BILL NO.

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE IV "LAND USE", CHAPTER 410 (OVERLAY AND URBAN DESIGN ZONING DISTRICTS) OF THE MUNICIPAL CODE OF THE CITY OF CLAYTON, MISSOURI, REPEALING ARTICLE III AND REPLACING ARTICLE III WITH A NEW DISTRICT TITLED "NORTHEAST DOWNTOWN OVERLAY ZONING DISTRICT" AND REPEALING ARTICLE IV, CHANGING REFERENCES TO ARTICLES III AND IV IN VARIOUS SECTIONS OF THE CODE IN LIGHT OF THE NEW TITLES OF ARTICLES III AND IV AND THE AMENDED PROVISIONS THEREIN AND OTHER ACTIONS RELATED THERETO.

WHEREAS, the Mayor and Board of Aldermen set a long-term initiative to enhance the vibrancy of the Central Business District and to ensure that redevelopment of the downtown retained and enhanced its pedestrian friendly and architectural character; and

WHEREAS, the City contracted with H3 Studios, Inc., an Urban Design and Planning firm and over the last sixteen months has assisted the City with data collection, public meetings and draft regulations which resulted in updates to the two existing downtown overlay zoning districts in order to implement the applicable provisions of the Downtown Master Plan and encourage desired development in this area; and

WHEREAS, on August 2, 2021, the Plan Commission held a public hearing, after due notice as provided by law, to solicit input regarding amendments to the City's land use regulations to repeal the CBD Overlay District and the Downtown Overlay district and replace them with one district titled "Northeast Downtown Overlay Zoning District"; and

WHEREAS, following public comment and review, the Plan Commission voted unanimously to recommend that the Board of Aldermen enact the amendments hereinafter set forth; and

WHEREAS, on August 10, 2021, after due notice as provided by law, the Board of Aldermen held a public hearing for the purpose of receiving public comment on the question of the adoption of the provisions hereinafter set forth; and

WHEREAS, the Board of Aldermen has determined that it is in the best interest of the City of Clayton to adopt the amendments hereinafter set forth and that such amendments best serve the public health, safety and welfare of the City and its residents; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

Section 1.

Chapter 410 (Overlay and Urban Design Districts) of Title IV (Land Use) of the Code of Ordinances of the City of Clayton, Missouri, is hereby amended by the repeal of Article III and Article IV and the replacement of Article III with a new overlay district titled "Northeast Downtown Overlay Zoning District" with seventeen (17) Sections, initially to be designated as Article III and Sections 410.075 through 410.130, and the remainder of the Chapter to be renumbered, and to read as follows:

Chapter 410. Article III to be repealed and replaced with the following:

Article III: Northeast Downtown Overlay Zoning District

Section 410.075. **Purpose Statement and Applicability**

A. The Northeast Downtown Overlay Zoning District (hereinafter known in this Article as the NDO Overlay Zoning District) applies to selected blocks in the northeast area of Downtown Clayton which have been identified as pedestrian friendly, retail and entertainment areas. The area encompassed by this District is the heart of commercial and service activities, along with residential, entertainment and office land uses. Buildings in this area are "pedestrian friendly" and built to human scale at the street level. The Northeast Downtown Overlay Zoning District standards coupled with the use of city adopted Design Standards will preserve the ambiance of this area of the City and provide redevelopment opportunities that align with the vision for this area as set forth in the Downtown Master Plan.

B. *Applicability.* Development Standards shall apply to all development, subject to the following requirements:

(1) All new development on parcels following the demolition of an existing building.

(2) Alterations to existing buildings, subject to the following requirements:

(a) The alteration comprises 51 percent or more of the existing building's gross floor area as measured from exterior walls.

(b) The alteration comprises an addition of 51 percent or more of the existing building's gross floor area as measured from exterior walls.

C. *Exceptions* The development standards set forth in this section shall not apply to the following:

(1) Accessory structures located behind the primary building, which are one (1) story or less in height and 150 square feet of gross floor area or less, as measured from exterior walls.

(2) Alterations and improvements that do not meet the requirements specified in Section 410.075.B.(2).

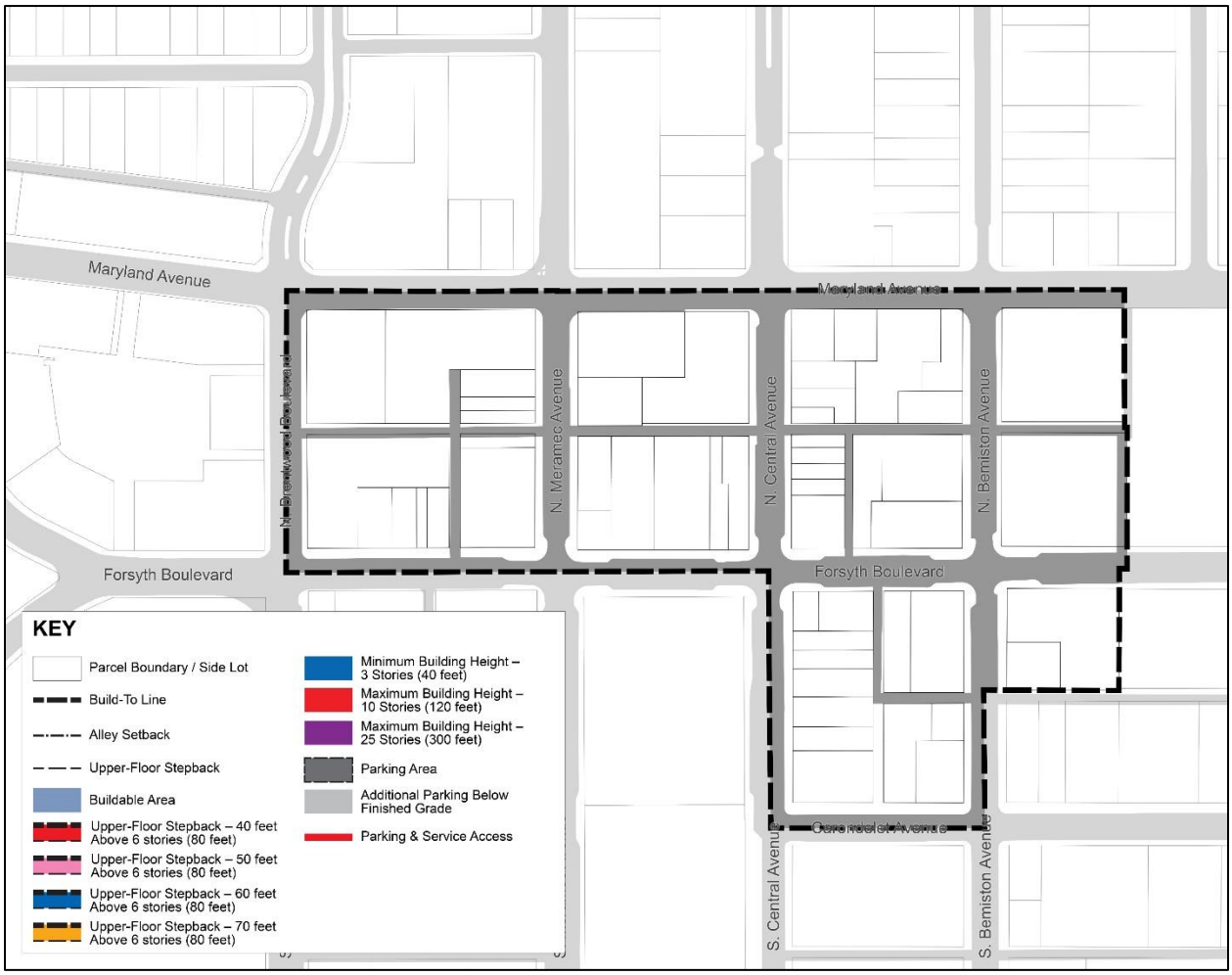
Section 410.080. **Location of Overlay Zone**

The Northeast Downtown Overlay Zoning District applies to select blocks in the northeast area of the downtown and includes the following properties:

Beginning at the center of the intersection of Forsyth Boulevard and North Brentwood Boulevard, then northerly to the centerline of Maryland Avenue then easterly to the east property

boundaries of 7750 Maryland Avenue then southerly along the east property line of 7750 Maryland Avenue then westerly along the south property line of 7740 Forsyth Avenue and 10 North Bemiston Avenue, then across Forsyth Boulevard, continuing south along the east property line of 7740 Forsyth Boulevard then westerly along the south property lines of 7740 Forsyth Boulevard and 12 South Bemiston Avenue to the centerline of South Bemiston Avenue, then southerly to the centerline of Carondelet Avenue, then westerly to the centerline of South Central Avenue, then northerly to the centerline of Forsyth Boulevard, then westerly to the centerline of North Brentwood Boulevard, see Figure 1 below.

FIGURE 1



Section 410.085. **Significance of Designation**

These regulations shall supersede or supplement, as applicable, the regulations of the underlying base zoning district. Where conflict results between the regulations of the overlay district and the provisions of the underlying base zoning district, the provisions of the overlay district shall control. Although not encouraged, through the action of rezoning to a Planned Unit

Development these regulations may be modified provided the PUD zoning regulations are more restrictive than those found in this section.

Section 410.090. **Uses Permitted**

The uses permitted by right and by conditional use permit are listed in the Section 401.130, Building Use Requirements.

Section 410.095. **Planned Unit Development**

A. A development proposal will be eligible for consideration under the planned unit development option per the provisions of Chapter 405 when the development incorporates two (2) of the following give (5) categories of use:

1. Office Use
2. Retail Use
3. Residential Use
4. Public parking (as defined in these regulations) ***
5. Hotel Use

NOTE: For the purposes of this Article, hotels containing a public restaurant will be considered eligible for a planned unit development.

Section 410.100. **Rezoning Amendment**

The "PUD" application process includes a request for rezoning pursuant to the provisions of Chapter 405. A PUD rezoning must be completed concurrently with the approval process for the PUD Master Plan, the Site Development Plan and the Architectural Plans.

