



Tuscaloosa Zoning Ordinance

Special Call Meeting | February 2023

Sec. 24-6: Development Standards

Mobility and Connectivity, Landscape and Buffer, Open Space, Neighborhood Compatibility, Form and Design, Green Building Incentives



FRAMEWORK

Creating a dynamic guide for Tuscaloosa

SEC. 24-6.1. MOBILITY AND CONNECTIVITY STANDARDS⁶⁹²

SEC. 24-6.1.1. PURPOSE AND INTENT⁶⁹³

The purpose of these mobility and connectivity standards is to ensure that developments are served by a coordinated multimodal transportation system that permits the safe and efficient movement of motor vehicles, emergency vehicles, bicyclists, pedestrians, and transit within each development and between a development and the external transportation network, neighboring development, and local destinations such as places of employment, schools, parks, and shopping areas. In particular, the intent of these standards is to support a transportation system that:

- a. Provides transportation options;
- b. Maximizes the safety of all users;
- c. Reduces emergency response times;
- d. Contributes to the attractiveness of development in the community;
- e. Connects neighbors and increases opportunities for interaction between neighbors;
- f. Promotes walking and bicycling;
- g. Facilitates use of public transportation;
- h. Reduces vehicle miles of travel and travel time;
- i. Minimizes congestion and traffic conflicts; and
- j. Preserves the capacity of the City's transportation system.

SEC. 24-6.1.2. APPLICABILITY⁶⁹⁴

The standards in this section shall apply to development outside the IU and IP districts as follows:

- a. All new development shall comply with all standards.
- b. Any expansion or alteration of development that existed on [redacted] [insert the effective date of this Ordinance] shall comply with the standards of this section to the maximum extent practicable, if the expansion increases the floor area of all buildings in the development by 50 percent or more, or involves 50 percent or more of the floor area of all buildings in the development.

SEC. 24-6.1.3. TIMING OF REVIEW

Review for compliance with the standards of this section shall occur during review of a development application for a planned development (Sec. 24-3.4.3), a conditional use permit (Sec. 24-3.4.4), a special exception use permit (Sec. 24-3.4.5), or a land development permit (Sec. 21-218), as appropriate.

⁶⁹² This section establishes standards for the transportation network within and connecting to new development or expansions of existing development over a specified threshold. The standards are intended to result in a transportation system that supports multiple modes of transportation and provides connectivity to other development, where appropriate, and to the City's existing transportation network, taking into consideration the constraints of existing development and the City's transportation priorities. Additional standards relating to the transportation system (e.g. sidewalk requirements) that are included in the subdivision regulations are cross-referenced in this section. These standards generally implement Framework plan action CO 2.1, Improve opportunities for alternative modes of transportation, specifically pedestrians and bicycles.

⁶⁹³ These purpose statements are new.

⁶⁹⁴ These applicability provisions are new.

SEC. 24-6.1.4. DEVELOPER RESPONSIBLE FOR IMPROVEMENTS⁶⁹⁵

- a. The developer shall provide all street, bikeway, sidewalk, pedestrianway, and other access and circulation improvements, both on the development site and, where applicable, off the site, in accordance with the standards in this section, applicable development approvals and permits, and the following:
 1. The City's Land Development Manual Technical Standards;
 2. The Tuscaloosa Subdivision Regulations;
 3. The Major Streets Plan of Tuscaloosa;
 4. The Tuscaloosa Transportation Standards;
 5. The Riverwalk Master Plan; and
 6. The Comprehensive Plan.
- b. The developer shall set-aside land on the development site for improvements that are identified in the Comprehensive Plan or in any transportation plan adopted by the City, such as a greenway plan or a bicycle/pedestrian plan, subject to any changes from the adopted plan that are mutually agreed to by the developer and the City. All improvements dedicated to the City shall be constructed according to the City's standards for the type of facility being constructed, subject to the standards in Sec. 26-7.2, Acceptance and Bonding Improvements, or the Land Development Permit regulations in Ch. 21, Art. XII of the City Code, as applicable.

SEC. 24-6.1.5. CIRCULATION PLAN REQUIRED⁶⁹⁶

All development applications subject to the requirements of this section shall include a circulation plan that demonstrates how the development complies with the requirements of this section. In addition, the plan shall address safety considerations relevant to the proposed vehicular, bicycle, and pedestrian facilities, including details about how conflict points between different road users will be managed to ensure the safety of all users.

SEC. 24-6.1.6. MULTIMODAL ACCESS AND CIRCULATION SYSTEM⁶⁹⁷

- a. **General⁶⁹⁸**
 1. To the maximum extent practicable, all development subject to the requirements of this section shall be served by a system of sidewalks, paths, streets, accessways, and other facilities designed to provide for multiple travel modes (vehicular, transit, bicycle, and pedestrian), as appropriate to (i) the development's size, character, and relationship to surrounding development, (ii) surrounding development patterns, and (iii) existing and planned community transportation systems.

⁶⁹⁵ This new provision establishes the developer's responsibility to complete the requisite improvements, and cross-references other relevant standards that apply to the design of a development's transportation network, including the relevant regulations in the subdivision standards and the City's technical standards. A reference to the Riverwalk Master Plan has also been included.

⁶⁹⁶ This is a new provision which requires that development applications include plans with sufficient information to demonstrate that each development complies with the standards of this section.

⁶⁹⁷ This section establishes the standards for a development's internal transportation system and how it connects to external transportation facilities. While most standards are new, some are derived from sections of the current Zoning Ordinance, such as Sec. 24-312, Pedestrian access (regarding Mixed Use Districts) and Sec. 24-363 (Mixed Residential Districts). The standards in this section are general standards which are superseded in some instances by standards that apply to specific zoning districts (such as the D district).

⁶⁹⁸ This is a new section which establishes the general requirement that all development include facilities that support multiple modes of travel.

2. Vehicular, transit, bicycle, and pedestrian access and circulation systems shall be coordinated and integrated to provide transportation choices within, and to and from, the proposed development, as appropriate.
3. The use of traffic calming features is encouraged where appropriate to slow traffic and improve pedestrian safety. Such features may include, but are not limited to, raised crosswalks, curb bulb outs, and crossing islands.

b. Street Design and Layout⁶⁹⁹

All streets in a proposed development shall be designed and laid out in accordance with the standards in the Subdivision Regulations.

c. Bicycle Facilities⁷⁰⁰

As appropriate, and in coordination with Sec. 24-6.2.9, Bicycle Parking Standards, development shall provide safe and convenient bicycle facilities that connect all bicycle parking provided on the site with existing and planned on-street and off-street bicycle facilities both within and outside the development.

d. Sidewalks

Sidewalks are required along streets in accordance with the standards in the Subdivision Regulations.

e. Pedestrian Circulation System⁷⁰¹

1. All multifamily, mixed-use, and commercial development shall be served by an internal pedestrian circulation system (including sidewalks, pedestrian paths, and trails) that permits safe, convenient, efficient, and orderly movement of pedestrians within the development and to destinations outside the development, and that connects with an existing or planned external, community-wide pedestrian circulation system.
2. The pedestrian circulation system shall connect to the following destinations on the site or within 250 feet of the site:
 - i. The primary entrance(s) of principal buildings, including any outparcels;
 - ii. Off-street parking areas;
 - iii. Nearby shopping areas;
 - iv. Schools;
 - v. Bus stops and shelters; and
 - vi. Recreation facilities and other common use areas and amenities.
3. All pedestrianways required by this section shall be a minimum of five feet in width and shall be ADA accessible.
4. Where pedestrianways cross an internal drive or a street within the development, the crossing shall be perpendicular to the internal drive or street, to the maximum extent

⁶⁹⁹ This incorporates standards in the Subdivision Regulations, including the new connectivity index standards, limits on cul-de-sac length, alley standards, and stub streets.

⁷⁰⁰ This is a new standard. The type of bicycle facilities required is contextual; in some cases, the streets or drive aisles used for cars may be “safe and acceptable,” or pedestrianways may be adequate. Efforts are underway to update the City’s street engineering standards in accordance with the Comprehensive Plan’s new street design guidelines (see CO 1.3 on page 95 of Framework), and so specific standards have not been included.

⁷⁰¹ This new provision requires that all new multifamily, mixed-use, and commercial development provide a pedestrian network that connects major destinations within the development and that also connects to destinations outside the development.

practicable, and shall be marked by a change in paving material, color, or height; decorative bollards; or similar elements.⁷⁰²

f. Cross-Access Requirement⁷⁰³

1. The internal circulation system in nonresidential and mixed-use development shall be designed and constructed to provide cross-access between any parking lots and pedestrianways within the development and any parking lots and pedestrianways on adjoining parcels containing nonresidential or mixed-use development, and to the boundary of adjoining vacant land, if the adjoining vacant land is not in a Residential district.
2. Cross-access facilities shall consist of the following:
 - i. A driveway or drive aisle for vehicles that is at least 22 feet wide or two one-way driveways or aisles for vehicles that are each at least 14 feet wide; and
 - ii. A pedestrianway that is at least five feet wide, except that the Director of Planning may waive this requirement if cross-access is available using a pedestrianway such as a sidewalk that is in close proximity to the proposed cross-access location.
3. The driveway or aisle and the pedestrianway do not need to be adjacent to each other.
4. Easements allowing cross-access to and from lands served by a cross-access required by this subsection f, along with agreements defining maintenance responsibilities of land owners pertaining to the cross-access, shall be recorded in the office of the Probate Judge of Tuscaloosa County.
5. The Director of Planning may waive or modify the requirement for cross-access in this subsection f on determining that such cross-access is impractical or undesirable due to the presence of topographic conditions or natural features.

⁷⁰² A similar requirement is included in the standards that apply in the new Riverfront district.

⁷⁰³ This section requires vehicular and pedestrian cross-access between adjacent developments and permits the Director of Planning to exempt development where such connections are impractical. Because the cross-access involves private accesses, the developer is required to record cross-access agreements to ensure the cross-access remains open. These are similar to the cross-access standards that apply to development in the mixed-use districts in Sec. 24-314 of the current Zoning Ordinance.

SEC. 24-6.3. LANDSCAPE AND BUFFER STANDARDS⁷⁵⁶

SEC. 24-6.3.1. PURPOSE AND INTENT⁷⁵⁷

The purpose of this section is to promote and protect the public health, safety, and general welfare by providing for the planting, maintenance, and preservation of trees, shrubs, and other plants within the City. More specifically, the intent of this section is to:

- a. Encourage the planting, maintenance, restoration, and survival of trees, shrubs, and other plants, in appropriate locations;
- b. Protect community residents and visitors from personal injury and property damage, and protect the City from property damage caused or threatened by the improper planting, maintenance, or removal of trees, shrubs, or other plants;
- c. Encourage the use of native plants and discourage the proliferation of invasive species and plants;
- d. Mitigate against erosion and sedimentation;
- e. Reduce stormwater runoff and the costs associated with it;
- f. Preserve and protect the water table and surface waters and facilitate compliance with state and federal legislation relating to water and air quality, including the Clean Air Act, 42 U.S.C. §§ 7401 *et seq.*, and the Clean Water Act, 33 U.S.C. §§ 1251 *et seq.*;
- g. Maintain and preserve tree canopy on private and public lands to provide shade, improve air quality, and moderate the effects of heat;
- h. Restore soils and land denuded as a result of construction and grading;
- i. Provide perimeter buffers and visual screening, where appropriate, to mitigate the undesirable effects of incompatible uses;
- j. Preserve the character of the City;
- k. Protect and enhance property values; and
- l. Improve the visual quality of the City.

SEC. 24-6.3.2. APPLICABILITY⁷⁵⁸

- a. All new development shall comply with the standards of this section, unless stated to the contrary within this subsection or section.

⁷⁵⁶ This consolidates the landscape and buffer standards in various locations of the current Zoning Ordinance, including the standards in Article XIX, Landscape and Buffer Requirements. General site landscaping standards for multifamily and commercial uses are added; the provisions relating to parking lot landscaping and screening have generally been carried forward, and the perimeter buffer standards have been updated to be more performance-oriented with additional flexibility to accommodate buffering needs in different development contexts. Sec. 24-262, Legal aspects, is not carried forward, as it is redundant of the general provisions in Article 24-1 of this Ordinance and Chapter 1 of the City Code. Sec. 24-263, Penalty for violation, is also not carried forward, since it is duplicative of the general enforcement provisions in Article 24-7.

