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P. Hrngs. X
Pgs. 18
Filed: 06-26-18

Sponsored by: Fulnecky

First Reading: July 2, 2018

Second Reading: July 16, 2018

COUNCIL BILL 2018-171

GENERAL ORDINANCE 6467

AN ORDINANCE

1 AMENDING Springfield City Code, Chapter 36, 'Land Development Code,' Sections
2 36-303, 36-305, 36-360, 36-361, 36-365, 36-401, 36-403, 36-405, 36-
3 409, 36-421, 36-422, 36-423, 36-425, 36-432, 36-433, 36-434, and 36-
4 450; for the purpose of removing and modifying various code sections to
5 reflect the removal of maximum building coverage and floor area ratios
6 from City Code.
7 _____
8

9 WHEREAS, on January 13, 2014, "maximum building coverage" and "floor area
10 ratios" ("FAR"), were removed from the City Code with the passing of General
11 Ordinance 6094; and
12

13 WHEREAS, since that time staff has identified portions of the Code that were not
14 changed in 2014, to reflect the removal of these conditions; and
15

16 WHEREAS, the Planning and Zoning Commission initiated amendments to
17 address this language clean-up on June 9, 2015; and
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19 WHEREAS, the City has notified interested stake-holders; and
20

21 WHEREAS, the Planning and Zoning Commission held a public hearing on the
22 proposed amendments and approved same by a vote of 9-0.
23

24 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
25 SPRINGFIELD, MISSOURI, as follows, that:
26

27 Section 1 - Chapter 36 of the Springfield City Code, 'Land Development Code,' is
28 hereby amended to add new sections and amend existing sections as described
29 in "Exhibit A," which is attached hereto and incorporated herein by reference as
30 though fully set forth herein.
31

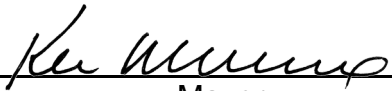
32 Section 2 – Savings Clause. Nothing in this Ordinance shall be construed to

33 affect any suit or proceeding now pending in any court or any rights acquired or liability
34 nor any cause or causes of action occurred or existing, under any act or ordinance
35 repealed hereby. Nor shall any right or remedy of any character be lost, impaired, or
36 affected by this Ordinance.

37
38 Section 3 – Severability Clause. If any section, subsection, sentence, clause, or
39 phrase of this Ordinance is for any reason held to be invalid, such decision shall not
40 affect the validity of the remaining portions of this Ordinance. Council hereby declares
41 that it would have adopted the Ordinance and each section, subsection, sentence,
42 clause, or phrase thereof, irrespective of the fact that any one or more sections,
43 subsection, sentence, clause, or phrase be declared invalid.

44
45 Section 4 – This Ordinance shall be in full force and effect from and after
46 passage.

47
48 Passed at meeting: July 16, 2018

49
50 
51 Mayor

52
53 Attest: , City Clerk

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56 Filed as Ordinance: July 16, 2018

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59 Approved as to form: , Assistant City Attorney

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61
62 Approved for Council action: , Acting City Manager

EXPLANATION TO COUNCIL BILL 2018-171

FILED: 06-26-18

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Amending Springfield City Code, Chapter 36, 'Land Development Code,' Sections 36-303, 36-305, 36-360, 36-361, 36-365, 36-401, 36-403, 36-405, 36-409, 36-421, 36-422, 36-423, 36-425, 36-432, 36-433, 36-434, and 36-450; for the purpose of removing and modifying various code sections to reflect the removal of maximum building coverage and floor area ratios from City Code.

BACKGROUND INFORMATION: ZONING ORDINANCE TEXT AMENDMENT – MAXIMUM BUILDING COVERAGE AND FLOOR AREA RATIO CLEANUP AMENDMENTS

Staff requests amendments to the Zoning Ordinance to remove and modify language that remained after maximum building coverage and floor area ratios were removed from each zoning district by ordinance in 2014. This will include modifying the accessory building and uses section referencing Maximum Building Coverage and the size of accessory buildings allowed per lot. The maximum number of accessory buildings will remain the same.

A previous amendment removed the maximum building coverage requirements from all zoning districts. However, staff has found that there are still references to maximum building coverage for residential properties in the Accessory Structure and Uses and references to Floor Area Ratio ("FAR") in commercial districts. Staff is proposing to remove some of these references to FAR and to modify the Accessory Uses section to regulate accessory structures by the maximum open space allowed per the zoning code instead of a maximum building coverage.

