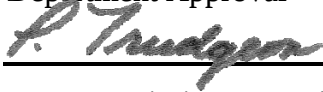


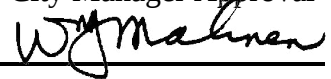
REQUEST FOR CITY COUNCIL DISCUSSION

DATE: **08/23/2010**
ITEM NO: **13.B**

Department Approval



City Manager Approval



Item Description: Discussion regarding the adoption of a new **ZONING TEXT AMENDMENT**;
Adopting new regulations for Title 10, Zoning Regulations, pertaining to
the **COMMERCIAL AND MIXED USE DISTRICTS (PROJ0017)**.

1.0 REQUESTED ACTION

The Roseville Planning Division is seeking the City Council's comments/direction regarding the new Commercial and Mixed Use Districts standards in the text portion of Title 10, Zoning Regulations of the City Code, so that they may be revised and brought back for final approval.

2.0 PROGRESS REVIEW

2.1 The Planning Division and Consultant (The Cuningham Group) began work on necessary modifications to the residential and commercial districts in late January. These changes are based on the goals and policies identified in the Roseville 2030 Comprehensive Plan and on the need to update/clarify specific uses, dimensional requirements, and language within the new code.

2.2 On March 25, 2010 the City held the second Community Open House and introduced the commercial/mixed use district draft requirements. The Open House was attended by a dozen interested persons. Staff and the Consultant presented information about the draft commercial/mixed use code and answered questions.

2.3 On April 7, 2010, the City Planner discussed further with the Planning Commission any additional questions, comments and/or changes to the draft commercial/mixed use district regulations and indicated that the public hearing would be the next step in the process.

3.0 NEW VERSUS OLD CODE

3.1 Beginning with Imagine Roseville 2025 and continuing through Roseville's 2030 Comprehensive Plan, the City has established a number of vision statements, policies, and goals that will take a new kind of zoning ordinance to achieve. The philosophy has been to create a code that is more focused on the physical form of uses and their relationships with the surrounding area. This emphasis will promote innovative practices, support more flexible standards, and streamline current processes with performance standards (to replace processes such as certain conditional uses, variances, and planned unit developments).

3.2 Zoning districts have been created with names that are similar to their counterpart land use categories found in the Comprehensive Plan.

- 30 3.3 Simple sketches and photos will be used throughout the document to illustrate specific
31 requirements, and the formatting and general organization will be a big improvement
32 over the current document.
- 33 **4.0 COMMERCIAL/MIXED-USE DISTRICTS DIFFERENCES**
- 34 4.1 Commercial district designations also take their names from the Comprehensive Land
35 Use designation counterparts, which eliminates a number of existing zoning district
36 designations as well as creates a few new district designations.
- 37 4.2 Specific commercial/mixed-use districts regulation modifications include:
- 38 a. Design standards to minimize impacts, especially for larger buildings (e.g.
39 building placement, articulation of long facades, pedestrian orientation, four-sided
40 design, and parking lot standards).
- 41 b. Simplification of use table, including the elimination of certain inappropriate,
42 outdated, or confusing uses, as well as a generalizing of retail and service uses.
- 43 c. Clarification and update of dimensional standards regarding height, floor area
44 ratios, and building coverage versus impervious coverage.
- 45 d. Mixed Use District (initially encompassing the Twin Lakes Redevelopment Area)
46 includes both general and specific design/performance standards, and requires a
47 regulating map that addresses the type and general placement of structures at
48 specific locations.
- 49 **5.0 PLANNING COMMISSION ACTION**
- 50 5.1 At the duly noticed public hearing, City Planner Thomas Paschke reviewed this request
51 and recommended approval of draft Commercial and Mixed Use District requirements,
52 establishing new regulations under Title 10, Zoning Regulations, pertaining to the
53 COMMERCIAL AND MIXED USE DISTRICTS, as presented and detailed in the
54 Request for Planning Commission Action dated July 7, 2010.
- 55 5.2 City Planner Paschke advised that the primary proposed changes to the existing Zoning
56 Code, in effect since the inception of the City of Roseville, with multiple amendments
57 throughout the years, included formatting for better clarity; the addition of illustrative
58 examples of the intent of various sections of the ordinance; and those substantive changes
59 to the existing code detailed in Section 4.2 of the Request for Planning Commission
60 Action dated July 7, 2010. The City Planner advised that those changes were related to
61 design standards; a simplification of the Use Table; clarification and an update of
62 dimensional standards; and the addition of a Mixed Use District, initially encompassing
63 the Twin Lakes area, and including both general and specific design/performance
64 standards.
- 65 5.3 Chair Doherty invited citizens in attendance that desired to comment on the proposed
66 Commercial/Mixed Use Districts to come forward with their questions and comments.
67 Three members of the audience addressed the Commission and the Planning Staff on a
68 number of items and issues regarding the proposed zoning ordinance changes (see
69 Attachment B).

- 70 5.4 City Planner Paschke then reviewed the comments submitted by Commissioner Woznaik
71 (Attachment C) with the Commission and discussed possible/suggested corrections
72 and/or changes in the proposed draft.
- 73 5.5 City Planner Paschke also noted that the City Attorney's office had provided comment on
74 Page 7 requesting the inclusion of setback requirements on the table under Dimensional
75 Standards; that the word "Maximum" needed to be added in addressing the percentages;
76 and other items were similar to and addressed in Member Wozniak's written comments.
- 77 5.6 The Planning Commission voted (6-0) to recommend approval of draft Commercial and
78 Mixed Use District requirements, establishing new regulations under Title 10, Zoning
79 Regulations, pertaining to the COMMERCIAL AND MIXED USE DISTRICTS, as
80 presented and detailed in the Request for Planning Commission Action dated July 7,
81 2010; with staff directed to incorporate the following modifications (all changes have
82 been made and are indicated in blue within the draft proposal):
- 83 a. Change Section 1004.01 (Statement of Purpose Page) 1, item e), to include
84 language to encourage enhancement of the natural environment *[as feasible]*.
- 85 b. Change Section 1004.02 (Design Standards) by adding "existing" in opening
86 statement regarding building floor area.
- 87 c. Change Section 1004.02E (Window and Door Openings) Windows and Door
88 Openings – page 2.e.6, paragraph 3, incorporate the 50% rule, with equipment or
89 other bulky items blocking window or door openings, must be 5', everything else
90 is allowed.
- 91 d. Change Section 1004.02L (Trash Storage Areas) to "Waste and Recycling
92 Areas".
- 93 e. Modify the front setback requirement to address right-of-way easements in the
94 text and chart, with a revised statement, pending further discussion with the City
95 Attorney.
- 96 f. Include Section 1004.06F (Surface Parking) in the Community Business District
97 Section 1004.05.
- 98 g. Add that "structured parking" is treated as a building type and designated as such
99 for Community Mixed Use proposals.
- 100 5.7 Staff advised that they would address those typographical and numbering errors as
101 indicated before going forward to the City Council.
- 102 **6.0 SUGGESTED CITY COUNCIL ACTION**
- 103 The City Council should review the proposed text changes for Commercial and Mixed
104 Use Districts and ask questions of the Planning Staff. It is expected that the for
105 Commercial and Mixed Use Districts will be back in front of the City Council for
106 adoption sometime this fall.
- 107 **Prepared by: City Planner Thomas Paschke (651-792-7074)**
108 Attachments: A: Proposed Draft Commercial/Mixed Use District Requirements
109 B: Draft Planning Commission Minutes
110 C: Commissioner Woznaik Comments Sheet