⁷⁵⁷ This builds on the purpose and intent statement in Sec. 24-250 of the current Zoning Ordinance. Subsection (c), Scope, is not carried forward.

⁷⁵⁸ This carries forward Sec. 24-251(a) and Sec. 24-259 of the current Zoning Ordinance. Sec. 24-251(a) of the current Zoning Ordinance states that the provisions apply to new construction, development, redevelopment, or change of use for any development except for non-multifamily residential development. The applicability statement has been broadened to apply to all new development (except that excluded by Sec. 24-259), including residential development, to ensure that basic planting standards are followed; however, single-family and duplex development

- b. Within the area known as the Original City Survey and within the Mixed Residential University (MRU), Multifamily Residential University (MFRU), Institutional University (IU), and University Commercial (UC) districts, these standards shall not apply, but instead landscaping shall be applied in the public right-of-way in accordance with Exhibit A: Urban Forest Master Plan, which is incorporated herein by reference, and Exhibit B: Typical Street Cross Section, which is also incorporated herein by reference, and which shall be approved by the Director of Infrastructure and Public Services. Provided, however, where commercial developments subject to this subsection contain open parking lots with more than 10 spaces, the standards of this section shall apply.
- c. Unless stated to the contrary elsewhere in this section, any expansion or alteration of development that existed on [redacted] [insert the effective date of this Ordinance] shall comply, to the maximum extent practicable, with the standards in this section if the development proposes an increase of 50 percent or more in gross floor area of the development, or an alteration exceeds 50 percent of the assessed value of the development (at the time of alteration).

SEC. 24-6.3.3. TIMING OF REVIEW

Review for compliance with the standards of this section shall occur during review of a development application for a planned development (Sec. 24-3.4.3), a conditional use permit (Sec. 24-3.4.4), a special exception use permit (Sec. 24-3.4.5), or a land development permit (Sec. 21-218), as appropriate.

SEC. 24-6.3.4. GENERAL LANDSCAPING REQUIREMENTS

a. Landscape Plan Required⁷⁵⁹

A landscape plan is required to be submitted for all development subject to this section. The purpose of the landscape plan is to demonstrate how landscaping will be retained and/planted on a development site. The landscape plan shall:

1. Identify all plant types to be used;
2. Demonstrate compliance with all planting standards and specifications of this section;
3. Designate the location for each planting to be installed or vegetation to be preserved;
4. Provide information about the installation schedule;
5. Detail any alternative compliance method (See Sec. 24-6.3.8, Alternative Landscaping Plan); and
6. Include other information requested by the Director of Planning.

b. Installation⁷⁶⁰

1. All landscaping required by this section shall be installed as set forth in the approved landscape plan. The developer shall certify to the Director of Planning that landscaping has been installed to meet the minimum requirements of this Sec. 24-6.3, and the Director of Planning shall inspect the site prior to issuing a certificate of occupancy.

are exempted from many of the specific standards in this section. The applicability requirement relating to a change of use is not carried forward. Additionally, the applicability threshold for expansions and alterations is simplified by applying the landscape standards of this section to expansions of 25 percent or more, or alterations that exceed 25 percent or more of the assessed value of the development.

⁷⁵⁹ This builds on the requirement in Sec. 24-251(b) of the current Zoning Ordinance but assumes that the landscape plan is approved along with the rest of the development application, instead of establishing a separate approval by the "landscape administrator." This is a general change that is made throughout the section. The specific landscape plan submittal requirements in Sec. 24-253 are carried forward; it is suggested those requirements be included in the Procedures Manual or application materials.

⁷⁶⁰ This carries forward Sec. 24-254(c)(4) and (c)(6) and Sec. 24-257 of the current Zoning Ordinance.

2. If inclement weather or difficulties acquiring needed landscape materials delays the installation of landscape materials beyond the date specified in the landscape plan, the developer may make a written request to the Director of Planning for an extension for completion. The request shall specifically state the reason for the delay as well as a proposed date for completion. The Director of Planning may approve a revised date of completion for good cause shown. Failure to complete the installation by the specified date shall constitute a violation of this Ordinance.⁷⁶¹
3. All plantings shall maintain a three-foot clearance around all fire suppression equipment as well as a clear, accessible path, visible from the main approach.

c. Existing Vegetation and Site Features⁷⁶²

Healthy existing trees of approved species (see Table 6-9: Approved Tree List) and shrubs that comply with the standards of this section and that are identified on the landscape plan may be used to meet the requirements of this section, following approval of the landscape plan. Any existing trees and shrubs used shall be subject to the same maintenance and replacement requirements that apply to newly planted trees and shrubs.

d. Planting Standards⁷⁶³

New trees, shrubs, and other vegetation planted on a site, as well as existing trees, shrubs, and other vegetation preserved on the site, shall comply with the following standards:

1. Trees

At time of planting:

- i. An understory tree shall have a minimum height of five feet and be a minimum of two inches in caliper.
- ii. A deciduous canopy tree shall have a minimum height of eight feet and be a minimum of two inches in caliper.

2. Shrubs

At time of planting, all shrubs shall be a minimum of three-gallon container size and 18 inches in height or spread (depending on whether the growth habit is upright or spreading), measured from the top of the root zone.

3. Quality

- i. All new plant material shall be of good quality, free from disease, and in good health, including being free from injury or improper pruning.
- ii. All trees shall have mulch installed around them at time of planting that is no deeper than three inches and, if a mulch ring is used, to a distance of at least three feet in diameter.

4. Approved Species⁷⁶⁴

- i. The canopy and understory trees listed in Table 6-9: Approved Tree List are approved for use. Any tree which is not on this list may be submitted for approval to the Director of Planning. Trees that exhibit poor health characteristics, are not native to the climate

⁷⁶¹ This carries forward the second paragraph of Sec. 24-257 of the current Zoning Ordinance, except it revises the date at which the failure to complete installation becomes a violation at the date promised, not 15 days thereafter, and allows for a delay for reasons other than just the weather.

⁷⁶² This carries forward Sec. 24-254(a)(1)-(2) of the current Zoning Ordinance.

⁷⁶³ These are new standards and incorporate the planting standards for understory trees in Sec. 24-252 of the current Zoning Ordinance and the approved tree list.

⁷⁶⁴ This builds on Sec. 24-261 of the current Zoning Ordinance. No changes have been made to the approved tree list.

range in Tuscaloosa, or that are considered invasive species shall not be approved for installation.

Table 6-9: Approved Tree List

SCIENTIFIC NAME	COMMON NAME
Canopy Trees	
<i>Acer spp.</i>	Maple Tree
<i>Betula nigra</i>	River Birch
<i>Carpinus caroliniana</i>	American Hornbeam
<i>Carya spp.</i>	Hickory
<i>Cedrus deodora</i>	Deodor Cedar
<i>Celtus laevigata</i>	Sugar Hackberry
<i>Cornus x "Rutican"</i>	Constellation Dogwood
<i>Cryptomeria japonica</i>	Japanese Cryptomeria
<i>Fagus grandifolia</i>	American Beech
<i>Fraxinus americana</i>	White Ash
<i>Fraxinus pennsylvanica</i>	Green Ash
<i>Ginkgo biloba</i>	Ginkgo
<i>Juniperus virginiana</i>	Eastern Red Cedar
<i>Liquidambar styraciflua "Rotundaloba"</i>	Fruitless Sweetgum
<i>Liriodendron tulipifera</i>	Tulip Tree
<i>Magnolia grandiflora</i>	Southern Magnolia
<i>Magnolia virginiana</i>	Sweet Bay Magnolia
<i>Metasequoia glyptostroboides</i>	Dawn Redwood
<i>Nyssa sylvatica</i>	Black Gum
<i>Ostrya virginiana</i>	Hophornbeam
<i>Oxydendrum arboreum</i>	Sourwood
<i>Pistacia chinense</i>	Chinese Pistache
<i>Platanus occidentalis</i>	Sycamore
<i>Quercus spp.</i>	Oak Tree
<i>Salix alba</i>	White Willow
<i>Salix babylonica</i>	Weeping Willow
<i>Sequoia sempervirens</i>	Redwood
<i>Taxodium distichum</i>	Bald Cypress
<i>Taxodium ascendens</i>	Pond Bald Cypress
<i>Tsuga canadensis</i>	Hemlock
<i>Ulmus alata</i>	Winged Elm
<i>Ulmus parvifolia</i>	Lacebark Elm
<i>Zelkova serrata</i>	Japanese Zelkova
Understory Trees	
<i>Acer palmatum</i>	Japanese Maple
<i>Amalanchier x "Autumn Brilliance"</i>	Autumn Brilliance Serviceberry
<i>Cercis canadensis</i>	Eastern Redbud
<i>Cornus florida</i>	Flowering Dogwood
<i>Cornus kousa</i>	Kousa Dogwood
<i>Crataegus phaenopyrum</i>	Washington Hawthorn
<i>Ilex x attenuate</i>	Foster Holly
<i>Ilex x "Emily Bruner"</i>	Emily Bruner Holly
<i>Ilex x "Nellie R. Stevens"</i>	Nellie R. Stevens Holly

Table 6-9: Approved Tree List

SCIENTIFIC NAME	COMMON NAME
<i>Ilex verticillata</i>	Winterberry
<i>Juniperus virginiana</i> "Idylwild"	Idylwild Juniper
<i>Lagerstroemia indica</i>	Crape Myrtle
<i>Magnolia stellata</i>	Star Magnolia
<i>Magnolia x soulangiana</i>	Saucer Magnolia
<i>Malus spp.</i>	Crabapple
<i>Myrica cerifera</i>	Southern Wax Myrtle
<i>Osmanthus fortunei</i>	Fortune's Osmanthus
<i>Osmanthus fragrans</i>	Tea Olive
<i>Prunus serrulata</i>	Japanese Flowering Cherry
<i>Prunus subhirtella</i>	Higan Cherry
<i>Prunus x yedoensis</i>	Yoshino Cherry
<i>Thuja occidentalis</i>	Arborvitae
<i>Vitex agnus-castus</i>	Lilac Chaste Tree

- ii. Vegetative material shall be adapted to the site conditions where it will be planted. The use of native, drought-tolerant vegetation is encouraged to reduce dependency upon irrigation.

5. Prohibited Species⁷⁶⁵

Plants included in the Alabama Invasive Plant Council's current list of invasive plants, available at <https://www.se-eppc.org/alabama/2012-updatedALIPCinvasiveplantlist.pdf> or from the Director of Planning, are prohibited.

e. Planting Diversity Standards⁷⁶⁶

To curtail the spread of disease or insect infestation in a plant species, as well as ensure the health of the urban forest, new plantings shall consist of different genera of shrubs and trees as listed in Table 6-10: Required Shrub and Tree Genus Diversity. Each required genus shall be planted in roughly equal proportions with the other required genera.

Table 6-10: Required Shrub and Tree Genus Diversity

MINIMUM NUMBER OF SHRUBS OR TREES REQUIRED ON SITE	MINIMUM NUMBER OF GENERA OF SHRUBS OR TREES REQUIRED ON SITE
Shrubs	
40 or fewer	1
More than 40	2
Trees	
40 or fewer	1
More than 40	2

f. Irrigation⁷⁶⁷

The installation and use of irrigation systems to irrigate required landscaping is encouraged. The use of methods to reduce irrigation needs, such as use of existing vegetation, native plants,

⁷⁶⁵ New standards.

⁷⁶⁶ These are new standards to ensure a healthy mix of different species of vegetation is used on a development.

⁷⁶⁷ This is new and includes a provision that encourages the use of low-water-using vegetation.

drought-tolerant plants, and water-conserving irrigation techniques, such as the use of a rain sensor and re-use of rainwater, also is strongly encouraged.

g. Utility Easements⁷⁶⁸

The following provisions apply to landscaping within utility company easements:

1. Nothing in this Sec. 24-6.3 shall be construed to impair:
 - i. The right of eminent domain granted by state law to utilities;
 - ii. A utility's right to design, locate, erect, construct, reconstruct, alter, protect, or maintain utility poles, drainage ditches, structures, towers, lines, conduits, pipes, or mains reasonably required in the public service;
 - iii. A utility's right to exercise authority conferred by statute, franchise, certificate of convenience and necessity, license, or easement; or
 - iv. The right of the utility's employees, agents, or contractors to conduct maintenance, repair, and extension of any public and private utility lines or related infrastructure.
2. New canopy trees shall be planted at least 30 feet from any overhead utility line.
3. New understory trees shall be planted at least 15 feet from any overhead utility line.
4. Any part of a tree that is growing within 15 feet of an overhead utility line shall be maintained by a certified line trimmer approved by a utility company that owns or leases the utility line.

