

6.3. NEIGHBORHOOD OVERLAY DISTRICTS

- A. **Generally.** The Neighborhood Overlay Districts are hereby established as “overlay” districts, meaning that these districts are overlaid upon other districts and the land so encumbered may be used in a manner permitted in the underlying district only if and to the extent such is also permitted in the applicable overlay district.
- B. **Neighborhood Overlay Districts**
1. Winchester Overlay District.
 2. Concord Avenue Overlay District.

6.3.1. WINCHESTER OVERLAY DISTRICT.

- A. **Generally.** As established on the City’s official zoning map, the Winchester Overlay District shall contain special requirements for development.
- B. **Requirements.**
1. The construction or renovation as proposed and designed fulfills the intent of § 156.132 of the City of Monroe Code of Ordinances.
 2. The construction or renovation as proposed shall adhere to the strategies and objectives outlined in the Forward Monroe Plan.
 3. All principal developments shall schedule a pre-application review before applying for any site and development or construction permit with the planning department. The planning department shall meet with the applicant to ensure compatibility with the neighborhood is met.
 4. Single-Family detached only.
 5. Minimum setbacks (feet):
 - a. Street setback - 20
 - b. Side setback - 5
 - c. Rear setback - 10
 6. Maximum lot coverage is 70 percent.
 7. Maximum building height is 25 feet or no greater than 1.5 stories.
 8. Accessory uses-accessory uses shall be incidental to size and impact to the principal use they serve. In no instance shall an accessory structure have a floor area exceeding 50 percent of the principal use it serves. Accessory structures (except

fences, walls or facilities associated with outdoor dining shall not be located between the front of the principal use and the front line.

9. Mobile homes shall not be permitted.

6.3.2. CONCORD AVENUE OVERLAY DISTRICT (CA-O)

6.3.2.1. CA-O GENERAL PROVISIONS

- A. **Generally.** The purpose of the CA-O District is to implement the relevant goals and recommendations of the Concord Avenue Master Plan adopted by the City on November 3, 2015 (with an effective date of May 2, 2017). The intent of the Concord Avenue Master Plan and the CA-O district is to:
1. Improve safety and aesthetics in the Concord Avenue area identified in the Concord Avenue Master Plan;
 2. Promote private investment and beneficial redevelopment of the Concord Avenue area;
 3. Create a suitable environment for compact, pedestrian-oriented, mixed-use development where business, office, retail, and residential uses are located in close proximity one another;
 4. Provide greater residential housing choice, affordability, and diversity with varying housing designs and densities;
 5. Strengthen the City's economic base and provide employment and shopping opportunities close to home for City residents;
 6. Provide a clear and predictable set of standards and review procedures for development in the district.
- B. **Applicability.** Except where exempted in 6.3.2.1.C, Exemptions, or modified in accordance with 6.3.2.1.G, Modification of District Standards, the standards in this Section apply to all land and development located within the CA-O District boundary. Land included in the CA-O District shall retain its base zoning district designation in place upon the effective date of these standards, but the CA-O District standards shall supersede all applicable base zoning district standards. Development subject to this Section shall be reviewed for compliance with these standards as part of the review of a site plan, subdivision plat, or zoning permit, building permit, as appropriate. Amendments to an approved application shall be processed in the same fashion as the original approval.

- C. **Exemptions.** The following forms of development are exempted from the standards in this Section:
1. Minor additions to lawfully-established buildings that existed on April 4, 2017. For the purposes of this Section, **MINOR ADDITIONS** are defined as increases in the amount of building floor area on a lot of up to 25 percent beyond what existed on April 4, 2017.
 2. Minor renovations or remodeling to lawfully established buildings that existed on April 4, 2017. For the purposes of this Section, **MINOR RENOVATIONS** or **REMODELING** are defined as interior or exterior improvements to a building that increase the total building value on a lot of up to 25 percent beyond what existed on April 4, 2017.
 3. Changes from one conforming principal use to another conforming principal use with no minor additions or minor renovations are exempted from the standards in 6.3.2.2: CA-O Dimensional Standards, but shall comply with the development standards in elsewhere in this Section, to the maximum extent practicable.
 4. Development additions or renovations that exceed the definition of “minor” shall comply with all applicable CA-O District standards.
- D. **Conflicts.** Conflicts between the standards in this Section and other laws or adopted plans in effect are addressed in the following ways:
1. In cases of conflict between the standards in this Section and the Concord Avenue Master Plan, the Concord Avenue Master Plan shall control;
 2. In cases of conflict between the standards in this Section and the standards of the applicable base zoning district, the standards in this Section shall control; and
 3. In cases where the standards of this Section conflict with standards in the City’s Code of Ordinances, the standards in this Section shall control.
- E. **Area.** The following portions of the Concord Avenue Master Plan are hereby adopted and incorporated by reference into the CA-O District standards:
1. The study area boundary which identifies the CA-O District boundary;
 2. The land use program, which identifies the general range of allowable uses (but not the required locations of uses) in the CA-O District; and
 3. The Comprehensive Master Plan which identifies the street patterns and general guidance for site configuration in the CA-O District.

