

3. All Other Design Standards

All other development and design standards applicable to new development in the underlying Zone District may be modified.

9.4.3.4 Conservation Overlay Districts Established

The following conservation overlay Zone Districts are established:

CONSERVATION OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Hilltop Heritage Conservation Overlay District	CO-1
Curtis Park Conservation Overlay District	CO-2
Scottish Village Conservation Overlay District	CO-3
<u>Potter Highlands Conservation Overlay District</u>	<u>CO-4</u>

9.4.3.5 Effect of Approval

A. Zoning Map Designator

Each Conservation Overlay District shall be shown on the official map by an “CO-#” designator and an appropriate number placed after the underlying Zone District designation.

B. Limitation on Permit Issuance

No zoning permit for development or for a use within a Conservation Overlay District shall be issued by Community Planning and Development unless the development or use meets the standards set forth in the adopted Conservation Overlay District.

9.4.3.6 Hilltop Heritage Conservation Overlay District (CO-1)

A. Creation

There is hereby created a conservation overlay Zone District designated as Hilltop Heritage Conservation Overlay District CO-1.

B. Limitation on the Establishment of Zone Lots in the Overlay District

Any zone lots in this overlay Zone District that existed on July 21, 2000, may be amended or subdivided only if each of the zone lots that are created or result therefrom is not less than 75 feet wide at any street (Side Street or Primary Street) setback line for structures and are not less than 9,300 square feet in lot size.

C. Exceptions Inapplicable

The exceptions from zone lot width and area requirements for zone lots in Section 1.2.3.3, Flag Zone Lots, shall not apply in this overlay Zone District, provided however, zone lots containing at least 27,900 square feet existing on March 7, 2000, may be amended into zone lots in compliance with the zone lot width reduction for flag lots contained in Section 1.2.3.3, Flag Zone Lots, if the resultant zone lots contain at least 9,300 square feet.

9.4.3.7 Curtis Park Conservation Overlay District (CO-2)

A. Creation

There is hereby created a Conservation Overlay District designated as the Curtis Park Conservation Overlay District.

B. Intent

Accommodate detached accessory structures in a manner that respects the character of the Curtis Park neighborhood.

C. Applicability

This Curtis Park Conservation Overlay District shall apply only to zone lots zoned to an -RH Zone District.

3. Shallow Lot Standards

a. Applicability

- i. Zone lots established prior to July 10, 2015 where at least one side interior or side street zone lot line is 90 feet or less deep, measured from the intersection of the primary street zone lot line and a side interior or side street zone lot line to the intersection of a zone lot line opposite the primary street.

b. Standards

- i. Rooftop and/or Second Story Decks are allowed in 100% of zone lot depth.
- ii. The following underlying zone district primary building form height standards applicable in the front 65% of zone lot depth shall apply to 100% of zone lot depth:
 - a) Height in stories;
 - b) Height in feet;
 - c) Allowable height increase; and
 - d) Bulk plane vertical height at side interior and side street zone lot line.

E. Accessory Building Form Standards Applicable to Detached Accessory Dwelling Unit Building Form Only

1. Side Interior Setback

- a. The minimum side interior setback shall be 0 feet.
- b. Side interior setbacks less than 5 feet may be subject to more restrictive building and fire code review.

9.4.3.9 **Potter Highlands Conservation Overlay (CO-4)**

A. **Creation**

There is hereby created a Conservation Overlay District designated as the Potter Highlands Conservation Overlay District.

B. **Intent**

To apply additional building form standards that are consistent with the established character of the Potter Highlands Historic District.

C. **Applicability**

This Potter Highlands Conservation Overlay shall apply only to those areas designated as CO-4 on the Official Zone Map.

D. **Primary Building Form Standards Applicable to Urban House, Duplex, and Tandem House Building Forms**

1. **Side Interior Setbacks**

- a. For zone lots greater than 30 feet and up to 40 feet in width, the minimum side interior setback shall be 5 feet.

2. **Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Lines**

- a. For zone lots 30 feet or less in width, the maximum bulk plane vertical height at the side interior and the side street zone lot line in the front 65% of the zone lot shall be 15 feet.
- b. For zone lots greater than 30 feet in width, the maximum bulk plane vertical height at the side interior and the side street zone lot line in the front 65% of the zone lot shall be 13 feet.

