

NOTE: The following zoning proposal is a draft for your review.
The City welcomes questions about and feedback on this proposal.

7.12. SU-2/MTSB C/I (Commercial/Industrial)

The SU-2/MTSB C/I (Commercial/Industrial) zone is intended to provide opportunities for future mixed-use development in areas that currently have functionally obsolete development and are ripe for redevelopment, allowing everything from multifamily residential and community commercial to light industrial and even limited light manufacturing uses compatible with nearby residential areas. This zone is tailored to acknowledge the existing built environment and mix of uses in the neighborhood and the need for area employment while ensuring the health, safety, and general welfare of residents.

7.12.1 Existing Uses: Existing legal uses that become non-conforming upon adoption of the plan shall be treated as APPROVED CONDITIONAL USES per the requirements in the City Zoning Code except, with respect to §14-16-4-2(D)(3), an approved conditional use shall be void if it ceases on the approved site for a continuous period of two years or more. Upon expiration of the approved conditional use, the property owner is required to comply with the land use regulations of this zone.

7.12.2 Permissive Uses: The following uses are permissive in the SU-2/MTSB C/I (Commercial/Industrial) zone. Where uses are allowed under more than one zone, the most restrictive regulations shall apply:

- (i) R-3 permissive uses, with the following exceptions and addition:
 - a. New single-family houses are not allowed.
 - b. The number of dwelling units per acre is not limited to 30.
 - c. Apartment development shall comply with the requirements of 14-16-2-17(A)(8)(e)8.
- (ii) C-2 permissive uses with the following exception:
 - a. Parking lots, including commercial surface parking lots, are prohibited.
- (iii) C-3 permissive uses with the following exception:
 - a. Cold storage plant is not permissive (see Conditional Uses).
- (iv) IP permissive uses with the following exception(s):
 - a. Air separation plant is prohibited.
 - b. Cold storage plant is not permissive (see Conditional Uses).
- (v) The following M-1 uses:
 - a. Manufacturing, assembling, treating, repairing, or rebuilding articles, provided all manufacturing is conducted within a completely enclosed building, except those conditional or

- otherwise limited in the M-1 zone or specifically listed as permissive or conditional in the M-2 zone.
- b. Truck terminal, tractor, trailer, or truck storage, including maintenance facilities.
- (vi) The following M-2 use:
 - a. Railroad repair shop.

7.12.3 Conditional Uses

The following uses are conditional in the SU-2/MTSB C/I (Commercial/Industrial) zone:

- (i) C-2 conditional uses.
- (ii) Antenna, over 65 feet in height.
- (iii) Emergency shelter.
- (iv) Automobile dismantling, provided:
 - a. All activities are conducted in a completely enclosed building or are enclosed by a solid wall or fence at least six feet high.
 - b. Inoperative automobile bodies may be stacked to a height that does not exceed the height of the required wall.

7.12.4 **Height:** Structure height up to 52 feet is permitted at any legal location. The height and width of the structure over 52 feet high shall fall within a 45° plane drawn from the horizontal at the mean grade along each boundary of the premises, but a structure shall not exceed a height of 120 feet.

7.12.5 **Setbacks:** Per the O-1 zone.

7.12.6 **Density:** There is no maximum floor area ratio.

7.12.7 Off-Street Parking

- (i) Residential uses: Minimum 1/dwelling unit.
- (ii) Non-residential uses: No minimum.

7.12.8 **Usable Open Space:** In order to provide access to light and air and spaces for passive recreation within this urban, mixed-use environment, the following usable open space shall be required in lieu of § 14-16-3-10 (General Landscaping Regulations).

- (i) A minimum 10% of the net lot area shall be designated as usable open space in the form of stoops, patios, plazas, exterior walkways, balconies, roof decks or courtyards in addition to the features defined in § 14-16-1-5. Of this 10% usable open space, a minimum of 75% shall be a landscaped area in the form of living plant materials or hardscaped areas, such as those listed above.

- (ii) Living materials shall be defined as trees, grasses, vines, spreading shrubs, or flowers, over at least 75% of the required landscape area. Coverage will be calculated from the mature spread of the trees or plants. To minimize water consumption, the use of vegetative ground cover other than turf grass is encouraged. Any non-living ground cover areas not intended as mulch around spreading plants must be clearly delineated on the landscaping plan.
- (iii) Usable open space is not required if the subject site is located within 500 feet of a park, plaza, or other designated usable open space that is at least one acre in size and accessible to the public.

7.12.9 Buffering

- (i) Public Right-of-Way Buffer: In order to provide an attractive, harmonious environment for the public realm along public rights-of-way, a special buffer is required to minimize noise and sight impact of the abutting uses.
 - a. In lieu of the requirements of § 14-16-3-10, all properties shall comply within two years with one of the following requirements. Lots developed prior to January 1, 1976, are not exempt from this regulation.
 - i. Provide a minimum 5-foot wide landscaped buffer area within the front and side corner setbacks; or
 - ii. Provide street trees along all street-facing sides of the property, either on the property or in the public right-of-way subject to the approval of the City Traffic Engineer, in accordance with § 6-6-2-5.

If a property owner can demonstrate that neither i. nor ii. above can be achieved due to right-of-way constraints or one of the following site limitations – an existing building, required off-street parking, or required vehicle maneuvering – then a fence or wall between 3 and 5 feet in height shall be provided along all street-facing sides of the property. Walls shall have a minimum 50% transparency above 3 feet. Chain link fencing is prohibited. All other applicable regulations of the Zoning Code § 14-16-3-3(A)(4) and § 14-16-3-19 shall apply.

- (ii) **Landscaping in Setbacks**: For new development, in lieu of the requirements of § 14-16-3-10, where setbacks are required, they shall be covered with living, vegetative materials, such as trees, grasses, vines, spreading shrubs, or flowers, over at least 75% of the required landscape area. Coverage will be calculated from the

mature spread of the trees or plants. To minimize water consumption, the use of vegetative ground cover other than turf grass is encouraged. Any non-living ground cover areas not intended as mulch around spreading plants must be clearly delineated on the landscaping plan.

- 7.12.10 **Development Review Process:** Site Development Plan approval is required per Section 6.4 and Table 6.2
- 7.12.11 General Standards shall apply: See **Section 8.0 General Standards**. Where general standards conflict with zoning regulations, the most restrictive shall apply.

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