

Article VI: General Development Standards

§ 25-46. Measurements, Computations, and Exceptions

The following provisions shall establish the rules of measurement, computation, and any related exceptions, for all calculations required by this code.

(a) Distance Measurements (New)

Unless otherwise expressly stated, distances specified in this code are to be measured as the length of an imaginary straight line joining those points.

(b) Percentages and Fractions (New)

When a calculation or ratio established in this code results in a fractional number or percentage, any fraction less than one-half shall be rounded down to the new lower whole number and any fraction of one-half or more shall be rounded up to the next higher whole number. Any percentage of less than 0.5 shall be rounded down to the next lower whole number and any percentage of 0.5 or greater shall be rounded up to the next higher whole number. For measurements of linear feet, measurements shall be provided in decimal form to the nearest hundredth with the rounding rules described above applying.

(c) Lot Area Measurements (New)

The area of a lot includes the total two-dimensional, horizontal surface area within the lot's boundaries.

(d) Lot Frontage Measurements (New)

Lot frontage is the distance between the side lot lines measured along the right-of-way line as depicted in Figure <>.

(e) Lot Width Measurements (Existing A-140 Definitions)

The dimension of a lot, measured between side lot lines on the front building line as depicted in Figure <>. Said provision is applied to the standard front building lines listed in [0](#) and [§ 25-49\(e\)](#) through [§ 25-49\(j\)](#), not those modified through [§ 25-48\(e\)](#) or [§ 25-49\(k\)](#).

(f) Lot Coverage Measurements (Revised A-140 Definitions)

The percentage of lot area covered by all buildings or structures on the lot (footprint) divided by the lot area. Buildings include any structure or part of a structure covered by a roof, including, but not limited to, residences, unenclosed porches, garages, gazebos, sheds, breezeways, carports, etc. An area not to exceed 200 square feet of an unenclosed front porch shall be deducted from the lot area coverage. The area of lot coverage is calculated from the foundation footprint at grade of all buildings.

(g) Floor Area Ratio (FAR) Measurements (Revised A-140 Definitions)

The total floor area of the building is determined by adding the area each of the stories divided by the total lot area as follows:

- (1)** Floor area for the first and full second floor shall be measured from the exterior of the building.
- (2)** Any area with a ceiling height greater than 15 feet shall be counted at 200%.
- (3)** All space above 5 feet in height in a half-story shall be counted at 100% if the space is conditioned or provides access through a permanent staircase.
- (4)** Attached garages, carports, or porte cochere shall be counted at 100% of the floor area.

- (5) Basement areas that are not defined as a story per [§ 25-46\(h\)](#) and unenclosed porches are excluded.
- (h) Number of Stories (NEW)**
The number of stories shall not include basement areas except when said basement, excluding any basement-level parking areas as shown in figure <>, is more than 4 feet above the adjacent grade at any point along any street frontage as measured from the top of the foundation.
- (i) Buildable Area Measurement(Current B-730(i))**
The area enclosed by the side, rear, and front setback lines.
- (j) Building Height Measurements and Exceptions (Revised A-140 Definitions)**
- (1) R-1, R-2 R-3, R-4, R-MM Districts, and Single-Family Homes in R-5**
The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the building. This measurement shall include flat, mansard, gable, hip, and gambrel roofs, and all other architectural features of the building.
- (2) All Other Districts:**
The vertical distance measured from the average elevation of the proposed finished grade of the building to the highest point of the occupied space.
- (3) Height Exceptions (Revised)**
- (i) The ordinary elevation of chimneys and flues may extend above the allowed building height as regulated by the building code.
- (ii) Spires, steeples, or belfries not intended for human occupancy may exceed the maximum height listed in the underlying district when associated with a place of worship.
- (iii) The height of telecommunications facilities, including antennas, poles, towers and necessary mechanical appurtenances, shall comply with <> Telecommunication Facilities and Antennas.
- (iv) The height of wind energy turbines shall comply with <> Wind Energy Turbines.
- (k) Setbacks, Yards, and Lot Type Requirements**
- (1) General Requirements**
Each structure shall comply with the front, side, and rear setbacks requirements of the applicable zoning district except:
- (i) Fences in compliance with Chapter 5, Article IV.
- (ii) Accessory structures in compliance with <>.
- (iii) Signs in compliance with <>.
- (iv) Use-specific setbacks in accordance with <>.
- (v) As otherwise provided by this article.

(2) Measurements

Setbacks shall be measured from the applicable right of way line or lot line to the closest portion of the building. In computing the depth of a rear yard, where such yard opens onto an alley, one half of the alley width may be included as a portion of the rear yard.

(i) Interior Lots (NEW)

Location of front, rear, and side setbacks are shown in Figure <>.

(ii) Corner Lots (Existing)

Location of front, rear, and side setbacks are shown in Figures <> and <>.

- a. On a corner lot, there shall be a front yard on each street, except as provided for below.
- b. The rear yard of a corner lot shall be the side opposite the front yard of least street frontage
- c. In the R-3 and R-4 Districts, the front yard which is required along the narrower frontage is considered the primary front yard. The front yard which is required along the wider frontage is considered the secondary front yard. The minimum secondary front yard shall be equal to 20% of the lot width in R-3 and 30% of the lot width in R-4.