F. **Modifications to CA-O District Boundary.** Applications to expand, modify, remove, or revise the CA-O District boundary may only be filed by the City's Planning Board or City Council.

1. Applications to modify a sub-district boundary in the CA-O District may be submitted by anyone authorized to file an application to amend the Official Zoning Map and shall be reviewed and decided in accordance with Section 3.4.6. of this UDO, and the adopted Concord Avenue Master Plan. Lots intended for designation to a new sub-district shall comply with the applicable minimum dimensional requirements in 6.3.2.2: CA-O Dimensional Standards, in the CA-O District.
2. In no instance shall an amendment to establish a conditional zoning district or planned unit development within the area subject to the CA-O standards include conditions that seek to waive or reduce the requirements of the CA-O District.
3. In the event a roadway or other feature that serves as a boundary of the CA-O district is moved or otherwise relocated, the CA-O district boundary and corresponding sub-district boundaries shall likewise be moved or relocated.

G. **Modifications to CA-O District Standards**

Minor modifications or deviations of up to 10 percent of any numerical requirement applicable in the CA-O District may be approved by the Director if the Director determines that:

1. The modification is consistent with the character of development on surrounding land, and results in development that is compatible with surrounding land uses;
2. The modification compensates for some unusual aspect of the site or the proposed development that is not shared by landowners in general or supports an objective or goal from the purpose and intent statements of the zoning district where it is located;
3. The modification will not pose a danger to the public health or safety;
4. Any adverse impacts resulting from the modification will be fully mitigated; and
5. The district standard being modified is not the subject of a previously approved zoning condition or variance on the same site.
6. A modification shall be reviewed and decided prior to the other applications with which it is submitted. For example, if a modification request is submitted in

conjunction with a site plan application, the modification shall be reviewed and decided prior to the approval of the site plan application.

H. Permissible Use Table

1. **Permissible Uses.** The permissible uses in the CA-O District are provided in Table 6.3.2.1. Permissible Uses Table, which sets out the range of use types allowed in the CA-O District regardless of the base zoning district designation. Uses with a “p” are allowed in a sub-district with the approval of a zoning permit. Principal uses that are not listed in the table shall require approval of a special use permit in accordance with Section 7 of the UDO.
2. **Prohibited Uses.** If the table does not include a “P” in the cell, the use is not permitted.

Table 6.3.2.1. Permissible Uses Table

| PERMISSIBLE USES IN THE CA-O DISTRICT | | | | |
|----------------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Use Type | Sub-District A | Sub-District B | Sub-District C | Sub-District D |
| PRINCIPAL USES | | | | |
| Residential | | | | |
| Assisted Living Facility | - | P | P | - |
| Dwelling, Duplex/Triplex/Quadplex | P | P | - | - |
| Family Care Facility | P | - | - | - |
| State Licensed Group Home | P | - | - | - |
| Live-Work | P | P | P | P |
| Dwelling, Manufactured Home | - | - | - | - |
| Dwelling, Multifamily | - | P | - | P |
| Dwelling, Townhouse/Attached Single Family | P | P | - | P |
| Dwelling, Single Family Detached | P | - | - | - |

| Institutional | | | | |
|---------------------------------------------------------------------------|---|---|---|---|
| Religious Institutions | P | P | P | P |
| Healthcare and counseling | - | P | P | P |
| Libraries, museums, and similar uses | P | P | P | P |
| Public safety facility | P | P | P | - |
| Schools | P | - | - | - |
| Social, event, fraternal and assembly uses (Event Center) | - | - | - | - |
| Telecommunications facility, major | - | - | - | - |
| Telecommunications facility, minor | P | P | P | P |
| Utility facility | P | P | P | P |
| Commercial | | | | |
| Adult use | - | - | - | - |
| Animal care | - | P | - | - |
| Auction house | - | - | - | - |
| Bank or financial institution, excluding payday lending and check cashing | - | P | P | P |
| Bar or nightclub | - | - | - | P |
| Bed and breakfast | P | P | P | P |
| Day Care | P | P | P | P |
| Electronic gaming establishment | - | - | - | - |
| Flea market | - | - | - | - |
| Hotel or motel | - | - | P | P |
| Gasoline sales | - | - | P | - |
| General retail sales of 3,000 square feet or less | - | P | P | P |
| General retail sales of 3,001 to 25,000 square feet | - | P | P | P |