SEC. 24-6.3.5. PARKING LOT LANDSCAPING⁷⁷¹

a. Purpose

The purpose of these standards is to establish general requirements for landscaping within parking lots and around their perimeter to improve parking lot aesthetics, screen adjacent residential properties and nearby rights-of-way from parking lots, enhance drainage and stormwater control, and reduce the urban heat-island effect.

b. Parking Lot Interior Landscaping Standards

1. Applicability

The standards in this section shall apply to the following development, except for parking lots associated with single-family detached, U-single, duplex, or U-duplex dwellings:

- i. All new surface parking lots with three or more parking spaces; and
- ii. To the maximum extent practicable, all surface parking lots of four or more spaces for buildings that existed on *[insert the effective date of this Ordinance]* that are enlarged or expanded by 50 percent or more of their gross floor area.

2. Interior Landscaping Standards⁷⁷²

All parking lots, except those in parking structures, shall provide and maintain landscaped planting areas within the interior of the parking lot in accordance with this subsection. Low impact development techniques are encouraged and may be included in the landscape plan

⁷⁶⁸ This carries forward Sec. 24-254(c)(5) of the current Zoning Ordinance with minor revisions for clarity. The provision in Sec. 24-254(c)(5)(b) which requires separate approval of tree species and planting location within utility easements has not been carried forward.

⁷⁷¹ This builds on the standards in Sec. 24-255(a) (perimeter parking plantings) and (b) (internal parking plantings) of the current Zoning Ordinance. As discussed with staff, the interior parking islands are slightly enlarged, and additional plantings are required in the parking lot perimeter planting area.

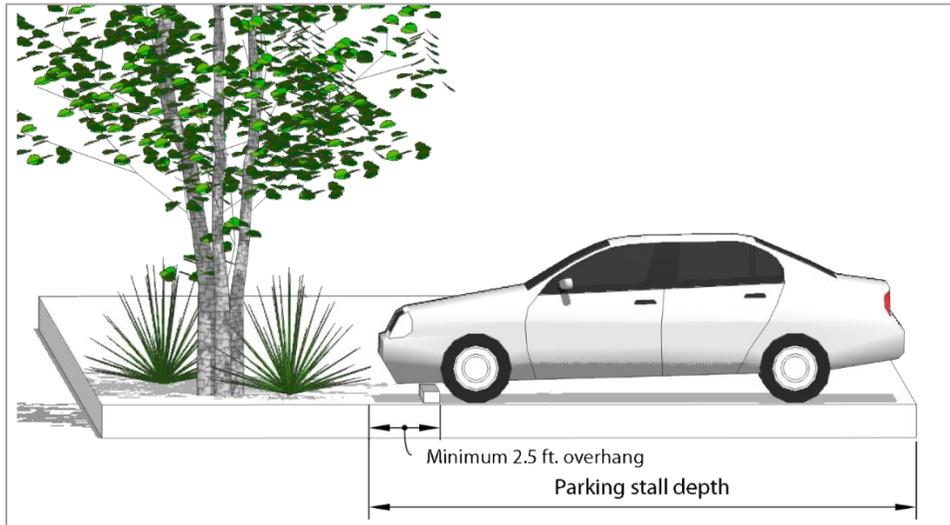
⁷⁷² This incorporates the low impact development statement from Sec. 24-255(b)(4) of the current Zoning Ordinance but removes the requirement language.

and used to meet these requirements. Parking structures shall comply with the perimeter parking lot requirements of this subsection.

3. Size⁷⁷³

Each planting area within the interior of a parking lot shall contain minimum areas in accordance with this subsection. In all instances, the planting area shall be adequate to accommodate the root growth of the plant material used. The placement of plant material shall accommodate a two-and-one-half foot bumper overhang of a vehicle over the face of the curb or, if used, wheel stops or other comparable devices. See Figure 6-4: Landscaping Accommodation for Vehicle Overhang.

Figure 6-4: Landscaping Accommodation for Vehicle Overhang



4. Design⁷⁷⁴

- i. Plantings shall be placed in islands located in-line or at the end of a row of parking, with a minimum size of 180 square feet for single-loaded parking rows, and a minimum size of 360 square feet for double-loaded bays.
- ii. Islands shall be located at the end of parking bays to separate parking spaces from the drive aisle.
- iii. Islands shall be placed such that there are no more than 12 continuous side-by-side parking spaces between landscape islands.
- iv. Tree and light placement shall be coordinated to minimize the tree's impact on parking lot lighting.
- v. In no instance shall a parking space be more than 65 feet from the trunk of a canopy tree or 50 feet from the trunk of an understory tree. Perimeter parking lot landscaping, street trees, or other required landscaping may be used to meet this requirement.

⁷⁷³ The provision regarding vehicle overhangs is new.

⁷⁷⁴ The provision regarding collocation of trees and lights is new. The 60 foot spacing from the current Zoning Ordinance has been increased to 65 feet; we have provided a 50 foot spacing if an understory tree is required to be used.

Figure 6-5: Parking Lot Landscape Island Configuration

5. Landscaping Island Design⁷⁷⁵

- i. Each landscaped planting area shall contain at least two small shrubs for each 180 square feet.
- ii. All stormwater inlets within a parking lot shall be incorporated within the landscaped planting area. To the extent practicable, the landscaped planting area shall incorporate rain gardens, bioswales, or other stormwater mitigation techniques approved by the City, to promote infiltration and reduce stormwater runoff and nonpoint source pollution.
- iii. The remainder of the landscaped planting area shall consist of permeable ground cover such as grass, plant material, or mulch.

c. Parking Lot Perimeter Landscaping Standards⁷⁷⁶

Where a parking lot abuts a street right-of-way, the following standards shall apply:

1. Continuous Visual Screen

Except for outdoor display areas for vehicle sales uses, on the street facing side of the parking lot, the perimeter landscaping for the parking lot shall form a continuous vegetative screen, excluding required sight clearances at driveways.

2. Minimum Width

The minimum width for any perimeter landscaping strip shall be ten feet. Curbing or wheel stops shall be used to protect against vehicular intrusion into the minimum ten-foot strip. The placement of plant material shall accommodate a two-and-one-half foot bumper overhang of a vehicle over the face of the curb if wheel stops or other comparable devices are not used.

3. Location

Perimeter landscaping strips for screening parking lots shall be located on the same property on which the parking lot is located.

⁷⁷⁵ The allowance for understory trees and the shrub requirement are new standards.

⁷⁷⁶ This carries forward the standards in Sec. 24-255(a) of the current Zoning Ordinance. The ten-foot width requirement is carried forward, but new provisions are added to require ten feet of actual width. In addition, the lot must be designed so cars do not overhang the edge of the perimeter, or the buffer must be made wider to accommodate the intrusion and preserve 10 feet of perimeter. The location standards are new.

4. Required Materials⁷⁷⁷

- i. Evergreen shrubs shall be used to form the continuous visual screen in the perimeter landscaping strip. The shrubs shall be at least 18 inches in height at planting and at least three feet in height at maturity.
- ii. In addition to the shrub requirements, each perimeter landscaping strip shall include trees in accordance with the following:
 - (a) One canopy tree with a minimum of two inches in caliper and 12 feet in height planted a maximum of 50 feet on center, with minimum lateral separation from overhead utility lines of at least 30 feet.
 - (b) If pre-existing overhead utility lines preclude installation of canopy trees, understory trees shall be substituted as needed, spaced 40 feet on center, or if understory trees will conflict with the overhead utilities, shrubs that at maturity are a minimum of four feet in height shall be substituted on a four-to-one basis.
- iii. The remainder of the perimeter landscaping strip shall include permeable ground cover such as grass, plant material, or mulch that leaves no bare ground two years after all landscape materials are installed.
- iv. No shrubs or trees shall be installed in the Sight Triangle.

5. Adjacent to Buffers or Streetscape Landscaping Area⁷⁷⁸

Perimeter landscaping strips may be credited towards buffer standards or street tree standards, provided that the minimum standards for each are established and maintained.

SEC. 24-6.3.6. BUFFERS⁷⁷⁹

a. Purpose

Buffers on the perimeters of properties are provided to protect land uses from the traffic, noise, glare, trash, activity, vibration, odor, visual disorder, and other harmful or noxious effects likely to be emitted by or associated with an adjacent more intense land use.

b. Applicability**1. General**

Unless exempted in accordance with subsection 2 below, the standards in this subsection shall apply to:

- i. All new development; and

⁷⁷⁷ This carries forward the standards in Sec. 24-255(a)(2) of the current Zoning Ordinance but removes the minimum canopy tree requirement of two inches in caliper and 12 feet in height for simplicity as the general standards require minimum two inches in caliper and eight feet in height.

⁷⁷⁸ This is new and makes clear how the perimeter parking lot buffer and perimeter buffer standards relate and can overlap.

⁷⁷⁹ This new section on buffers on the perimeters of properties refines and provides more specificity and options for the buffering of conflicting land uses, replacing the standards in Sec. 24-255(c) of the current Zoning Ordinance. This is done by establishing two different buffer options for each of three different types of buffers, based on the opacity of the plantings and the use of a fence within the buffer. The landowner/developer may choose which of the two buffer options to use. In addition, the different types of buffers required between potential conflicting uses are based on the uses and zoning districts in the updated Ordinance. The application of the standards is not required in the zoning districts where form, design, and other related standards or practices ensure there will not be land use conflicts (the Mixed Residential University (MRU), Multifamily Residential University (MFRU), Institutional University (IU), Downtown (D), Downtown Perimeter (DP), Downtown Historic Edge (DHE), Riverfront (R), and University Commercial (UC) districts).

- ii. All expansion or enlargement of gross floor area of a building that existed on [insert the effective date of this Ordinance] by more than 50 percent.

2. Exemptions

Development in the Mixed Residential University (MRU), Multifamily Residential University (MFRU), Institutional University (IU), Downtown (D), Downtown Perimeter (DP), Downtown Historic Edge (DHE), Riverfront (R), and University Commercial (UC) districts is exempted from the requirements of this subsection.

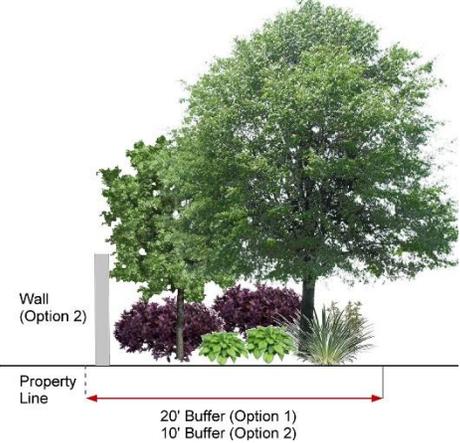
c. Buffer Options

Table 6-11: Buffer Options, defines three types of buffers based on their function, width, and minimum screening requirements. Each buffer type includes two options for plantings and other screening. The width of the buffer under one of the options, indicated in the top row of each buffer type in Table 6-11, may be reduced by a wall or berm, provided that the Director of Planning determines that the buffer is adequate to screen the incompatible uses in locations where the buffer width is reduced. If the Director of Planning determines that the presence of utility or access easement or lines within the buffer will make it impractical for the buffer to accomplish its purpose, the Director of Planning may reduce the buffer width and require additional tree planting or the addition of an opaque wall in accordance with subsection e.6 below.

