separated from the vehicular lanes by separate tree wells with grates. Tree well dimensions: 4'-5' square (min/max). Sidewalk width: 8'/12' (min/max). Tree well spacing: subject to the approval of the Urban Forester. Additional City of Lafayette requirements concerning the construction materials for this frontage shall also apply.

7-2-8 GENERAL PARKING REQUIREMENTS

- (a) Parking structures shall not be more than eight feet taller than the adjacent **primary use building**.
- (b) Parking structures visible from **streets** shall be architecturally similar to the **primary use building** by using similar architectural elements. The **use** of landscaping, including but not limited to trellises, greenscreens and other climbing plant materials may also contribute to this requirement.
- (c) All City of Lafayette requirements for the landscaping of parking facilities shall apply.
- (d) Minimum parking requirements are listed in the table below.
- (e) Handicap parking requirements remain unaltered by the requirements of this section. Handicap parking cannot be off-street in front of the **building** along **Primary Street Frontages**. Within the limits of this restriction, the **APC** staff in consultation with the **Administrative Officer** can consider alternative placement of **building** entrances and other development standards to accommodate required handicap parking. The **Administrative Officer** may also approve on-street handicap parking to serve the requirement for a **building**.
- (f) Developers are encouraged to employ practical alternative parking design solutions for providing the required amount of parking while minimizing the impact on the site, including but not limited to tandem parking, compact parking spaces, and shared parking agreements. All alternatives are subject to the approval of APC staff in consultation with the **Administrative Officer**.

7-2-9 PARKING & LOADING

- (a) Required off-street parking within the **Form-Based Overlay** shall conform to the following schedule. Required parking for **uses** not specifically mentioned in the chart below shall be determined by the **Administrative Officer**. Loading and bicycle parking shall conform to UZO standards unless waived by the **Administrative Officer**.
- (b) Properties developing under the **Form-Based Overlay** provisions shall abide by existing UZO parking requirements, unless a standard that permits less minimum parking in a development sector is available in this chapter.
- (c) Parking for residential uses in the Residential, Residential Transition, and Neighborhood Mixed-Use 1 development sectors shall abide by existing UZO parking requirements and may only reduce minimum required parking through the administrative modification provisions found in this chapter.

USE TYPE	MINIMUM PARKING REQUIREMENT
RESIDENTIAL USES	
all residential use types	One Space per Unit
OFFICE USES	
all office use types	One Space per 500 sq. ft.
CIVIC	One Space per 750 sq. ft.
NON-RESIDENTIAL USES	
retail	One Space per 500 sq. ft.
Service/manufacturing	One Space per 500 sq. ft.
restaurant	One Space per 250 sq. ft.
entertainment	One Space per 750 sq. ft.
LODGING / BED & BREAKFASTS	One Space per room
PUBLIC UTILITIES (per Section 3-2-6)	One Space per 1000 sq. ft.

(d) Permitted Parking By **Building** (see Appendix J-1-5 for parking type descriptions)

Parking Type	Building Type						
	Urban House	Urban Duplex	Row House	Apartment	Commercial	Civic	Mixed-Use
Garage	√	√	√				
Tuck-Under Parking	√	√	√	√	√	√	√
Surface Lot	√	√	√	√	√	√	√
Midblock Structure				√	√	√	√
Lined Structure				√	√	√	√
Integrated Structure				√	√	√	√
Underground Structure				√	√	√	√

7-2-10 PARKING REDUCTIONS FOR MIXED USES

(a) Those developments that include a combination of multiple land *use* categories may reduce the overall supply of parking by the following ratios:

USE COMBINATION	REQUIRED PARKING
Residential and Office	75% of combined total
Residential and Retail	90% of combined total
Office and Retail	75% of combined total
Lodging and Residential	90% of combined total
Lodging and Office	80% of combined total
Lodging and Retail	90% of combined total

7-2-11 GENERAL PARKING REDUCTIONS IN THE NEAR DOWNTOWN AND NEIGHBORHOOD MIXED-USE 2 SECTOR

- (a) When underground or structured parking is incorporated into a development the required parking amount may be reduced, before any other reductions are applied, per the following schedule:
- (1) 15% of the total required parking when at least half of the required parking is underground or structured.
 - (2) 20% of the total required parking when all of the required parking is underground or structured.
- (b) For every 4 covered bicycle parking spaces provided, the total parking requirement may be reduced by 1 space up to a maximum of 5% of the total parking requirement before any other parking reductions are applied.
- (c) Subject to approval of the **Administrative Officer**, developments that incorporate car sharing into their project (either on or off-street) may reduce their required parking, after all other parking reductions have been applied, per the following schedule: Up to 7 required parking spaces per 1 shared car (a maximum of 4 shared cars are permitted per development site).

additional development rights should they choose to do so. The 9 categories are: public alley improvements, public art and cultural amenities, green building design, **Local Historic District** contributions, underground parking, bicycle storage, architectural enhancements, bus stop improvements, and car charging stations.

- (a) **Public Alley Improvements:** This category is available to those projects that improve their block's public alley. Improving the existing condition of the *Form-Based Overlay's* public alleys benefits the neighborhood by increasing pedestrian connectivity and helping to establish a clean and safe image. The improvements must go beyond those typically required as part of the development process. Improvements that shall be considered include: 1) burying overhead utilities to improve the site aesthetics; 2) screening the project's utilitarian elements such as trash, recycling, or loading docks; 3) incorporating a public plaza into the entrance of an alley including the addition of lighting to increase the pedestrian's sense of safety; 4) resurfacing the alleyway to delineate pedestrian spaces from vehicular spaces; and others.
- (b) **Public Art and Cultural Amenities:** Public art benefits the community by improving the pedestrian experience and potentially serving as an additional attraction to the neighborhood. To qualify for density bonus points a project must include art or cultural amenities into the project itself. This "significant" amenity must be within a plaza or entryway feature and located along a **street frontage** or **frontages**. It can also be incorporated into the **structure** itself as a mural or relief. All proposals must be approved by the City of Lafayette.
- (c) **Green Building:** The building industry's approach to design, construction, and operation of structures is evolving and is moving toward a new value of environmental performance. The industry's growing sustainability ethic is based on the principles of resource efficiency, health, and productivity. "Green" or "sustainable" **building** considers a **building's** total economic and environmental impact and performance, from material extraction and product manufacture to product transportation, **building** design and construction, operations and maintenance, and **building** reuse or disposal. The adoption of sustainable **building** practices as verified by a LEED consultant warrants density bonus points.
- (d) **Local Historic District Contributions:** New developments that contribute to the historic fabric of a neighborhood by honoring the architectural heritage of that neighborhood should be encouraged. Proposed developments can qualify for bonus density points by designing their project around one or more of the prescribed architectural styles found in *The Resource Guide*, published by the Wabash Valley Trust for Historic Preservation. Redevelopment efforts utilizing *The Resource Guide* shall submit their proposal, for inclusion into the **Local Historic District**, to the Lafayette Historic Preservation Commission and have their project reviewed and approved to receive bonus density points.
- (e) **Underground Parking:** While the construction of underground parking accomplishes a number of urban form goals, it is often cost prohibitive. To encourage projects that meet our urban form goals while simultaneously providing ample on-site parking, those projects with sub-grade parking are eligible for density bonus points.

