

## OLD NORTH DAVIS NEIGHBORHOOD ASSOCIATION

### Zoning Code Appendix

#### Questions & Comments

#### Section 40.13.060 – Table Explaining Relationship to Chapter 40, Zoning

The table states the current ZC 40.13A on Downtown and Traditional Neighborhood Overlay District would be replaced by new Downtown Code. The draft plan indicates a new conservation overlay district would be formed for Old North, possibly excluding some or all of the North G Street area, and new design standards would be developed.

1. Clarify whether the existing Design Guidelines remain in place for Old North until the new overlay district is established and design standards are officially adopted.

#### Section 40.13.090 -- Neighborhood Small

Applies to the west side of the 500 and 600 blocks of G Street, except the credit union parcel

1. What is the maximum allowed building height?  
**Section 40.13.090D** indicates a 2-story height limit w/ 24' to top plate with note explaining "refinements" to building height are specified in Section 40.14.070. **Section 40.14.070H** for Multiplex-small indicates a maximum 3 story height w/ 32' to top plate. **Section 40.13.020B** reads in part "If there is a conflict between any standards, the more restrictive shall apply."
2. Why is a 0' setback allowed for the front and street side setback on a corner lots in Neighborhood-small district? Pulling a corner building back from the corner creates a more open feel and is more consistent with the traditional residential scale.
3. Need clarification of standard for building placement in the "Façade Zone" (**40.13.090 E**). what do these mean: Front 70% minimum and side street 50% minimum?
4. What is the rear (from alley) and street side setback for allowed 3 story multiplex buildings and for allowed roof top rooms?
5. **Section 40.13.090 F** requires 5' min rear setback for parking. In an alley, is a parking pad required to have this setback?
6. Are garages/carports allowed accessory structures?
7. What standards should be included to provide for the appropriate storage of waste/recycling containers? The storage of such bins can become problematic with denser housing types as each unit may have its own bins.
8. Certain commercial uses are permitted or may be approved with an AUP. What performance and/or design standards will ensure compatibility with the adjoining residential uses? (For

example -- lights, noise, hours of operation, ventilation hoods, delivery vehicles for 5,000 SF of retail or restaurant with outdoor seating along W side of G Street)

9. To help ensure compatibility with residential uses, should commercial uses on a corner lot be required to have an orientation towards G Street, not towards the alley or towards 6<sup>th</sup> Street or 7<sup>th</sup> Street?

#### **Section 40.13.120 -- Main Street Medium**

**Applies to the east side of the 500 and 600 blocks of G Street; the parcel at G Street and Sweet Briar; the Hibbert Lumber yard; the credit union parcel at the NW corner 5<sup>th</sup> + G; and along G Street south of 5<sup>th</sup> Street**

1. The intent section indicates "small to none front setbacks." Given the smaller scale buildings across G Street, is a zero front setback appropriate?
2. Need clarification of standard for building placement in the "Façade Zone" (40.13.120 E). what do these mean: Front 80% minimum and side street 70% minimum?
3. Commercial uses that operate at night have greater potential for conflict with the primarily residential uses of the neighborhood small zone on the west side of G Street and north of Sweet Briar. What mechanisms are proposed to minimize the potential nuisances between Main Street uses/buildings and adjacent residential uses? Are there standards addressing details such as noise and hours of operation?
4. Are there lighting standards? Given proximity of residential uses across G Street, what standards are there to minimize the potential nuisance associated lighting more typically found with Main Street uses/buildings?
5. Are bars and nightclubs appropriate conditional uses across from the primarily residential uses of the Neighborhood-small zone? Should such uses be concentrated below 5<sup>th</sup> street in the central downtown area?
6. What is the definition of the permitted use "industrial artisan"?
7. An AUP would be required for retail uses greater than 10,000 sf. Is the 10,000-sf threshold for a single retail use or for total space in a new development?
8. The plan identifies the north end of the existing shopping center to Sweet Briar is "Designated Special Area F." How is this special plan designation addressed in the zoning code? What special treatment may be needed along Sweet Briar as transition to the Neighborhood-small designation north of Sweet Briar?
9. What standards should be included to provide for the appropriate storage of waste/recycling containers? The storage of such bins can become problematic with denser housing types as each unit may have its own bins.
10. There are some permitted uses that pose the potential for difficult integration next to a residential area. Should size limits be considered? For example, a restaurant or a cinema/theater.