The building coverage and FAR requirements are covered with other bulk, area and height requirements. The bulk plane, height, bufferyards, open space and off-street parking requirements dictate the size and height of buildings and cover the FAR and building coverage requirements. The FAR and building coverage duplicate these other requirements and do not provide any additional protections to the public.

Before an amendment shall be approved by ordinance, the Planning and Zoning Commission shall have first had a public hearing regarding the proposed amendment and made an official report to the City Council regarding the Planning and Zoning Commission's recommendation regarding said amendment. Once the Planning and Zoning Commission has made its official report, any further review by the Planning and Zoning Commission shall not be required unless city council elects to refer a matter back to the Planning and Zoning Commission for further review.

Planning and Zoning Commission initiated amendments to clean-up language regarding

Maximum Building Coverage and Floor Area Ratios on June 9, 2015.

The Development Issues Input Group (“DIIG”), Downtown Springfield Association (“DSA”), Commercial Club and all Registered Neighborhood Associations were notified of these amendments.

This Ordinance supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner.

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendment will clean-up language that remained in the ordinance from previous amendments.

REMARKS:


The Planning and Zoning Commission held a public hearing on June 7, 2018, and recommended approval, by a vote of 9 to 0, (see the attached “Exhibit B” Record of Proceedings”), of the proposed changes to the Zoning Ordinance.

The Planning and Development Staff recommends approval of the proposed amendments.


Submitted by:


Daniel Neal, Senior Planner

Recommended by:


Mary Lilly Smith, Director

Approved by:


Collin Quigley, Acting City Manager

EXHIBITS:

Exhibit A,
Exhibit B, Record of Proceedings
Exhibit C, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Department Comments
Attachment 2, Proposed Amendments

Note: Language to be added is underlined, language to be deleted is ~~stricken~~.

Sec. 36-303. - General provisions.

- (5) *Bulk regulations.* In this article, bulk regulations are expressed in terms of maximum height, ~~maximum lot coverage, maximum floor area ratio,~~ minimum setbacks and minimum front, side and rear yards. No building or structure, or part thereof existing at the effective date of this article, shall be built, moved, expanded, or enlarged and no land vacant at the effective date of this article shall be used, occupied, or designed for use or occupancy:
- (a) So as to exceed ~~the maximum lot coverage percentage,~~ the maximum height or ~~the maximum floor area ratio~~ specified for the zoning district in which the building or structure is located; or
 - (b) So as to provide any setback or front, side or rear yard that is less than that specified for the zoning district in which such building or structure or use of land is located or maintained.

Sec. 36-305. - Establishment of districts.

- (7) *O-1 - Office district.* A zone designed for low-intensity office development ~~with a maximum floor area ratio of 0.4.~~
- (8) *O-2 - Office district.* A zone designed to accommodate office uses in the vicinity of the center city district or other high-intensity use areas ~~and with a maximum floor area ratio of 1.5.~~

Sec. 36-360. - Site plan review.

- (5) *Contents of site plan application.* Whenever a site plan is required under subsection (3) above, the application for site plan approval shall include the following information and material:
- (i) Location, size, use and arrangement of all proposed buildings and computations showing height in stories and feet, ~~floor area ratio,~~ total floor area, total square feet of ground area coverage of proposed and existing buildings which will remain, if any, and number and size of dwelling units and number of bedrooms, in residential uses, and building separations.

Sec. 36-361. - Cluster developments.

- (3) *Cluster housing development: standards.*
- (a) *Modification of yard and lot requirements.* Modification of yard and lot requirements including minimum lot widths ~~and maximum lot coverage~~ may be permitted. Such modifications and variations must be shown on the cluster preliminary subdivision plat.

Sec. 36-365. - Variances.

- (2) *Authorized variance.* Variances from the regulations and restrictions contained in this article may be granted by the board of adjustment in the following instances.
- (a) A variance of the applicable bulk regulations for buildings and structures, including maximum height, ~~lot coverage, floor area ratio,~~ required yard areas, and other required open space.

Sec. 36-401. - GI - Government and institutional use district.

- (3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article.
- (c) ~~Increase permitted floor area ratio to 5.0 for all permitted and conditional uses in the GI district.~~

Sec. 36-403. - UC - Urban conservation district.