- (f) Bicycle Storage: To qualify for the bicycle storage density bonus, a project must include a sheltered bicycle cage, lockers or other secure bicycle storage areas, and – for commercial and mixed-use **buildings** - must have bicycle rider facilities such as a locker room and shower.
- (g) Architectural Enhancements: To qualify for this bonus, at least 50% of each **building** façade facing a **street** shall incorporate horizontal and vertical architectural modulation elements into the architecture. They may include but are not limited to bay windows, balconies, chimneys, and other like projections from the principle face of a **building**.
- (h) Bus Stop Improvements: Subject to the approval of the **Administrative Officer** and a designated representative of the local transit service provider, improvements made to bus stops for routes that run along a development's **street frontages** (on either side of a **street**) can qualify for bonus density points. Improvements can include bus shelters, benches, concrete pads and sidewalk connections to bus stop improvements.
- (i) Car Charging Stations: Projects that incorporate car charging facilities for electric motor vehicles within the development can qualify for bonus density points. Charging facilities may also be located within the public **right-of-way** along the project's **street** or alley **frontages** as approved by the **Administrative Officer**.

7-2-13 BONUS DENSITY POINTS CHART

- (a) The following table quantifies the number of bonus density percentage points available for specific actions that benefit the **Form-Based Overlay** specifically and the community as a whole. Achieving 100% or more allows the developer to take advantage of the bonus density option specified for each **building type**, as permitted by the development sector. The **APC** staff in consultation with the **Administrative Officer** shall determine if a project qualifies for bonus density percentage points and shall issue their zoning compliance approval conditioned on the developer fulfilling their bonus density improvements. The **Administrative Officer** shall not issue occupancy permits (a **certificate of compliance**) until verification of all bonus density improvements is accomplished.

(b) Bonus Density Points Chart

Improvement	Minimum		Additional	
	size or other	%points	size of other	%points
Public Alley	1 of the 4 options	10%	Additional listed options	10%
Public Art	"significant" art contribution	25%	N/A	N/A
Green Building (LEED Certification)				
	Certified	40%	N/A	N/A
	Silver	60%	N/A	N/A
	Gold	80%	N/A	N/A
	Platinum	100%	N/A	N/A
Historic Preservation Contributions	Adding a property to local historic district as part of a qualifying redevelopment effort	100%	N/A	N/A
Underground Parking	50% of required parking is underground	40%	100% of required parking is underground	60%
Bicycle Storage	sheltered and secure bicycle parking for 15 bicycles	20%	sheltered and secure bicycle parking for 10 bicycles	10%
Architectural Enhancements	required amount of specified enhancements provided	30%	NA	NA
Bus Stop Improvements	1 of the 4 options	20%	Additional listed options	10%
Car Charging Station	provide facilities for at least 3 vehicles	20%	provide facilities for an additional vehicle (up to 10 total)	5% / vehicle

