

Article 5. Downtown Zones

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Article 5. Downtown Zones

10-7.501 Purpose and Intent.

This Article establishes a form based code as the mechanism for development review and entitlement within the Downtown. The form based code focuses on the form of the built environment as primary and the uses contained within the built environment as secondary. The Downtown consists of six (6) form based code zoning districts with distinct development criteria. Portions of Downtown consist of conventional zoning districts that are focused more on land use rather than form and are not regulated under this Article for “Downtown Zones”. The six Downtown Zones are delineated on the Planning Zoning Map and defined in the Planning Zones Purpose Section 10-7-505. The Downtown Zones are intended to:

- (a) Implement Policies of the Modesto Urban Area General Plan by promoting higher density, mixed-use development to create a balanced, vibrant downtown and active neighborhood centers.
- (b) Preserve and enhance the downtown’s historic buildings and sites;
- (c) Ensure development is convenient and safe for pedestrians and bicycle riders;
- (d) Provide additional housing choices and opportunities;
- (e) Reduce dominance of off-street parking areas and parking structures;
- (f) Encourage useable private open spaces.

10-7.502 Administration.

- (a) **Applicability.** The provisions of this Article shall supersede any standards, provisions or regulations of all other articles of Title 10 that are in conflict with its provisions. All other standards, provisions or regulations of Title 10 that are not in conflict with this article shall remain in effect. This Article shall apply to all buildings, structures, land uses, subdivisions, parcel maps, and lot line adjustments for new development within the Downtown Zones except as specified below.

All development requires Development Plan Review. Development Plan Reviews, Conditional Use Permits, and Variances shall be reviewed in accordance with the processes established by Chapter 9 of Title 10 of the Municipal Code.

10-7.503 Exceptions.

- (a) **Existing Development Exception.** All legally established development (buildings, parking and other physical site improvements) in existence prior to (date of adoption) is subject to the following provisions:

- (1) **Development Standards.**

- (i) Remodels and repairs of existing buildings and expansions up to 25% of the existing total building gross floor area, may utilize the development standards under the zoning in effect prior to (date of adoption) (see Figure 7.5-1).
- (ii) Repairs and changes to site improvements and expansions up to 25% of the existing total land area, may utilize the development standards under the zoning in effect prior to (date of adoption) (see Figure 7.5-1).
- (iii) Expansions of more than 25% are subject to the development standards of this Article unless an administrative exception is granted by the Director to allow using applicable development standards of the previous zone. In granting an exception, the Director shall utilize the criteria provided in Section 10-7.503 (a) (3).
- (iv) The Traditional Neighborhood Downtown Zone shall be considered equivalent to the R-2 Zone when applying the development standards for expansions authorized under Sections (i) – (iii) above.
- (v) Alternatively, expansions of buildings and land area may utilize the development standards of this Article.

- (2) **Use Types.**

All uses in the Downtown Zones shall be in accordance with this Article, except as provided below:

- (i) All permitted uses legally established prior to (date of adoption) may continue to operate and may be replaced and expanded by up to 25%. Replacement uses shall be limited to uses permitted by the previous zoning (Figure 7.5-1). Once a new use permitted by this Article

replaces a use not permitted by this Article, then all future uses shall be in accordance with this Article.

- (ii) Use expansions more than 25% are subject to the use types of this article unless an administrative exception is granted by the Director to allow the expansion of the existing use. In granting an exception, the Director shall utilize the criteria provided in Section 10-7.503 (a) (3).
- (3) **Criteria for Expansion.** Expansions of existing development include building and use expansions on the subject property. Expansions not consistent with this Article may occur onto adjacent properties subject to a Conditional Use Permit. Use and building expansions of more than 25% shall meet at least three of the following criteria.
 - (i) The expansion is not detrimental to the implementation of the Downtown Zone in which the expansion is located.
 - (ii) The expansion maintains compatibility with neighboring properties.
 - (iii) The expansion promotes economic development and revitalization of the downtown area.
 - (iv) The expansion allows adaptive reuse of buildings and/or land.
- (b) **New Development Exception.** It is recognized that there exists in the Downtown area many older lots and buildings that pre-exist current regulations, and that it may not be feasible for development on these sub-standard parcels or buildings to meet all of the standards of this Article. Consequently, the Director may grant an administrative exception to allow for minor deviations from the development standards of this Article, with or without conditions, only after determining that:
 - (1) No practical alternative exists;
 - (2) The development would still achieve the purpose and objectives of the subject Downtown Zone;
 - (3) No detrimental impact would result to the project site or neighboring properties;
 - (4) The proposed project would otherwise be in compliance with all applicable standards and requirements; and
 - (5) The deviation granted is the minimum deviation necessary to make possible the development of the property in a manner that otherwise complies with the provisions of this Article.
- (c) **Previously Approved Project Exception.** All unexpired development approvals granted in the Downtown Zones approved prior to (date of adoption) but not yet constructed shall be allowed to develop in accordance with the previous approval.
- (d) **Warrants for Central and Transition Downtown Zones.** A warrant is a minor deviation in the setback or stepback provisions that under limited circumstances still achieves the objectives specified in the Purpose and Intent of the Central and Transition Downtown Zones sections. Deviations from the following development provisions may be approved by the Director where the associated findings are made:
 - (1) Minimum 15-foot stepback from street property line(s) above the sixth floor within the Central and Transition Downtown Zones:
 - (i) The building occupies a corner lot, and
 - (ii) No other deviations of this nature exist within buildings fronting on street sections extending one (1) block from the associated intersection, and
 - (iii) The width of the building along any public street is no more than one hundred (100) feet, and
 - (iv) The building is no more than ten (10) stories tall in the Central Downtown Zone or eight (8) stories tall in the Transition Downtown Zone, and
 - (v) The building maintains a setback of at least five (5) feet above the sixth floor.
 - (2) Minimum 30-foot stepback from the interior property line above the sixth floor within the Central and Transition Downtown Zones:
 - (i) The width of the subject parcel is less than one hundred ten (110) feet, and
 - (ii) No more than two (2) other buildings constructed above six (6) stories exist within the subject block frontage, and
 - (iii) The building maintains a setback of at least twenty (20) feet above the sixth floor.
 - (3) Maximum zero-foot setback from interior property line at floors 1-6 within the Central and Transition Downtown Zones:
 - (i) The area is provided for a paseo or a plaza, and
 - (ii) No more than one (1) other paseo or plaza exists within the subject block frontage, and
 - (iii) A minimum ten-foot wide, unobstructed pedestrian access/circulation area is provided.

- (e) **Variations.** Deviations from the provisions of this article that are not provided for by warrant may be approved by variance. In addition to the variance allowed in Chapter 9, there are two (2) types of special variances from the provisions of this article: civic variance, and landmark variance. Civic variances are for developments that provide a unique cultural amenity or necessary government service, which would not be possible under the provisions of this article. Landmark variances are for large buildings or structures that provide a unique, iconic architectural style.

Variations may be approved by the Board of Zoning Adjustments where the findings following the variance type are made. Only one (1) variance type may be approved per property. The applicant for any of the two (2) variance types listed below shall have the burden of proof of demonstrating the required findings.

(1) Civic Variance:

- (i) The property is proposed to be used for civic building(s)/grounds that provide a regional amenity by furthering cultural opportunities, or the subject property is proposed to be used for governmental civic building(s)/grounds that provide a necessary service or particular societal amenity, and
- (ii) The nature of the civic building(s)/grounds is such that application of the provisions of this article would preclude its use for the intended purpose, and

(2) Landmark Variance:

- (i) The property is proposed to be developed with a building or structure that employs a form and architectural style that is of high quality and will serve as a landmark attraction that is uniquely recognizable as being associated with Modesto, and
- (ii) The form and architectural style cannot be achieved without a deviation from the provisions of this article, and

10-7.504 Organization.

- (a) **Downtown Zones.** The Downtown Zones provide the primary development standards that regulate building placement, building height, land use types, and parking. Building placement regulations are based on Frontage Types. Building height and land use type regulations are based on Building Types. Building Types and Frontage Types are further described below. The Downtown includes eight (8) different zones in the downtown area based on the form based code. Each zone has unique characteristics and different regulations.
- (b) **Building Types.** Building Types identify specific regulations for the building and site development addressing important characteristics of the built form. The standards include defining the building form, compatible Frontage Type, building size and massing, lot access, parking details and accessory structures. There are nine different Building Types but only certain Building Types are allowed in each Downtown Zone.
- (c) **Frontage Types.** Frontage Types address the site and design features of the building frontage focusing on the interface between the private and public spaces. There are six Frontage Types provided and certain Frontage Types are permitted with certain compatible Building Types.
- (d) **Use Types.** Allowed land use types are identified for each Downtown Zone.
- (e) **Using This Code.** The first step is to determine in which Downtown Zone the property lies according to the Zoning Map. The second step is to find the Downtown Zone section that regulates the property. The next step is to review the applicable Building Type and Frontage Type sections. Another step is to review the Use Type section for further information about the land uses.

10-7.505 Downtown Zones Purpose.

The Zoning Map identifies eight form based code zones in the downtown area. Each Downtown Zone is different in terms of purpose, development standards, intensity, and allowed uses. The Downtown Zones are similar to conventional zones because they address development standards and land uses. Where they differ is that the Downtown Zones address building and lot form and allow mixed land uses on individual parcels.

- (a) **Central Downtown (CD).** This zone is intended to foster the most intensive and active urban environment in the Downtown, while ensuring an overall human scale to development. This is accomplished with large, but unobtrusive building envelopes that accommodate a mixture of uses, including residential, with an interface that promotes a very strong public/private connection and lively streetscape.

The district contains Historic Preservation sites that are included on the landmark preservation list in the General Plan. Special considerations for these sites are provided in the general provisions section of this article.

- (b) **Transition Downtown (TD).** This zone is intended to foster an intensive and active urban environment, but at a reduced scale from what is found in the Central District. This is accomplished with medium-large building envelopes that accommodate a mixture of uses, including residential, with an interface that promotes a strong public/private connection and lively streetscape.

In addition to Historic Preservation sites, the zone contains the Passenger Rail Corridor. The Passenger Rail Corridor is intended to accommodate associated regional rail and future high speed rail service within the Downtown. Special considerations for these sites are addressed in the general provisions section of this article.

- (c) **Urban General Downtown (UGD).** The Urban Corridor designation is intended to create space for more urban day and evening activities. Residences are highly desirable because residents help ensure that street life is safer and because residents provide passive nighttime security for day uses. This district links the Central Downtown Zone to the outer districts and areas of downtown.
- (d) **Main Street Downtown (MSD).** This zone is intended to promote and enhance a vibrant “main street” commercial environment within walking distance to the surrounding neighborhood. The Main Street Downtown Zone is intended to be the commercial focus of the surrounding neighborhood but at a smaller scale than the Central Downtown Zone. The focus of this district is on commercial uses but it also accommodates residential uses.
- (e) **East Neighborhood Downtown (END).** The purpose of this zone is to accommodate the east area of downtown that was originally developed as a residential neighborhood but is in the process of changing to commercial and office uses. This zone would allow a mixture of uses where new development would include a variety of housing types and commercial uses.
- (f) **Traditional Neighborhood Downtown (TND).** This district is intended to allow new residential development that is compatible with the traditional single family residential character of the neighborhood. This objective is accomplished by addressing certain provisions such as frontage types, setbacks, building envelope, building height, building type, and yard areas to be compatible with the historical and existing characteristics of this residential neighborhood.