Section 410.105. **Form Standards**

A. Building Placement. The following are form standard requirements for building placement.

1. *Build-to Line (Figure 2)***.** Build-to line refers to the specific line at which the building façade will placed, as measured from the parcel boundary, and are required as follows:

[a] *Street Frontage:* 0 feet (from ground level to floor 6)

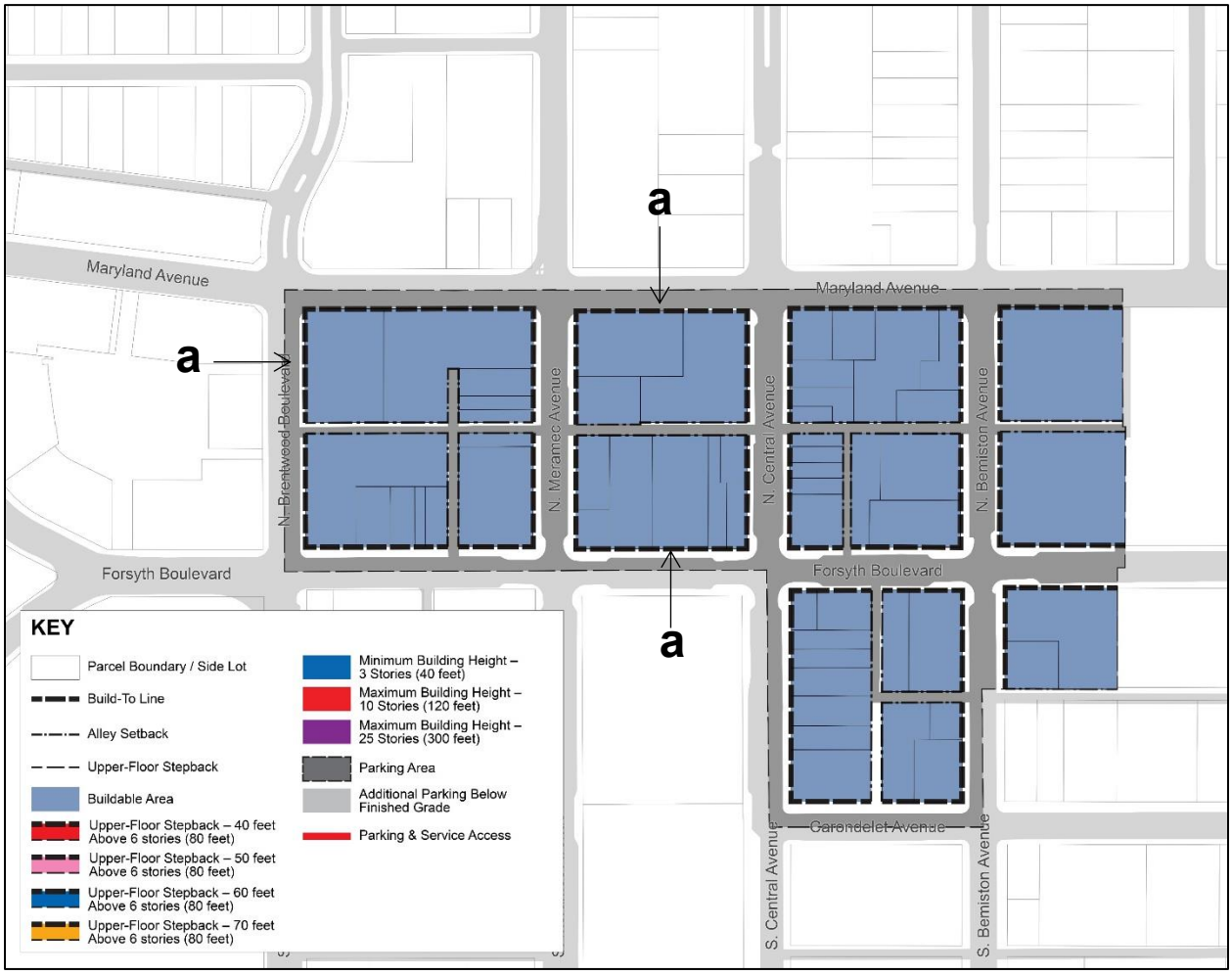
a. *Exceptions:* Ground floor façades may be set back from the build-to line for building entrances, open-air seating/dining areas, and other programmatic uses:

- Up to a maximum average of 12 feet.
- Up to a maximum of 25 percent of total façade length.

b. Upper floor façades may be set back from the build-to line for façade articulation:

- Up to a maximum average of 12 feet.
- Up to a maximum of 50 percent of total façade length.

FIGURE 2: Build-to Line



B. Setback

Setback refers to the distance at which the building façade will placed from the parcel boundary, as measured from the parcel boundary.

[b] Side: 0 feet min | 5 feet max

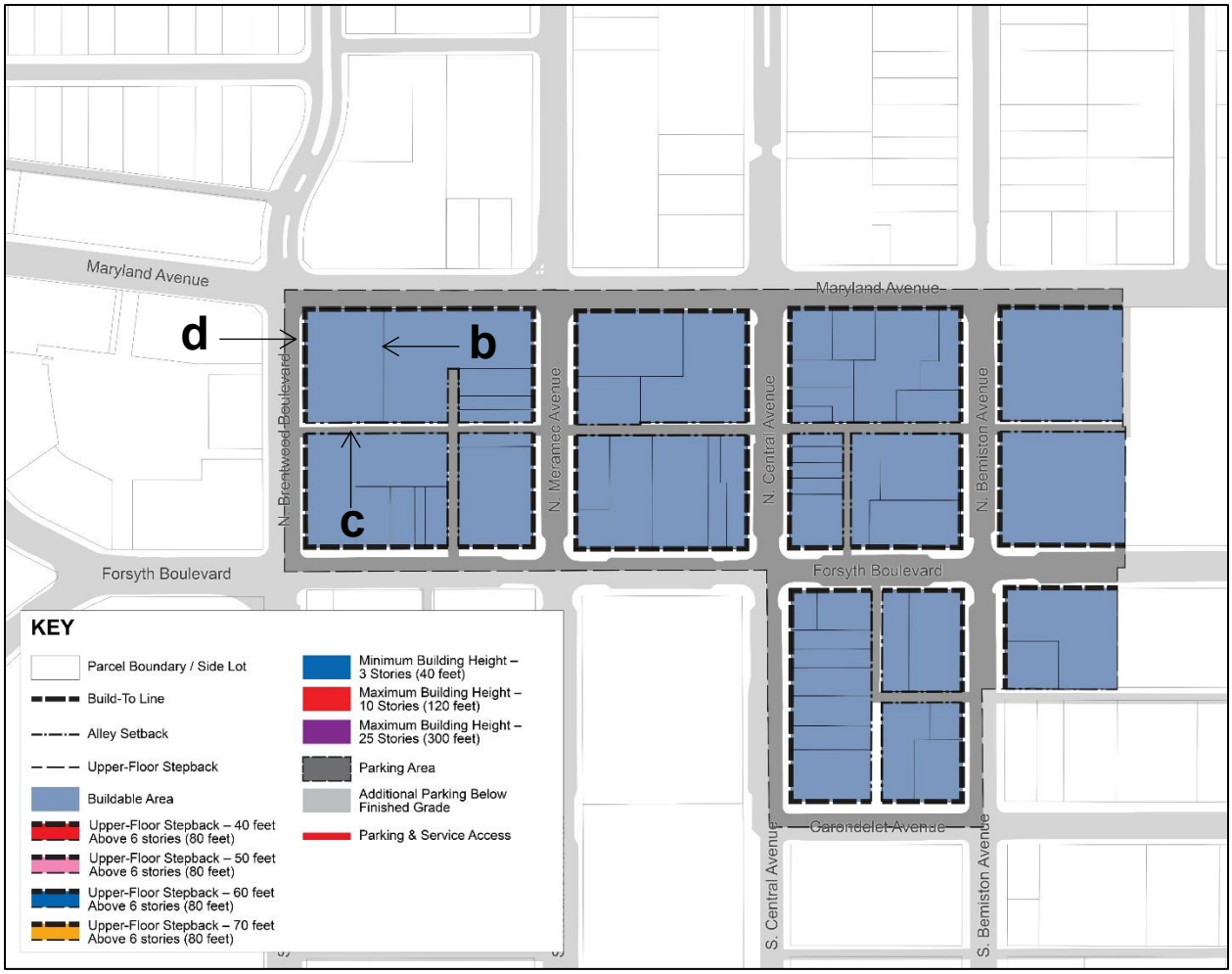
[c] Alley: 0 feet min | 15 feet max

C. Lot Occupation

Lot occupation refers to the percentage of the build-to line required to be built (see Figure 3).

[d] Primary Street: 85 percent minimum | 100 percent maximum

FIGURE 3: Setback and Lot Occupation



D. Building Height and Massing

Building height refers to the height of the building, measured in stories or feet, from the mean adjacent grade to the eave or base of the parapet.

1. Minimum Building Height (see Figure 4)

[e] 3 Stories or 40 feet.

FIGURE 4: Minimum Building Height

2. Maximum Building Height (see Figure 5)

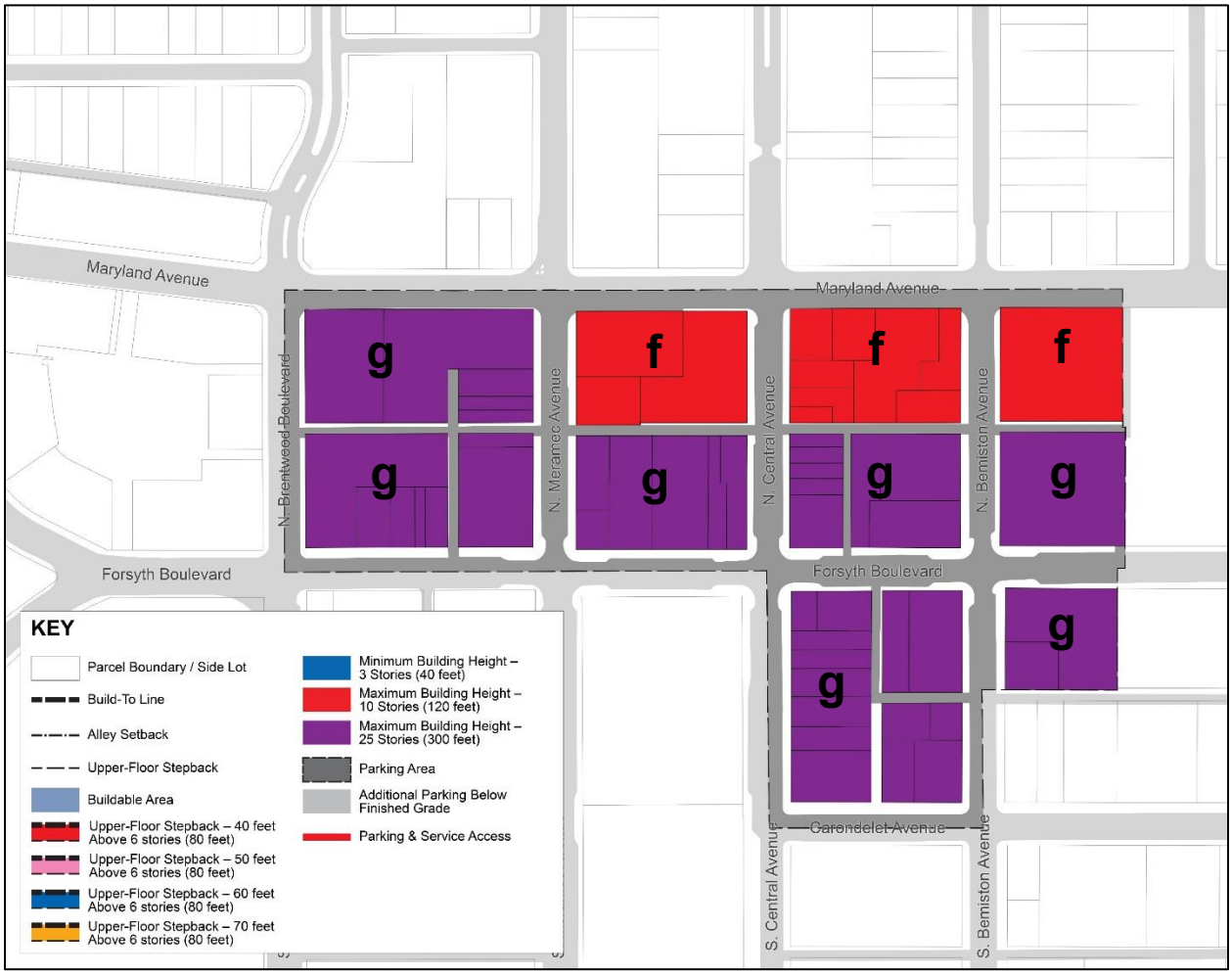
[f] 10 Stories or 140 feet [1]

[g] 25 stories or 300 feet [2]

NOTES:

1. For parcels located east of N. Meramec Avenue, east of the westernmost District boundary, and north of the service alley between Maryland Avenue and Forsyth Boulevard (shown in red).
2. For all other parcels (shown in violet).