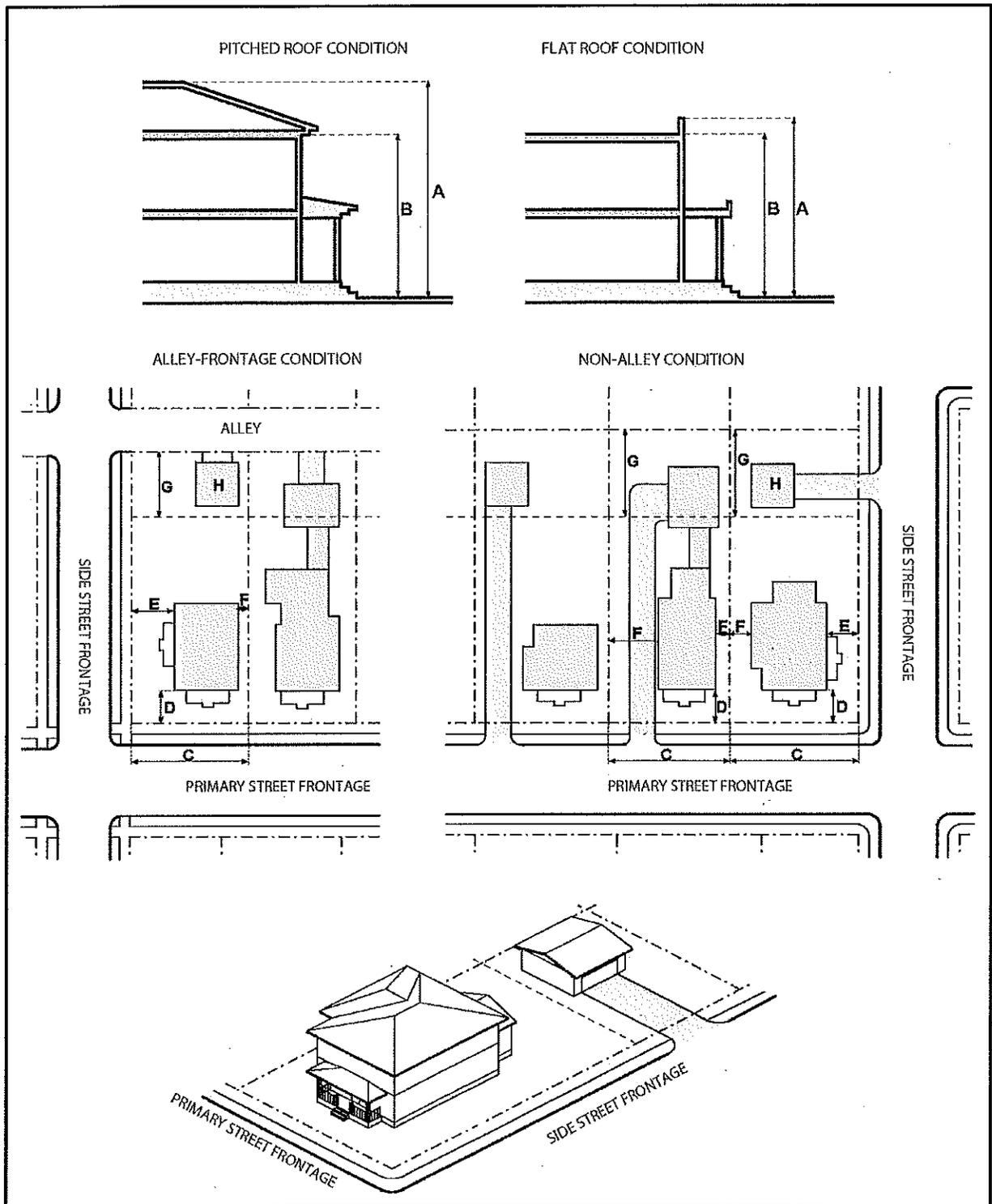
7-2-14 SIGNAGE

- (a) Applicability and Prohibitions: Existing UZO **signage** requirements shall apply in all **development sectors** except the in the Near Downtown sector.
- (b) In the Near Downtown sector the following **signage** prohibitions shall apply:
 - (1) **Animated Sign**
 - (2) **Changeable Copy Sign**
 - (3) **Marquee Sign**
 - (4) Illuminated (Internal) **Sign**

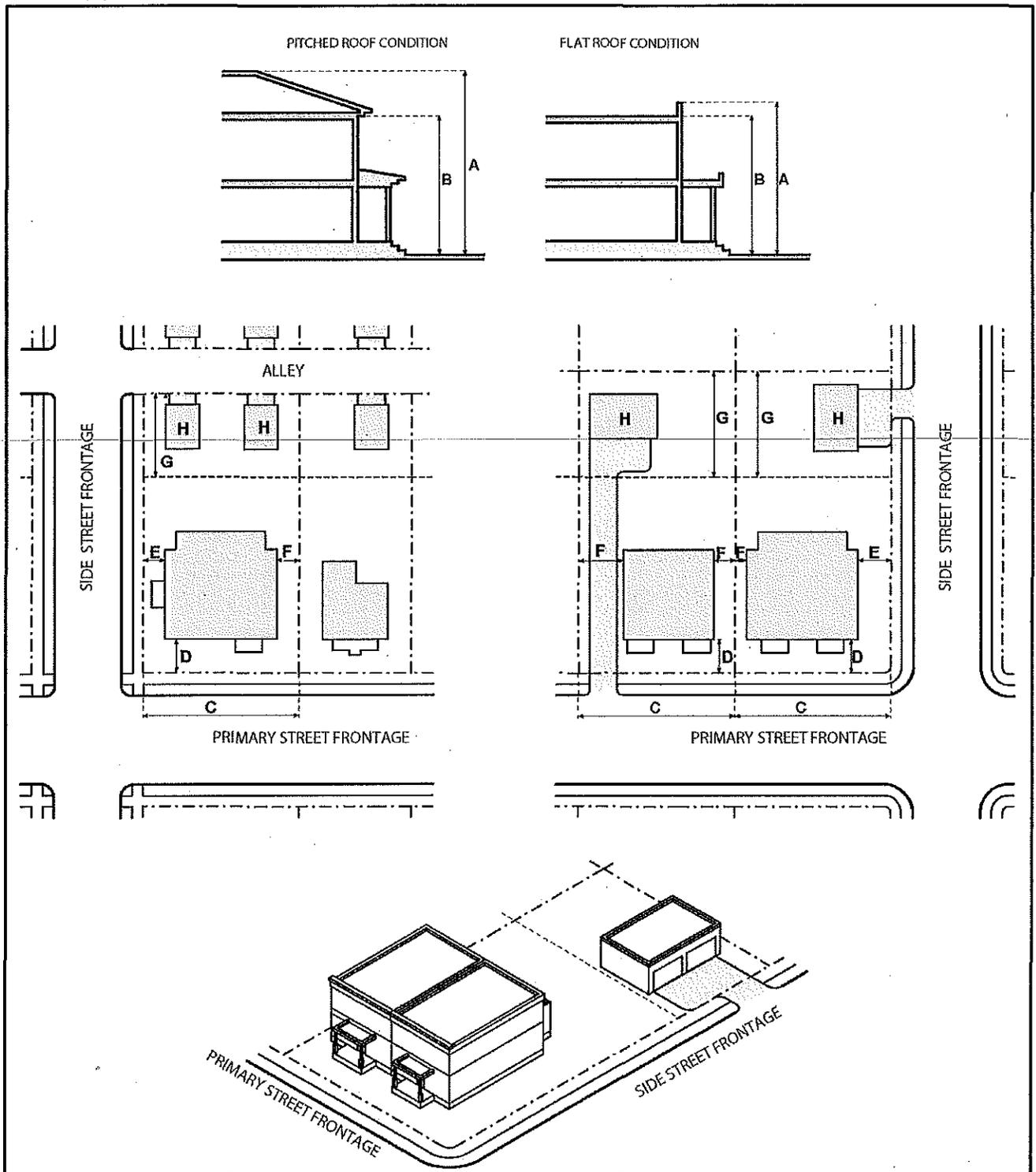
Section 3: Add UZO Appendix J-1 Form-Based Overlay Components to read as follows:

J-1-1 BUILDING TYPES (images property of the City and County of Denver, CO – used with permission)