MONROE UDO

| | | | | |
|-------------------------------------------------------|---|---|---|---|
| General retail sales of 25,001 to 100,001 square feet | - | - | P | - |
| Motor vehicle sales or rental | - | - | - | - |
| Motor vehicle service or repair | - | - | - | - |
| Office of less than 10,000 square feet | - | P | P | P |
| Office of 10,000 square feet or more | - | P | P | P |
| Parking lot or parking structure | - | P | P | P |
| Pawnshop | - | - | - | - |
| Personal services use of less than 4,000 square feet | - | P | P | P |
| Personal services use of 4,000 or more square feet | - | P | P | P |
| Recreation, indoor | - | P | P | P |
| Recreation, outdoor | - | P | - | - |
| Restaurant with a drive-through | - | - | - | - |
| Restaurant without a drive-through | - | P | P | P |
| Tattoo parlor or body piercing establishment | - | - | - | - |
| Industrial | | | | |
| Heavy industrial uses | - | - | - | - |
| Light industrial uses | - | - | - | - |
| Outdoor or open-air use | - | - | - | - |
| Self-storage | - | - | - | - |
| Waste-related uses | - | - | - | - |
| Wholesale sales | - | - | - | - |
| ACCESSORY USES | | | | |
| Accessory dwelling unit | P | P | - | - |
| Day care, in-home | - | - | - | - |
| Drive-through, except at a restaurant | - | P | P | P |
| Home occupation | P | - | - | P |

MONROE UDO

| | | | | |
|------------------------------|---|---|---|---|
| Outdoor dining | - | P | P | P |
| Outdoor display or sales | - | P | P | P |
| Outdoor storage | - | - | - | - |
| Upper-story residential unit | - | - | P | P |

THIS PORTION OF PAGE INTENTIONALLY BLANK

6.3.2.2. CA-O DIMENSIONAL STANDARDS

- A. **Principal Uses.** Table 6.3.2.2: CA-O Dimensional Standards, establishes the dimensional standards applicable in each sub-district of the CA-O regardless of the base zoning district designation.
- B. **Accessory Uses.** Accessory uses shall be incidental in size and impact to the principal use they serve. In no instance shall an accessory structure have a floor area exceeding 50 percent of the principal structure it serves, nor shall it have a height exceeding the principal use it serves. Accessory structures (except fences, walls, or facilities associated with outdoor dining) shall not be located between the front of the principal use and the front lot line.

Table 6.3.2.2. Dimensional Standards

| Requirement | Sub-District A | Sub-District B | Sub-District C | Sub-District D |
|--------------------------------------------------------|----------------------------------|----------------|----------------|------------------------|
| Minimum lot area (square feet) | 10,000 [1] | n/a | 20,000 | n/a |
| Minimum lot width (linear feet) [2] | 36 [3] | 24 | 36 | 24 |
| Maximum lot coverage (%) [4] | 70 | 75 | 80 | 100 |
| Minimum lot frontage occupied by building wall (%) [5] | n/a | 60 | n/a | 80 |
| Minimum street setback (feet) | 20 | 3 | 20 | n/a |
| Maximum street setback (feet) | n/a | 20 [6] | n/a | 8 [7] |
| Minimum side setback (feet) [8] | Minimum of 5 each side; 15 total | | 15 | 0 |
| Minimum rear setback (feet) [9] | 20 | 10 | 20 | 0; 10 from residential |

MONROE UDO

| | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----|-------------------|
| | | | |
| Minimum building height (feet/stories) | n/a | | 16/2 |
| Maximum building height (feet/stories) [10] | 35/3 | | 72/6 [11] 48/4 |
| Minimum spacing between buildings on same lot (linear feet) | 10 | 8 | 5 0 |
| Minimum open space (% of lot or site) | 15 | 20 | 25 10 |
| Minimum residential density (units/acre) | n/a | | n/a 4 |
| Maximum residential density (units/acre) | 6 | 8 | 12 16 |
| <p>NOTES:</p> <p>[1] Minimum development size for single family attached residential; no lot area requirement for individual lots used for single family attached residential units.</p> <p>[2] Minimum lot width is measured at the edge of the right-of-way except on cul-de-sac lots, where it is measured at the rear edge of the front setback line.</p> <p>[3] Minimum lot width for single family attached residential is 20 feet.</p> <p>[4] Maximum lot coverage for single family attached residential is 95%.</p> <p>[5] Measured at front setback unless public gathering area is provided in front of building.</p> <p>[6] Can be increased to accommodate 1 bay of parking and vehicular access in cases where building is two or more stories in height.</p> <p>[7] Can be increased to 20 feet if area between building and street is used for sidewalk.</p> <p>[8] Side setbacks between individual single family attached residential units is zero. Individual buildings housing single family attached residential units shall be at least 15 feet apart.</p> <p>[9] Rear setbacks for individual single family attached residential units shall be 5 feet. Individual buildings housing single family attached residential units shall be at least 15 feet apart.</p> <p>[10] In no instance shall single family attached residential units exceed three stories or 35 feet, regardless of the sub-district where located.</p> <p>[11] Maximum building height shall be reduced by one foot for each additional foot of distance beyond 100 feet from the Highway 74 right-of-way edge. In no instance shall maximum building height be reduced below 15 feet regardless of distance from the Highway 74 right-of-way edge.</p> | | | |
| Minimum building setback from perimeter lot lines of multi-building developments (linear feet) | 20 | | 5 |