Table 6-11: Buffer Options

BUFFER TYPE/IMAGE	DESCRIPTION	OPTION 1	OPTION 2
<p>Type A: Opaque</p> 	<p>This buffer functions as an opaque screen from the ground to a height of at least 35 feet upon full maturity of the trees. This type of buffer prevents visual contact between uses and creates a strong separation.</p>	<p>40 ft</p> <p>4 canopy trees and 4 understory trees, and 90 shrubs per 100 linear feet</p>	<p>20 ft</p> <p>5 canopy trees and 5 understory trees, and 100 shrubs per 100 linear feet, and a wall (see subsection e.6 below),</p>
<p>Type B: Semi-Opaque</p> 	<p>This buffer functions as semi-opaque screen from the ground to at least a height of 30 feet, upon maturity of the trees.</p>	<p>30 ft</p> <p>4 canopy trees and 4 understory trees, and 60 shrubs per 100 linear feet</p>	<p>20 ft</p> <p>3 canopy trees and 6 understory trees, and 80 shrubs per 100 linear feet, and a wall (see subsection e.6 below),</p>

Table 6-11: Buffer Options

BUFFER TYPE/IMAGE	DESCRIPTION	OPTION 1	OPTION 2
<p>Type C: Aesthetic</p>  <p>The diagram illustrates a property line with a wall (Option 2) on the left. A 20-foot buffer (Option 1) extends to the right, containing a large canopy tree, several understory trees, and shrubs. A 10-foot buffer (Option 2) is also shown, which includes the wall and the 20-foot buffer.</p>	<p>This buffer functions as an intermittent visual obstruction from the ground to 20 feet upon maturity of the trees, and creates the impression of spatial separation without eliminating visual contact between uses.</p>	<p>20 ft</p> <p>2 canopy trees and 6 understory trees and 60 shrubs per 100 linear feet</p>	<p>10 ft</p> <p>2 canopy trees and 8 understory trees, 80 shrubs per 100 linear feet, and a wall (see subsection e.6 below),</p>

d. Buffer Types⁷⁸⁰

1. The width of a buffer and the required quantity and type of plantings varies based on the nature of the potentially adjacent uses. Table 6-12: Buffer Types, establishes the type of perimeter buffer required between two adjacent land uses. The buffer types are described above in Table 6-11: Buffer Options.
2. Where parking lot landscaping requirements overlap with these buffer requirements, they shall be counted toward the buffer requirements if the minimum of both standards are met.
3. A buffer is not required if properties are separated by an improved right-of-way that 20 feet or greater in width.

⁷⁸⁰ A buffer is not required if properties are separated by an improved right-of-way that is greater than 20 feet in width.

Table 6-12: Buffer Types

EXISTING USE TYPE OR, IF VACANT, ZONING DISTRICT OF ADJOINING LAND	PROPOSED USE [1] [2]			
	All Household Living Uses (except Triplexes, Quadplexes, Townhomes, Multifamily Dwellings; Multifamily Student Dwellings; or Mobile Homes)	Triplexes, Quadplexes, Townhomes, Multifamily Dwellings; Multifamily Student Dwellings; Mobile Homes; All Group Living Uses; All Institutional Uses (except Correctional Facilities, Hospitals, Rail or Bus Passenger Stations, Railroad Terminals, and Truck Terminals)	All Commercial Uses; Hospitals; Rail or Bus Passenger Stations	All Industrial Uses; Correctional Facilities; Railroad Terminals; Truck Terminals; Major Utilities
All Household Living Uses (except Triplexes, Quadplexes, Townhomes, Multifamily Dwellings; Multifamily Student Dwellings; or Mobile Homes) <i>Vacant Land Districts: OS, CN, SFR-E, LR, SFR-1, SFR-2, SFR-3, SFR-4 RG</i>	None	C	B	A
Triplexes, Quadplexes, Townhomes, Multifamily Dwellings; Multifamily Student Dwellings; Mobile Homes; All Group Living Uses; All Institutional Uses (except Correctional Facilities, Hospitals, Rail or Bus Passenger Stations, Railroad Terminals and Truck Terminals) <i>Vacant Land Districts: LMF, SFR-5, MR-1, MR-2, MFR, MHR, IP, ISP, NC</i>	None	None	C	A
All Commercial Uses; Hospitals; Rail or Bus Passenger Stations <i>Vacant Land Districts: LC, GC, HC, IL</i>	None	None	None	B
All Industrial Uses; Correctional Facilities; Railroad Terminals; Truck Terminals; Major Utilities <i>Vacant Land Districts: IG, IH</i>	None	None	B	None

NOTES:

[1] The letters in the cell reference the type of buffer required between the uses; see Table 6-11: Buffer Options.

[2] Athletic fields (softball, baseball, football and soccer fields; basketball, tennis, and pickleball courts; and comparable uses) shall provide a Type C buffer in all districts.

e. Buffer Installation

1. Adjacent to Vacant Parcel

Where a developing parcel is adjacent to a vacant parcel, the developing parcel shall provide 50 percent of the buffer required adjacent to the vacant parcel.

2. Adjacent to Existing Land Use

Where a developing parcel is adjacent to an existing use, the developing parcel shall provide the full buffer required adjacent to the existing use in accordance with this section, unless a portion or all of a buffer that complies with the standards of this section already exists on the adjacent lot. Where all or part of a buffer exists but the buffer does not fully comply with the standards of this section, the developing parcel shall be responsible for providing all the additional planting material necessary to comply with this section.

3. Location of Buffers

Buffers required by this section shall be located along the outer perimeter of the lot or site and shall extend to the lot boundary line or right-of-way line; however, the buffer may be located along shared access or utility easements between parcels in nonresidential development.

4. Trees

Required canopy and understory trees shall be spaced to achieve the screening goals and meet the standards in this subsection.

5. Shrubs

All required shrub plantings shall form a visual screen and be a minimum of four feet in height within two years after planting.

6. Wall or Fence

A wall or fence used within the buffer to accomplish a reduced buffer width option shall be six feet in height and shall consist of one or a combination of the following materials: brick, textured concrete masonry units, stucco block, cementitious board, or other similar material approved by the Director of Planning. (A retaining wall shall be considered a wall for the purposes of this subsection).

7. Existing Vegetation

Existing vegetation which meets or exceeds the quantity, spacing, and height standards of this section may be used to satisfy the requirements of this subsection. Supplemental native shrubs may be required, however, if it can be reasonably determined that after two years, the existing vegetation will not provide the visual screen required by this section.

f. Development Within Required Buffers

1. General

The required buffer shall not contain any development, impervious surfaces, or site features that do not function to meet the standards of this subsection or that require removal of existing vegetation, unless otherwise allowed under this Ordinance.

2. Sidewalks and Trails

Sidewalks and trails may be placed in buffers provided damage to existing vegetation is minimized to the maximum extent practicable.

3. Overhead and Underground Utilities

Overhead and underground utility lines, if allowed by the City, are permitted in buffers, but shall minimize the impact to vegetation, to the maximum extent practicable. In cases where required landscaping material is damaged or removed due to utility activity within a required buffer, the landowner shall be responsible for replanting all damaged or removed vegetation necessary to ensure the buffer meets the standards in this subsection.

4. Damage to Plantings

In the event that buffer plantings are damaged in a way that results in the loss of the buffer's intended purpose, the plantings shall be replaced by the landowner.

SEC. 24-6.3.7. SCREENING⁷⁸¹

a. Purpose

The purpose of the screening standards is to conceal specific site features that might have negative visual or auditory impact from both on-site and off-site views. The site features to be screened shall be screened at all times, unless otherwise stated in this section, regardless of adjacent development, or the types and amount of landscaping material required to be placed on the development site from other requirements.

b. Applicability

Large waste receptacles (dumpsters), ground-level HVACs, and refuse collection points (including grease traps, cardboard recycling containers, and trash carts) shall not be located within a front yard and shall be completely screened from view in accordance with this standards of this section.

c. Screening Methods

The following screening methods shall be used for each site feature required to be screened:

1. Large Waste Receptacles (Dumpsters) and Refuse Collection Points⁷⁸²

- i. Large waste receptacles (dumpsters) and refuse collection points shall not be located within any required landscaped area and shall be screened with an opaque wall of masonry (which shall be constructed of brick, textured concrete masonry units, or stucco block), horizontally installed painted or stained wood, cementitious fiber board, or other material of comparable appearance and durability. The wall shall be at least six feet in height and at least one foot taller than the object to be screened.
- ii. All commercial waste receptacles shall be placed on a pad approved by the City Engineer that allows for pick-up and maintenance, as needed.

SEC. 24-6.3.8. ALTERNATIVE LANDSCAPING PLAN⁷⁸³

a. General

An Alternative Landscaping Plan may be requested by an applicant and reviewed and approved by the Director of Planning where a modification from the landscape and buffer standards in this section is justified because of site or development conditions that make compliance with the standards impossible or impractical. An Alternative Landscaping Plan may also be requested to allow for exemplary design opportunities that would otherwise not be possible, or to permit alternatives that would result in improved environmental quality. Such conditions may include but are not limited to:

- i. Natural conditions, such as lakes, ponds, or other natural features;
- ii. The likelihood that landscaping material would be ineffective at maturity due to placement, location, soil, topography, drainage, or other existing site conditions that are not created by the development;
- iii. Lot size or configuration;
- iv. The site is part of a Planned Development district or another planned development with an approved alternate landscaping plan.

⁷⁸¹ This carries forward Sec. 24-254(b) of the current Zoning Ordinance with minor revisions and a list of material standards for the screening.

⁷⁸² A numbered header is used here to facilitate the addition of additional screening standards in the future.

⁷⁸³ This builds on the alternative compliance option in Sec. 24-258 of the current Zoning Ordinance with the following modifications: 1) Refinement of the conditions that allow for alternative compliance; 2) Additional detail about the process for obtaining approval; 3) Specificity about the types of deviation that are permitted.

- v. The presence of utility or other easements;
- vi. Forthcoming public improvement projects;
- vii. The potential for interference with public safety; or
- viii. Other situations where strict adherence to the landscape and buffer standards are determined to be impractical due to reasons not directly caused by the proposed layout and design of the development.

b. Submittal and Review

An applicant may submit an Alternative Landscaping Plan as part of a development application in accordance with Sec. 24-6.3.2, Applicability. The Director of Planning shall review and approve or deny an Alternative Landscaping Plan based on the standards of this Ordinance.

c. Allowable Deviations

Allowable deviations that can be approved in an Alternative Landscaping Plan include, but are not limited to, the following:

1. Reduced Planting Rates Due to Public Facilities

An adjustment to planting locations, spacing, or reduction in the type or total number of required trees or shrubs when underground or aboveground connections to public facilities or public utilities, public easements, or right-of-way, are located upon or in close proximity to the parcel, or whenever a fewer number or smaller size of trees would be more desirable in terms of good landscape practice.

2. Reduction in Standards Due to Size, Configuration, or General Nature of Parcel

A reduction in the planting locations, count, spacing, species diversity, or the total number of trees or shrubs if it is more desirable in terms of good landscape practice considering the size, configuration or general nature of the parcel and adjacent parcels.

3. Modifications Due to Topography or Other Natural Conditions

Modification of the planting locations, count, spacing, species diversity, or the total number of trees or shrubs due to topographic or other natural conditions of the development site.

4. Modifications Due to Conditions Preventing Maturation of Landscape

Modification of the planting locations, count, spacing, species diversity, or the total number of trees or shrubs due to other site conditions not created by the development, which might make it unrealistic that the landscaping would properly mature.

5. Modifications Due to Protection of Natural Features

Modification of the planting locations, count, spacing, species diversity, or the total number of trees or shrubs to enhance the protection of natural features on the site.

6. Modifications Due to Public Safety

Modification of the planting locations, count, spacing, species diversity, or the total number of trees or shrubs to ensure public safety.

7. Modifications of Plant Location Due to Other Unique Site Conditions

- i. Modification of the planting locations to off the development site, if it can be demonstrated the relocation is due to unique site conditions, and the relocated landscaping will serve the same purpose of the landscaping if it was located on the development site.
- ii. If landscaping is relocated off-site in accordance with this section, development approval shall be conditioned on the landowner ensuring to maintain the off-site landscaping, in perpetuity, in part by entering into an agreement with the City to adequately preserve and maintain the off-site landscaping.

SEC. 24-6.3.9. MAINTENANCE⁷⁸⁴

The landowner of the property being developed in accordance with this section shall be responsible for the maintenance of all landscaped areas. Such areas shall be maintained in accordance with the approved Landscaping Plan or Alternative Landscaping Plan, as appropriate, and shall present a healthy and orderly appearance, free from refuse and debris. All plant life shown on an approved Landscaping Plan or Alternative Landscaping Plan, as appropriate, shall be replaced if it dies, is in poor health, is seriously damaged, or is removed. All landscaping areas shall be maintained so as to prevent debris from washing onto streets and sidewalks.