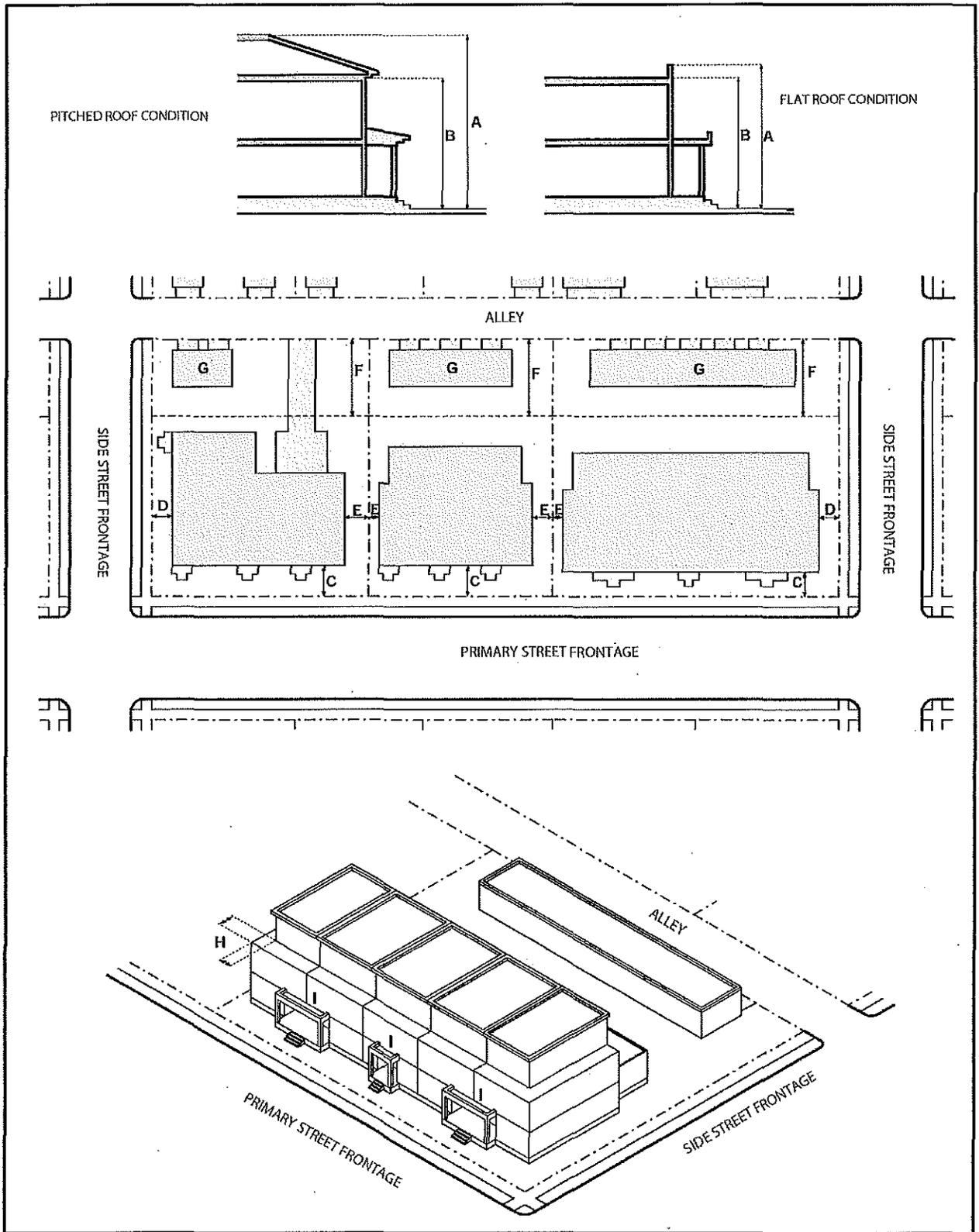
(a) Urban House



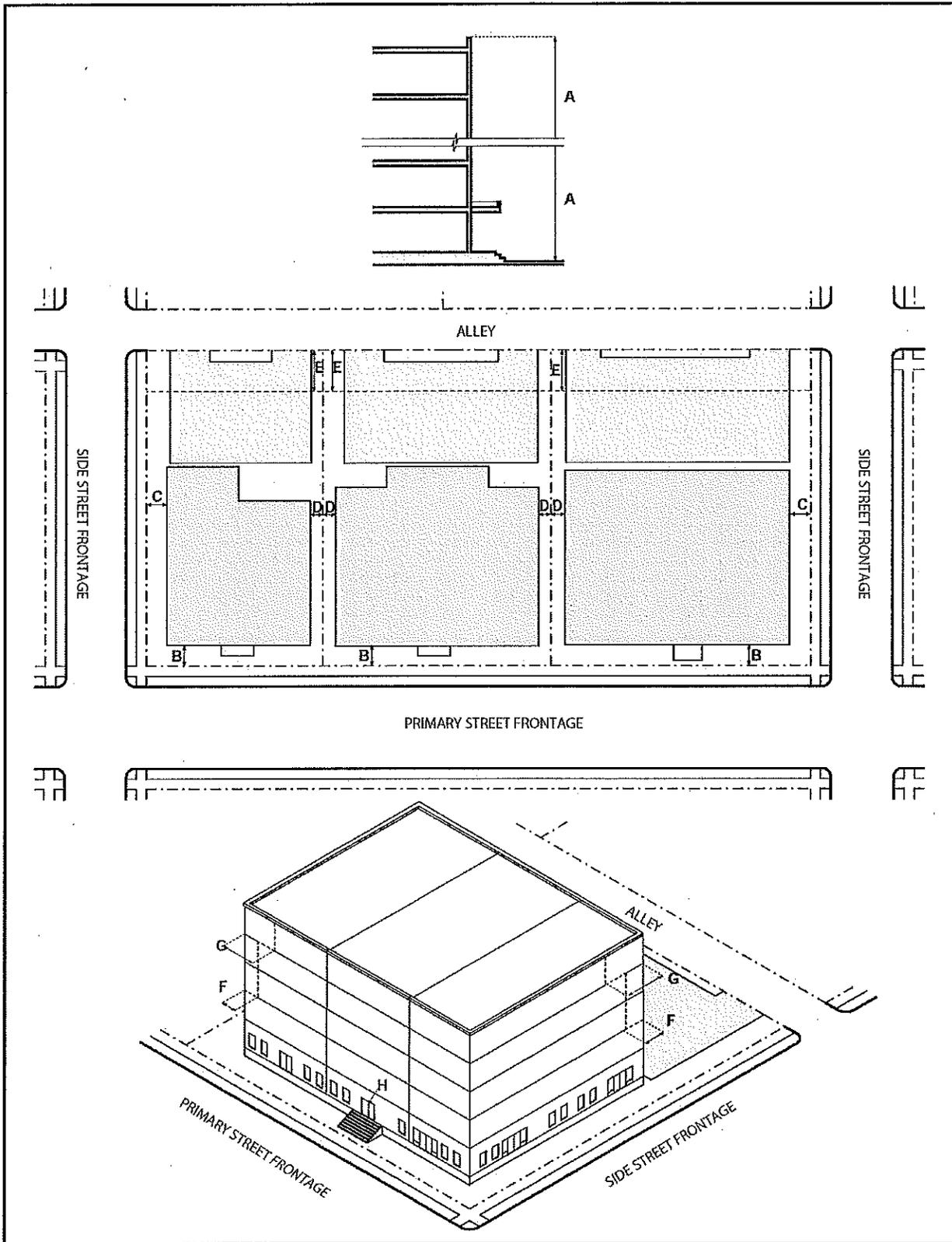
(b) Urban Duplex



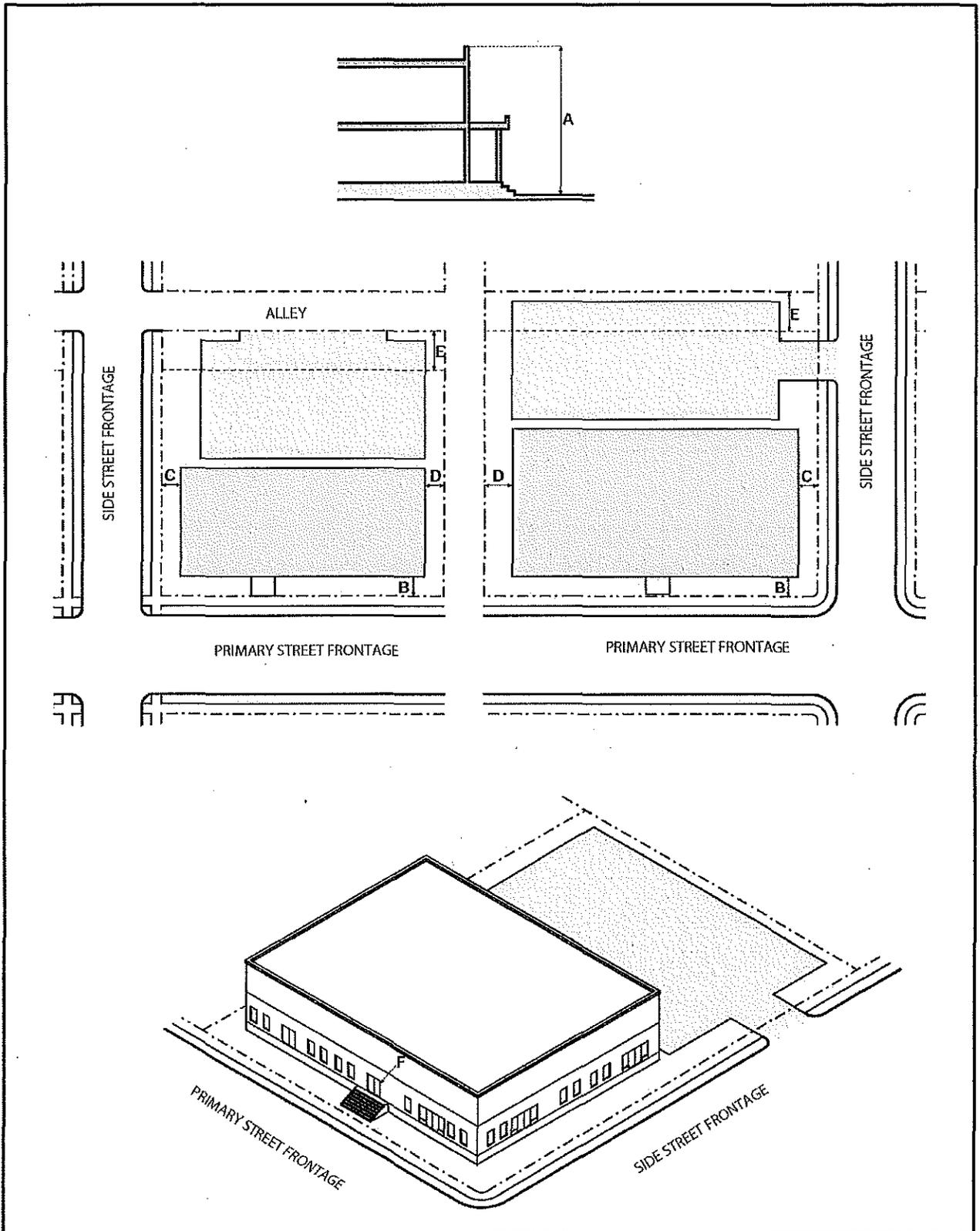
(c) Row House



(d) Apartment / Commercial / Mixed-Use



(e) Civic

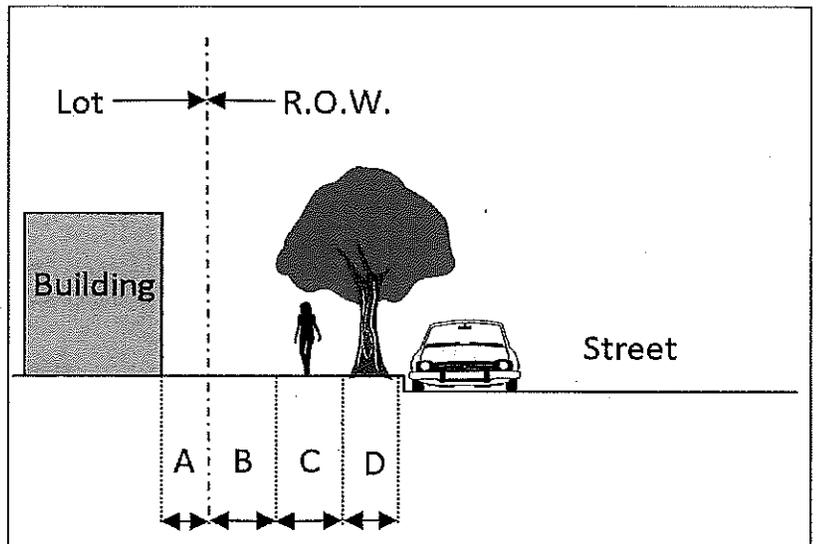


J-1-2 STREET FRONTAGES

- (a) Properties within the **Form-Based Overlay** may have **frontage** on more than one **street**. Where a property has more than one **street frontage**, the applicant shall seek a determination from the **Administrative Officer** on how the **streets** fronting the property shall be classified.
- (b) The **Street Frontage**: The **street frontage** is divided in two by a shared **Lot/Right-of-Way (R.O.W) line**. The two parts that make up a **street frontage** are:
 - (1) **Private Street Frontage**: That area from the **building** façade to the shared **Lot/Right-of-Way (R.O.W) line**.
 - (2) **Public Street Frontage**: That area from the shared **Lot/Right-of-Way (R.O.W) line** to the back of curb on a street.

