

# Commercial Zoning Update Working Group



## Meeting Agenda Wednesday, July 20, 2022 5:00 p.m. – Village Hall Court Room 3930 N. Murray Ave., Shorewood WI

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Written comments on any of the following agenda items may be submitted to [bgriepentrog@shorewoodwi.gov](mailto:bgriepentrog@shorewoodwi.gov) through 3:00 pm the day prior to the meeting. Comments received prior to the deadline will be shared with the Working Group. Comments after that deadline will need to be shared verbally within the meeting during available public comment periods.

1. Call to order
2. Roll call
3. Presentation and discussion of proposed Code Outline.
4. Presentation and discussion of draft update of 535-21 Commercial and Mixed-Use Districts.
5. Presentation and discussion of proposed Use Table.
6. Future discussion items
7. Public comment
8. Adjournment

**Dated at Shorewood, Wisconsin, this 15<sup>th</sup> day of July, 2022**

Village of Shorewood  
Toya Harrell  
Village Clerk

Should you have any questions or comments regarding any item on this agenda, please contact Bart Griepentrog, Planning Director, Planning & Development Department, at (414) 847-2640. Upon reasonable notice, efforts will be made to accommodate the needs of all individuals.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

SHOREWOOD

# COMMERCIAL ZONING UPDATE



Working Group Initial Draft: Module 1

July 20, 2022

#### **INITIAL DRAFT REVIEW KEY**

**green text** is pulled directly from the current code and will be removed once the appropriate metric is agreed upon. **[green text in brackets]** is current code regulation for information/comparison only.

**pink text** highlights items to discuss during initial draft phase and will be removed for the public review draft unless additional input is needed on the specific item. Many of these questions are in the form of footnotes that will also be removed once answered. (Footnotes that are informational will be left in as directed and will be black text in public review draft.)

**blue text** indicates linked cross-references that are digitally linked and will remain blue in the final code.

**XXX** indicates references to future sections to be developed in module 2.

An "exception" noted throughout this document is a relief process that will be discussed in module 2.

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**MODULE 2**

## 535-21A INTENT

The regulations of the commercial and mixed-use districts are intended to support development along the business corridors of the village, based upon the goals and vision established in the Village’s comprehensive plan. Further, these districts are intended to achieve the following:

### 535-21A(1) SENSE OF PLACE

A sense of place defined by human-scaled development consisting of a variety of high quality buildings and civic spaces with well-designed landscape and streetscapes.

### 535-21A(2) WALKABLE DEVELOPMENT

Walkable development that is comfortable, safe, and interesting for the pedestrian through the use of human-scaled buildings, streetscape design, and a hierarchy of streets for pedestrians and vehicles.

### 535-21A(3) MIXED-USE

Buildings and development that activate streets and civic spaces during the day and into the evenings through a mix of uses and multi-story buildings that define the public space of the street.

### 535-21A(4) SUSTAINABLE

Development that promotes environmental sustainability goals, such as reductions in vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions through pedestrian- and bicycle-friendly design.

## 535-21B DISTRICTS

### 535-21B(1) DISTRICTS ESTABLISHED

The Village’s commercial and mixed-use districts are listed in [Table 535-21-1](#). When this zoning ordinance refers to “commercial” districts, it is referring to these districts.

### 535-21B(2) DISTRICT DESCRIPTIONS

(a) **MX, Mixed-Use Storefront Districts.** The MX districts are intended for the mixed-use corridors, where walkable Storefront Buildings include shopping, eating and drinking, and services.

- [1] MX1 is for locations abutting neighborhoods.
- [2] MX2 is reserved for locations where taller buildings fit within the context of the area, as designated in the comprehensive plan.

(b) **CX, Commercial Storefront Mix District.** The CX district is intended for specific locations where single-use commercial may be oriented both to pedestrian and automobile access is allowed as designated in the comprehensive plan.

(c) **GX, General Residential-Office Districts.** The GX districts are intended for locations along corridors and neighborhood edges, where residential, office, and other low intensity commercial and production uses can mix comfortably in General Buildings and Row Buildings can be used for live-work or residential uses.

- [1] GX1 is for locations abutting neighborhoods.
- [2] GX2 is for locations where taller buildings fit within the context of the area, as designated in the comprehensive plan.
- [3] GX3 is reserved for the southeast intersection at Capitol Drive and Oakland Avenue, where the tallest development is designated to occur per the comprehensive plan.

(d) **RX, Residential Mix District.** The RX district is intended for multi-unit residential in a mix of building types located on the edges of neighborhoods.

**Table 535-21-1. Districts**

SYMBOL	DISTRICT NAME
<b>MIXED-USE &amp; COMMERCIAL DISTRICTS</b>	
MX1	Mixed-Use Storefront 1
MX2	Mixed-Use Storefront 2
CX	Commercial Storefront Mix
GX1	General Residential-Office Mix 1
GX2	General Residential-Office Mix 2
GX3	General Residential-Office Mix 2
RX	Residential Mix

535-21 Commercial & Mixed-Use Districts  
**535-21C. Applicable Regulations**

**535-21C APPLICABLE REGULATIONS**

The following regulations apply to all sites zoned as commercial and mixed-use districts. Any other applicable regulations established by the Village may also apply.

**535-21C(1) BUILDING TYPES**

Building types regulated in this section 535-21 are allowed in districts per [Table 535-21-2](#). All buildings and site development must comply with one of the building types in this section, unless otherwise expressly stated in these zoning regulations.

**535-21C(2) USES**

See [XXX](#) for allowed uses and any use-specific regulations within each district.

**535-21C(3) BUILDING & SITE DESIGN**

See [XXX](#) for building and site design regulations applicable to all building types allowed in this section 535-21.

**535-21C(4) MEASURING BUILDING TYPES**

See [535-21](#) for definitions and methods for measuring building type requirements.

**535-21C(5) EXISTING BUILDINGS AND LOTS**

See Article VII for buildings constructed and lots established prior to the adoption of these regulations that do not conform to these regulations.

**535-21C(6) APPROVALS**

See [XXX](#) for development approval procedures.

**535-21C(7) EXCEPTIONS**

See [XXX](#) for minor and major exceptions processes to the building type, building design, and site design regulations. Modifications to building type regulations include:

- (a) [to be developed in module 2]

**535-21D APPLICABLE TO ALL BUILDING TYPES**

The regulations of this subsection apply to all building types, unless otherwise stated.

**535-21D(1) PERMANENT BUILDINGS**

All buildings must be of permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise expressly stated in this ordinance, and except as follows:

- (a) **Temporary Construction Buildings.** Temporary construction buildings are allowed per 535-10C.
- (b) **Other Temporary Buildings.** Temporary buildings, other than temporary construction buildings, may be allowed on sites per [XXX](#).<sup>1</sup>

**535-21D(2) ACCESSORY STRUCTURE REGULATIONS**

Except as defined in the building type regulations, accessory structures are subject to the regulations of [535-26](#).

**535-21D(3) NUMBER OF PRINCIPAL BUILDINGS**

One principal building is allowed per lot, unless otherwise stated in the building type regulations.

**535-21D(4) TREATMENT OF YARDS**

All yards must consist of landscape areas, patio space, or sidewalk space, unless otherwise expressly stated. See [XXX](#) for landscape and site design regulations.

- (a) **Parking Locations.** Paved vehicular areas (parking lots, loading areas, drives) are located per the building type regulations.
- (b) **Side Yard Parking Lots.** Some districts allow side yard parking lots. Side yard parking lots must not encroach

<sup>1</sup> Process will be defined in second module.

**Table 535-21-2. Allowed Building Types by District**

Building Types	District							Reference
	MX1	MX2	CX	GX1	GX2	GX3	RX	
Storefront Building	●	●	●	–	–	–	–	<a href="#">535-21E</a>
Commercial Building	–	–	●	–	–	–	–	<a href="#">535-21F</a>
General Building	–	–	–	●	●	●	●	<a href="#">535-21G</a>
Row Building	–	–	–	–	●	●	●	<a href="#">535-21H</a>

**KEY:** ● = Allowed

## 535-21 Commercial & Mixed-Use Districts

### 535-21D. Applicable to All Building Types

into any street yard or minimum side setback, except as otherwise expressly stated.

**(c) Driveways Crossing Yards.** Paved vehicular areas are limited to specific locations per the applicable district building type regulations. Driveways may cross through yards as follows:

- [1] Where permitted as access to the lot, driveways may cross perpendicularly through the primary or non-primary street yards, except as otherwise expressly stated.
- [2] In all districts, driveways may cross perpendicularly through the side and rear yards to connect to parking on adjacent lots.

#### 535-21D(5) REFUSE & RECYCLING LOCATIONS

Unless otherwise defined by the building type, all refuse, recycling, and other waste areas must comply with the regulations of this subsection, [535-21D\(5\)](#). Recycling includes any donation collections containers for clothing or goods.

**(a) Interior Location Access Doors.** Refuse, recycling, and other waste areas must be located inside the building with access doors off the rear or interior side facade.

- [1] Access doors may be located off a non-primary street facade if no other option exists.
- [2] Access doors must be opaque, screening a minimum of 80% of the opening.
- [3] Karts, dumpsters, and containers must be located immediately inside the access doors and stored inside until the process of emptying. Karts, dumpsters, and containers may not be pulled out on the street in advance of the arrival of the hauling truck.
- [4] See 455-2 for collection service regulations.

**(b) Rear Yard.** Refuse, recycling, and other waste areas may be located in the rear yard of the lot with approval of an exception. See [XXX](#) for required screening of refuse, recycling, and other waste areas.

#### 535-21D(6) LOADING LOCATIONS

Unless otherwise defined by the building type, all loading areas must be located as follows.

**(a) Rear Yard.** All loading activities must occur in the rear or interior yard.

**(b) Access Doors and Docks.** All loading docks and access doors must be located on a rear facade or interior yard facade.

**(c) Screening.** See [XXX](#) for required buffers and [XXX](#) for required screening.

#### 535-21D(7) PRIMARY FRONTAGES

Primary frontages generally establish the fronts of lots and buildings, and determine where to locate the principal entrance to the building. Per the building type regulations, primary frontages require the highest level of facade treatment and restrict the location of parking, driveways, and garage entrances.

**(a) Designation.** Lots may have multiple primary frontages. Primary frontages are generally defined by primary street, waterway frontage, and civic space frontage as follows:

- [1] Primary Streets. Defined primary streets include Oakland Avenue, Capitol Drive, and Wilson Drive.
- [2] Neighborhood Primary Streets. Within neighborhoods, primary streets are those where the majority of buildings along the street have front facades and principal building entrances facing the street.
- [3] Waterfronts. Lots with frontage along the Milwaukee River must treat facades facing the waterway as primary frontages in addition to any primary street frontage.
- [4] Civic or Open Space Frontage. Lots containing or abutting civic spaces or public open spaces must treat frontages abutting that space as primary frontages, unless otherwise approved by the Plan Commission.
- [5] Non-Primary Frontage. A non-primary frontage is a street frontage that is not considered a primary frontage.

**(b) One Primary Street Frontage Required.** All lots must treat at least one street frontage as primary. If no primary street abuts the lot, the street with the most existing frontage(s) must be treated as primary, unless otherwise approved by the Plan Commission.

**(c) Through-Lots with Two Primary Frontages<sup>2</sup>.**

- [1] Where a parcel zoned MX, GX, CX, or RX extends from one primary street through the block to another primary street, each street must be treated as a primary frontage, unless otherwise approved as an exception.

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<sup>2</sup> Not many of these exist; included just in case a situation arises.

## 535-21 Commercial & Mixed-Use Districts

### 535-21D. Applicable to All Building Types

- [2] Any through-lot facing any R district across a street must incorporate the following:
- [a] Within the first 50 feet of lot depth across from any R district primary frontage, all regulations of a General or Row Building type.
  - [b] Uses permitted in those building types are allowed except no retail or consumer service category uses.
- [3] An exception may be approved for a different configuration.

**(d) Intersecting Primary Streets.** Where two primary streets intersect on the subject lot, the street with the most existing primary frontage treatments may be treated as the sole primary frontage of the lot.

- [1] In the case of the intersection at Capitol Drive and Oakland Avenue, both frontages must be treated as primary frontage unless an exception is approved.
- [2] Where a Storefront Building is located at the intersection of either Capitol Drive or Oakland Avenue with a neighborhood street, Capitol Drive or Oakland Avenue must be treated as the primary frontage.
- [3] Where a building other than a Storefront Building is located at the intersection of either Capitol Drive or Oakland Avenue with a neighborhood street, the development may treat either as the primary frontage.
- [4] Where an existing building is located at the intersection of either Capitol Drive or Oakland Avenue with a neighborhood street and fronts the neighborhood street, the neighborhood street serves as the primary frontage.

**(e) Non-Primary Frontages.** Non-primary frontages allow for a lower level of facade treatment as well as permit locations for garage and parking lot driveways entrances. Non-primary frontages may always be treated at the higher level of a primary frontage.

#### 535-21D(8) MINIMUM STREETScape AREA

- (a) Purpose.** A minimum area between the street pavement and the lot line is required to ensure adequate pedestrian facilities are provided along all streets, including, at a minimum, sidewalks and street trees.
- (b) Build-to Zone Measurement.** Where the area from the back of curb to the lot line along any portion of the

frontage is less than 12 feet<sup>3</sup>, the build-to zone must be measured starting from 12 feet off the back of curb/edge of pavement into the lot. The result is the building will be located such that the pedestrian area is at least 12 feet deep. The back-of-curb measurement must be taken along the typical street segment and must not include any bump-outs at street corners. See [XXX](#) for measuring build-to zones.

- (c) Streetscape.** The extended streetscape area must be treated with streetscape per [XXX](#).
- (d) Easement.** When the sidewalk is less than 5 feet in clear width, an easement is required to ensure a full 5-foot sidewalk is publicly available.

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<sup>3</sup> The current build-to line in B1 requires 15 feet instead of 12, back of curb to 15 feet, or if the distance is greater than 15 feet, the lot line is the build-to line. 12 is a typical, comfortable pedestrian area width -- 7-foot tree/furnishings area plus 5-foot clear walk area. Most of the current pedestrian areas are 12 feet. Build-to lines are not very flexible and result in a rigid streetwall that does not create spaces along the sidewalk, one of the objectives discussed in the public meetings. Build-to zones allow more flexibility.

**535-21E STOREFRONT BUILDING TYPE**

**535-21E(1) DESCRIPTION AND INTENT**

The Storefront Building type is intended for use along corridors to accommodate shopping, services, and eating establishments in a mixed-use building. Oriented to the street with narrow or no side setbacks, this building type's streetwalls help define the public space of the street. Ground story storefront glass, entrances along the sidewalk, and windows in upper stories facing the street make these buildings interesting and inviting to pedestrians. Parking is located internally or in the rear yard.