FIGURE 5: Maximum Building Height



E. Upper Floor Step Back

Upper Floor Step Back refers to the setback of upper stories, required above a specified building height.

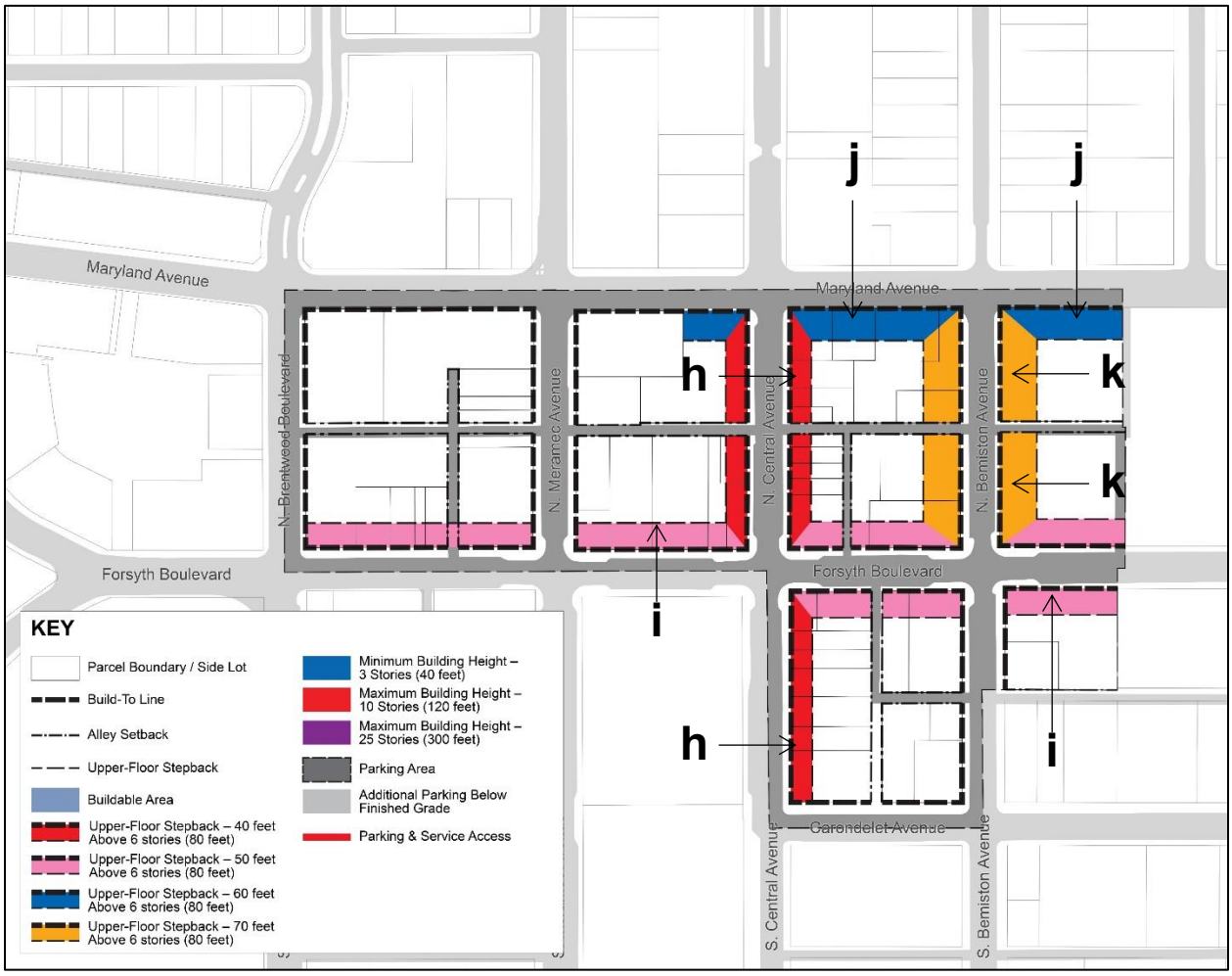
[h] 40 feet for all floors beginning above floor 6 (or 80 feet) for all frontages of N. Central Ave. and S. Central Ave. (shown in red)

[i] 50 feet for all floors beginning above floor 6 (or 80 feet) for all frontages of Forsyth Blvd. (shown in pink)

[j] 60 feet for all floors beginning above floor 6 (or 80 feet) for all frontages of Maryland Ave., east of N. Central Ave. (shown in blue)

[k] 70 feet for all floors beginning above floor 6 (or 80 feet) for all frontages of N. Bemiston Ave. (shown in yellow)

FIGURE 6: Upper Floor Step Back



F. Finished Ground Floor Level

Finished Ground Floor Level refers to the elevation of the finished, occupiable ground floor above adjacent grade.

[l] 0 feet above adjacent grade

G. Ground Floor Ceiling Height

Ground Floor Ceiling Height refers to the distance between the first finish floor and the ceiling of the ground floor.

[m] 12 feet minimum

[n] 16 feet maximum

H. Upper Floor Ceiling Height

Upper Floor Ceiling Height refers to the distance between the finish floor and the ceiling of the upper floor(s).

[o] 9 feet minimum

[p] 12 feet maximum

Section 410.110. **Building Articulation**

A. Building Facades

1. Building composition should clearly define and articulate the building's different purposes, using building elements, treatments, and architectural expression to define the various pieces that makeup the larger building.

[A] Clearly differentiate the ground floor, middle floors, and roof forms (i.e. base, middle, and cap design hierarchy).

[B] Establish a sense of scale in the design of larger buildings through vertical and horizontal articulation and material differentiation.

2. Facades longer than 70 feet need to be varied into smaller segments or "apparent faces" with building set-backs, recesses, projections above the ground floor without compromising the base. The apparent face is the length of a facade plane that is unbroken by vertical changes in depth. Limiting this length reduces the perceived bulk of a long building facade.

[C] Buildings with facades over 70 feet wide must incorporate wall projections or recesses, or changes in wall plane for 2 feet minimum depth, at least every 70 feet.

[D] Vary the skyline of the façade by at least one story not including towers, and/or include upper floor setbacks.

1. 30 percent minimum of the length of the skyline shall be varied by at least one (1) story.

[E] The roofline of a building shall not run in a continuous plane for more than 70 feet without changes in elevation. The roofline must be broken up by providing articulations in the facade of the building, change in the height of the roof, or change in color, material, forms, etc.

3. Design the building to reduce the real and perceived building mass including using the methods of mass variation and façade articulation. A combination of both methods in building design is encouraged.

4. Mass Variation methods used should reduce the actual building mass and scale while on average meeting the development standards for building height. Methods used should modulate a building floor or wall in a manner that creates a physical relief horizontally or vertically in the building mass and architectural form.

[F] Façade Articulation methods reduce the perceived building mass by providing human sale components and expressing horizontal and vertical scale. These methods include accent lines, color and material changes, and minor wall offsets.

1. Utilize minor wall offsets of up to two (2) feet.

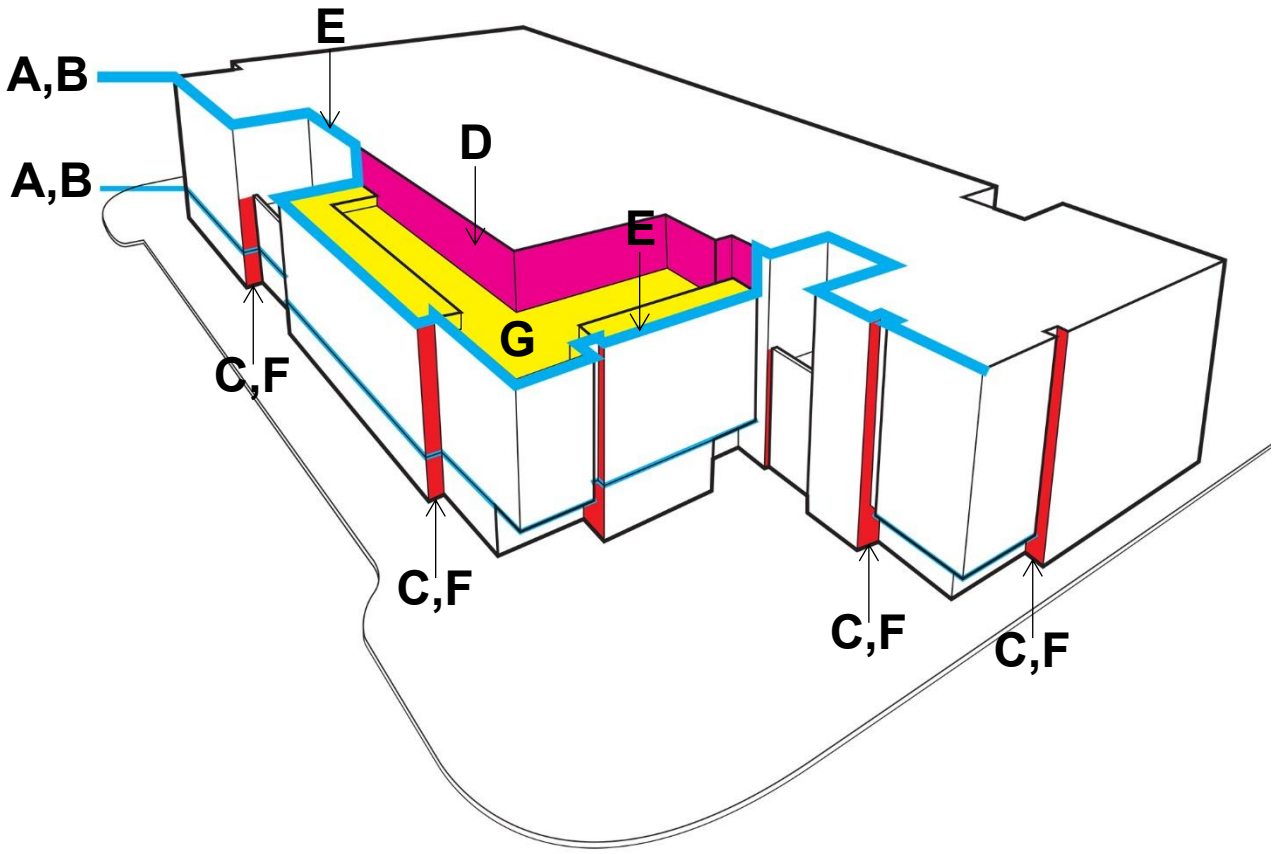
[G] Upper Floors should be distinguished from the building base. Use varied geometry in upper floors and modulate and articulate façade to reduce perceived building bulk.

