

CHAPTER 530. ZONING DISTRICTS

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CHAPTER 530. ZONING DISTRICTS

ARTICLE I. ZONING DISTRICTS GENERALLY

530.10. Establishment of zoning districts. In order to carry out the purposes and provisions of this zoning ordinance, the city shall be divided into the following zoning districts:

- (1) *Urban Neighborhood Districts.*
 - UN1 Urban Neighborhood District
 - UN2 Urban Neighborhood District
 - UN3 Urban Neighborhood District
- (2) *Residential Mixed-Use Districts.*
 - RM1 Residence Goods and Services District
 - RM2 Residence Office and Services District
 - RM3 Residence and Institutional District
- (3) *Commercial Mixed-Use Districts.*
 - CM1 Neighborhood Mixed Use District
 - CM2 Corridor Mixed Use District
 - CM3 Community Mixed Use District
 - CM4 Destination Mixed Use District
- (4) *Downtown Districts.*
 - DC Downtown Center District
 - DS Downtown Service District
 - DD Downtown Destination District
- (5) *Production Districts.*
 - PR1 Production Mixed Use District
 - PR2 Production and Processing District
- (6) *Transportation Districts.*

TR1 Transportation District

(7) *Parks and Open Space Districts.*

PK1 Parks and Open Space District

(8) *Built Form Overlay Districts.*

BFI1 Interior 1 Built Form Overlay District

BFI2 Interior 2 Built Form Overlay District

BFI3 Interior 3 Built Form Overlay District

BFC3 Corridor 3 Built Form Overlay District

BFC4 Corridor 4 Built Form Overlay District

BFC6 Corridor 6 Built Form Overlay District

BFT10 Transit 10 Built Form Overlay District

BFT15 Transit 15 Built Form Overlay District

BFT20 Transit 20 Built Form Overlay District

BFT30 Transit 30 Built Form Overlay District

BFC50 Core 50 Built Form Overlay District

BFPA Parks Built Form Overlay District

BFPR Production Built Form Overlay District

(9) *Overlay Districts.*

HA Harmon Area Overlay District

UA University Area Overlay District

DH Downtown Housing Overlay District

DP Downtown Parking Overlay District

DS Downtown Shelter Overlay District

SZ Split Zoning Overlay District

TP Transitional Parking Overlay District

AP Airport Overlay District

SH Shoreland Overlay District

FP Floodplain Overlay District

MR Mississippi River Corridor Critical Area Overlay District

530.20. Primary and overlay districts. All property in the city shall be located within a primary zoning district and a built form overlay district. Primary zoning districts include the districts listed in section 530.10 (1) through (7) and are further described in this chapter. Built form overlay district include the districts listed in section 530.10 (8) and are further described with applicable regulations in Chapter 540

Built Form Overlay Districts. Other overlay districts include the districts listed in section 530.10 (9). Other overlay district descriptions and applicable regulations are found in Chapter 535, Overlay Districts.

530.30. District types referenced in the city charter or other city ordinances. Residence and office residence districts referenced in the city charter or elsewhere shall include all Urban Neighborhood Districts, Residential Mixed-Use Districts, and Parks and Open Space Districts. Commercial and industrial districts referenced in the City charter or elsewhere shall include all Commercial Mixed-Use, Downtown, Production, and Transportation Districts.

ARTICLE II. URBAN NEIGHBORHOOD DISTRICTS

530.100. General purpose. The urban neighborhood districts are established to allow residential uses and small scale institutional and civic uses. Select commercial uses are allowed through the adaptive reuse of existing structures. Urban neighborhood districts are primarily distinguished by the types of residential uses allowed.

530.110. UN1 Urban Neighborhood District.

(a) *Purpose.* The UN1 Urban Neighborhood District allows predominantly small-scale residential uses.

(b) *District standards.*

(1) [Reserved.]

530.120. UN2 Urban Neighborhood District.

(a) *Purpose.* The UN2 Urban Neighborhood District allows predominantly small to moderate-scale residential uses.

(b) *District standards.*

(2) [Reserved.]

530.130. UN3 Urban Neighborhood District.

(a) *Purpose.* The UN3 Urban Neighborhood District allows predominantly moderate to large-scale residential uses near transit routes and METRO stations.