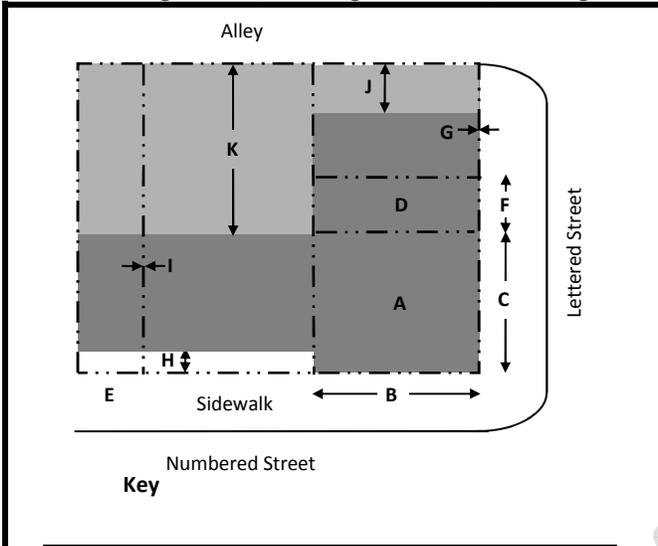
Figure 1

This will be the Previous/Historic Zone map

DRAFT

10-7.506 Central Downtown (CD) Zone

Parcel Configuration, Building Placement, Frontages



Key

- Property Line
- Required Building Area
- Optional Building Area

Parcel Configuration

Corner Parcel (At Street Intersection)

Parcel Area	5,000 sf. min.	A
Width Along Numbered Street	50' min.	B
Width Along Lettered Street	50' min.	C

Interior Parcel

Parcel Area	1,250 sf. min.	D
Width Along Numbered Street	25' min.	E
Width Along Lettered Street	25' min.	F

Notes

All parcels shall front on a public street except air space condominiums and parcels used exclusively for parking and/or circulation gaining access to/from the alley.

Permitted Frontages & Building Placement (Floors 1-6)

Build-to Line

Shopfront Frontage ¹	0' min, 2' max	G
Stoop Frontage ¹	5' min, 8' max	H

Setback

Interior	0' max	I
Alley		
≤ 50' From Lettered Street ²	22' max	J
> 50' From Lettered Street ³	90' max	K

Notes

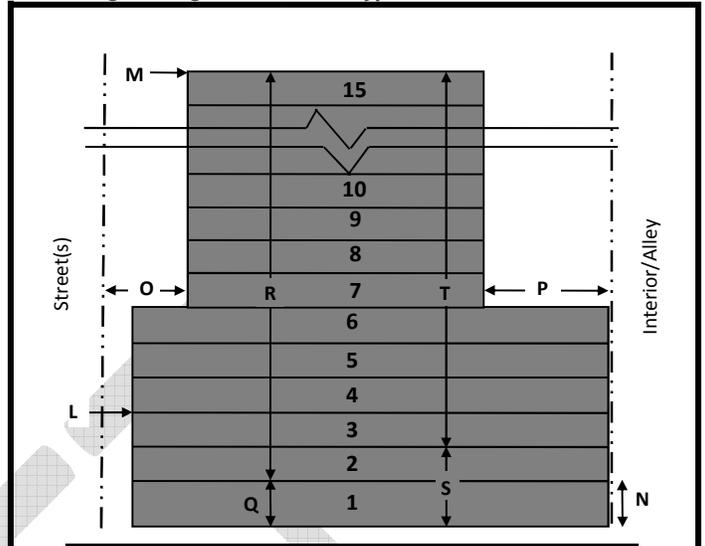
80% of the façade shall be built along a build-to line.

¹ Frontage types are defined in Section 10-7.513.

² Setback from Alley where building is at or less than 50' from Lettered Street.

³ Setback from Alley where building is beyond 50' from Lettered Street.

Building Configuration, Use Types



Key

- Property Line
- Building Area

Building Configuration

Height

Building Min.	3 Stories	L
Building Max.	15 Stories	M
Floor to Ceiling Height		
First Floor	12' min.	N

Stepback (Floors 7-15)

Street Frontage(s)	12' min.	O
Interior/Alley	30' min.	P

Notes

Top floor height measured to eave or base of parapet. Combining of floor area on the building interior to accommodate theater or mezzanine space is permitted.

Permitted Use Types by Frontages

Stoop Frontage

First Floor	Civic, Residential	Q
Floors 2-15	Civic, Office, or Residential	R

Shopfront Frontage

Floors 1-2	Retail, Office, or Lodging	S
Floors 3-15	Office, Lodging, or Residential	T

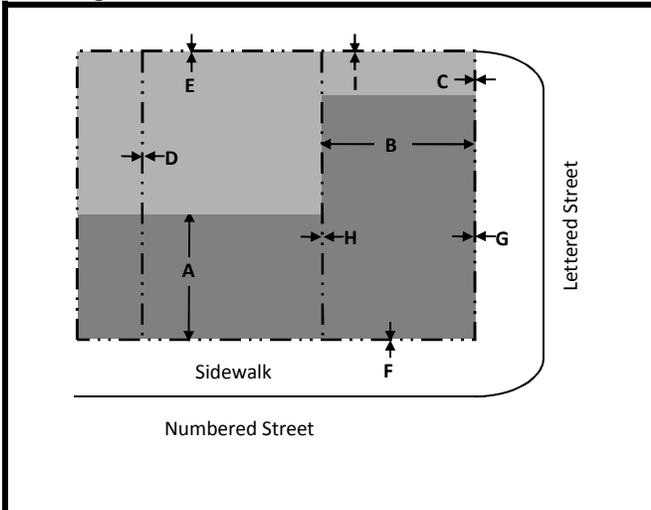
Notes

Frontage types are defined in Section 10-7.513.

Use types are defined in Section 10-7.514.

10-7.506 Central Downtown (CD) Zone

Parking Location and Provision



Key

- Property Line
- Ground Level Parking Area
- Upper Levels Parking Area

Parking Location (Distance From Property Line)

Ground Level (Surface or Structured Parking)

Numbered Street	50' min.	A
Lettered Street		
> 22' from Alley ¹	50' min.	B
≤ 22' from Alley ²	0' min. ³	C
Interior	0' min.	D
Alley	0' min.	E

Levels 2-Upper Deck (Structured Parking)

Numbered Street	0' min. ³	F
Lettered Street	0' min. ³	G
Interior	0' min.	H
Alley	0' min.	I

Notes

¹ Setback from Lettered Street where parking is greater than 22' from Alley.

² Setback from Lettered Street where parking is at or Less than 22' from Alley.

³ Subject to Section 10-7.515 a (1)

Parking Provision

Minimum Spaces Required (Off-Street)

Ground Floor	
Residential/Lodging	No parking required
Retail/Civic/Office	No parking required
Floors 2-15	
Residential/Lodging	1 per unit
Retail/Civic/Office	1 per 500 square feet

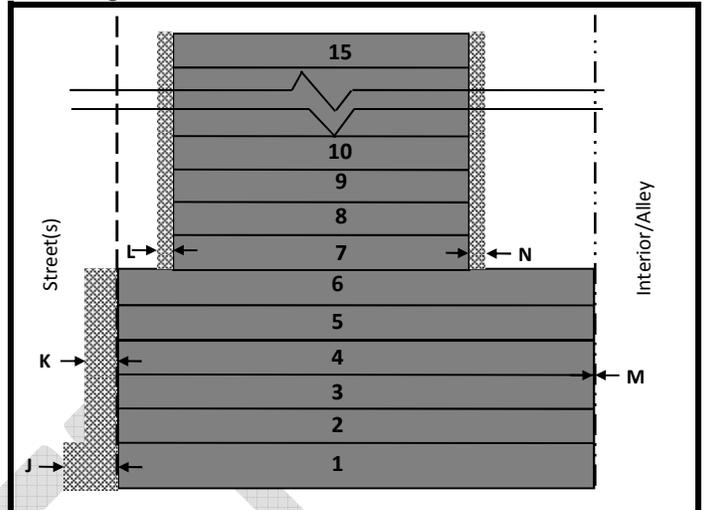
Maximum Spaces Permitted (Off-Street)

Ground Floor	
Residential/Lodging	1 per unit
Retail/Civic/Office	1 per 500 square feet
Floors 2-15	
Residential/Lodging	1 per unit
Retail/Civic/Office	1 per 300 square feet

Notes

Shared parking is permitted by Section 10-7.515

Building Encroachments



Key

- Property Line
- Build-to Line
- Building Area
- Encroachment

Building Encroachments

Street Frontages

Ground Floor	8' max	J
Floors 2-6	5' max	K
Floors 7-15	2' max	L

Interior/Alley

Floors 1-6	0' max	M
Floors 7-15	2' max	N

Notes

Awnings, canopies, signs and stoops may extend up to the full width of the permitted encroachment at ground floor.

Awnings and balconies may extend the full width of the permitted encroachment at floors 2-6.

Other architectural features may extend two feet maximum into the permitted encroachment.

10-7.507 Transition Downtown (TD) Zone

Parcel Configuration, Building Placement

Key

- - - Property Line
- Required Building Area
- Optional Building Area

Parcel Configuration		
Corner Parcel (At Street Intersection)		
Parcel Area	5,000 sf. min	A
Width Along Numbered Street	50' min	B
Width Along Lettered Street	50' min	C
Interior Parcel		
Parcel Area	1,250 sf. min	D
Width Along Numbered Street	25' min	E
Width Along Lettered Street	25' min	F
Notes		
All parcels shall front on a public street except air space condominiums and parcels used exclusively for parking and/or circulation gaining access to/from the alley.		
Permitted Frontages & Building Placement (Floors 1-6*)		
Build-to Line		
Shopfront Frontage ¹	0' min, 2' max	G
Stoop Frontage ¹	5' min, 8' max	H
Setback		
Interior	0' max	I
Alley		
≤ 50' from Lettered Street ²	22' max	J
>50' from Lettered Street ³	90' max	K
Notes		
70% of the façade shall be built along a build-to line.		
*Along a shared property line between the Transition and Buffer Districts, the associated Building Placement provision applies only to Floors 1-4, even if separated by an alley.		
¹ Frontage types are defined in Section 10-7.513.		
² Setback from Alley where building is at or less than 50' from Lettered Street.		
³ Setback from Alley where building is beyond 50' from Lettered Street.		

Building Configuration, Frontages, Use Types

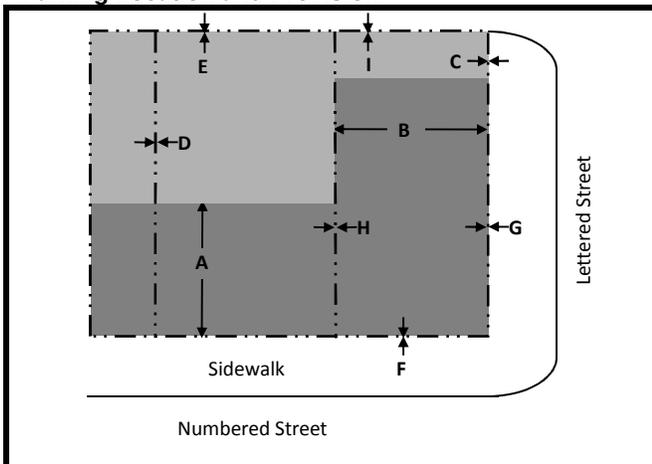
Key

- - - Property Line
- Building Area

Building Configuration		
Height		
Building Min.	2 Stories	M
Building Max.	8 Stories ¹	N
Floor to Ceiling Height		
First Floor	12' min	O
Stepback (Floors 7-8)		
Street Frontage(s)	12' min	P
Interior/Alley	30' min	Q
Notes		
Top floor height measured to eave or base of parapet.		
Combining of floor area on the building interior to accommodate theater or mezzanine space is permitted.		
¹ Maximum 3 stories along G and 12 th Streets when next to East Neighborhood Zone.		
Permitted Use Types by Frontages		
Stoop Frontage		
First Floor	Civic, Residential	R
Floors 2-8	Civic, Office, Residential	S
Shopfront Frontage		
Floors 1-2	Retail, Office, Lodging or Service	T
Floors 2-8	Office, Lodging, or Residential	U
Notes		
Frontage types are defined in Section 10-7.513.		
Use types are defined in Section 10-7.514.		

10-7.507 Transition Downtown (TD) Zone

Parking Location and Provision



Key

- · - · - Property Line
- Ground Level Parking Area
- Upper Levels Parking Area

Parking Location (Distance From Property Line)

Ground Level (Surface or Structured Parking)

Numbered Street	50' min.	A
Lettered Street		
> 22' from Alley ¹	50' min.	B
≤ 22' from Alley ²	0' min. ³	C
Interior	0' min.	D
Alley	0' min.	E

Levels 2-Upper Deck (Structured Parking)

Numbered Street	0' min. ³	F
Lettered Street	0' min. ³	G
Interior	0' min.	H
Alley	0' min.	I

Notes

¹Setback from Lettered Street where parking is greater than 22' from Alley.

²Setback from Lettered Street where parking is at or Less than 22' from Alley.

