

ARTICLE VIII. SPECIAL ZONE LOT PLANS FOR PLANNED BUILDING GROUPS*

Sec. 59-616. Purpose of procedure.

Under the standard provisions of this chapter a separate ground area, referred to in this chapter as the zone lot, must be designated, provided and continuously maintained for each structure containing uses by right. Pursuant to the procedure hereinafter set forth in this article, two (2) or more of such structures may be erected and maintained on the same zone lot. Also, several zone lots may be combined into one (1) special plan covering a planned building group. The purpose of the procedure is to provide an opportunity for improved site design, primarily by permitting diversity in the location and spacing of structures, zero lot line building placement, and private streets, while insuring adequate standards relating to public health, safety, welfare and convenience in the use and occupancy of buildings and facilities in planned building groups. Plans processed under this procedure shall be subject to the requirements, standards, rules and regulations set forth and referenced in this chapter. Plans which do not comply with these requirements, standards, rules and regulations, and plans which propose development that is unduly incompatible with surrounding, similarly zoned development will not be approved under this procedure.

(Code 1950, § 616.1; Ord. No. 1-85, eff. 1-9-85)

Sec. 59-617. Limitations on procedure.

(a) *As to scope.* The procedure set forth in this article shall not be construed to waive nor shall there be waived thereby any regulation for any district except the regulation that a separate ground area, herein called the zone lot, shall be designated, provided and continuously maintained for each structure containing uses by right; and except the regulation governing the location of all fences, walls and retaining walls, provided such structures do not exceed seven (7) feet in height.

(b) *As to districts.* The procedure set forth in this article shall apply only in the R-1, R-2, R-2-A, R-2-B, R-3, R-3-X, R-4, R-5, B-1, B-A-1, B-2, B-A-2, B-3, B-A-3, B-4, B-A-4, B-8, B-8-G, B-8-A, CCN, O-1, OS-1, R-MU-20, R-MU-30, C-MU-10, C-MU-20, C-MU-30, T-MU-30, H-1-A, H-1-B and H-2 districts; provided, however, that in the O-1 and OS-1 districts the procedure shall apply only to buildings open to the public.

(Ord. No. 423-88, eff. 7-19-88; Ord. No. 796-91, eff. 11-8-91; Ord. No. 583-94, eff. 8-5-94; Ord. No. 779-96, eff. 9-13-96; Ord. No. 248-97, eff. 5-2-97; Ord. No. 781-98, eff. 11-13-98; Ord. No. 598-99, eff. 8-13-99; Ord. No. 896-02, § 5, eff. 11-8-02; Ord. No. 1024-02, § 26, eff. 12-20-02)
(Code 1950, § 616.2)

Sec. 59-618. Applications for approval, how made and contents.

All applications for approval of a special plan under this article shall be filed with the department of zoning administration by the owners and the holders of deeds of trust of the

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entire land area to be included within the special plan and the owners and holders of deeds of trust of all structures then existing on the land area; shall contain sufficient evidence to establish that the applicants are the owners and the holders of deeds of trust of the designated land and structures; and shall contain such information and documentation as prescribed in the planned building group site plan rules and regulations or deemed necessary by the zoning department or the planning office; provided, however, that any information required herein may be waived by the joint action of the zoning administrator and the director of planning on the basis that the information is not necessary to a review of the proposed planned building group. Such waiver shall be in writing.

(Code 1950, § 616.3; Ord. No. 1-85, eff. 1-9-85)

Sec. 59-619. Review of applications for approval; standards.

(a) *Review of applications.* All applications under this article shall be reviewed for completeness by the department of zoning administration and, if found to be complete, shall be transmitted to the planning office for distribution to the development review committee.

- (1) *Development review committee.* There shall be a development review committee consisting of the director of planning, the manager of public works, the zoning administrator, the chief of the fire department, the manager of parks and recreation, and the manager of the water board or their designated representatives, provided that additional agencies may participate at the discretion of the director of planning.
- (2) *Development review procedure.* All applications under this article shall be processed in accordance with the development review procedure prescribed in the planned building group site plan rules and regulations.

(b) *Standards for approval.* All applications hereunder shall be reviewed by the planning office and approved or disapproved. Any approval hereunder may establish necessary conditions and limitations. All reviews hereunder shall be based upon the following standards:

- (1) *General provisions.*
 - a. No application under this article shall be approved unless the application and the accompanying plans comply with all regulations established for the district in which are located the land area and structures designated in such applications, except the regulations specifically excepted in section 59-617(a).
 - b. Site plan rules and regulations. The director of planning shall adopt PBG site plan rules and regulations establishing requirements, standards and procedures for the review and approval of special plans for planned building groups. No application under this article shall be approved unless the application and accompanying plans comply with all applicable requirements, standards and procedures set forth in the planned building group site plan rules and regulations.