(b) *District standards.*

(3) [Reserved.]

ARTICLE III. RESIDENTIAL MIXED-USE DISTRICTS

530.170. General purpose. The residential mixed-use districts are established to provide an environment of mixed residential, office, and institutional and civic uses, with small-scale, lower impact commercial uses intended to serve a local market.

530.180. RM1 Goods and Services District.

(a) *Purpose.* The RM1 Goods and Services District allows predominantly small to moderate-scale residential uses adjacent to goods and services corridors. In addition to uses allowed in the urban neighborhood districts, commercial uses are allowed in residential multi-story, mixed-use buildings that include a residential use.

(b) *District standards.*

(4) [Reserved.]

530.190. RM2 Neighborhood Office and Services District.

(a) *Purpose.* The RM2 Neighborhood Office and Services District allows residential uses at a range of scales and low impact, small-scale commercial activity.

(b) *District standards.*

(1) [Reserved.]

530.200. RM3 Residence and Major Institutional District.

(a) *Purpose.* The RM3 Residence and Major Institutional District allows large-scale dwellings, large office uses, and major institutions.

(b) *District standards.*

(1) [Reserved.]

ARTICLE IV. COMMERCIAL MIXED USE DISTRICTS

530.240. General purpose.

The commercial mixed use districts are established to provide a range of goods and services and to promote employment opportunities. In addition to commercial uses, residential, institutional, limited production, and public services uses are allowed. The commercial mixed use districts are distinguished primarily on the basis of allowed uses and commercial floor area limits.

530.250. Maximum Floor Area

In general. Individual commercial uses shall be limited to a maximum gross floor area as outlined in Chapter 545, Use Regulations.

530.260. Specific Development Standards

(1) *Large commercial uses.* Individual commercial uses with greater than thirty thousand (30,000) square feet of first floor commercial gross floor area shall comply with at least one of the following standards.

(A) *Facade and Public Realm Enhancements.* To comply with this provision, the following conditions must be met.

(i) *Multiple entrances.* No fewer than one entrance per twenty thousand (20,000) square feet of gross floor area shall be provided that logically conform to the building's structural bays, allowing for future division of the commercial space.

(ii) *Increased window area.* Fifty (50) percent of the walls on the first floor that face a public street, public sidewalk, or public pathway shall be windows and shall otherwise conform to the window requirements in Article V, Site Plan Review in Chapter 550, Development Standards.

(B) *Liner uses.* Incorporate additional commercial spaces that limit the first-floor street frontage of the large commercial use to no more than three hundred (300) feet or sixty (60) percent of the first floor façade, whichever is greater. To meet this requirement liner use spaces shall have a minimum interior depth of no less than twenty (20) feet.

530.270. CM1 Neighborhood Mixed Use District.

(a) *Purpose.* The CM1 Neighborhood Mixed Use District allows individual commercial uses and small collections of commercial uses that are typically small in scale and serve a local market.

(b) *District standards.* Reserved.

530.280. CM2 Corridor Mixed Use District.

Purpose.

The CM2 Corridor Mixed Use District allows small, moderate, and large scale commercial uses. Mixed use multi story development is encouraged.

District standards. Reserved.

530.290. CM3 Community Mixed Use District.

(a) *Purpose.* The CM3 Community Mixed Use District allows large-scale mixed use development with commercial uses fronting on major streets. Commercial spaces are typically smaller in order to generate pedestrian activity. Active uses that are accessible to the general public are required at the street level.

(b) *District standards.* The following conditions govern uses in the CM3 District

(1) *Required active uses.* The first floor of all new buildings in the CM3 Community Mixed Use District shall provide active uses, subject to the requirements of this section.

(2) *Size of required active use space.* The active use area within the development must comply with at least two (2) of the of the following three (3) standards except that the required active use area shall not be required to exceed ten thousand (10,000) square feet when the zoning lot has frontage on a Goods and Services Corridor, and shall not be required to exceed five thousand (5,000) square feet when the zoning lot does not have frontage on a Goods and Services Corridor. Active use areas that equal or exceed the maximum square foot requirement are deemed to satisfy the standards outlined in items (B) and (C) below.

(A) The active use area shall occupy at least sixty (60) percent of the building's ground-floor street frontage and a minimum interior depth of twenty (20) feet.