³Subject to Section 10-7.515 a (1)

Parking Provision

Minimum Spaces Required (Off-Street)

Ground Floor	
Residential/Lodging	1 per unit
Retail/Civic/Office/Service	1 per 500 square feet
Floors 2-8	
Residential/Lodging	1 per unit
Retail/Civic/Office/Service	1 per 500 square feet

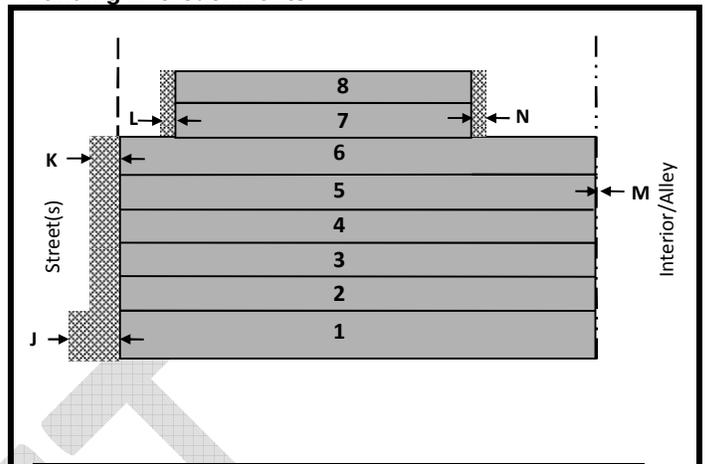
Maximum Spaces Permitted (Off-Street)

Ground Floor	
Residential/Lodging	1.5 per unit
Retail/Civic/Office/Service	1 per 300 square feet
Floors 2-8	
Residential/Lodging	1.5 per unit
Retail/Civic/Office/Service	1 per 300 square feet

Notes

Shared parking is permitted by Section 10-7.515.

Building Encroachments



Key

- · - · - Property Line
- Building Area
- - - Build-to Line
- Encroachment

Building Encroachments

Street Frontages

Ground Floor	8' max	J
Floors 2-6	5' max	K
Floors 7-8	2' max	L

Interior/Alley

Floors 1-6	0' max	M
Floors 7-8	2' max	N

Notes

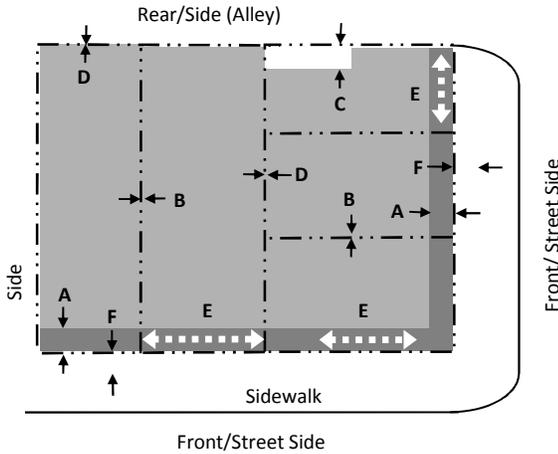
Awnings, canopies, signs and stoops may extend up to the full width of the frontage encroachment at ground floor.

Awnings and balconies may extend the full width of the permitted encroachment at floors 2-6.

Other architectural features may extend two feet maximum into the permitted encroachment.

10-7.508 Urban General Downtown (UGD) Zone

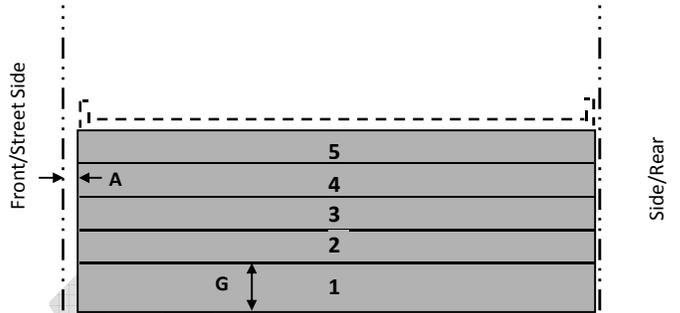
Building Placement



Key

- - - Property Line
- Building Area
- Setback Area

Building Height and Use Type



Key

- - - Property Line
- Building

Building Placement				
Setbacks	Frontage Types ¹	Min	Max	
Front Street Side	Stoop, Porch	5'	8'	A
	Shopfront, Forecourt	0'	2'	A
Side	(without alley)	0'	-	B
	(with alley)	0'	25'	C
Rear		0'	-	D

In Setback Area ²			
	Frontage Type	Min	
Front	Shopfront	100%	E
	Forecourt	50%	E
	Stoop, Porch	80% ³	E
Street Side	Shopfront	100%	E
	Forecourt	50%	E
	Stoop, Porch	30% ³	E

Encroachment Into ⁴			
Minimum Setback	Frontage Type	Max	
Front	Stoop, Porch	5' ⁵	A
Street Side	Stoop, Porch	5' ⁵	A
Side		0'	
Rear		0'	
Public Right of Way	Shopfront, Forecourt	5' ⁶	F

Notes

- ¹ Frontage types are defined in Section 10-7.515.
- ² Building Placement along Setback Area is defined in Section 10-7.516.
- ³ 60% in front and 80% in street side setback areas for Courtyard Building Type.
- ⁴ Encroachment is defined in Section 10-7.516.
- ⁵ Applies to balconies, porches, stoops, and architectural features.
- ⁶ Applies to awnings, balconies, canopies, and wall signs subject to building codes.

Building Height				
Floors	Building Type ¹	Min	Max	
Floors	Front Yard House, Bungalow Court	1	2	
	Du-Tri-Quadplex, Row House Mansion Apartment, Courtyard	1	3	
	Live-Work	2	3	
	Stacked Flats, Commercial Block	1	5 ²	
Ground Floor Height (Floor to Ceiling)	Stacked Flats, Live-Work	9'		G
	Commercial Block	12'		G

Notes

- ¹ Building types are defined in Section 10-7.512.
- ² Maximum 3 floors along G Street and 12th Street next to END.

Use Type by Building Type and Floor						
Building Type	Use Type by Floor					
	Res	Civ	Lod	Off	Ser	Ret ¹
Front Yard House	1 - 2	1 - 2	1 - 2	1 - 2	1 - 2	1
Du-Tri-Quadplex	1 - 3	1 - 3	1 - 3	1 - 3	1 - 3	1
Bungalow Court	1 - 2	1 - 2	1 - 2	1 - 2	1 - 2	1
Row House	1 - 3	1 - 3	1 - 3	1 - 3	1 - 3	1
Mansion Apartment	1 - 3	1 - 3	1 - 3	1 - 3	1 - 3	1
Courtyard	1 - 3	1 - 3	1 - 3	1 - 3	1 - 3	1
Stacked Flats	1 - 4	1 - 4	1 - 4	1 - 4	1 - 4	1
Live-Work	1 - 3	1	1	1	1	1
Commercial Block	2 - 5	1 - 5	1 - 5	1 - 5	1 - 5	1

Key

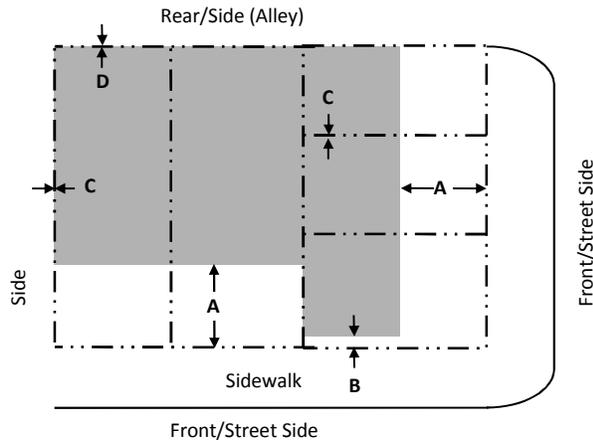
- Res: Residential
- Civ: Civic
- Lod: Lodging
- Off: Office
- Ser: Service
- Ret: Retail

Notes

- ¹ Restaurants are permitted on the second floor.

10-7.508 Urban General Downtown (UGD) Zone

Parking Placement



Key

--- Property Line ■ Parking Area

Allowed Building Types, Frontage Types, Lot Width

Building Types	Frontage Types					Lot Width	
	Common Yard	Porch	Stoop	Fore court	Shop front	Min	Max
Front Yard House		P	P			50'	75'
Du- Tri- Quadplex		P	P			50'	100'
Bungalow Court		P	P			75'	150'
Row House		P	P			20'	50'
Mansion Apartment		P	P			50'	100'
Courtyard		P	P			100'	150'
Stacked Flats			P	P	P	100'	
Live-Work		P	P	P	P	20'	150'
Commercial Block				P	P	25'	

P – Permitted

Parking			
Setbacks		Min	
Front	Ground Level	35'	A
	Under Ground and Upper Levels	2'	A
Street Side All Levels		5' ^{1,2}	B
Side		0' ⁴	C
Rear		0'	D

Use Type (All Floors)	Required Off-Street Spaces ³	
	Min	Max
Residential, Lodging	1 per unit	1.5 per unit
Office, Retail, Service, Civic	1 per 500 sf	1 per 300 sf

Notes

¹ Provide a minimum 3.5' high screen next to parking area adjacent to sidewalk.

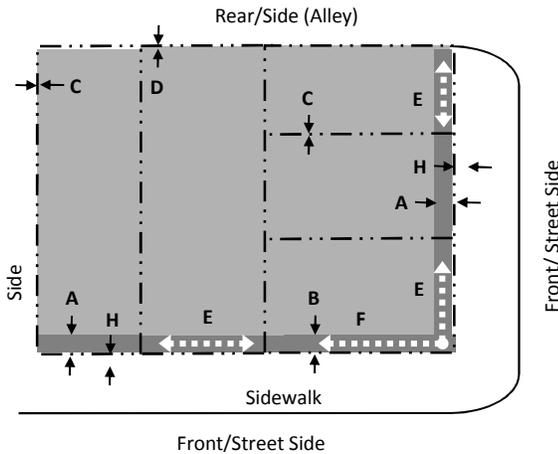
² Vehicular access is permitted from street only if access to alley is not available subject to Director approval. Maximum driveway width is 12' for fewer than 10 spaces and 20' for 10 or more.

³ 4' minimum when parking backs directly onto an alley.

⁴ Parking requirements are provided in Section 10-7.515 (a).

10-7.509 Main Street Downtown (MSD) Zone

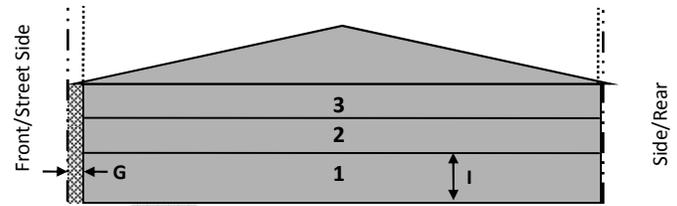
Building Placement



Key

- . - . - Property Line
- Building Area
- Setback Area

Building Height, Use Types, Encroachment



Key

- . - . - Property Line
- Building
- Setback Line
- ▨ Encroachment (In Setback)

Building Placement				
Setbacks	Frontage Type ¹	Min	Max	
Front	Shopfront, Forecourt	0'	5'	A
Street Side	Stoop	5'	8'	B
Live Work	9'	0'	-	C
Rear		0'	-	D
Next to TND				
Side (1/2/3 stories)		5'/10'/30' ²	-	C
Rear (1/2/3 stories)		5'/10'/30' ²	-	D

In Setback Area ³				
Frontage Type ¹	Min ⁴	Max		
Front	Forecourt	50%	-	E
	Shopfront, Stoop	80% ⁵	-	E
Street Side	Forecourt	40%	-	F
	Shopfront, Stoop	80% ⁵	-	F

Encroachment Into ⁶ Frontage Type ¹				
Minimum Setback				Max
Front Setback	Stoop		5' ⁷	G
Street Side Setback	Stoop		5' ⁷	G
Side Setback			0'	
Rear Setback			0'	
Public Right-of-Way	Shopfront, Forecourt		5' ⁸	H

Notes

- ¹ Frontage types are defined in Section 10-7.515.
- ² Greater setbacks on upper floors are not required on lower floors.
- ³ Building Placement along Setback Area is defined in Section 10-7.516.
- ⁴ Façade must be built from street corner except for a corner Forecourt.
- ⁵ Minimum may be reduced to help meet required parking subject to Director approval as follows:
 - 55% for interior lot located next to alley.
 - 30% on Numbered Street for corner lot next to D, H, and I Streets.
 - 50% on Lettered Street for corner lot that side on other Lettered Streets.
- ⁶ Encroachment is defined in Section 10-7.516.
- ⁷ Applies to balconies, porches, stoops, and architectural features.
- ⁸ Applies to awnings, balconies, canopies, and wall signs subject to building codes.