**535-21E(2) ILLUSTRATIVE IMAGES**

The images shown in [Figure 535-21-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

**535-21E(3) BUILDING REGULATIONS**

The following tables and illustrations regulate this specific building type. See [535-21D](#) for general regulations for all building types. See [535-21I](#) for definitions and measuring table regulations.

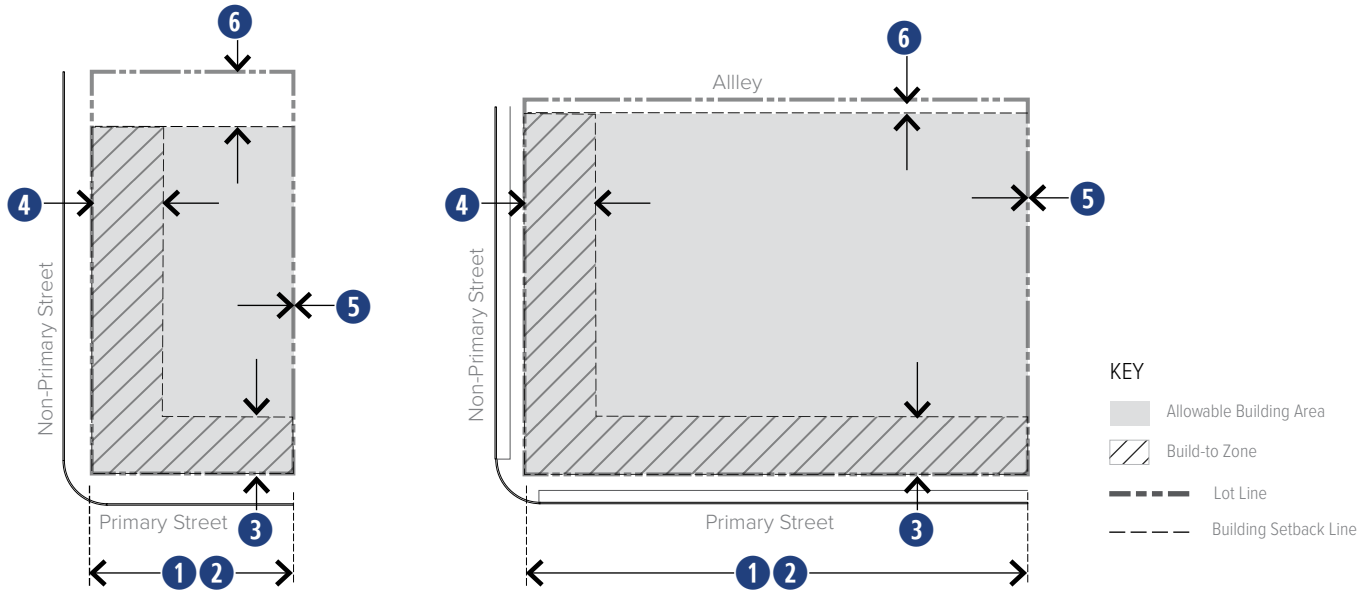
LINK	SUBSECTION
<a href="#">535-21 E (4)</a>	Building Siting
<a href="#">535-21 E (5)</a>	Parking & Accessory Structures
<a href="#">535-21 E (6)</a>	Height
<a href="#">535-21 E (7)</a>	Roofs
<a href="#">535-21 E (8)</a>	Primary & Non-Primary Facades
<a href="#">535-21E(9)</a>	Supplemental Regulations



**Figure 535-21-A. Examples of Storefront Building Type**

535-21 Commercial & Mixed-Use Districts  
**535-21E. Storefront Building Type**

**Figure 535-21-B. Storefront Building Siting**

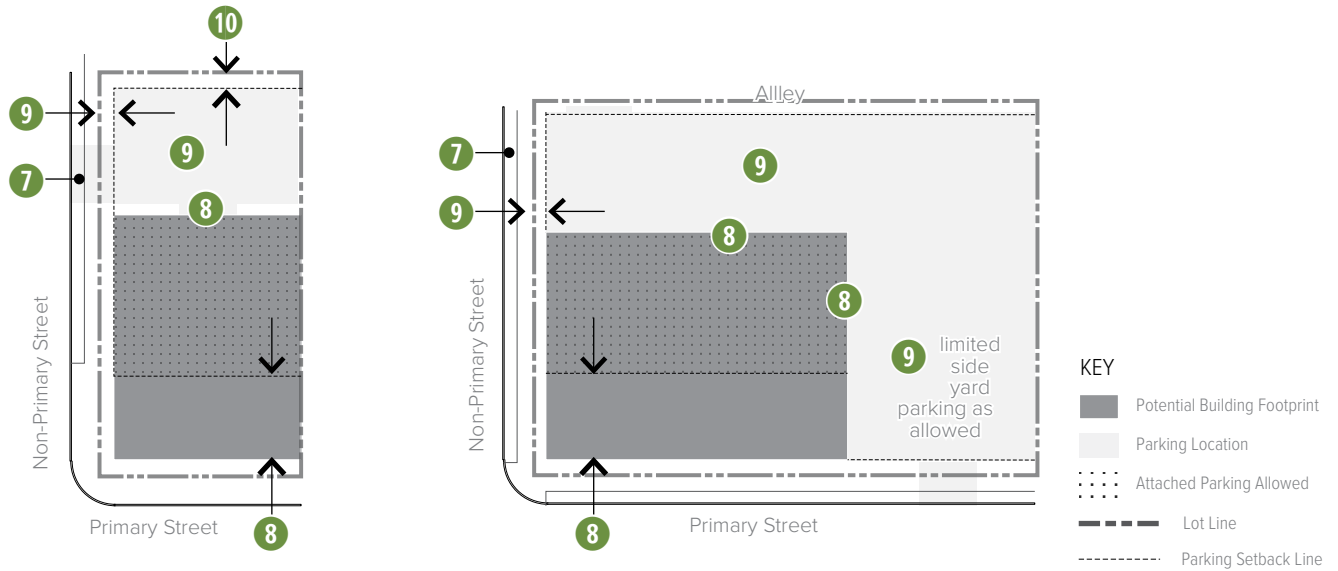


**DISTRICTS**

	<b>MX</b>	<b>CX</b>	<b>Additional/References</b>
<b>535-21 E (4) BUILDING SITING.</b> See Figure 535-21-B			
<b>1</b> Lot Width <sup>1</sup>	35 ft. [40 ft., 4500 sf]	35 ft. [40 ft., 4500 sf]	
<b>2</b> Primary Streetwall	80% min.	65% min.	See <a href="#">535-21E(9)</a> for building form variation. Through-lots addressed per <a href="#">535-21D(7)</a> . See <a href="#">535-21(6)</a> for measuring.
Primary Streetwall Variation	See <a href="#">535-21E(9)(a)</a> for courtyard, outdoor dining, and seating requirement on primary streetwall over 130 ft. wide. <sup>2</sup>		
<b>3</b> Primary Street Build-to Zone	0 min. 20 ft. max.	0 min. 20 ft. max.	Minimum streetscape area required per <a href="#">535-21D(8)</a> . See <a href="#">535-21(6)</a> for measuring.
<b>4</b> Non-Primary Street Build-to Zone	0 min. 25 ft. max. <sup>3</sup>	0 min. 25 ft. max.	Through-lots addressed per <a href="#">535-21E(9).B</a> .
<b>5</b> Side Setback	min. 5 ft. adjacent to other district; otherwise, 0 ft. min. or, if set back, min. 5 ft.		Buffer required adjacent to R districts per <a href="#">535-21E(9)</a> .
<b>6</b> Rear Setback	min. 5 ft. at alley; if no alley, min. 20 ft. [min. 10 feet adjacent to R district]		

1 Eliminating lot size requirement. Smallest lot width found is 35 feet, allowing development on this lots without a variance/exception.  
 2 Requires spaces off the sidewalk only when the building is wider than 130 feet. Cornerstone building is approx. 125 feet from corner to plaza, which is approx. 50 feet wide, then the remaining building is approx. 50 feet wide.  
 3 The depth of the Fiddleheads patio is approx. 25 feet.

**Figure 535-21-C. Storefront Building Parking Siting**



**DISTRICTS**

**MX**

**CX**

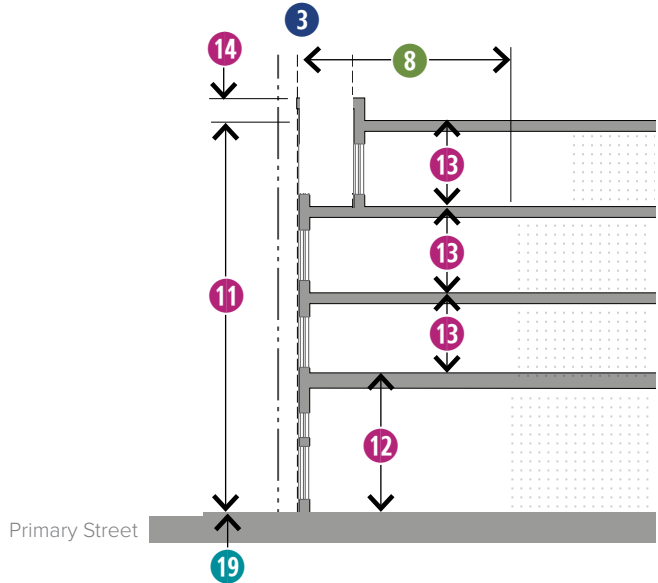
Additional/References

**535-21 E (5) PARKING & ACCESSORY STRUCTURES.** See [Figure 535-21-C](#).

<b>7</b>	Parking & Driveway Access Location	Alley; if no alley, 1 access off non-primary street; if no non-primary street, 1 access off primary street		See Article IX for parking.
	Size	Max. 22 ft. width at sidewalk		
<b>8</b>	Internal Parking Setback	<b>20 ft. min.</b> from primary facade above any basement		See <a href="#">XXX</a> for garage door design regulations.
	Internal Parking Door Location	Rear, side facade; <b>if no alley exists, door may be located on a non-primary street facade with an approved exception</b>		
<b>9</b>	Surface Parking Location	Rear yard	Rear yard; <b>limited side yard</b>	See <a href="#">535-21(9)</a> for allowed limited side yard parking layout  See <a href="#">XXX</a> for landscape buffers.
	Street Setback	No closer to lot line than principal building		
	Side & Rear Setback	0 ft. min. at alley; 3 ft. min.	0 ft. min. at alley; 3 ft. min.	
<b>10</b>	Accessory Structure Location	Rear yard; see accessory structure regulations		See <a href="#">Article V</a> for accessory structures and uses.
	Street Setback	No closer to lot line than principal building		
	Side & Rear Setback	5 ft. min.	5 ft. min.	
<b>KEY ACCESSORY STRUCTURES</b>				
	Outbuildings & Garages	●	●	<b>KEY:</b> ● = Allowed ○ = Requires a Conditional Use Permit
	Drive-Through Facilities	–	●	
	Fuel Pumps	–	●	
	Outdoor Sales & Display	–	●	
	Parking Structure	●	●	

535-21 Commercial & Mixed-Use Districts  
**535-21E. Storefront Building Type**

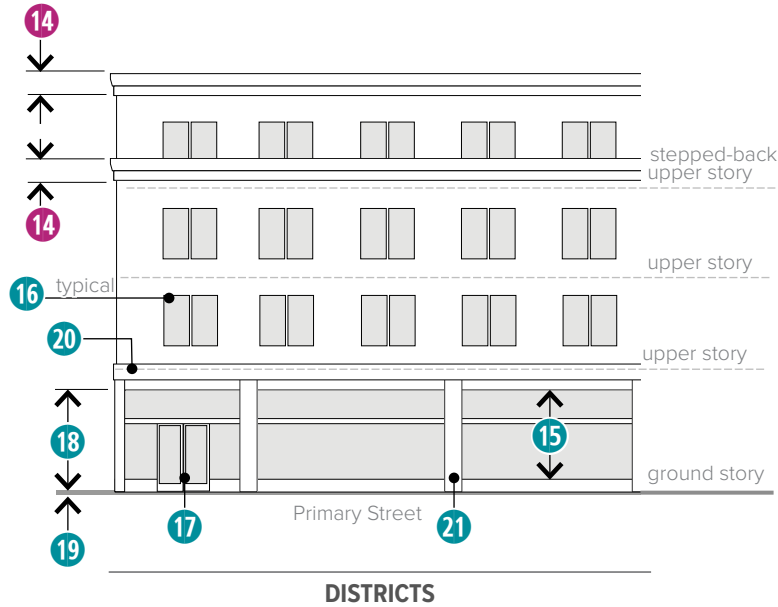
**Figure 535-21-D. Storefront Building Height**



**DISTRICTS**

		<b>MX</b>	<b>CX</b>	Additional/References
<b>535-21 E (6) HEIGHT.</b> See <a href="#">Figure 535-21-D</a>				
<b>11</b>	Height	2 story min. In <b>MX1</b> : 4 stories max. In <b>MX2</b> : 5 stories max.	2 story min. 5 stories max.	See <a href="#">535-21E(9)</a> for minimum story facade location. Step-backs required adjacent to R districts per <a href="#">535-21E(9)</a> . Primary street step-backs required per <a href="#">535-21E(9)</a> .
<b>12</b>	Ground Story Height		12 ft. min. 16 ft. max.; up to 20 ft. max. with <b>approved exception</b>	Measured floor-to-floor. See <a href="#">535-21(10)</a> for measuring height.
<b>13</b>	Upper Story Height	9 ft. min. 12 ft. max.	9 ft. min. 12 ft. max.	
<b>535-21 E (7) ROOFS.</b> See <a href="#">Figure 535-21-D</a>				
<b>14</b>	Roof Types	Flat, parapet, pitched		See <a href="#">XXX</a> for roof types and tower regulations
	Tower	Allowed		

**Figure 535-21-E. Storefront Building Facade**



535-21 E (8) PRIMARY & NON-PRIMARY FACADES. See Figure 535-21-E				
		MX	CX	Additional/References
15	Transparency: Ground Story on Primary Facades	65% min.	70% min.	See 535-21(11) for measuring transparency. Blank wall segments apply.
		Measured between 2 ft. and 10 ft. from sidewalk grade		
		No bays or 15 ft. wide sections of any story on a primary facade may be without transparency		
		Ground story transparency must extend min. 30 ft. around the corner down any street-side facades		
16	Transparency: Upper Stories on Primary Facades	20% min.		Measured per story, includes any half stories, visible basement, or towers with full height stories. See 535-21(11) for measuring transparency.
		No bays or 15 ft. wide sections of any story on a primary facade may be without transparency		
	Transparency: Non-Primary Facades	20% min. <sup>4</sup>		
17	Building Entrance Location	One per every 60 feet of primary facade		See 535-21(12) for measuring building entrance location.
18	Entrance Type	Storefront		See XXX for entrance types.
19	Ground Story Elevation	Within 24 in. of sidewalk elevation		
20	Horizontal Divisions with Shadow Lines	Within 3 ft. of the top of the first story		Horizontal shadow lines to run a min. 80% of length of facade. See XXX for definition of shadow lines.
21	Vertical Divisions with Shadow Lines	One per every 60 ft. of ground story street facade		

<sup>4</sup> Note - this does not include the 15-foot section limit with no windows regulation.