1. Step-back upper floors to reduce visual impact at the pedestrian scale, also permitting balconies in the step-back.

5. Nearly vertical roofs (A-frames) and piecemeal mansard roofs (used on a portion of the building perimeter only) are prohibited

6. Whenever possible, develop with smaller lot increments not to exceed 100 feet in width.

FIGURE 7: Building Articulation



B. Block Corner Articulation

The following are block corner articulation requirements:

1. Provide signature design elements at district gateways and on prominent corners or intersections as landmarks.

2. Establish block corners with architectural articulation that relate to street activating uses.

3. The full height of tall buildings may be expressed at corners, as a way to provide variation and increased verticality on buildings with tower step-backs, or buildings may be chamfered or set-back in plan to create additional sidewalk space for outdoor program space.

4. The prominent locations include the intersection of North Central and Maryland Avenues; North Central and Forsyth Avenues; Bemiston and Maryland Avenues; and corners adjacent to major public buildings.

C. Building Base Articulation

The following building base articulation standards shall be adhered to in the design of a building base:

1. Vary base height up to the maximum height and/or between the retail use and upper floors.

2. Encourage two story retail spaces. This variation should respond to the street character and typical widths, heights, and modulation of existing buildings to create a contextually sensitive and human scaled out-door room.

3. Design the base of the building to be sufficiently flexible to accommodate a variety of store design options for future retail tenants to use in expressing their brand identities.

(a) A variety of storefront widths, depths, heights and transparency treatments should be possible so that the needs of different retail tenants can be met.

(b) Use the architectural framework to create a rhythm of glazing, entrances, and display areas.

4. Utilize variations such as slight projections, setbacks, and the use of canopies between different storefronts. Users should be able to easily identify the number of retailers in a building from a distance.

5. Utilize horizontal architectural details such as cornices, continuous balconies, frames, projections, and step-backs to differentiate the retail floor(s) from upper floors.

6. Utilize plane changes in the facade that create significant vertical and horizontal breaks, and shadow lines on the facade. Architectural projections as small as 12 inches can be effective.

7. Avoid overly long, continuous forms of weather protection along the full building façade. This diminishes the visibility of individual storefronts.

8. Consider variation in building materials or color to add texture to lower floors most visible to those at pedestrian level.

Section 410.115. **Ground Floor Retail Design**

The following shall govern the design for ground floor spaces designated for retail, restaurant and entertainment uses:

1. Retail, restaurant, and entertainment units shall be serviced from the rear of the building (for deliveries, trash, and other services) and shall have necessary mechanical, electrical, and plumbing (MEP) building services.

2. Units shall be designed to be rectangular where possible and have a unit frontage width of no less than 20 feet to no more than 30 feet and a width-to-depth ratio of 1:3.

3. Entrances to units shall be provided at an interval of 20 feet to 40 feet.

4. 75 percent of ground floor frontage area shall be fenestrated with windows and/or doors; the area shall be calculated by multiplying the length of the ground floor façade by the height of the ground floor façade.

5. Single units shall not exceed 40 feet in width. Where larger retail, restaurant, and entertainment units are planned they should be constructed within an L-shaped unit, meeting the following requirements:

(a) Provide a unit frontage width of 20 feet to 30 feet with a storefront.

(b) Provide shallow, boutique retail units along the rest of the frontage with a width-to-depth ratio of 1:1.

(c) Utilize portions of upper floor(s) and/or basement(s) where feasible to accommodate additional floor area.

6. The street façades of the storefronts shall be wrapped around corners at alleys or other building breaks for a minimum of 20 feet of the alley of building break façade, as measured from the corner.

7. Retail unit visibility:

(a) Storefront windows shall allow visibility into the interior of retail units for a minimum of five (5) feet from the face of the glass.

(b) The use of fully-operational, glazed, wall-size doors that can be opened to the sidewalk, is encouraged.

(c) Enclosures and coverings for security screens and grilles shall be designed to blend in with the façade and be as inconspicuous as possible.

8. Separate retail units:

(a) Provide two (2) to four (4) feet of opaque facade between storefronts to allow for wall display in the interior. Architecturally, the exterior separation between two storefronts can be a simple pier or wall.

(b) Use non-reflective, clear glass for optimum transparency. Avoid fully glazed curtain walls with large areas of glass or multiple glazed storefronts that are undifferentiated. If using a window base, it shall not exceed 30 inches in height.

9. Retail unit lighting:

(a) Night-time activation of retail streets and public safety shall be achieved by illuminating unit interiors and display windows at a reduced level of illumination on a night-lighting program after retailer operating hours.

(b) Exterior lighting shall be fully integrated with the architectural detailing as part of the overall storefront design.

(c) Entrances shall be well-lit, safe, and inviting.

(d) Internal lighting shall be located within one (1) foot from the interior glass face to attract the eye to the display windows.

(e) Lighting sources that closely replicate natural daylight's rendition of colors shall be used. The minimum Color Rendering Index (CRI) shall be 85. In a display window, the CRI shall be at least 90.

(f) Lighting levels shall be based on the type of merchandise and overall design considerations.

10. *Ancillary Activities*: Allow space for ancillary activities including sidewalk vending, seating, and restaurant dining.

11. Design storefronts for three miles an hour (pedestrian speed) and for lingering to view goods or outdoor dining.

Section 410.120. **Tower Placement and Design**

A. Limit tower floor plate dimensions: Reduced tower floor plates limit shadows on the public realm and allow access to sky view while also improving the quality of the building's indoor environment.

B. Vary tower geometry: Varied geometry adds visual interest and helps to reduce the perceived bulk of upper floors.

C. Vary tower heights: Variation in building height can reduce the imposing massing of several large structures built adjacent to each.

D. Modulate and articulate façades: Shifts in massing to allow for upper floor terraces, green roofs, and balconies; changes in facade planes; and varied fins, frames and mullions to add depth to glass facades.

E. Vary tower placement and orientation: Variation in tower placement and orientation can increase perceived separation between towers.

F. Limit apparent face: The apparent face is the length of a facade plane that is unbroken by vertical changes in depth. Limiting this length reduces the perceived bulk of a long building facade.

Section 410.125 **Encroachments**

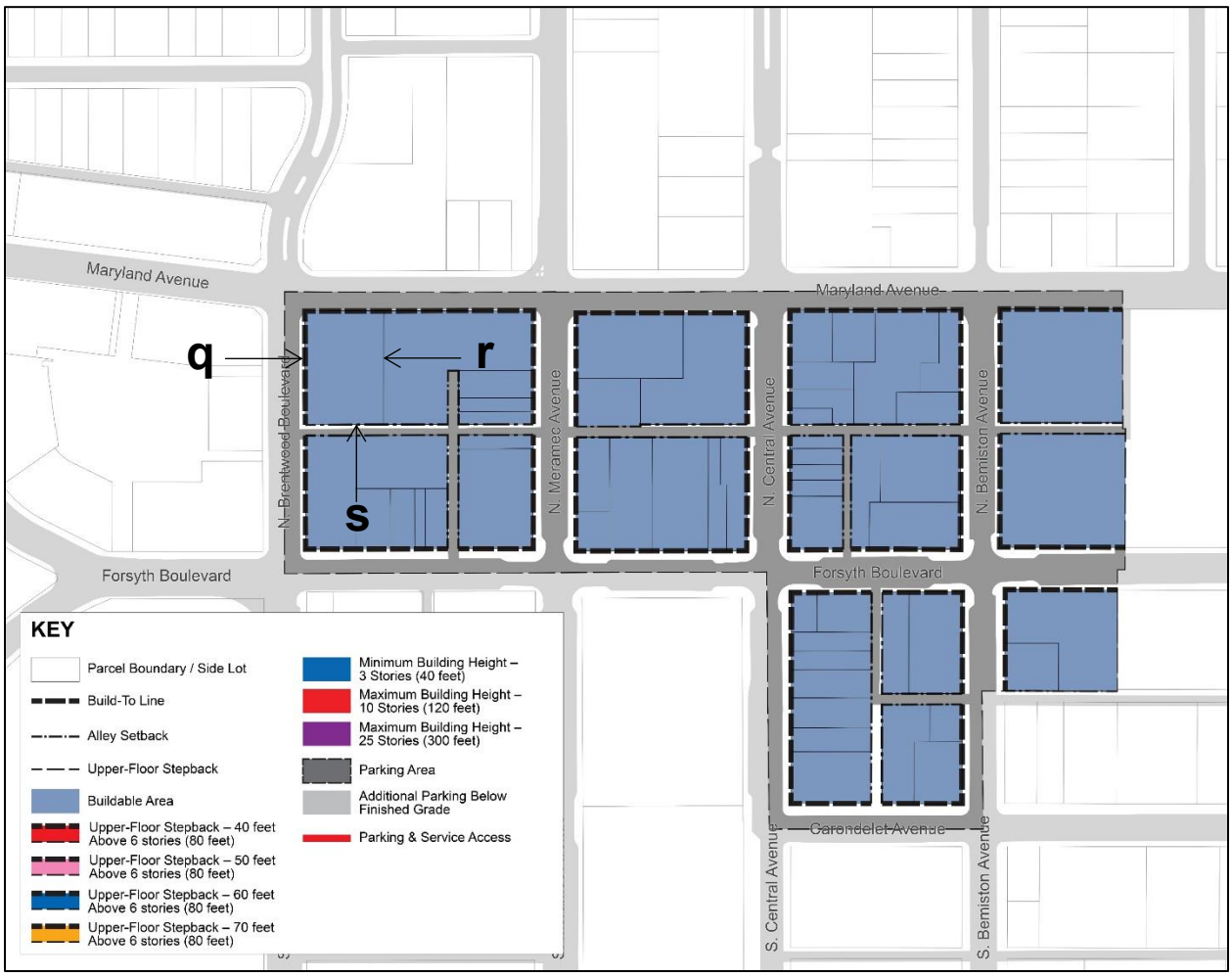
A. Encroachments refer to any building, part of a building, or other obstruction that physically intrudes upon, overlaps, or trespasses across the Build-to Line, adjacent property, or adjacent public right-of-way. Encroachments apply to building signage, awnings, balconies, bay / oriel windows, and outdoor seating / dining areas. The following encroachments are permissible (see Figure number 8):

[q] Primary Street: 6 feet maximum

[r] Side: Not Permitted

[s] Alley: Not Permitted

FIGURE 8: Encroachments



Section 410.130. **Building Use Requirements**

A. The following are allowable ground floor uses:

1. Entertainment / Dining

2. Primary Retail [1]

NOTES:

1. Primary Retail is permitted as a conditional use only for all building frontages on North Central Ave.
2. No other uses are permitted on the ground floor.