3. Rooftop Decks

- a. Rooftop deck on roof of second story or above
 - i. Any unenclosed deck, patio, terrace, porch, exterior balcony, or similar unenclosed building element located on the roof of the second story or on the roof of any story above the second story of a structure shall be prohibited in 100% of zone lot depth.
- b. Rooftop deck on roof of ground story
 - i. Any unenclosed deck, patio, terrace, porch, exterior balcony, or similar unenclosed building element located on the roof of the ground story of a structure shall be permitted in the front 65% of zone lot depth.

4. Flat Roof Height Limit and Bulk Plane Exception

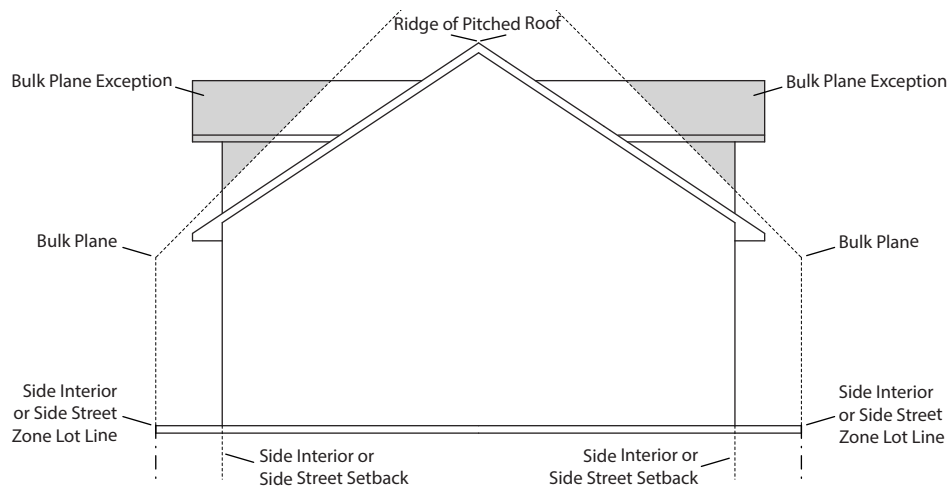
- a. In the front 65% of zone lot depth:
 - i. Flat Roof structures shall have a maximum height of 25 feet.
 - ii. Bulk Plane shall not apply to structures having a Flat Roof.
- b. In the rear 35% of zone lot depth:
 - i. Flat roof structures shall have a maximum height of 14 feet.
 - ii. Bulk Plane shall not apply to structures having a Flat Roof.

5. Bulk Plane Exception

Any portion of structures extending through and exceeding bulk plane standards shall be subject to the following limitations:

- a. The highest point of an exception shall not exceed the height of the ridge of the pitched roof. (See Figure 9.4-1)

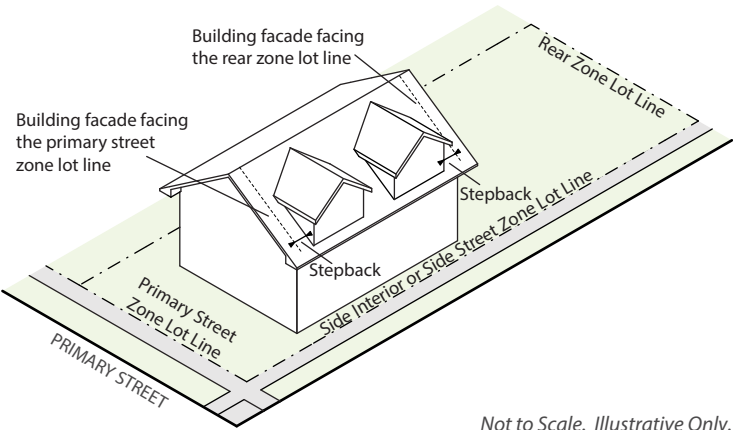
Figure 9.4-1



Not to Scale. Illustrative Only.