Chapter 1004. Commercial and Mixed-Use Districts

1004.01 Statement of Purpose

The commercial and mixed-use districts are designed to:

- A. Promote an appropriate mix of commercial development types within the community.
- B. Provide attractive, inviting, high-quality retail shopping and service areas that are conveniently and safely accessible by multiple travel modes including transit, walking, and bicycling.
- C. Improve the community's mix of land uses by encouraging mixed medium- and high-density residential uses with high-quality commercial and employment uses in designated areas.
- D. Encourage appropriate transitions between higher-intensity uses within commercial and mixed use centers and adjacent lower-density residential districts.
- E. Encourage sustainable design practices that apply to buildings, private development sites, and the public realm [in order to enhance the natural environment.](#)

1004.02 Design Standards

The following standards apply to new buildings and major expansions of [existing buildings](#) (those that constitute 50% or more of building floor area) in all commercial and mixed-use districts. Design standards apply only to the portion of the building or site that is undergoing alteration.

- A. **Corner Building Placement:** At intersections, buildings shall have front and side facades aligned at or near the front property line.
- B. **Entrance Orientation:** Primary building entrances shall be oriented to the primary abutting public street. The entrance must have a functional door. Additional entrances may be oriented to a secondary street or parking area. Entrances shall be clearly visible and identifiable from the street and delineated with elements such as roof overhangs, recessed entries, landscaping, or similar design features.
- C. **Vertical Facade Articulation:** Buildings shall be designed with a base, a middle and a top, created by variations in detailing, color and materials. A single-story building shall include a base and a top level.
 - 1. The base of the building should include elements that relate to the human scale, including doors and windows, texture, projections, awnings and canopies.



Corner building placement, entrance orientation, base, middle and top.

2. Articulated building tops may include varied rooflines, cornice detailing, dormers, gable ends, stepbacks of upper stories, and similar methods.

D. Horizontal Facade Articulation: Facades greater than 40 feet in length shall be visually articulated into smaller intervals of between 20 to 40 feet by one or a combination of the following techniques:

1. Stepping back or extending forward a portion of the facade
2. Variations in texture, materials or details
3. Division into storefronts
4. Stepbacks of upper stories
5. Placement of doors, windows and balconies



Horizontal facade articulation.

E. Window and Door Openings:

1. For nonresidential uses, windows, doors or other openings shall comprise at least 60% of the length and at least 40% of the area of any ground floor facade fronting a public street. At least 50% of the windows shall have the lower sill within three feet of grade.
2. For nonresidential uses, windows, doors or other openings shall comprise at least 20% of side and rear ground floor facades not fronting a public street. On upper stories, windows or balconies shall comprise at least 20% of the facade area.
3. On residential facades, windows, doors, balconies or other openings shall comprise at least 20% of the facade area.
4. Glass on windows and doors shall be clear or slightly tinted to allow views in and out of the interior. Spandrel (opaque) glass may be used on service areas.
5. Window shape, size and patterns shall emphasize the intended organization and articulation of the building facade.
6. Displays may be placed within windows. Equipment within buildings shall be placed at least 5 feet behind windows.



Window and door openings.

F. Materials: All exterior wall finishes on any building must be one or a combination of the following materials: face brick, natural or cultured stone, textured pre-cast concrete panels, textured concrete block, stucco, glass, pre-finished metal, fiberglass or similar materials or cor-ten steel (other than unpainted galvanized metal or corrugated materials). Other new materials of equal quality to those listed may be

approved by the Zoning Administrator.

G. Four-sided Design: Building design shall provide consistent architectural treatment on all building walls. All sides of a building must display compatible materials, although decorative elements and materials may be concentrated on a street-facing façade. All façades shall contain window openings. This standard may be waived by the Zoning Administrator for uses that include elements such as service bays on one or more façades.



Four-sided building design

H. Maximum Building Length: Building length parallel to the primary abutting street shall not exceed 200 feet without a visual break such as a courtyard or recessed entry, except where a more restrictive standard is specified for a specific district.

I. Garages Doors and Loading Docks: Garage doors shall be located to the side or rear of the primary building facade to the extent feasible. Loading docks must be located on rear or side façades. Garage doors of attached garages on a building front shall not exceed 50% of the total length of the building front.



Garage door placement

J. Rooftop Equipment: Rooftop equipment, including rooftop structures related to elevators, shall be completely screened from eye level view from contiguous properties and adjacent streets. Such equipment shall be screened with parapets or other materials similar to and compatible with exterior materials and architectural treatment on the structure being served. Horizontal or vertical slats of wood material shall not be utilized for this purpose. Solar and wind energy equipment is exempt from this provision if screening would interfere with system operations.

K. Service Areas and Mechanical Equipment: Service areas, utility meters, and building mechanical equipment shall not be located on the street side of a building or on a side wall closer than 10 feet to the street side of a building.

L. Waste and Recycling Areas: Trash storage areas shall be enclosed. Enclosure walls shall be of a block or masonry material and designed to match the building where it is located. Trash enclosures within developments of two-story or more shall incorporate a trellis cover or a roof design to screen views from above. The enclosure should be accessible to residents and businesses, yet located away from main entries.

1004.03 Table of Allowed Uses

Table 1004-1 lists all permitted and conditional uses in the commercial and mixed use districts.

*these lists can be placed in
Definitions section*

***General retail:** includes:

- Antiques and collectibles store
- Art gallery
- Auto parts store
- Bicycle sales and repair
- Book store, music store
- Clothing and accessories sales
- Convenience store
- Drugstore, pharmacy
- Electronics sales and repair;
- Florist
- Jewelry store
- Hardware store
- News stand, magazine sales
- Office supplies
- Pet store
- Photographic equipment, studio
- Picture framing
- Second-hand goods store
- Tobacco store
- Video store
- Uses determined by the Community Development Director to be of a similar scale and character

**** Personal services**
include:

- Barber and beauty shops
- Dry-cleaning pick-up station
- Interior decorating/upholstery
- Locksmith
- Mailing and packaging services
- Photocopying, document reproduction services
- Consumer electronics repair
- Shoe repair
- Tailor shop
- Watch repair, other small goods repair
- Uses determined by the Community Development Director to be of a similar scale and character

- A. Uses marked as “P” are permitted in the districts where designated.
- B. Uses marked with a “C” are allowed as conditional uses in the districts where designated, in compliance with all applicable standards. Uses marked as “P/C” may be permitted or conditional depending on their compliance with specific standards.
- C. A “Y” in the “Standards” column indicates that specific standards must be complied with, whether the use is permitted or conditional. Standards are included in Chapter __, Supplemental Regulations.
- D. **Combined Uses:** Allowed uses may be combined within a single building, meeting the following standards:
1. Residential units in mixed-use buildings shall be located above the ground floor or on the ground floor to the rear of nonresidential uses.
 2. Retail and service uses in mixed-use buildings shall be located at ground floor or lower levels of the building.
 3. Nonresidential uses are not permitted above residential uses.