⁷⁸⁴ This carries forward Sec. 24-260 of the current Zoning Ordinance with minor revisions.

SEC. 24-6.4. OPEN SPACE STANDARDS⁷⁸⁵

SEC. 24-6.4.1. PURPOSE AND INTENT

Open space is intended for the use and enjoyment of a development's residents, employees, or users. Open space serves numerous purposes, including preserving natural resources, ensuring access to open areas and facilities for active recreation, reducing the heat island effect of developed areas, providing civic and meeting spaces, enhancing stormwater management, and providing other public health benefits. To this end, the standards in this section establish minimum requirements for open space in new development, identify areas and features that will be credited toward meeting the minimum requirements, and specify the required location, configuration, design, maintenance, and ownership of open space.

SEC. 24-6.4.2. APPLICABILITY

a. General

Unless exempted in accordance with subsection b below, all new development shall comply with the standards in this section. The landowner shall be responsible for completing all improvements required by this section.

b. Exemptions

The following development is exempt from the standards in this section:

1. Development limited to an individual single-family detached dwelling on a single lot, or an individual duplex dwelling on one or two lots;
2. Development in the Open Space (OS), Single-Family Residential Estate (SFR-E), Single-Family Residential 1 (SFR-1), Single-Family Residential 2 (SFR-2), Single-Family Residential 3 (SFR-3), Single-Family Residential 4 (SFR-4), Lake Residential (LR), Lake Multifamily (LMF), Institutional University (IU), Institutional Public (IP), Downtown (D), Downtown Perimeter (DP), and Downtown Historic Edge (DHE) districts.
3. Agricultural uses;

⁷⁸⁵ The current Zoning Ordinance and Subdivision Regulations include specific provisions related to the provision of open space amenities. They are located in different places in the regulations, and do not address the issue in a comprehensive way. More specifically, open space requirements are established for:

- The RMF-2 District for townhouses, apartments, and group dwellings (Sec. 24-35(d));
- The Business districts, for townhouses, apartments, and group dwellings (Sec. 24-55); and
- Planned unit developments (PUDs).

Establishment of open space and provision of land for recreation are key components to quality development and a healthy community. To improve the open space standards in the current regulations, this draft includes a uniform and comprehensive set of open space standards that are context-sensitive. This is accomplished by establishing a set of open space standards, based on districts and development type (new multifamily, institutional, commercial, and industrial development).

As drafted, the open space standards ensure a minimum level of protection of natural areas and site amenities. They are defined to include required landscaping and buffer areas, environmentally sensitive lands, floodplains, other natural areas, stormwater management areas that are designed as site amenities, trails and greenways, areas for passive and active recreation, and gathering places. At the same time, however, they recognize that open space needs and functions are different in different districts. For example, Residential districts that allow multifamily and certain types of attached residential development have different open space requirements than business districts and commercial uses. There are no open space requirements in Industrial districts.

To ensure that the required open space is usable and functional for open space purposes—and does not merely consist of undevelopable “leftover” land, locational and design rules governing the location, configuration, and usability of the open space are also included. Those rules give priority to protecting natural resources, and environmentally sensitive areas, floodplains, riparian buffers, and natural hazard areas. Finally, the standards include provisions addressing the ownership of and maintenance responsibilities for required open space.

- 4. Utility uses; and
- 5. Development consisting of four or fewer single-family detached or duplex, triplex, or quadplex dwellings, where all dwellings within the development are located within one quarter (1/4) mile walking distance of an existing public park, and:
 - i. The park has an area equal to or greater than the total open space area required by Table 6-13: Minimum Required Open Space; and
 - ii. Pedestrian access to the park from all lots in the development is provided by sidewalks or other pedestrianways.

SEC. 24-6.4.3. TIMING OR REVIEW

Review for compliance with the standards of this section shall occur during review of a development application for a planned development (Sec. 24-3.4.3), a conditional use permit (Sec. 24-3.4.4), a special exception use permit (Sec. 24-3.4.5), a land development permit (Sec. 21-218), a subdivision master plan, a subdivision preliminary plat, or a minor subdivision, as appropriate

SEC. 24-6.4.4. MINIMUM REQUIRED OPEN SPACE

Development subject to the standards in this section shall provide the minimum amounts of open space identified in Table 6-13: Minimum Required Open Space, based on the proposed use and the zoning district where the development is proposed.

Table 6-13: Minimum Required Open Space

USE TYPE OR CLASSIFICATION	MINIMUM OPEN SPACE REQUIREMENT (AS A PERCENTAGE OF TOTAL SITE AREA)			
	SFR-5, MR-1, MR-2, MRU, MFRU, MFR, MHR, AND CN DISTRICTS	ISP AND BUSINESS DISTRICTS	INDUSTRIAL DISTRICTS	PLANNED DEVELOPMENT DISTRICTS
Multifamily, Triplex, Quadplex, Townhouse, and Mobile Home	7.5	7.5	No minimum	15
Institutional	7.5	7.5	No minimum	12
Commercial	5	5	No minimum	7.5
Industrial	No minimum	10	No minimum	No minimum

SEC. 24-6.4.5. OPEN SPACE FEATURES

a. Descriptions and Specific Design and Maintenance Requirements

The features and areas identified in Table 6-14: Types of Open Space, shall be credited towards compliance with the minimum open space standards in Table 6-13: Minimum Required Open Space.

Table 6-14: Types of Open Space

	<p>Natural Features</p> <p>Description: Natural features (including lakes, ponds, rivers, streams, wetlands, drainageways, and other riparian areas), riparian buffers, flood hazard areas, wildlife habitat, and other natural conservation areas.</p> <p>Design and Maintenance Requirements: Preservation of any existing natural features shall have highest priority for locating open space set-asides. Maintenance is limited to the minimum removal and avoidance of hazards, nuisances, and unhealthy conditions.</p>
	<p>Required Landscape Areas</p> <p>Description: Areas occupied by required landscaping except for required buffers on the perimeter of a site.</p> <p>Design and Maintenance Requirements: See Sec. 24-6.3, Landscape and Buffer Standards</p>
	<p>Active Recreational Areas</p> <p>Description: Land occupied by areas and facilities used for active recreational purposes, such as ballfields, playgrounds, tennis courts, pools, jogging trails, and community buildings and clubhouses, and land dedicated for parks.</p> <p>Design and Maintenance Requirements: Active recreational areas shall be compact and contiguous, to the maximum extent practicable, unless used to link or continue existing or public open space lands.</p>
	<p>Passive Recreational Areas (Including Plantings and Gardens)</p> <p>Description: Formally planned and regularly maintained open areas that provide passive recreation opportunities, including trails and pedestrianways, arranged plantings, gardens (including community gardens and rooftop gardens with walking paths or gathering areas), gazebos, and similar structures.</p> <p>Design and Maintenance Requirements: Passive recreation, other than rooftop gardens, shall provide direct access to the residents of the development. Rooftop gardens shall also be reasonably accessible to the occupants and users of the building, as appropriate.</p>

Table 6-14: Types of Open Space

	<p>Squares, Forecourts, and Plazas</p> <p>Description: Squares, forecourts, plazas, and civic greens that provide active gathering places and opportunities to create special places.</p> <p>Design and Maintenance Requirements: The minimum contiguous area shall be 500 square feet. Such features shall have direct access to a street or sidewalk or pedestrianway and shall be designed to accommodate people sitting and gathering, incorporating benches, tables, fountains, or other similar amenities. Surrounding buildings shall be oriented toward the square, forecourt, or plaza when possible, and a connection shall be made to surrounding development, if possible.</p>
	<p>Public Access Easements with Paths or Trails</p> <p>Description: Public access easements that combine utility easements with paths or trails that are available for passive recreational activities such as walking, running, and biking. Greenways provided to comply with other requirements of this Ordinance shall count toward the minimum open space set-aside requirements in this section.</p> <p>Design and Maintenance Requirements: Such public access easements shall include at least one improved access from a public street, sidewalk, or trail that includes signage designating the access point.</p>
	<p>Stormwater Management Areas Treated as Site Amenities</p> <p>Description: Up to 75 percent of the land area occupied by stormwater management facilities (including retention and detention ponds and other bioretention devices) can be counted towards the minimum open space requirements in Table 6-13, when such features are treated as an open space site amenity.</p> <p>Design and Maintenance Requirements: Stormwater management facilities treated as an open space site amenity are encouraged to support passive recreation uses by providing access, gentle slopes (less than 3:1), vegetative landscaping, and pedestrian elements such as paths and benches. Stormwater management facilities shall be subject to a maintenance agreement approved by the operating authority or agency having regulatory authority over the facility.</p>

b. Areas Not Counted as Open Space

The following areas shall not be counted as open space:

1. Front, side, or rear yards that are not subject to an open space or conservation easement;
2. Street right-of-way or private access easements, including sidewalks located within those right-of-way or easements;
3. Vehicular parking areas or lots (excluding the landscaped areas);
4. Driveways for dwellings;
5. Land covered by structures not designated for active recreational uses;

6. Designated outdoor storage areas; and
7. Stormwater management facilities and ponds that are not treated as an open space site amenity in accordance with Table 6-14: Types of Open Space.

SEC. 24-6.4.6. GENERAL DESIGN AND CONFIGURATION

a. Areas and Features Prioritized and Required

To the maximum extent practicable, and in accordance with Sec. 24-6.4.5.a, Descriptions and Specific Design and Maintenance Requirements, open space shall be located and organized to include, protect, and enhance the following open areas and features, in the following general order of priority:

1. Natural features such as riparian areas, riparian buffers, shorelines, flood hazard areas, floodplains, wetlands, steep slopes, and wildlife habitat and corridors;
2. Water features such as rivers, lakes, creeks, canals, natural ponds, wetlands, and retention and detention ponds;
3. For multifamily development, a minimum of 50 percent of the open space shall be for active recreation (see description of active recreational areas in Table 6-14: Types of Open Space above);
4. In the Riverfront (R) and University Commercial (UC) districts, a minimum of 50 percent of the open space shall be squares, forecourts, or plazas;
5. Parks and trails, regardless of public or private ownership; and
6. In other than the Riverfront (R) and University Commercial (UC) districts, gathering places such as squares, forecourts, and plazas.

b. Location and Configuration

1. Except for natural features and stormwater management areas treated as site amenities, open space shall be located to be reasonably accessible to the occupants and users of the development.
2. The location and configuration of open space shall conform with all adopted City plans addressing open space, greenways, and similar features.
3. If the development site is adjacent to existing or planned public trails, greenways, parks, or other public open space area land, the open space shall, to the maximum extent practicable, be located to adjoin, extend, connect, and enlarge the trail, park, or other public land.
4. Open space shall be compact and contiguous, unless a different configuration is needed to continue an existing trail or greenway or to accommodate preservation of natural resources. With the exception of greenways, greenbelts, or any other linear open space, the minimum width for any required open space shall be 50 feet.

c. Development in Open Space

Development within open space shall be limited to that appropriate to the purposes of the type(s) of open space. Where appropriate, such development may include, but is not limited to, walking, jogging, and biking paths or trails; benches or other seating areas; meeting areas; tables, shelters, grills, trash receptacles, and other picnic facilities; docks and other facilities for fishing; environmental education guides and exhibits; historic interpretive signage; gazebos and other decorative structures; fountains or other water features; play structures for children; gardens or seasonal planting areas; pools; and athletic fields and courts and associated clubhouses.

SEC. 24-6.4.7. DEVELOPMENT WITH PHASES

If a development consists of multiple phases, each phase shall include, at a minimum, a proportional share of open space, based on the number of dwelling units and the amount of nonresidential gross floor

area in the phase and the total number of dwelling units and gross floor area in all phases of the development.