- (2) *Site design and facilities.* All special plans hereunder shall make due provision for:
(Ord. No. 255-84, eff. 6-5-84)

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- a. Minimizing any adverse impacts on adjacent properties;
- b. For residential PBG site plans in an R-1, R-2, R-2-A, R-2-B or R-3 zone district, compatibility with the existing built residential context, as applicable. PBG site plans will be reviewed with an emphasis on the plan's compatibility as viewed from the adjacent public streets (not including public alleys). Review shall include, but is not limited to, compatibility with generally established patterns of:
 1. Spacing between residential buildings;
 2. Front setbacks;
 3. Vehicle access to the buildings;
 4. Location of off-street parking areas;
 5. Building width;
 6. Building height;
 7. Building length;
 8. Building orientation to the street;
 9. Building entrance orientation to the street; and
 10. Structural details on front building elevations (e.g., height of first and second floors above natural grade, consistency and form of front porches, location of windows and doors, roof type and form).
- c. Adequate design of grades, paving, gutters, drainage and treatment of turf to handle storm waters, prevent erosion and formation of dust;
- d. Adequate, safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking and loading space, facilities for waste disposal;
(Ord. No. 170-84, eff. 4-24-84)
- e. Adequate amount and proper location of pedestrian walks, malls and landscaped spaces to separate horizontally or vertically pedestrian walks, malls and public transportation loading places from general vehicular circulation facilities;
- f. Arrangement and orientation of buildings and location of off-street parking areas so as to minimize the impacts on adjacent properties;
- g. Arrangement of buildings and vehicular circulation open spaces so that pedestrians moving between buildings are not unnecessarily exposed to vehicular traffic;
- h. Proper arrangement of signs and lighting devices with respect to traffic control devices and adjacent residential districts;
- i. In residential building groups providing for family occupancy, adequate amount and safe location of play areas for children and other recreational areas according to the concentration of occupancy;

- j. In business building groups near or abutting residential districts, fences, walls or year-round screen planting when necessary to shield adjacent residential districts from parking lot illumination, headlights, fumes, heat, blowing papers and dust and to reduce the visual encroachment of commercial architectural, signs and activity on residential privacy and residential neighborhood character;
- k. In a planned building group, located in any R-1 district, as provided in this article, the zone lot for structures designed or used as single unit dwellings shall contain not less than eighteen thousand (18,000) square feet, plus six thousand (6,000) square feet for each dwelling unit in excess of three (3);
(Ord. No. 255-84, eff. 6-5-84)
- l. In a planned building group located in any R-2 or R-2-B district, as provided in this article, a zone lot for structures designed or used for single unit dwellings or multiple unit dwellings shall contain not less than eighteen thousand (18,000) square feet, plus three thousand (3,000) square feet for each dwelling unit in excess of six (6);
(Ord. No. 1023-02, § 8, 12-20-02; Ord. No. 1024-02, § 28, eff. 12-20-02)
- m. In a planned building group, located in any R-1 district, as provided in this article, two (2) off-street parking spaces surfaced with asphalt, asphaltic concrete, concrete or any equivalent materials shall be provided for each single unit dwelling which has access from a private street or access easement constructed with a pavement width less than thirty-two (32) feet. Where both required spaces are enclosed within a garage, at least one (1) additional space shall be provided in the driveway or in an area designated for visitor parking;
(Ord. No. 230-81, eff. 5-15-81)
- n. Adequate consideration for the access needs of disabled or handicapped residents through the provision of special parking spaces, accessible routes between parking areas and buildings, passenger loading zones and access to other facilities in order to give disabled residents an increased level of mobility;
(Ord. No. 456-83, eff. 8-16-83)
- o. Landscaped parking areas as required in article VI, section 59-589 of this Code;
(Ord. No. 895-03, § 64, eff. 12-2-03)
- p. Adequate identification of buildings, particularly in projects where two (2) or more buildings use one (1) street address or where two (2) or more buildings are located on private streets or drives. For these cases the rules and regulations shall apply to all existing and future projects and shall require the following:
 - 1. The installation of temporary signs identifying each individual building at the beginning stage of its construction;
 - 2. The installation of permanent identifying signs on each building which will allow quick identification by emergency service personnel and visitors; and

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3. The installation of legible maps at the main vehicle entry points and/or signs showing all private streets or drives and their alignment throughout the project.

(Ord. No. 471, § 2, eff. 9-14-07)

- (3) *Minimum spacing between buildings.* The minimum spacing between any two buildings containing a use by right in a special zone lot for planned building group shall be ten (10) feet. The required spacing between such buildings shall be measured as the minimum distance between any two exterior building walls of the buildings.