Table 1004-1	NB	CB	RB	CMU	Standards
Office Uses					
General office	P	P	P	P	
Clinic, medical, dental or optical	P	P	P	P	
Office showroom		P	P	P	
Commercial Uses					
General retail sales and service*	P	P	P	P	
Animal boarding, kennel/day care	P/C	P/C	P/C	P/C	Y
Animal hospital, veterinary clinic	P	P	P	P	Y
Bank, financial institution	P	P	P	P	
Club or lodge, private	P	P	P	P	
Day care center	P	P	P	P	Y
Health club, fitness center, exercise studio	C	P	P	P	
Grocery store, food and related goods sales (see definition)	C	P	P	P	
Liquor store	P/C	P	P	P	Y
Lodging: hotel, motel, extended stay hotel		P	P	P	
Mortuary, funeral home	P	P	P	P	
Motor fuel sales, gas station (includes repair)	C	C	P	C	Y
Motor vehicle repair, auto body shop		C	P	C	Y

Table 1004-1	NB	CB	RB	CMU	Standards
Motor vehicle rental/leasing		C	C	C	Y
Motor vehicles sales			C		
Movie theater, cinema		P	P	P	
Pawn shop		C	C		
Personal services**	P	P	P	P	
Restaurant, Traditional	P	P	P	P	
Restaurant, Fast Food		P	P	C	Y
Restaurant-Tavern		P	P	P	
Restaurant, Limited	P	P	P	P	
School of music, dance, arts, tutoring	P	P	P	P	
School, trade or business	C	P	P	P	
Storage, personal, indoor		P	P		
Residential - Family Living					
One-family attached dwelling (townhome, rowhouse)	P			P	Y
Multi-family, 3-8 units per building	P			P	Y
Multi-family, upper stories in mixed-use building	P	P		P	
Multi-family, 8 or more units	C			P	Y
Accessory dwelling unit (ADU)				C	Y
Live-work unit	C			P	Y
Residential - Group Living					
Community residential facility, state licensed, serving 7-16 persons	C			C	Y
Dormitory				C	
Nursing home, assisted living facility	C			C	Y
Civic and Institutional Uses					
Church, religious institution				C	Y
Community center, library, municipal building				P	
School, elementary or secondary				C	Y
College, post-secondary school				C	Y
Theater, performing arts center				P	
Utilities and Transportation					
Essential services	P	P	P	P	
Park-and-ride facility	C	P	P	P	
Transit center	C	P	P	P	
Accessory Uses, Buildings and Structures					
Accessibility ramps and other accommodations	P	P	P	P	

Table 1004-1	NB	CB	RB	CMU	Standards
Detached garages and off-street parking spaces	P	P	P	P	Y
Drive-through facility		P	P	C	Y
Gazebos, arbors, patios, play equipment	P	P	P	P	Y
Home occupation	P			P	Y
Swimming pools, hot tubs and spas				P	Y
Solar energy systems	P			P	Y
Tennis and other recreational courts				P	Y
Accessory buildings for storage of domestic or business supplies and equipment	P	P	P	P	Y
Communications antennas and towers	C	C	C	C	Y
Wind energy systems	C	C	C	C	Y
Temporary Uses					
Temporary buildings for construction purposes	C	C	C	C	Y
Sidewalk sales, boutique sales	P	P	P	P	Y
Personal storage containers	P	P	P	P	Y

1004.04 Neighborhood Business (NB) District

A. **Statement of Purpose:** The Neighborhood Business District is designed to provide a limited range of neighborhood-scale retail, service and office uses in proximity to residential neighborhoods or integrated with residential uses. The NB district is also intended to:

1. Encourage mixed use at underutilized retail and commercial intersections;
2. Encourage development that creates attractive gateways to City neighborhoods;
3. Encourage pedestrian connections between Neighborhood Business areas and adjacent residential neighborhoods;
4. Ensure that buildings and land uses are scaled appropriately to the surrounding neighborhood;
5. Provide adequate buffering of surrounding neighborhoods.

B. **Design Standards:** The standards in Section 1004.02 shall apply, with the following addition:

1. **Maximum Building Length:** Building length parallel to

the primary abutting street shall not exceed 160 feet without a visual break such as a courtyard or recessed entry.

C. Dimensional Standards:

Table 1004-2	
Minimum Lot Area	No requirement
Maximum Density, Residential	12 units/net acre
Maximum Building Height	35 feet
Front Yard Setback (min. - max.)	No requirement
Side Yard Setback	6 feet where windows are located on a side wall or on an adjacent wall of an abutting property 10 feet from residential lot boundary Otherwise not required
Rear Yard Setback	25 feet from <u>residential</u> lot boundary 10 feet from <u>nonresidential</u> boundary
Surface Parking Setback	See E below
Improvement Area (Lot Coverage)	75%? maximum

Primary street: The street where the highest level of pedestrian activity is anticipated. This is generally, but not exclusively, the street of higher classification. The Zoning Administrator shall determine the primary street.

- D. Frontage Requirement:** Buildings at corner locations shall be placed within five feet of the front lot line on either street for a distance of at least 20 feet from the corner.
- E. Parking Placement:** Surface parking shall not be located between the front facade of a building and the abutting street. Parking shall be located to the rear or side of the principal building. Parking abutting the primary street frontage is limited to 50% of that lot frontage.
- F. Screening from Residential Property:** Screening along side and rear lot lines abutting residential properties is required, consistent with Section ____.

1004.05 Community Business (CB) District

- A. Statement of Purpose:** The Community Business District is designed for shopping areas with moderately scaled retail and service uses, including shopping centers, freestanding businesses, and mixed-use buildings with upper-story residential uses. CB Districts are intended to be located in areas with visibility and access to the arterial street system. The district is also intended to:

1. Encourage and facilitate pedestrian, bicycle and transit access
2. Provide adequate buffering of surrounding neighborhoods.

B. Dimensional Standards:

Table 1004-3	
Minimum Lot Area	No requirement
Maximum Density, Residential	24 units/net acre
Maximum Building Height	40 feet
Front Yard Setback (min. - max.)	0 to 25 feet*
Side Yard Setback	6 feet where windows are located on a side wall or on an adjacent wall of an abutting property 10 feet from residential lot boundary Otherwise not required
Rear Yard Setback	25 feet from <u>residential</u> lot boundary 10 feet from <u>nonresidential</u> boundary
Surface Parking Setback	See E below
Improvement Area (Lot Coverage)	85%? <u>maximum</u>

a Unless it is determined by the Zoning Administrator that a certain setback minimum distance is necessary for the building or to accommodate public infrastructure.