Building Height				
Floors	Building Type ¹	Min	Max	
Floors	Live Work	2	3	
	Rowhouse, Mansion Apartment, Courtyard, Commercial Block	1	3	
Ground Floor Height (Floor to Ceiling)	Live Work	9'	-	I
	Commercial Block	12'		

¹ Building types are defined in Section 10-7.514.

Use Type by Building Type and Floor						
Building Type	Use Type by Floor ¹					
	Res	Civ	Lod	Off	Ser	Ret ²
Rowhouse	1-3	1-3	1-3	1-3	1-3	1
Mansion Apartment	1-3	1-3	1-3	1-3	1-3	1
Courtyard	1-3	1-3	1-3	1-3	1-3	1
Live Work ³	1-3	1	1	1	1	1
Commercial Block	2-3	1-3	1-3	1-3	1-3	1

Key

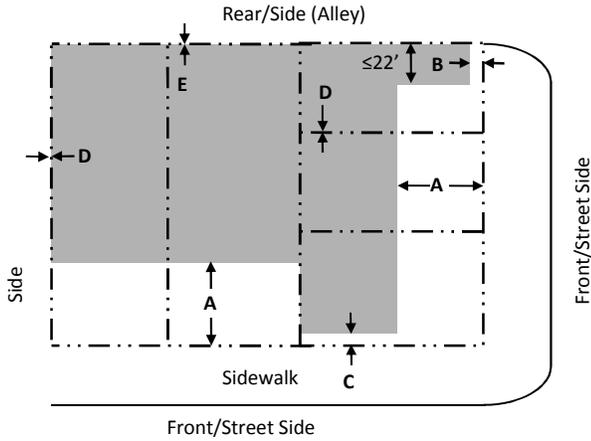
- Res - Residential
- Civ - Civic
- Lod - Lodging
- Off - Office
- Ser - Service
- Ret - Retail

Notes

- ¹ Use types are defined in Section 10-7.516.
- ² Restaurants are permitted on the second floor.
- ³ First floor of Live-Work buildings may have residential space, but must have commercial space facing the street. On D Street, residential use shall at least 30' from street property line.

10-7.509 Main Street Downtown (MSD) Zone

Parking



Key

--- Property Line ■ Parking Area

Parking	
Setback	Min
Front	35' A
≤ 22' from Alley	5' ¹ B
Street Side	5' ² C
Side	0' ³ D
Rear	0' ³ E

Use Type (All Floors)	Required Spaces (Off-Street) ^{4, 5}	
	Min	Max
Residential, Lodging	1 per unit	2 per unit
Retail, Civic, Office, Service	1 per 500 sf	1 per 300 sf

Notes

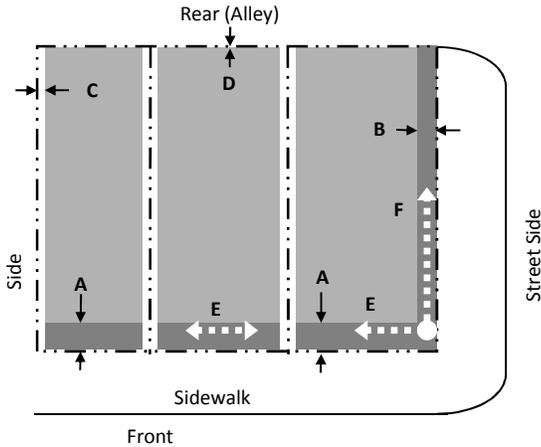
- ¹ Applies to lots with side lot line on alley and front lot line on Lettered Street.
- ² Provide a minimum 3.5' high screen next to parking area adjacent to sidewalk.
- ³ 4' minimum when parking backs directly onto an alley.
- ⁴ On corner lots, no parking spaces are required on ground floor for the first 50% of floor area or units.
- ⁵ Parking requirements are provided in Section 10-7.515 (a).

Allowed Building Types, Frontage Types, Lot Width

Building Types	Frontage Types					Lot Width	
	Common Yard	Porch	Stoop	Fore court	Shop front	Min	Max
Rowhouse			P			20'	50'
Mansion Apartment			P			75'	150'
Courtyard			P			100'	150'
Live Work			P	P	P	20'	150'
Commercial Block				P	P	35'	200'
Key							
P – Permitted							

10-7.510 East Neighborhood Downtown (END) Zone

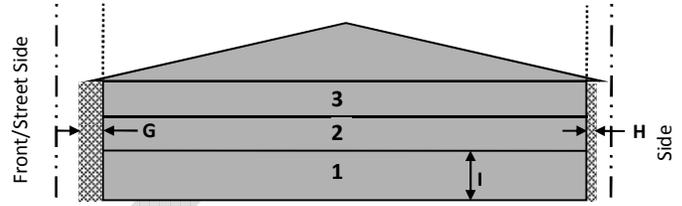
Building Placement



Key

- · - · - Property Line
- Building Area
- Setback Area

Building Height, Use Types, Encroachment



Key

- · - · - Property Line
- Building
- Setback Line
- Encroachment

Building Placement				
Setbacks	Frontage Type ¹	Min	Max	
Front	Shopfront, Forecourt	0'	5'	A
	Stoop	5'	25'	A
	Porch	10'	25'	A
	Common Yard	15'	25'	A
Street Side	Shopfront, Stoop, Forecourt	0'	5'	B
	Porch, Common Yard	7.5'	20'	B
Side		5' ²	-	C
Rear		0'	-	D
Next to TND				
Side (1/2/3 floors)		5'/10'/30' ³	-	C
Rear (1/2/3 floors)		5'/10'/30' ³	-	D

Along Setback Area ⁴	Frontage Type ¹	Min ⁵	Max	
Front	Shopfront, Stoop	80%	-	E
	Porch, Common Yard, Forecourt	50%	-	E
Street Side	Shopfront, Stoop	50%	-	F
	Forecourt	40%	-	F
	Porch, Common Yard	20'	-	F

Encroachment Into ⁶	Frontage Type ¹	Max	
Minimum Setbacks			
Front	Porch, Common Yard, Stoop	5' ⁷	G
Street Side	Porch, Common Yard	2' ⁷	G
Side		2' ⁷	H
Rear		0'	

Notes

- ¹ Frontage types are defined in Section 10-7.515.
- ² May be zero for rowhouse or to match adjacent building.
- ³ Greater setbacks on upper floors are not required on lower floors.
- ⁴ Building Placement along Setback Area is defined in Section 10-7.516.
- ⁵ Façade must be placed from street corner except for a corner Forecourt.
- ⁶ Encroachment is defined in Section 10-7.516.
- ⁷ Applies to balconies, porches, stoops, and architectural features. A porch may encroach 6' into the front setback.

Building Height				
Floors	Building Type ¹	Min	Max	
	Front Yard House, Bungalow Court	1	2	
	Live Work	2	3	
	Du-Tri-Quadplex, Rowhouse, Mansion Apartment, Courtyard Commercial Block	1	3	
Ground Floor Height (Floor to Ceiling)	Live Work, Commercial Block	12'	-	I

Notes

- ¹ Building types are defined in Section 10-7.514.

Use Type by Building Type and Floor						
Building Type	Use Type by Floor ¹					
	Res	Civ	Lod	Off	Ser	Ret ²
Front Yard House	1-2	1-2	1-2	1-2	1-2	1
Du-Tri-Quadplex	1-3	1-3	1-3	1-3	1-3	1
Bungalow Court	1-2	1-2	1-2	1-2	1-2	1
Rowhouse	1-3	1-3	1-3	1-3	1-3	1
Mansion Apartment	1-3	1-3	1-3	1-3	1-3	1
Courtyard	1-3	1-3	1-3	1-3	1-3	1
Live Work ³	1-3	1	1	1	1	1
Commercial Block	2-3	1-3	1-3	1-3	1-3	1

Key

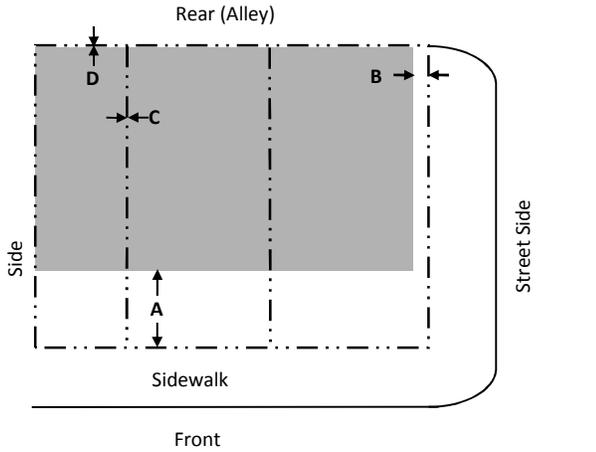
- Res - Residential
- Civ - Civic
- Lod - Lodging
- Off - Office
- Ser - Service
- Ret - Retail

Notes

- ¹ Use types are defined in Section 10-7.516.
- ² Restaurants are permitted on the second floor.
- ³ First floor of Live-Work buildings may have residential space, but must have commercial space facing the street.

10-7.510 East Neighborhood Downtown (END) Zone

Parking



Key

--- Property Line ■ Parking Area

Parking		
Setback	Min	
Front	35'	A
Street Side	5' ¹	B
Side	0' ²	C
Rear	0' ²	D

Use Type (All Floors)	Required Spaces (Off-Street) ^{3,4}	
	Min	Max
Residential, Lodging	1 per unit	2 per unit
Retail, Civic, Office	1 per 500 sf	1 per 300 sf

Notes

¹ Provide a minimum 3.5' high screen next to parking area adjacent to sidewalk.

² 4' minimum when parking backs directly onto an alley.

³ On corner lots, no parking spaces are required on ground floor for the first 50% of floor area or units (5 or more units only).

⁴ Parking requirements are provided in Section 10-7.515 (a).

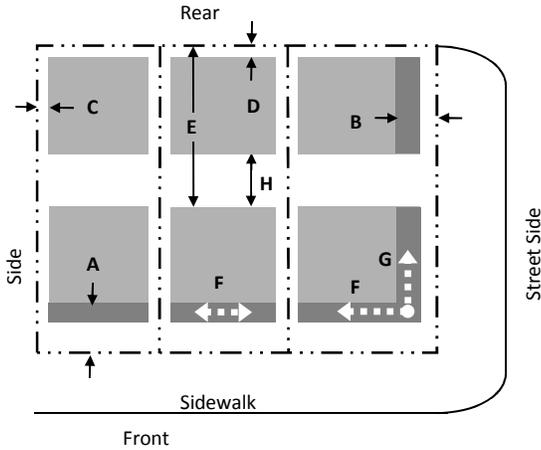
Allowed Building Types, Frontage Types, Lot Width

Building Types	Frontage Types					Lot Width	
	Common Yard	Porch	Stoop	Fore court	Shop front	Min	Max
Front Yard House	P	P				50'	75'
Duplex	P	P	P			50'	100'
Tri-Quadplex		P	P			50'	100'
Bungalow Court		P	P			75'	150'
Rowhouse		P	P			20'	50'
Mansion Apartment		P	P			75'	150'
Courtyard		P	P			100'	150'
Live Work			P	P	P	20'	150'
Commercial Block				P	P	35'	200'