535-21 Commercial & Mixed-Use Districts  
**535-21E. Storefront Building Type**

**535-21E(9) SUPPLEMENTAL REGULATIONS**

**(a) Primary Streetwall Variation.** One of the following must be utilized for every 130-foot wide section of building streetwall:

- (1) Courtyard.** One courtyard, minimum 30 feet in width by 30 feet in depth, is required.
  - [a] The courtyard may count towards primary streetwall when abutting the build-to zone or line. See definition of courtyard in [XXX](#).
  - [b] Parking is not allowed in courtyards.
  - [c] Courtyard facades must be treated as primary frontage per facade regulations for the building type and any design regulations in [XXX](#).
  - [d] Courtyard may not be located on the corner of the lot except as approved by a design exception. No more than one corner of an intersection may be occupied by a courtyard.
  - [e] The courtyard must include special paving materials and patterns and landscape materials such as trees in grates or planters and/or landscape beds.
  - [f] Temporary or permanent seating is required. Temporary seating must be in place between April 30 and September 30, at a minimum.
  - [g] At least one other amenity such as a pergola, trellises, catenary or string overhead lighting, a fountain, or artwork such as a sculpture or mural must be included. Other amenities may be approved through the exception process.

**(2) Seating/Dining Areas.** The maximum build-to zone must be utilized for a minimum of 35% of the streetwall to allow for one or more permanent outdoor seating or dining areas.

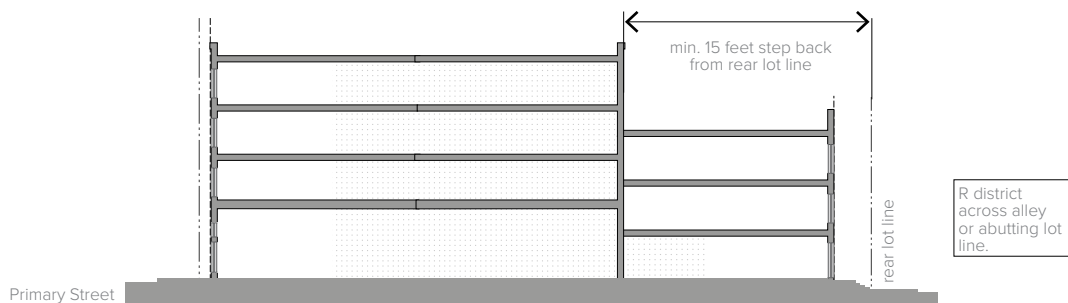
- [a] The seating/dining areas must be included in the streetscape area per [XXX](#). Special paving materials and patterns, landscape materials such as trees in grates or planters and/or landscape beds must be included.
- [b] Temporary or permanent seating is required. Temporary seating must be in place between April 30 and September 30, at a minimum.
- [c] At least one other amenity per 130 feet of streetwall must be included. Amenities include such items as a pergola, trellises, catenary or string overhead lighting, a fountain, or artwork such as a sculpture or mural must be included. Other amenities may be approved through the exception process.

**(b) Treatment Turning Corners.** At all intersections of primary and non-primary streets, primary facade regulations must be met along the first 30 feet of facade, measured horizontally along the non-primary street from the corner.

**(c) Minimum Story Street Facades.** The street facades of the minimum stories must be located fully in the build-to zone, occupying the same facade plane. For example, with a minimum height of 2 stories, the street facade of the second story may not be set back from the first story.

**(d) Transition at R Districts.** Facades abutting an R district above the third story must be stepped back a minimum of 15 feet from the rear lot line. Side and rear buffer required per [7.110](#).

**(e) Stepped-Back Top Story.** For all buildings over 3 stories and 120 feet in width along the primary street, a minimum of 50% of the top story facade must be set back from the primary street facade a minimum of 7 feet.



**Figure 535-21-F. Step Back at R District (section)**

**535-21F COMMERCIAL BUILDING TYPE**

**535-21F(1) DESCRIPTION AND INTENT**

The Commercial Building is a version of the Storefront Building that accommodates both vehicular and pedestrian access comfortably. Vehicular-focused uses, such as fueling stations and businesses with drive-through facilities are accommodated by this building type.

**535-21F(2) ILLUSTRATIVE IMAGES**

The images shown in [Figure 535-21-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

**535-21F(3) BUILDING REGULATIONS**

The following tables and illustrations regulate this specific building type. See [535-21D](#) for general regulations for all building types. See [535-21I](#) for definitions and measuring table regulations.

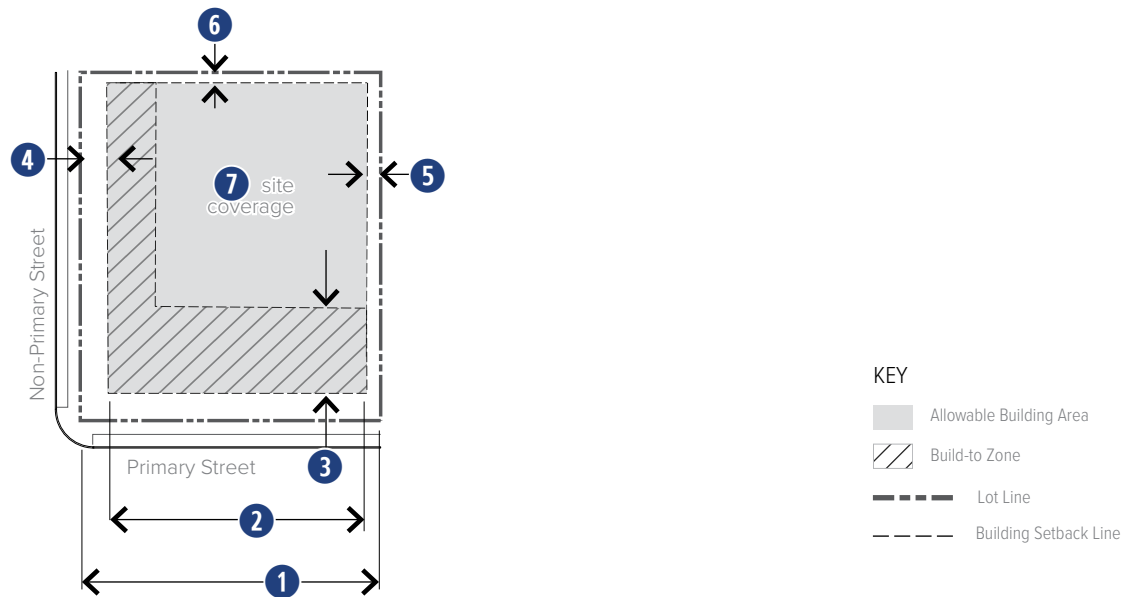
LINK	SUBSECTION
<a href="#">535-21 F (4)</a>	Building Siting
<a href="#">535-21 F (5)</a>	Parking & Accessory Structures
<a href="#">535-21 F (6)</a>	Height
<a href="#">535-21 F (7)</a>	Roofs
<a href="#">535-21 F (8)</a>	Primary & Non-Primary Facades
<a href="#">535-21F(9)</a>	Supplemental Regulations



**Figure 535-21-A. Examples of Commercial Center Building Type**

535-21 Commercial & Mixed-Use Districts  
**535-21F. Commercial Building Type**

**Figure 535-21-B. Commercial Building Siting**



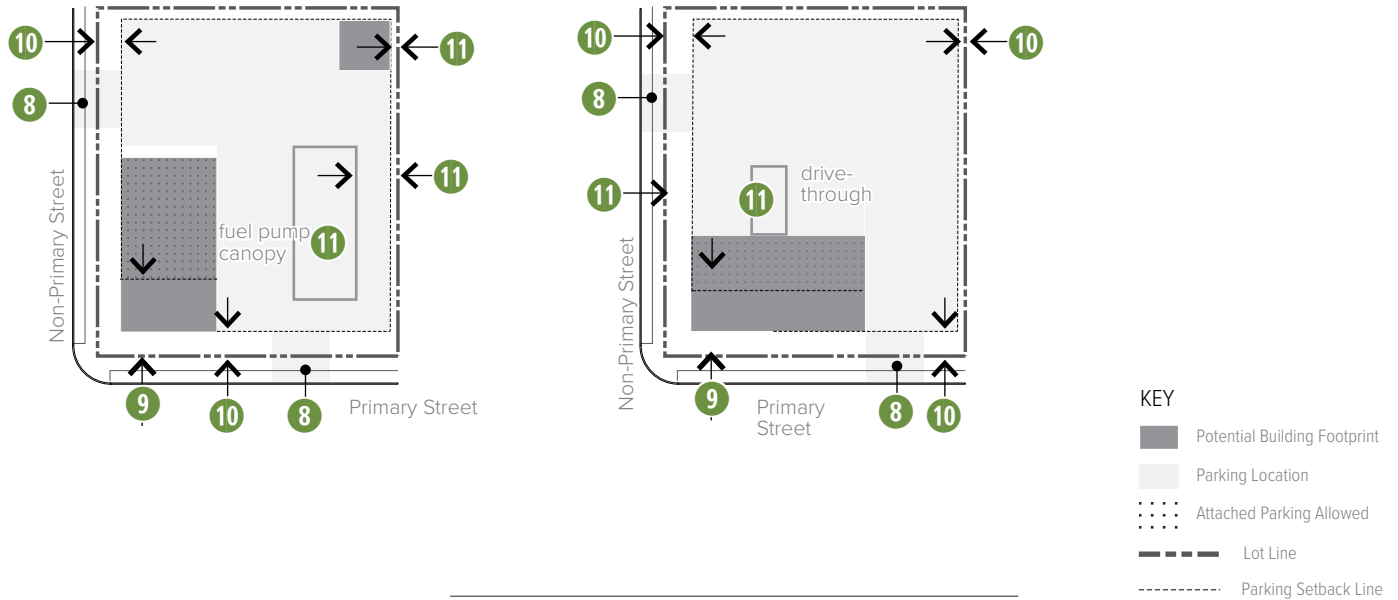
**DISTRICTS**

**CX**

Additional/References

535-21 F (4) BUILDING SITING. See Figure 535-21-B			
		CX	Additional/References
1	Lot Width	40 ft. min.	
2	Primary Streetwall	50% min.	
3	Primary Street Build-to Zone	10 ft. min. 35 ft. max.	Min. streetscape area required per <a href="#">535-21D(8)</a> . Outdoor dining and seating area required per <a href="#">535-21F(9)</a> .
4	Non-Primary Street Build-to Zone	10 ft. min. 20 ft. max.	
5	Side Setback	5 ft. min.	Buffer required adjacent to R districts per <a href="#">535-21F(9)</a> .
6	Rear Setback	min. 5 ft. at alley; if no alley, min. 20 ft.	
7	Site Coverage	75% max.	See <a href="#">535-21(7)</a> for measuring site coverage.

**Figure 535-21-C. Commercial Building Parking Siting**



**DISTRICTS**

**CX**

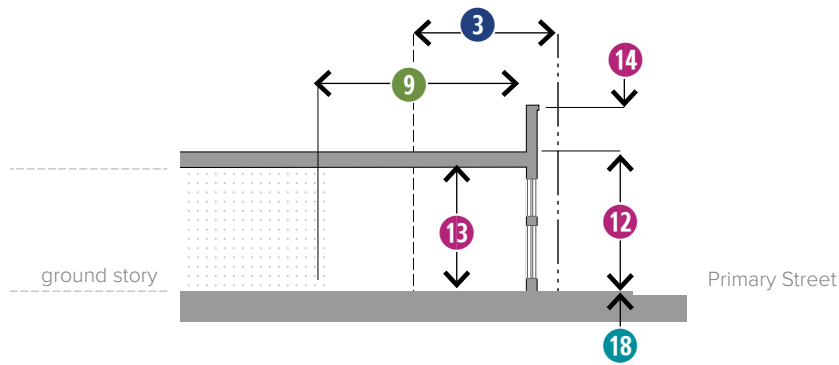
Additional/References

535-21 F (5) PARKING & ACCESSORY STRUCTURES. See Figure 535-21-C.			Additional/References
8	Parking & Driveway Access Location	1 access per 120 feet of street frontage <sup>1</sup>	See Article IX for parking.
	Size	Max. 22 ft. width at sidewalk	
9	Internal Parking Setback	20 ft. min. behind primary facade in rear of building above any basement	See XXX for garage door design regulations.
	Internal Parking Door Location	Rear, side, non-primary facade	
10	Surface Parking Location	Rear yard, side yard	Minimum primary streetwall must be met for side yard parking. See XXX for definition of yards.
	Street Setback	No closer to lot line than principal building	
	Side & Rear Setback	5 ft. min.	
11	Accessory Structure Location	Rear yard only, except fuel pumps allowed in rear & side yard	See Article V for accessory structures and uses.
	Street Setback	No closer to lot line than principal building	
	Side & Rear Setback	5 ft. min.; 15 ft. min. adjacent to R district	
<b>KEY ACCESSORY STRUCTURES</b>			<b>KEY:</b> ● = Allowed ○ = Requires a Conditional Permit
	Outbuildings & Garages	●	
	Drive-Through Facilities	●	
	Fuel Pumps	●	
	Outdoor Sales & Display	●	
	Parking Structure	—	

<sup>1</sup> Neither Culvers nor Corner Bakery would meet this requirement, but if they shared a driveway there could be 3 drives.