(B) The active use area shall occupy at least twenty (20) percent of the floor area of the building footprint or one thousand (1,000) square feet, whichever is greater.

(C) The active use area shall occupy at least five (5) percent of the gross floor area of the building or one thousand (1,000) square feet, whichever is greater.

(3) *Permitted uses in required active space.* Required active use areas shall be occupied by uses from one or more of the following use categories or individual uses. Building amenities intended for use solely by building occupants and not open to the general public shall not qualify as a required active use.

- (A) Brewery or distillery
- (B) Commercial Recreation and Assembly
- (C) Food and Beverages
- (D) General Retail Sales and Services
- (E) High-Impact Commercial
- (F) Limited Production and Processing
- (G) Lodging
- (H) Medical Facilities
- (I) Office
- (J) Community Services
- (K) Educational Facilities
- (L) Social and Cultural Assembly

(4) *Design of required active use area.* Required active use space shall comply with the following design criteria.

- (A) *Public entrance.* The active use area shall have a public entrance separate from other uses in the development that shall remain open and unlocked during business hours.
- (B) *Occupancy.* The active use area shall be designed and built to accommodate nonresidential occupancy under the state building code.
- (C) *Street frontage.* The active use space shall be oriented toward a Goods and Services Corridor when present.

530.300. CM4 Destination Mixed Use District.

(a) *Purpose.* The CM4 Destination Mixed Use District includes multi-story mixed use development. Commercial retail uses are required at the street level of all development in this category to encourage pedestrian activity beyond the typical daytime business hours. Allowed uses reflect the need to serve the most active commercial areas of the city.

(b) *District standards.* The following conditions govern uses in the MU4 District.

- (1) *Required commercial uses.* The first floor of all new buildings in the MU4 Community Mixed Use District shall provide commercial uses, subject to the requirements of this section.
- (2) *Size of required commercial use space.* The commercial use area within the development must comply with at least two (2) of the of the following three (3) standards except that the required commercial use area shall not be required to exceed ten thousand (10,000) square feet. Commercial use areas that equal or exceed the maximum square foot requirement are deemed to satisfy the standards outlined in items (B) and (C) below.

(A) The commercial use area shall occupy at least sixty (60) percent of the building's ground-floor street frontage and a minimum interior depth of twenty (20) feet.

(B) The commercial use area shall occupy at least twenty (20) percent of the floor area of the building footprint or one thousand (1,000) square feet, whichever is greater.

(C) The commercial use area shall occupy at least five (5) percent of the gross floor area of the building or one thousand (1,000) square feet, whichever is greater.

(3) *Permitted uses in required commercial space.* Required commercial use areas shall be occupied by uses from one or more of the following use categories or individual uses. Building amenities intended for use solely by building occupants and not open to the general public shall not qualify as a required commercial use.

(A) Brewery or distillery

(B) Commercial Recreation and Assembly

(C) Food and Beverages

(D) General Retail Sales and Services

(E) Lodging

(4) *Design of required commercial use area.* Required commercial use space shall comply with the following design criteria.

(A) *Public entrance.* The commercial use area shall have a public entrance separate from other uses in the development that shall remain open and unlocked during business hours.

(B) *Occupancy.* The commercial use area shall be designed and built to accommodate nonresidential occupancy under the state building code.

(C) *Windows.* Fifty (50) percent of the walls on the first floor that face a public street, public sidewalk, or public pathway, shall be windows and shall otherwise conform to the window requirements in Article V, Site Plan Review in Chapter 550, Development Standards.

(D) *Street frontage.* The commercial use space shall be oriented toward a Goods and Services Corridor when present.

(5) *Operation of required commercial use area.* Required active use space shall comply with the following operational criteria.

(A) *Staffing.* Uses shall be staffed with an employee or employees when open to the public.

(B) *Hours of operation.* Uses shall typically be open to the public most days of the week.

ARTICLE V. DOWNTOWN DISTRICTS

530.340. General purpose.

The downtown districts are established to provide a range of retail, entertainment, office, employment, residential, institutional, and governmental activities of citywide and regional significance. The regulations recognize the unique qualities of downtown as the business and cultural center of the region, as a community of high-density residential choices, and as a place where the combined environment attracts businesses, workers, shoppers, visitors, tourists, and residents.