B. The following uses are allowable on upper floors (above ground floor):

1.Secondary Retail / Service

2. Office

3. Residential

Section 410.135. **Parking and Building Service**

A. Location

Parking will generally be located at the interior of the block. Surface and above-grade parking is required to be setback from the Built-to Line. Below Grade Parking may be located at the Build-to Line in accordance with the following (see Figure 9):

1.Setback, At- and Above Grade:	**[t]**	**60 feet min from Build-to Line (Primary Street)**
(dark gray)	**[u]**	**0 feet min from Side**
	[v]	**0 feet min from Alley**
2. Setback, Below Grade:	**[w]**	**0 feet min from Build-to Line (Primary Street)**
(light gray)	**[x]**	**0 feet min from Side**
	[y]	**0 feet min from Alley**

Section 410.140. **Access**

A. Parking Access Requirements

[z] Parking and building service will generally be accessed from existing service alleys:

1. If the parcel(s) to be developed have access to or abut an existing service alley, parking and building service access is required to occur from said service alley.

2. If the parcel(s) to be developed do not have access to or abut an existing service alley, parking and building service access may occur from adjacent street(s), subject to the following requirements (see Figure 9):

   a. Access may be provided on N. Meramec Ave., N. Central Ave., S. Central Ave., or N. Bemiston Avenue;

   b. No access may be provided within 60 feet of a street corner.

FIGURE 9: Parking and Building Service Location and Access

Section 410.145. **Required Parking Spaces**

A. Parking shall be provided in accordance with the following:

1. Dwelling units, multiple dwelling units:

(a) Multiple dwelling units must provide at least one (1) parking space for each dwelling unit.

2. Commercial, business, office, and service uses:

(a) Off-street parking—required. Commercial, business, office, and service uses must provide at least one (1) parking space for each four hundred-fifty (450) square feet of gross floor area within the building or structure. Office buildings in excess of thirty thousand (30,000) square feet and office buildings with desired development features approved under the site plan review procedure may provide parking at the rate of one (1) parking space per six hundred (600) square feet of floor area.

(b) Off-street parking—exempt. Retail establishments not exceeding three thousand (3,000) square feet of floor area, excluding permanent storage areas.

3. Restaurants:

(a) Off-street parking—required. Restaurants exceeding three thousand (3,000) gross square feet of floor area, excluding permanent storage areas, shall provide one (1) parking spaces for every five (5) seats (0.2) on a pro-rated percentage for all square footage in excess of three thousand (3,000) gross square feet. (Example: 4,000 gross square foot restaurant, excluding permanent storage areas, containing 100 seats: 4,000 square feet - 3,000 square feet = 1,000 square feet or 25 percent. 100 [seats] x 25 percent = 25. 25 x 0.2 = 5 parking spaces required).

(b) Off-street parking—exempt. Off-street parking is not required for the following uses:

(i) Restaurants located in the Central Business District not exceeding three thousand (3,000) square feet of gross floor area, excluding permanent storage areas.

(ii) Cafeterias and kiosks located in office buildings designed to primarily serve the tenants of the building.

(iii) Restaurants located in office buildings or commercial spaces which have one hundred fifty thousand (150,000) gross square feet or more of floor area and which provide parking for such building or space as prescribed by the Zoning Ordinance.

(iv) Restaurants in hotels or motels.

4. Mixed-use developments. With the approval of the Board of Aldermen after an analysis by a registered professional engineer experienced in traffic and parking studies and where the same parking spaces would be used by different uses at different times of the day, there may be modifications of the parking requirements for the mixed-use development.

Section 410.150. **Building Types**

The purpose of the Building Types is to ensure that the buildings within the Overlay District are consistent with the character goals of the Development Standards. The Building Types are a series of model buildings for development, which are both regional in application and particular to Downtown Clayton and the Overlay District. All Building Types presented herein are permitted throughout the Overlay District.

A. Building Types Descriptions

1. Live-Work Building (see Figure 10)

Live-work units are multi-story buildings that can be used flexibly for work-live, work-work, and live-live purposes. Dwelling Units can be located above the ground floor or attached to the rear of a storefront.

Access:

1. The main entrance to each ground floor area / dwelling unit shall be directly accessible from the Primary Building Facade on the Primary Street or Side Street.
2. Where an alley is present, parking and services shall be accessed from an alley.
3. Live | Work spaces shall not be allowed where alleys do not exist; where all parking and services shall occur from the alley.
4. Loading docks, overhead doors, and other service entries are prohibited on Primary Streets and Side Streets; and are only allowed on alley frontage.

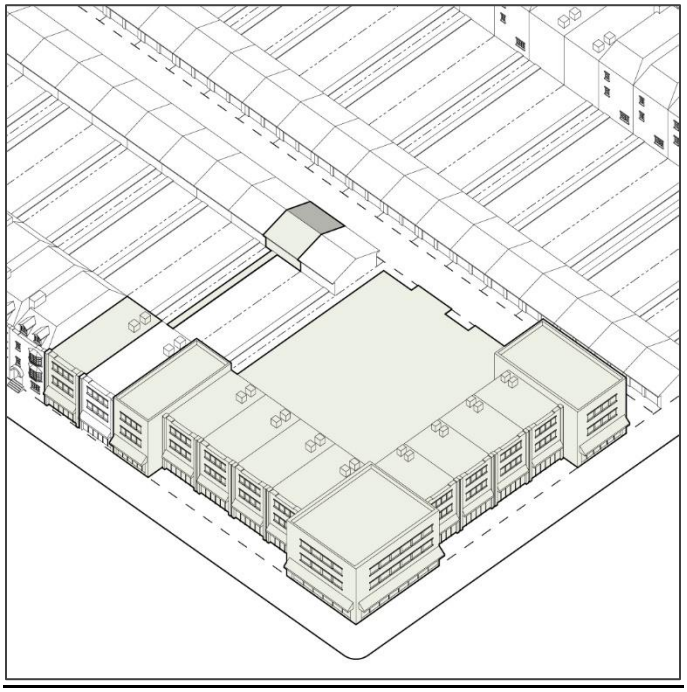
Outdoor Space

1. Front outdoor space is defined by the street Build-to-Line and allowable Frontage Types for the Building Type.
2. Rear outdoor space is defined by the back facade of the building, and its relationship to the back Property Line.
3. Side Setbacks may also be used for outdoor patios connected to other ground floor Primary Retail or Secondary Retail uses.
4. Private patios may be provided in Side Setbacks and Rear Setbacks.

Massing and Articulation

1. Buildings may contain any combination of dwelling type configurations: Flats, Townhouses, and Lofts.
2. Dwelling Units may be repetitive or unique as established by design.
3. The building shall be comprised of a singular (1) volume.

FIGURE 10: Live-Work Building



2. Flex Building

A flex building is a standard rectangular urban building form designed to accommodate a variety of uses including combinations of office, primary retail, secondary retail, and residential (see figure 11).

Access

1. The main entrance to each ground floor area shall be directly accessible from the Primary Building Facade on the Primary Street or Side Street.
2. The main entrance to each dwelling unit or non-residential areas above the ground floor shall be accessible by a street level lobby which shall be directly accessible from the Primary Building Facade on the Primary Street or Side Street.
3. Interior circulation to each dwelling unit shall be through a corridor which may be single or double loaded.
4. Where an alley is present, parking and services shall be accessed from an alley.

5. Where an alley is not present, parking and services shall be accessed from a Side Street by way of a two-way driveway.
6. Maximum eighteen (18') feet wide.
7. Loading docks, overhead doors, and other service entries are prohibited on Primary Streets and Side Streets; and are only allowed on alley frontage.

Outdoor Space

1. Front outdoor space is defined by the street Build-to-Line and allowable Frontage Types for the Building Type.
2. Rear outdoor space is defined by the back facade of the building, and its relationship to the back Property Line.
3. Side Setbacks may also be used for outdoor patios connected to other ground floor Primary Retail or Secondary Retail uses.

Massing and Articulation

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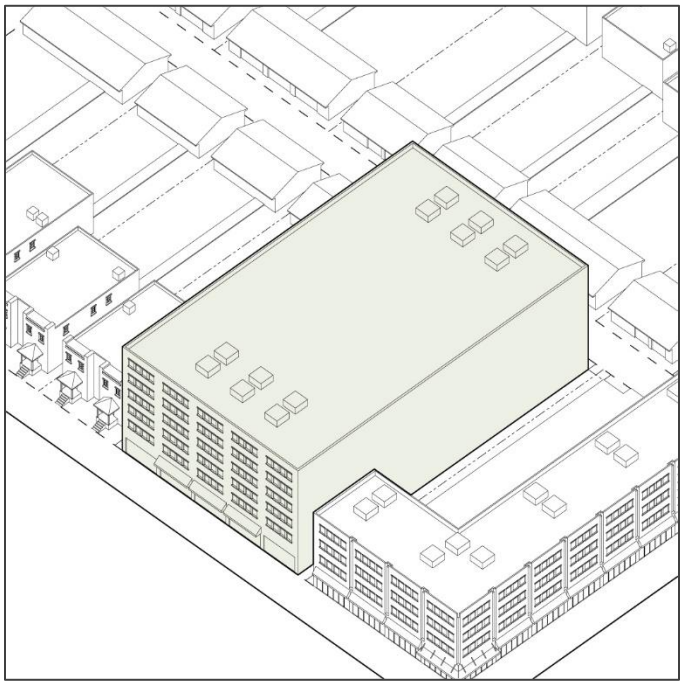
3. The building shall be comprised of a singular (1) volume.

FIGURE 11: Flex Building



3. Commercial Block Building

A Commercial Block Building is a multi-story standard rectangular urban building form designed to support a mix of office, primary retail, and secondary retail uses on the ground floor with office and residential above (see figure 12).

Access

1. The main entrance to each non-residential ground floor unit shall be directly accessible from the Primary Building Facade to the Primary Street or Side Street.
2. The main entrance to each dwelling unit or non-residential area above the ground floor shall be accessible by a lobby directly accessible from the Primary Building Facade to the Primary Street or Side Street.
3. Interior circulation to each dwelling unit shall be through a corridor which may be single or double loaded.
4. Where an alley is present, parking and services shall be accessed from an alley.
5. Where an alley is not present, parking and services shall be accessed from the Side Street by way of a two-way driveway.
6. Maximum eighteen (18') feet wide.
7. Loading docks, overhead doors, and other service entries are prohibited on Primary Streets and Side Street; and are only allowed on alley frontage.