There are four components that comprise the two parts of the **street frontage**, though not all may be required to be present in every situation:

- A: Private Street Frontage
- B: Common Lawn
- C: Sidewalk
- D: Tree Lawn/Tree Wells



J-1-3 PETITIONER'S RESPONSIBILITY REGARDING STREET FRONTAGES

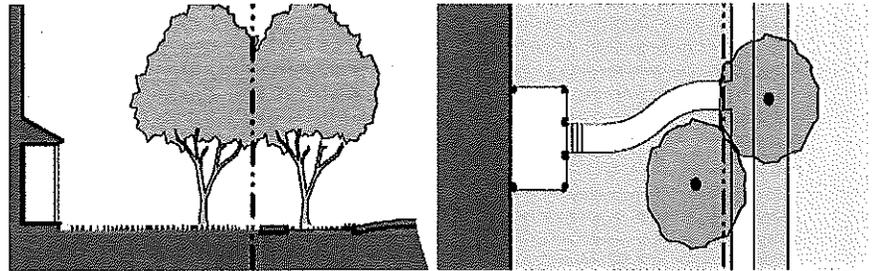
- (a) All petitioners redeveloping per a **Form-Based Overlay** are required to install a private frontage and, unless waived by the **Administrative Officer**, a public frontage. The **Administrative Officer** shall determine the required public frontage for a property. The petitioner shall be responsible for the following items pertaining to their property's public frontage:
 - (1) Construct the sidewalk and streetscape (trees, planting beds, etc.) as prescribed.
 - (2) Provide temporary connections between the new streetscape to the existing infrastructure.
 - (3) Allow for uncontested dedication of the right-of-way when the street is built out between the existing pavement and the sidewalk as constructed by the petitioner.
- (b) Private Frontages are required to be installed and cannot be waived by the **Administrative Officer**. All planted material in the private frontage is subject to the approval of the Urban Forester where appropriate municipal ordinances apply.

- (c) Where a conflict occurs between complying with any **building type setback** standard and the requirements of the private and public street frontages, the **APC** staff in consultation with the **Administrative Officer** may allow reasonable adjustments in the **building type setback** requirements to incorporate the public and private street frontages in a more context-sensitive way.

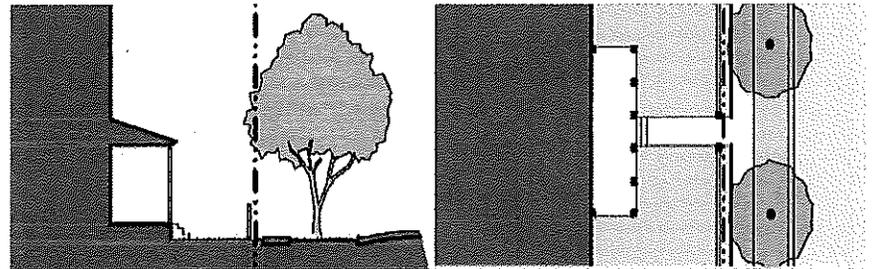
J-1-4 PRIVATE FRONTAGE TYPES

(a) Common Yard: a planted Frontage wherein the Façade is set back substantially from the Frontage Line. The front yard created is visually continuous with adjacent yards, supporting a common landscape. The deep Setback provides a buffer from the higher speed Thoroughfares.

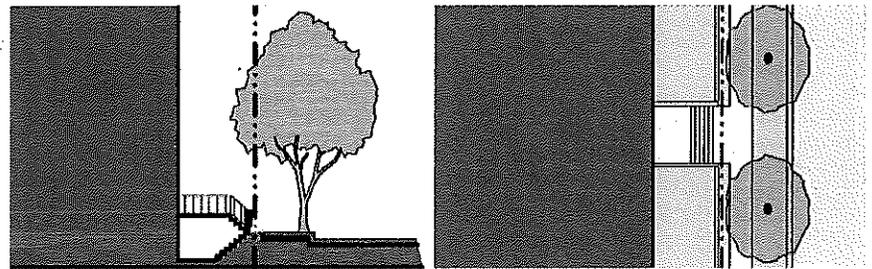
SECTION VIEW		PLAN VIEW	
LOT ►	◄ R.O.W.	LOT ►	◄ R.O.W.
PRIVATE ►	◄ PUBLIC	PRIVATE ►	◄ PUBLIC
FRONTAGE	FRONTAGE	FRONTAGE	FRONTAGE



(b) Porch & Fence: a planted Frontage where the Façade is set back from the Frontage Line with an attached porch permitted to Encroach. An optional fence at the Frontage Line can maintain street spatial definition. Porch requirements are by building type.

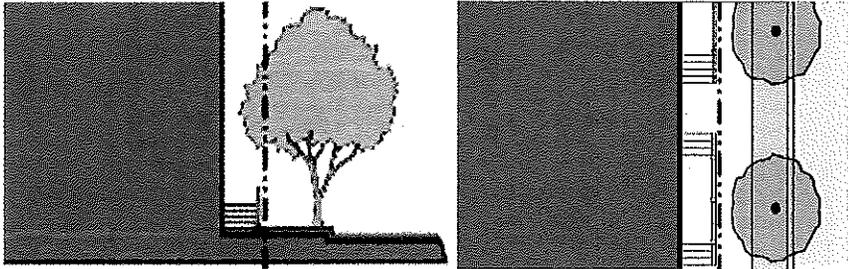


(c) Terrace or Lightwell: a frontage wherein the Façade is setback back from the Frontage Line by an elevated terrace or sunken Lightwell. This type buffers Residential use from urban Sidewalks and removes the private yard from public encroachment.

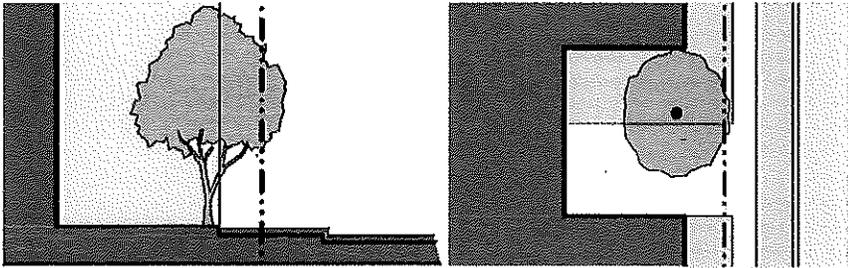


(d) Stoop: a Frontage wherein the Façade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to ensure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use.