6.3.2.3. CA-O PARKING REQUIREMENTS

A. Off-street Parking Requirements.

1. *Amount.* All new development and redevelopment in the CA-O District shall ensure adequate off-street parking is provided in accordance with the standards in Table 6.3.2.3, Minimum Parking Requirements below.
2. *Uses not listed.* For uses that do not correspond to those listed in the Permissible Uses Table for the CA-O (Table 6.3.2.1), the Director shall determine the minimum off-street parking requirements based on all information necessary to determine the uses’ parking needs to be provided by the applicant.

Table 6.3.2.3. Minimum Parking Requirements

| Use Type | Min. Number of Off-Street Parking Spaces (#) | Use Type | Min. Number of Off-Street Parking Spaces (#) |
|--------------------------------------|----------------------------------------------|-------------------------------------------|----------------------------------------------|
| Residential | | Institutional | |
| Assisted living facility | 0.3/room | Churches and other religious institutions | 1/50 sf of seating area |
| Duplex residence | 2/unit | Healthcare and counseling | 1/200 sf |
| Family care home (6 persons or less) | 1/bedroom | Libraries, museums, and similar uses | 1/500 sf |
| Group home | 1/employee | Public safety facility | 1/employee on peak shift |
| Live/work dwelling | 2/unit | Schools | 1.5/classroom |
| Multifamily residence | 1.5/unit | Telecommunications facility, minor | None |
| Single family attached residence | 2 | Utility facility | 0.5/employee on peak shift |
| Single family detached residence | 2 | | |

| Commercial | | Accessory Uses | |
|---------------------------------------------------------------------------|--------------|---------------------------------------|--------------------------|
| Animal care | 1/400 sf | Accessory dwelling unit | 1 |
| Bank or financial institution, excluding payday leading and check cashing | 1/300 sf | Day care, in-home | 1 + principal use |
| Bar or nightclub | 1/100 sf | Drive-through, except at a restaurant | None |
| Bed and breakfast | 1/bedroom | Home occupation | 2 + principal use |
| Hotel or motel | 1/guest room | Outdoor dining | 1/200 sf of outdoor area |
| Gasoline sales | 1/400 sf | Outdoor display or sales | 1/500 sf of outdoor area |
| General retail sales of 3,000 square feet or less | 1/500 sf | | |
| General retail sales of 3,001 to 25,000 square feet | 1/600 sf | | |
| General retail sales of 25,001 to 100,001 square feet | 1/800 sf | | |
| Office of less than 10,000 square feet | 1/800 sf | | |
| Office of 10,000 square feet or more | 1/500 sf | | |
| Parking lot or parking structure | None | | |
| Personal services use of less than 4,000 square feet | 1/500 sf | | |
| Personal services use of 4,000 or more square feet | 1/600 sf | | |

| | | | |
|----------------------------------------|----------------------------------|--|--|
| Recreation, indoor | 1/400 sf | | |
| Recreation, outdoor | 1/1,000 sf of outdoor area | | |
| Restaurant without a drive- through | 1/200 sf | | |

3. **Credit for On-Street Parking Spaces.** Non-residential and mixed-use development may use on-street spaces to meet the minimum off-street parking requirements provided the on-street spaces are within 50 linear feet of the entrance and the on-street spaces are not reserved for loading or handicapped parking.
4. **Parking Configuration.** Off-street parking areas shall be configured in accordance with Section 6.4, Vehicle Accommodation Area Surfaces of this UDO.
5. **Shared Parking.** Sharing of required off-street parking spaces is permitted in accordance with the UDO, provided all parties seeking to share parking spaces have executed and recorded a shared parking agreement that specifies the rights and responsibilities of all parties involved.
6. **Off-Site Parking.** Off-site parking may be permitted with 1,000 linear feet of the use to be served, provided there is improved pedestrian access between the parking area and the use to be served, and provided the off-site parking area is located on a lot in sub-districts B, C, or D.
7. **Bicycle Parking.** Mixed-use, multifamily, and non-residential uses shall provide on-site bicycle parking facilities at a rate of one bicycle parking space for every 30 dwelling units or 5,000 square feet of non-residential floor area.
8. **Parking Location.** Except for single family detached dwellings, which are not subject to parking location requirements, buildings of two or more stories may have up to one bay of parking spaces and the associated access aisle between the building front and the street it faces. Off-street parking spaces shall not be located between a single-story building facade and the street it faces.
9. **Cross Access.** Off-street parking lots of 24 or more parking spaces shall be configured, to the maximum extent practicable, to connect to adjacent off-

street parking lots in a manner that allows vehicles to move from one lot to an adjacent lot without use of a public street. Cross accessways shall maintain a minimum width of 12 feet for one-way drives and 24 feet for two-way drives.