- C. **Frontage Requirement:** A minimum of 30% of building facades abutting a primary street shall be placed within 25 feet of the front lot line along that street.
- D. **Surface Parking:** Surface parking on large development sites shall be divided into smaller parking areas with a maximum of 100 spaces in each area, separated by landscaped areas at least 10 feet in width. Landscaped areas shall include pedestrian walkways leading to building entrances.
- E. **Parking Placement:** Parking placed between a building and the abutting street shall not exceed a maximum setback of 85 feet, sufficient to provide a single drive aisle and two rows of perpendicular parking along with building entrance access and required landscaping. This setback may be extended to a maximum of 100 feet if traffic circulation, drainage and/or other site design issues are shown to require additional space. Screening along side and rear lot lines abutting residential properties is required, consistent with Section _____.

Primary street: The street where the highest level of pedestrian activity is anticipated. This is generally, but not exclusively, the street of higher classification. The Zoning Administrator shall determine the primary street.

1004.06 Regional Business (RB) District

- A. Statement of Purpose:** The RB District is designed for businesses that provide goods and services to a regional market area, including regional-scale malls, shopping centers, large-format stores, multi-story office buildings and groups of automobile dealerships. RB Districts are intended for locations with visibility and access from the regional highway system. The district is also intended to:
1. Encourage a “park once” environment within districts by enhancing pedestrian movement and a pedestrian-friendly environment;
 2. Encourage high quality building and site design to increase the visual appeal and continuing viability of development in the RB District.
 3. Provide adequate buffering of surrounding neighborhoods.
- B. Design Standards:** The standards in Section 1004.02 shall apply, with the following exception.
1. Window and door openings. In place of the standard in 1004.02, the following applies: Ground floor facades that face or abut public streets shall incorporate one or more of the following features along at least 60% of their horizontal length:
 - a. Windows and doors with clear or slightly tinted glass to allow views in and out of the interior. Spandrel (opaque) glass may be used on service areas.
 - b. Customer entrances;
 - c. Awnings, canopies, or porticoes;
 - d. Outdoor patios or eating areas.
- C. Dimensional Standards:**

Table 1004-4	
Minimum Lot Area	No requirement
Maximum Building Height	65 feet; taller buildings may be allowed as conditional use
Front Yard Setback	No requirement (see Frontage below)
Side Yard Setback	6 feet where windows are located on a side wall or on an adjacent wall of an abutting property 10 feet from residential lot boundary Otherwise not required
Rear Yard Setback	25 feet from <u>residential</u> lot boundary 10 feet from <u>nonresidential</u> boundary
Surface Parking Setback	See E below
Improvement Area (Lot Coverage)	85%? maximum

D. Frontage Requirement: A development must utilize one or more of the three options below for placement of buildings and parking relative to the primary street:

1. At least 50% of the street frontage shall be occupied by building facades placed within 20 feet of the front lot line. No off-street parking shall be located between the facades meeting this requirement and the street.
2. At least 60% of the street frontage shall be occupied by building facades placed within 65 feet of the front lot line. Only one row of parking and a drive aisle may be placed within this setback area.
3. At least 70% of the street frontage shall be occupied by building facades placed within 85 feet of the front lot line. Only two rows of parking and a drive aisle may be placed within this setback area.

Under E, for example, primary drive aisles in parking lots may be located away from building entrances or designed as internal streets with curb and sidewalk.



E. Access and Circulation: Within shopping centers or other large development sites, vehicular circulation shall be designed to minimize conflicts with pedestrians.

F. Surface Parking: Surface parking on large development sites shall be divided into smaller parking areas with a maximum of 100 spaces in each area, separated by landscaped areas at least 10 feet in width. Landscaped areas shall include pedestrian walkways leading to building entrances.

G. Standards for Nighttime Activities: Uses that involve deliveries or other activities between the hours of 10:00 P.M. and 7:00 A.M. (referred to as “nighttime hours”) shall meet the following standards:

1. Off-street loading and unloading during nighttime hours shall take place within a completely enclosed and roofed structure with the exterior doors shut at all times.
2. Movement of sweeping vehicles, garbage trucks, maintenance trucks, shopping carts and other service vehicles and equipment is prohibited during nighttime hours within 300 feet of a residential district, except for emergency vehicles and emergency utility or maintenance activities.
3. Snow removal within 300 feet of a residential district shall be minimized during nighttime hours, consistent with the required snow management plan.

1004.07 Community Mixed-Use (CMU) District

A. Statement of Purpose: The Community Mixed-Use District is designed to encourage the development or redevelopment

of mixed-use centers that may include housing, office, commercial, park, civic, institutional and open space uses. Complementary uses should be organized into cohesive districts in which mixed- or single-use buildings are connected by streets, sidewalks and trails and open space to create a pedestrian-oriented environment. The CMU District is intended to be applied to areas of the City guided for redevelopment or intensification.

B. Regulating Map: The CMU District must be guided by a Regulating Map for each location where it is applied. The Regulating Map establishes the following parameters:

1. **Street and Block Layout:** The regulating map defines blocks and streets based on existing and proposed street alignments. New street alignments, where indicated, are intended to identify general locations and required connections but not to constitute preliminary or final engineering.
2. **Parking Locations.** Locations where surface parking may be located are specified by block or block face. Structured parking is treated as a building type.
3. **Building and Frontage Types.** Building and frontage types are designated by block or block face. Some blocks are coded for several potential building types; others for one building type on one or more block faces. Permitted and conditional uses may occur within each building type as specified in Table ____.
4. **Building Lines:** Building lines indicate the placement of buildings in relation to the street.
5. **Street Types:** The regulating map may include specific street design standards to illustrate typical configurations for streets within the district, or it may use existing City street standards. Private streets may be utilized within the CMU District where defined as an element of a regulating map.

Dimensional standards for building types are included in Subsection C below. However, building and parking setbacks from streets are governed by the Regulating Map.

C. Regulating Map Approval Process: The Regulating Map may be developed by the City as part of a zoning map amendment or developed by an applicant for a zoning map amendment, following the procedures of Section _____,

Zoning Amendments, and thus approved by City Council.