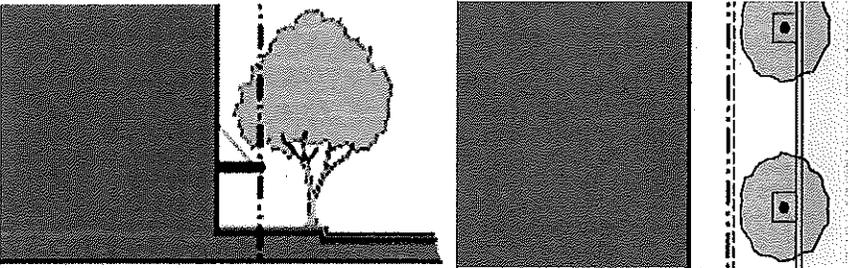
SECTION VIEW		PLAN VIEW	
LOT ►	◄ R.O.W.	LOT ►	◄ R.O.W.
PRIVATE ►	◄ PUBLIC	PRIVATE ►	◄ PUBLIC
FRONTAGE	FRONTAGE	FRONTAGE	FRONTAGE



(e) Forecourt: a Frontage wherein the Façade is close to the Frontage Line and the central portion is set back. The forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.

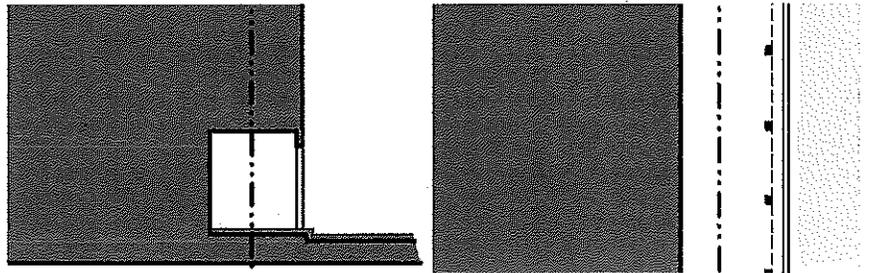


(f) Shopfront: a Frontage wherein the Façade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail use. Awnings are required over entry doors along street frontages extended, at a minimum, over the door they are above.

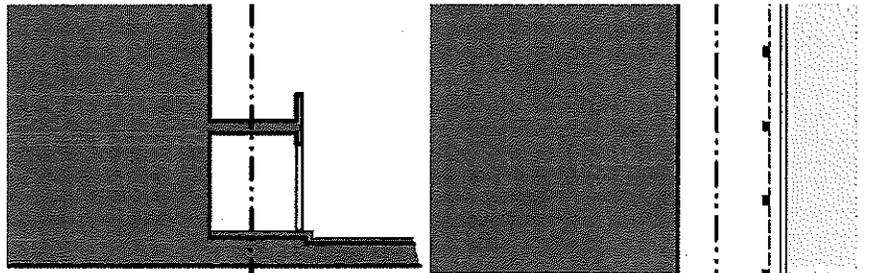


(g) Arcade: a colonnade supporting habitable space that overlaps the Sidewalk, while the Façade at Sidewalk level remains at or behind the Frontage Line. This type is conventional for Retail use. The Arcade shall be no less than approximately 12 feet wide and should overlap the Sidewalk to within approximately 2 feet of the Curb.

SECTION VIEW		PLAN VIEW	
LOT ►	◄ R.O.W.	LOT ►	◄ R.O.W.
PRIVATE ►	◄ PUBLIC	PRIVATE ►	◄ PUBLIC
FRONTAGE	FRONTAGE	FRONTAGE	FRONTAGE

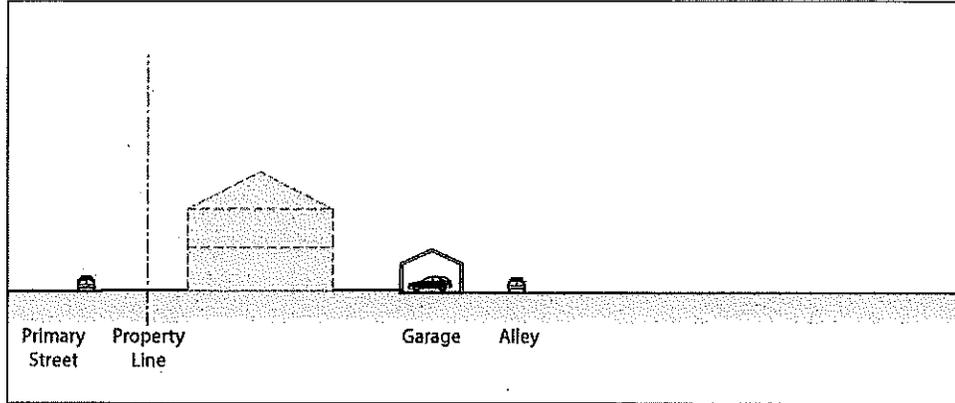


(h) Gallery: a Frontage wherein the Façade is aligned with the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk. This type is conventional for Retail use. The Gallery should be no less than approximately 10 feet wide and should overlap the sidewalk to within approximately 2 feet of the Curb.

