



**ORDINANCE NO. 1524
SERIES 2007**

AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE TO ADOPT A NEW CHAPTER 17.14 ENACTING MIXED USE ZONE DISTRICT REGULATIONS; TO ADOPT AND INCORPORATE INTO TITLE 17 THE CITY OF LOUISVILLE MIXED USE DESIGN STANDARDS AND GUIDELINES, AND TO ADOPT CERTAIN OTHER AMENDMENTS TO TITLE 17 TO IMPLEMENT THE HIGHWAY 42 REVITALIZATION AREA COMPREHENSIVE PLAN

WHEREAS, the City of Louisville is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City Charter; and

WHEREAS, pursuant to such home rule authority and state law, including but not limited to C.R.S. §§ 24-67-101 et seq., 29-20-101 et seq., 31-23-201 et seq. and 31-23-301 et seq., the City is empowered to adopt procedures and standards pertaining to planned unit developments (PUDs); to establish zoning districts and zone district regulations within the City for the purpose of, among other things, promoting the general welfare of the inhabitants of the City; and to regulate and restrict, among other things, the size of buildings and other structures; the percentage of lot that may be occupied; the size of yards, courts, and other open spaces; the density of population; and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes; and

WHEREAS, the City has developed and established, and continues to develop and establish, development design standards and guidelines for development within the City; and

WHEREAS, the City in September 2003 adopted the Highway 42 Revitalization Area Plan, which sub-area plan is incorporated into the 2005 Citywide Comprehensive Plan adopted in August 2005; and

WHEREAS, a primary recommendation of the plan is the adoption of a mixed use zoning district and associated design standards to implement the land use and urban design recommendations of the plan; and

WHEREAS, the City Council by this ordinance desires to amend Title 17 of the Louisville Municipal Code to establish a mixed use zoning district and associated regulations; to adopt and incorporate into Title 17 the City of Louisville Mixed Use Design Standards and Guidelines, and to adopt certain amendments to implement the plan; and

WHEREAS, the City Council finds that the amendments set forth herein will help foster beneficial development with the plan area and are consistent with and in furtherance of the Citywide Comprehensive Plan 2005 Update and the Highway 42 Revitalization Area Comprehensive Plan; and

WHEREAS, the Louisville Planning Commission, after notice by publication and a public hearing, has recommended the City Council approve the amendments set forth in this ordinance; and

WHEREAS, City Council has provided notice of a public hearing on said ordinance by publication as provided by law and held a public hearing as provided in said notice;



NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Title 17 of the Louisville Municipal Code is hereby amended by the addition of a new Chapter 17.14, to read as follows:

Chapter 17.14

MIXED USE ZONE DISTRICTS

- Sec. 17.14.010 Purpose and Intent.
- Sec. 17.14.020 Applicability.
- Sec. 17.14.030 Establishment of MU-R Mixed Use Zone District.
- Sec. 17.14.040 Adoption of Design Standards and Guidelines, and Relationship to Existing Regulations.
- Sec. 17.14.050 Permitted Uses and District Specific Regulations.
- Sec. 17.14.060 Dimensional and Bulk Standards.
- Sec. 17.14.070 Development and Design Standards.
- Sec. 17.14.080 Incentives.
- Sec. 17.14.090 Review Procedures for Development in the Mixed-Use Residential or the Commercial Community Districts.
- Sec. 17.14.100 Definitions.

Sec. 17.14.010 Purpose and Intent.

Major improvements to State Highway 42 and the potential development of a commuter rail station in Louisville are creating the conditions for significant development and change in the Highway 42 Revitalization Area. In anticipation of such change, the City of Louisville hereby declares that it is the purpose and intent of this Chapter 17.14 to:

- A. Implement the Highway 42 Revitalization Area Comprehensive Plan;
- B. Strengthen and enhance adjacent residential neighborhoods while protecting them from potential adverse impacts associated with new development;
- C. Complement and integrate the area with historic downtown Louisville through the establishment of strong pedestrian, and multimodal connections;
- D. Capture the potential for high-quality, mixed use development that will serve adjacent neighborhoods and the citizens of Louisville and enhance the city's long-term tax base;
- E. Avoid incompatible industrial and large-scale or heavy commercial growth;
- F. Adopt a regulatory framework which promotes and encourages redevelopment to integrate principles of sustainable architecture and energy conservation;
- G. Provide for design standards for the development of a commuter rail station which shall promote the public health and safety, adequate ingress and egress, parking, and surface parking which shall be decentralized. Surface parking shall be decentralized in a manner which does not overwhelm the redevelopment area; and
- H. Capture the potential for highway commercial development adjacent to State Highway 42 while providing a restricted range of retail sales and services;



Sec. 17.14.020 Applicability.