Key
P – Permitted

10-7.511 Traditional Neighborhood Downtown (TND) Zone

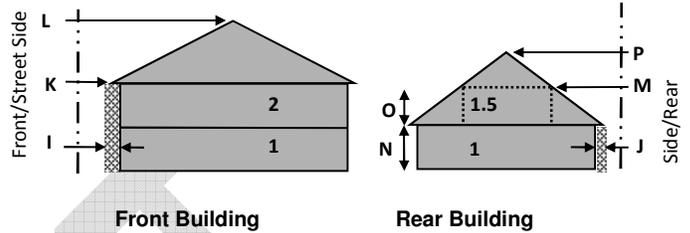
Building Placement



Key

- · - · - Property Line
- Building Area
- Setback Area

Building Height, Use Type, Encroachment



Key

- · - · - Property Line
- Habitable Area
- Building Area
- Encroachment

Building Placement				
Setbacks	Frontage Type ¹	Min	Max	
Front	Porch	15'	25'	A
	Common Yard	20'	25'	A
Street Side	Porch, Common Yard	7.5'	20'	B
Side (1/1.5, 2 Floors)		5'/10' ²	-	C
Rear (1/1.5 Floors)		5'/10' ²	-	D
Rear Building				
Front Building		75' ³	-	E

Along Setback Area ⁴	Frontage Type ¹	Min ⁵	Max	
Front	Porch, Common Yard	50 %	-	F
Street Side	Porch, Common Yard	20'	-	G

Distance Between Buildings	Min	
Between Habitable Buildings	25'	H
For Non-Habitable Buildings	10'	H

Encroachment Into ⁶	Frontage Type ¹	Max	
Minimum Setbacks			
Front	Porch, Common Yard	5' ⁷	I
Street Side	Porch, Common Yard	5' ⁷	I
Side		2' ⁷	J
Rear		2' ⁷	J

Notes

- ¹ Frontage types are defined in Section 10-7.515.
- ² Greater setbacks on upper floors are not required on lower floors.
- ³ The setback from alley is 60' if only one building is on the site and 65' for attached patio of front building.
- ⁴ Building Placement along Setback Area is defined in Section 10-7.516.
- ⁵ Façade must be built from street corner.
- ⁶ Encroachment is defined in Section 10-7.516.
- ⁷ Applies to balconies, porches, stoops, and architectural features. A porch may encroach 6' into the front setback.

Building Height				
	Building Type ¹	Min	Max	
Front Building				
Floors	Front Yard House, duplex	1	2	K
Overall Height	Front Yard House, duplex	-	30'	L
Rear Building				
Floors	Front Yard House, duplex	1	1.5	M
Ground Floor Height (Floor to Eave)	Front Yard House, duplex	-	10'	N
1.5 Floor Height (Floor to Ceiling)	Front Yard House, duplex	8'	-	O
Overall Height	Front Yard House, duplex	-	25'	P

Notes

- ¹ Building types are defined in Section 10-7.514.

Use Type by Building Type and Floor						
Building Type	Use Type by Floor ¹					
	Res	Civ	Lod	Off	Ser	Ret
Front Yard House	1-1.5, 2	1-1.5, 2	-	-	-	-
Duplex	1-1.5, 2	1-1.5, 2	-	-	-	-

Key

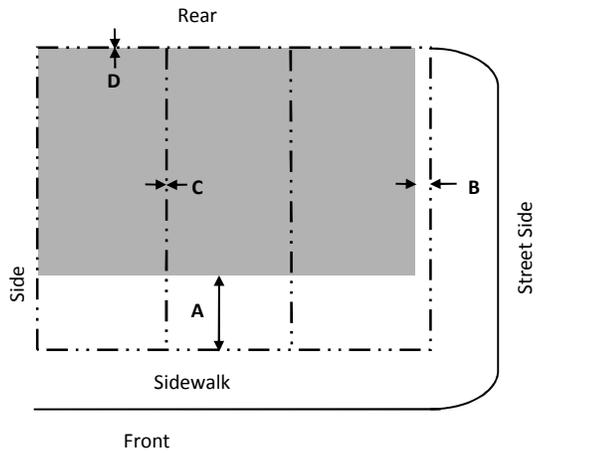
- Res - Residential
- Civ - Civic
- Lod - Lodging
- Off - Office
- Ser - Service
- Ret - Retail

Notes

- ¹ Use types are defined in Section 10-7.516.

10-7.511 Traditional Neighborhood Downtown (TND) Zone

Parking



Key

— · · — Property Line ■ Parking Area

Parking		
Setback	Min	
Front	35'	A
Street Side	7.5'	B
Side	0'	C
Rear	0' ¹	D

Use Type (All Floors)	Required Spaces (Off-Street) ²	
	Min	Max
Residential	1 per unit	2 per unit
Civic	1 per 500 sf	1 per 300 sf

Notes

¹ 4' minimum when parking backs directly onto an alley.

² Parking requirements are provided in Section 10-7.515 (a).

Allowed Building Types, Frontage Types, Lot Width

Building Types	Frontage Types					Lot Width	
	Common Yard	Porch	Stoop	Fore court	Shop front	Min	Max
Front Yard House	P	P				50'	75'
Duplex	P	P				50'	100'

Key
P – Permitted

Maximum density is 1 unit per 2,000 square feet lot area.

10-7.512 Building Types.

Building Types provide provisions to achieve the desired built form and pedestrian orientation in the Downtown. The following Building Types are allowed in the Downtown are described in the following pages:

- (a) Bungalow Court
- (b) Commercial Block
- (c) Courtyard
- (d) Du-Tri-Quadplex
- (e) Front Yard House
- (f) Live Work
- (g) Mansion Apartment
- (h) Row House
- (i) Stacked Flats

DRAFT

Building Type: (a) Bungalow Court

(1) DESCRIPTION

Small, fully detached units designed for one household each and may be used for nonresidential purposes where allowed by district. Units in a Bungalow Court typically face each other across common open space. A court contains four or more individual bungalows.

(2) ACCESS

Primary pedestrian access for each individual unit is from an internal walkway connected to the street. There may also be secondary pedestrian access from the alley. The alley will provide automobile access and access for services and utilities.

(3) PARKING

Required off-street parking should be accessed from the alley and may be covered or uncovered. Tandem parking is permitted for residential use. See Sections 10-7.505 to 10-7.511 Planning Zones and 10-7.516 General Provisions for additional information on parking.

(4) OPEN SPACE

The courtyard around which bungalows are arranged should be sized to provide usable outdoor space for residents.

(5) FRONTAGE

Units in a Bungalow Court typically face each other and the units nearest the street typically present the side of the building to the street. A formal entrance often frames the common open space between bungalows facing each other.

Compatible frontage types include:

- a. ▪ Stoop
- b. ▪ Porch

Ground floor residential units should be raised above sidewalk grade for privacy based on building setback. See Section 10-7.513 Frontage Types for additional information.

(6) BUILDING SIZE AND MASSING

Individual bungalows may be one or two stories in height.

(7) ACCESSORY STRUCTURES

Bungalow Courts may have accessory buildings such as a garage, carport, or laundry building accessed from the alley.

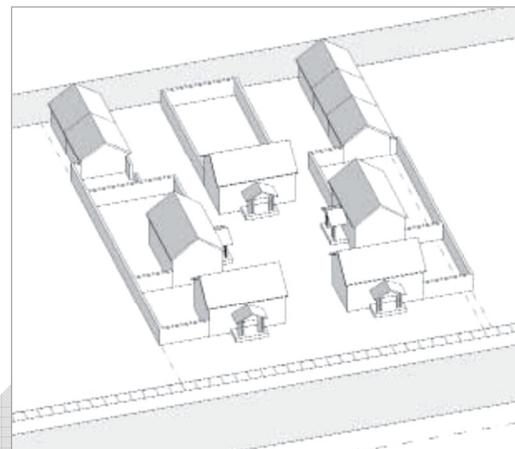


Diagram of a Bungalow Court



Craftsman Bungalow Court



Spanish Revival Bungalow Court



Modern Ranch Bungalow Court

Building Type: (b) Commercial Block

(1) DESCRIPTION

A building designed for non-residential tenants on the ground floor and residential or non-residential tenants on upper floors. Ground level units should be between 25 and 30 feet wide, although more than one may be leased to a single tenant.

(2) ACCESS

Each ground floor unit should have a separate, individual pedestrian entrance from the street. Primary pedestrian access to upper floors should be from the street by way of a common lobby which takes direct access from the sidewalk. The building may also have secondary access from the alley. The alley will also provide access for services, utilities, and vehicles. Buildings on corner lots may have either a corner entry or an entry on each street.

(3) PARKING

Parking may be provided both on- and off-site. See Sections 10-7.505 to 10-7.511 Planning Zones and 10-7.516 General Provisions for requirements on parking. Parking may be provided both on- and off-site.

(4) OPEN SPACE

Not required.

(5) FRONTAGE

Compatible frontage types include:

- a. ▪ Shopfront
- b. ▪ Forecourt

See Section 10-7.513 Frontage Types for additional information.

(6) BUILDING SIZE AND MASSING

A Commercial Block building may be two to 15 stories in height, depending on the zone. Hallways may be either single- or double-loaded. Due to the mass of larger Commercial Block buildings, light courts are encouraged to reduce energy use by allowing natural light and breezes to penetrate the building interior and reducing energy use for lighting and air conditioning.

(7) ACCESSORY BUILDINGS

Accessory buildings should not be allowed in conjunction with a Commercial Block building.

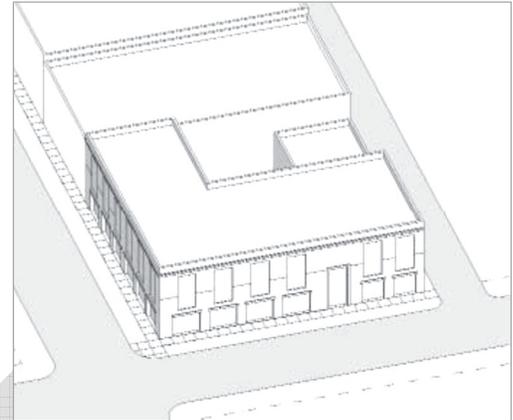


Diagram of a Commercial Block Building



Four-Story Commercial Block Building



Three-Story Commercial Block Building

Building Type: (c) Courtyard

(1) DESCRIPTION

A group of multi-family buildings or a single multi-family building arranged to share one or more common courtyards upon a qualifying lot in any zone. The courtyard serves as a semi-public space, as its use is shared among units. A Courtyard Building may be used for nonresidential purposes where allowed by district.

(2) ACCESS

Primary pedestrian access for units in a Courtyard Building that are adjacent to the street shall be taken from the street. Primary pedestrian access for interior units shall be taken directly from the courtyard at ground level. There may also be secondary pedestrian access from the alley. The alley will provide automobile access and access for services and utilities.

(3) PARKING

Required off-street parking should be accessed from the alley and may be covered or uncovered. Tandem parking is permitted for residential use. See Sections 10-7.505 to 10-7.511 Planning Zones and 10-7.516 General Provisions for additional information on parking.

(4) OPEN SPACE

The courtyard around which buildings are arranged should be sized to provide usable outdoor space for residents.

(5) FRONTAGE

Compatible frontage types include:

- a. ▪ Stoop
- b. ▪ Porch

Ground floor residential units should be raised above sidewalk grade for privacy based on building setback. See Section 10-7.513 Frontage Types for additional information.

(6) BUILDING SIZE AND MASSING

A Courtyard Building may be one to three stories in height, depending on the zone.

(7) ACCESSORY STRUCTURES

A Courtyard Building may have accessory building such as a garage, carport, or laundry building accessed from the alley.



Diagram of a Courtyard Building



Neoclassical Revival Courtyard Building with Stoops



Ranch-Style Courtyard Building with Stoops



Courtyard Almost Fully Enclosed

Building Type: (d) Du- Tri- Quadplex

(1) DESCRIPTION

Fully attached units that share walls, designed for two to four households, located upon a qualifying lot. Such buildings may be used for nonresidential purposes where allowed by zoning district.

(2) ACCESS

Primary pedestrian access for each individual unit shall be from the street. There may also be secondary pedestrian access from the alley. The alley will provide automobile access and access for services and utilities.

(3) PARKING

Required off-street parking should be accessed from the alley and may be covered or uncovered. Tandem parking is permitted for residential use. See Sections 10-7.505 to 10-7.511 Planning Zones and 10-7.516 General Provisions for additional information on parking.

(4) OPEN SPACE

Open space is not required with this building type.

(5) FRONTAGE

Compatible frontage types include:

- a. ▪ Stoop
- b. ▪ Porch
- c. ▪ Common Yard (For duplex where allowed)

Ground floor residential units should be raised above sidewalk grade for privacy based on building setback. See Section 10-7.513 Frontage Types for additional information.

