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## Sec. 12-3-12. Redevelopment land use district.

The regulations in this section shall be applicable to the gateway and waterfront redevelopment zoning districts: GRD and WRD.

(1) *GRD, Gateway Redevelopment District.*

- a. *Purpose of district.* The gateway redevelopment district is established to promote the orderly redevelopment of the southern gateway to the city in order to enhance its visual appearance, preserve a unique shoreline vista, improve traffic safety, and encourage a high quality of site planning and architectural design. Site specific analysis of each development proposal within the gateway district is intended to ensure that the scenic orientation and open space image of the Bayfront Parkway is maintained, the development character of the Chase-Gregory corridor is upgraded, and the boundary of the adjacent historic district is positively reinforced.
- b. *Uses permitted.*
  1. Single-family residential (attached or detached) at a maximum density of 17.4 units per acre. Multifamily residential at a maximum density of 100 dwelling units per acre.
  2. Home occupations, subject to regulations in section 12-3-13.
  3. Offices.
  4. Adult entertainment establishments subject to the requirements of chapter 7-3 when located within the dense business area as defined in chapter 12-13, Definitions.
  5. All commercial uses permitted in the C-2A zone, with no outside storage or repair work allowed, with the exception:
    - i. Mortuaries and funeral parlors.
    - ii. Appliance and repair shops.
    - iii. Public parking lots and parking garages.
    - iv. New car lots or used car lots.
    - v. Public utility plants, transmission and generating stations, including radio and television broadcasting stations.
    - vi. Car or truck rental agencies or storage facilities.
  6. Family day care homes licensed by the state department of children and family services as defined in state statutes.
- c. *Procedure for review of plans.*
  1. *Plan submission.* All development plans must comply with development plan requirements set forth in section 12-3-120(c) and (d), and design standards and guidelines established in section 12-3-121. Every application for a new certificate of occupancy or a building permit to erect, construct, demolish, renovate or alter a building or sign, or exterior site work (i.e., paving and landscaping of off-street parking areas), located or to be located in the gateway redevelopment district shall be accompanied with drawings or sketches with sufficient detail to show, as far as they relate to exterior appearances, the architectural design of the building, sign, or exterior work (both before and after the proposed work is done in cases of altering, renovating, demolishing or razing a building or structure) including proposed materials, textures and colors, and the plot plan or site layout including all site

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improvements or features such as walls, fences, walks, terraces, plantings, accessory buildings, paved areas, signs, lights, awnings, canopies and other appurtenances.

2. *Review and approval.* All plans shall be subject to the review and approval of the planning board established in chapter 12-12. At the time of review the board may require that any aspect of the overall site plan which does not meet the standards established in this section be incorporated and brought into compliance within a time limit approved by the board.
  3. *Abbreviated review.* Sign requests, paint colors, fencing, and emergency repairs that are consistent with the regulations and guidelines set forth in this section, may be approved by letter to the building official from the planning board secretary and the chairperson of the board. This provision is made in an effort to save the applicant and the board time for routine approval matters. If agreement cannot be reached as it pertains to such requests by the board secretary and chairperson, then the matter will be referred to the board for a decision.
  4. *Final development plan.* If the planning board approves a preliminary development plan, the owner shall submit a final development plan in accordance with the procedure set forth below within six months of the date of approval of the preliminary plan of development. For good cause shown, the planning board may, in its discretion, extend the time within which to file the final development plan for successive periods, the total of which shall not be more than an additional six months. The final development plan shall be in basic conformity with the preliminary plan of development and comply with the other provisions of section 12-3-120 pertaining to the final development plan. If the applicant submits a final development plan that conforms to all the conditions and provisions of this chapter, then the planning board shall conclude its consideration at its next regularly scheduled meeting.
- d. *Regulations.* Except where specific approval is granted by the planning board for a variance due to unique and peculiar circumstances or needs resulting from the use, size, configuration or location of a site, requiring the modification of the regulations set forth below the regulations shall be as follows:
1. Signs. Refer to sections 12-5-2 and 12-5-3 for general sign regulations and for a description of sign area calculations. In addition, the following regulations shall be applicable to signs only in the gateway redevelopment district:
    - i. *Number of signs.* Each parcel under single ownership shall be limited to one sign per street adjacent to the parcel; provided, however, if there exists more than one establishment on the parcel, there may be one attached sign per establishment.
    - ii. *Signs extending over public property.* Signs extending over public property shall maintain a clear height of nine feet above the sidewalk and no part of such signs shall be closer than 18 inches to the vertical plane of the curb line or edge of pavement.
    - iii. *Permitted signs.*
      - (a) Gregory, Chase and Alcaniz Streets, 9th Avenue.
      - (1) *Attached signs.*
        - a. *Height.* No sign may extend above the roof line of the building to which it is attached. For purposes of this section roof

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surfaces constructed at an angle of 75 degrees or more from horizontal shall be regarded as wall space.