- (7) *Urban conservation district zoning.* Simultaneously with the adoption of the UC plan for the area or thereafter, the city council may change the zoning in the area to a UC district. Such zoning change shall be in accordance with procedures established for modifying zoning set out in section 36-367, amendments.
- (b) The UC district may include specific standards and controls to regulate the district, including provisions governing:
1. The use of land;
 2. Density and/or intensity of land use such as minimum lot size, maximum floor area, ~~floor area ratios,~~ number of dwelling units per acre, minimum lot area per dwelling unit and other related provisions;
 3. Area and bulk restrictions, including setbacks, ~~maximum lot coverage,~~ height controls, open space requirements, and other related provision;

Sec. 36-405. – PD - Planned Development District.

- (8) *Preliminary development plan*
- (i) *Standards for approval of a preliminary development plan.* A preliminary development plan shall contain at least the following provisions:
1. For nonresidential development, the intensity of development may be regulated:
 - a. ~~By specifying a floor area ratio (FAR) or ratios;~~

Sec. 36-409. – WC - West College Street district.

- (2) *WC-1, Mixed-use sub-area.*
- (c) *Bulk regulations.*

~~4. Maximum building coverage (including accessory buildings): 90 percent.~~

- (3) *WC - 2, live/work sub-area.* Purpose. A live/work is a business conducted within a dwelling unit by occupants of the dwelling unit. A live/work is distinguished from a home occupation primarily in that a live/work use can include employees who are not residents of the home and involve a greater number of customers.

(e) *Bulk regulations.*

~~6. Maximum building coverage (including accessory buildings): 90 percent.~~

- (4) *WC - 3, residential sub-area.*

(d) *Bulk regulations.*

~~6. Maximum building coverage (including accessory buildings): 90 percent.~~

~~7. Maximum density for multifamily development:~~ Shall be limited to 18 dwelling units per acre.

Sec. 36-421. - GR - General retail district.

- (3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article.

(d) ~~Increase permitted floor area ratio to 1.0 for all permitted and conditional uses in the GR district.~~

Sec. 36-422. - HC - Highway commercial district.

- (3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article.

(e) ~~Increase permitted floor area ratio to 1.0 for all permitted and conditional uses in the HC district.~~

Sec. 36-423. - CS - Commercial service district.

- (3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article:

(c) ~~Increase permitted floor area ratio to 1.0 for all permitted and conditional uses in the CS district.~~

Sec. 36-425. - COM - Commercial street district.

- (3) *Conditional uses.*

(a) The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article and the requirements of this subsection 36-425(3):

~~11. Floor area ratio greater than 3.0.~~

Sec. 36-432. - GM - General manufacturing district.

(3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article:

- (c) ~~Increase permitted floor area ratio to 1.5 for all permitted and conditional uses in the GM district.~~

Sec. 36-433. - HM - Heavy manufacturing district.

(3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article:

- (d) ~~Increase permitted floor area ratio to 3.0 for all permitted and conditional uses in the HM district.~~

Sec. 36-434. - IC - Industrial commercial district.

(3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant, to section 36-363, conditional use permits, of this article.

- (c) ~~Increase permitted floor area ratio to 1.5 for all permitted and conditional uses in the IC district.~~

Sec. 36-450. - Accessory structures and uses.

(5) *Bulk, setback, and spacing regulations.* All accessory structures shall comply with the following regulations:

(a) *Residential districts.*

1. Minimum yard requirements, except clubhouses in subsection 36-450(5)(a)2.c. below:

- a. *Rear and side:* Three feet. An accessory structure may be located on the lot lines provided the abutting residential zoned property also has an accessory structure abutting the common lot line and provided both accessory structures abut one another for the entire length of their abutting walls.
- b. *Front:* No accessory structure shall be permitted in any front yard unless it is permitted by section 36-453, supplemental open space and yard regulations.
- c. On a corner lot, no accessory structure shall project beyond the front yard of adjacent lots to the rear of the corner lot.