(iii) Double Frontage (Through) Lots (Existing B-730(e) and others)

On a through lot, the required front yard shall be provided on all lot lines that abut a street; however, the front setback on the frontage which the property is not addressed shall be the lesser of either the averaged setback or the non-averaged setback. The remaining lot lines not abutting a public right-of-way shall be considered as side yards. See Figure <>

(iv) Cul-de-Sac or Curved Street Lot

For a cul-de-sac lot or a lot abutting a curved street, the front yard setback shall follow the curve of the front property line (lot line). See Figure <>.

(v) Other Lot Configurations

Where there is an instance of a lot configuration not addressed, or where there is an atypical building orientation on any lot, the Director of Public Service shall have the authority to decide where front, rear, and side setbacks are required.

(I) Street Frontage Occupation (Existing 500.7)

When calculating the percentage of the street frontage occupied by a structure, any portion of the structure that is in compliance with the maximum front yard area requirement for the applicable district shall be included. If the requirements below do not allow for a driving lane to access a portion of the subject property behind the structure, the minimum frontage occupations requirement shall be adjusted as follows: properties that have frontage on only one street and/or public alleyway shall be permitted a twenty-two-foot-wide driving lane; properties that have frontage on two or more streets and/or public alleyways shall be permitted either a single twenty-two foot wide driving lane on one frontage or a twelve-and-one-half foot wide (twenty-foot-wide if designated for access by the Fire Department) driving lane on two frontages to allow a dedicated one-way entrance and dedicated one-way exit.

(m) Finished First Floor Height (Existing A-140)

The height of a finished first floor measured horizontally at the existing finished grade to the finished first floor at the center of the front foundation wall as depicted in Figure <>.

§ 25-47. General Development Standards

(a) Lot Width and Yard Areas (Existing 410.6)

No building or structure shall be erected or enlarged unless the following lot width and yard requirements are provided and maintained in connection with such building, structure, or enlargement, unless otherwise provided herein.

(b) Lot Frontage (Existing B-730(c)(g))

- (1)** All lots shall have at least 90% of the required minimum lot width as frontage on the right-of-way line except for lots with frontage on cul-de-sacs and turnarounds, which shall have at least 50% of the required minimum lot width as frontage on the right of way line.
- (2)** Lots of a flag configuration which could place a dwelling unit behind a dwelling unit shall not be platted. Lots which conform to [§ 25-47\(b\)\(1\)](#) above shall not be considered lots of a flag configuration.

(c) Permitted Encroachments in Residential Districts

- (1)** For structures which were legally constructed and contain a front yard, rear yard, or side yard setbacks which are not in conformance with this code: the existing front, rear, and/or side yard setbacks of the primary structure which are not in conformity shall be considered as the setbacks for the subject property for the purpose of additions, alterations, and expansions. For residential districts, in no case shall the front, rear, or side yard setbacks be less than five feet. In nonresidential districts, in no case shall the side or rear setback be less than the amount required in <> when abutting a residential district.
 - (i)** This subsection shall not prevent the repair of existing legal nonconforming encroachments, including replacement of exterior HVAC equipment or home generators
 - (ii)** Accessory structures in accordance with <>.
 - (iii)** Fences or walls are provided for in <>.

TABLE <> PERMITTED ENCROACHMENTS IN RESIDENTIAL DISTRICTS			
Encroaching Feature	Maximum Allowed Encroachment [1]		
	Front [2]	Side	Rear
Cantilevered interior space such as bay windows no more than 16 feet in width	24 inches		36 inches
Unenclosed porch or deck not more than one story in height or paved terrace	10 feet		10 feet
Enclosed vestibule containing not more than 40 square feet (in multi-family districts only)	4 feet		
Roof overhangs, sills, belt courses, cornices and other architectural features	30 inches	30 inches	30 inches
Fireplaces and chimneys, ground level or cantilevered		24 inches	36 inches
Air conditioning units or home generators		Against the foundation wall or as close as possible to the foundation wall as approved by the city	Against the foundation wall or as close as possible to the foundation wall as approved by the city
<p>NOTES: [1] See § 25-47(e) for exceptions to encroachments. [2] In R-5, front encroachments shall not include cantilevered interior space such as bay windows.</p>			

(d) Permitted Encroachments in Nonresidential Districts (REVISED)³²

TABLE <> PERMITTED ENCROACHMENTS IN NONRESIDENTIAL DISTRICTS			
Encroaching Feature	Maximum Allowed Encroachment		
	Front [1] [2]	Side	Rear
Unenclosed porch and uncovered porches not more than one story in height or paved terrace	10 feet		10 feet
Enclosed vestibule containing not more than 40 square feet	4 feet		
Roof overhangs, sills, belt courses, cornices and other architectural features	30 inches	30 inches	30 inches
Fireplaces and chimneys		24 inches	24 inches
Open or lattice-enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers		5 feet	5 feet
NOTES:			
[1] No permitted front yard encroachments in B-2			
[2] § 25-47(e) for exceptions to encroachments.			

(e) Exceptions to Encroachments (Revised)

- (1) When side yard lot reductions provided for in [§ 25-48\(f\)](#) are utilized, side yard encroachments are strictly limited to roof overhangs, sills, belt courses, cornices and other architectural features as provided for in Table <> within the first five feet for the R-4 and R-5 Districts and within the first eight feet for the R-3 District. No other encroachments will be permitted within these restricted areas.
- (2) If [§ 25-48\(e\)](#) or [§ 25-49\(k\)\(1\)](#) dictate the front setbacks, encroachments are permitted as provided for in Table <>.
- (3) For additions, alterations, and expansions to non-conforming structures, when nonconforming setbacks are considered the required setbacks, the only encroachments permitted are roof overhangs, sills, belt courses, cornices and other architectural features as provided for in Table <>. Additionally, unenclosed porches or decks not more than one story in height or paved terraces are permitted to encroach 10 feet measured from the conforming setback line.