535-21 Commercial & Mixed-Use Districts  
**535-21F. Commercial Building Type**

**Figure 535-21-D. Commercial Building Height**



**DISTRICTS**

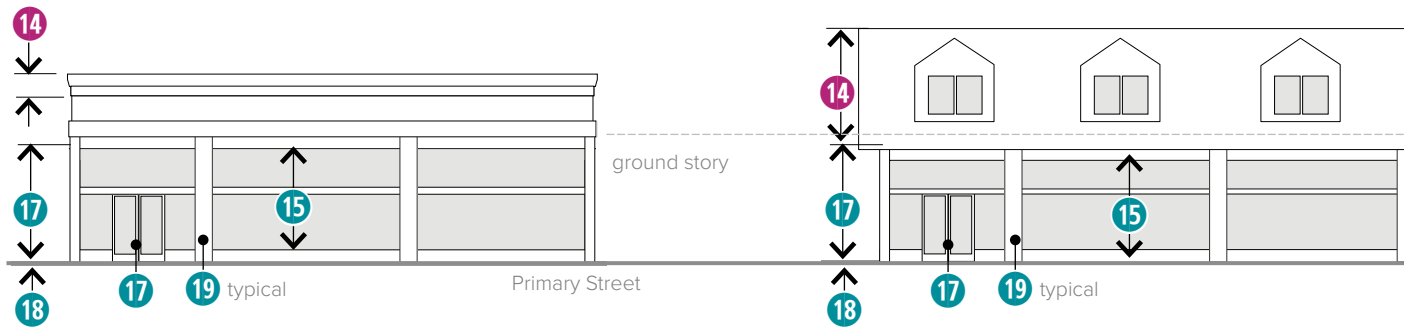
**CX**

Additional/References

535-21 F (6) HEIGHT. See <a href="#">Figure 535-21-D</a>			
<b>12</b>	Height	1 story min. 1 story max. <sup>2</sup>	See <a href="#">535-21(10)</a> for measuring height.
<b>13</b>	Ground Story Height	10 ft. min. with pitched roof, 14 ft. min. with flat or parapet roof 18 ft. max.	
535-21 F (7) ROOFS. See <a href="#">Figure 535-21-D</a>			
<b>14</b>	Roof Types	Flat, parapet, pitched	See <a href="#">XXX</a> for roof types and tower regulations. See <a href="#">535-21F(9)</a> for pitched roof on single-story building.
	Tower	Allowed	

<sup>2</sup> Recommend allowing only a single story building here. If multiple stories are intended, the storefront building would be used.

**Figure 535-21-E. Commercial Building Facade**



**DISTRICTS**

**CX**

Additional/References

**535-21 F (8) PRIMARY & NON-PRIMARY FACADES.** See [Figure 535-21-E](#)

<b>15</b>	Ground Story Transparency on Primary Facades	55% min.  No bays or 15 ft. wide sections of any story on a primary facade may be without transparency  Ground story transparency must extend a min. 30 ft. around the corner, down any street-side facades	Ground story transparency measured between 2 ft. and 10 ft. from sidewalk grade. See <a href="#">535-21(11)</a> for measuring transparency. Blank wall segments apply.
	Transparency: Non-Primary Facades	15% min.	Measured per story, includes any towers with full-floor height. See <a href="#">535-21(11)</a> for measuring transparency.
<b>16</b>	Building Entrance Location	One per every 60 feet of primary facade	See <a href="#">535-21(12)</a> for measuring building entrance location.
<b>17</b>	Entrance Type	Storefront	See <a href="#">XXX</a> for entrance types.
<b>18</b>	Ground Story Elevation	Within 24 in. of sidewalk elevation <sup>3</sup>	
	Horizontal Divisions with Shadow Lines	–	See <a href="#">XXX</a> for definition of shadow lines.
<b>19</b>	Vertical Divisions with Shadow Lines	One per every 60 ft. of ground story street facade	

<sup>3</sup> Note that corner bakery would have required a variance because it is a unique lot. An exception could be included to allow for more than 2 feet in ground story elevation, but would not likely contemplate the amount of grade on the Corner Bakery site.

535-21 Commercial & Mixed-Use Districts  
**535-21F. Commercial Building Type**

**535-21F(9) SUPPLEMENTAL REGULATIONS**

**(a) Outdoor Dining and Seating Area.** One or more permanent outdoor seating or dining areas, each a minimum of 600 sf, must be located either within the build-to zone, abutting the build-to zone, or a combination of the two.

[1] If located in the build-to zone, either fully or partially, the seating/dining areas must be included in the streetscape area design per XXX. Special paving materials and patterns, landscape materials such as trees in grates or planters and/or landscape beds must be included.

[2] Temporary or permanent seating is required. Temporary seating must be in place between April 30 and September 30, at a minimum.

**(b) Treatment Turning Corners.** At all intersections of primary and non-primary streets, primary facade regulations must be met along the first 30 feet of facade, measured horizontally, on the non-primary street from the corner.

**535-21G GENERAL BUILDING TYPE**

**535-21G(1) DESCRIPTION AND INTENT**

The General Building is a basic urban building, typically housing multiple residential units, office, laboratory spaces, classrooms, and similar spaces, usually with a central main entrance off a lobby and with windows delineating each story. Parking is located in the rear yard with attached garages entered from the rear of the building. Buildings vary in height depending on the district with any half story located within a pitched roof or in a visible basement.

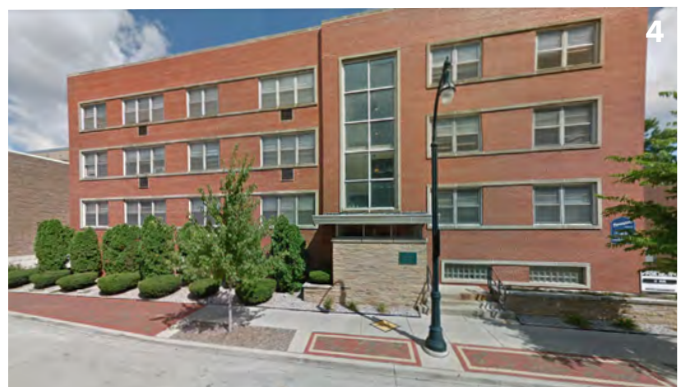
**535-21G(2) ILLUSTRATIVE IMAGES**

The images shown in [Figure 535-21-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

**535-21G(3) BUILDING REGULATIONS**

The following tables and illustrations regulate this specific building type. See [535-21D](#) for general regulations for all building types. See [535-21I](#) for definitions and measuring table regulations.

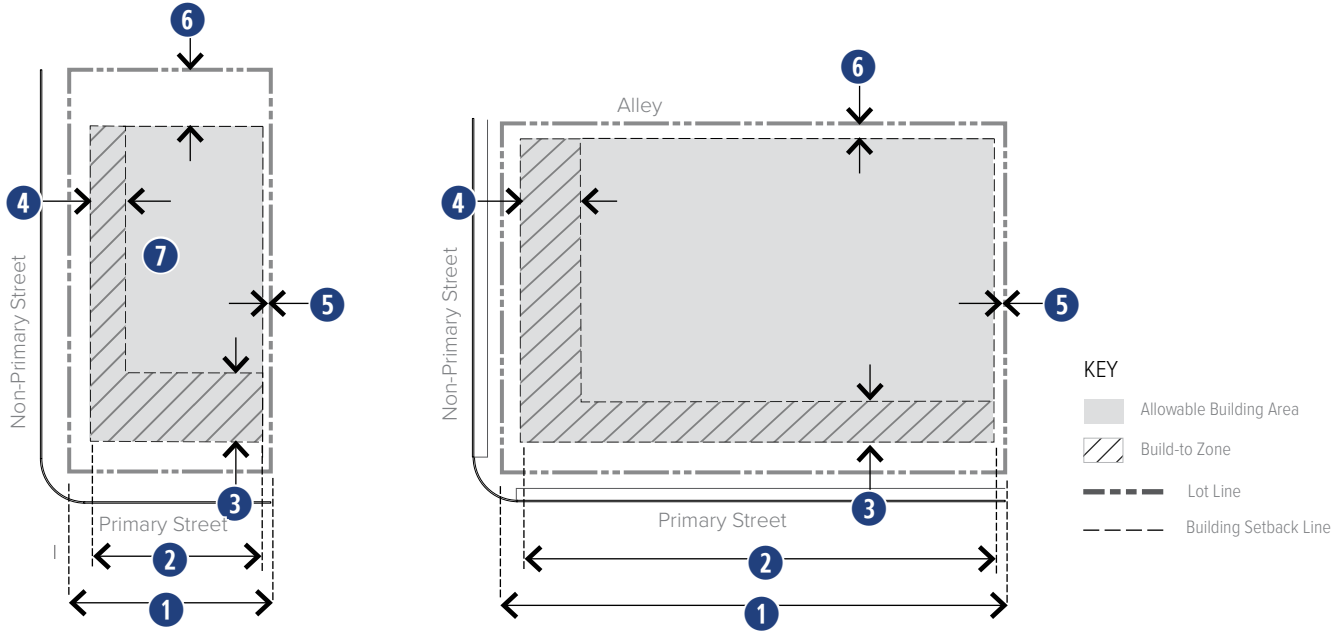
LINK	SUBSECTION
<a href="#">535-21 G (4)</a>	Building Siting
<a href="#">535-21 G (5)</a>	Parking & Accessory Structures
<a href="#">535-21 G (6)</a>	Height
<a href="#">535-21 G (7)</a>	Roofs
<a href="#">535-21 G (8)</a>	Primary & Non-Primary Facades
<a href="#">535-21G(9)</a>	Supplemental Regulations



**Figure 535-21-A. Examples of General Building Type**

535-21 Commercial & Mixed-Use Districts  
**535-21G. General Building Type**

**Figure 535-21-B. General Building Siting**



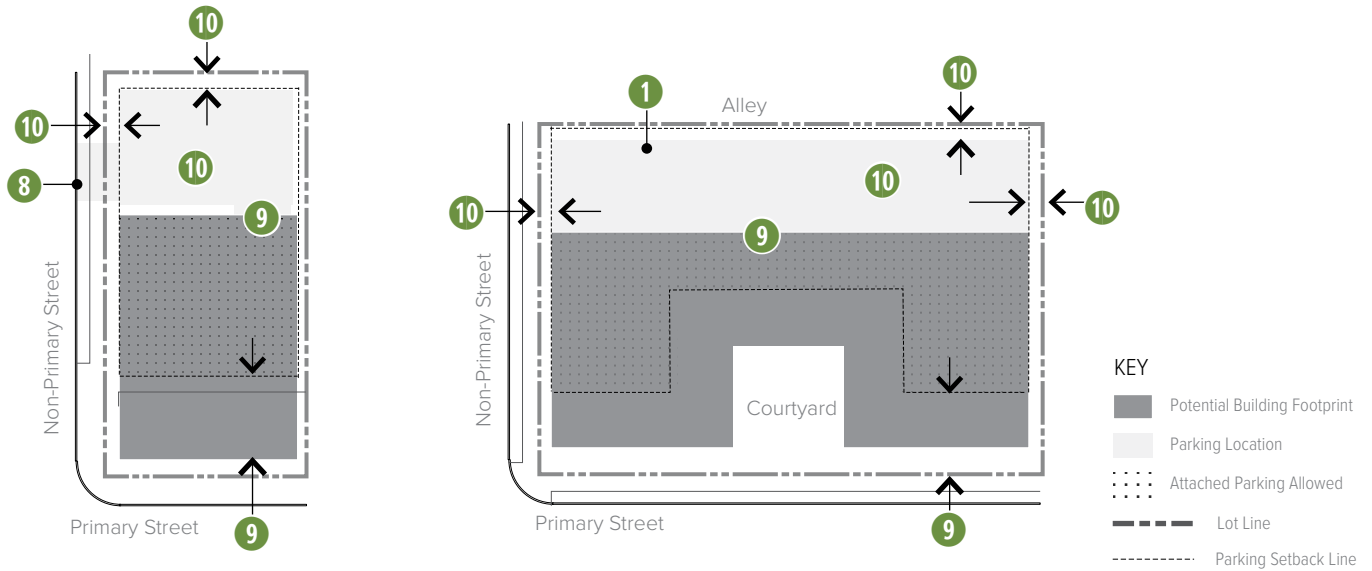
**DISTRICTS**

**GX, RX**

Additional/References

535-21 G (4) BUILDING SITING. See Figure 535-21-B		
Multiple Principal Buildings	allowed	Each building must meet the building type regulations with primary street frontage.
1 Lot Width	35 ft. [40 ft. min.]	
2 Primary Streetwall	75% min.	See 535-21G(9) for courtyard allowance and double frontage lots.
Primary Streetwall Variation	See 535-21G(9)(a) for courtyard, outdoor seating requirement on primary streetwall over 130 ft. wide.	
3 Primary Street Build-to Zone	10 ft. min. 25 ft. max.	Contextual setbacks apply on neighborhood streets. See 535-21I(6). See 535-21D(8) minimum streetscape area.
4 Non-Primary Street Build-to Zone	5 ft. min. 25 ft. max.	
5 Side Setback	Min. 10 ft. adjacent to R district; otherwise, min. 5 ft..	
Between Buildings on a Lot	Min. 10 ft	
6 Rear Setback	Min. 5 ft. at alley; if no alley, min. 20 ft.	See 535-21G(9) for treatment adjacent to R districts.
7 Site Coverage	85% max.	See 535-21I(7) for measuring site coverage.