2. Maximum structure height, except as permitted by subsection 36-366(1)(e):

- a. The height limit for hip or gable roofs shall be 16 feet.
 - b. The height limit for flat, single slope or mansard roofs shall be 12 feet.
 - c. Clubhouses in a permitted multifamily development shall not exceed the height limit of any multi-family structure within the same development and also provided the clubhouse structure shall remain below a 45-degree bulk plane as measured from the boundary of any R-SF, single-family residential or R-TH, residential townhouse district.
3. Maximum floor area:
- a. ~~The maximum floor area for accessory structures shall not, singularly or in total, exceed 25 percent of the permitted maximum building coverage for principal structures, with a~~ No more than four accessory structures are permitted on a lot, and
 - b. No single accessory structure may exceed two-thirds ~~of the building coverage~~ of the principal structure's footprint square footage.
 - c. None of the above shall result in authorization to exceed the permitted maximum impervious surface area~~building coverage allowed per lot~~.
4. If vehicular access is provided to the accessory structure, it shall be done in such a manner that will not result in any portion of the vehicle extending into or blocking a public way or having to access any neighboring property to enter the accessory building.
- (b) *All other districts.*
1. Minimum yard requirements.
 - a. Rear and side: Same yards as is required for principal structures located on the lot.
 - b. Front: No accessory structure shall be permitted in any front yard unless it is permitted by section 36-453, supplemental open space and yard regulations.
 - c. On a corner lot, no accessory structure shall project beyond the front lot lines on the adjacent lots.
 2. Maximum structure height, except as permitted by subsection 36-366(1)(e):
 - a. In office and limited business districts: Fifteen feet.
 - b. In all other districts: The same height as allowed for principal structures.

Exhibit B

RECORD OF PROCEEDINGS
MAXIMUM BUILDING COVERAGE AND FLOOR AREA RATIO AMENDMENTS
Planning and Zoning Commission June 7, 2018

Maximum Building Coverage & Floor Area Ratio (FAR) Amendments
Citywide

Applicant: City of Springfield

Mr. Hosmer stated that these are the Maximum Building Coverage and Floor Area Ratio Text Amendments: Request to Amend various sections of the Zoning Ordinance relating to Maximum Building Coverage and Floor Area Ratios. City Council amended the Zoning Ordinance to Maximum Building Coverage and Floor Area Ratios on January 13, 2014. Planning and Zoning Commission initiated amendments to clean-up language regarding Maximum Building Coverage and Floor Area Ratios on June 9, 2015. The FAR and building coverage requirements are covered with other bulk, area and height requirements. The bulk plane, height, bufferyards, open space and off-street parking requirements dictate the size and height of buildings and cover the FAR and building coverage requirements. The FAR and building coverage duplicate these other requirements and do not provide any additional protections to the public. Staff is requesting amendments to the Zoning Ordinance to remove and modify language that remained after maximum building coverage and floor area ratios (FARs) were removed from each zoning district by Ordinance in 2014. Most changes only removed references to maximum building coverage and floor area ratios without any new wording, however the accessory structure section had to be rewritten as:

Sec. 36-450. - Accessory structures and uses.

(5) Bulk, setback, and spacing regulations. All accessory structures shall comply with the following regulations:

(a) Residential districts.

3. Maximum floor area:

- a. ~~The maximum floor area for accessory structures shall not, singularly or in total, exceed 25 percent of the permitted maximum building coverage for principal structures, with no more than four accessory structures are permitted on a lot, and~~
- b. ~~No single accessory structure may exceed two-thirds of the building coverage of the principal structure's footprint square footage.~~
- c. None of the above shall result in authorization to exceed the permitted maximum impervious surface area building coverage allowed per lot.

Staff recommends approval.

Ms. Cox asked for an example regarding the "no more than four accessory structures..., are they garages, etc." and Mr. Hosmer stated that they could be garages, sheds, and etc.

Mr. Doennig opened the public hearing.

No speakers.

Mr. Doennig closed he public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Maximum Building Coverage & Floor Area Ratio (FAR) Amendments (Citywide). Mr. Jobe seconded the motion. Ayes: Doennig, Cox, Coltrin, Rose, Thomas, Jobe, Ogilvy, Broekhoven, and Shuler. Nays: None. Abstain: None. Absent: None.