### Section 40.14.070 -- Building Types In Neighborhood Small Zone

1. Carriage House
  - The code describes a carriage house as typically in the rear of a parcel. Can it be in the front or a street side yard?
  - While typically residential, commercial uses are allowed. Should access to a commercial use in a carriage house or similar separate structure be from G St and not from the alley?
2. Detached SF
  - A partial 3<sup>rd</sup> story is permitted. In **section 40.14.080D**, a “rooftop room” is permitted. A rooftop room may be 14’ in height w/ minimum of 75% glazing or opening on each side, side setbacks of 10’ minimum and rear setback of 15’. Is this appropriate where adjacent to Old North houses across alley?
3. Duplex Stacked and side-by-side
  - Same as above with regard to roof top room
4. Cottage Court
  - Does the “3 to 9 units” refer to buildings or residential units? This is unclear as the section indicate one duplex or triplex unit is allowed.
  - The section calls for entrances off the shared court and permits units on a corner to have entry from the side street. Should entry treatments be required along all street facing units?
5. Small Multiplex 3 to 6 units
  - Maximum # of stories is 3. As previously discussed, this conflicts with Section 40.13.090D. If 3 stories are permitted, should an increased setback for the 3<sup>rd</sup> story be required?
  - If a 6-unit multiplex is built, can an accessory carriage house also be built?
  - The code permits shared as well as individual entries. Is this appropriate given the traditional residential design found along G Street is for individual entry to each use?

### Section 40.14.070 -- Building Types In Main Street Medium

1. Detached SF and duplex buildings are not permitted in the Main Street Medium zone. Are the existing structures considered “non-conforming”? If yes, what does that mean for a property owner who wishes to do an addition and/or remodel? For example, **section 40.14.080A** indicates

all buildings must have use “tripartite” architecture in a renovation. If a front addition was proposed to an existing building, would this apply?

### Section 40.14.080 -- Massing, Facades, Architectural Elements

Two potential historic structures are proposed in the Main Street Medium zone along G Street – 500 G and 516 G. This section describes standards for adjacency to historic structures including:

1. Height of the 1<sup>st</sup> floor of a new building would be required to match height of 1<sup>st</sup> floor of adjacent historic structure.
2. A new building would not be required to have a side yard setback except for a 10' side setback for a minimum distance of 25' from the building front or to a point aligned with the front of the historic building. Is this adequate next to a smaller house-form structure?
3. A new building would be required to stepback a 3<sup>rd</sup> and 4<sup>th</sup> story.
  - For a “Block Form Building,” which is the type allowed in MSM zone, there is no required front stepback for the 3<sup>rd</sup> and 4<sup>th</sup> story. Would this be appropriate next to smaller house form single story structures?
  - There is a required side stepback for upper stories and provisions for building “wings.” But the graphic is a bit confusing. Is a two-story wing permitted to have a zero side setback? Is it possible for a 4-story building to have 0 side setback after a distance of 45' from the front property line? The diagram needs to be clearer.
4. How the Hibbert property along the railroad tracks would be dealt with is not clear. It is not clear how the Zoning Code’s standards for adjacency to historic structures might apply on this property which shares a rear property line with potential historic resources. Further attention is needed for this property.

### General Question about Development Review Process

The proposed plan and zoning code would substantially decrease opportunities for public review and comment on development proposals. It is not clear what notification would be provided to Old North of development proposals along G Street or across 5<sup>th</sup> Street. Certain uses require either an AUP or a CUP but the new plan and zoning code eliminate a review public process for project design. What notification and opportunities to comment will be available?