6.3.2.4. CA-O LANDSCAPING REQUIREMENTS

- A. Required Types.** Except for single family detached and duplex dwellings, all new development and redevelopment in the CA-O District shall provide parking lot screening, perimeter buffers, and street trees in accordance with these standards.
- B. Parking Lot Screening.** Where surface off-street parking lots abut public streets, the parking lot shall be screened by a row of evergreen shrubs, a fence or wall of 36 inches in height, or a combination of these features. The area devoted to screening shall be at least five feet in width, and shall be located to minimize the appearance of parked automobiles from the adjacent street right-of-way.
- C. Perimeter Buffers.** Perimeter buffers of at least 15 feet in width comprised of two canopy trees, three understory trees, and 20 evergreen shrubs shall be provided by mixed-use, multifamily, single family attached, and non-residential development every 100 feet along lot lines shared with a lot containing a single family detached dwelling.
- D. Street Trees.** Street trees shall be provided every 40 feet on-center along both sides of all streets (except alleys) and shall be located between the sidewalk and the street edge. In cases where no sidewalk is present, street trees shall be located within five feet of the edge of pavement. In cases where the sidewalk extends to the curb, street trees shall be placed in tree pits of at least 25 square feet each. Street trees shall be deciduous canopy trees, except when underneath overhead utilities, when deciduous understory trees at the same on-center spacing shall be used.
- E. Landscaping Configuration.** Required landscaping (including fences and walls) shall be configured in accordance with Section 6.2, Design and Maintenance Standards and Sizes of this UDO.

6.3.2.5. CA-O OPEN SPACE

- A. Where Required.** Except for single family detached and duplex dwellings, all new development in the CA-O (including residential subdivisions of four or more lots) shall provide private common open space in accordance with these standards.
- B. Amount.** New non-residential and mixed-use development shall provide private

common open space at a rate comparable to at least 10 percent of the gross floor area of the development. New residential subdivisions of four or more lots shall provide centrally-located private common open space at a rate of 435 square feet per dwelling unit.

- C. **Configuration.** Private common open space is land area that is devoted to recreation or gathering. It shall include land area or facilities capable of supporting recreation, public gathering, outdoor dining, and similar activities. Trails, plazas, and sidewalk areas that exceed minimum sidewalk width requirements shall be credited towards open space requirements. In the case of residential subdivisions, the private common open space shall be owned and managed by a homeowner’s association and shall be improved with walking paths or recreation amenities.

6.3.2.6. CA-O EXTERIOR LIGHTING

- A. **Lighting Plan.** New development shall provide a lighting plan that identifies the type, location, height, and intensity (in watts, lumens, nits, or other comparable standard) of proposed exterior lighting in order to demonstrate how proposed development will comply with these standards.
- B. **Maximum Illumination.** Exterior lighting shall be designed and located such that the maximum illumination at the lot line from new development shall not exceed the maximum illumination value, shown in Table 6.3.2.6.1.

Table 6.3.2.6.1, Maximum Illumination

| Abutting Use Type | Max. Illumination (Footcandle) |
|-----------------------------------------------------------------|--------------------------------|
| Single family residential use, or vacant land in sub-district A | 1.0 |
| Institutional use | 1.5 |
| Commercial, mixed-use, or vacant land in sub-districts B, C, D | 2.0 |
| Parking lot | 2.5 |
| NOTES: Measured at ground level. | |

- C. **Parking Lot Illumination.** Surface parking lots and parking structures shall be configured to provide a minimum illumination level of at least 0.5 foot candles throughout the parking and access areas.

- D. **Shielding.** Exterior lighting fixtures shall be configured such that the bulb or source of illumination is not visible from grade level of adjacent lots or street rights-of-way.
- E. **Maximum Fixture Height.** Except for outdoor recreation uses (like tennis courts) the maximum height of exterior lighting, whether mounted on polls, walls, or by other means, shall not exceed 24 feet above grade.
- F. **Private Streets.** Private streets shall be treated as public streets with respect to all street lighting provisions.
- G. **Screening.** Dumpsters, refuse collection and recycling facilities, service and loading areas, and ground-based mechanical equipment shall be located and screened in accordance with Sections 6.2 and 6.5 of this UDO.