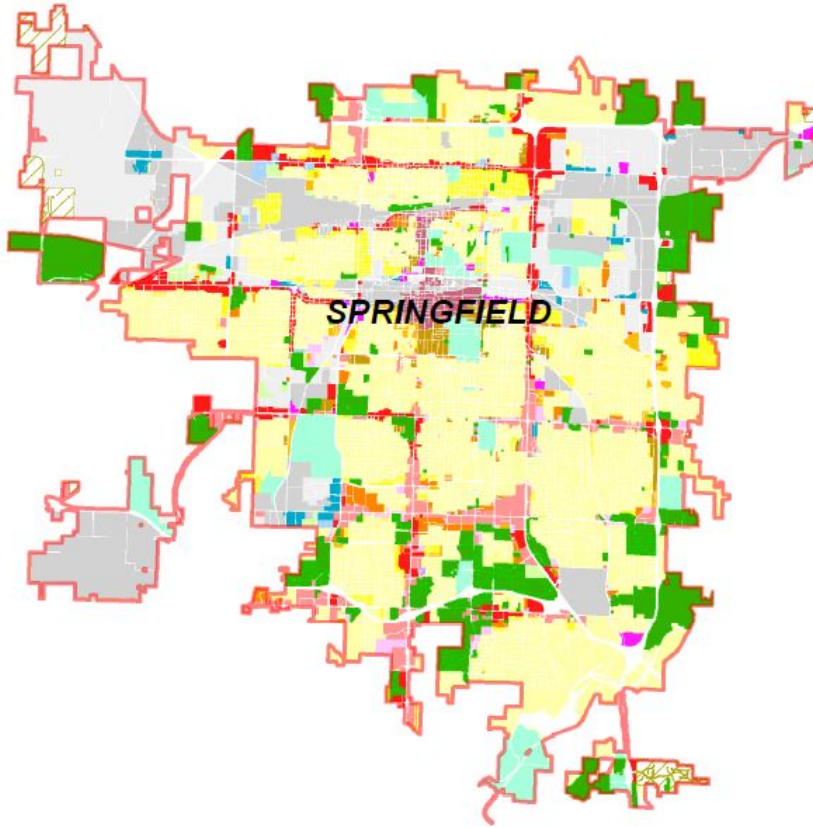
A handwritten signature in black ink, appearing to read 'Bob Hosmer', enclosed within a rectangular box.

Bob Hosmer, AICP
Principal Planner

Exhibit C

PLANNING AND ZONING COMMISSION PUBLIC HEARING: JUNE 7, 2018

CITY COUNCIL PUBLIC HEARING: JULY 2, 2018



CASE:

Maximum Building Coverage and Floor Area Ratio Clean-up Amendments

STAFF:

Daniel Neal, 864-1036

STAFF RECOMMENDATIONS:

Approve

PROPOSED MOTION:

Move to approve the proposed amendments to the Zoning Ordinance as submitted in the staff report

SUMMARY OF REQUEST:

1. Staff is requesting amendments to the Zoning Ordinance to remove and modify language that remained after maximum building coverage and floor area ratios (FARs) were removed from each zoning district in 2014.

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendment will clean-up language that remained in the ordinance from previous amendments.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.

SUMMARY OF PROPOSED TEXT AMMENDMENT:

1. City Council originally initiated amendments on modifying the Zoning Ordinance in regards to Maximum Building Coverage and Floor Area Ratios on June 3, 2013 (Res. 10047). Planning and Zoning Commission initiated amendments to clean-up language regarding Maximum Building Coverage and Floor Area Ratios on June 9, 2015.
2. Staff is requesting amendments to the Zoning Ordinance to remove and modify language that remained after maximum building coverage and floor area ratios were removed from each zoning district by ordinance in 2014. This will include modifying the accessory building and uses section referencing Maximum Building Coverage and the size of accessory buildings allowed per lot. The maximum number of accessory buildings will remain the same.
3. A previous amendment removed the maximum building coverage requirements from all zoning districts. However, staff has found that there are still references to maximum building coverage for residential properties in the Accessory Structure and Uses and references to Floor Area Ratio (FAR) in commercial districts. Staff is proposing to remove some of these references to FAR and to modify the Accessory Uses section to regulate accessory structures by the maximum open space allowed per the zoning code instead of a maximum building coverage.
4. Before an amendment shall be approved by ordinance, the Planning and Zoning Commission shall have first had a public hearing regarding the proposed amendment and made an official report to the City Council regarding the Planning and Zoning Commission's recommendation regarding said amendment. Once the Planning and Zoning Commission has made its official report, any further review by the Planning and Zoning Commission shall not be required unless city council elects to refer a matter back to the Planning and Zoning Commission for further review.

STAFF COMMENTS:

Staff requests that Commission approve amendments to the Zoning Ordinance of the city code as specified.