- b. An exception shall contain at least one window that faces a side interior or side street zone lot line.
- c. An exception may only project through and exceed bulk plane standards in the front 65% of zone lot depth.
- d. An exception shall not have a Flat Roof.

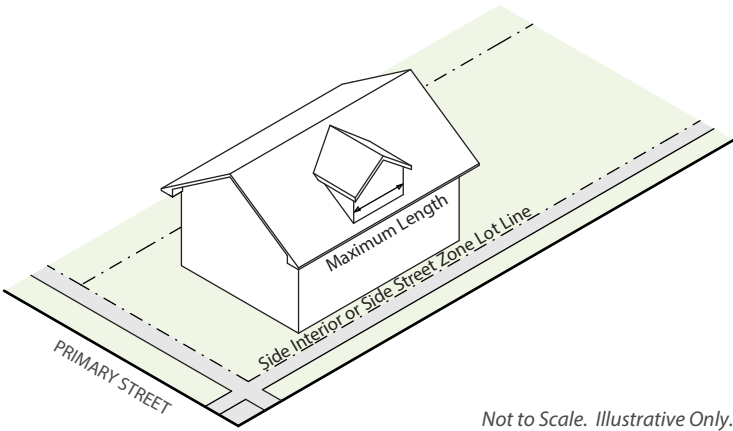
- e. An exception's roof overhangs shall not exceed 3 feet, measured perpendicular from the exterior wall of the exception to the edge of the roof overhang.
 - f. An exception shall step back a minimum of 5 feet from the building facade located between an exception and the primary street zone lot line, measured perpendicular from an exception to the building facade. Roof overhangs may encroach into the setback. (See Figure 9.4-2)
 - g. An exception shall step back a minimum of 3 feet from the building facade located between an exception and the rear zone lot line, measured perpendicular from the exception to the building facade. Roof overhangs may encroach into the setback. (See Figure 9.4-2)
- h. Figure 9.4-2



Not to Scale. Illustrative Only.

- i. The maximum length of an individual exception shall be 12 feet, measured parallel to the building facade facing the side interior or side street zone lot line. Roof overhangs shall be excluded from the calculation of maximum length. (See Figure 9.4-3)

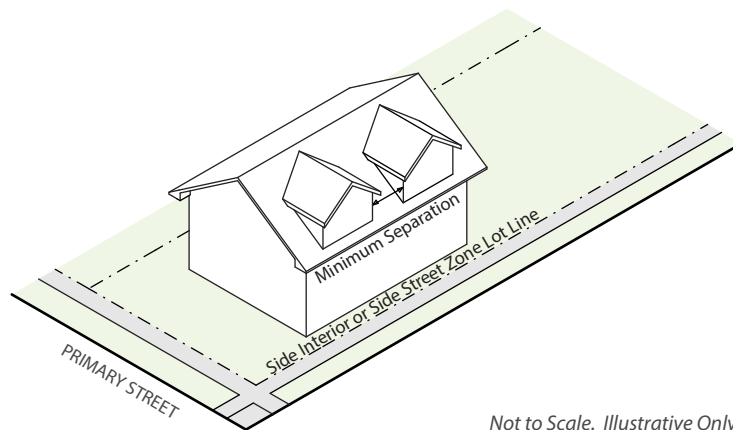
Figure 9.4-3



Not to Scale. Illustrative Only.

- j. The minimum separation between exceptions shall be 4 feet, measured parallel to the building facade facing the side interior or side street zone lot line. Roof overhangs shall be excluded from the calculation of minimum separation. (See Figure 9.4-4)

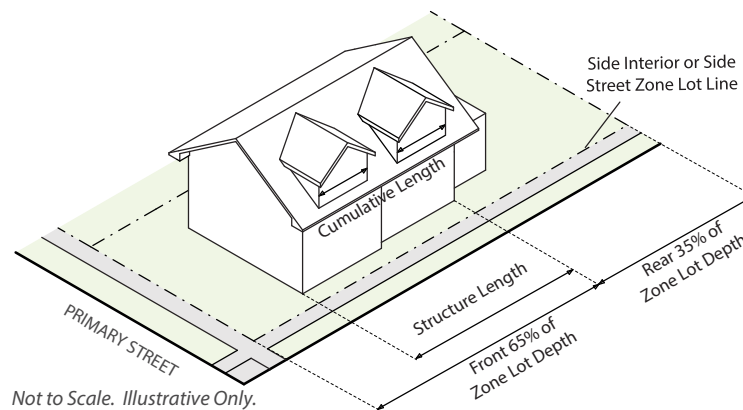
Figure 9.4-4



Not to Scale. Illustrative Only.