6.3.2.7. CA-O SIGNAGE

- A. **Sign Permit Required.** All signage shall obtain a sign permit in accordance with the Section 8.2: Signs of this UDO.
- B. **Prohibited Signs.** Any form of signage identified as prohibited within Section 8.2: Signs of the UDO, shall be prohibited in the CA-O District.
- C. **Standards.** Signage in the CA-O District shall be configured in accordance with Table 6.3.2.7, Signage Standards in the CA-O District. Each lot may include one or more sign types from each of the four categories.

THIS PORTION OF PAGE INTENTIONALLY BLANK

Table 6.3.2.7. Signing Standards in CA-O District

| Standard | Sub-District A | Sub-District B | Sub-District C | Sub-District D | Notes |
|----------------------------------------------------|--------------------------|---------------------------|----------------------------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Building Mounted Signage | | | | | |
| Maximum sign face area per lot (square feet) | 6/facade facing a street | 64/facade facing a street | 120/facade facing a street | 32/facade facing a street | No single sign may occupy more than 50% of the maximum sign face area allowed for an individual building. If there are three or more units in a building or development, a maximum 120 square feet of building mounted signage may be permitted. |
| Maximum height above grade (feet) | 5 | 24 | Below eave or parapet | | Any portion of a sign projecting more than 6 inches from building wall must be at least 10 feet above grade |
| Total number of building mounted signs per lot (#) | 1 | 1 per tenant plus 1 | | | Nothing prohibits more than one sign per tenant as long as the maximum number and face area are not exceeded |
| Internal illumination allowed | No | Yes | Yes | No (external illumination permitted) | Illumination shall not exceed 7,500 nits during daylight and 500 nits from dusk to dawn |

| | | | | | |
|-----------------------------------|-----|--------------------------|----------------------------------------|-------------|-----------------------------------------------------------------------------------------|
| Changeable copy allowed | No | No | Yes | Y e s | Message must remain static for at least 5 seconds with an interval of 2 seconds or less |
| Window Signage | | | | | |
| Maximum sign face area per lot | n/a | 25% of individual window | 25% of facade area of first two floors | | Prohibited on single-family and multi-family buildings |
| Maximum height above grade (feet) | n/a | 24 | 24 | 30 | |
| | | | | | |

| Ground Mounted Signage | | | | | |
|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|---------------------------|-----|----------------------------------------------------------------------------------------------------------|
| Maximum sign face area per lot (square feet) | 6 | 0.5/each linear foot of lot frontage containing the sign | | 32 | No single sign may occupy more than 50% of the maximum sign face area allowed for an individual building |
| Maximum height above grade (feet) | 4 | 8 | 10 | 6 | Signs on lots abutting Highway 74 may have a maximum height of 20 feet |
| Total number of ground-mounted signs per lot (#) | 1 | 1 per entrance; 1 per frontage; max. of 2 | | | Prohibited on lots with single family and multifamily dwellings |
| Minimum setback from lot lines (feet) | 5 | 5 | 5; 15 from Highway 74 ROW | 3 | Setbacks may be increased to maintain clear sight lines along streets |
| Minimum spacing from other ground mounted signage (feet) | 50 | 60 | 100 | 75 | Applies to ground signs on the same or different lots |
| Internal illumination allowed | No | Yes | Yes | Yes | Illumination shall not exceed 7,500 nits during daylight and 500 nits from dusk to dawn |
| Changeable copy allowed | Yes | Yes | Yes | Yes | Message must remain static for at least 5 seconds with an interval of 2 seconds or less |
| Monument base standards | The monument base shall be at least 80% of the entire width or length of the sign, at least 16 inches above constructed of brick, stone or stucco. | | | | |

Temporary Signage

Temporary signage shall be in accordance with Section 8.2 of the UDO.

NOTES:

[1] Election signs must be removed no more than 7 days after the election. For sale/rent signs must be removed immediately upon sale or rental. Garage/yard sale signs must be removed within 24 hours of the termination of the sale. Grand Opening signs may be displayed up to 10 days before the opening and must be removed within 30 days after the opening. Special event signs may remain in place for up to 15 days.

- D. **Flags.** Flags and flag poles shall be permitted subject to Section 8.2.7, Exempt Signs.
- E. **Nonconforming Signs.** Existing signs that do not conform to the standards in this Section shall be subject to Section 8.2.3, Nonconforming Signs.