- b. *Size.* Ten percent of the building elevation square footage (wall area) which fronts on a public street, not to exceed 50 square feet.

(2) *Freestanding signs.*

- a. Maximum sign height—20 feet.
- b. Maximum area for sign face—50 square feet.

(b) Bayfront Parkway.

(1) *Attached signs.*

- a. *Height.* No sign shall extend above the roof line of a building to which it is attached.
- b. *Size.* Ten percent of the building elevation square footage (wall area) which fronts on a public street, not to exceed 50 square feet.

(2) *Freestanding signs.*

Distance from Curb (Feet)	Maximum Area Sign Face (Square Feet)	Maximum Sign Height (Feet)
10	20	5
20	35	7
30	50	9

(c) All other streets and areas within the gateway redevelopment district:

(1) *Attached signs.*

- a. *Height.* No sign shall extend above the main roof line of a building to which it is attached.
- b. *Size.* Ten percent of the building elevation square footage (wall area) which fronts on a public street, not to exceed 25 square feet.

(2) *Freestanding signs.*

Distance from Curb (Feet)	Maximum Area Sign Face (Square Feet)	Maximum Sign Height (Feet)
10	20	5
20	35	7
30	50	9

iv. *Other permitted signs.*

- (a) Signs shall not exceed three square feet in size.

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- (b) Official traffic signs or signals, informational signs erected by a government agency and temporary signs indicating danger.
  - v. *Submission and review of sign plans.* It shall be the responsibility of the contractor or owner requesting a sign permit to furnish two plans of sign drawn to scale, including sign face area calculations, wind load calculations and construction materials to be used.
  - vi. *Review of sign plans.* All permanent signs within the gateway redevelopment district shall be reviewed as follows:
    - (a) The contractor or owner shall submit sign plans for the proposed sign as required herein. The planning services department shall review the sign based on the requirements set forth in this section and the guidelines set forth in subsection (1)e.2.vii of this section and forward a recommendation to the planning board.
    - (b) The planning board shall review the planning staff recommendation concerning the sign and approve, or disapprove, the sign, it shall give the owner written reasons for such action.
    - (c) The owner shall have the right to appeal an adverse decision of the planning board to the city council within 30 days of the decision of the planning board.
  - vii. *Prohibited signs.* Refer to section 12-5-7 for prohibited signs. In addition the following signs are prohibited within the gateway redevelopment district:
    - (a) Portable signs are prohibited except as permitted in section 12-5-6(5).
    - (b) Signs that are abandoned or create a safety hazard are not permitted. Abandoned signs are those advertising a business that becomes vacant and is unoccupied for a period of 90 days or more.
    - (c) Signs that are not securely fixed on a permanent foundation are prohibited.
    - (d) Signs that are not consistent with the standards of this section are not permitted.
  - viii. *Temporary signs.* Only the following temporary signs shall be permitted in the gateway redevelopment district:
    - (a) Temporary banners indicating that a noncommercial special event, such as a fair, carnival, festival or similar happening, is to take place, are permitted with the following conditions:
      - (1) Such signs may be erected no sooner than two weeks before the event.
      - (2) Such signs must be removed no later than three days after the event.
      - (3) Banners extending over street rights-of-way require approval from the mayor.
    - (b) One non-illuminated sign per street frontage advertising the sale, lease or rental of the lot or building upon which the sign is located. Such sign shall

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not exceed 12 square feet in size, and shall be removed immediately after occupancy.

(c) One non-illuminated sign not more than 50 square feet in area in connection with the new construction work and displayed only during such time as the actual construction work is in progress.

(d) Temporary signs permitted in section 12-5-6(8).

ix. *Nonconforming signs.*

(a) *Compliance period.* All existing signs that do not conform to the requirements of this section shall be made to comply by April 24, 1991. Provided, however, existing portable signs must be removed immediately.

(b) *Removal of nonconforming signs.* The building official shall notify the owner of a nonconforming sign in writing of compliance period specified above. Nonconforming signs shall either be removed or brought up to the requirements stated herein within the period of time prescribed in the compliance schedule. Thereafter, the owner of such sign shall have 30 days to comply with the order to remove the nonconforming sign, or bring it into compliance. Upon expiration of the 30-day period, if no action has been taken by the owner, he or she shall be deemed to be in violation of this section and the building official may take lawful enforcement action.