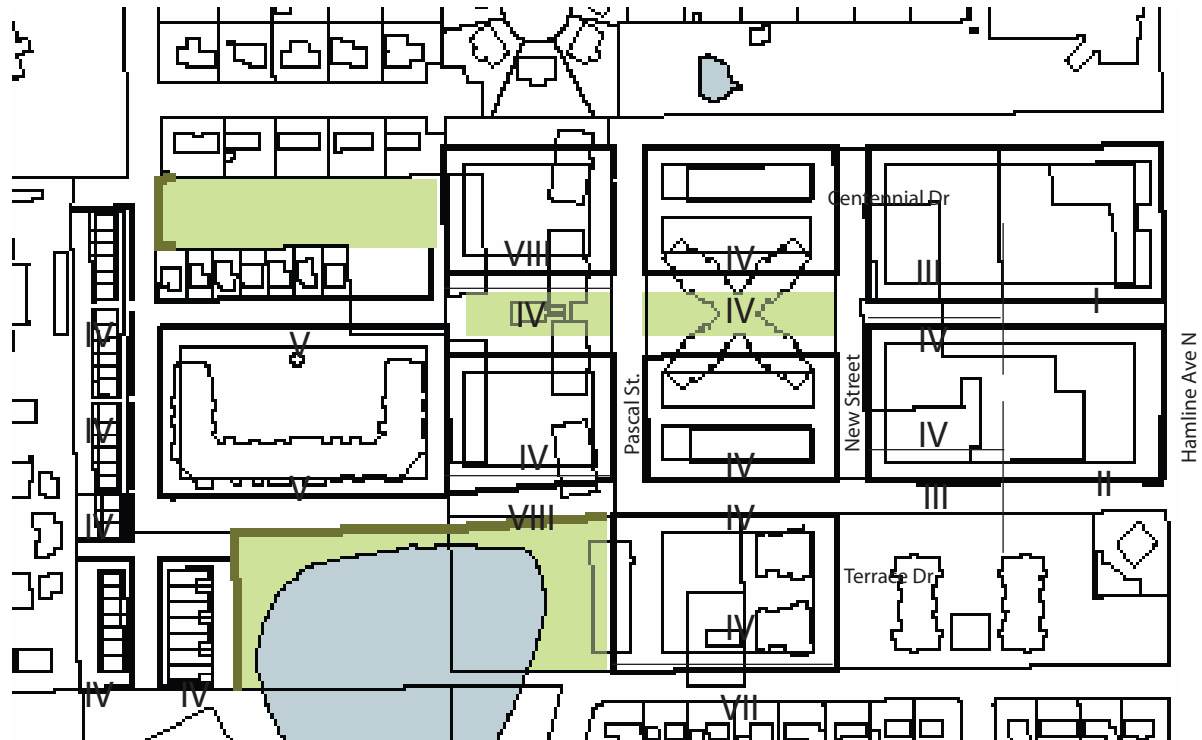
- D. Amendments to Regulating Map:** Minor extensions, alterations or modifications of proposed or existing buildings or structures, and changes in street alignment may be authorized by the Development Review Committee if they are consistent with the general intent of the district and do not increase building floor area or off-street parking requirements by more than 10%. Increases beyond 10% and any removal or addition of streets or pedestrian paths must be approved by the City Council following the procedures of Section __, Zoning Amendments.

E. Dimensional Standards:

Table 1004-5	
Minimum Lot Area	9,500 square feet
Maximum Building Height	None ^a
Front Yard Setback	See Frontage map
Side Yard Setback	6 feet where windows are planned in a side wall or present in an adjacent wall 10 feet from residential lot boundary Otherwise not required
Rear Yard Setback	25 from residential lot boundary
Maximum Building Height	Within 50 feet of residential district boundary, equal to maximum height in that district
Improvement Area (Lot Coverage)	85%? maximum

- F. Shared Parking or District Parking:** A district-wide approach to off-street parking for nonresidential or mixed uses is preferred within the CMU district. Off-street surface parking for these uses may be located up to 300 feet away from the use. Off-street structured parking may be located up to 500 feet away from the use.
- G. Parking Reduction and Cap:** Minimum off-street parking requirements for uses within the CMU district may be reduced to 75% of the parking requirements in Section __. Maximum off-street parking shall not exceed the minimum requirement in Section __ unless the additional parking above the cap is structured parking.

SAMPLE REGULATING MAP - ARONA REDEVELOPMENT AREA

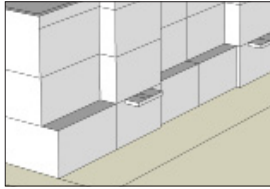


- Building line (Building within +/- 5 feet)
- Flexible Building line (Building not required)
- Parking Setback (20' from building line)
- VII Building Type

Building Types

Uses allowed within buildings include all uses within each use category that are specifically allowed within the CMU District. See Table __ for use categories.

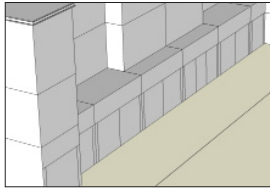
I



Office Building

Allowed Use Categories: Office, Commercial, Civic and Institutional, Accessory

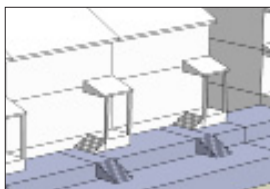
II



Mixed-Use Building

Allowed Use Categories: Office, Commercial, Residential, Civic and Institutional, Accessory

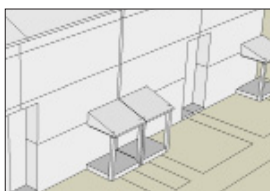
III



Apartment Building

Allowed Use Categories: Residential, Accessory

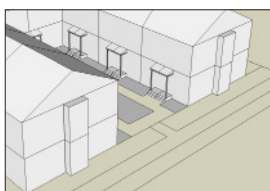
IV



Attached Residential Building

Allowed Use Categories: Residential, Accessory

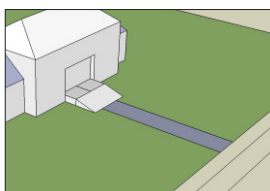
V



Courtyard Building

Allowed Use Categories: Residential, Accessory

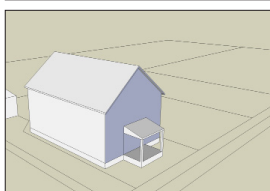
VI



Civic Building

Allowed Use Categories: Civic and Institutional

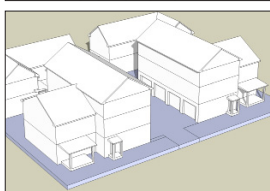
VII



Detached Residential

Allowed Use Categories: Residential, Accessory

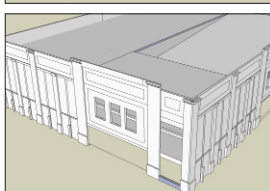
VIII



Detached Cluster

Allowed Use Categories: Residential, Accessory

VIII



Parking Structure

Allowed Use Categories: TBD

EXTRACT OF THE DRAFT MEETING MINUTES
ROSEVILLE PLANNING COMMISSION
JULY 7, 2010

6. Public Hearings - Continued

a. **PROJECT FILE 0017**

Request by the Roseville Planning Division Adopting new regulations for Title 10, Zoning Regulations, pertaining to the COMMERCIAL AND MIXED USE DISTRICTS
Chair Doherty opened the Public Hearing for PROJECT FILE 0017 at 5:53 p.m.

City Planner Thomas Paschke reviewed this request and recommended approval of draft Commercial and Mixed Use District requirements, establishing new regulations under Title 10, Zoning Regulations, pertaining to the COMMERCIAL AND MIXED USE DISTRICTS, as presented and detailed in the Request for Planning Commission Action dated July 7, 2010.