SEC. 24-6.4.8. OWNERSHIP AND MAINTENANCE

a. General

Open space required by this Ordinance shall be managed and maintained as permanent open space through one or more of the following options:

1. Conveyance of open space areas to a property owners' or homeowners' association that holds the land in common ownership and will be responsible for managing and maintaining the land for its intended open space purposes, in perpetuity;
2. Conveyance of open space areas to a third party beneficiary such as an environmental, historical, or civic organization, or a government entity, that is organized for, capable of, and willing to accept responsibility for managing and maintaining the land for its intended open space purposes, in perpetuity; or
3. If public stormwater management facilities are treated as site amenities, through stormwater management easements.

b. Options Involving Private Ownership

All options involving private ownership of open space areas shall include deed restrictions, covenants, or other legal instruments that ensure continued use of the land for its intended open space purposes, in perpetuity, and provide for the continued and effective management, operation, and maintenance of the land and facilities.

c. General Responsibility

Responsibility for establishing provisions for the management and maintenance of open space rest with the owner of the land of the open space. Failure to maintain open space in accordance with this section shall be a violation of this Ordinance.

SEC. 24-6.7. NEIGHBORHOOD COMPATIBILITY STANDARDS⁷⁹⁵

SEC. 24-6.7.1. PURPOSE

The purpose of these neighborhood compatibility standards is to provide a proper transition and ensure compatibility between existing single-family development, as well as vacant lands in single-family residential zoning districts, and other more intense forms of development. More specifically, it is the intent of these standards to:

- a. Protect the character of existing neighborhoods consisting of primarily single-family residential development from potentially adverse impacts resulting from more intense and incompatible adjacent forms of development;
- b. Use development form treatments as alternatives to large vegetative buffers; and
- c. Support development of vibrant pedestrian-oriented areas where multiple uses can operate close to one another.

SEC. 24-6.7.2. APPLICABILITY

- a. Except as otherwise provided by subsection c below, the standards in this section apply to:
 1. New multifamily, nonresidential, and mixed-use development (see subsection b below) when located on land adjacent to, or across a street or alley from a single-family residential lot (see subsection b below).
 2. Any expansion or alteration of an existing multifamily, nonresidential, or mixed-use development located on land abutting or across a local street or alley from a single-family residential lot (see subsection b below), where the expansion increases the development's floor area by 50 percent or more, or the alteration involves 50 percent or more of the development's floor area.
- b. For the purposes of this section:
 1. Single-family residential lots include:
 - i. Lots where an existing single-family detached, U-single, duplex, or U-duplex dwelling is located; and
 - ii. Undeveloped lots in the SFR-E, LR, SFR-1, SFR-2, SFR-3, SFR-4, and SFR-5 districts;
 2. Multifamily development includes the following:
 - i. Multifamily and Multifamily student dwellings;
 - ii. Townhouses;
 - iii. U-Rowhouses;
 - iv. Triplexes;
 - v. U-Triplexes;
 - vi. Quadplexes; and

⁷⁹⁵ This new section establishes standards that apply generally to new multifamily, mixed-use, and nonresidential development that occurs adjacent to or across the street from a lot where single-family detached, U-single, duplex, or U-duplex dwelling is located, or a vacant lot in one of the SFR districts, in order to minimize potential negative impacts of the new development on single-family residential uses. The standards do not apply if the adjacent single-family use is not in a Residential district or is separated by a wide street, or to certain institutional uses (e.g., schools or religious institutions).

- vii. Uses in the Group Living category, except group homes and continuing care retirement development.
 - 3. Nonresidential development includes all uses that are not in the Residential use category; and
 - 4. Mixed-use development includes buildings containing both dwellings as principal uses and nonresidential principal uses.
- c. The following are exempt from the standards in this section:
- 1. Multifamily, nonresidential, and mixed-use development that is adjacent to a single-family residential lot located in a district that is not a Residential district;
 - 2. Multifamily, nonresidential, and mixed-use development located on lots separated from single-family residential lots by a street having four or more travel lanes; and
 - 3. Institutional uses in the Community Services, Education, and Utilities, Transportation, and Communication categories.

SEC. 24-6.7.3. TIMING OF REVIEW

Review for compliance with the standards of this section shall occur during review of a development application for a planned development (Sec. 24-3.4.3), a conditional use permit (Sec. 24-3.4.4), a special exception use permit (Sec. 24-3.4.5), or a land development permit (Sec. 21-218), as appropriate.

SEC. 24-6.7.4. NEIGHBORHOOD COMPATIBILITY STANDARDS

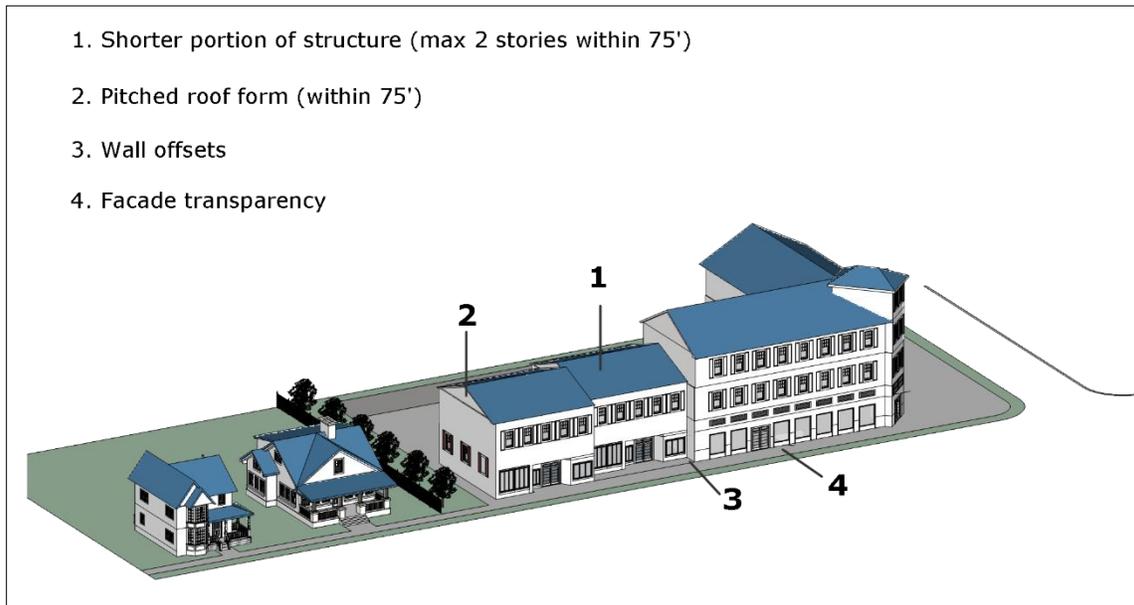
Development subject to the standards of this section shall comply with the following standards.

a. Buildings

1. Height

- i. Building height shall not exceed:
 - (a) Two stories within 75 feet of a single-family lot (see Figure 6-9: Compatible Building Design);
 - (b) Three stories within between 75 feet and 125 feet of a single-family lot; and
 - (c) The maximum building height applicable in the zoning district in which the building is located in all other cases.
- ii. For purposes of subsection i above, distances from a single-family lot shall be measured from the lot line closest to the building subject to these requirements, or if the property is vacant, from the nearest minimum required setback on the single-family lot.

Figure 6-9: Compatible Building Design



1. Shorter portion of structure (max 2 stories within 75')
2. Pitched roof form (within 75')
3. Wall offsets
4. Facade transparency

2. Roofs

- i. A pitched roof form is required on any portion of a building that is within 75 feet of a single-family lot (see Figure 6-9: Compatible Building Design).
- ii. All roof-mounted equipment shall be configured to avoid or minimize the view of the equipment from adjacent single-family lots and public right-of-way.

3. Façades

- i. Buildings shall use similarly sized and patterned wall offsets and other building articulations found on adjacent single-family detached or duplex dwellings (see Figure 6-9).
- ii. All porches and balconies shall be oriented away from adjacent single-family lots, to the maximum extent practicable.

4. Building Orientation

- i. Multifamily, nonresidential, and mixed-use development shall be oriented to face similar forms of development on adjacent or opposing lots rather than single-family residential lots, to the maximum extent practicable.
- ii. When compatible with subsection i above, the primary entrance of a new building shall face the street from which the building obtains its street address or mailing address.

b. Site Design and Features

1. Off-Street Parking

- i. The total amount of off-street parking shall be sufficient to park all vehicles associated with the development off-street. Any reduction from the required minimum parking spaces through an alternative parking plan shall demonstrate that the reduction will not have an adverse impact on the adjacent single-family lots.
- ii. Off-street parking shall be established in one or more of the following locations, listed in priority order:

- (a) Adjacent to off-street parking lots serving nonresidential development on abutting lots;
 - (b) Adjacent to lot lines abutting nonresidential development;
 - (c) Adjacent to lot lines abutting mixed-use development;
 - (d) Behind the building;
 - (e) Within a lot's corner side yard;
 - (f) In front of the building; or
 - (g) Adjacent to lot lines abutting single-family lots.
- iii. Off-street parking areas shall be located at least 10 feet from single-family lots and shall be screened from such lots by plantings consistent with the planting requirements for a Type C: Aesthetic buffer (see Sec. 24-6.3.6, Buffers).⁷⁹⁶

2. Loading, Service, and Refuse Collection Areas

Loading, service, and refuse collection areas shall be:

- i. Located to the side or rear of the building away from adjacent single-family lots, screened with walls and/or landscaping, and provided with access that is integrated with parking areas and the vehicular circulation network;
- ii. Completely screened from view from adjacent single-family lots, to the maximum extent practicable; or
- iii. Incorporated into the overall site so that the impacts of these functions are fully contained within an enclosure or are otherwise out of view from adjacent single-family lots.

3. Open Space

- i. Open space for development subject to these standards, except active recreation features, shall be located between the development and the adjacent single-family lots, to the maximum extent practicable.
- ii. Outdoor recreation features such as swimming pools, tennis courts, and playgrounds shall be set back at least 100 feet from all lot lines shared with single-family lots.

4. Natural Areas

Natural features, such as existing vegetation, streams, and wetlands, shall be used as transitions to adjacent development where possible. Where such natural features are used as transitions, pedestrian connections to adjoining uses are strongly encouraged.

5. Drive-Through Facilities

- i. Drive-through or pick-up windows shall not be located within 100 feet of any single-family lot.
- ii. Ordering stations associated with a drive-through or pick-up window shall not be located within 150 feet of any single-family lot.

6. Signs

To the maximum extent practicable, all signage shall be set back at least 75 feet from lot lines shared with a single-family lot. Any sign located within 75 feet of a lot line shared with a single-family lot shall have a maximum sign area equal to 75 percent of the maximum sign area that would otherwise apply in accordance with Sec. 24-6.10, Signs and Billboards.

⁷⁹⁶ Reduced from 12 to 10 feet.

SEC. 24-6.8. FORM AND DESIGN STANDARDS⁷⁹⁷

SEC. 24-6.8.1. MULTIFAMILY DEVELOPMENT

a. Purpose and Intent

The purpose and intent of these multifamily form and design standards are to:

1. Establish a minimum level of development quality for townhouse, triplex, quadplex, and multifamily residential development;
2. Promote greater compatibility between townhouse, triplex, quadplex, and multifamily residential development and other allowable uses; and
3. Provide landowners, developers, architects, builders, business owners, and others with a clear and equitable set of parameters for developing land.

b. Applicability

1. Except as otherwise provided in subsection 2 below, the multifamily form and design standards in this section shall apply to:
 - i. All new townhouse, U-rowhouse, triplex, U-triplex, quadplex, multifamily, and multifamily student development; and
 - ii. Any expansion of an existing townhouse, U-rowhouse, triplex, U-triplex, quadplex, multifamily, or multifamily student building, unless expressly stated otherwise in the specific multifamily form and design standards below, if the expansion increases the building's gross floor area by 50 percent or more.
2. The following are exempt from the multifamily form and design standards in this section:
 - i. Development in the Downtown (D), Downtown Perimeter (DP), and Institutional University (IU) districts; and
 - ii. Dwellings located in the same building as and above a nonresidential principal use.

c. Timing of Review

Review for compliance with the standards of this section shall occur during review of a development application for a planned development (Sec. 24-3.4.3), a conditional use permit (Sec. 24-3.4.4), a special exception use permit (Sec. 24-3.4.5), or a land development permit (Sec. 21-218), as appropriate.

d. Site Access

Development with 50 or more dwelling units shall not have direct vehicular access along a local street serving existing single-family detached dwellings, unless no other point of access is available.

e. Off-Street Parking

1. No more than 25 percent of off-street surface parking may be located between a building and the street it faces unless the parking bays are screened from view from the street by another building.
2. Freestanding garages or carports visible from public streets outside the development shall be located to the side or rear of the principal dwelling and shall either (i) be oriented

⁷⁹⁷ As called for in the Framework plan (GR 5.1 on page 53 of the plan), this new section includes generally applicable form and design standards for multifamily (and multifamily student, townhouse, U-rowhouse, triplex U-triplex, and quadplex) development, and large retail development. . All new development and substantial expansions of existing development of these types must comply with the standards in this section, with some exceptions for districts that already have robust standards.

perpendicular to the street, or (ii) include wall offset and design features on the street-facing façade in accordance with the standards that apply to the principal dwelling (see Figure 6-10: Detached Garage Location and Orientation). The exterior materials, design features, and roof form of a detached garage or carport shall be the same as those of the principal dwelling.