2. Off-street parking. The following off-street parking requirements shall apply to all lots, parcels or tracts in the gateway redevelopment district:

- i. Off-street parking requirements in the district shall be based on the requirements set forth in chapter 12-4. The required parking may be provided off-site by the owner/developer as specified in section 12-4-1(4).
- ii. Off-street parking and service areas are prohibited within the Bayfront Parkway setback described in subsection (1)d.3 of this section, unless these requirements cannot be met anywhere else on the site due to its size or configuration.
- iii. Screening. Screening shall be provided along the edges of all parking areas visible from street rights-of-way. The screening may take the form of:

A solid wall or fence (chain-link fences are prohibited) with a minimum height of four feet that is compatible in design and materials with on-site architecture and nearby development; or an earth berm approximately three feet in height that is landscaped to provide screening effective within three years; or a combination of walls or fences and landscape screening; or landscape screening designed to provide positive screening within three years.

3. Street setback. The following building setbacks shall apply to the district:

- i. Bayfront Parkway setback/height requirements. All buildings located adjacent to the Bayfront Parkway shall be set back a minimum of 50 feet from the northern parkway right-of-way line. At this minimum setback, building height may not exceed 50 feet. Above 50 feet in height, an additional one-foot setback shall be required for each additional two feet in building height. This setback is

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intended as a landscaped buffer zone that preserves the open space character of the parkway.

- ii. Gregory, Alcaniz and Chase Streets, 9th Avenue. Ten feet from the right-of-way line.
  - iii. All other streets. Five feet from the right-of-way line.
4. Street frontage. Every lot, tract, or parcel of land utilized for any purpose permitted in this district shall have a street frontage of not less than 50 feet. Any lot of record on the effective date of this title which is less than 50 feet may be used as a site for only one establishment listed as a permitted use in subsection (1)b of this section.
5. Building height. No building shall exceed a maximum height of 100 feet.
6. Vehicular access. Access to the following streets shall be limited as follows:
  - i. Bayfront Parkway. No access shall be permitted from the parkway unless no other means exist for ingress and egress from the site.
  - ii. Gregory Street, Chase Street, Alcaniz Street, 9th Avenue and 14th Avenue. For each lot, tract, or parcel under single ownership, the maximum number of access points shall not exceed two per street footage if driveway spacing standards can be met pursuant to section 12-3-121(c)(2).
7. Landscaping. Landscaping requirements in the gateway redevelopment district shall be based on applicable requirements of chapter 12-6. All service areas (i.e., trash collection containers, compactors, loading docks) shall be screened from street and adjacent buildings by one of the following techniques:
  - i. Fence or wall, six feet high;
  - ii. Vegetation, six feet high (within three years);
  - iii. A combination of the above.
8. Underground utility services. All new building construction or additions of floor area to existing structures along Bayfront Parkway, Chase Street, Gregory Street, 9th Avenue and all property fronting Salamanca Street, shall be required to install underground utilities.
9. Lot coverage. The total coverage of all development sites within the gateway redevelopment district, including all structures, parking areas, driveways and all other impervious surfaces, shall not exceed 75 percent.
10. Sidewalks. Developers of new construction or redevelopment projects shall repair, reconstruct, or construct new sidewalks on all sides of property fronting on a street.
11. Consideration of floodprone areas. Portions of the district are within the 100-year floodplain. Site planning shall consider the special needs of floodprone areas.
12. Storm drainage. Adequate storm drainage must be provided to prevent flooding or erosion. The surface drainage after development should not exceed the surface drainage before development. Flexibility in this guideline shall be considered by the city engineer based on capacity of nearby off-site stormwater drainage systems, the surrounding topography and the natural drainage pattern of the area.
13. All mechanical equipment, satellite dishes and other similar equipment should be completely screened by the architecture of the structure, or fences, walls, or vegetation.