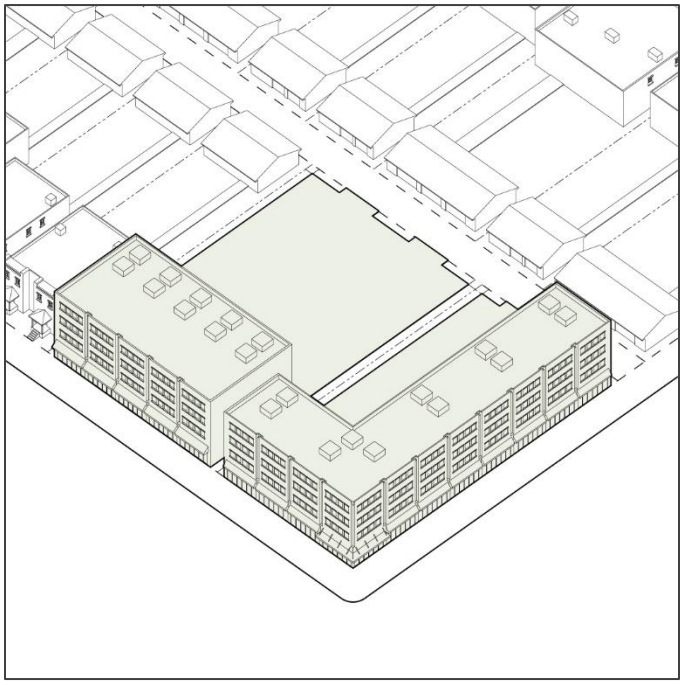
Outdoor Space

1. Front outdoor space is defined by the street Build-to-Line and allowable Frontage Types for the Building Type.
2. Rear outdoor space is defined by the back facade of the building, and its relationship to the back Property Line.
3. Side Setbacks may also be used for outdoor patios connected to other ground floor Primary Retail or Secondary Retail uses.

Massing and Articulation

1. Buildings may contain any combination of offices and/or dwelling type configurations: Flats, Townhouses, and Lofts.
2. Dwelling Units may be repetitive or unique as established by design.
3. The building shall be comprised of a singular (1) volume.

FIGURE 12: Commercial Block Building



4. High-Rise Building

High Rise Buildings are described as a tall, multiple office or multiple dwelling type in which the principal entry to building is common and the common entrance is from the primary street with common spaces for residents and/or tenants (see figure 13).

Access

The main entrance to the building shall be through a street level lobby directly accessible from the Primary Building Facade on the Primary Street or Side Street.

1. Interior circulation to each office and/or dwelling unit shall be through a corridor which may be single or double loaded.
2. Where an alley is present, parking and services shall be accessed from that alley.
3. Where an alley is not present, parking and services shall be accessed from the street by way of a two-way driveway from a Side Street.
4. Maximum eighteen (18') feet wide.

Outdoor Space

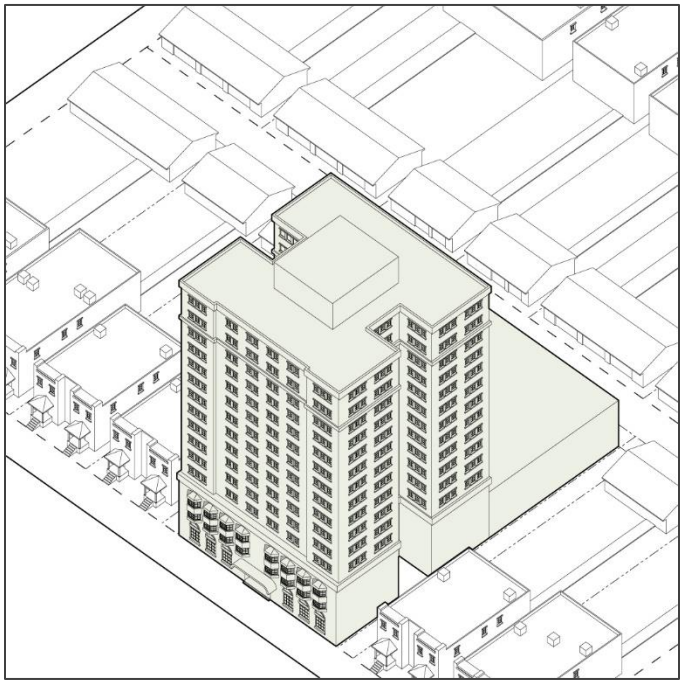
Front outdoor space is defined by the street Build-to-Line and allowable Frontage Types for the Building Type.

1. Rear outdoor space is defined by the back facade of the building, and its relationship to the back Property Line.

Massing and Articulation

1. Buildings may contain any combination offices and/or of dwelling type configurations: Flats, Townhouses, and Lofts.
2. Dwelling Units may be repetitive or unique as established by design.
3. Buildings shall be comprised of a singular (1) volume.

FIGURE 13: High-Rise Building



5. Podium Building

A Podium Building has one or more floors which meet the Build-to-Line and setback requirements with upper floors stepping back to reduce the impact of height. Often these are the tallest permissible Building Types whose Primary Building Facade must be stepped back to reduce the apparent bulk when viewed from the sidewalk (see figure 14).

Access

1. The main entrance(s) to each non-residential ground floor unit shall be directly accessible from the Primary Building Facade on the Primary Street or Side Street.
2. The main entrance to units above shall be through a lobby directly accessible from the Primary Building Facade on the Primary Street or Side Street.
3. Interior circulation to each dwelling unit shall be through a corridor which may be single or double loaded.
4. Where an alley is present, parking and services shall be accessed from an alley.

5. Where an alley is not present, parking and services shall be accessed from the primary street by way of a two-way driveway from a Side Street.
6. Maximum eighteen (18') feet wide.

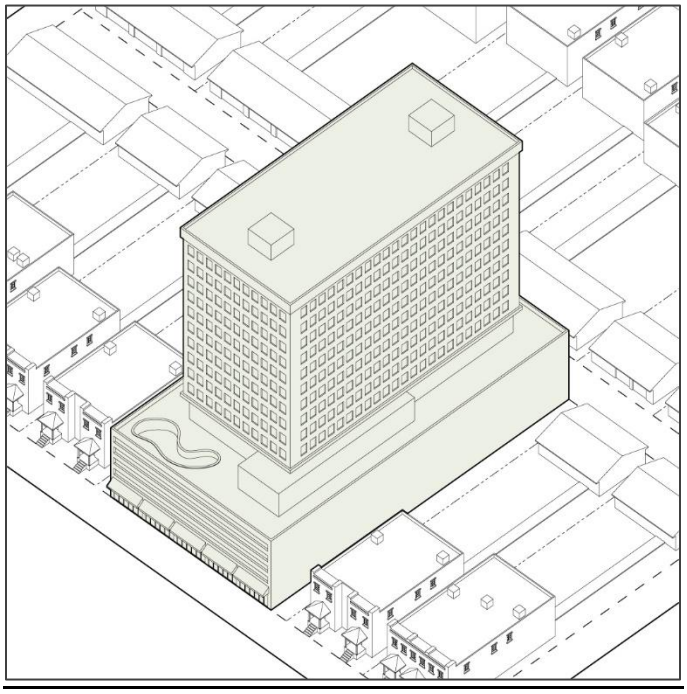
Outdoor Space

1. Front outdoor space is defined by the street Build-to-Line and allowable Frontage Types for the Building Type.
2. Rear outdoor space is defined by the back facade of the building, and its relationship to the back Property Line.
3. The primary shared open space is the Podium Level Courtyard which shall be a common exterior courtyard or roof patio.
4. The Podium Level Courtyard may include items such as decks, swimming pools, and other hardscapes; but may also contain open turf grasses, ground vegetation and trees.

Massing and Articulation

1. Buildings may contain any combination of offices and/or dwelling type configurations: Flats, Townhouses, and Lofts.
2. Dwelling Units may be repetitive or unique as established by design.
3. Buildings shall be comprised of two (2) volumes including a podium and a tower.

FIGURE 14: Podium Building



6. Liner Building

A Building Type specifically designed to mask a parking lot, parking garage, public assembly, or large retail facility (big box) from a street (see figure 15).

Access

1. The main entrance to each ground floor area / Dwelling Unit shall be directly accessible from the Primary Building Facade from the Primary or Side Street.
2. The main entrance to each Dwelling Unit or non-residential areas above the ground floor shall be accessible by a street level lobby which shall be directly accessible from the Primary Building Facade from the Primary or Side Street.
3. Interior circulation to each dwelling unit shall be through a corridor which shall be single loaded.
4. Where an alley is present, parking and services shall be accessed from an alley.
5. Where an alley is not present, parking and services shall be accessed from a Side Street by way of a two-way driveway.
6. Maximum eighteen (18') feet wide.

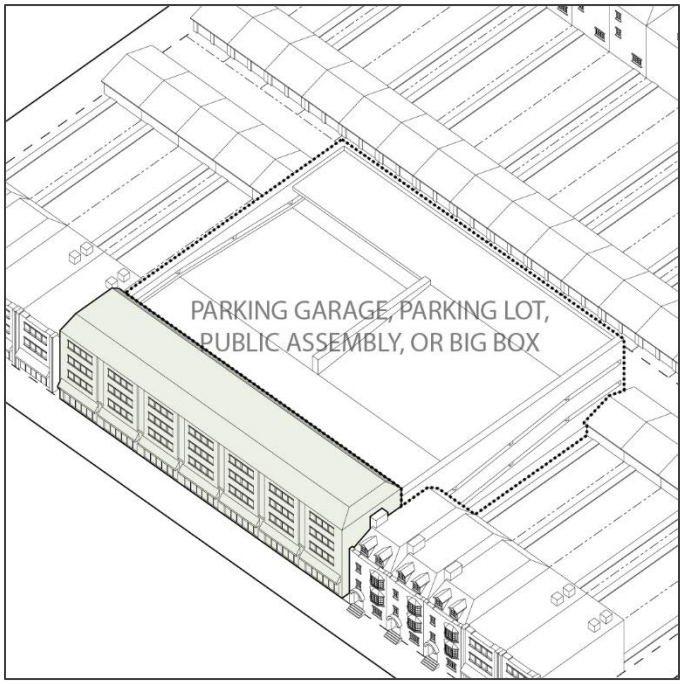
Outdoor Space

1. Front outdoor space is defined by the street Build-to-Line and allowable Frontage Types for the Building Type.
2. There are no rear outdoor space requirements for Liner Buildings.

Massing and Articulation

1. No structured parking within any block shall exceed the eave height of any building within forty feet (40') of the structured parking; and in no case be taller than the Liner Building.
2. Buildings may contain any combination of offices and/or of dwelling type configurations: Flats, Townhouses, and Lofts.
3. Dwelling Units may be repetitive or unique as established by design.
4. The building shall be comprised of a singular (1) volume.

FIGURE 15: Liner Building



Section 410.155 **Frontage Types**

The purpose of the Frontage Types is to provide a series of options for how the chosen Building Type will address the street, in order to provide variety in building features and encourage vibrant and active street life. Frontage types vary in their suitability for different uses. For example, the Shopfront Frontage Types is suitable for primary retail uses, while the balcony is suitable for residential uses. Depending upon the intended use of the Building Type, the Frontage Types will define the characteristics of the public space of the Overlay District.

A. Each Building Type must feature at least one (1) Frontage Type on the Ground Floor and at least one (1) Frontage Type on the Upper Floor(s) but may feature multiple Frontage Types.