PUBLIC COMMENTS:

The Development Issues Input Group (DIIG), Downtown Springfield Association (DSA), Commercial Club and all Registered Neighborhood Associations were notified of these amendments and public hearing dates.

ATTACHMENT 1
DEPARTMENT COMMENTS

DEPARTMENT COMMENTS:

BUILDING DEVELOPMENT SERVICES COMMENTS:

No comments.

ATTACHMENT 2

Proposed Amendments

REQUIREMENTS FOR APPROVAL:

Note: Language to be added is underlined, language to be deleted is ~~stricken~~.

Sec. 36-303. - General provisions.

- (5) *Bulk regulations.* In this article, bulk regulations are expressed in terms of maximum height, ~~maximum lot coverage, maximum floor area ratio,~~ minimum setbacks and minimum front, side and rear yards. No building or structure, or part thereof existing at the effective date of this article, shall be built, moved, expanded, or enlarged and no land vacant at the effective date of this article shall be used, occupied, or designed for use or occupancy:
- (a) So as to exceed ~~the maximum lot coverage percentage,~~ the maximum height ~~or the maximum floor area ratio~~ specified for the zoning district in which the building or structure is located; or
 - (b) So as to provide any setback or front, side or rear yard that is less than that specified for the zoning district in which such building or structure or use of land is located or maintained.

Sec. 36-305. - Establishment of districts.

- (7) *O-1 - Office district.* A zone designed for low-intensity office development ~~with a maximum floor area ratio of 0.4.~~
- (8) *O-2 - Office district.* A zone designed to accommodate office uses in the vicinity of the center city district or other high-intensity use areas ~~and with a maximum floor area ratio of 1.5.~~

Sec. 36-360. - Site plan review.

- (5) *Contents of site plan application.* Whenever a site plan is required under subsection (3) above, the application for site plan approval shall include the following information and material:
- (i) Location, size, use and arrangement of all proposed buildings and computations showing height in stories and feet, ~~floor area ratio,~~ total floor area, total square feet of ground area coverage of proposed and existing buildings which will remain, if any, and number and size of dwelling units and number of bedrooms, in residential uses, and building separations.

Sec. 36-361. - Cluster developments.

- (3) *Cluster housing development: standards.*
- (a) *Modification of yard and lot requirements.* Modification of yard and lot requirements including minimum lot widths ~~and maximum lot coverage~~ may be permitted. Such modifications and variations must be shown on the cluster preliminary subdivision plat.

Sec. 36-365. - Variances.

- (2) *Authorized variance.* Variances from the regulations and restrictions contained in this article may be granted by the board of adjustment in the following instances.
- (a) A variance of the applicable bulk regulations for buildings and structures, including maximum height, ~~lot coverage, floor area ratio,~~ required yard areas, and other required open space.

Sec. 36-401. - GI - Government and institutional use district.

- (3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article.
- (c) ~~Increase permitted floor area ratio to 5.0 for all permitted and conditional uses in the GI district.~~

Sec. 36-403. - UC - Urban conservation district.

- (7) *Urban conservation district zoning.* Simultaneously with the adoption of the UC plan for the area or thereafter, the city council may change the zoning in the area to a UC district. Such zoning change shall be in accordance with procedures established for modifying zoning set out in section 36-367, amendments.
- (b) The UC district may include specific standards and controls to regulate the district, including provisions governing:
1. The use of land;
 2. Density and/or intensity of land use such as minimum lot size, maximum floor area, ~~floor area ratios~~, number of dwelling units per acre, minimum lot area per dwelling unit and other related provisions;
 3. Area and bulk restrictions, including setbacks, ~~maximum lot coverage~~, height controls, open space requirements, and other related provision;

Sec. 36-405. – PD - Planned Development District.

- (8) *Preliminary development plan*
- (i) *Standards for approval of a preliminary development plan.* A preliminary development plan shall contain at least the following provisions:
1. For nonresidential development, the intensity of development may be regulated:
 - a. ~~By specifying a floor area ratio (FAR) or ratios;~~

Sec. 36-409. – WC - West College Street district.