(6) BUILDING SIZE AND MASSING

A Du- Tri- Quadplex Building may be one or three stories in height, depending on district. Existing Du- Tri- Quadplexes shall maintain existing side and front yards.

(7) ACCESSORY STRUCTURES

A Du- Tri- Quadplex may have accessory buildings such as a garage, carport, or laundry building accessed from the alley.

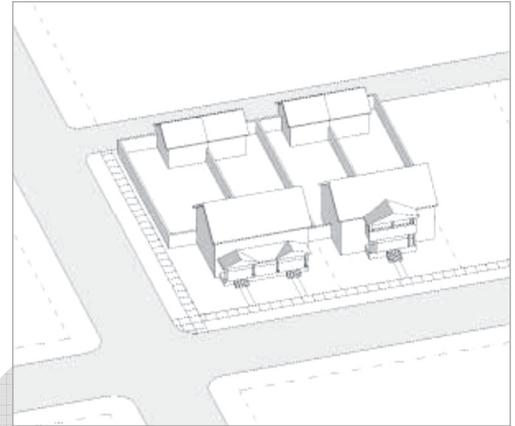


Diagram of Du- Tri- Quadplex



Italian Renaissance Quadplex with Stoops



Craftsman Bungalow Quadplex with Porches and Stoops

Building Type: (e) Front Yard House

(1) DESCRIPTION

A detached building designed as a single dwelling unit. A Front Yard House may be used for nonresidential purposes where allowed by zoning district.

(2) ACCESS

Primary pedestrian access to a Front Yard House is from the public sidewalk. There may also be secondary pedestrian access from the alley. The alley will typically provide access for services, utilities, and vehicles.

(3) PARKING

Parking is usually accessed from the alley and may be covered or uncovered. Tandem parking is allowed for residential use. Parking may be accessed from the street, as allowed by zoning district. See Sections 10-7.505 to 10-7.511 Planning Zones and 10-7.516 General Provisions for additional information on parking.

(4) OPEN SPACE

One usable, at-grade, outdoor space shall be provided behind the Front Yard House and shall occupy no less than 15 percent of the lot area and shall have a minimum dimension of 20 feet or as specified by district.

(5) FRONTAGE

Compatible frontage types include:

- a. ▪ Stoop
- b. ▪ Porch
- c. ▪ Common Yard

Ground floor residential units should be raised above sidewalk grade for privacy based on building setback. See Section 10-7.513 Frontage Types for additional information.

(6) BUILDING SIZE AND MASSING

A Front Yard House may be one or two stories in height. New Front Yard Houses should have side and front yards consistent with the original pattern of most other Front Yard Houses of similar size and scale in the same vicinity.

(7) ACCESSORY STRUCTURES

A Front Yard House may have a garage or carport. A Front Yard House used as a residence may also have one or more accessory dwelling units depending on district. Accessory dwellings should be located on the rear half of the lot and facing the alley, where an alley exists. Accessory dwelling units located on corner lots may be oriented to the side street.



Diagram of Front Yard Houses



Front Yard House with Stoop



Front Yard House with Porch

Building Type: (f) Live/Work Building

(1) DESCRIPTION

A Live/Work Building provides housing for one family with ground floor work space for members of the same family and usable outdoor space. Allowed land uses on a qualifying lot as permitted by zoning district.

(2) ACCESS

Primary pedestrian access to both the work space and living area should be from the street. There may also be secondary pedestrian access to the living space from the alley. The alley will provide access for services, utilities, and vehicles.

(3) PARKING

Required parking should be accessed from the alley and may be covered or uncovered. Tandem parking is permitted for residential use. See Sections 10-7.505 to 10-7.511 Planning Zones and 10-7.516 General Provisions for additional information on parking.

(4) OPEN SPACE

One usable, at-grade, outdoor space is provided behind the Live/Work Building and shall occupy no less than 15 percent of the lot area and shall have a minimum dimension of 20 feet or as specified by district.

(5) FRONTAGE

Compatible frontage types include:

- a. ▪ Shopfront
- Forecourt
- b. ▪ Stoop
- c. ▪ Porch

Ground floor residential units should be raised above sidewalk grade for privacy based on building setback and frontage type. See Section 10-7.513 Frontage Types for additional information.

(6) BUILDING SIZE AND MASSING

A Live/Work Building can be two or three stories in height, depending upon district.

(7) ACCESSORY STRUCTURES

A Live/Work Building may have accessory buildings such as a garage or carport that should be accessed from the alley. A Live-Work Building may also have one accessory dwelling unit, located on the back half of the lot and facing the alley, where an alley exists. Accessory dwelling units located on corner lots may be oriented to the side street.

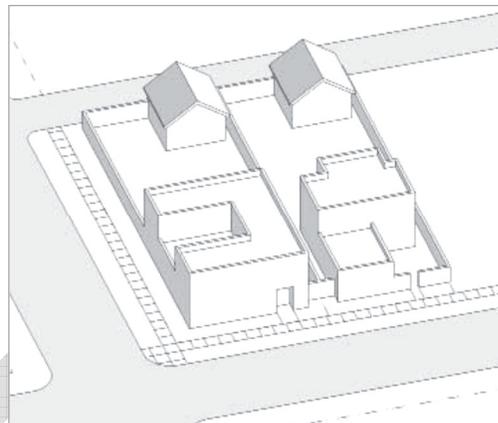
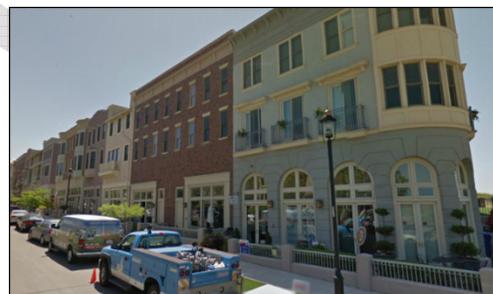


Diagram of Live/Work Buildings



Live/Work Building with Ground-Floor Grocer



Live/Work Buildings with Ground Floor Retail

Building Type: (g) Mansion Apartments

(1) DESCRIPTION

A detached building with the appearance from the street of a large house which contains more than four dwellings and that may be located upon a qualifying lot. A Mansion Apartment may be used for nonresidential purposes where allowed by zoning district.

(2) ACCESS

Pedestrian access to each dwelling in a Mansion Apartment is provided individually from a common lobby, which in turn is accessed directly from the sidewalk. The central lobby may also provide secondary access from the alley.

(3) PARKING

Required off-street parking should be accessed from the alley and may be covered or uncovered. The alley also provides access to utilities and may provide secondary pedestrian access. See Sections 10-7.505 to 10-7.511 Planning Zones and 10-7.516 General Provisions for additional information on parking.

(4) OPEN SPACE

Open space is not required for this building type.

(5) FRONTAGE

Compatible frontage types include:

- a. ▪ Stoop
- b. ▪ Porch

Ground floor residential units should be raised above sidewalk grade for privacy based on building setback. See Section 10-7.513 Frontage Types for additional information.

(6) BUILDING SIZE AND MASSING

A Mansion Apartment may be one to three stories in height, depending upon district.

(7) ACCESSORY STRUCTURES

A Mansion Apartment may have accessory buildings such as a garage, carport, or uncovered parking, accessed from the alley.

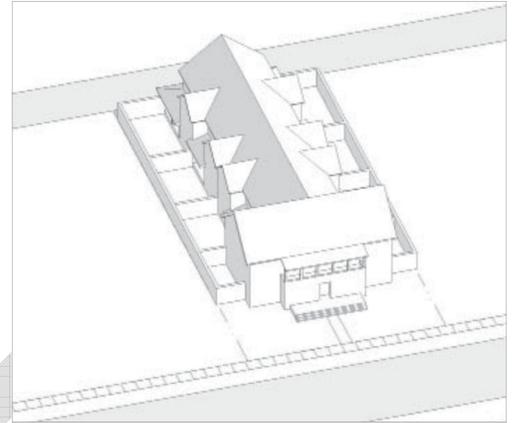


Diagram of a Mansion Apartment



French Country Mansion Apartment with Stoops



Mansion Apartment with Porch



Mansion Apartment with Stoop

Building Type: (h) Row House

(1) DESCRIPTION

Row Houses are two or more attached two- or three-story dwellings with zero side yard setbacks. Each dwelling is designed for use by a single family. A Row House may be used for nonresidential purposes where allowed by zoning district.

(2) ACCESS

Primary pedestrian access is from the public sidewalk. There may also be secondary pedestrian access from the alley. The alley will provide primary access for services, utilities, and vehicles.

(3) PARKING

Required parking may be in a garage or carport or may be uncovered. Tandem parking is permitted for residential use. See Sections 10-7.505 to 10-7.511 Planning Zones and 10-7.516 General Provisions for additional information on parking.

(4) OPEN SPACE

One usable, at-grade, outdoor space shall be provided behind the Row House building and shall occupy no less than 15 percent of the lot area and shall have a minimum dimension of 20 feet or as specified by district.

(5) FRONTAGE

Compatible frontage types include:

- a. ▪ Stoop
- b. ▪ Porch

Because living space is on the ground level, the ground floor should be raised above sidewalk grade for privacy. See Section 10-7.513 Frontage Types for additional information.

(6) BUILDING SIZE AND MASSING

A Row House may be one to three stories in height, depending on district.

(7) ACCESSORY STRUCTURES

A Row House may have accessory buildings such as a garage or carport, accessed from the alley. One separate accessory dwelling unit with primary pedestrian access from the alley may be allowed on the back half of the lot where an alley exists, as allowed by district. Accessory dwelling units located on corner lots may be oriented to the side street.

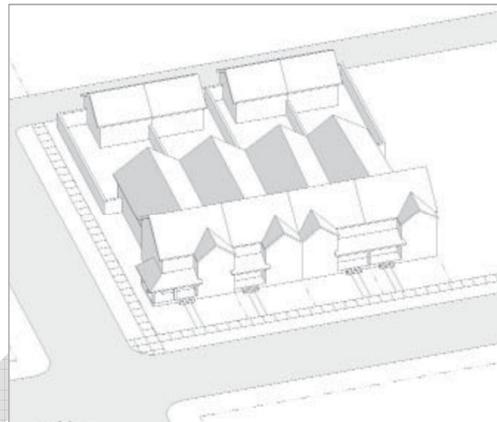


Diagram of Row Houses



Two Different Row House Designs



Narrow Three-Story Row Houses

Building Type: (i) Stacked Flats

(1) DESCRIPTION

A residential building comprised of either rental or for-sale dwelling units, typically single-story units, but multi-story units are also allowed.

(2) ACCESS

Primary pedestrian access is from the public sidewalk using a common lobby. Individual ground floor units may take direct access from the sidewalk. There may also be secondary pedestrian access from the alley. The alley will also provide access for services, utilities, and vehicles.

(3) PARKING

See Sections 10-7.505 to 10-7.511 Planning Zones and 10-7.516 General Provisions for requirements on parking. Parking may be provided both on- and off-site.

(4) OPEN SPACE

Balconies may be provided along the street frontages and along the alley above the ground floor, but may not encroach into the public right of way unless allowed by zoning district. Common rooftop open space is also allowed.

(5) FRONTAGE

Compatible frontage types include:

- a. ▪ Stoop
- b. ▪ Shopfront
- c. ▪ Forecourt

Because living space is on the ground level, the ground floor for the stoop frontage type should be raised above sidewalk grade for privacy based on building setback. See Section 10-7.513 Frontage Types for additional information.

(6) BUILDING SIZE AND MASSING

A Stacked Flat Building may be two to six stories in height, depending on district.

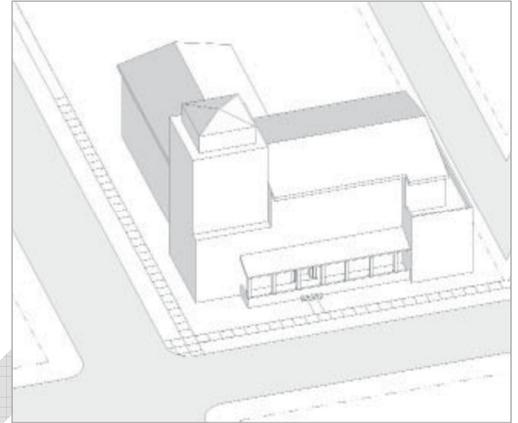


Diagram of Stacked Flats



Modern Stacked Flats with Stoop Frontage



Stacked Flats with Storefront Frontage

10-7.513 Frontage Types.