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14. Exemptions. All detached single-family and duplex residential development proposals are exempt from the provisions of this section and shall be developed in accordance with R-1A regulations set forth in section 12-3-4(5), with the exception of the height requirements.
- e. *Development guidelines.* The gateway redevelopment district is characterized by a variety of architectural styles with no common theme. The intent of these guidelines is to reduce the level of contrast between buildings and to create a more compatible appearance in architectural design, scale, materials and colors. All development within the gateway redevelopment district is encouraged to follow design guidelines as established in section 12-3-121(d). In addition, the following site planning guidelines shall be used by the planning board in the review and approval of all development plans:
1. *Site planning.* The integration of site features such as building arrangement, landscaping and parking lot layout is critical in producing a pleasant and functional living or working environment. In reviewing development proposals, the following guidelines shall be taken into consideration.
    - i. *Maximum preservation of bay views.* Considering the bayfront location within the district, the placement of buildings, signs, service areas, parking and landscaping shall be planned to maximize the preservation of views of the bay and to protect the bayfront's scenic open space character. To prevent the effect of a "wall" of development along the inland edge of the parkway, the long axis of all buildings located on the corridor should be oriented parallel to the inland street grid, rather than parallel to the parkway itself. The preservation of ample open space between buildings, and the creation of a campus-like development pattern, are encouraged especially in the bayfront area. In addition, site planning throughout the district should recognize existing topographical variations and maximize this variation to maintain bay views.
    - ii. *Development coordination.* The preservation of bay views and the creation of a campus character development pattern cannot be achieved through the site planning of any single development; all development efforts within the district must be coordinated to achieve these objectives.
    - iii. *Off-street parking and service.* Off-street parking shall be discouraged within all street setbacks. Where possible, any service areas (i.e. trash collection, loading docks) shall be located to be screened by the building itself; otherwise, walls, fences, landscaping and earth berms shall be used to achieve effective screening.
  2. *Architectural design and building elements.*
    - i. Buildings or structures that are part of a present or future group or complex shall have a unity of character and design. The relationship of forms and the use, texture, and color of materials shall be such as to create a harmonious whole.
    - ii. Buildings or structures located along strips of land or on single sites and not a part of a unified multibuilding complex shall strive to achieve visual harmony with the surroundings. It is not to be inferred that buildings must look alike or be of the same style to be compatible with the intent of the district. Compatibility can be achieved through the proper consideration of scale, proportions, site planning, landscaping, materials and use of color.

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- iii. Materials such as metal and plastic shall be discouraged on exterior surfaces of buildings.
  - iv. Severe or angular roof lines that exceed a pitch of 12-12 (45-degree angle) are discouraged. Exceptions to this guideline (i.e., churches) shall be considered on a case-by-case basis.
  - v. Bright colors and intensely contrasting color schemes are discouraged within the district.
  - vi. Proposed development adjacent to the historic district should give special consideration to visual compatibility in scale and architectural design in order to positively reinforce the character of the historic area and provide a buffer and transition.
  - vii. The following guidelines concerning design, materials, lighting, landscaping, and positioning of permitted signs shall be considered:
    - (a) Design/materials. The architectural character of the building to which the sign relates should be reflected in the lettering of the sign, the materials used for the supporting structure and the sign face.
    - (b) Lighting. Indirect and internal lighting is encouraged. Neon and exposed fluorescent lighting is not encouraged.
    - (c) Landscaping. The landscaping and positioning of the sign should compliment the overall site plan and landscaping of the development.
- f. *Maintenance standards.* The following maintenance standards shall be applied to all structures and land parcels respectively, whether occupied or vacant within the gateway redevelopment district, subject to review and approval by the planning board. Properties that do not conform to the maintenance standards described in subsections (1)f.1 through 7 of this section shall be made to comply as required by the city inspections office based on regular inspections or complaints.
- 1. *Building fronts, rears, and sides abutting streets and public areas.* Rotten or weakened portions shall be removed, repaired or replaced.
  - 2. *Windows.* All windows must be tight-fitting. All broken and missing windows shall be replaced with new glass.
  - 3. *Show windows and storefronts.* All damaged, sagging or otherwise deteriorated storefronts, show windows or entrances shall be repaired or replaced.
  - 4. *Exterior walls.*
    - i. Existing miscellaneous elements on the building walls, such as empty electrical conduit, unused signs and/or sign brackets, etc., shall be removed.
    - ii. Sheet metal gutters, downspouts and copings shall be repaired or replaced as necessary and shall be neatly located and securely installed.
    - iii. All exterior finishes and appurtenances such as paint, awnings, etc., shall be kept in a state of repair.
  - 5. *Roofs.*
    - i. All auxiliary structures on the roofs shall be kept clean, repaired or replaced.



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- ii. Roofs shall be cleaned and kept free of trash, debris or any other elements that are not a permanent part of the building.
  - 6. *Front, rear, and side yards, parking areas and vacant parcels.*
    - i. When a front, rear or side yard, parking area or vacant parcel exists or is created through demolition, the owner may utilize the space in accordance with the provisions of the zoning district; provided, however, that the site shall be properly maintained free of weeds, litter, and garbage.
    - ii. Any landscaping that was installed to comply with regulations of this subsection must be maintained.
  - 7. *Walls, fences, signs.* Walls, fences, signs and other accessory structures shall be repaired and maintained.