530.350. DC Downtown Center District.

(a) *Purpose.* The DC Downtown Center District is established to provide an environment for retail and office activities of citywide and regional significance at the center of downtown. The district also allows entertainment, residential and public uses, which complete the mixed-use core of the city.

(b) *District standards.* The following shall govern uses in the DC Downtown Center District:

(1) *Parking garages.* The ground floor of principal and accessory parking garages shall be separated from any public sidewalk by a use or uses from the following use groups: commercial, institutional and civic, production, and residential. Approved vehicular and pedestrian access the garage may be provided along a public sidewalk frontage.

530.360. DS Downtown Service District.

(a) *Purpose.* The DS Downtown Service District is established to provide an environment that promotes the development of mixed-use neighborhoods in a higher density, transit- and pedestrian-oriented, urban environment with a wide range of retail and office activities and residential uses and hotels. The DS District also allows supportive goods and services not allowed in the DC District.

(b) *District standards.* The following shall govern uses in the DS Downtown Service District:

(1) *Parking garages.* The ground floor of principal and accessory parking garages shall be separated from any public sidewalk by a use or uses from the following use groups: commercial, institutional and civic, production, and residential. Approved vehicular and pedestrian access to the garage may be provided along a public sidewalk frontage.

530.370. DD Downtown Destination District.

(a) *Purpose.* The DD Downtown Destination District is established provide a downtown district where commercial uses are required at the street level of all development in this category to encourage pedestrian activity beyond the typical daytime business hours. Permitted uses reflect the need to serve the most active commercial areas of the city.

(b) *District standards.* The following shall govern uses in the DC Downtown Destination District:

(c) *Required Commercial Use.* The first floor of all new buildings in the DD Downtown Destination District shall provide commercial uses, subject to the requirements of this section.

(d) *Size of required commercial use space.* The commercial use area within the development must comply with at least two (2) of the of the following three (3) standards except that the required commercial use area shall not be required to exceed ten thousand (10,000) square feet. Commercial use areas that equal or exceed the maximum square foot requirement are deemed to satisfy the standards outlined in items (B) and (C) below.

(A) The commercial use area shall occupy at least sixty (60) percent of the building's ground-floor street frontage and a minimum interior depth of twenty (20) feet.

(B) The commercial use area shall occupy at least twenty (20) percent of the floor area of the building footprint or one thousand (1,000) square feet, whichever is greater.

(C) The commercial use area shall occupy at least five (5) percent of the gross floor area of the building or one thousand (1,000) square feet, whichever is greater.

(e) *Permitted uses in required commercial space.* Required commercial use areas shall be occupied by uses from one or more of the following use categories or individual uses. Building amenities intended

for use solely by building occupants and not open to the general public shall not qualify as a required commercial use.

- (A) Brewery or distillery
- (B) Commercial Recreation and Assembly
- (C) Food and Beverages
- (D) General Retail Sales and Services
- (E) Lodging

(f) *Design of required commercial use area.* Required active use space shall comply with the following design criteria.

(A) *Public entrance.* The commercial use area shall have a public entrance separate from other uses in the development that shall remain open and unlocked during business hours.

(B) *Occupancy.* The commercial use area shall be built to accommodate nonresidential occupancy under the state building code.

(C) *Windows.* Fifty (50) percent of the walls on the first floor that face a public street, public sidewalk, or public pathway, shall be windows and shall otherwise conform to the window requirements in Chapter 530, Site Plan Review.

(D) *Street frontage.* The commercial use space shall be oriented toward a Goods and Services Corridor when present.

(E) *Operation of required commercial use area.* Required active use space shall comply with the following operational criteria.

(i) *Staffing.* Uses shall be staffed with an employee or employees when open to the public.

(ii) *Hours of operation.* Uses shall typically be open to the public most days of the week.

(g) *Parking garages.* In addition to compliance with the required commercial use standard above, the ground floor of principal and accessory parking garages shall be separated from any public sidewalk by a use or uses from the following use groups: commercial, institutional and civic, production, and residential. Approved vehicular and pedestrian access to the garage may be provided along a public sidewalk frontage.