B. All Frontage Types presented herein are permitted throughout the Overlay District.

Section 410.160. **Frontage Types Descriptions**

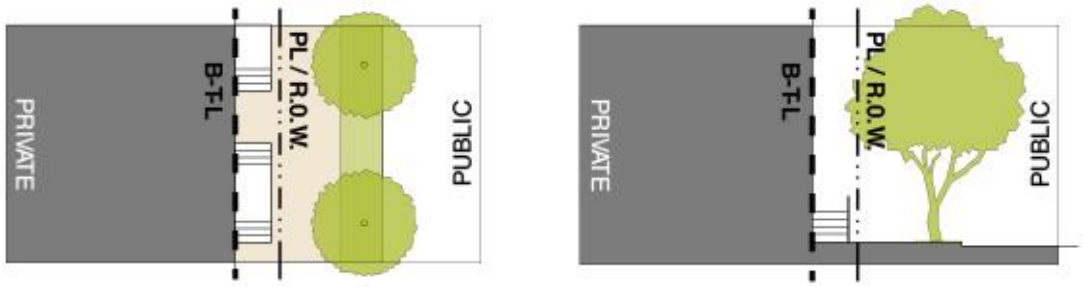
A. Stoop

A Frontage Type wherein the Building Facade is close to the front Property Line and the ground story is elevated from the sidewalk, securing privacy for the windows and front rooms; A Stoop is usually an exterior stair and landing which engages the sidewalk forward of the Build-to-Line. The Stoop should be elevated and the stairs from the Stoop may lead directly to the sidewalk or may be side loaded. A roof may also cover the Stoop. Stoops may be at grade or raised to transition into the building. This Frontage Type encroaches the Build-to-Line only; and may not encroach the Property Line into Public Rights-of-Way (see Figure 16).

Dimensional Requirements

1. Primary Street and Side Street B-T-L on all Building Types with a zero (0’) foot front setback may have an additional five (5’) feet to ten (10’) feet setback and must correspond to the depth of the stoop, such that the face of the stoop is at the zero (0’) foot mark.
2. May not be utilized within thirty feet (30’) from a street corner.
3. Minimum depth of five (5’) feet.
4. Minimum length of five (5’) feet.
5. May not be elevated more than three (3’) feet above sidewalk.
6. Fences or Walls defining the Stoop must not exceed thirty (30”) inches from the highest adjacent grade.

FIGURE 16: Stoop Frontage Type



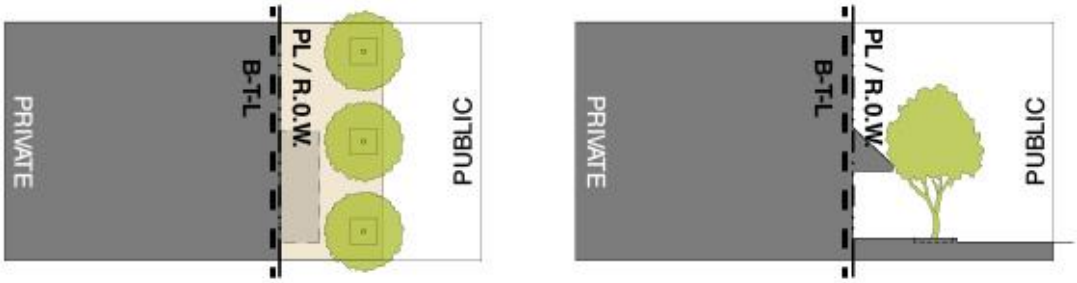
B. Awnings and Canopies

A Frontage Type wherein the Building Facade of a commercial or retail building is at or near the Build-to-Line and the canopy or awning element may overlap the sidewalk, occurring at the ground floor level only. The canopy is a structural, cantilevered, shed roof and the awning is canvas or similar material and is often retractable. The coverings should extend far enough from the building to provide adequate protection for pedestrians. Awnings may only cover openings so as to not cover the entire facade. This Frontage Type is appropriate for retail and commercial uses only because of the lack of a raised ground story. This Frontage Type may encroach the Build-to-Line and the Property Line into Public Rights-of-Way. Awnings and Canopies on Building Types setback from Public Rights-of-Way are not regulated (see Figure 17).

Dimensional Requirements

1. Shall be located a minimum of eight (8’) feet above the adjacent sidewalk when encroaching a Public Right-of-Way.

FIGURE 17: Awnings and Canopies Frontage Type



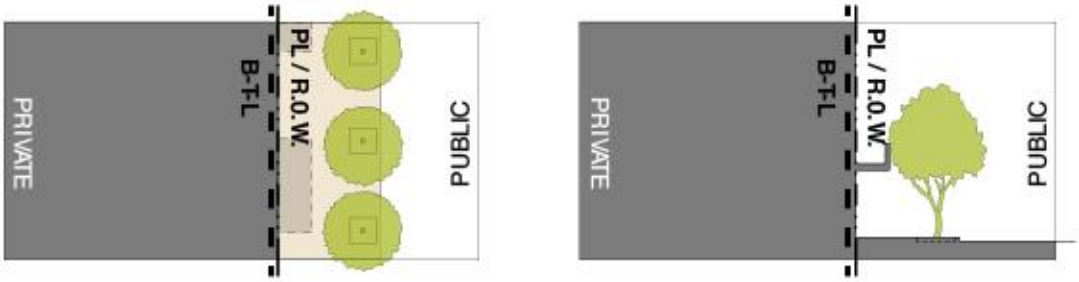
C. Balconies

A Frontage Type which occurs forward of the Build-to-Line and encroaches Public Rights-of-Way but shall not extend past the curb line. Balconies may have roofs, but must be open, non-air-conditioned parts of the Buildings; and may only be located on the second story or higher. On corners, balconies may wrap around the side of the Building Facade facing the Side Streets. This Frontage Type may encroach the Build-to-Line and the Property Line into public rights-of-way. Balconies on Building Types setback from Public Rights-of-Way are not regulated (see Figure 18).

Dimensional Requirements

1. Must have a maximum depth of six (6') feet.
2. Must have a minimum clear height of ten (10') feet above adjacent sidewalk or other balconies.
3. Must have a maximum coverage of forty percent (40%) of the Building Facade.

FIGURE 18: Balconies Frontage Type



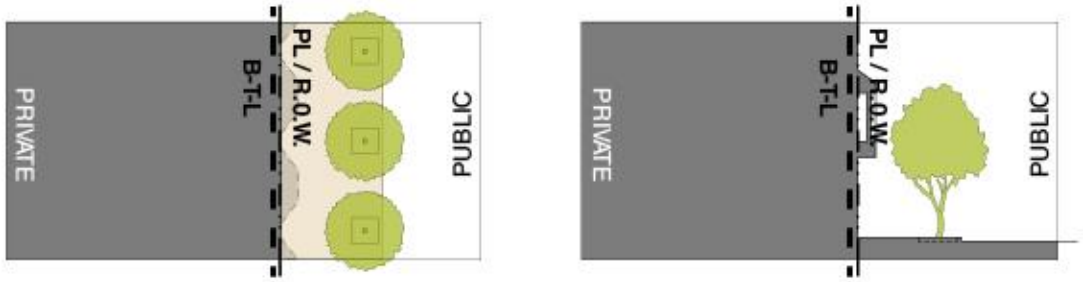
D. Bay Windows and Oriel Windows

A frontage type wherein windows are permitted to protrude forward of the Build-to-Line and Property Line into Public Rights-of-Way. Bay Windows on the ground floor may encroach over the Property Line into Public Rights-of-Way if approved by the City; and Bay Windows projecting from the second floor or higher may encroach within Public Rights-of-Way by right. Bay windows shall have fenestration on both front and side surfaces (see Figure 19).

Dimensional Requirements

1. Minimum clear height of at least ten (10') feet above the adjacent sidewalk.
2. Maximum depth of six (6') feet.
3. Maximum length of eight (8') feet.
4. Maximum coverage of 50 percent of building façade.

FIGURE 19: Bay Windows and Oriel Windows Frontage Type



E. Shopfront

A Frontage Type wherein a Storefront facade is at or close to the edge of the Build-to-Line with an entrance at sidewalk grade. An overhang, canopy, shading element or awning that encroaches over the sidewalk is required. This Frontage Type may encroach over the Build-to-Line only; and may not over encroach the Property Line or into Public Rights-of-Way (see Figure 20).

Dimensional Requirements

1. Primary Street and Side Street B-T-L on all Building Types with a zero (0') foot front setback may have an additional five (5') feet to ten (10') feet setback and must correspond to the depth of the shopfront, such that the face of the overhang on the shopfront is at the zero (0') foot mark.
2. May not be utilized within thirty feet (30') from a street corner.

FIGURE 20: Shopfront Frontage Type

F. Café

A Frontage Type wherein a storefront accommodates outdoor seating for restaurants and cafes. It may be setback from the edge of the pedestrian realm and may include roll up doors and bi-fold doors. Café frontage may be covered or open to the air. This Frontage Type may not encroach the Build-to-Line, nor the Property Line into Public Rights-of-Way. Cafes on Building Types setback from Public Rights-of-Way are not regulated (see figure 21).

Dimensional Requirements

1. Maximum depth of fifteen (15') feet from the Build-to-Line.
2. Fences and walls are permitted up to a height of thirty six (36") inches from the adjacent sidewalk.

FIGURE 21: Café Frontage Type

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Article IV
~~**Downtown Overlay Zoning District**~~ **RESERVED**

~~Section 410.135~~ ~~**Purpose Statement**~~
~~**[Ord. No. 5814 §4a.1, 4-27-2004]**~~

~~A. The Downtown Overlay Zoning District (hereinafter known in this Article as the DT Overlay District) applies to selected blocks in the High Density Commercial District which have been targeted to remain retail centers. The area encompassed in the Downtown Overlay Zoning District is adjacent to the heart of commercial and service activities in the City of Clayton. Similar to the CBD Core Overlay Zoning District, the Downtown Overlay Zoning District is intended to maintain a "pedestrian friendly" setting, but allows for additional height with stepback provisions. In order to maintain this area as "pedestrian friendly", structures must be human in scale. Building mass, density and frontage variations should create a visually attractive and inviting streetscape within the urban context.~~

~~B. The purpose of these regulations is to foster appropriate use of existing structures and enable compatible redevelopment where reuse is not feasible, which serves the following goals:~~

~~1. Promote structures that have sidewalk frontage suitable for smaller retail and service activities;~~

~~2. Stimulate designs that minimize scale and mass as perceived from the sidewalk;~~

~~3. Avoid regimentation and visual uniformity along the sidewalk frontage;~~

~~4. Encourage harmonious architecture, which preserves the essential character of the district by variations in entrance size, setback, height and the use of creative and varied sidewalk window and display; and~~

~~5. Design buildings which use facade materials that are distinctive.~~

~~Section 410.140 **Location of Overlay Zone**~~
~~**[Ord. No. 5814 §4a.2, 4-27-2004]**~~

~~The DT Overlay Zoning District includes those parcels bounded by Meramec Avenue on the east and by Maryland Avenue on the north and by Forsyth Boulevard on the south and by Brentwood Boulevard on the west.~~

~~Section 410.145 **Significance of Designation**~~
~~**[Ord. No. 5814 §4a.3, 4-27-2004]**~~

~~The regulations of the overlay district shall supersede or supplement, as applicable, the regulations of the base zoning district. Where conflict results between the regulations of the overlay districts and the provisions of the base zoning district, the provisions of the overlay districts shall control.~~