§ 25-48. Site Development Standards for Residential Zoning Districts

This section, including the accompanying tables, establishes the minimum site development standards for residential zoning districts.

³² Increased encroachments for roof overhangs, sills, etc. for commercial only.

(a) Lot Area and Lot Width

TABLE <>: LOT AREA AND LOT WIDTH FOR RESIDENTIAL ZONING DISTRICTS		
District/Use	Minimum Lot Area (Square Feet) [1]	Minimum Lot Width (Feet) [1] [2]
R-1	43,560	150
R-2	25,000	125
R-3	15,000	100
R-4	7,500	60
R-5	7,500	60
R-6	See § 25-48(b)	120
R-MM ³⁴	7,500	60
NOTES:		
[1] Larger lot areas or widths may be required by a use specific standard. See <>		
[2] Corner lots shall be 10% wider on both street frontages than the required zoning width to permit appropriate setbacks (Existing B-730(f))		

(b) Minimum Lot Area for R-6 Planned Multi-Family Residential Districts (Existing 320.5)

When a building is erected on a lot, such lot shall have an area of not less than 800 square feet per family; for each successive story above four stories, the lot area requirement for such story shall be reduced 100 square feet per family, so that the requirement for the fifth story is 700 square feet per family, for the sixth story, 600 square feet per family, etc., up to and including the 10th, 11th and 12th stories for which the lot area requirement shall be 200 square feet per family.

(c) Building Area of a Lot (Existing B-730(i))

In single-family zoning districts, the building area of a lot, shall accommodate a rectangle with front and back each equal to ½ the zoning district lot width requirement and the sides equal to the following: R-1, 36 feet; R-2, 32 feet; R-3, 28 feet; R-4, 24 feet.

³⁴ Note: this is the new “missing middle” zoning district. New standards listed throughout this section.

(d) Front, Side, and Rear Setbacks

TABLE <>: SETBACKS FOR RESIDENTIAL ZONING DISTRICTS			
District/Use	Minimum Setbacks (Feet) [1]		
	Front Yard [2]	Side Yard (Each Side) [3][4]	Rear Yard
R-1	60	25	50
R-2	50	20	45
R-3	40	12	35
R-4	35	8	30
R-5 Multi-family Two-family Row Dwellings	35	12 or 50% of height, whichever is greater	30
R-5 All Other Uses	35	8	30
R-6	40	25	30
R-MM	35	8	30

NOTES:

[1] For self-storage facilities in non-industrial districts, the minimum structure setback from public right-of-way directly adjacent to the subject site is 300 feet.

[2] Modifications to front yard setbacks for infill projects shall be determined based on [§ 25-48\(e\)](#). Does not apply to the R-6 District.

[3] When a lot of record having a width less than otherwise required by code is to be used for a single-family dwelling, the side yard requirements for each side of the building shall be determined based on [§ 25-48\(f\)](#).

[4] Places of worship shall require a 40' side yard setback in R-1 and a 30' side yard setback in R-2, R-3, R-4, or R-5.

(e) Front Yard Modifications

In blocks with more than 40% of the frontage developed, the depth of the front yard setback shall be adjusted using one of the following methods:

- (1) The front yard setback distance for an interior lot located between two improved lots shall be determined by averaging the front yard setbacks of the two improved lots as depicted in Figure <>.

$$\text{Front Setback} = (A+B)/2$$

- (2) The front yard setback for a lot located between an improved lot on one side and vacant lot on the other side, or between an improved lot and a street, or between a vacant lot and a street, shall be determined by averaging the front yard setbacks of every improved lot within the distances shown in table <>, beginning from the property line of subject lot, in the same block and on the same street frontage as depicted in Figure <>.

$$\text{Front Setback} = (A+B+C)/3$$

TABLE <>: AVERAGING DISTANCE FOR FRONT YARD MODIFICATIONS IN RESIDENTIAL ZONING DISTRICTS	
District	Averaging Distance (Feet) [1]
R-1	500
R-2	400
R-3	350
R-4	200
R-5	300
R-MM	300

- (3) The front yard setback for a lot located between two improved lots, where the front yard setback of one of the improved lots exceeds the average front yard setback of all other lots on the same side of the block by two times or more, shall be determined by calculating the average of all front yard setbacks on the same side of the block as the subject lot excluding the lot that with the enlarged setback. For blocks which are more than 1,000 feet in length, the front yard setback average shall be determined using all lots (or portions thereof) within a distance of 300 feet but not less than three lots in each direction of the subject lot. These calculations shall exclude the lot with the enlarged setback from both the 300 feet distance and minimum number of lots parameters as depicted in Figure <>.

Block frontage is <1,000 feet in length

If the front setback of C is equal to or more than twice: $(A+B+D+E+F)/5$

(f) Side Yard Modifications

When a lot of record having a width less than otherwise required by [§ 25-48\(a\)](#) is to be used for a single-family dwelling, the side yard requirements for each side of the building shall meet the standards shown in table <>.

TABLE <>: SIDE YARD MODIFICATIONS IN RESIDENTIAL ZONING DISTRICTS	
District	Side Yard Setback (Each Side) (Feet)
R-1	17% of lot width, but not less than 12 feet
R-2	17% of lot width, but not less than 12 feet
R-3	New Construction: 20% of lot width or 12 feet, whichever is smaller Additions: 12% of lot width, but not less than 8 feet ³⁹

³⁹ Formerly listed as 12 feet or 20% of lot width, whichever is smaller. Changes here reflect recommendations made by staff and Planning and Zoning Commission.