- A. The regulations and requirements of Chapter 17.14 shall apply to all new development, changes in use, or a substantial alteration or expansion of an existing use within the boundaries of the Highway 42 Revitalization Area Plan, as adopted on September 13, 2003 and as shown on the land use plan exhibit. Except for certain industrial uses that are not eligible for a substantial alteration or expansion as provided in Section 17.12.070, any person proposing new development, a change in use, or a substantial alteration or expansion, of an existing use, shall first apply to the City for a rezoning to either the Mixed-Use Residential (MU-R) Zone District or the Commercial Community (CC) Zone District according to the procedures stated in Section 17.14.090.
- B. Rezonings shall be consistent with Exhibit A, Land Use Plan Exhibit, which Exhibit is hereby adopted by reference and incorporated into this title, and which Exhibit is set forth at the end of this Chapter 17.14.
- C. For purposes of this section, “substantial alteration or expansion of an existing use” shall mean work to alter, expand, or enlarge an existing use (including alterations to a structure housing an existing use) where the cost of work equals or exceeds twenty-five (25) percent of the replacement value of the use or structure at the time of the proposed work. The extension of an existing use to a portion of a structure that was arranged or designed for the use as of November 6, 2007, shall not be interpreted as an “expansion.”

Sec. 17.14.030 Establishment of MU-R Mixed Use Zone District.

To implement the Highway 42 Revitalization Area Plan, the MU-R Mixed Use Zone District is hereby created and subject to specific regulations as set forth in this Chapter 17.14. The boundaries of the mixed use zone districts are as depicted in Exhibit A, Land Use Plan Exhibit.

A. Residential Mixed Use Zone District (MU-R).

The Residential Mixed Use (MU-R) District is intended to implement the residential mixed use land use and planning goals depicted and discussed in the Highway 42 Revitalization Area Plan. Areas zoned MU-R should be used predominantly for higher density multi-family residential, with subsidiary commercial uses and civic uses that cater to the needs of residents and transit commuters.

B. Commercial Community Zone District (CC).

The Commercial Community (CC) Zone District is intended to provide zoning which would encourage the development of a limited range of highway oriented commercial uses adjacent to Highway 42. The Commercial Community Zoning is intended to address the market demand for highway-oriented commercial development in a form that would protect the existing residential neighborhoods as well as interface effectively with the future mixed use development of the neighborhood.

Sec. 17.14.040 Adoption of Design Standards and Guidelines, and Relationship to Existing Regulations.

A. Louisville Mixed Use Design Standards and Guidelines to Apply.

All development zoned Mixed Use Residential (MU-R) subject to this Chapter 17.14, and zoned Commercial Community (CC) within the Highway 42 Revitalization Area shall comply with the Mixed Use Design Standards and Guidelines, except as expressly



waived or modified by the city in a planned unit development plan approved according to Chapter 17.28 and subject to the limitations stated in Section 17.14.090.

The City of Louisville Commercial Development Design Standards and Guidelines (CDDSG) shall not apply in the MU-R District except as expressly cross-referenced or provided in the City of Louisville Mixed Use Design Standards and Guidelines. The standards and guidelines set forth in the Downtown Design Handbook for Louisville and the yard, bulk, and other requirements applicable to Downtown Louisville (including but not limited to Section 17.12.050 and Section 17.20.025 of this Zoning Ordinance) shall not apply in the MU-R Zone District except as specifically cross-referenced or provided in this Chapter 17.14 or in the City of Louisville Mixed Use Design Standards and Guidelines.

B. Relationship to General Regulations.

When this Chapter 17.14 or the City of Louisville Mixed Use Design Standards and Guidelines state a development or design standard specific to the MU-R Zone District, such standards shall apply in lieu of any general regulation stated in Chapter 17.16 or in other parts of Title 17 that address the same subject. When the general development or design regulations in Chapter 17.16 or in other provisions of Title 17 regulate a subject that this Chapter 17.14 or the Mixed Use Design Standards and Guidelines do not address, the general regulation shall apply to development in the mixed use zone districts.

Sec. 17.14.050 Permitted Uses and District Specific Regulations.