Figure 6-10: Detached Garage Location and Orientation



f. Building Orientation and Configuration

1. The primary entrance and architectural front of individual buildings within a multi-building development shall be oriented towards the following (listed in priority order) and not toward off-street parking lots, garages, or carports:
 - i. Perimeter streets;
 - ii. Primary internal streets;
 - iii. Open space set-asides; or
 - iv. Secondary internal streets.
2. Buildings shall be oriented so that architectural fronts of buildings across the street from each other face each other, so as to avoid the front façade of one building facing a side or rear façade of another building.

g. Maximum Length of Structures

No single row of townhouse units shall exceed 300 feet in length.

h. Building Façades

1. Materials and Fenestration

- i. Exterior building walls shall be wood clapboard, cementitious fiber board, wood shingle, wood drop siding, primed board, wood board and batten, brick, stone, stucco, vinyl, or similar material.
- ii. A minimum of 20 percent of the street facing façade area shall consist of windows or doorways.

2. Offsets

Building façades greater than 50 feet in width that face a street shall incorporate wall offsets, in the form of projections or recesses in the façade plane at least two feet in depth, spaced no more than 50 feet apart (see Figure 6-11: Façade Offsets and Design Features).

Figure 6-11: Façade Offsets and Design Features



3. Design Features

Front façades shall provide a minimum of three of the following design features for each residential unit fronting onto a public street (see Figure 6-11: Façade Offsets and Design Features):

- i. One or more dormer windows or cupolas;
- ii. A recessed entrance;
- iii. A covered porch;
- iv. Pillars, posts, or columns next to the doorway;
- v. One or more bay windows projecting at least twelve inches from the façade plane;
- vi. Eaves projecting at least six inches from the façade plane;
- vii. Raised corniced parapets over the entrance door;
- viii. Multiple windows with a minimum four-inch-wide trim;
- ix. Integrated planters that incorporate landscaped areas or places for sitting; or
- x. Roof form and line changes consistent with the façade offsets.

i. Roofs

- 1. Sloped roofs on buildings over 100 feet in length shall include two or more different sloping roof planes, each with a minimum pitch between 4:12 and 12:12.
- 2. Flat roofs shall be concealed by parapet walls that extend at least three feet above the roof level and have three-dimensional cornice treatments that project at least eight inches outward from the parapet façade plane.
- 3. Alternative roof forms or pitches may be allowed for small roof sections over porches, entryways, or similar features.
- 4. All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (except chimneys), shall be located on the rear elevations or otherwise be configured and screened (if necessary) to have a minimal visual impact as seen from the street.

j. Utilities and Service Areas

1. All utility lines on the development site shall be located underground.
2. All ground-level mechanical equipment, meters, vault boxes, electrical boxes, and other similar equipment shall be located outside of the front yard and screened so as not to be visible from all rights-of-way and open space set asides.
3. All service areas, including areas for trash collection and recycling collection, shall be screened from view from all rights-of-way and open space.

SEC. 24-6.8.2. LARGE RETAIL ESTABLISHMENTS

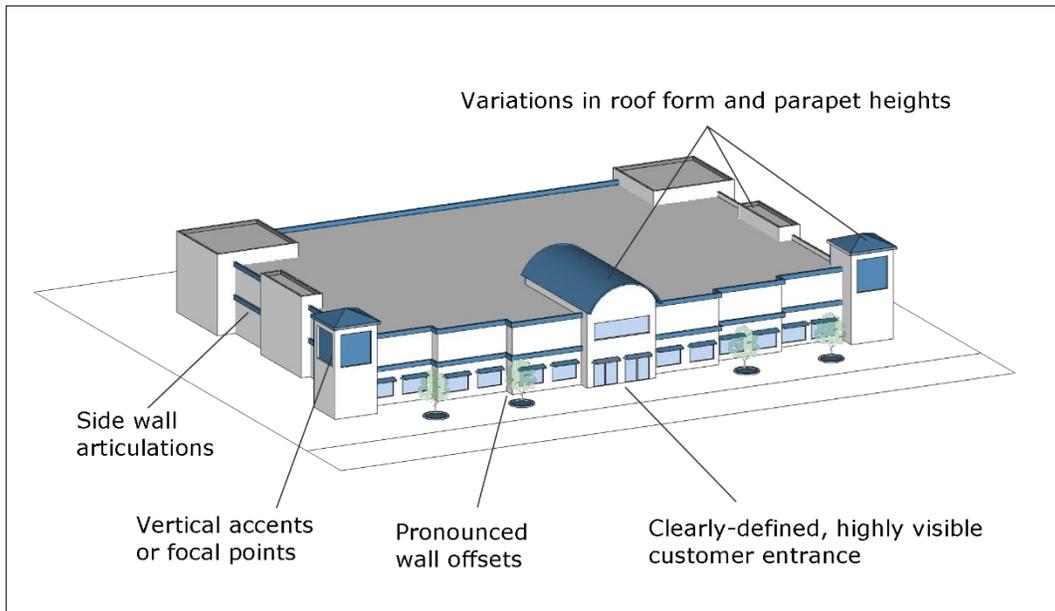
a. General

Large retail establishments shall comply with the standards below. For purposes of this section, a large retail establishment is any single-tenant building (including but not limited to those with a combination retail use) having a gross floor area of 60,000 square feet or more that devotes 60 percent or more of the total floor area to retail sales activities.

b. Building Entrances

1. Buildings shall have clearly defined, highly visible customer entrances featuring no less than three of the following (see Figure 6-12: Large Retail Establishment Form and Design):
 - i. Canopies or porticos above the entrance;
 - ii. Roof overhangs above the entrance;
 - iii. Entry recesses or projections;
 - iv. Arcades that are physically integrated with the entrance;
 - v. Raised corniced parapets above the entrance;
 - vi. Gabled roof forms or arches above the entrance;
 - vii. Outdoor patios or plazas next to the entrance;
 - viii. Display windows that are directly next to the entrance;
 - ix. Architectural details, such as tile work and moldings, that are integrated into the building structure and design and are above or next to the entrance; or
 - x. Integral planters or wing walls that incorporate landscaped areas or seating areas.
2. All portions of buildings designed to appear as customer entrances shall be functional customer entrances.

Figure 6-12: Large Retail Establishment Form and Design



c. Building Façades

1. To reduce their perceived mass and scale, buildings shall incorporate two or more of the following design elements on each façade facing a street right-of-way (see Figure 6-12: Large Retail Establishment Form and Design):
 - i. Variations in roof form and parapet heights;
 - ii. Pronounced wall offsets that are at least two feet deep;
 - iii. Distinct changes in texture and color of wall surfaces;
 - iv. Ground level arcades and second floor galleries or balconies;
 - v. Protected and recessed entries; and
 - vi. Vertical accents or focal points.
2. Side building walls that do not face a street right-of-way and exceed 30 feet in length shall have façade-articulating elements such as columns and/or changes in plane, texture, or masonry pattern (see Figure 6-12: Large Retail Establishment Form and Design).

SEC. 24-6.9. GREEN BUILDING INCENTIVES⁸⁰⁰

SEC. 24-6.9.1. PURPOSE AND INTENT

The purpose of this section is to add support for green building practices in the City by providing incentives for developments that incorporate specific types of green building features. Specifically, this section is intended to provide incentives for developments that incorporate green building features that support:

- a. Energy conservation;
- b. Alternative energy use;
- c. Water conservation;
- d. Water quality;
- e. Healthy landscaping;
- f. Alternate forms of transportation; and
- g. Urban agriculture.

SEC. 24-6.9.2. APPLICABILITY

- a. All development is eligible to receive green building incentives in accordance with this section.
- b. In cases where the incentives in this section conflict with the neighborhood compatibility standards in Sec. 24-6.7, Neighborhood Compatibility Standards, the neighborhood compatibility standards shall control.

SEC. 24-6.9.3. INCENTIVES⁸⁰¹

- a. Development integrating green building features in accordance with this section shall be eligible for the following incentives. They shall be integrated into the development consistent with the requirements of this section and this Ordinance:
 1. A density bonus of up to one and one-half additional dwelling unit per acre beyond the maximum allowed in a base Residential zoning district in which the incentive is allowed, and up to two additional dwelling units per acre beyond the maximum allowed in any other base zoning district;
 2. An increase in the maximum allowable height by up to one story or 12 feet beyond the maximum allowed in the base zoning district; and
 3. A decrease in the minimum off-street vehicular parking requirement by up to 12 percent.

⁸⁰⁰ This new section establishes green building incentives. The incentives are only provided if green building features are integrated into a development. Integration of additional green building features is voluntary on the part of the applicant, and can be proposed within all base zoning districts. The incentives provided are increased residential density (for residential development), increased building height or stories (for nonresidential development), and off-street parking reductions (for residential and nonresidential development). Applicants may request one or more of the listed incentives by providing an array of different green building features set out in a menu in this section. This framework allows the City to modify and add to the provisions over time.

⁸⁰¹ This subsection identifies the incentives that are provided under the section for including additional green building features in a development. The applicant is given the option to propose the type of incentive(s) that would be provided. The section allows an applicant to request several different incentives, if a sufficient number of green building features are included in the development.

- b. Development may include a sufficient number of green building features to take advantage of more than one type of incentive, but in no instance shall the amount of an incentive be increased or decreased (as appropriate) beyond the maximum listed in this section.

SEC. 24-6.9.4. PROCEDURE ⁸⁰²

- a. Applicants seeking to use green building incentives shall include a written request with the development application that demonstrates how compliance with the standards in this section will be achieved. The written request shall include the statement described in subsection f below.
- b. Review for compliance and granting of requests for incentives in accordance with this section shall occur during the review of a development application for a planned development (Sec. 24-3.4.3), conditional use permit (Sec. 24-3.4.4), special exception use permit (Sec. 24-3.4.5), land development permit (Sec. 21-218), a subdivision master plan, a subdivision preliminary, or a minor subdivision, as appropriate.
- c. The decision-making body or person responsible for review of the development application shall also be responsible for the review of the green building incentive request.
- d. The incentive(s) shall be based on the number of green building features provided, in accordance with Table 6-16: Green Building Incentives, and Sec. 24-6.9.5, Menu of Green Building Features. To obtain the right to a particular incentive identified in the left column of Table 6-16: Green Building Incentives (for example, a density bonus of up to two additional dwelling units per acre beyond the maximum allowed in the base zoning district), the development proposed is required to provide the minimum number of green building features associated with the green building features from both schedule A and schedule B in Table 6-16: Green Building Incentives (for example, for a density bonus of up to two additional dwelling units per acre beyond the maximum allowed in the base zoning district, the proposed development is required to include three green building features from Schedule A and five green building features from Schedule B).
- e. The green building features used to obtain the individual type of incentive shall only be counted for that incentive. If an applicant wants to achieve a second type of incentive (for example, both the height bonus incentive and the off-street parking reduction incentive), the proposed development shall include the minimum number of green building features in Schedule A and Schedule B required for both incentives (for a height bonus—two from Schedule A and four from Schedule B for the height bonus incentive, and two from Schedule A and three from Schedule B for the off-street parking reduction incentive).
- f. The application shall include a statement by a professional licensed by the state with expertise in green building features attesting that the development application includes the applicable features in Table 6-17: Menu of Green Building Features that are being used to obtain the right to the incentive listed in Table 6-16: Green Building Incentives.