TABLE <>: SIDE YARD MODIFICATIONS IN RESIDENTIAL ZONING DISTRICTS	
District	Side Yard Setback (Each Side) (Feet)
R-4	13% of lot width, but not less than 5 feet ⁴⁰
R-5	13% of lot width, , but not less than 5 feet
NOTES: When side yard modifications listed in this table are utilized, additional restrictions on permitted encroachments apply. See § 25-47(e).	

(g) Height Standards

TABLE <>: HEIGHT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS		
District/Use	Infill Finished First Floor Height	Maximum Building Height
R-1		35 feet or 2.5 stories
R-2		35 feet or 2.5 stories
R-3	See § 25-48(h)(1)	35 feet or 2.5 stories
R-4	See § 25-48(h)(1)	35 feet or 2.5 stories
R-5 Multi-family Two-family Row Dwellings	See § 25-48(h)(1)(iii)	35 feet or 3 stories
R-5 All Other Uses	See § 25-48(h)(1)(iii)	35 feet or 2.5 stories
R-6		See § 25-48(k)
R-MM	See § 25-48(h)(1)	35 feet or 3 stories

(h) Infill Finished First Floor Height and Grade Adjustment (REVISED 420.6, 430.6, 440.6)

(1) In the R-3, R-4, and R-MM Districts:

- (i)** The maximum finished first floor height for new residential structures for an interior lot located between two improved lots shall be determined by averaging the two existing finished floor heights of the structures on either side of the subject lot. Said average shall be determined using the method described for finished first floor heights per § 25-46(m).

⁴⁰ Formerly listed simply as 5 feet for both R-4 and R-5. This lists a sliding scale that gradually reduces setbacks based on how non-conforming the lot is. 13% was chosen based on the ratio of setback required for a standard size lot. With this figure, a lot wouldn't reach the minimum of 5 feet unless it was approximately 38 feet wide.

- (ii) The maximum finished first floor height for new residential structures located between an improved lot on one side and vacant lot on the other side or between an improved lot and a street or between a vacant lot and a street shall be determined by averaging the existing finished first floor heights of every improved lot within 200 feet, beginning from the property line of subject lot, in the same block and on the same street frontage. For corner lots, the measurement shall be taken along both frontages and the more restrictive of the two averages shall apply.
- (iii) However, when the maximum finished first floor height for a new residential structure is calculated to be less than 24 inches, the maximum finished first floor height for the new residential structure may be set to 24 inches. If the maximum first floor height for the new residential structure would still result in any portion of the new foundation being below the minimum requirements of the adopted Building Code, a grade adjustment of up to 12 inches may be added to the maximum finished first floor height.
- (2) In the R-5 District for lots less than 15,000 square feet:

 - (i) The maximum finished first floor height for new structures for an interior lot located between two improved lots shall be determined by averaging the two existing finished first floor heights of the structures on either side of the subject lot.
 - (ii) The maximum finished first floor height for new structures located between an improved lot on one side and vacant lot on the other side or between an improved lot and a street or between a vacant lot and a street shall be determined by averaging the existing finished first floor heights of every improved lot within 200 feet, beginning from the property line of subject lot, in the same block and on the same street frontage. For corner lots, the measurement shall be taken along both frontages and the more restrictive of the two averages shall apply.

(i) Lot Coverage

TABLE <>: LOT COVERAGE FOR RESIDENTIAL ZONING DISTRICTS			
District (Lot Size)	Number of Stories	Lot Coverage (%) [1]	Lot Coverage (Square Feet)
		Whichever is greater	
R-1, R-2, R-3, and R-4 (7,500 sf or less)	2 or more	30	1,750
	1.5 or less single family dwelling only	35	
R-1, R-2, R-3 and R-4 (More than 7,500 sf)	2 or more	25	2,250
	1.5 or less single family dwelling only	30	2,625
R-MM		40	
R-5 District		40	

NOTES:
 [1] Single-family homes in the R-5 and R-MM Districts shall be subject to the maximum lot coverage based on lot size, not the district maximum of 40%⁴¹

(j) Floor Area Ratio⁴²

TABLE <>: FLOOR AREA RATIO FOR SINGLE FAMILY DWELLING UNITS [1] [2] IN RESIDENTIAL ZONING DISTRICTS⁴³		
Lot Size or District (Square Feet)	Ratio	Square Feet
	Whichever is greater	
10,000 or less	0.35	2,250
More than 10,000 but less than 20,000	0.30	3,500
20,000 or more	0.25	6,000

NOTES:
 [1] This table only applies to single-family dwelling units
 [2] See [§ 25-48\(k\)](#) for restrictions in R-6 Planned Development Districts

⁴¹ As discussed with the committee, this would put single family homes in the multi-family district on a level playing field with all other single-family properties in the city.

⁴² Proposed new measurement system for FAR discussed in § 25-46(g).

⁴³ This table reflects a change that single-family homes in R-5 and R-MM will also be subject to FAR (just like other single-family properties), which is not currently the case.

(k) Floor Area Ratio and Height for R-6 Planned Development Districts (Existing 320.5)

(1) There shall be a maximum floor area ratio of 1.5, except that where the building is set back from one or more of the required yard lines, the floor area of such building may be increased by one square foot for each one square foot of area left open within the portion of the lot bounded by the required front side and rear yards specified in <> provided that in no event shall a building exceed 12 stories or 125 feet in height, above grade.