**Figure 535-21-C. General Building Parking Siting**



**DISTRICTS**

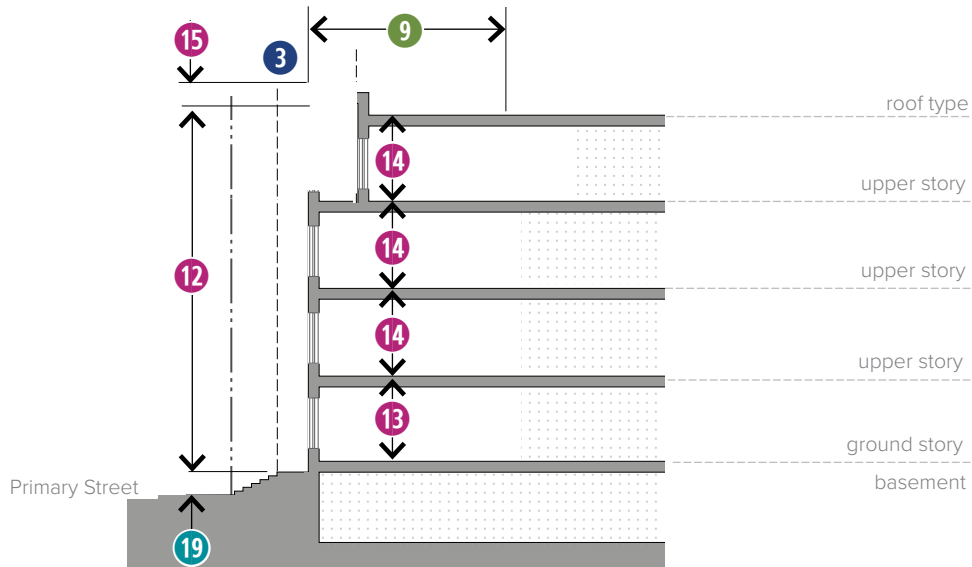
**GX, RX**

Additional/References

<b>535-21 G (5) PARKING &amp; ACCESSORY STRUCTURES.</b> See <a href="#">Figure 535-21-C</a> .			
<b>8</b>	<b>Parking &amp; Driveway Access Location</b>	Alley; if no alley, 1 access off non-primary street; if no non-primary street, 1 access off primary street	See Article IX for parking.
	<b>Size</b>	Max. 22 ft. width at sidewalk	
<b>9</b>	<b>Internal Parking Setback</b>	20 ft. min. from primary facade above any basement	See <a href="#">XXX</a> for garage door design regulations.
	<b>Internal Parking Door Location</b>	Rear, interior side facades; if no alley, non-primary facade may be approved with an exception	
<b>10</b>	<b>Surface Parking Location</b>	Rear yard	
	<b>Street Setback</b>	No closer to lot line than principal building	
	<b>Side &amp; Rear Setback</b>	5 ft. min.	
<b>11</b>	<b>Accessory Structure Location</b>	Rear yard	See <a href="#">Article V</a> for accessory structures regulations.
	<b>Street Setback</b>	No closer to lot line than principal building	
	<b>Side &amp; Rear Setback</b>	5 ft. min.	
<b>KEY ACCESSORY STRUCTURES</b>			<b>KEY:</b>
	Outbuildings & Garages	●	● = Allowed
	Drive-Through Facilities	–	○ = Requires a Conditional Permit
	Fuel Pumps	–	
	Outdoor Sales & Display	–	
	Parking Structure	●	

535-21 Commercial & Mixed-Use Districts  
**535-21G. General Building Type**

**Figure 535-21-F. General Building Height and Roofs**



**DISTRICTS**

**GX, RX**

Additional/References

535-21 G (6) HEIGHT. See Figure 535-21-F			
12	Height	2 stories min. GX1 and RX: 4.5 stories max. GX2: 5.5 stories max. GX3: 8.5 stories max.	See 535-21G(9) for minimum story facade location. Step-backs required adjacent to R districts per 535-21G(9). See 535-21I(10) for measuring height. Primary street step-backs required per 535-21G(9)
13	Ground Story Height <sup>1</sup>	10 ft. min. 14 ft. max.	Measured floor-to-floor.
14	All Other Stories Height	9 ft. min. 12 ft. max.	
535-21 G (7) ROOFS. See Figure 535-21-F			
15	Roof Types	Flat, parapet, pitched	See XXX for roof types and tower regulations.
	Tower	Allowed	

<sup>1</sup> Flexibility built in per workshop: Typically the ground story height would be the same as upper stories in the General Building, but to allow these buildings to be used in the future for other uses, the ground story height may be set separately in this structure. However, consider that this building type allows the ground story to be elevated above sidewalk grade for privacy of residential units on the ground story. If used for commercial uses in the future, that elevation will not be ideal.

**Figure 535-21-G. General Building Facades**



**DISTRICTS**

**GX, RX**

Additional/References

535-21 G (8) PRIMARY & NON-PRIMARY FACADES. Figure 535-21-G			
16	Transparency: Primary Facades Non-Primary Facades	20% min. 18% min.	Measured per story, includes any half stories, visible basements, or towers with full floor height. See <a href="#">535-21(11)</a> for measuring transparency. Blank wall segments apply.
		No bays or 15 ft. wide sections of any story may be without transparency	
17	Building Entrance Location	One per every 120 ft. of primary facade	See <a href="#">535-21(12)</a> for measuring building entrance location.
18	Entrance Type	Stoop	See <a href="#">XXX</a> for entrance types. See <a href="#">XXX</a> for definition of visible basement.
19	Ground Story Elevation	Between 18 in. and 30 in. above grade or between 30 in. and 4 ft. with a visible basement	
20	Horizontal Divisions with Shadow Lines	One within 3 ft. of the top of any basement, first, or second story	Horizontal shadow lines to run a min. 80% of length of facade. See <a href="#">XXX</a> for definition of shadow lines.
21	Vertical Divisions with Shadow Lines	One per every 120 ft. of street facade	

## 535-21 Commercial & Mixed-Use Districts

### 535-21G. General Building Type

#### 535-21G(9) SUPPLEMENTAL REGULATIONS

**(a) Primary Streetwall Variation.** One of the following must be utilized for every 130-foot wide section of building streetwall:

- (1) Courtyard.** One courtyard, minimum 30 feet in width by 30 feet in depth, is required.
- [a] The courtyard may count towards primary streetwall when abutting the build-to zone or line. See definition of courtyard in [XXX](#).
  - [b] Parking is not allowed in courtyards.
  - [c] Courtyard facades must be treated as primary frontage per facade regulations for the building type and any design regulations in [XXX](#).
  - [d] Courtyard may not be located on the corner of the lot except as approved by a design exception. No more than one corner of an intersection may be occupied by a courtyard.
  - [e] The courtyard must include special paving materials and patterns and landscape materials such as trees in grates or planters and/or landscape beds.
  - [f] Temporary or permanent seating is required. Temporary seating must be in place between April 30 and September 30, at a minimum.
  - [g] At least one other amenity such as a pergola, trellises, catenary or string overhead lighting, a fountain, or artwork such as a sculpture or mural must be included. Other amenities may be approved through the exception process.

**(2) Seating Areas.** The maximum build-to zone must be utilized for a minimum of 35% of the streetwall to allow for one or more permanent outdoor seating areas.

- [a] The seating areas must be included in the streetscape area per [XXX](#). Special paving materials and patterns, landscape materials such as trees in grates or planters and/or landscape beds must be included.

[b] Temporary or permanent seating is required. Temporary seating must be in place between April 30 and September 30, at a minimum.

[c] At least one other amenity per 130 feet of streetwall must be included. Amenities include such items as a pergola, trellises, catenary or string overhead lighting, a fountain, or artwork such as a sculpture or mural must be included. Other amenities may be approved through the exception process.

**(b) Minimum Story Street Facades.** The street facades of the minimum stories must be located fully in the build-to zone, occupying the same facade plane. For example, with a minimum height of 2 stories, the street facade of the second story may not be set back from the first story.

**(c) Transition at R Districts.** Facades abutting an R district above the third story must be stepped back a minimum of 15 feet from the rear lot line. Side and rear buffer required per [XXX](#).

**(d) Stepped-Back Top Story.** For all buildings over 3 stories and 120 feet in width along the primary street, a minimum of 50% of the top story facade must be set back from the primary street facade a minimum of 7 feet.

**535-21H ROW BUILDING TYPE**

**535-21H(1) DESCRIPTION AND INTENT**

The Row Building is comprised of multiple vertical units with shared side walls. Each unit is typically oriented to the street with an entrance off the public sidewalk and can be solely residential or a live-work unit, as allowed by the district. Parking is located in the rear yard with either detached garages or attached garages entered from the rear of the building.

**535-21H(2) ILLUSTRATIVE IMAGES**

The images shown in [Figure 535-21-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

**535-21H(3) BUILDING REGULATIONS**

The following tables and illustrations regulate this specific building type. For the purposes of the Row Building, a building consists of a series of units. See [535-21D](#) for general regulations for all building types. See [535-21I](#) for definitions and measuring table regulations.

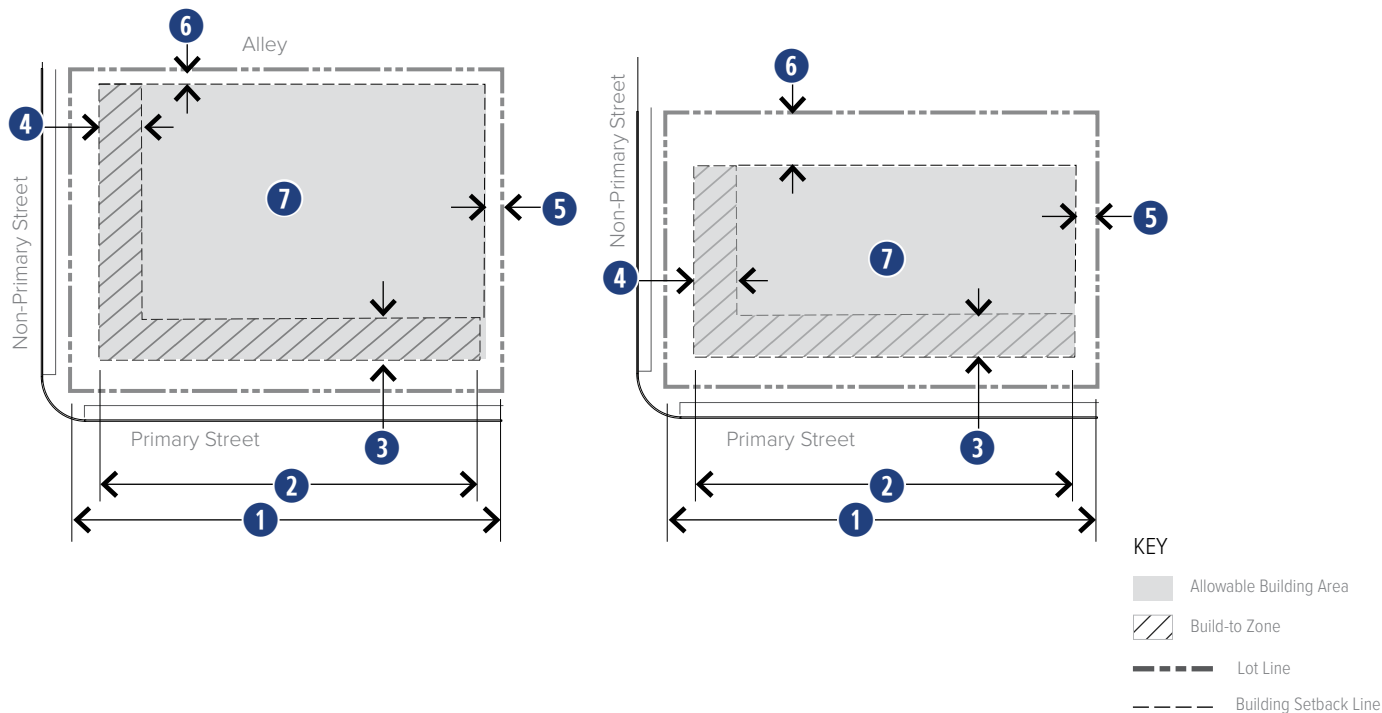
LINK	SUBSECTION
<a href="#">535-21 H (4)</a>	Building Siting
<a href="#">535-21 H (5)</a>	Parking & Accessory Structures
<a href="#">535-21 H (6)</a>	Height
<a href="#">535-21 H (7)</a>	Roofs
<a href="#">535-21 H (8)</a>	Primary & Non-Primary Facades
<a href="#">535-21H(9)</a>	Supplemental Regulations



**Figure 535-21-A. Examples of Row Building Type**

535-21 Commercial & Mixed-Use Districts  
**535-21H. Row Building Type**

**Figure 535-21-B. Row Building Siting**



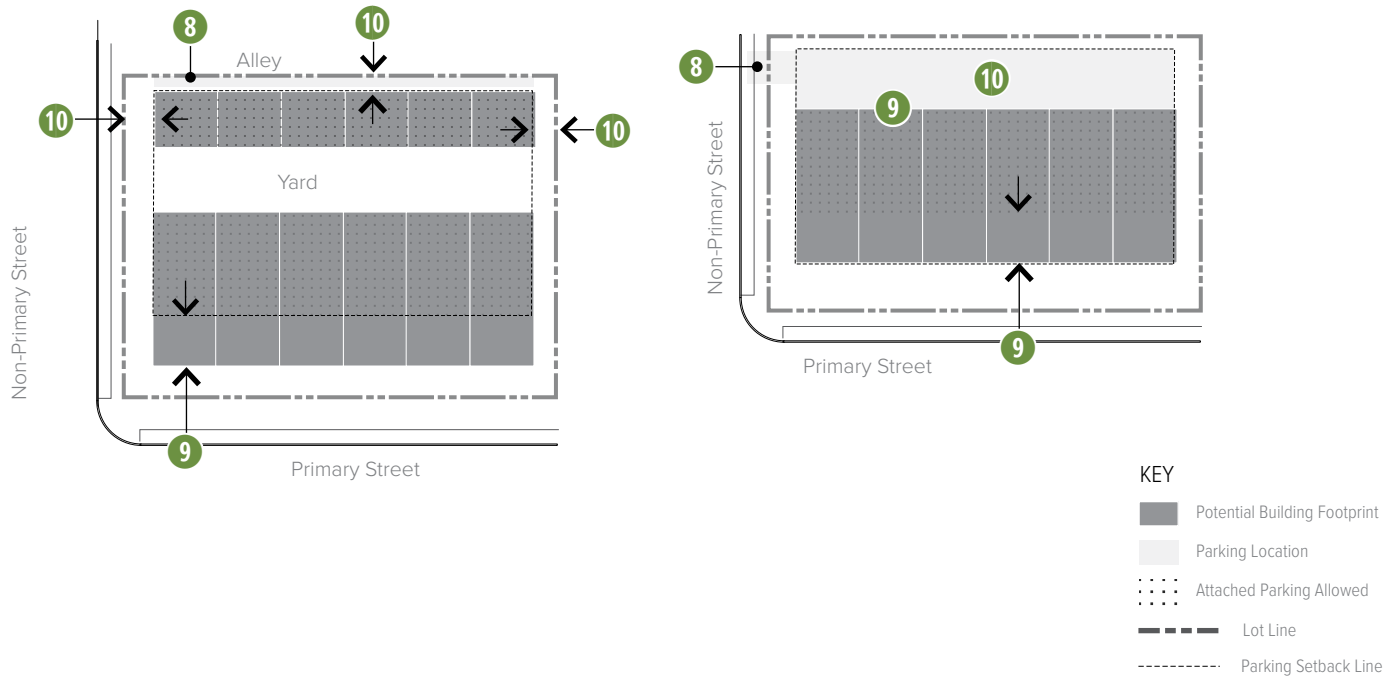
**DISTRICTS**

**GX, RX**

Additional/References

535-21 H (4) BUILDING SITING. See Figure 535-21-B		
Configuration	Multiple side-by-side units sharing common side walls	
Multiple Principal Buildings	allowed	See <a href="#">535-21H(9)</a> for multiple buildings on a lot.
<b>1</b> Lot Width	100 ft. min.	
<b>2</b> Primary Streetwall	70% min.	See <a href="#">535-21H(9)</a> for courtyards. Measured in build-to zone along any street frontage.
Facade Width per Street Frontage	3 units min. 5 units max.	
<b>3</b> Primary Street Build-to Zone	15 ft. min. 35 ft. max.	See <a href="#">535-21D(8)</a> minimum streetscape area.
<b>4</b> Non-Primary Street Setback	10 ft. min.	
<b>5</b> Side Setback Space between Adjacent Buildings	7.5 ft. min. 15 ft. min.	
<b>6</b> Rear Setback	5 ft. min. at alley; if no alley, 20 ft. min.	
<b>7</b> Site Coverage	<b>75%</b> max.	See <a href="#">535-21I(7)</a> for measuring site coverage.