Frontage Types address the features of the building frontage focusing on the interface between the private and public spaces. The following Frontage Types are described in the following pages:

- (a) Common Yard
- (b) Forecourt
- (c) Porch
- (d) Shopfront
- (e) Stoop

DRAFT

Frontage Type: (a) Common Yard

(1) DESCRIPTION

The Common Yard frontage has a landscaped frontage where the front façade has a much greater set back from the front property line than a Porch or Stoop Frontage. The greater setback provides a buffer from the street. The front yard is typically unfenced and is visually continuous with adjacent yards. The front door includes a covered entry at least two feet deep. Common Yard frontage may be combined with Stoop frontage.

(2) DESIGN FEATURES

- Building is set back 15 to 25 feet
- The ground floor is raised 8 to 36 inches above grade

(3) BUILDING TYPES

Common Yard frontage is compatible with

- Front Yard House
- Duplex

(4) FRONTAGE TYPES

Common Yard frontage is also compatible with

- Porch frontage
- Stoop frontage

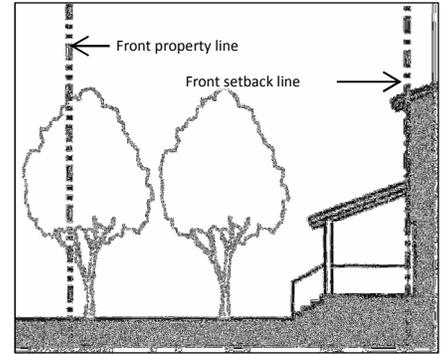


Diagram of Common Yard Frontage



Common Yard Frontage with Front Yard House



Common Yard Frontage and Stoop

Frontage Type: (b) Forecourt

(1) DESCRIPTION

A Forecourt may be added to any building that has a Shopfront façade. The Forecourt is created by recessing the façade over a portion of the building frontage. A Forecourt is not covered and must be at least 10 feet by 10 feet and can be suitable for a garden, patio, or outdoor dining. A Forecourt must be open to the sidewalk.

(2) DESIGN FEATURES

- At least 10 feet and up to 30 feet deep, as measured from the building façade
- At least 10 feet wide and up to 50 percent of lot width
- May be combined with the following frontage types:
 - Shopfront
- Ground floor level should be at sidewalk grade

(3) BUILDING TYPES

Forecourt frontage is compatible with

- ▪ Commercial Block Building
- ▪ Stacked Flats Building
- ▪ Live Work

See Section 10.7-512 Building Types, for more information.

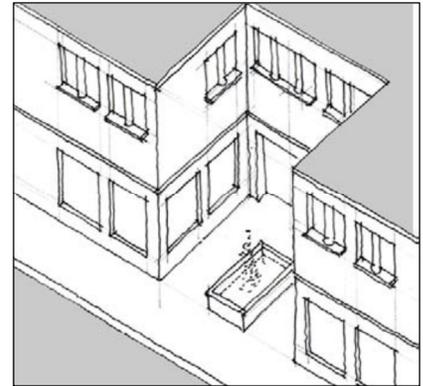


Diagram of Forecourt



Forecourt on a Commercial Block Building



Forecourt and Arcade



Forecourt Offers Shaded Seating

Frontage Type: (c) Porch

(1) DESCRIPTION

Porches are a frontage type most commonly associated with single family houses, but may also be used with other building types. Under most circumstances, the building façade (Porch) is typically set back from the front property line and creates a middle space between the privacy of the building interior and the public space of the sidewalk.

(2) DESIGN FEATURES

- At least six feet deep
- At least 12 feet wide
- Same net clear space measured from floor to ceiling and same elevation as ground floor
- Porch and ground floor level may be at grade up to a maximum 36 inches above grade depending on building setback with the minimum and maximum to be provided as follows:

Building Setback	Porch and Ground Floor Level Above Grade	
	Minimum	Maximum
0 to 8'	24"	36"
> 8' to 15'	18"	36"
> 15'	0"	36"

(6) BUILDING TYPES

Porch frontage is compatible with:

- Live-Work
- Row House
- Front Yard House
- Du- Tri- Quadplex
- Bungalow Court
- Mansion Apartment
- Courtyard

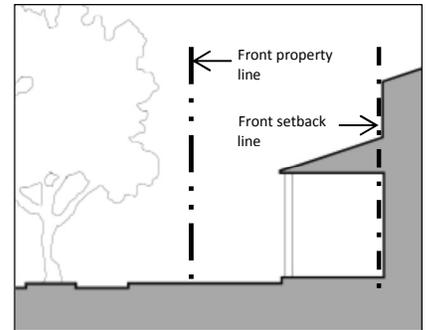


Diagram of a Porch



Porch on a Two-Story Front Yard House



Wraparound Porch

Frontage Type: (d) Shopfront

(1) DESCRIPTION

A Shopfront is placed at or close to the right-of-way line, with the entrance(s) at or very near sidewalk grade. This is conventional for retail frontage and often has a shed roof or awning over the entrance(s), windows, or across the entire building frontage. Entrances may be recessed. Clear glass normally covers the majority of the ground floor façade to allow potential customers to see inside.

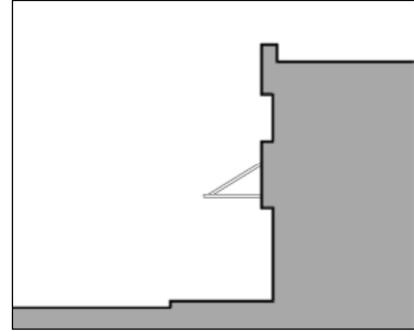
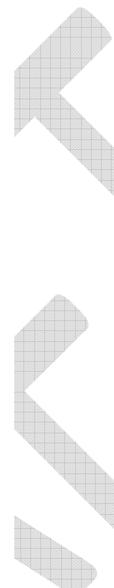


Diagram of a Shopfront

(2) DESIGN FEATURES

- Net clear ground floor to ceiling height should be 12 to 18 feet tall
- Window and door openings should be at least nine feet tall and comprise at least 70 percent of the ground floor wall area or setback line at the sidewalk edge. Glazing shall not be opaque or reflective and any tinting shall be light enough to allow visibility into the windows from the street and sidewalk.
- The storefront assembly (doors, display windows, bulkheads, associated framing) should not be deeply set back (maximum of eight feet) from the rest of the building façade, so that pedestrians have a clear view of the interior.
- Door and window glass should not extend to sidewalk grade, but should be supported by a bulkhead from 12 to 30 inches high, as measured from sidewalk grade.
- Shopfront can be combined with Forecourt.
- Ground floor level should be at sidewalk grade.



Shopfront on a One-Story Commercial Block



Shopfront on a Multi-Story Commercial Block

(3) BUILDING TYPES

Shopfront frontage is compatible with:

- Stacked Flats
- Commercial Block
- Live-Work



Shopfront on a Multi-Story Commercial Block

Frontage Type: (e) Stoop

(1) DESCRIPTION

A stoop is an elevated entry typically placed close to the front property line in urban settings with the ground floor elevated from the sidewalk. In less urban settings a stoop may be less elevated but with a greater set back. This frontage type is typically associated with ground-floor residential units that have shallow setbacks, but it can also be used on commercial buildings and single family houses. A shed roof or awning may cover the stoop.

(2) DESIGN FEATURES

- Landing is at least two feet deep
- Landing is at least three feet wide
- May be at grade, but should be raised between 18 inches and three feet.
- Stoop and ground floor level may be at grade up to a maximum 36 inches above grade depending on building setback with the minimum and maximum to be provided as follows:

Building Setback	Stoop and Ground Floor Level Above Grade	
	Minimum	Maximum
0 to 8'	24"	36"
> 8' to 15'	18"	36"
> 15'	0"	36"

(3) BUILDING TYPES

Stoop frontage is compatible with the following building types:

- Live-Work
- Stacked Flats
- Row House
- Front Yard House
- Du- Tri- Quadplex
- Bungalow Court
- Mansion Apartment
- Courtyard

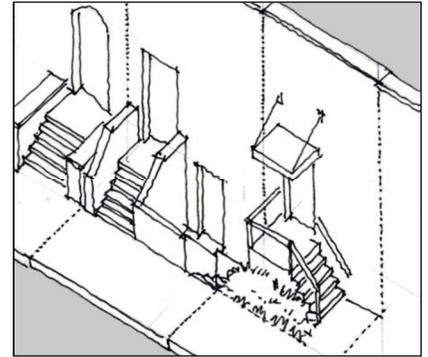
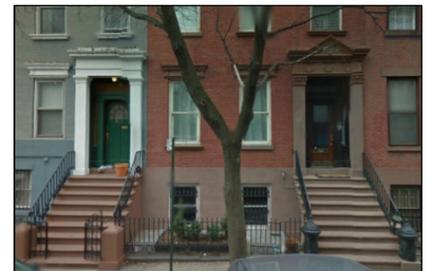


Diagram of Different Stoops



Stacked Flats with Stoops



Row Houses with Stoops



Front Yard House with Stoop

10-7.514 Use Types.

Use Type categories and example of uses in each category are described in Table 7.5-1 Use Types below. This describes what use types are allowed in each Downtown Zone. Sections 10-7.506 to 10-7.511 identify the allowed Use Types by Building Types and floor.

Table 7.5-1 Use Types

Use Type Definitions	Use Type Examples ^{1, 2, 3}	See Sections
Civic		
Civic uses are generally not-for-profit and serve a public benefit by furthering social, cultural, artistic, religious or educational opportunities. These uses provide a service that typically generates substantial visitation and activity during operating hours.	Government (Buildings, Facilities, Parks, etc.) Place of Worship School Performing Arts Theater Museum/Aquarium Art Gallery	
Lodging		
Lodging uses offer temporary housing for a fee. The housing options may range from shared studios to multi-bedroom suites with full food preparation and consumption facilities. The duration of stay will range from one night to as long as one month.	Hotel/Motel Bed and Breakfast Hostel	
Office		
Office uses provide administrative services for firms and institutions or services to individuals, firms, or other entities. Downtown is an employment-intensive job center. These uses typically operate between 7am and 6pm Monday through Friday.	Attorney Architect/Engineer Financial Planner Dentist/Doctor Real Estate Professional Staffing Agency	10-2.159 10-2.159 10-2.159 10-2.160 10-2.159 10-2.159
Residential		
Residential uses are housing units occupied by the owner or renter. Each unit provides an independent living facility including provisions for living, sleeping, cooking, eating, and sanitation.	Duplex Multiple Family (Apartment, Rowhouse, etc.) Single-Family Home Residential Care Facilities ⁴	10-2.172
Retail		
Retail uses are for-profit businesses that offer durable goods, nondurable goods, entertainment and/or recreational services that are purchased, consumed or enjoyed by patrons on-site and off-site. These uses tend to have a fast turnover, with complete transactions typically lasting a few minutes to a couple of hours.	Bar/Club ⁵ Café/Restaurant Movie Theater General Retail (Department Store, etc.) ⁶ Neighborhood Retail (Apparel, Grocery, etc.) Recreational Facility (Bowling, Health Club, etc.)	10-2.174 10-2.175 10-2.165
Service		
Businesses that provide repair, cleaning or personal services, or rent durable goods or facilities, or sell wholesale goods to retailers. Service uses that generate substantial amounts of noise, odor, or other nuisance activities such as vehicle repairs, contractor services, and outdoor kennels are not permitted. Transactions can last less than an hour or can involve appointments and may take more than one day to complete.	Banquet Halls Car Rental Catering Business Janitorial Services Personal Services (Dance Studio, Salon, etc.) Repair Services (Appliance, Electronic, etc.)	10-2.199 10-2.179 10-2.181
Notes		
1. Determination of permitted uses shall be made by the Director based on the above definitions and examples as well as the land use regulations in Title 10.		
2. See each Zoning District for permitted use by Building Types and floors.		
3. Adult entertainment, single-room occupancies, homeless and emergency shelters are not permitted in the Downtown Zones.		
4. A residential care facility providing care for seven or more persons is subject to a conditional use permit.		
5. Establishments providing entertainment are subject to the provisions of Article 4 of Chapter 1 of Title 4.		
6. Central and Transition Zones only		

10-7.515 General Provisions.