(l) Garage Design (Revised 400.9, 410.9, 420.10, 430.10)

This section applies only to attached residential garages which have the vehicle entry facing the front yard; and for the purposes of this subsection, on a corner lot, the front yard shall only be the frontage of least dimension.

- (1) The width of an attached garage with an entrance facing the front yard shall not exceed 55% of the overall width of the façade of the principal structure (inclusive of the garage.)
- (2) Only one sidewall of the residential portion of the structure shall extend beyond the sidewall of the attached garage.
- (3) The front face of an attached garage shall not project beyond the face of the residential portion of the house unless the garage is adjacent to a porch, in which case it may project up to 8 feet.

(m) Number of Principal Buildings on a Single-Family Lot (NEW)

Every building shall be located on a lot. There shall be no more than one principal building on one single-family lot.

(n) Minimum Distance between Main Buildings (Existing 440.7(5))⁴⁵

In the R-5 District, where more than one multifamily dwelling building or row dwelling building is erected on a single lot, the minimum distance between main buildings shall be as follows:

TABLE <> DISTANCE BETWEEN PRIMARY STRUCTURES IN R-5			
	Front (Feet)	Side (Feet)	Rear (Feet)
Front	50 plus an additional 10 for each building more than 2 stories	30	70
Side	30	20	30
Rear	70	30	50

⁴⁵ Please note that we're recommending removing 440.9 Dwelling Standards, which stipulates minimum UNIT sizes for various products in the R-5 district.

§ 25-49. Site Development Standards for Nonresidential Zoning Districts

This section, including accompanying tables, establishes the minimum site development standards for all nonresidential zoning districts.

(a) Applicability

The standards in this section apply to all nonresidential properties. Additional and/or modified standards for those properties which lie within the study area of the 2018 Downtown Master Plan and Parking Study (herein after referred to as the Downtown Study Area), can be found in [§ 25-50](#).

(b) Setbacks, Height, and Floor Area Ratio

TABLE <>: HEIGHT AND FLOOR AREA RATIO FOR NONRESIDENTIAL ZONING DISTRICTS		
District/Use	Maximum Building Height [1]	Floor Area Ratio
B-1	25 feet or 2 stories	
B-2	40 feet; For mixed-use development see § 25-49(c)	
B-3		2.0
B-4		2.5
B-5		
I-1	35 feet or 3 stories	
NOTES:		
[1] For exceptions to height in the industrial district, please see § 25-49(d) .		

(c) Height for Mixed-use Development

When a building in the B-2 district is part of a mixed-use development, the height shall not exceed 60 feet, subject to approval by the City Council as part of a site plan review. Architectural features may be permitted above the height limitations provided that the space above the maximum height is not occupied, not used for storage, and is approved by the City Council as part of a site plan review.

(d) Exceptions for Height in Industrial District

The following may be permitted to exceed maximum heights listed for the industrial district only upon approval of a Special Use Permit:

- (1) Chimneys, cooling towers, elevator bulkheads, stacks, tanks, or other necessary mechanical appurtenances, extending not more than 20 feet above the roofline of a structure.
- (2) Monuments, ornamental towers, or spires, extending not more than 80 feet above grade.
- (3) Mixing plants/towers extending not more than 35 feet above grade.

(e) Setbacks for B-1 District

(1) Front Yard

- (i) All buildings and structures shall have a front yard depth of at least 35 feet
- (ii) On a block with more than 40% of the frontage developed, the depth of the front yard setback shall be adjusted as per [§ 25-49\(k\)](#).

(2) Side Yard

A side yard is only required when said yard abuts a residential dwelling district, or when an alley separates said yard and a residential dwelling district. In that case, the side yard shall be equal to that required in the abutting residential district.

(3) Rear Yard

All buildings and structures shall have a rear yard depth of at least 25 feet.

(f) Setbacks for B-2 District

(1) Front Yard

No front yard shall be required.

(2) Side Yard⁴⁶

A side yard is only required when said yard abuts a residential dwelling district, or when an alley separates said yard and a residential dwelling district. In that case, the side yard shall be equal to 50% of the building height, but in no case less than 10 feet.

(3) Rear Yard

No rear yard shall be required.

(g) Setbacks for B-3 District

(1) Front Yard

- (i)** All buildings and structures shall have a front yard depth of at least 50 feet.
- (ii)** On a corner lot, the required front yard shall be provided on each street side of such corner lot if both are major streets. If the side street is a secondary street, a front yard of 35 feet shall be provided on said secondary street.
- (iii)** On a block with more than 40% of the frontage developed, the depth of the front yard setback shall be adjusted as per [§ 25-49\(k\)](#).

(2) Side Yard⁴⁷

A side yard is only required when said yard abuts a residential dwelling district, or when an alley separates said yard and a residential dwelling district. In that case, the side yard shall be equal to ½ the front yard required in the abutting residential district, however, the side yard need not exceed 20 feet.

⁴⁶ Currently the provision for being across from an alley is only listed in B-1. We have added it to B-2 and B-3 as well for discussion.

⁴⁷ Currently the provision for being across from an alley is only listed in B-1. We have added it to B-2 and B-3 as well for discussion.