**Figure 535-21-C. Row Building Parking Siting**



**DISTRICTS**

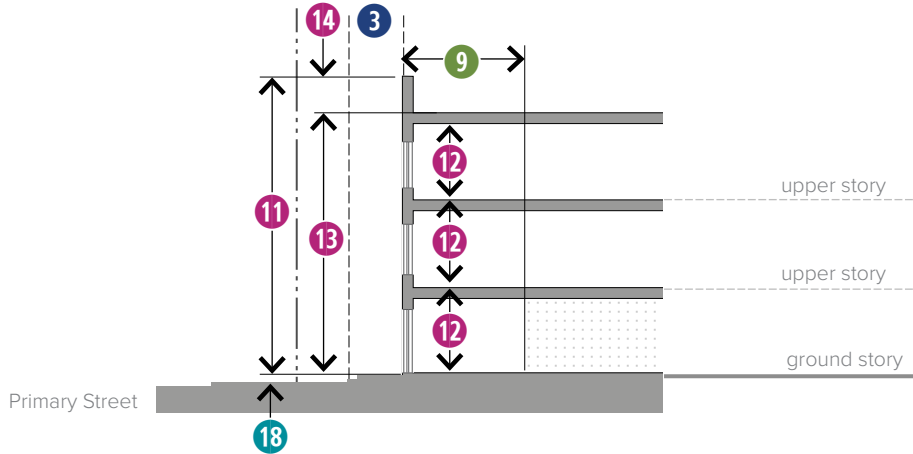
**GX, RX**

Additional/References

<b>535-21 H (5) PARKING &amp; ACCESSORY STRUCTURES.</b> See <a href="#">Figure 535-21-C</a> .			
<b>8</b>	<b>Parking &amp; Driveway Access Location</b>	Alley; if no alley, 1 access off non-primary street; if no non-primary street, 1 access off primary street	See Article IX for parking.
	<b>Size</b>	Max. 14 ft. width at sidewalk	
<b>9</b>	<b>Internal Garage Setback</b>	Min. 12 ft. behind primary facade above any basement	See supplemental regulations in <a href="#">535-21H(9)</a> for garage door screening. See <a href="#">XXX</a> for garage door design regulations.
	<b>Internal Garage Door Location</b>	Rear; not visible from a primary street and screened from non-primary streets	
<b>10</b>	<b>Parking Lot &amp; Accessory Structure Location</b>	Rear yard	See <a href="#">Article V</a> for accessory structures.
	<b>Street-Side Setback</b>	No closer to lot line than principal building	
	<b>Side &amp; Rear Setback</b>	5 ft. min.	
<b>KEY ACCESSORY STRUCTURES</b>			
	Outbuildings & Garages	●	<b>KEY:</b> ● = Allowed ○ = Requires a Conditional Permit
	Drive-Through Facilities	–	
	Fuel Pumps	–	
	Outdoor Sales & Display	–	
	Parking Structure	○	

535-21 Commercial & Mixed-Use Districts  
**535-21H. Row Building Type**

**Figure 535-21-D. Row Building Height**



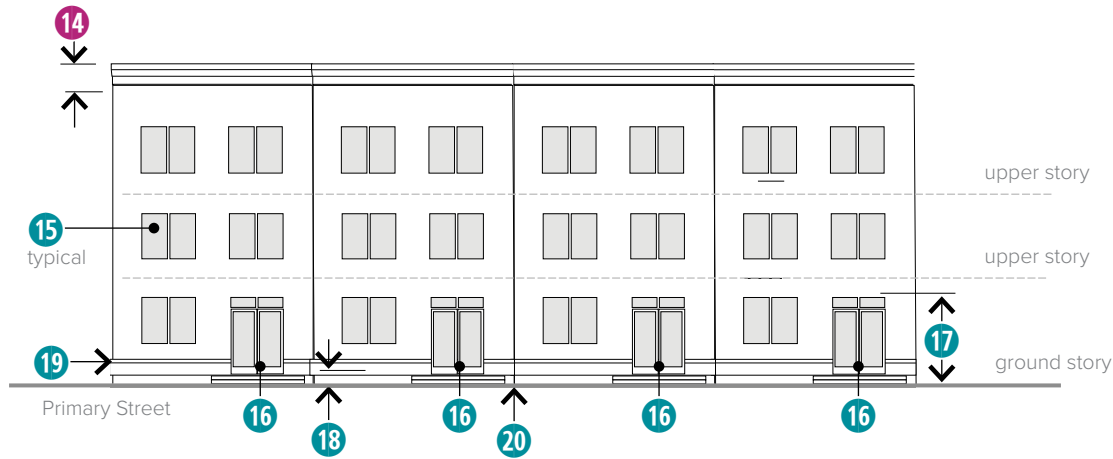
**DISTRICTS**

**GX, RX**

Additional/References

535-21 H (6) HEIGHT. See Figure 535-21-D			
11	Height	2 stories min. 3 stories max.	See supplemental regulations on half stories in <a href="#">535-21H(9)</a> . See <a href="#">535-21I(10)</a> for measuring height.
12	Floor-to-Floor Height	9 ft. min. 11 ft. max.	Measured floor-to-floor.
13	Height to Eaves (Pitched Roof)	20 ft. max.	Height to eaves is measured from the first floor to the bottom of the eave. See <a href="#">535-21I(10)</a> for measuring height to eaves.
535-21 H (7) ROOFS. See Figure 535-21-D			
14	Roof Types	Pitched, flat, parapet	See <a href="#">XXX</a> for roof types and tower regulations.
	Tower	Not allowed	

**Figure 535-21-E. Row Building Facades and Roofs**



**DISTRICTS**

**GX, RX**

Additional/References

**535-21 H (8) PRIMARY & NON-PRIMARY FACADES.** See [Figure 535-21-E](#)

			Additional/References
<b>15</b>	<b>Transparency: Primary Facades Non-Primary Facades</b>	20% min. 15% min.	Measured per story, including any half stories, visible basement, or towers with full-floor height. See <a href="#">535-21(11)</a> for measuring transparency. Blank wall segments apply.
		On the primary facade, no bays or 10 ft. wide sections of any story may be without transparency	
<b>16</b>	<b>Building Entrances Location</b>	One per unit on primary facade except 1 per every 3 units may be located off a courtyard	See <a href="#">535-21H(9)</a> for courtyards.
<b>17</b>	<b>Entrance Type</b>	Porch or Stoop	See <a href="#">XXX</a> for entrance types
<b>18</b>	<b>Ground Story Elevation above Grade</b>	Between 18 in. and 30 in. above grade or between 30 in. and 4 ft. with a visible basement	
<b>19</b>	<b>Horizontal Divisions with Shadow Lines</b>	One within 3 ft. of the top of any basement, first, or second story	See <a href="#">XXX</a> for definition of shadow lines.
<b>20</b>	<b>Vertical Divisions with Shadow Lines</b>	One for every 60 ft. of facade on the ground story	

# 535-21 Commercial & Mixed-Use Districts

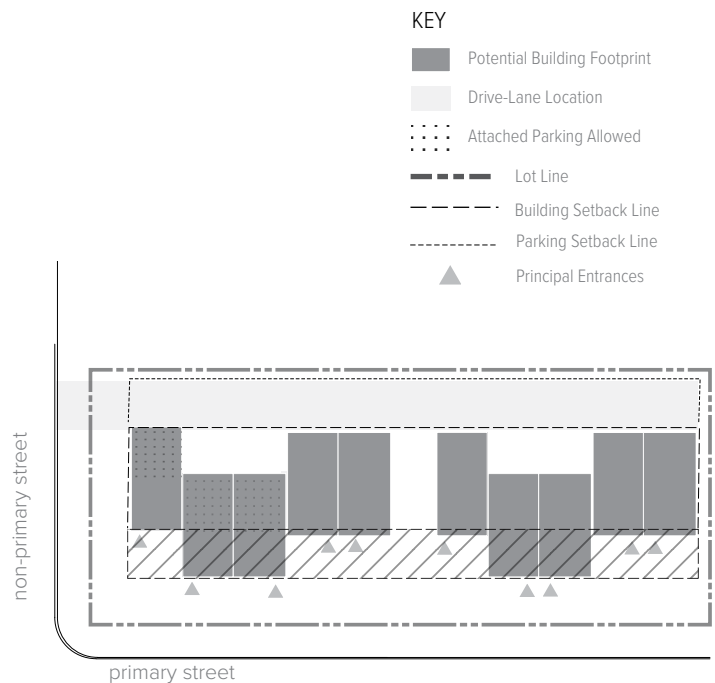
## 535-21H. Row Building Type

### 535-21H(9) SUPPLEMENTAL REGULATIONS

**(a) Multiple Buildings on a Lot.** Multiple buildings may be located on a lot with the following regulations:

- [1] The minimum space between buildings is met.
- [2] Each building must fulfill all of the requirements of the building type unless otherwise expressly stated.
- [3] Each building must be located in the build-to zone, contributing to the primary streetwall requirements, except one of every 2 units may front a courtyard. See [Figure 535-21-F](#).
  - [a] The courtyard counts as primary streetwall as long as 3 sides are enclosed at the minimum primary streetwall percentage.
  - [b] Parking is not allowed in the courtyard.
  - [c] Primary facade requirements apply to courtyard facades.
  - [d] If a unit is located on the corner of the courtyard and the street, the entrance must be located on the street.
  - [e] All entrances must connect to the primary street sidewalk via a minimum 4-foot wide sidewalk.

**(b) Garage Door Visibility.** Garage doors must be screened from any street by building or by a masonry wing wall off the building. The wing wall must be faced in an allowed major material used on the adjacent building facade.



**Figure 535-21-F. Multiple Row Buildings on a Lot**

**535-21I MEASURING BUILDING TYPE REGULATIONS**

**535-21I(1) FRACTIONS AND ROUNDING GENERALLY**

When calculations required under this zoning code result in fractions, any fractional result of less than one-half of the unit of the regulation is rounded down to the whole number and any fractional result of one-half or more of the regulation unit is rounded up to the whole number. For example, if the maximum regulation is 2 feet, a measurement of 1.5 feet (or 1-foot, 6 inches) is rounded up to 2 feet and a measurement of 1.25 feet (or 1-foot, 3 inches) is rounded down to 1 foot. If the maximum regulation is in inches, fractions are rounded to the nearest inch.

**535-21I(2) GENERALLY PARALLEL & PERPENDICULAR**

"Generally parallel," when stated related to lot lines or building facades, means less than 45 degrees off the lot line or facade. "Generally perpendicular," when stated related to lot lines or building facades, means more than 45 degrees off the lot line or facade in any direction.

**535-21I(3) LOT AREA**

Lot area is measured as the total ground-level surface area contained within the lot lines of a lot.

**535-21I(4) LOT WIDTH**

Lot width is the horizontal distance measured along the minimum front setback line between the side lot lines of a lot. If no minimum front setback is required, lot width is measured along the front lot line.

**535-21I(5) PRIMARY STREETWALL**

**(a) Definition.** The minimum amount of building facade required along and generally parallel to a primary street frontage and built within the build-to zone. A streetwall

**(b) Measurement: Minimum Percentage of Streetwall.** The minimum percentage of primary streetwall must be equal to or greater than the width of the principal structures, as measured within the primary build-to zone, divided by the length of the lot line parallel to the primary street, minus the minimum side setbacks. See [Figure 535-21-A](#).

**(c) Measurement: Maximum Streetwall.** The maximum streetwall is the measurement along all primary facades that are generally parallel and facing the lot line, measured from the edge of the facade horizontally to the opposite edge of the facade.

**(d) Height.** The streetwall or building facade being measured must meet the minimum height required for the building type. See [535-21I\(10\)\(a\)](#).

**(e) Courtyard and Other Allowances.** Courtyards and other allowances may be listed in the supplemental regulations for the building type as exceptions. The length of the courtyard opening or expanded build-to zone may be counted towards primary streetwall.

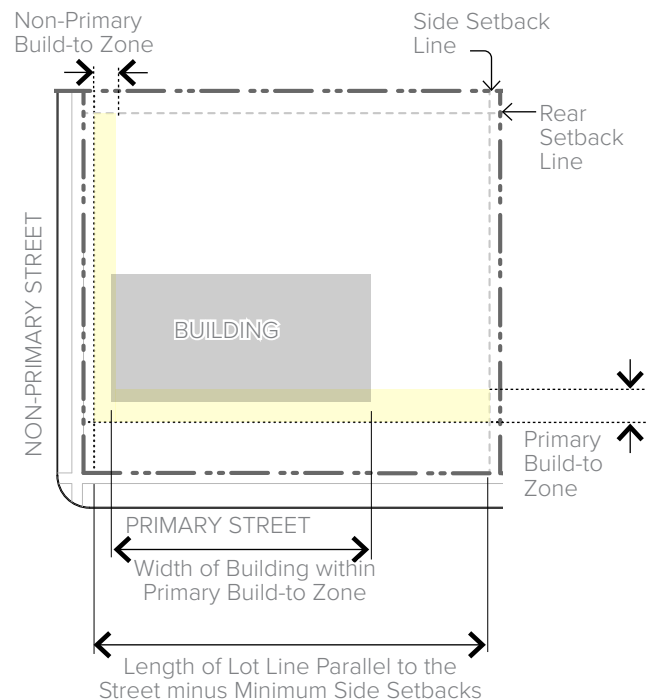
**535-21I(6) SETBACKS AND BUILD-TO ZONES**

The following applies to required setbacks and build-to zones per the building type regulations in this section 535-21.

**(a) Measurement: Buildings.** Required setbacks and build-to zones are measured from the applicable lot line, right-of-way line, or specific location referred to in the applicable regulation, to the exterior building walls generally parallel to the subject line.

[1] Street (primary and non-primary) setbacks are measured from the actual right-of-way line of the street to the nearest exterior building wall. (Alleys

$$\frac{\text{Width of Building within Build-to Zone}}{\text{Length Primary Frontage Lot Line Minus Minimum Side Setbacks}} = \text{Primary Streetwall \%}$$



**Figure 535-21-A. Measuring Primary Streetwall**

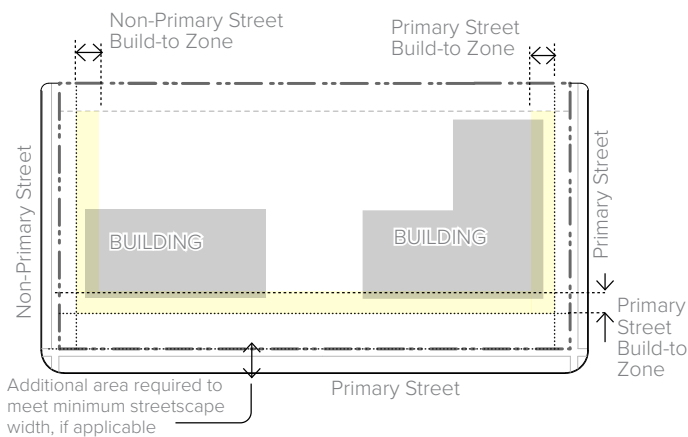
## 535-21I. Measuring Building Type Regulations

are not considered streets and typically abut side or rear lot lines.)