ARTICLE VI. PRODUCTION DISTRICTS

530.410. General purpose.

The production districts are established to provide locations for production and non-production uses with the primary purpose of creating opportunities for employment-focused development. In addition to production uses, commercial uses, institutional and public uses and public services and utilities are allowed. The production districts are distinguished primarily on the basis of allowed uses, which accommodate more uses of an industrial nature than other zoning districts.

530.420. PR1 Production Mixed Use District.

(a) *Purpose.* The PR1 Production Mixed Use includes production, commercial, and warehousing and storage uses. Residential uses are allowed as part of mixed use buildings that provide production space.

(b) *District standards.* The following conditions govern uses in the PR1 District.

(c) *Required production area.* When establishing twenty (20) or more residential units in the Production Mixed Use District, an area shall be provided that supports employment or creative production. Required production space shall be subject to the standards of this section.

(d) *Size of required production use area.* The required production area shall occupy or be equal in floor area to at least fifteen (15) percent of the first floor area of all buildings that include residential uses located on the zoning lot. However, the required production area shall not be less than one-thousand (1,000) square feet and shall not be required to exceed ten thousand (10,000) square feet. Required production space may be located within the same building as the residential use or in a separate building on the same site. Where a development has more than one principal building with a residential use, the required production area for all buildings may be provided in one building, provided that the building with the production area is constructed first in a phased development.

(e) *Permitted uses in required production area.* Required production space shall be occupied by uses from one or more of the following use categories or individual uses:

- (A) Catering.
- (B) Educational arts center.
- (C) Lower-impact production and processing.

(d) *Alternative permitted use of production space.* By conditional use permit, use of the production space may be limited to residents of the building. In addition to the required findings for a conditional use permit, the city planning commission shall consider whether the features included in the space will facilitate creative production. Production spaces that are limited to use by residents of the building are also required to comply with the design standards in this article.

(e) *Design of required production space.* Mitigation measures are encouraged to ensure that impacts of the production space do not create a nuisance for residents. Required production space is also subject to the following standard:

- (A) *Public entrance.* The production space shall have a public entrance separate from other uses in the development.
- (B) *Customer area.* Up to fifty (50) percent of the floor area of the required production space may be dedicated to retail sales and services, dining, art galleries, or other areas for customers.

530.430. PR2 Production and Processing District.

Purpose. Production and Processing includes production uses and are designated with the intent of protecting them from encroaching non-production uses. Residential uses are not allowed.

District standards. Reserved.

ARTICLE VII. TRANSPORTATION DISTRICTS

530.470. TR1 Transportation District.

(a) *Purpose.* The TR1 Transportation District is an industrial district that includes a limited number of uses that primarily support the movement of industrial and commercial goods and people.

(b) *District standards.*

[Reserved.]

ARTICLE VIII. PARKS AND OPEN SPACE DISTRICTS

530.510.

(a) *Purpose.* The PK1 Parks and Open Space District is a residential district that serves primarily to support the public park system by allowing typical park uses and related accessory uses. Residential and commercial activity, when not determined to be an accessory use to a park, is conditionally allowed via a planned unit development.

(b) *District standards* The following conditions govern uses in the PK1 District.

- (1) *Commercial Uses.* Commercial uses are allowed as a conditional use as outlined in Chapter 550, Article VII, Planned Unit Development Standards.
- (2) *Residential Uses.* Residential uses are allowed as a conditional use as outlined in Chapter 550, Article VII, Planned Unit Development Standards.
- (3) *Production Uses.* Production uses are allowed as a conditional use as outlined in Chapter 550, Article VII, Planned Unit Development Standards

ARTICLE IX. ZONING MAPS

530.550. Official zoning map. The locations and boundaries of the zoning districts established by this ordinance shall be set forth on the official zoning map, as maintained by the zoning administrator. The official zoning map is incorporated herein by reference. For convenience, copies of the zoning map, Plates 1 through 40, are included in this chapter. In the event of a discrepancy between the plates and the official zoning map, the official zoning map shall control.

- (1) *Zoning Plates Index Map.*
- (2) *Primary Zoning Plates.*
- (3) *Built Form Overlay Zoning Plates.*
- (4) *Overlay Zoning Plates.*
- (5) *Floodplain Overlay Zoning Plates.*
- (6) *Mississippi River Corridor Critical Area Zoning Plates.*