~~Section 410.150 **Uses Permitted**~~
~~**[Ord. No. 5814 §4a.4, 4-27-2004]**~~

~~The uses permitted by right and by conditional use permit are listed in the Table of Permitted Uses found in the base zoning district. If a "P" (permitted by right) or a "C" (permitted by conditional use permit) is not indicated for a use in the base zoning district or a use is not included in the base zoning district, it is prohibited. All ground floor uses must be retail in nature but may include, personal care services, dry cleaning facilities, food and beverage service uses, consumer service offices (limited to financial institutions including banks, savings and loans and credit unions, real estate offices and travel agencies) or governmental offices within the Downtown Overlay District.~~

~~Section 410.155 **Planned Unit Development**~~
~~**[Ord. No. 5814 §4a.5, 4-27-2004; Ord. No. 6025 §1, 8-12-2008]**~~

~~A. A development proposal shall be eligible for consideration under the planned unit development option per the provisions of Chapter **405** when the development incorporates two (2) of the following five (5) categories of use:~~

~~1. Office use;~~

~~2. Retail use;~~

~~3. Residential use;~~

~~4. Public parking (as defined in these regulations);~~

~~5. Hotel use~~

~~and exceeds the maximum height or maximum FAR requirements of the Downtown Overlay District.~~

~~NOTE: For the purposes of this Article, hotels containing a public restaurant will be considered eligible for a planned unit development.~~

~~B. *Limitation*. No change, alteration, modification or waiver authorized by a "PUD" shall authorize a change in the uses permitted in any district or a modification with respect to any zoning district standard made specifically applicable to planned unit developments, unless such district regulations expressly authorize such a change, alteration, modification or waiver.~~

~~Section 410.160 **Rezoning Amendment**~~
~~**[Ord. No. 5814 §4a.6, 4-27-2004]**~~

~~The "PUD" application process includes a request for rezoning pursuant to the provisions of Chapter **405**. Rezoning must be completed concurrently with the approval process for the development plan.~~

~~Section 410.165 **Maximum Building Height**~~
~~**[Ord. No. 5814 §4a.7, 4-27-2004]**~~

~~A. The maximum building height in the DT Overlay District is seven (7) stories, not to exceed ninety (90) feet. The maximum building height may be modified subject to the provisions and requirements of the planned unit development process outlined in Chapter **405**.~~

~~B. For buildings permitted to exceed the maximum height through the planned unit development process, a fifteen (15) foot stepback (upper story building setback) shall be provided beginning at the third (3rd) story level or thirty (30) feet above grade, whichever is less. However, the Plan Commission shall have the authority to require a different stepback(s) for buildings dependent upon building height, lot size and other relevant factors. Stepbacks shall be proportional to the amount of building height. The upper story stepback shall be provided along all building elevations with street frontage, excluding alleys.~~

~~Section 410.170 **Maximum Floor Area**~~
~~**[Ord. No. 5814 §4a.8, 4-27-2004]**~~

~~The maximum floor area ratio (FAR) is 3.0. The maximum floor areas may be modified subject to the provisions and requirements of the planned unit development process outlined in Chapter **405**.~~

~~Section 410.175 **Setback/Stepback Requirements**~~
~~**[Ord. No. 5814 §4a.9, 4-27-2004]**~~

~~A. The following are setback/stepback requirements in the Downtown Overlay Zoning District:~~

~~1. *Front yard*. There is no minimum front yard setback requirement in the Downtown Overlay District. The following modifications are permitted/required under the following conditions:~~

~~a. For buildings in excess of two and one-half (2½) stories but not exceeding seven (7) stories~~

~~in height, an additional ten (10) foot stepback (upper story building setback) shall be provided beginning at the third (3rd) story level or thirty (30) feet above grade, whichever is less. The upper story stepback shall be provided along all building elevations with street frontage, excluding alleys.~~

~~b. Restaurants may offer customer seating and food service only as authorized by the City Plan Commission and upon receipt or renewal of the annual outdoor dining permit.~~

~~2. *Rear yard*. The required setback in Downtown Overlay Districts is a minimum of fifteen (15) feet. Modifications to the required rear yard setback are permitted/required under the following conditions:~~

~~a. Where a corner lot exists and thereby two (2) front yards, the property line opposite to the front yard line with the greater street frontage shall be considered the side yard and the property line opposite to the front yard line with the lesser street frontage shall be considered the rear yard.~~

~~b. For buildings in excess of two and one-half (2½) stories but not exceeding seven (7) stories in height, an additional ten (10) foot stepback (upper story building setback) shall be provided beginning at the third (3rd) story level or thirty (30) feet above grade, whichever is less. The upper story stepback shall be provided along all building elevations with street frontage, excluding alleys.~~

~~c. An accessory building not exceeding twenty (20) feet in height may occupy up to thirty percent (30%) of the area of a required rear yard but no accessory building shall be closer than ten (10) feet to the main building nor closer than five (5) feet to any rear property line.~~

~~d. Outside stairways, tower balconies or fire escapes may project no more than four (4) feet beyond the face of the wall.~~

~~e. Roof eaves may project no more than three (3) feet beyond the face of the wall.~~

~~f. Window sills, bay windows, belt courses and similar architectural features, as well as rain leaders and chimneys, may project no more than two (2) feet beyond the face of the wall.~~

~~3. *Side yard setbacks.*~~

~~a. There are no minimum or maximum side yard setbacks provisions in this district except where a lot abuts a dwelling district, a side yard of at least five (5) feet shall be provided.~~

~~b. For buildings in excess of two and one-half (2½) stories but not exceeding seven (7) stories in height, an additional ten (10) foot stepback (upper story building setback) shall be provided beginning at the third (3rd) story level or thirty (30) feet above grade, whichever is~~

~~less. The upper story stepback shall be provided along all building elevations with street frontage, excluding alleys.~~

~~Section 410.180 **Off-Street Parking and Loading Requirements**~~
~~**[Ord. No. 5814 §4a.10, 4-27-2004]**~~

~~Every principal commercial structure must provide off-street parking in accordance with Chapter **405**.~~

~~Section 410.185 **Site Plan Review and Design Guidelines**~~
~~**[Ord. No. 5814 §4a.11, 4-27-2004]**~~

~~A. *Site Plan Review*. Site plan review, pursuant to the procedures and standards outlined in Chapter **405**, is required for any development or redevelopment proposal over ten thousand (10,000) square feet in gross floor area.~~

~~B. *Site Plan Review Design Guidelines.*~~

~~1. The following guidelines shall be applied by the City's Plan Commission/Architectural Review Board for development proposals located in the Downtown Overlay Zoning District:~~

~~a. Footprint geometry should be square and true with the roadway to the extent possible. Odd shapes and building orientation which competes with the total urban setting should be avoided.~~

~~b. Parking should be located within the City block interior.~~

~~c. Surface parking should not abut any sidewalk.~~

~~d. All ground floor uses must be retail in nature but may include, personal care services, dry cleaning facilities, food and beverage service uses, consumer service offices (limited to financial institutions including banks, savings and loans and credit unions, real estate offices and travel agencies) or governmental offices within the Downtown Overlay District.~~

~~e. Additionally, such buildings and uses must incorporate street front windows creating interest at the street level. Furthermore, buildings should be sited in a manner so as to achieve a pedestrian friendly appearance and feel.~~

~~2. In applying these guidelines, the Plan Commission shall have the discretion to consider alternatives and modifications if their strict application will result in unusual practical difficulties or particular hardship or if the Plan Commission determines that such alternatives or modifications to these guidelines will service the best interests of the City.~~

~~Section 410.190 **Architectural Review Board Guidelines**~~
~~**[Ord. No. 5814 §4a.12, 4-27-2004]**~~

~~A. The guidelines of the Architectural Review Board are as follows:~~

~~1. Party wall development should be encouraged to ensure a continuous building facade.~~

~~2. Building skylines should provide interest through introduction of compatible shapes and roof forms. Long uninterrupted cornices should be avoided.~~

~~3. Facade relief should be incorporated into all building elevations. Long uninterrupted elevations should be avoided.~~

~~4. Window openings should be incorporated into all building elevations. Blank walls, long horizontal openings, odd shapes and glass walls should be avoided.~~

~~5. Street level (ground floor) elevation facing the street should be storefront architecture with large show windows interrupted at regular intervals with building piers and generous entrances. Blank walls, long uninterrupted show windows, odd shaped and small show windows should be avoided.~~

~~6. Parking structures abutting the street should have ground level retail, commercial service and food establishments facing the sidewalk. The upper story should be of design material and color compatible with the urban setting.~~

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Chapter 410 Overlay and Urban Design Zoning District
Article I
Section 410.020 **Districts**

[Ord. No. 5814 §1(1a.4), 4-27-2004; Ord. No. 6277 §1, 6-25-2013]

A. The following zoning districts are established within the Central Business District in order to implement the recommendations of the Master Plan:

1. *Base zoning districts.*

a. "HDC" High Density Commercial.

b. "R-3" and "R-4" (One- and Two-Family and Low Density Multiple-Family).

c. "R-7" High Density Multiple-Family.

d. "C-1" (Neighborhood Commercial) and "C-2" (General Commercial).

e. PUD Planned Unit Development.

f. SDD Special Development District.

g. "S-1" Service District.

2. *Overlay zoning districts.*

~~a. CBD Core Overlay District.~~

a. Northeast Downtown Overlay Zoning District

~~b. Downtown Overlay District.~~

Re-letter remaining list

c. Clayton Plaza Overlay District.

d. Central Station Transit Oriented Development (TOD).

e. Forsyth Station Transit Oriented Development (TOD).

f. Maryland Gateway Overlay District.

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Chapter 410 Overlay and Urban Design Zoning District
Article I Overlay Zoning Districts
Section 410.055 **Architectural Review**

[Ord. No. 5814 §1(1a.11), 4-27-2004]

The architectural review standards and procedures set forth in Chapter **405** of the Municipal Code apply to all development proposals within the overlay zoning districts established by these regulations, except for the Northeast Overlay Zoning District which has district specific standards.

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Chapter 410 Overlay and Urban Design Zoning District
Article II Definitions
Section 410.070 **Definitions**

[Ord. No. 5814 Art. 2a, 4-27-2004]

A. *General.* Unless a contrary intention clearly applies, the following words and phrases shall have the meanings given in the following definitions for the purposes of these regulations. Words and phrases which are not defined shall be given their usual meaning except where the context clearly indicates a different or specific meaning

B. Words used in the present tense shall include the future; the singular number shall include the plural and the plural of the singular; the word *"premises"* shall include the word *"structure"* and *"building"*; the word *"shall"* is mandatory and not directory; the words *"used"* or *"occupied"* include the words *"intended"*, *"designed"* or *"arranged to be occupied"*; the word *"lot"* includes the words *"plot"* or *"parcel";* and the word *"person"* includes a firm, association, organization, partnership, trust, company or corporation as well as an individual. Any word not herein defined shall be as defined in any recognized standard English dictionary.

C. *Definitions.*

SETBACK

The required minimum horizontal distance between the building line and the related front, side and rear property lines.

STEPBACK

The required minimum horizontal distance between the building line of an upper story and the related front, side and rear property lines.

STANDARDS

Mandatory regulations. Standards are indicated by use of the terms *"shall"* and *"must"*.

End of document