- [2] Side or interior-side setbacks are measured from the nearest side lot line that does not abut a street to the nearest.
- [3] Rear setbacks are measured from the rear lot line.
- [4] On corner lots, the required primary or non-primary setback must be provided for each street frontage, depending on whether the abutting street is a primary or non-primary street. The lot line opposite of the primary street is the rear lot line, requiring a rear setback. The lot line generally perpendicular to the primary street is the side lot line, requiring a side setback.
- [5] On through-lots, the required primary or non-primary setback must be provided for each street frontage, depending on whether the abutting street is a primary or non-primary street. (See [XXX](#) for definitions.) Generally applicable regulations apply per [535-21D\(7\)](#) and supplemental building regulations for the building type may have additional requirements.

**(b) Minimum Required Streetscape Area.** See [535-21D\(8\)](#) for regulations requiring a minimum streetscape area. Where the minimum area does not exist, the build-to zone is measured from the edge of the expanded streetscape area into the lot.

**(c) Exceptions to Build-to Zones.** Upper-story recessed balcony facades are not required to be located within the build-to zone or at a build-to line.



**Figure 535-21-B. Build-to Zones**

**(d) Allowed Encroachments.** Allowed encroachments into setbacks or beyond build-to zones are as follows, unless otherwise established in the building type regulations:

- (1) Minor Building Projections in All Yards for All Building Types.** Roof overhangs, eaves, chimneys, bays, and other architectural features, such as cornices, may encroach up to 18 inches into any yard no closer than 1 foot from the lot line.
- (2) Steps and Ramps in Front Yards.** Steps and ramps in front yards may encroach fully into any yard up to within 1 foot of any lot line.

**(e) Setbacks on Irregular Lots.** Setbacks are measured from lot lines towards the center of the lot as follows:

- [1] When lot lines are curvilinear, setbacks must be measured parallel to the curvilinear lot line.
- [2] When there are multiple rear lot lines, the rear setback must be measured from each of rear lot lines.

**(f) Waterway Frontage.** A river or trail frontage build-to zone or setback is measured from the required trail easement or right-of-way into the lot perpendicular to the easement or lot line. See [XXX](#) for waterway frontage trail easement.

**(g) Measurement: Elements Other than Buildings.** Minimum setbacks that apply to elements other than buildings (e.g. parking areas, fences, storage areas) are measured from the lot line, right-of-way line, or specific location referred to in the applicable regulations, to the nearest point of the feature.

### 535-21I(7) SITE COVERAGE

Site coverage is measured as the percentage of a lot covered by impervious surfaces. See [Figure 535-21-E](#).

- (a) Impervious Surfaces.** Any land or portion of a site covered by constructed features that prevent the direct percolation of surface water into the underlying earth. Examples include buildings, paved parking and roadways, masonry walls and terraces, swimming pools, sidewalks, hard surface playing courts, and paved driveways.
- (b) Semi-Pervious Materials.** Semi-pervious materials, such as semi-pervious pavers, semi-pervious asphalt, and semi-pervious concrete, counts towards the site coverage at a lower rate. The area of the semi-pervious materials is added into the overall site coverage at 75% of the actual area. For example, if the area of semi-pervious materials measures 1,600 sq. ft., 1,200 sq. ft.

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**535-21I. Measuring Building Type Regulations**

(75% of 1,600) contributes to the lot's maximum site coverage.

- (c) **Green Roofs.** Green, or vegetated, roofs count towards the site coverage, calculated at 75% of the area of the green roof. For example, if the surface of the green roof measures 13,000 sq. ft., then 9,750 sq. ft. (75% of 1,600) contributes to the lot's maximum site coverage.

**535-21I(8) INTERNAL PARKING AND DOOR LOCATION**

- (a) **Internal Parking Setback Measurement.** Internal parking setbacks are defined in the building type regulations.
- (b) **Dimensional Setback.** When the building type regulation includes a dimensional setback for internal parking, the setback is measured from the primary facade of the building, located generally parallel and facing the primary lot line. The setback is intended to promote the use of the area directly behind the primary facade of any building for people and not the parking of vehicles.
- (c) **Setback Use.** The use of the space of the building within the setback must be occupied space. See definition.
- (d) **Internal Parking Door Location.** Any garage door must be located on one of the designated facades of the building.

**535-21I(9) LIMITED SIDE YARD PARKING**

Where allowed, limited side yard parking is located in the interior side yard and must be configured as one double- or single-loaded aisle of parking with the centerline of the aisle located perpendicular to the street.

**535-21I(10) BUILDING HEIGHT**

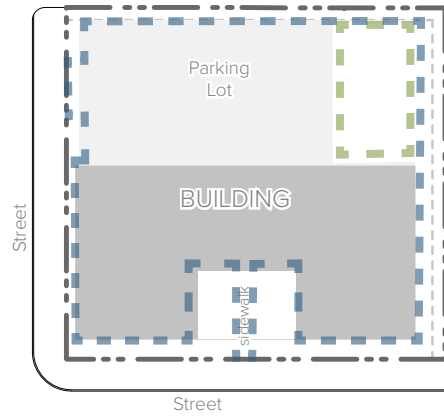
See [Figure 535-21-C](#).

- (a) **Minimum Height.** Each building type requires a minimum number of stories. The building must meet the minimum required height along all primary street facades and for a depth of at least 30 feet into the building. All building facades located within the build-to zone must meet the required minimum building height.
- (b) **Maximum Height.** Maximum heights are specified in number of stories. This requirement applies to the entire building. The maximum number of stories may not be exceeded due to sloped sites. Heights must step with the grade in order to not exceed the maximum allowable height. See [Figure 535-21-F](#).

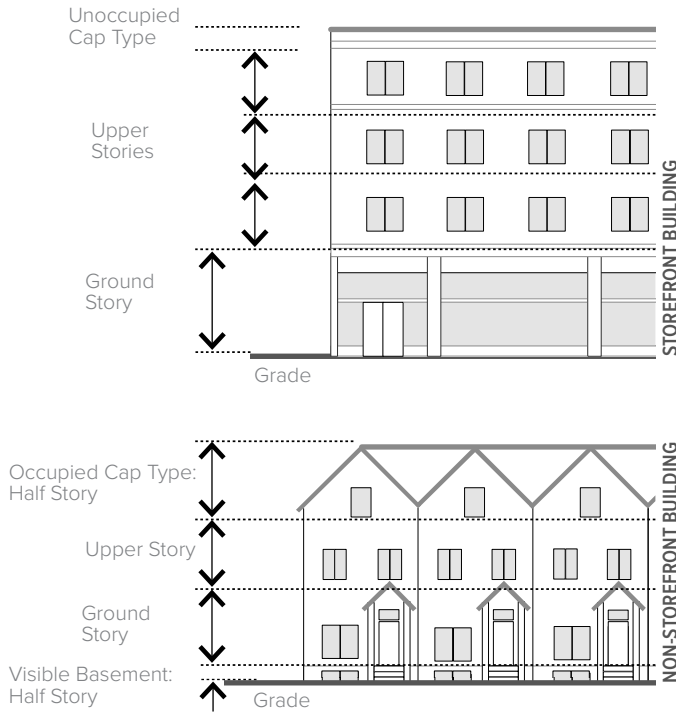
- (c) **Towers.** When expressly allowed in the building type tables, towers may exceed the overall maximum height of the subject building type (see [XXX](#)).
- (d) **Height to Eaves.** Eave height is measured from the floor elevation of the first floor to the eave.
- (e) **Roof Type.** Roof types per [XXX](#) allowed by building type regulations add additional height to the building.
- (f) **Half Stories.** Half stories are stories either located fully within the roof type or in a visible basement.
  - (1) **Roof.** Where occupied building space is allowed within the roof type (see [XXX](#)), any space within the roof and within the floor to floor height counts as a half story towards the overall allowable height.
  - (2) **Visible Basement.** See [Figure 535-21-D](#) for diagram and explanation of a visible basement and [XXX](#) for definitions of basements and visible basements.
  - (3) **Two Half Stories.** If a building has both a half story within the roof and a half story that is a visible basement, the combined height of the two half stories is considered one full story in terms of measuring overall height.
- (g) **Basements.** See [Figure 535-21-D](#) for illustration of basements and [XXX](#) for definitions of basements and visible basements.
  - [1] A basement that is not a visible basement does not count towards the minimum or maximum height of a building.
  - [2] Any building may have a basement, unless expressly prohibited in this ordinance.
  - [3] A basement may contain any use allowed within the building, including those allowed only in upper stories.
- (h) **Story Height.** Each story is measured with a range of permitted floor-to-floor heights. See [Figure 535-21-C](#).
  - (1) **Measurement.** All story heights are measured in feet between the floor of a story to the floor of the story above it. Minimum and maximum floor-to-floor heights are required along a minimum of 80% of each facade's horizontal length for each story.
  - (2) **Ground Story.** When noted as a separate story height, the ground-story height must extend from the primary street facade into the building a minimum of 30 feet. The remainder of the ground-

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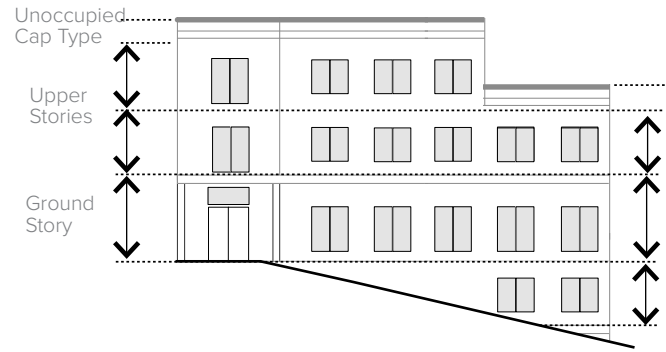
■ = Site Coverage  
■ = Permeable Paving calculated at 75% of area



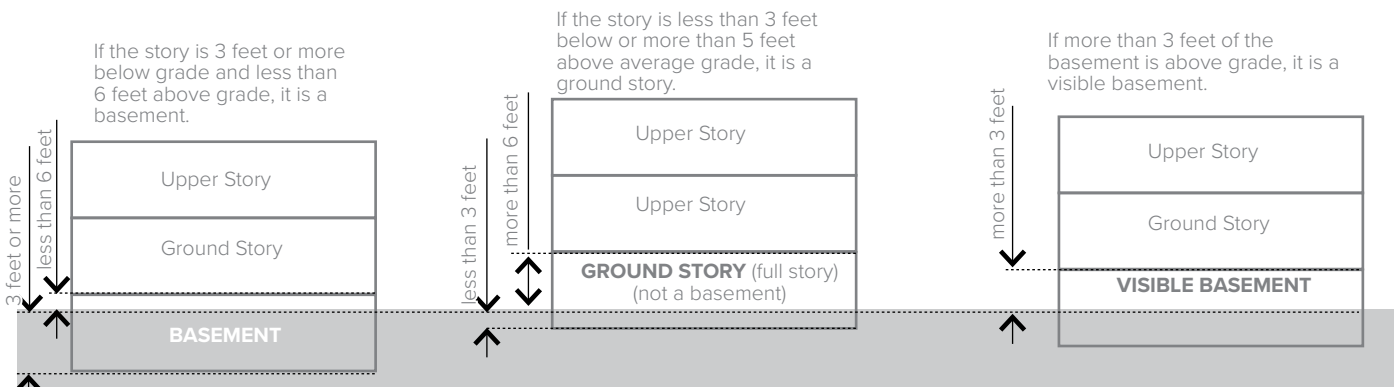
**Figure 535-21-E. Site Coverage**



**Figure 535-21-C. Measuring Building Height**



**Figure 535-21-F. Measuring Height along a Sloped Street**



**Figure 535-21-D. Basements & Visible Basements**

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story may meet either the primary frontage ground-story heights or the height range permitted for all stories.

**(3) Single-Story Buildings and Top-Story**

**Measurement.** For single-story buildings and the uppermost story of a multi-story building, the floor-to-floor height is measured from the floor of the story to the ceiling, unless a specific height is provided for a single-story building.

**(4) Mezzanines.** Mezzanines may be included within the allowed floor-to-floor height of any story per the building types provided the following:

- [a] Mezzanines extending above the story's allowable floor-to-floor height must count as a full story in addition the story below.
- [b] Mezzanines occupying more than 30% of the floor area below must count as a full story in addition the story below.
- [c] Where the mezzanine story is located adjacent to a street facade, the street facade transparency requirements of the subject building type must be applied to both the mezzanine floor and the story the mezzanine overlooks.

**(5) Taller Spaces.** Spaces exceeding the allowable floor-to-floor heights of the building type are permitted for a maximum of 20% the length of street facades.

**535-21I(11) TRANSPARENCY**

Governed by the building type regulations, the transparency of a facade is measured for each story separately using 2 regulations: (1) an overall minimum transparency percentage per story, and (2) where applicable per building type, maximum blank wall segments (per [535-21I\(11\)\(c\)](#), below).

**(a) Definition of Transparency.** For the purposes of this zoning ordinance, transparency is the measurement of the percentage of a facade that contains highly transparent, low-reflectance glass.

**(1) Storefront.** When transparency is required separately for primary street ground-story facades, glass must be a minimum of 60% transmittance factor and a reflectance factor of not greater than 0.25.

**(2) All Other Windows.** Transparency for all window, door glass, and other storefront glass must be

a minimum of 50% transmittance factor and a reflectance factor of not greater than 0.25.

**(3) False Windows.** The use of false or faux windows, where the window is visible from the exterior with no opening from the interior, to meet the transparency requirement is not allowed.

**(b) Measurement.** Minimum facade transparency is measured from floor-to-floor of each story separately, except for required minimum ground-story transparency as defined below. See the building type regulations for required transparency by building type.

- [1] Transparency requirements must be met with windows or glass in doors that comply with applicable transmittance and reflectance factors.
- [2] The measurement may include the frame, mullions, and muntins, but may not include trim or casing.