6.3.2.8. ARCHITECTURAL STANDARDS

- A. **Non-residential and Mixed-Use Development.** Non-residential and mixed-use development shall comply with Section 8.7: Design Standards of this UDO.
- B. **Multifamily Development.**
 1. *Building Orientation.* Buildings around the perimeter of a development shall be oriented to the street they front, not towards internal features like parking areas.
 2. *Building Placement.* Buildings in a multifamily development shall be located at least ten feet from other buildings and parking areas in the development.
 3. *Building length.* Unless located parallel to and within 20 feet of a street right-of-way, the maximum building length shall not exceed 100 linear feet.
 4. *Facade Articulation.* Street-facing building facades shall include wall offsets (recesses or projections) of at least two feet located every 30 feet along the facade wall.
 5. *Visual Interest.* Each building facade facing a street shall include at least three of the following nine features:
 - a. A central covered porch;
 - b. Dormer windows or a cupola(s);
 - c. Pillars, posts, or pilasters;

- d. Bay windows along the facade with a 12-inch projection;
 - e. Window trim with a minimum width of four inches;
 - f. Raised, corniced parapets over the doors;
 - g. Eaves of four feet in depth;
 - h. Integral planters that incorporating plantings or seating; or
 - i. Up to one unlisted feature approved by the Director.
6. *Roof Form.* Development shall include a pitched roof of at least 4:12 or a flat roof with a corniced parapet.
 7. *Roof-Mounted Equipment.* All roof-mounted vents, pipes, antennas, roof penetrations, of mechanical equipment shall be fully screened by a parapet wall, located to the rear elevation, or otherwise camouflaged to minimize the visual impact from the street, to the maximum extent practicable.
 8. *Garage Placement.* Garage doors or entrances, whether for multiple or individual units, shall be located to the rear of the structure they serve.
 9. *Pedestrian Connection.* All buildings and recreational facilities within a multifamily development shall be connected via a paved, all-weather pedestrian access of at least 4 feet in width.