- k. The maximum cumulative length of all exceptions shall not exceed 50% of the overall structure length facing the side interior or side street zone lot line within the front 65% of zone lot depth. Maximum cumulative length shall be calculated using the sum of the length of all exceptions divided by the structure length in the front 65% of zone lot depth facing the side interior or side street zone lot line. (See Figure 9.4-4.)

Figure 9.4-5



Not to Scale. Illustrative Only.

E. Primary Building Form Standards Applicable to Structures Containing Two Unit Dwelling Uses

1. Applicability

- a. Two Unit Dwelling uses legally established and maintained prior to July 10, 2015 shall be considered conforming uses and shall not be subject to the zone lot standards in this subsection 9.4.3.9.E. A structure containing such a Two Unit Dwelling use may be modified or demolished and rebuilt in conformity with the building form standards of the underlying zone district, provided:
- i. The zone lot shall not be reduced, expanded, or enlarged, and
 - ii. The number of dwelling units on the zone lot shall not be increased above the number of dwelling units that existed when the use was legally established.
- b. Two Unit Dwelling uses established after July 10, 2015 shall be subject to the standards in this subsection 9.4.3.9.E.

- 2. **Zone Lot Standards**
 - a. **Zone Lot Size**
The minimum zone lot size shall be 5,500 square feet.
 - b. **Zone Lot Width**
The minimum zone lot width shall be 50 feet.

F. Accessory Building Form Standards Applicable to Detached Accessory Dwelling Unit Building Form Only

- 1. **Side Interior Setbacks**
 - a. The minimum side interior setback shall be 0 (zero) feet.
 - b. Side interior setbacks less than 5 feet may be subject to more restrictive building and fire code review.

SECTION 9.4.4 USE OVERLAY DISTRICTS (UO-)

9.4.4.1 Purpose

Use Overlay districts are a vehicle to permit or prohibit specific land uses in delineated parts of the city that otherwise are included in a variety of underlying Zone Districts and portions of Zone Districts. The purpose of the Adult Use and Billboard Use overlay Zone Districts created herein is to maintain the status quo of entitlement relating to the establishment, maintenance, and operation of adult uses and billboard uses as those rights existed before June 25, 2010. The purpose of the Historic Structure Use Overlay District is to encourage the continuing preservation and adaptive re-use of landmark and historic structures. Because variation of permitted uses in an underlying Zone District is most appropriately the focus of a legislative rezoning or an amendment to the underlying Zone District, future application of the use overlay Zone Districts created herein is strictly limited and the establishment of new use overlay Zone Districts is prohibited.

9.4.4.2 Modification of Underlying Zone District Standards

A. Modification of Permitted Uses and Use Limitations Allowed

- 1. A Use Overlay District may be used to add to the specific permitted uses in the underlying Zone District, or prohibit specific permitted uses in the underlying district.
- 2. Use limitations otherwise applicable to permitted uses in the underlying Zone District may be modified.

B. Applicable Standards -- Modification Not Allowed

All of the provisions of the underlying Zone District shall be in full force and effect, and shall not be modified by the provisions of the applicable overlay Zone District.

9.4.4.3 Use Overlay Districts Established

The following Use Overlay Districts are established:

USE OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Adult Use Overlay District	UO-1
Billboard Use Overlay District	UO-2
Historic Structure Use Overlay District	UO-3

9.4.4.4 Limitation on Applicability of Use Overlay Zone Districts

- A. Except for the three use overlay Zone Districts expressly established in Section 9.4.4.6, 9.4.4.7, and 9.4.4.8 below, no new use overlay Zone Districts may be established after June 25, 2010.