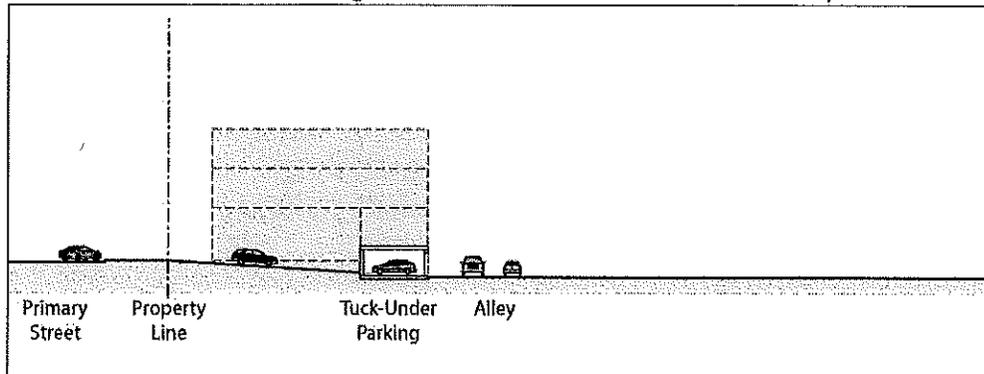


J-1-5 PARKING TYPES

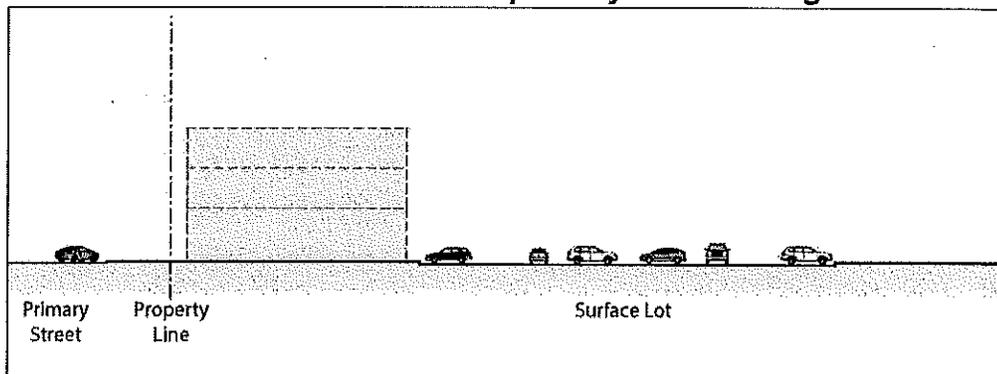
- (a) Garage: Garages provide private, enclosed parking spaces for individual dwelling units. Garages shall be located behind the **primary use building** if detached or – if attached – set back from the **building's primary street** façade by a distance specified by the **building type**. Carports may be substituted for garages.



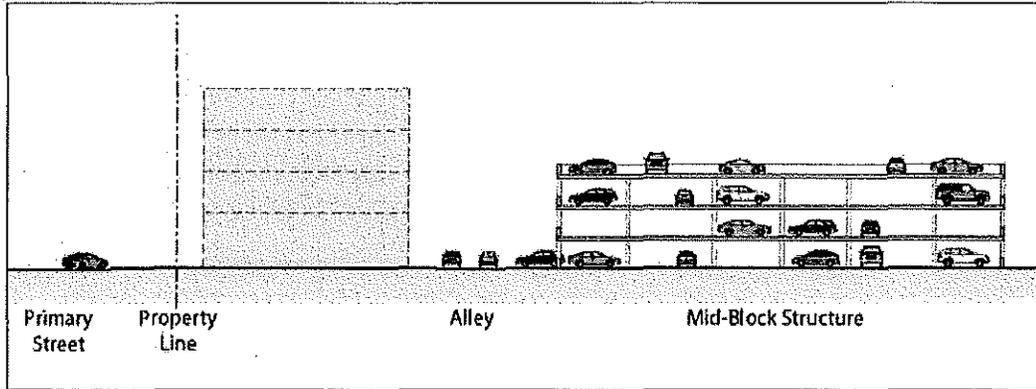
- (b) Tuck-Under Parking: Tuck under parking provides covered and enclosed parking spaces located at the rear of a **building**. Tuck under parking may be combined with other parking types and works particularly well on properties that slope away from the **primary street right-of-way** and where a residential dwelling must be elevated above a flood prone area.



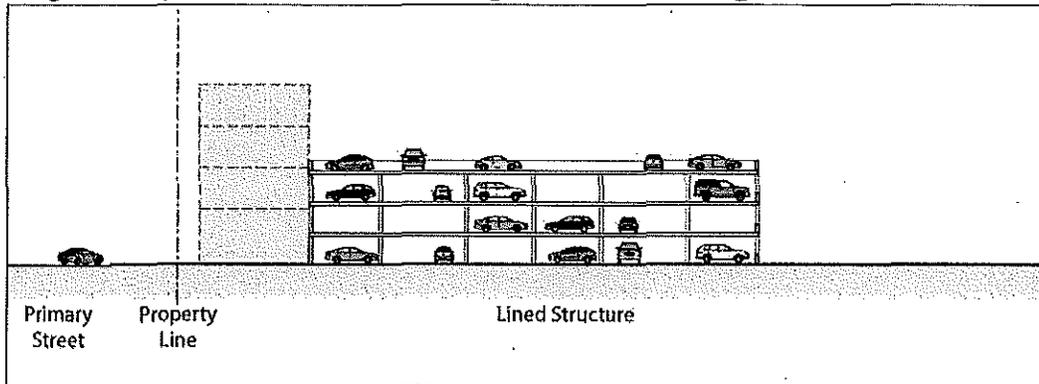
- (c) Surface Lot: Surface lots provide uncovered, at grade parking spaces. Such lots shall be located behind the **primary use building**.



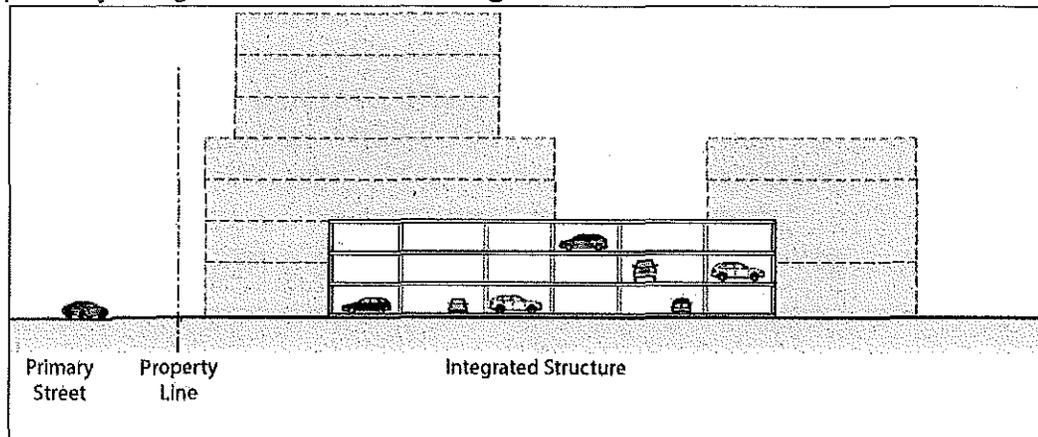
- (d) **Midblock Structure:** Midblock **structures** are freestanding parking **structures** located generally in the center of a larger block. Midblock **structures** shall be set back from adjacent **buildings** by at least forty feet (40') to provide sufficient light and privacy for commercial or residential uses facing the block interior. This set back may accommodate an alley, private rear lane, and/or rear yards.



- (e) **Lined Structure:** Lined **structures** are parking **structures** located behind shallow **buildings** that are oriented solely toward the **street**. Lined **structures** may be directly attached to the **building** or detached by a minimal fire separation distance. Lined **structures** shall be limited in height to equal or less than the height of the **building**.



- (f) Integrated **Structure**: Integrated **structures** are parking **structures** located within an occupied **building**. Integrated **structures** may be fully or partially integrated into the **building**.



- (g) Underground **Structure**: Underground **structures** are parking **structures** located below grade. Underground **structures** may be combined with other aboveground parking types.