Mr. Paschke advised that the primary proposed changes to the existing Zoning Code, in effect since the inception of the City of Roseville, with multiple amendments throughout the years, included formatting for better clarity; the addition of illustrative examples of the intent of various sections of the ordinance; and those substantive changes to the existing code detailed in Section 4.2 of the Request for Planning Commission Action dated July 7, 2010. Mr. Paschke advised that those changes were related to design standards; a simplification of the Use Table; clarification and an update of dimensional standards; and the addition of a Mixed Use District, initially encompassing the Twin Lakes area, and including both general and specific design/performance standards.

Public Comment

Tam McGehee, 77 Mid Oaks Lane

Ms. McGehee provided written comments dated July 14, 2010 and entitled, "Proposed Zoning Changes," ***attached hereto and made a part thereof***, related to the overall proposed, with comments containing her perception of the requirements of the Metropolitan Council, the City's 2030 Comprehensive Plan, and specific comments related to Residential Districts, as well as Commercial and Mixed Use Districts.

Ms. McGehee requested a copy of Planning Commission Member Wozniak's comments, which staff had provided for the public in the rear of the Council chambers.

Ms. McGehee opined that there had been little presented to-date or opportunities provided for public comment; and further opined that when the open house had been held on renaming districts, there was language included defining square footage, which had been more palatable in assuring residents; however, she noted that such language was no longer included. Ms. McGehee stated that residents had clearly stated that they were not interested in any more retail development in the community; and questioned how the proposed changes furthered the goals stated by the Community. Ms. McGehee alleged that the proposed rewrite actually created open season for development, signified by the heated discussion at the June Planning Commission meeting by residential property owners in the Har Mar Mall neighborhood. Ms. McGehee opined that it was the desire of residents that there was an acknowledgement by the City that commercial development in Roseville serve its citizens and not predominantly those traveling through neighborhoods, and impacting the City's emergency services and infrastructure, in addition to other taxpayer-funded amenities.

Bob Venters, 1964 Fairview

Mr. Venters noted that he had only performed an initial review of the documents; however, he expressed his concern about the proposed reduced minimum lot sizes and detail for implementation and whether that would be retroactive.

Mr. Paschke noted that this discussion was related to Residential Districts and should be addressed at that time.

As a brief point of clarification, Chair Doherty reviewed the history of approximately 53% of the City's existing residential lots that are non-conforming because they fail to meet the existing minimum lot size requirements within the City, and estimated at between 5-6,000 lots. Chair Doherty noted that that noncompliance negatively impacted residents in attempts to expand on or redevelop their homes and/or properties. Chair Doherty advised that the intent of the reduced lot size to 9,500 square feet, and 75' lot width would bring approximately 93% of those nonconforming lots into conformity.

When asked by Mr. Venters of the potential impact to the community in subdivision of lots, Mr. Paschke advised that there was only an estimated seventy (70) residential lots that could be divided under the current subdivision ordinance; and opined that by reducing the lot width requirements minimally, there would be limited change in potential subdivisions from the existing ordinance; and that any subdivisions would need to be heard at the Planning Commission or City Council level for approval, once it was determined what requirements would be applied for subdivisions, which would be part of the next step in this rezoning process.

Tam McGehee

Ms. McGehee further questioned commercial/mixed use and what policies governed residential housing as a part of mixed use zoning; and spoke in opposition to residential zoning regulations not being carried over into mixed use development containing multi-family housing.

Mr. Paschke advised that once a Mixed Use District was created, a regulating plan and map, with applicable requirements, would have to be created.

Chair Doherty closed the Public Hearing at 6:07 p.m.

Discussion of Member Wozniak Written Comments

Mr. Paschke provided, as a bench handout, *attached hereto and made a part thereof*, written comments from Member Wozniak specific to the Commercial and Mixed Use Districts (Chapter 1004); and advised that staff would present several additional revisions provided by the City Attorney in their review of the proposed Zoning Code rewrite. Mr. Paschke reviewed and provided staff responses for Member Wozniak's and members and staff discussed the merits of each to reach a consensus.

1004.02 Design Standards

Mr. Paschke advised that staff felt the proposed language was understandable as written; and requested the Commission's direction for modification, if any. Mr. Paschke noted that this specific language related to existing building expansion under 50%, and that any other application would be considered as new or a major expansion.

Discussion included building floor area calculations for the footprint and number of stories; and several examples of the realities of such a provision.

1004.02 Design Standards – Second Sentence

Discussion included how design standards would apply to multi-unit buildings or complexes, with Mr. Paschke advising that it would be percentage based of the total of each structure, not the site.

Paragraph E - Windows and Door Openings – Item 6 (page 2.e.6)

Discussion ensued regarding the intent of this language and definitions of equipment versus office furniture; or whether a percentage should be used rather than the 5' length.

Suzanne Rhees, The Cunningham Group Consultants

Ms. Rhees clarified the intent of the proposed language, but concurred with members that a percentage could also be utilized, rather than a specific footage.

Further discussion ensued regarding the distinction between equipment and furniture based on the type of business that could be located in a Commercial and/or Mixed Use District (e.g. restaurant, retail or office); enforcement issues; and differences from display windows; fire code requirements; or whether to stipulate that furniture could not be higher than the bottom window opening.

Ms. Rhees suggested that the 50% rule be applied, rather than a designated 5' to avoid equipment or other bulky items blocking window openings, with everything else allowed.

Paragraph L – Trash Storage Areas

Mr. Paschke advised that staff did not concur that this item should be addressed in this language, but that it would be in addressed in another place in City Code.

1004.03 – Table of Allowed Uses

Discussion included specific standards, with Mr. Paschke noting that some of those standards remained, some remained from current code, some would be revised, and some were entirely new. Mr. Paschke advised that those standards for redevelopment would come before the Commission for review in the future; and cross-referencing the various sections was an ongoing process. Mr. Paschke noted, as an example, the reference on Page 4, Section 1004.04, C that made such a reference; and further noted that staff recommended the current reference format. Mr. Paschke advised that a permit was required for a majority of uses in Roseville.

Further discussion ensued regarding the meaning of “permitted,” whether an allowed use or conditional. Mr. Paschke clarified that if it was deemed a permitted use, it was an allowed use under that district; but conditional uses needed to move through the Conditional Use application process, which was standard across land use considerations.

After further consideration, it was the consensus of members and staff that additional language be included related to Conditional Use processes in Section 1004.03,b.

1004.03 – Neighborhood Business (NB) District (Numbering of Sections)

Mr. Paschke noted that this section should be identified as “Section 1004.04,” and subsequent numbers adjusted accordingly.

Paragraph C, Dimensional Standards

Mr. Paschke advised that staff concurred that there is a need for additional references related to storm water management requirements; however, he noted that those requirements were located in separate and distinct areas of code as indicated by the various area wetland management organizations and shoreland management requirements. Mr. Paschke advised that the 30% maximum impervious lot coverage in residential districts would also be addressed under permissible storm water management techniques and included by reference, as well as mitigation options for homeowners for their specific property.

Paragraph D – Frontage Requirements

Discussion included potential lot lines falling within designated trail areas, but typically located in public rights-of-way; with Mr. Paschke noting that the City Attorney had also commented and requested clarification related to setbacks and addressing easements.