Table 6-16: Green Building Incentives

TYPES OF INCENTIVES	MINIMUM NUMBER OF GREEN BUILDING FEATURES PROVIDED	
	FROM SCHEDULE A	FROM SCHEDULE B
A density bonus of up to one additional dwelling unit per acre beyond the maximum allowed in the base Residential zoning district	2	4

⁸⁰² This subsection sets out the procedure for an applicant to follow who wants to request green building incentives. It also sets down in Table 6-15: Green Building Incentives, the number and different types of green building features that must be provided to acquire the incentive. This table must be read in conjunction with Table 6-16: Menu of Green Building Features, for an applicant to determine the types of incentives that can be requested.

Table 6-16: Green Building Incentives

TYPES OF INCENTIVES	MINIMUM NUMBER OF GREEN BUILDING FEATURES PROVIDED	
	FROM SCHEDULE A	FROM SCHEDULE B
A density bonus of up to two additional dwelling units per acre beyond the maximum allowed in the other base zoning districts	3	5
An increase in the maximum allowable height by up to one story or 12 feet beyond the maximum allowed in the base zoning district	2	4
A decrease in the minimum required off-street parking spaces by 12 percent for the proposed use(s)	2	3

SEC. 24-6.9.5. MENU OF GREEN BUILDING FEATURES⁸⁰³

One or more of the green building features in Table 6-17: Menu of Green Building Features, may be offered by an applicant for proposed development in accordance with Table 6-16: Green Building Incentives. The entry in the left-most column of Table 6-17: Menu of Green Building Features, indicates the number of Schedule A or Schedule B green building practices that can be counted toward an incentive in Table 6-16: Green Building Incentives. (For example, an entry of “AAAA” means that the green building feature is credited as three green building practices toward the minimum number of Schedule A practices in the right-most column of Table 6-16: Green Building Incentives. Three of the “A”s could be used for the density bonus incentive, and the fourth could be used towards one of the other incentives.)

Table 6-17: Menu of Green Building Features

SCHEDULE [1]	TYPE OF GREEN BUILDING FEATURES
Energy Conservation	
A	Meet ASHRAE standard for lighting [2]
A	Meet Energy Star standards for low-rise residential, or exceed ASHRAE efficiency standards by 15 percent [3]
BB	Home energy rating system (HERS) index greater than 90 and less than or equal to 95
BBB	HERS index greater than 85 and less than or equal to 90
A	HERS index greater than 75 and less than or equal to 85
AA	HERS index less than or equal to 75
BB	Stated water heater efficiency between 0.675 to 0.82
BBB	Stated water heater efficiency of 0.82 or more
BB	Air conditioner with stated efficiency greater than 16 SEER is included as standard
A	Air conditioner with stated efficiency greater than 18 SEER is included as standard
AAAA	Install a “cool roof” on a minimum of 100 percent of the single-family, duplex, or attached residential dwellings in the development or subdivision. The “cool roof” shall cover the entire roof of the dwelling.
AAA	Install a “cool roof” on a minimum of 75 percent of the single-family, duplex, or attached residential dwellings in the development or subdivision. The “cool roof” shall cover the entire roof of the dwelling.

⁸⁰³ This subsection includes Table 6-19: Menu of Green Building Features, which establishes the menu of green building features that an applicant may use, and the scores for using the different types of practices. When read in conjunction with Table 6-18: Green Building Incentives, in the previous section, an applicant can determine what combination of features can be used to gain approval for the different incentives offered. The table is set up so the City can add to and revise the table of green building features over time, as new practices are developed, or community values change.

Table 6-17: Menu of Green Building Features

SCHEDULE [1]	TYPE OF GREEN BUILDING FEATURES
AA	Install a “cool roof” on a minimum of 50 percent of the single-family, duplex, or attached residential dwellings in the development or subdivision. The “cool roof” shall cover the entire roof of the dwelling.
AAAA	Install a “cool roof” on a minimum of 100 percent of all other types of residential dwellings in a development or any Group Living use. The “cool roof” shall cover the entire roof of an individual building
AAA	Install a “cool roof” on a minimum of 75 percent of all other types of residential dwellings in a development or any Group Living use. The “cool roof” shall cover the entire roof of an individual building
AA	Install a “cool roof” on a minimum of 50 percent of all other types of residential dwellings in a development or any Group Living use. The “cool roof” shall cover the entire roof of an individual building
AAAA	Install a “cool roof” on 100 percent of a mixed-use or nonresidential development. The “cool roof” shall cover the entire roof
AAA	Install a “cool roof” on 75 percent of a mixed-use or nonresidential development. The “cool roof” shall cover the entire roof
AA	Install a “cool roof” on 50 percent of a mixed-use or nonresidential development. The “cool roof” shall cover the entire roof
A	Use central air conditioners that are Energy Star qualified
A	Use only solar water heating systems throughout the structure
BB	Use only tankless water heating systems throughout the structure
BB	Provide skylights in an amount necessary to ensure natural lighting is provided to at least 15 percent of the habitable rooms in the structure
B	Construct roof eaves or overhangs of three feet or more on southern or western elevations
B	Use a structure design that can accommodate the installation and operation of solar photovoltaic panels or solar thermal heating devices (including appropriate wiring and water transport systems)
Alternative Energy	
AAAA	Generate 100 percent or more of energy on-site by alternative energy (e.g., solar, wind, geothermal)
AAA	Generate 75 percent or more of energy on-site by alternative energy (e.g., solar, wind, geothermal)
AA	Generate 50 percent or more of energy on-site by alternative energy (e.g., solar, wind, geothermal)
AA	Pre-wire 100 percent of residential dwelling units in the development for solar panels
A	Pre-wire a minimum of 75 percent of residential dwelling units in the development for solar panels
BB	Pre-wire a minimum of 50 percent of residential dwelling units in the development for solar panels
LEED® Certification or Equivalent	
AAAA	Construct the principal building(s) to meet or exceed LEED® Platinum certification or equivalent standards of the National Green Building Standard™/NGBS Green or the International Code Council’s International Green Construction Code
AAA	Construct the principal building(s) to meet or exceed LEED® Gold certification or equivalent standards of the National Green Building Standard™/NGBS Green or the International Code Council’s International Green Construction Code
Passive Solar	
AAA	Orient a minimum of 100 percent of the single-family detached, duplex, or attached residential dwellings or lots in the development within 20 percent of the east-west axis for maximum passive solar exposure

Table 6-17: Menu of Green Building Features

SCHEDULE [1]	TYPE OF GREEN BUILDING FEATURES
AA	Orient a minimum of 75 percent of the single-family detached, duplex, or attached residential dwellings or lots in the development within 20 percent of the east-west axis for maximum passive solar exposure
A	Orient a minimum of 50 percent of the single-family detached, duplex, or attached residential dwellings or lots in the development within 20 percent of the east-west axis for maximum passive solar exposure
BB	Orient a minimum of 25 percent of the single-family detached, duplex, or attached residential dwellings or lots in the development within 20 percent of the east-west axis for maximum passive solar exposure
AAA	Orient at least 75 percent of the nonresidential buildings in the development within 20 percent of the east-west axis for maximum solar exposure
AA	Orient at least 50 percent of the nonresidential buildings in the development within 20 percent of the east-west axis for maximum solar exposure
A	Orient at least 25 percent of the nonresidential buildings in the development within 20 percent of the east-west axis for maximum solar exposure
Water Conservation and Quality Protection	
AAAA	Design all areas required to be landscaped in accordance with this Ordinance as an integrated system to meet on-site stormwater quality requirements for the lot through incorporation of low impact development design principles and use of best management practices for on-site stormwater management. These areas shall use vegetated pervious surfaces or other measures such as permeable pavements to infiltrate the capture of water volume on-site. Piped connections from roofs and downspouts and other impervious areas to storm drains are prohibited. Piped conveyances on lots must discharge to pervious areas.
AAA	Use low impact development techniques, including but not limited to grass buffers and swales, bioretention (rain garden or porous landscape detention, sand filters, and permeable pavement systems, to meet stormwater management requirements
BB	All showerheads and handheld showers are 2.0 GPM or less
BB	All lavatory faucets flow rate is 1.5 GPM or less at 60 PSI
BB	All toilets are 1.28 GPF or less
BB	All toilets have dual activated flushing
AAA	Install a green/vegetated roof on the primary building(s), on at least 50 percent of primary buildings in a multi-building complex—green/vegetated roofs shall include vegetation on at least 50 percent of the roof area (25 percent for renovated buildings) and shall use only plant materials permitted by this Ordinance
A	Include rainwater capture and re-use devices such as cisterns, rain filters, and underground storage basins with a minimum storage capacity of 500 gallons for every two residential units
A	Provide rain gardens or other appropriate stormwater infiltration system(s) that accommodate a minimum of 25 percent of the runoff
Vegetation	
A	Remove all lawn or turf in favor of ground cover consisting of plant material or mulch
A	Remove a minimum of 50% of all lawn or turf in favor of ground cover consisting of plant material or mulch
Urban Agriculture	
A	Provide a fenced, centrally located community garden space (which may be located as a rooftop garden) for residents and for urban gardening purposes at a ratio of 50 square feet per dwelling unit
A	Provide a fenced, community garden space for employees at an office, for gardening purposes at a ratio of 10 square feet per employee
Universal Design	

Table 6-17: Menu of Green Building Features

SCHEDULE [1]	TYPE OF GREEN BUILDING FEATURES
A	<p>Provide the following universal design features in 33 percent of the residential units in the development:</p> <ul style="list-style-type: none"> • A no-step entry on an accessible route to the unit; • First floor kitchen, bathroom and a bedroom; • The following elements to allow maneuvering space: <ul style="list-style-type: none"> • A 32" clear opening at doorways; • A 36" clear passage; • 42" wide hallways; and • 30 X 48 clear space next to bathroom sink, tub/shower and toilet; • Blocking in bathroom walls to accommodate grab bars, and grab bars in first floor bathroom; • Reachable outlets and switches. • Grab bars in first floor bathroom(s) by commode and in shower(s); • Handicap accessible shower in first floor bathroom(s); and • Raised toilet seats in first floor bathroom(s).
AA	<p>Provide the following universal design features in 66 percent of the residential units in the development:</p> <ul style="list-style-type: none"> • A no-step entry on an accessible route to the unit; • First floor kitchen, bathroom and a bedroom; • The following elements to allow maneuvering space: <ul style="list-style-type: none"> • A 32" clear opening at doorways; • A 36" clear passage; • 42" wide hallways; and • 30 X 48 clear space next to bathroom sink, tub/shower and toilet; • Blocking in bathroom walls to accommodate grab bars, and grab bars in first floor bathroom; • Reachable outlets and switches. • Grab bars in first floor bathroom(s) by commode and in shower(s); • Handicap accessible shower in first floor bathroom(s); and • Raised toilet seats in first floor bathroom(s).
Transportation	
A	Provide an electric vehicle (EV) level 3 charging station that is made available to those using the building
B	Provide an electric vehicle (EV) level 1 or 2 charging station that is not required by this Ordinance, and made available to those using the building where it is located
B	Provide a minimum of five percent of required automobile parking spaces that are signed and reserved for hybrid/electric/low energy vehicles in preferred locations near the primary building entrance
BB	Include showering and dressing facilities in nonresidential developments for employees using alternative forms of transportation, like walking or biking
<p>NOTES:</p> <p>[1] "AA" means credited as provision of two schedule "A" features. "AAA" means credited as provision of three schedule "A" features. "AAAA" means credited as provision of four schedule "A" features. "BB" means credited as provision of two schedule "B" features. "BBB" means credited as provision of three schedule "B" features.</p> <p>[2] Standard for the Design of High-Performance Green Buildings, American Society of Heating, Refrigerating, and Air-Condition Engineers, 2014, as amended, or other appropriate ASHRAE standards, as amended.</p> <p>[3] Energy Standard for Buildings Except Low-Rise Residential, American Society of Heating, Refrigerating, and Air-Condition Engineers, 2016, as amended, or other appropriate ASHRAE standards, as amended.</p>	

SEC. 24-6.9.6. REQUIREMENT TO INSTALL AND MAINTAIN SUSTAINABLE/GREEN BUILDING PRACTICES

Prior to the issuance of a Certificate of Occupancy, the applicant shall submit a statement from a professional licensed by the state with expertise in green building features attesting that the development includes the applicable features in Table 6 17: Menu of Green Building Features that were used to obtain the right to the incentive listed in Table 6 16: Green Building Incentives. Failure to install or maintain approved green building features that are to be provided to comply with this section is a violation of this Ordinance, and may result in revocation of the development approval or permit.