(3) Rear Yard

(h) All buildings and structures shall have a rear yard depth of at least 25 feet. Setbacks for B-4 District (current 530.7)

- (1)** On sites greater than 65,340 square feet, no structure, except for that portion built entirely below grade with no exposed wall, shall be closer than 50 feet to the front, side or rear property line. However, a structure four stories or less in height may be built to within 40 feet of the front property line and within 25 feet of the side and rear property lines if the development plan for such structure is approved by the City Council.
- (2)** On sites of 65,340 square feet or less, the building lines specified in [§ 25-49\(h\)\(1\)](#) above may be modified subject to review by the Planning and Zoning Commission and approval by the City Council as part of a specified total development plan.

(i) Setbacks for B-5 District

- (1)** A structure, except for that portion built entirely below grade with no exposed wall, shall not be closer than 50 feet to the front, side or rear property line, except that a structure four stories or less in height may be built to within 40 feet of the front property line and within 25 feet of the side and rear property lines if the development plan of such structure is approved by the City Council after receiving a recommendation from the Planning and Zoning Commission. Such requirements shall apply to the entire B-5 parcel as a whole and shall not apply to subdivided parcels or smaller parcels comprising less than the entire approved B-5 development plan parcel.
- (2)** Modifications to the building line requirements may be reviewed by the Planning and Zoning Commission and approved by the City Council as part of a specified B-5 development plan.

(j) Setbacks for I-1 District

(1) Front Yard

- (i)** All structures shall have a front yard depth of at least 35 feet.
- (ii)** No yard shall be required for those portions of lots which adjoin railroad rights-of-way.
- (iii)** On a block with more than 40% of the frontage developed, the depth of the front yard setback shall be adjusted as per [§ 25-49\(k\)](#).

(2) Side Yard

- (i)** All buildings and structures shall have side yard widths of at least 15 feet.
- (ii)** All buildings and structures on lots adjacent to residential zoning districts shall be located so as to provide side yard widths of at least 35 feet adjacent to such residential zoning districts
- (iii)** No side yard shall be required for those portions of lots which adjoin railroad rights-of-way.

(3) Rear Yard

- (i)** All buildings and structures shall have rear yard depths of at least 20 feet.
- (ii)** All buildings and structures on lots adjacent to residential zoning districts shall be located so as to provide rear yard depths of at least 35 feet adjacent to such residential zoning districts.

- (iii) No yard shall be required for those portions of lots which adjoin railroad rights-of-way.

(k) Front Setback Modifications—Infill

- (1) In the B-1, B-3, and I-1 Districts, on a block with more than 40% of the frontage developed, the depth of the front yard setback shall be adjusted as described below.
 - (i) The front yard setback distance for an interior lot located between two improved lots shall be determined by averaging the front yard setbacks of the two improved lots as depicted in Figure <>

$$\text{Front Setback} = (A+B)/2$$

- (ii) The front yard setback for a lot located between an improved lot on one side and vacant lot on the other side, or between an improved lot and a street, or between a vacant lot and a street, shall be determined by averaging the front yard setbacks of every improved lot within 200 feet in the same block and on the same street frontage as depicted in Figure <>.

Right-of-Way

- (iii) When non-conforming setbacks are considered as the required setbacks, restrictions on permitted encroachments apply. See [§ 25-47\(e\)\(2\)](#).
- (2) In the B-1 District, when lots or tracts of land within this district are adjacent to and adjoining lots in a residential zoning district, all having the same frontage, there shall be established the same front yard setback for all of the frontages as has been established in the abutting "R" dwelling district.

(l) Minimum Lot Area and Minimum Lot Width (Revised)

- (1) In the B-3 District, the minimum lot area shall be 10,000 square feet and the minimum lot width shall be 80 feet, except as otherwise required herein.
- (2) In the B-5 District, the minimum lot area is 2.5 acres.
- (3) Unless otherwise stipulated in [§ 25-49\(l\)](#) or <> Use-specific Regulations, there shall be no minimum lot areas or widths for nonresidential districts.

(m) Number of Buildings on a Lot (Existing 500.6, 500.7, 520.7, 530.6, 540.5, 600.6)

- (1) More than one commercial or institutional structure may be erected upon a single lot, but the yards and open spaces required around the boundaries of the lot or tract shall not be encroached upon by any such structure, nor shall there be any change in the intensity of use requirements. In the B-4 and B-5 Districts, the yard and open spaces required shall not apply to subdivided parcels or smaller parcels comprising of less than the entire approved development plan parcel.

§ 25-50. Additional and/or Modified Site Development Standards for Properties Within the Downtown Study Area

This section, including accompanying tables, establishes additional and/or modified minimum site development standards for nonresidential zoning districts that lie within the study area of the 2018 Downtown Master Plan and Parking Study (herein after referred to as the Downtown

Study Area). References to Phase 1 and Phase 2 Streets are those identified in the Thoroughfare Hierarchy Map located in said plan. The development standards listed in [0](#) apply unless specifically modified in this section.

(a) Front Setbacks

TABLE <>: FRONT YARD SETBACKS FOR NONRESIDENTIAL ZONING DISTRICTS WITHIN THE DOWNTOWN STUDY AREA⁵⁰				
District/Use	Phase 1 Street (Feet)		Phase 2 Street (Feet)	
	Minimum	Maximum	Minimum	Maximum
B-1	0	20	0	51
B-2	0	20	0	51
B-4	0	20	0	51
B-5	0	20	0	51
I-1	0	20	0	51

NOTES:
Said front yard requirements shall not preclude other zoning requirements of this code, including, but not limited to, pedestrian accommodation and landscaping requirements.

(b) Street Frontage Occupation

- (1) On a Phase 1 Street, a minimum frontage occupation requirement of 90% shall be provided.
- (2) On a Phase 2 Street, a minimum frontage occupation requirement of 75% shall be provided.