1004.04 – Community Business (CB) District, Paragraph D, Parking Placement

Following discussion, it was the consensus of staff and members that the same standards related for parking be revised and applied to this section for consistency with Paragraph F of the Regional Business parking requirements.

1004.06 – Community Mixed-Use (CMU) District

As requested, Mr. Paschke explained the ordinance requirements related to this chapter and purpose of a “regulating map.”

Discussion included the rationale for a regulating map specific to this District that would be drawn up by staff and developers setting design standards and layouts for the entire District, when the District essentially consists of the Twin Lakes Redevelopment District and is minimally developed to-date.

Mr. Paschke advised that the regulating map would replace the Planned Unit Development (PUD) design or concept for mixed use areas currently used; and that the rationale for promoting a map and associated text (“a plan”) articulating exactly what is to happen on any given parcel in Twin Lakes would achieve a more cohesive overall development. Mr. Paschke clarified that it was unknown, at this time, who would actually

development such a regulating map and text: whether staff, a developer, or done in phases by the City.

Further discussion included the lack of previous exposure to the City of such a regulating map; guidance of the Comprehensive Plan for form-based development; impacts for developers for their parcel and those adjacent; with ultimate decision by the City at the recommendation of the Planning Commission for that District.

Michael Lamb, The Cunningham Group Consultants

Mr. Lamb, focusing on form-based or design-based approaches to land use, noted that this was a more rigorous way to provide special attention to specific areas in the community, with the Twin Lakes Redevelopment area the only District identified as Commercial Mixed Use (CMU). Mr. Lamb advised that this approach provided a more detailed or comprehensive/holistic approach, creating value, and recognizing that the sum of the individual parts is greater than one parcel and/or land use over a number of years and to ensure that the pieces are identified upfront and planned to reinforce the larger area. Mr. Lamb noted that this form-based approach defined and connected the public realm of an area, including all transit realms, not just one property owner, but in combination with the City, and cited the example of the Arona redevelopment.

Discussion among staff, Mr. Lamb, and Commissioners included how this approach worked with one or multiple developers over a number of years; impact of political will applied and the community's vision identified through and in conjunction with its Comprehensive Plan, as well as providing real estate value and community value; stakeholders identified as a developer(s) and residents of the community itself.

Additional discussion included proximity of the first developer to adjacent lots and the design concept that will set parameter with the City's blessing; the community side versus the developer/investment side of the larger composition; creation of a level of balance within the realm of design standards in place for mixed use; economic environment cycles; advantages of working from the same template for all parties; and recognizing that this is a flexible tool allowing the City to take the past-used Planned Unit Development (PUD) approach one step further.

Discussion included the existing Park and Ride facility and whether it would have been allowed under this new form-based land use plan (under allowed uses – page 14); how to determine if a building design fits with other uses in a mixed use district; quality and composition of environment versus use; purpose of a regulating map in determining and responding to building placement and other design standards and requirements; campus uses versus massive structures and specific uses; and the obligation of the City to initiate a regulating map.

Further discussion included discussions to-date initiating a regulating map; impediments for the City to fully develop a regulating map before initial development; ability to bring all land owners and the community to the table to provide input of the larger development; and recognizing the complexity of this task; and the ability for the City to be more proactive than reactive.

Mr. Paschke reviewed the process for creating a regulatory map, as the next step after the zoning code and ordinance are adopted.

Member Boerigter Verbal Comments

Page 2 – Window and Door Openings

Member Boerigter questioned if the design standards were industry standards, to which Ms. Rhees responded affirmatively, that they were tested at actual percentages.

Rooftop Equipment

Member Boerigter questioned if cell tower antennae were addressed in this area

Mr. Paschke advised that regulations had yet to be developed, and would be a separate and distinct section of the code.

Ms. Rhees advised that there were exceptions to height limitations for towers and steeples, but that those would not be considered rooftop equipment and would be addressed in the General Regulations of the ordinance similar the current ordinance.

Table 1004.01 – Grocery Store and Related Goods

Member Boerigter questioned the definition of this use; with Mr. Paschke responding that the definition section remains under development, and a specific definition for this use would be articulated accordingly, as well as for general retail and personal services.

Page 3, – Picture – 4-sided Building Design

Member Boerigter expressed confusion on the picture and how it indicated a 4-sided building in relationship to the garage door placement.

Ms. Rhees responded that the picture was meant to illustrate a side elevation and should be captioned as an example of garage door placement on the side elevation, not exceeding 50% of the image; but duly noted that another illustration may work better.

Page 7 – Dimensional Standards Chart

Member Boerigter noted the question mark related to the percentage of improvement area; noting that the coverage was 75% for Neighborhood Business (NB) zoning designation, and questioned if there was a difference for groundwater coverage.

Mr. Paschke advised that staff was seeking comment from the Commission as to their agreement or disagreement with that percentage as recommended by staff; and advised that there were currently no impervious coverage limitations for commercial areas other than those in place and for setback requirements.

Rainbow site on Larpenleur Avenue

Member Boerigter questioned under which district this recently-developed property would fall with the proposed zoning code revisions; and conceptually, if the application was presented today how the redevelopment may have looked.

Mr. Paschke opined that it was more Commercial than Regional Business; and would have been subject to the requirements of the proposed zoning ordinance once adopted; and reminded Commissioners that many building are nonconforming, regardless of when built, but pre-existing buildings are not judged against yet-to-be- adopted regulations.

Member Boerigter opined that the proposed design standards are too onerous, and while the illustrations apply mainly to Mixed Use, the design standards were applicable to many other uses, and cited several examples of existing buildings.

Mr. Paschke noted that these design standards were advocated by the community in the *Imagine Roseville 2025* visioning process and by the Steering Committee making recommendations on the Comprehensive Plan update; and further noted that a number of Planned Unit Developments (PUD's) approved to-date and including heightened design standards had been a culmination of that advocacy.

Mr. Paschke advised the illustrations were attempting to identify certain forms, materials and designs, not meant to be the absolute.

Ms. Rhees suggested that the illustrations could be changed, added to or deleted; and that they were meant to be illustrative, not regulatory. Ms. Rhees suggested that the new illustrations provide examples of some new office buildings in Roseville or the area with the same type of pedestrian-oriented features and windows along the sidewalk.

Chair Doherty encouraged Ms. Rhees to revamp the illustrations as she indicated.

General Comments/Discussion

Chair Doherty questioned the identify of the City's Zoning Administrator as referenced; with Mr. Paschke advised that this would be identified in the definition section as the City's Planning Division, not a specific person.

Discussion included Dimensional Standards (page 7); whether lot size requirements were needed for Regional Business Districts, or if guidance of the Comprehensive Plan for RB was sufficient in a community that was fully developed such as Roseville.

