Article 2.4 Heritage Village Center Zoning District

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2.401 Purposes

The Heritage Village Center (HVC) zoning district is intended to foster small-scale, pedestrian-oriented mixed-use development, consistent with the Heritage District Redevelopment Plan and General Plan. The district encourages a mixture of uses, including complementary high-density residential, retail, service, office, lodging, entertainment, public and quasi-public and cultural uses.

The additional purposes of the HVC district established in this article are to:

A. Encourage quality and variety in building, landscape, and signage design;

B. Insure historic compatibility in land use and building form;

C. Support mixed commercial and residential uses;

D. Reinforce the historic character of the downtown; and

E. Attract active uses that will enhance the pedestrian ambiance of the downtown.

2.402 Land Use Regulations

A. ***Regulations.*** Table 2.402: Land Use Regulations – Heritage Village Center District sets forth the land use regulations for the Heritage Village Center zoning district. The regulations are established by letter designations as follows:

"P" designates permitted uses.

"L" designates uses that are permitted subject to certain limitations. Number designations refer to the limitations listed at the bottom of Table 2.402: Land Use Regulations – Heritage Village Center District.

"T" designates uses that are permitted to be conducted for a temporary period of time. Time limitations are listed in Table 4.5012: Temporary Uses.

"A" designates uses that require an Administrative Use Permit pursuant to Article 5.4: Use Permits.

"U" designates uses that require a Conditional Use Permit pursuant to Article 5.4: Use Permits.

"S" designates uses that require a Special Use Permit pursuant to Article 5.4: Use Permits.

B. ***Unlisted Uses.*** Uses are defined in Article 6.1: Use Definitions. If a proposed use is not listed in the Use Definitions, the Zoning Administrator shall determine if the proposed use is substantially similar to a permitted use; in that event, the Zoning Administrator shall assign the proposed use to a permitted use definition.

C. ***Prohibited Uses***. Uses not listed in Table 2.402: Land Use Regulations – Heritage Village Center District below or not assigned to a Use Definition pursuant to Section 2.402B: Unlisted Uses are prohibited.

D. ***Additional Use Regulations***. Additional use regulations for the Heritage Village Center District are set forth in Section 2.405: Additional Use Regulations.

Table 2.402: Land Use Regulations – Heritage Village Center District

Use Classification	***HVC***	***Additional Regulations***
Amateur Radio Antenna Structure	L1	See Article 4.8
Animal Services		
Animal Grooming	P	See Section: 4.508
Small Animal Clinics	P	
Automated Teller Machine	L1, L2a	
Automated Teller Machine, Remote	A, L2a	
Banks and Other Financial Institutions	L2a	
Bed and Breakfast Homes	U	
Building Material and Home Improvement Sales and Service, Retail		
Small-Scale	U	
Business Services	P	
Carnival		
Non-Commercial	T	See Section: 4.5012
Clubs and Lodges	P	
Colleges, Public or Private	P	
Congregate Living Facility	U	
Cultural Institutions	P	
Day Care, Home Occupation	L1	See Section 4.502
Day Care, Residential	L1	See Section 4.503
Dry Cleaning and Laundry Outlet	L2a	

Table 2.402: Land Use Regulations – Heritage Village Center District

Use Classification	*HVC*	*Additional Regulations*
Eating and Drinking Establishments		
Bars/Night Clubs/Lounges/Dance Halls	P	
Restaurants, Beverage Service	L2b	
Restaurants, Full Service	P	
Restaurants, Limited Service	L2b	
Entertainment and Recreation, Indoor		
Small-Scale	U	
Large-Scale	U	
Entertainment and Recreation, Outdoor	U	
Farmer's Market	A	
Funeral and Undertaking Services	U	
Government Offices and Facilities		
Small-Scale	P	
Haunted House	T	See Section: 4.5012
Health Care Facilities		
Urgent Care Facility	P	
Medical Offices And Clinics	L3	
Home Occupation	L1	See Section: 4.502
Hotels and Commercial Lodging	U	
Instructional Services, Specialized	P	
Laundry Services	P	
Loft Unit	L4	
Maintenance and Repair Services	P	
Manufacturing and Assembly		
Artisan	P	
Non-Chartered Financial Institution	U	See Section: 4.5010
Offices, General	L3	
Park and Ride Lot	U	
Parking Facilities	U	
Pawn Shops	U	See Section: 4.5010
Personal Services	P	
Place of Worship		
Small-Scale	P	See Section: 4.505
Public Safety Facilities		
Small-Scale	P	
Residential, Permanent		
Multi-Family	L3	
Retail Sales, Furniture		
Large-Scale	U	
Small-Scale	P	
Retail Sales, General	L2a	
Schools, Public Or Private		
Small-Scale	L5	
Seasonal Sales	T	See Section: 4.5012
Stand-alone Smoking Lounge	U	See Section: 4.5010
Tattoo / Piercing Studio	U	See Section: 4.5010
Teen Nightclub	P	
Transportation Passenger Terminals	U	