**(c) Blank Wall Segments.** Where applicable per the building type regulations, blank wall segments on all facades must meet the following:

- [1] No rectangular areas greater than 30% of a story's facade, as measured floor to floor, may be blank wall, without transparency. See [Figure 14-H](#).
- [2] No horizontal segments of a story's facade greater than 15 feet in width may be blank wall, without transparency. See [Figure 14-I](#).

**(d) Minimum Ground-Story Transparency.** When a separate minimum ground-story transparency is required per the building types requirements, the ground-story transparency is measured between 2 feet and 10 feet from the average grade at the base of the facade.

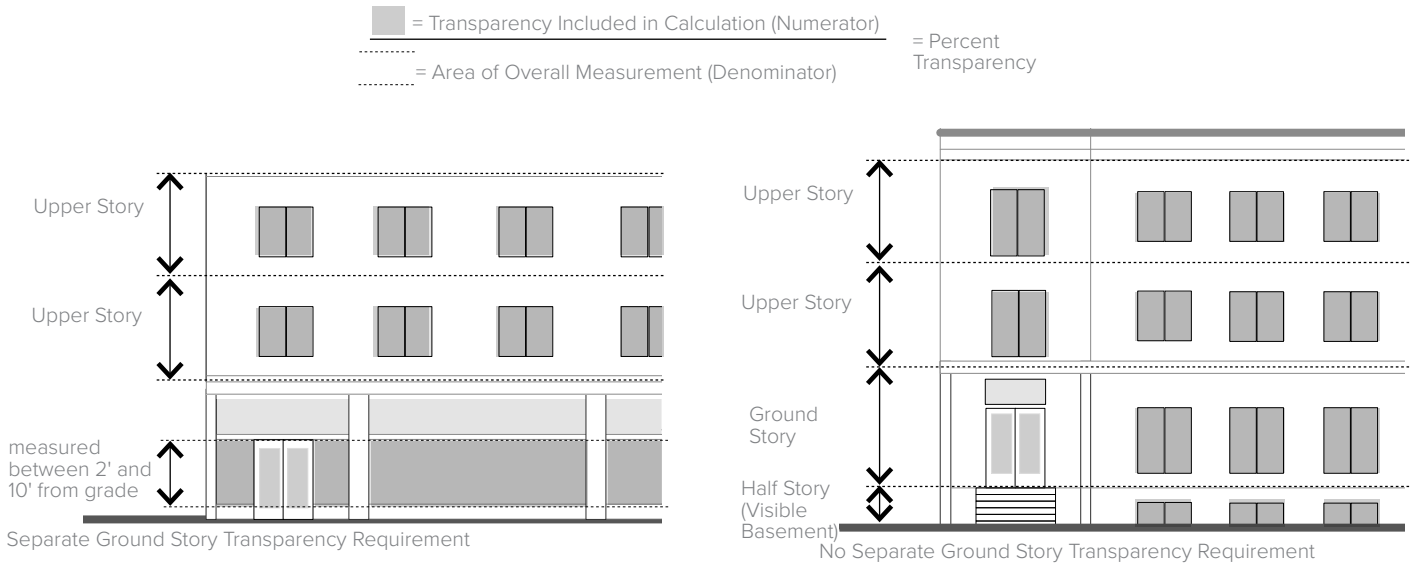
**(e) Mezzanines.** Mezzanines treated as a separate story per [535-21I\(10\)](#) must include upper-story transparency required per building type.

**(f) Tall Stories.** Stories that are 18 feet or taller in height must include additional transparency consistent with the following standards. See [Figure 14-J](#).

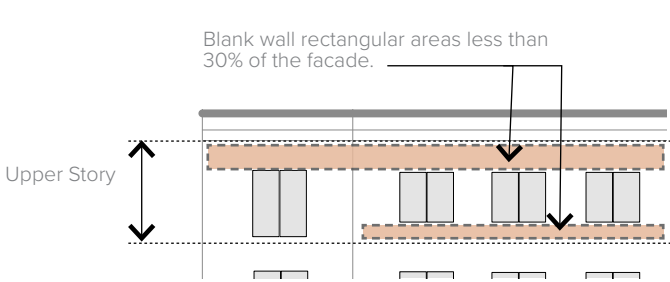
**(1) Separate Ground Story Transparency Required.** When a separate minimum ground story transparency is required per building type, the facade design must fulfill that requirement in addition to the minimum transparency for the remainder of the ground-story.

**(2) No Separate Ground Story Transparency Required.** Where no separate ground story

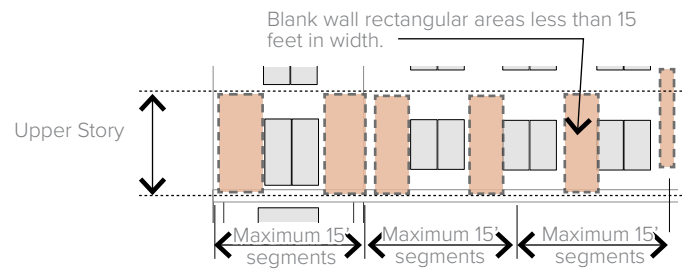
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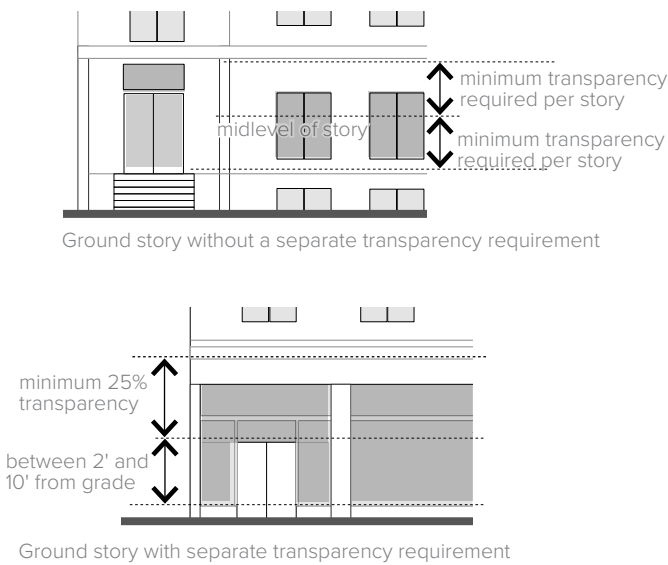
**Figure 535-21-G. Measuring Transparency Floor-to-Floor**



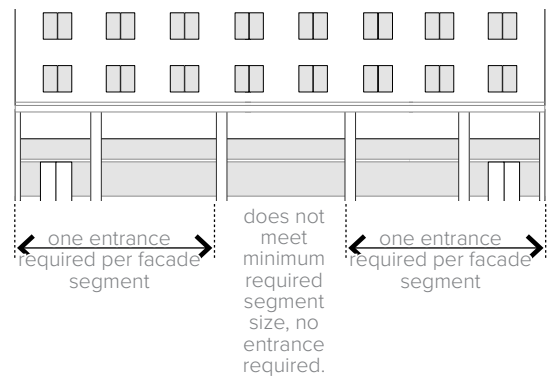
**Figure 535-21-H. Blank Wall Segments (1)**



**Figure 535-21-I. Blank Wall Segments (2)**



**Figure 535-21-J. Measuring Transparency on Taller Stories**



**Figure 535-21-K. Entrances**

transparency is required per building type, a tall story is treated as 2 separate stories, divided in half horizontally, with the minimum transparency applied to each half.

- (g) Half Stories.** All half story facades located within the roof structure and within visible basements must meet the minimum required transparency.

**535-21I(12) BUILDING ENTRANCES**

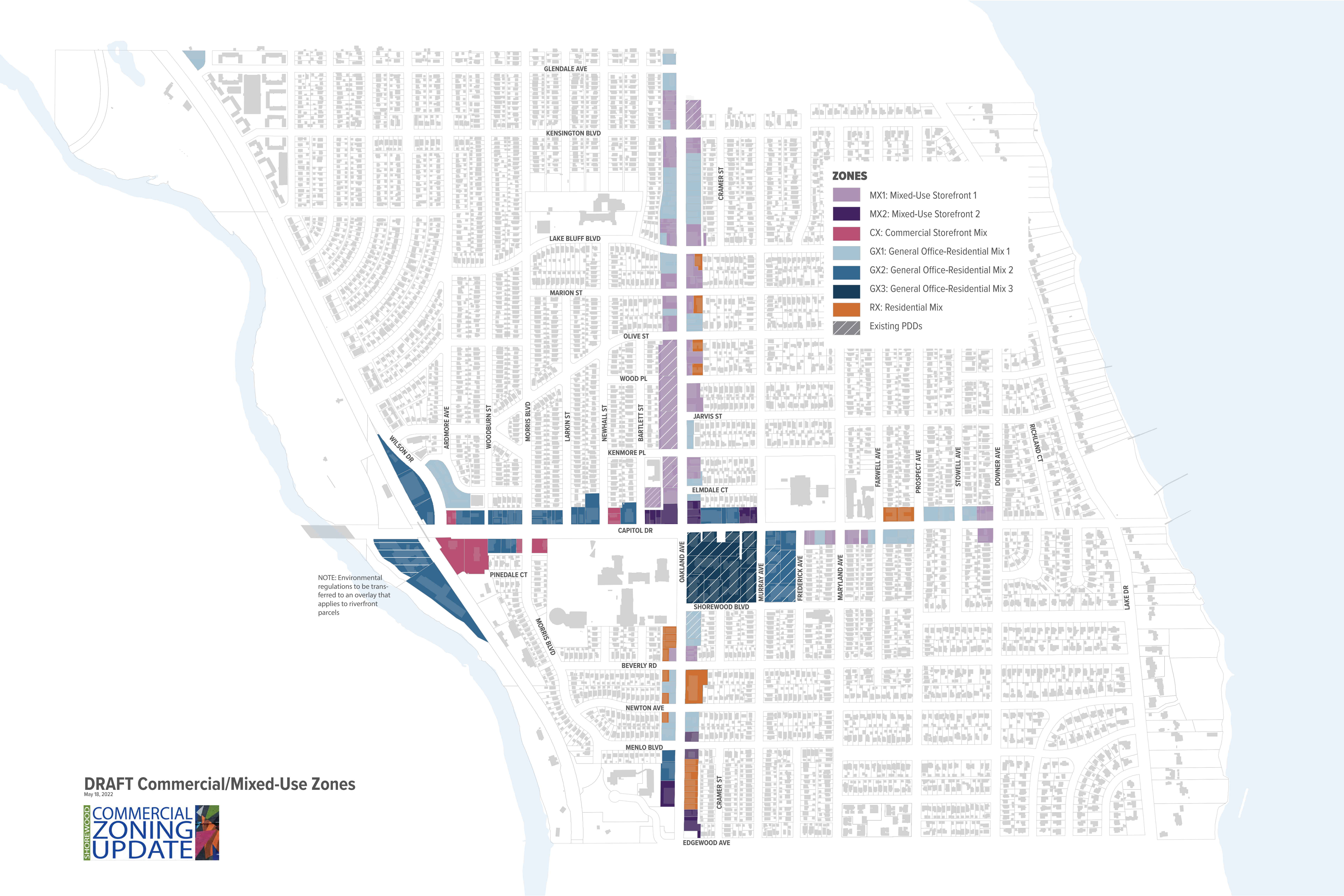
Entrances must be provided consistent with the entrance location and number requirements established for the subject building type and consistent with [Figure 535-21-K](#).



**Table 535-25-4. Principal Use Table**

USE GROUP Use Category	DISTRICTS												Conditions
	Commercial & Mixed-Use				Residential						Public		
	MX	CX	GX	RX	R-1 R-2 R-3 R-4	R-5	R-6	R-7	R-8	R-9 R-10	P-1	P-3	
<b>RESIDENTIAL (535-25C)</b>													
Household Living, 1 unit	●	●	●	●	●	●	●	●	●	●	-	-	
Household Living, 2 units	●	●	●	●	-	-	●	-	●	●	-	-	
Household Living, 3+ units	●	●	●	●	-	-	-	-	●	●	-	-	
Group Living (except as below)	○	○	○	○	-	-	-	○	○	○	-	-	
Community Living Arrangement, Small	●	●	●	●	●	●	●	●	●	●	-	-	
Community Living Arrangement, Large	○	○	○	○	-	-	-	○	○	○	-	-	
Residential Care Facility	○	○	○	○	-	○	○	○	○	○	-	-	
<b>COMMERCIAL (535-25D)</b>													
Consumer Service	●	●	●	-	-	-	-	-	-	-	-	-	
Child Care Center	●	●	●	-	-	-	-	-	-	●	-	-	
Eating &/or Drinking Places	●	●	●	-	-	-	-	-	-	-	-	-	
Funeral & Mortuary Service	-	-	●	-	-	-	-	-	-	-	-	-	
Lodging	●	●	●	●	-	-	-	-	-	-	-	-	
Manufacturing & Production, Artisan	●	●	●	-	-	-	-	-	-	-	-	-	
Office	●	●	●	-	-	-	-	-	-	-	-	-	
Personal Credit Establishment	○	○	-	-	-	-	-	-	-	-	-	-	
Retail Sales, General	●	●	●	-	-	-	-	-	-	-	-	-	
Retail Sales, Donation/Thrift	○	○	-	-	-	-	-	-	-	-	-	-	
Vehicle Service	-	○	-	-	-	-	-	-	-	-	-	-	
<b>CIVIC &amp; INSTITUTIONAL (535-25E)</b>													
College	●	●	●	-	-	-	-	-	-	-	-	●	
Community Assembly	●	●	●	-	-	-	-	-	-	-	-	●	
Cultural Facility	●	●	●	-	-	-	-	-	-	-	-	●	
Hospital	-	-	●	-	-	-	-	-	-	-	-	●	
Parks and Open Space	●	●	●	●	●	●	●	●	●	●	●	●	
School	●	●	●	-	-	-	-	-	-	-	●	●	
Utilities & Services, Minor	●	●	●	●	●	●	●	●	●	●	●	●	
Utilities & Services, Major	○	○	○	○	○	○	○	○	○	○	○	○	
<b>OTHER</b>													
Parking Lots & Garages	○	○	○	○	-	-	-	-	-	-	○	○	

**KEY:** ● = Permitted   ● = Permitted in Upper Stories Only   ● = Limited to No More than 25% of Footprint  
○ = Conditional Use Approval Required   - = Prohibited



**ZONES**

- MX1: Mixed-Use Storefront 1
- MX2: Mixed-Use Storefront 2
- CX: Commercial Storefront Mix
- GX1: General Office-Residential Mix 1
- GX2: General Office-Residential Mix 2
- GX3: General Office-Residential Mix 3
- RX: Residential Mix
- Existing PDDs

NOTE: Environmental regulations to be transferred to an overlay that applies to riverfront parcels

**DRAFT Commercial/Mixed-Use Zones**

May 18, 2022