(c) Height (Revised)

- (1) On a Phase 2 Street, no building shall exceed the lesser of 4 stories or 50 feet, except when the building is part of a mixed-use development. If the building is part of a mixed-use development, the building shall not exceed the lesser of 6 stories or 75 feet when approved by the City Council as part of a Site Plan Review per <>.

⁵⁰ B-3 was omitted intentionally as it doesn't have any modifications for land being within the downtown study area.

§ 25-51. Energy Generation Devices (Current A-1050)

(a) Purpose⁵¹

This section promotes the safe, effective, and efficient use of solar energy systems and small wind energy systems installed to reduce the on-site consumption of utility supplied energy while protecting the health, safety, and welfare of adjacent and surrounding land uses. Both solar energy systems and small wind energy systems are permitted as accessory uses as prescribed in each zoning district. These systems may be used to provide supplemental energy to the site on which they are installed or to sell to a utility company only. In no district shall solar energy systems and small wind energy systems be permitted as a principal use on site.

(b) Applicability

This section applies to all solar energy systems and small wind energy systems installed within the City of Kirkwood after the effective date of this code. Any upgrades, modifications or changes that materially alter the size or placement of an existing solar energy systems or small wind energy system shall comply with the provisions of this section.

(c) Solar Energy Systems

Solar energy systems shall be installed and maintained in conformance with the following requirements as well as all other applicable codes and ordinances.

(1) Roof-Mounted Systems

- (i)** All solar energy systems that are mounted on the roof of an existing or proposed structure shall not exceed the maximum allowable height for the structure on which it is mounted within the zoning district which it is located.
- (ii)** All solar energy systems shall be mounted within two feet of the roofline and shall not project beyond the peak or edge of the roofline when mounted on a sloping roof as depicted in Figure <>.
- (iii)** All solar energy systems mounted on flat roofs shall not exceed a height of five feet above the roofline and shall be screened from view from the right-of-way by a parapet or setback from the horizontal edge of the roofline a minimum of 10 feet as depicted in Figure <>.

(2) Freestanding Systems

- (i)** All freestanding solar energy systems shall meet the required principal structure side and rear setbacks.
- (ii)** In no case shall freestanding solar energy systems be located within a required front yard or in front of the principal structure on site.
- (iii)** Freestanding solar energy systems shall be of a height less than the principal structure on site and shall not exceed 16 feet in height, whichever is less.
- (iv)** All exterior electrical and/or plumbing lines shall be buried below the surface of the ground.

⁵¹ Code currently prohibits solar energy systems and small energy systems from being as a principal use on a site. Question for the committee: do we want to change this, at least potentially for the industrial district?

- (3) Awning solar energy systems may be installed on the front, side or rear of a principal or accessory structure on site when the awnings meet the required setback for architectural features in the district which they are installed.
 - (4) Solar energy systems may be installed on the side or rear of a principal or accessory structure on site when mounted within two inches and flush against the outside wall subject to [§ 25-51\(c\)\(2\)](#).
 - (5) To accommodate for emerging solar energy systems which may not be developed at the time of adoption of this code, the Director of Public Services may approve additional systems not mentioned herein when the applicant can prove that the system is in conformance with the spirit and intent of this code and does not negatively affect the health, safety and welfare of the public.
 - (6) All solar energy systems shall be designed and located in order to prevent reflective glare toward any structure on adjacent properties as well as adjacent street rights-of-way.
 - (7) Any and all nonfunctioning and/or damaged solar panels or equipment shall be dismantled and removed. If nonfunctioning and/or damaged solar panels or equipment are not dismantled and removed, it shall be considered to be a violation in accordance with <> Violations and Penalties, of this code.
- (d) **Small Wind Energy Systems**
Small wind energy systems shall be installed and maintained in conformance with the following requirements as well as all other applicable codes and ordinances.
- (1) **Roof-Mounted Systems**
All small wind energy systems that are mounted on the roof of an existing or proposed structure shall not exceed the maximum allowable height for the structure on which it is mounted within the zoning district which it is located.
 - (2) **Freestanding Systems**
 - (i) Minimum lot size. Small wind energy systems shall only be installed on parcels with a minimum lot size of three acres or more.
 - (ii) All freestanding small wind energy systems shall be set back a distance equal to its total height from all property lines and any overhead utility lines. For the purpose of this subsection, the term "total height" shall mean the vertical distance from finished grade to the tip of the wind generator blade when the tip is at its highest point.
 - (iii) Freestanding small wind energy systems shall not exceed 35 feet in total height.
 - (iv) In no case shall freestanding small wind energy systems be located within a required front yard or in front of the principal structure on site.
 - (v) All exterior electrical lines shall be buried below the surface of the ground.
 - (3) All small wind energy systems shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration.
 - (4) All signs, other than the manufacturer's identification and appropriate warning signs, shall be prohibited on small wind energy systems.
 - (5) Any and all nonfunctioning and/or damaged small wind energy systems or equipment shall be dismantled and removed. If nonfunctioning and/or damaged small wind energy systems or equipment are not dismantled and removed it shall be considered to be a violation in accordance with <> Violations and Penalties, of this code.

§ 25-52. Outdoor Lighting (Current A-1040)

(a) Purpose

This section provides development standards intended to strike a balance of safety and aesthetics by providing lighting regulations that protect drivers and pedestrians from glare and reduce, to reasonable limits, the trespass of artificial lighting onto neighboring properties and public or private rights-of-way.