Table 2.402: Land Use Regulations – Heritage Village Center District

Use Classification	*HVC*	*Additional Regulations*
Utilities		
Facilities	S	
Well Site	P	
Waste Management		
Non-Hazardous Material Recycling Collection Facility Small-Scale	A	
Wireless Communication Facilities		
Alternative Light Poles	U	See Article 4.7
Support Structures Other Than Those Listed Above	A	

Limitations

L1 – Only as a use incidental to the principal use of the property.

L2a - Drive-through facilities prohibited.

L2b - Existing drive-through facilities located north of the Western Canal may continue to operate as drive-through facilities until the drive-through facility is removed or converted to be part of the structure. Existing Service Bay facilities located north of the Western Canal may convert to a drive-through facility only for the Restaurants, Beverage Service or Restaurants, Limited Service uses and only until the drive-through facility is removed or converted to be part of the structure. A Use Permit is required.

L3 - Use Permit required for ground floor location.

L4 - Permitted only above the ground floor of a mixed-use building.

L5 - Permitted only above the ground floor of a mixed-use building within 300' of Gilbert Road; permitted use in other locations.

2.403 Site Development Regulations

Table 2.403: Site Development Regulations – Heritage Village Center District sets forth the site development regulations for the Heritage Village Center district, which are in addition to the development regulations set forth in Section 2.404: Additional Development Regulations and Division 4: General Regulations. Letter designations in the *Additional Regulations* column refer to regulations that follow Table 2.403.

Table 2.403: Site Development Regulations – Heritage Village Center District

Standards	*HVC*	*Additional Regulations*
Minimum Floor Area Ratio (FAR) (%)	25	
Minimum Building Height (ft.) / (Stories)	35/2	(A)
Maximum Building Height (ft.) / (Stories)	55/4	(B)
Minimum Building Setback (ft.)		
Front	0	
Side (Street)	0	
Side (Residential)	10	
Side (Non-residential)	0	
Rear (Residential)	20	
Rear (Non-residential)	0	

Table 2.403: Site Development Regulations – Heritage Village Center District

Standards	***HVC***	***Additional Regulations***
Build-to Line (ft.) *Front*	10	(C)
Side (Street)	10	
Storefronts and Access	Yes	(D)
Building Transparency	Yes	(E)
Driveway Restrictions	Yes	(F)
Parking Setback	Yes	(G)
Building Setback to Parking (ft.)	See Section 4.203N: Separation from Buildings	
Off-Street Parking and Loading	See Article 4.2: Off-Street Parking and Loading Regulations	
Exterior Lighting Standards	See Section 4.103: Lighting Standards; (H)	

A. ***Minimum Building Height***. Single story buildings may be approved by the Redevelopment Commission upon finding that the character of the Heritage Village Center will be maintained.

B. ***Maximum Building Height***. Building height above 2 stories or 35 feet up to a maximum of 4 stories or 55 feet may be approved by the Redevelopment Commission upon a finding of consistency with the Redevelopment Plan, and finding that the character of the Heritage Village Center will be maintained.

C. ***Build-To Lines.***

1. *Ground Floor*. A minimum of 50 percent of the ground floor building facades or defined permanent outdoor dining area shall be within 10 feet of the property line abutting a street.

2. *Second Floor*. All second floor building street facades shall be within 10 feet of the property line abutting a street. Permanent outdoor dining may substitute for a portion of the building facade abutting a street.

D. ***Storefronts and Access***.

1. A minimum 75 percent of ground floor building length or width along the front of the building shall consist of windows, window displays, doors, or a combination thereof.