(Ord. No. 796-91, eff. 11-8-91; Ord. No. 779-96, eff. 9-13-96; Ord. No. 1057-96, eff. 12-13-96; Ord. No. 248-97, eff. 5-2-97; Ord. No. 781-98, eff. 11-13-98; Ord. No. 598-99, eff. 8-13-99; Ord. No. 896-02, § 5, eff. 11-8-02; Ord. No. 1024-02, § 27, eff. 12-20-02; Ord. No. 348-05, § 1, eff. 5-27-05)

- (4) *Orientation of main window exposures and entrances; accessibility by emergency vehicles:*

- a. In buildings containing multiple dwelling units, walls containing main window exposures or main entrances shall be so oriented as to ensure adequate light and air exposure; shall be so arranged as to avoid undue exposure to nearby through trafficways or undue exposure to concentrated loading or parking facilities; shall be so oriented as to preserve visual and audial privacy as between adjacent buildings;
- b. Any open court area which otherwise complies with standards of minimum spacing and open area or window exposure must, in any case, leave at least twenty-five (25) percent of its perimeter free and unobstructed for access by emergency vehicles;
- c. A building group may not be so arranged that any permanently or temporarily inhabited building is inaccessible by emergency vehicles.

(Code 1950, § 616.4; Ord. No. 1-85, eff. 1-9-85)

Sec. 59-620. Approved special plans registered and recorded.

After completing its review of an application hereunder, the planning office shall return such application and all pertinent data, together with a notice of recommendation, to the department of zoning administration. The department shall give due notice of disapproval to the applicants. Upon receipt of an approved application from the planning office, signed by the planning director and acceptable to the zoning administrator, the zoning administrator shall sign the application and the department shall register a copy of the approved special plan among its records and shall record a copy thereof, or such other record thereof as deemed proper by the department, in the office of the city clerk.

(Code 1950, § 616.5; Ord. No. 1-85, eff. 1-9-85)

Sec. 59-621. Effect of registered and recorded special plans.

All special plans registered and recorded under this article shall be binding upon the applicants therefor, their successors and assigns, shall limit and control the issuance and

validity of all zoning permits and zoning certificates and shall restrict and limit the construction, location, use and operation of all land and structures included within such plans to all conditions and limitations set forth in such plans; provided, however, that upon application to the department of zoning administration and approval by the department of zoning administration and the planning office, minor changes in the location of structures may be permitted if such minor changes will not cause any of the following circumstances to occur:

- (1) A change in the character of the development;
 - (2) An increase of more than ten (10) percent in the ratio of the gross floor area in structures to the area of any zone lot;
 - (3) An increase in the intensity of use;
 - (4) A reduction of more than ten (10) percent in the originally approved separation between buildings;
 - (5) An increase of the problems of circulation, safety and utilities;
 - (6) An increase of the external effects on adjacent property;
 - (7) A reduction of more than ten (10) percent in the originally approved setbacks from property lines;
 - (8) An increase of more than ten (10) percent in ground coverage by structures;
 - (9) A reduction in the ratio of off-street parking and loading space to gross floor area in structures;
 - (10) A change in the subject, size, lighting, flashing, animation or orientation of originally approved signs;
 - (11) A change in the location of private streets or parking areas; or
 - (12) A change which would cause undue adverse impacts on adjacent properties.
- (Code 1950, § 616.6; Ord. No. 1-85, eff. 1-9-85)

Sec. 59-622. Period of validity of plans.

Any special plan registered and recorded after the passage of this section 59-622 shall be considered void if a building permit has not been issued and if construction has not been commenced within eighteen (18) months of the date of recording of the plan. The eighteen (18) month validity period for plans may be extended for additional twelve-month periods by joint action of the zoning administrator and the planning director. Any planned building group in the R-O, R-1 and/or R-2 districts which was approved or recorded prior to July 12, 1993, shall comply with the provisions of Chapter 59, zoning, that were in effect prior to July 12, 1993. (Ord. No. 1-85, eff. 1-9-85; Ord. No. 586-93, eff. 8-6-93)

Sec. 59-623. Amendment or withdrawal of registered and recorded special plans.

Pursuant to the same procedure and subject to the same limitations and requirements by which such plans were approved, registered and recorded, all special plans registered and

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recorded under this article may be amended or withdrawn, either partially or completely, from registration and released from recording if all land and structures remaining under such plans can be made to comply with all regulations established by this article and unrelated to any special plan hereunder. Upon approval of an application hereunder, the department of zoning administration shall register among its records and record in the office of the city clerk an appropriate certificate of such amendment or withdrawal.

(Code 1950, § 616.7; Ord. No. 1-85, eff. 1-9-85)

Secs. 59-624—59-630. Reserved.