(b) Applicability

The following lighting regulations apply to all new outdoor lighting fixtures or the replacement of existing outdoor lighting fixtures within the City of Kirkwood unless specifically listed in [§ 25-52\(c\)](#).

- (1) Any new building or addition equal to or greater than 50% of the square footage of the original structure's footprint or renovation equal to or greater than 50% of the appraised value of the improvements on the property as determined by the St. Louis County Assessor's Office shall require the entire site to comply with the requirements of this section. If the development includes more than one parcel, this section shall apply to each parcel individually and not the development as a whole.
- (2) All uses which require a special use permit, whether lighting is existing or proposed, will be subject to review by the Planning and Zoning Commission and City Council. Outdoor lighting shall include all exterior lighting, including lights mounted onto a building or structure.

(c) Exemptions

The following shall be exempt from the regulations of this section:

- (1) Lighting required by the FAA for air traffic control and warning purposes;
- (2) Flagpole vertical uplighting;
- (3) Lighting in the public or private right-of-way installed by a governmental agency for traffic control;
- (4) Lighting installed by a governmental agency for the health, safety, and welfare of the public;
- (5) Electronic or backlit signage (all signage is subject to [Signs](#));
- (6) Temporary lighting as part of an approved temporary outdoor use permit;
- (7) Temporary lighting for emergency repair; and
- (8) Lighting for single-family residential uses and their accessory structures.

(d) General Standards

(1) Submittal Requirements

All applications submitted to the Planning and Zoning Commission that are subject to [§ 25-52\(b\)](#), shall submit a lighting plan in conjunction with the submittal application. All other applications that are not subject to Planning and Zoning Commission review yet are subject to [§ 25-52\(b\)](#), shall submit a lighting plan in conjunction with the administrative site plan review and building permit application. The lighting plan shall be signed and sealed by a registered design professional and include the following:

- (i) Plans indicating the location and type of all illuminating devices, fixtures, lamps, and supports on the premises.

- (ii) Description of the illuminating devices, fixtures, lamps, supports, and other devices, including, but not limited to, catalog cut sheets by manufacturers and drawings.
- (iii) Photometric plan indicating the point-by-point footcandle (fc) layout of a site extending a minimum of 10 feet beyond all property lines or until lighting levels in compliance with this section are indicated.

(2) Pole-Mounted Fixtures

- (i) Pole-mounted lighting fixtures located equal to or less than 20 feet from a property line shall not exceed 16 feet in height, measured from the finished grade to the top of the fixture. The height of any pedestals upon which pole fixtures are placed shall be included in the overall height measurement.
- (ii) Pole-mounted lighting fixtures located greater than 20 feet from a property line shall not exceed 24 feet in height, measured from the finished grade to the top of the fixture. The height of any pedestals upon which pole fixtures are placed shall be included in the overall height measurement.
- (iii) Pole-mounted lighting fixtures for outdoor performance areas, sport and recreation facilities, and playfields shall not exceed 80 feet in height, measured from the finished grade to the top of the fixture. The height of any pedestals upon which pole fixtures are placed shall be included in the overall height measurement.

(3) Canopies

Canopies, including, but not limited to, service stations and convenience stores, over store and office fronts, marquees and projecting overhangs, exterior over driveways and building entrances, and pavilions and gazebos, shall provide recessed fixtures that incorporate a lens cover that is either recessed or flush with the bottom surface of the canopy or a surface-mounted fixture incorporating a flat glass that provides full cutoff.

- (4) Except for outdoor performance areas, sport and recreation facilities, and playfields, all lighting fixtures installed shall be at a minimum full cutoff where no light is permitted at or above a horizontal plane at the bottom of the fixture.
- (5) Where topographical issues exist, which may cause light to cast on neighboring properties, additional shielding requirements may be required.
- (6) The Planning and Zoning Commission or City Council may require lighting to be dimmed or connected to a motion detector during certain hours of the day depending on the proposed use.
- (7) Lighting intended to illuminate building elevations and landscaping shall shine directly onto the intended surface.
- (8) Minimum illumination levels shall be maintained in accordance with [§ 25-52\(e\)](#).
- (9) Prior to the issuance of an occupancy permit, an as-built photometric plan signed and sealed by a registered design professional shall be submitted to Director of Public Services for verification of compliance with the approved lighting plan.
- (10) All lighting fixtures shall be installed and maintained in conformance with the approved lighting plan.

(e) Illumination Levels

Site lighting shall be in compliance with the following illumination levels:

(1) Minimum Illumination Levels (Revised)

- (i) The average illumination level for parking lots shall be a minimum of 1.0 footcandles (fc) at finished grade.
- (ii) The average illumination for pedestrian routes, refuge areas, sidewalks, etc. shall be a minimum of 2.0 footcandles (fc) at finished grade.

(2) Maximum illumination levels

- (i) The maximum level of light cast off site shall be less than or equal to 0.5 footcandles (fc) at finished grade unless otherwise specified herein.
- (ii) The maximum illumination level of light cast off site onto properties with single-family residential uses shall be less than or equal to 0.1 footcandles (fc) at finished grade.
- (iii) The maximum illumination level under canopies shall be less than or equal to 42 footcandles (fc) at finished grade.

§ 25-53. Dumpster and Trash Receptacle Enclosure Areas (Current 220.7(11))

All outside storage areas for the storage of trash and/or recyclables shall be screened. Trash dumpster screening shall be constructed of sight proof fence or wall of similar material as the main building and not less than six feet in height with latching gates of similar or complementary materials to completely enclose the trash dumpster.