- (2) *WC-1, Mixed-use sub-area.*
- (c) *Bulk regulations.*
- ~~4.—Maximum building coverage (including accessory buildings): 90 percent.~~
- (3) *WC - 2, live/work sub-area.* Purpose. A live/work is a business conducted within a dwelling unit by occupants of the dwelling unit. A live/work is distinguished from a home occupation primarily in that a live/work use can include employees who are not residents of the home and involve a greater number of customers.
- (e) *Bulk regulations.*
- ~~6.—Maximum building coverage (including accessory buildings): 90 percent.~~
- (4) *WC - 3, residential sub-area.*
- (d) *Bulk regulations.*
6. ~~Maximum building coverage (including accessory buildings): 90 percent.~~
 - ~~7.—Maximum density for multifamily development:~~ Shall be limited to 18 dwelling units per acre.

Sec. 36-421. - GR - General retail district.

- (3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article.
- (d) ~~Increase permitted floor area ratio to 1.0 for all permitted and conditional uses in the GR district.~~

Sec. 36-422. - HC - Highway commercial district.

- (3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article.
- (e) ~~Increase permitted floor area ration to 1.0 for all permitted and conditional uses in the HC district.~~

Sec. 36-423. - CS - Commercial service district.

- (3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article:
- (c) ~~Increase permitted floor area ratio to 1.0 for all permitted and conditional uses in the CS district.~~

Sec. 36-425. - COM - Commercial street district.

- (3) *Conditional uses.*
- (a) The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article and the requirements of this subsection 36-425(3):
11. ~~Floor area ratio greater than 3.0.~~

Sec. 36-432. - GM - General manufacturing district.

- (3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article:
- (c) ~~Increase permitted floor area ratio to 1.5 for all permitted and conditional uses in the GM district.~~

Sec. 36-433. - HM - Heavy manufacturing district.

- (3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article:
- (d) ~~Increase permitted floor area ration to 3.0 for all permitted and conditional uses in the HM district.~~

Sec. 36-434. - IC - Industrial commercial district.

- (3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article.
- (c) ~~Increase permitted floor area ratio to 1.5 for all permitted and conditional uses in the IC district.~~

Sec. 36-450. - Accessory structures and uses.

(5) *Bulk, setback, and spacing regulations.* All accessory structures shall comply with the following regulations:

(a) *Residential districts.*

1. Minimum yard requirements, except clubhouses in subsection 36-450(5)(a)2.c. below:
 - a. *Rear and side:* Three feet. An accessory structure may be located on the lot lines provided the abutting residential zoned property also has an accessory structure abutting the common lot line and provided both accessory structures abut one another for the entire length of their abutting walls.
 - b. *Front:* No accessory structure shall be permitted in any front yard unless it is permitted by section 36-453, supplemental open space and yard regulations.
 - c. On a corner lot, no accessory structure shall project beyond the front yard of adjacent lots to the rear of the corner lot.
2. Maximum structure height, except as permitted by subsection 36-366(1)(e):
 - a. The height limit for hip or gable roofs shall be 16 feet.
 - b. The height limit for flat, single slope or mansard roofs shall be 12 feet.
 - c. Clubhouses in a permitted multifamily development shall not exceed the height limit of any multi-family structure within the same development and also provided the clubhouse structure shall remain below a 45-degree bulk plane as measured from the boundary of any R-SF, single-family residential or R-TH, residential townhouse district.
3. Maximum floor area:
 - a. ~~The maximum floor area for accessory structures shall not, singularly or in total, exceed 25 percent of the permitted maximum building coverage for principal structures, with a~~ No more than four accessory structures are permitted on a lot, and
 - b. No single accessory structure may exceed two-thirds ~~of the building coverage~~ of the principal structure's footprint square footage.
 - c. None of the above shall result in authorization to exceed the permitted maximum impervious surface area building coverage allowed per lot.
4. If vehicular access is provided to the accessory structure, it shall be done in such a manner that will not result in any portion of the vehicle extending into or blocking a public way or having to access any neighboring property to enter the accessory building.

(b) *All other districts.*

1. Minimum yard requirements.
 - a. Rear and side: Same yards as is required for principal structures located on the lot.
 - b. Front: No accessory structure shall be permitted in any front yard unless it is permitted by section 36-453, supplemental open space and yard regulations.
 - c. On a corner lot, no accessory structure shall project beyond the front lot lines on the adjacent lots.
2. Maximum structure height, except as permitted by subsection 36-366(1)(e):
 - a. In office and limited business districts: Fifteen feet.
 - b. In all other districts: The same height as allowed for principal structures.