2. Pedestrian access to ground floor uses shall be provided a minimum of every 50 feet along a principal building frontage. (SEE APPENDIX 1, FIGURE 2).

E. ***Transparency.***

1. *Ground Floor*. View windows, window displays, or doors shall be provided in a zone between 2 and 8 feet above grade adjacent to the principal building frontage.

2. *Upper Floors*. A minimum of 25 percent of a building's upper floor elevations along streets shall have view windows with non-reflective glass. (SEE APPENDIX 1, FIGURE 3)

F. ***Driveway Restrictions.*** Vehicular access shall be from a non-arterial street or alley.

G. ***Parking Setback.*** Parking areas shall be set back a minimum of 25 feet from an arterial street.

H. ***Lighting.*** All lighting fixtures shall conform to standards set forth in the Heritage District Redevelopment Plan.

2.404 Additional Development Regulations

A. ***Accessory Structures***. Accessory structures shall be identified on an approved Final Design Review site plan and shall conform to the following regulations:

1. *Establishment.* An accessory structure shall not be constructed prior to construction of a principal structure.

2. *Location*. Accessory structures shall be located within the building envelope.

3. *Maximum Height.* The maximum height shall be 15 feet.

4. *Separation.* Accessory structures shall be separated from principal structures and other accessory structures by a minimum of 10 feet.

B. ***Gated Facility Entrances***. A minimum of 40 feet of vehicle queuing area shall be provided behind each security control point. The minimum width of the vehicular entry shall be 20 feet in width. A vehicular turn-around area shall be provided between the control point and the security gate. The vehicular turn-around area shall have a minimum interior turning radius of 35 feet and an exterior turning radius of 55 feet.

2.405 Additional Use Regulations

A. ***Outdoor Storage***. In addition to the requirements set forth in Section 4.104: Outdoor Business Property Storage, outdoor storage areas shall comply with the following requirements. This section does not apply to Outdoor personal property storage.

1. *Area*. 5 percent of the Gross Floor Area (GFA) of the use or 200 square feet, whichever is less.

2. *Height of Fences.* Fences enclosing outdoor storage areas shall be 6 feet in height.

3. *Location.* Outdoor storage areas shall not be located between the building and the street.

4. *Stored Material*. Stored material shall not exceed the height of the fence.

B. ***Outdoor Retail Sales and Merchandise Display***. Outdoor retail sales and merchandise displays shall be located and conducted in compliance with the following requirements. Uses that are permitted to be conducted for a temporary period of time as listed in Table 2.402: Land Use Regulations – Heritage Village Center District are not outdoor retail sales and merchandise display under this section.

1. *Location.* Outdoor retail sales and merchandise displays shall not obstruct ingress and egress to a building, obstruct fire lanes, interfere with vehicular circulation or sight distance, or be located in landscaped areas. Outdoor retail sales and merchandise display areas shall be adjacent to the structure containing the business selling the merchandise. Final Design Review plans shall designate permitted areas for outdoor retail sales and merchandise display. For Final Design Review plans approved prior to the effective date of the Zoning Code, the location of outdoor retail sales and merchandise display require Administrative Design Review approval.

2. *Maximum Area*. 5 percent of the GFA of the use or 200 square feet, whichever is less.

3. *Height.* Display merchandise shall not exceed a height of 6 feet above finished grade. Construction equipment including fork lifts, boom trucks, cranes, bucket trucks and similar equipment shall be displayed in an un-extended position.

4. *Temporary Use of Parking Area*. The temporary use of a parking area for sales and display is permitted pursuant to Section 4.203J: Temporary Use of Parking Area.

C. ***Fueling Facility Abandonment***. All types of Fueling Facility structures and tanks that are unused and/or vacant for at least 1 year are assumed to be abandoned. Abandoned structures and facilities shall be removed; and the fuel tanks shall be removed within 90 days from the date a notice of abandonment is mailed to the property owner. Underground tanks may be filled with an inert material in lieu of removal.

D. ***Fueling Facility Reuse***. Fueling Facility buildings that are occupied with a use that does not involve the dispensing of fuel shall remove all underground fuel tanks or fill them with an inert material prior to occupancy of the building. All pumps, pump islands, fuel dispensing equipment and price signs shall be removed prior to occupancy of the building.