(a) Parking.

(1) Design.

- (i) Except where in conflict with the provisions of this article, all parking areas shall be designed in accordance with Section 10-5.105 of the Modesto Municipal Code.
- (ii) Parking structures shall not exceed six (6) levels, plus an upper deck, in the Central and Transition Downtown Zones and two (2) levels, plus an upper deck, in the other Downtown Zones.
- (iii) Parking structures in the requisite building placement area not concealed behind a habitable liner shall conform to all building placement and building configuration requirements of the respective district and provide a facade that gives the appearance of being habitable.
- (iv) In the Central and Transition Downtown Zones, where surface parking occurs within fifty (50) feet of a lettered street and twenty-two (22) feet of the alley, a minimum three and one-half-foot high streetscreen shall be provided along a line co-planer with the adjoining building's facade.

(2) Access in the Central and Transition Downtown Zones.

- (i) Vehicular access to and from parking areas shall occur through the alley.
- (ii) Pedestrian access to and from parking areas shall occur within buildings, paseos, plazas or the area along lettered streets designated for ground level parking.

(3) Access in the Main Street and East Neighborhood Zones.

Vehicular access to and from parking areas shall occur through the alley except as follows:

- (i) On corner lots, parking may be accessed through the street side to help meet required parking subject to Director approval.
- (ii) Where alley access is not available or feasible, street access shall be subject to Director approval.
- (iii) Where street access is approved, the maximum driveway width is 12' for less than 10 spaces and 20' for 10 or more spaces.
- (iv) A continuous drive aisle may extend a maximum 140' from the street.
- (v) Parking may back onto a street in the East Neighborhood Zone for one Front Yard House building type serving up to two spaces with a maximum driveway width of 12'. If the parking is approved to back onto the street side of a corner lot, the minimum setback is 20'.

(4) Access in the Traditional Neighborhood Zone.

- (i) Where alley access is not available or feasible, then one street access is permitted with a maximum driveway width of 12' subject to Director approval.
- (ii) Where street access is approved, a single family dwelling may have up to two spaces that back onto the street.
- (iii) If the parking is approved to back onto the street side of a corner lot, the minimum setback is 20'.

(5) Shared Parking.

The minimum number of required parking spaces may be reduced when a building contains different use types. Parking may also be reduced between buildings with different use types that are located within immediately adjacent blocks.

- (i) When parking is shared between buildings located on different sites, a parking agreement is required as approved by the Director.
- (ii) The reduction in parking shall be determined by dividing the sum of the parking required by two (2) use types occupying the same amount of building floor area (square footage) by the associated factor from Table 7.5-2.

(6) Off-Site Parking.

Off-site parking may be used to meet the parking requirements of this article and is most likely used by the Commercial Block and Stacked Flat Building Types.

- (i) Off-site parking shall be located within one thousand four hundred sixty (1,460) feet of the building it serves, as measured along streets, alleys and sidewalks from the nearest point of the parking area to the nearest point of the building. Off-site parking shall be provided through a long-term lease as approved by the Director.

Table 7.5-2 Shared Parking

	Civic	Lodging	Office	Residential	Retail	Service
Civic	1	1.5	1.2	1.3	1.2	1.2
Lodging	1.5	1	1.7	1.1	1.3	1.5
Office	1.2	1.7	1	1.4	1.2	1.1
Residential	1.3	1.1	1.4	1	1.2	1.3
Retail	1.2	1.3	1.2	1.2	1	1.1
Service	1.2	1.5	1.1	1.3	1.1	1

Example: A building that is comprised of an office use type occupying one hundred thousand (100,000) square feet and a residential use type occupying fifty thousand (50,000) square feet may divide the sum of the parking required for fifty thousand (50,000) square feet of office use type (one hundred (100) spaces) and 50,000 square feet of residential use type (e.g., seventy-five (75) spaces) by 1.4 resulting in the requirement for one hundred twenty-five (125) parking spaces ($175/1.4 = 125$). Then add the minimum parking required for the remaining fifty thousand (50,000) square feet of office use type (one hundred (100) spaces) to determine the total parking requirement for the building ($125 + 100 = 225$ total parking spaces).

(b) Public/Private Transition Area.

(1) Outdoor Dining and Display.

- (i) Where there is at least ten (10) foot wide continuous sidewalk, use of up to six (6) feet of public right-of-way adjoining the street property line(s) for the following purposes shall be allowed, subject to obtaining the necessary approvals:
 - a) Outdoor dining;
 - b) Display of public art;
 - c) Display of merchandise;
 - d) Display of sidewalk signs;
 - e) Display of seasonal items;
 - f) Display of removable planters/flower pots.
- (ii) Outdoor dining, merchandise display and sidewalk signs shall relate to the commercial activity taking place within the adjoining ground floor business.
- (iii) All merchandise display, sidewalk signs, outdoor dining and associated enclosures shall be removed during non-business hours.
- (iv) Sidewalk signs are limited to one (1) per parcel per public street frontage.
- (v) Display of merchandise is limited to fifty (50) percent of the lineal width of the associated business along the street(s).

(c) Special Areas.

(1) Historic Preservation Sites.

- (i) Relocation or demolition of buildings contained within designated historic preservation sites provided in the Modesto Urban Area General Plan is not permitted, except in accordance with Modesto Municipal Code, Title 9, Chapter 10 and California Code Regulations, Title 14, Division 6, Chapter 3, Section 15000 – 15387.
- (ii) Development adjoining historic preservation sites shall be no greater than two (2) stories higher or lower than the historic building.

(d) Miscellaneous Design Issues.

(1) Design Guidelines.

- (i) All development within the Downtown Zones is subject to the City of Modesto Design Guidelines for Commercial and Industrial Development, where applicable.

(2) Wireless Telecommunications.

- (i) Wireless facilities are subject to the provisions of Article 4 of Chapter 3 as they apply to the C-2 Zone.

- (3) Rooftop Utilities.
 - (i) All building utilities and mechanical equipment located on rooftops shall be screened within penthouses or attics.
- (4) Ground Utilities.
 - (i) All ground level building utilities and mechanical equipment not contained within buildings shall be located within the area designated for ground level parking.
- (5) Blocks Without Alleys.
 - (i) In the Central and Transition Downtown Zone, development occurring on lots without alleys shall assume an alley parallel to and one hundred forty (140) feet behind the numbered street(s) property line(s) for the purposes of complying with the development provisions.
 - (ii) Developments that comprise an entire block may build over the alley following an abandonment of the subject alley.
- (6) Properties Containing Multiple Planning Districts.
 - (i) Where one (1) property contains two (2) Downtown Zones, the boundary between the zones shall be treated in the same manner as a property line for the purposes of complying with the associated development provisions of the respective Downtown Zones.
- (e) **Signs.**
 - (1) Downtown Zone Sidewalk Signs.
 - (i) Downtown Zone sidewalk signs of a size, design and materials as approved by the City Council and as administered by the Downtown Improvement District are permitted in the locations specified in Section 10-7.509(b) of this article.
 - (2) Wall Signs.
 - (i) Permitted subject to the provisions of Section 10-6.107, Table 6.1-2 of the Modesto Municipal Code, except maximum sign area shall be one (1) square foot per linear foot of width of the wall upon which the sign is placed.
 - (3) Suspended Signs.
 - (i) Permitted subject to the provisions of Section 10-6.107, Table 6.1-2 of the Modesto Municipal Code.
 - (4) Projecting Signs.
 - (i) Permitted subject to the provisions of Section 10-6.107, Table 6.1-2 of the Modesto Municipal Code, except maximum sign area shall be limited to twelve (12) square feet and the sign may not project more than five (5) feet from the facade of the building.
 - (5) Projecting Marquee Signs.
 - (i) Permitted subject to the provisions of Section 10-6.107, Table 6.1-2 of the Modesto Municipal Code, except the sign may only project eight (8) feet beyond the building facade, and the sign shall only be permitted for theaters.
 - (6) Canopy Signs.
 - (i) Permitted subject to the provisions of Section 10-6.107, Table 6.1-2 of the Modesto Municipal Code, except maximum sign area shall be one (1) square foot per linear foot of width of the wall upon which the canopy is affixed.
 - (7) Temporary Signs.
 - (i) Permitted subject to the provisions of Section 10-6.107, Table 6.1-2 of the Modesto Municipal Code.
 - (8) Notes.
 - (i) Except where in conflict with the provisions of this article, all signs shall conform with Chapter 6.
- (f) **Outdoor Storage.**
 - (1) Outdoor storage shall only occur within the optional building area and is limited to items relating to business being conducted within the building on the same property.

10-7.516 Definitions.

- (a) **Adjacent.** Sharing a common property line or planning district line, even if separated by a street or alley. Properties that are separated by a street are considered adjacent even if they are located diagonally across an intersection.
- (b) **Adjoining.** Sharing a common boundary.

- (c) **Architectural Feature.** An accessory exterior building feature including awnings, roofs, windows, doors, cornices, canopies, eaves, chimneys, down spouts, bulkheads, or similar design elements.
- (d) **Attic.** An area above the top floor of a building that is typically residential in nature with a pitched roof, which is designed to house utilities and/or equipment and provide insulation.
- (e) **Block Frontage.** A frontage area running along one (1) street, between the nearest two (2) transecting streets.
- (f) **Build-to Line.** A linear plane paralleling the street property lines along which the building facade must be placed.
- (g) **Building Placement Along Setback Area.** Percentage of the front building width to be placed along the street frontage within the setback area.
- (h) **Co-planer.** Even with the surface of a building.
- (i) **Downtown Zone Sidewalk Sign.** An A-frame sign designed in accordance with provisions approved by the City Council and administered by the Downtown Improvement District, that is available to businesses in the Downtown Zone through the Downtown Improvement District.
- (j) **Encroachment.** Extension of building elements beyond the build-to line, minimum setback, minimum stepback, or right-of-way. The building elements are secondary building features including a porch, stoop, balcony, wall sign, and architectural features.
- (k) **Facade.** The plane of the building and its architectural elements facing the public street. The “face” of the building.
- (l) **Floor to Ceiling Height.** The net clear internal building space from finished floor to finished ceiling.
- (m) **Frontage.** The area between the facade of a building and the street property line.
- (n) **Habitable Liner.** A relatively shallow building area that is conditioned and intended for human activities (residence, office, etc.), which separates a parking structure from the public realm.
- (o) **Historic Preservation Site.** Properties containing buildings that are included in the Landmark Preservation Sites Figure in the General Plan.
- (p) **Paseo.** A 15-foot to 30-foot wide, open-air area for pedestrian passage between the public sidewalk and parking or other uses to the rear of property, which provides storefronts along one (1) or both sides.
- (q) **Passenger Rail Corridor.** A transect intended to accommodate associated regional rail and future high speed.
- (r) **Penthouse.** An area above the top story of a building, which is used to store mechanical equipment, building utilities, etc. Penthouses are either well-integrated into the architecture of the building they serve or are set back from the building’s edges and designed to be inconspicuous.
- (s) **Plaza.** An open air area greater than thirty (30) feet wide that is used for public meeting space or passive open space.
- (t) **Setback.** The minimum or maximum dimension from property line that a building, parking, or other development structure must be placed with the exception of specifically permitted encroachments to the minimum setback.
- (u) **Setback Area.** The area between the minimum and maximum setbacks along the street frontage.
- (v) **Single Room Occupancies.** Rooms that can be leased or rented for extended periods of time or as a primary residence without the provision of either separate or common food preparation and consumption facilities.
- (w) **Stepback.** The minimum dimension from property line that the tower element or upper levels of a building must be placed.
- (x) **Story.** A level within a building or structure measured from the finished floor to the finished floor above, or to the eave or base of the parapet in the case of the top floor, that is generally accessible and used by patrons of the building. Enclosures for mechanical equipment above the top floor, and attics in the case of a pitched roof, are not considered a building story for the purposes of this Code.
- (y) **Streetscreen.** A wall built along a line co-planer with the adjoining building’s façade used to screen a parking area or other areas not otherwise screened by a building from the adjoining street.
- (z) **Upper Deck.** The highest level or “roof” of a parking structure.