258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310

Additional Public Comment

Tam McGehee

Ms. McGehee opined that, as the only member of the public to speak on this, the previous discussion was disconcerting, with the Planning Commission asked to approve a zoning code that is clearly incomplete and not understood; without benefit of a public hearing. Ms. McGehee further opined that these are complicated matters and needed more consideration to protect property owners and to provide appropriately for storm water management. Ms. McGehee cited several examples, including the new Ramsey County Library and water drainage along Hamline Avenue; huge asphalt parking lots without rain gardens and/or catch basins; and noted the requests of single-family homeowners adjacent to Har Mar seeking a commitment on the south side of Har Mar Mall for a buffer other than trees. Ms. McGee stated that people in this community care about where they lived and what residential communities and commercial real estate looked like. Ms. McGehee cited other examples (AMC Theater and new Target #1 Store) in Roseville where residents were allegedly told by City staff that they were not allowed to view site designs; and that even though the public was told that the Roseville Target store would look different than other stores, it ended up not really different than their other stores, with no public input considered. Ms. McGehee opined that “we’re getting tired of it,” and that this had nothing to do with the Comprehensive Plan and there was nothing indicating the need to change commercial zoning districts.

Chair Doherty noted that a number of open houses had been held to-date on the proposed zoning code rewrite.

Ms. McGehee responded by noting that the people attending this open houses were asked to vote, and had indicated they preferred curved streets and keeping lot sizes as they were; but the subsequent report summarizing the public input indicated “nice little lots in nice rows.”

Chair Doherty noted that rationale for reducing lot sizes due to problems arising from the numerous nonconforming lots.

Ms. McGehee opined that that was for the residential part, and the same nonconformities existed with buildings in commercial areas; and that the City didn’t need to adopt design standards for the entire City to look like “Disneyland,” but should be developed as people come up with good ideas and as things change.

Vivian Ramalingam, 2182 Acorn Road

Ms. Ramalingam opined that there needed to be options for handling groundwater when lots are covered, such as through rain gardens and other water management options depending on existing structures; however, she further opined that those systems didn’t do anything about air quality, but trees do and asked that those be held in consideration when discussing pervious and impervious materials on a property.

Chair Doherty again closed public comment at this time.

At the request of Chair Doherty, Mr. Paschke addressed the groundwater plan at the library site, noting that any commercial development needed to present a storm water management plan for approval by the City as well as their specific Watershed District, meeting all requirements and containment and/or filtration.

Discussion among Commissioners and staff included rationale for not including development and/or maintenance of natural environments across all districts whether commercial or residential, with Mr. Paschke noting that there were few commercial/industrial zones left to develop; however, noting that they could be advocated for, with the overall zoning ordinance promoting green areas, landscaping and pedestrian-friendly connections, while balancing what is existing and what is being created. Mr. Paschke further noted that the requirements would be found within landscape requirements of the ordinance, not in this specific document.

Mr. Paschke noted that the City Attorney’s office had provided comment on Page 7 requesting the inclusion of setback requirements on the table under Dimensional

Standards; that the word "Maximum" needed to be added in addressing the percentages; and other items were similar to and addressed in Member Wozniak's written comments.

MOTION

Member Doherty moved, seconded by Member Wozniak to RECOMMEND APPROVAL of draft Commercial and Mixed Use District requirements, establishing new regulations under Title 10, Zoning Regulations, pertaining to the COMMERCIAL AND MIXED USE DISTRICTS, as presented and detailed in the Request for Planning Commission Action dated July 7, 2010; with staff directed to incorporate modifications from tonight's discussion, including:

Modifications to be incorporated by staff from tonight's discussion:

- o Paragraph L – Trash Storage Areas
- o Windows and Door Openings – page 2.e.6, paragraph 3, incorporate the 50% rule, with equipment or other bulky items blocking window or door openings, must be 5', everything else is allowed;
- o Front setback requirements to address right-of-way easements in the text and chart, with a revised statement, pending further discussion with the City Attorney
- o Include surface parking requirements for CB similar to that under RB (page 10, Section f)
- o Add that "structured parking" is treated as a building type and designated as such for Community Mixed Use proposals
- o In the Statement of Purpose Page 1, item e), add language to encourage enhancement of the natural environment **[as feasible.]**

Staff advised that they would address those typographical and numbering errors as indicated before going forward to the City Council.

Ayes: 6

Nays: 1 (Boerigter)

Motion carried.

Member Boerigter advised that he wasn't convinced that the proposed design standards were appropriate and fitting; yet indicating that he had no great negative concerns as indicated by some speakers during public comment

Chair Doherty asked that staff would provide tonight's discussion to the City Council; with Mr. Paschke assuring the Commission that the City Council would receive a copy of tonight's meeting minutes.

At the request of Chair Doherty, Mr. Paschke advised that as a next step, the City Council would discuss adoption of specific requirements for creation of a regulating map and procedure, with that process coming back before the Commission for consideration.

Chair Doherty and Commissioners were of a majority consensus that the City Council be aware of the concerns related to the regulating map.

Mr. Paschke noted that, without the map, there could be no development; and again assured the Commission's that their comments and discussion from this meeting would be directed to the City Council.

Comments on Proposed Zoning: Commercial and Mixed Use (Chapter 1004)

1004.02 Design Standards: change opening statement to read "...constitute 50% or more of existing building floor area." The word "current" would also work here.

As regards the second sentence, How would this design standard apply to expansion of an existing multi-unit building (e.g., Har-Mar Mall, Lexington Plaza, etc.)?

Paragraph E. Window and Door Openings, item 6, states that equipment must be placed at least 5 feet behind windows. Would this apply to cash registers in a drive-thru window?

Paragraph L. Trash Storage Areas. Suggest changing this here and elsewhere to "Waste and Recycling" areas, to include ever-expanding concepts of what is waste and what is recyclable (e.g., source-separated compostable material). Would this be a defined term?

1004.03 Table of Allowed Uses. Warning—layperson gripe alert! The table shows uses that are allowed, which are separated into three categories: permitted, conditional, and standards-based. To me calling something *permitted* is very close to saying it's allowed if you obtain a permit, which happens to be what *conditional* means. So you are using two versions of the same word to state different requirements: PERmitted means a permit is required; perMITted means its allowable, without a permit. Very confusing. Why not have the table indicate allowed uses as "Acceptable," or "Valid?" (I understand this table format is used throughout the proposed ordinance chapters. Nevertheless my same concerns apply.)

1004.03 Neighborhood Business (NB) District . Shouldn't this be 1004.04? If so, that will change all subsequent chapter numbers.

Paragraph C, Dimensional Standards. I recommend adding Storm water runoff standards as per 1005.09, item B, page 8 of the Residential Districts chapter, unless storm water standards are addressed elsewhere in 1004. I also suggest this addition for the Community and Regional Business Districts, as well as the Community Mixed Use district.

Paragraph D. Frontage Requirements. Will "five feet within the lot line" ever fall within an area designated for a sidewalk or trail?

1004.04 Community Business (CB) District, Paragraph D, Parking Placement: Include here the Surface Parking requirements under Regional Business (paragraph F).

1004.06 Community Mixed-Use (CMU) District: Please take a moment at the meeting on July 7th to explain why this chapter is taking a totally different approach to ordinance requirements by basing the code on a *Regulating Map*.

- Joe Wozniak