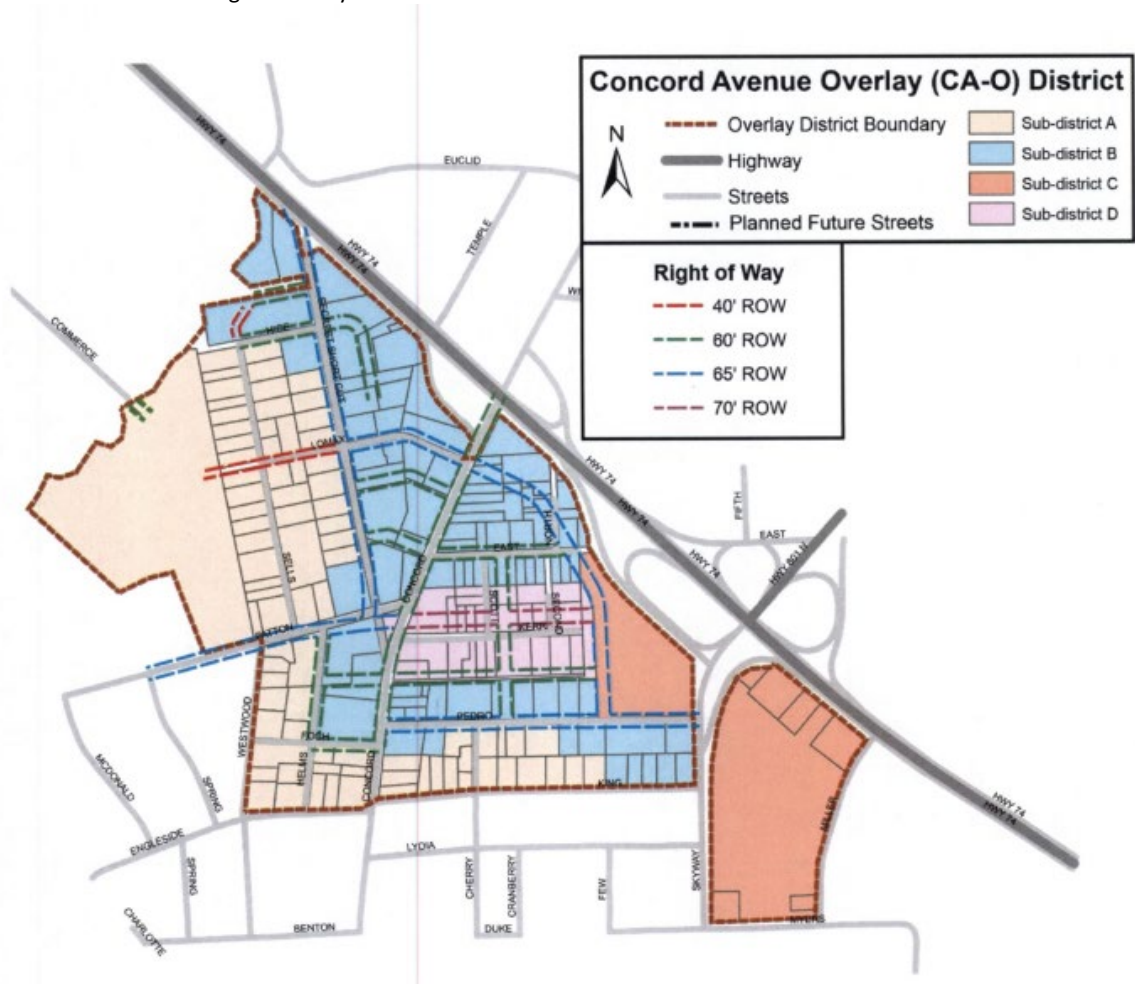
6.3.2.9. INFRASTRUCTURE

- A. **Streets.** All streets in the development shall be configured in accordance with Figure 6.3.2.9, CA-O District Rights-of-Way, and the following:
 1. *Dedication required.* New development or redevelopment in the CA-O District (including site plans and subdivisions) shall dedicate the right-of-way as identified in CA-O Districts Rights-of-Way, and all applicable City policy documents. Exact street locations may deviate from those shown as determined by the City Engineering Department.
 2. *Construction.* New development in the CA-O District shall construct the street improvements identified in the Concord Avenue Master Plan and CA-O District Rights-of-Way, Figure 6.3.2.9, that border or transect lots included in the development.
 3. *Curb and gutter.* All streets in the CA-O District shall be served by curb and gutter configured in accordance with city standards.

4. *Access.* In cases where two or more lots are consolidated as part of development or redevelopment, exiting street access shall be consolidated to the maximum extent practicable. In no instance shall an individual parcel be served by more than three accessways.
5. *Speed control devices.* Speed bumps, speed humps, speed tables, and similar devices are prohibited on public streets in the CA-O District.
6. *Sidewalks.* Sidewalks shall be provided on both sides of all streets (except alleys) and shall be configured in accordance with City standards. Lots fronting Kerr Street shall provide sidewalks with a minimum width of ten feet that are configured to include a four-foot-wide clear zone adjacent to building walls to facilitate pedestrian movement along the street.
7. *Bike lanes.* Shared bicycle lanes shall be provided as part of any required roadway improvements along Concord Avenue and Skyway Drive.
8. *Utilities.* All new utilities shall be placed underground.

THIS PORTION OF PAGE INTENTIONALLY LEFT BLANK

Figure 6.3.2.9. CA-O District Rights-of-Way



6.3.2.10. PAYMENTS IN-LIEU

- A. In-lieu payments for construction of streets, sidewalks, bike lanes, or the provision of open space may be requested by an applicant as part of the initial development application, and shall be decided by the City Council following a recommendation by the Director and approval by the City Engineering Department.
- B. Payment of in-lieu fees shall be based on an estimated cost of completing the installation, based on current contract unit prices, as approved by the Director.
- C. Fees collected by the City in accordance with this Section shall be deposited in the appropriate fund and used solely for the construction of the appropriate feature(s) either on or abutting the site associated with the in-lieu payment. In the case of open space resources, open space facilities may be located anywhere within the

CA-O District boundary.

- D. In-lieu payments for features other than streets, sidewalks, bike lanes, or open space within the CA-O District are prohibited.

6.3.2.11. NONCONFORMITIES.

- A. **Generally.** In all cases, the burden of establishing that a nonconformity lawfully exists shall be the responsibility of the landowner.
- B. **Continuation.** Nonconformities are allowed to continue in accordance with this Section, and are allowed to receive minor repairs and routine maintenance necessary to protect the health and safety of the public. No change in title or possession of a nonconformity shall prevent the continuation of the nonconformity.
- C. **Abandonment.** If a nonconforming use or structure ceases operation for a continuous period of 90 days, and subsequent use or structure shall conform to the CA-O District requirements.
- D. **Casualty Damage.** Except for single family detached dwellings, and nonconforming use or structure that is damaged in excess of 35 percent of the use or structure's value (according to tax appraiser records) shall only be reestablished in accordance with the applicable CA-O District requirements. Single family detached dwellings may be reconstructed regardless of the extent of the damage, but shall be repaired or reconstructed in accordance with the CA-O District standards to the maximum extent practicable, as determined by the Director.
- E. **Expansion.** Expansion or enlargement of a nonconforming use or structure is prohibited.
- F. **Nonconforming Lots.** When two or more nonconforming lots are under common ownership and consolidation will aid in compliance with the dimensional requirements this Section, then the lots shall be combined prior to approval of any development application.
- G. **Nonconforming Signs.** Maintenance or change of copy on a nonconforming sign is allowed, provided the replacement copy is the same or less nonconforming, but removal or replacement of nonconforming signage with new signage that does not meet the standards in the CA-O District is prohibited. Signs advertising a use or structure that has ceased operation for 90 continuous days or longer shall be considered nonconforming signs.