This section sets forth the uses that are permitted within the MU-R and the CC Zone Districts. The uses allowed in the MU-R and the CC Zone Districts are subject to the standards in Section 17.14.060 (Dimensional and Bulk Standards) and Section 17.14.070 (Development and Design Standards), as well as any generally applicable standards in Title 17.

A. Permitted Principal Uses in the Commercial Community (CC), and the MU-R Mixed Use Zone Districts.

The following Table 1 shows the principal land uses allowed in the MU-R and CC Zone Districts. Any use not expressly permitted shall be deemed excluded. If there is a question pertaining to interpretation of any specific use as to whether it does or does not come within the following express use groups, an applicant may apply to the board of adjustment for the determination of whether a specific use is expressly permitted. In the following table, uses expressly permitted are designated "Yes," uses prohibited are designated "No," and uses permitted by special review are designated "R."

All uses are subject to compliance with the dimensional and bulk standards stated in Section 17.14.060, including but not limited to maximum ground floor building footprint requirements.

NOTE: *Table 1 below reflects both uses set forth in the use table in Section 17.12.030 of this code and additional uses. A number of uses have been broken out into subcategories. Uses have been categorized as residential, commercial, office, or civic for purposes of determining the proper mix of uses required below.*



**TABLE 1: PRINCIPAL USES ALLOWED IN
THE MIXED USE ZONE DISTRICTS**

Yes = Permitted By-Right No= Not Permitted
R = Permitted Subject to Special Review

PRINCIPAL USES	CC	MU-R
RESIDENTIAL USE GROUP		
Single-family dwellings (on individual lot) or duplex	No	No
Multi-unit dwellings (apartment, condominium, townhome)	No	Yes (above first floor only)
Boardinghouses, lodging-houses	R	Yes
Mobile home parks	No	No
Family care home	No	R
Assisted Living/Senior Independent Living Facilities	No	No
Rest, nursing, and retirement homes	No	No
Neighborhood child care center	No	R
OFFICE USE GROUP		
Medical and dental clinics	Yes	Yes
Professional and businesses offices	Yes	Yes
Financial institutions – no drive through facility.	Yes	Yes
Financial institutions with drive-through facility per CDDSG Section 2.1.2.	Yes	No
Small animal clinics (fully enclosed)	Yes	No
General research facilities	No	No
Research and Development	No	No
COMMERCIAL USE GROUP		
Bed and Breakfast Inn	R	R
Extended stay lodging facility	R	R
Hotels and motels	R	R
Child care center	R	R
Mortuaries, crematoriums, and funeral chapels	R	No
Private recreational and social facilities (tennis, swimming, golf clubs)	R	No
Health or athletic clubs, spas, dance studios, yoga studio	Yes	Yes
Personal services	Yes	Yes—Limited to maximum of 5,000 sq. ft. of gross floor area
Retail convenience goods (supermarkets, hardware, drugstores, etc.) – no drive-through facilities permitted	Yes	Yes—Limited to maximum of 5,000 sq. ft. of gross floor area
Retail convenience goods (supermarkets, hardware, drugstores, etc.) Includes the processing and wholesaling to retailers of food products as an accessory use. – drive through permitted per CDDSG Section 2.1.2	Yes	No



**TABLE 1: PRINCIPAL USES ALLOWED IN
THE MIXED USE ZONE DISTRICTS**

Yes = Permitted By-Right

No= Not Permitted

R = Permitted Subject to Special Review

PRINCIPAL USES	CC	MU-R
Retail shopping goods (department stores)	Yes	No
Furniture and appliance repair	Yes	No
Kennels, Car washes, Building materials, contractors equipment yards, warehousing, small storage facilities.	No	No
Indoor eating and drinking establishments – no drive-through facilities permitted	Yes	Yes—Limited to maximum of 5,000 sq. ft. of gross floor area
Theaters, movie or live performance	Yes	R
Indoor commercial amusement establishments	R	No
Massage parlors	No	No
Outdoor commercial amusement	No	No
Sales and repair of motor vehicles, outdoor sales, rental facilities	No	No
Automobile parking lots (as an accessory use) – see MUDDSG for additional regulations	Yes	Yes
Automobile parking garages as a principal use, public and private	R	R
Motor vehicle fueling and service stations	No	No
Building-mounted CMRS facility	Yes	No
Freestanding CMRS facility	No	No
Alternative tower structure	R	No
Sexually oriented business	No	No
Drive-through and drive-in facilities, except as accessory to financial institutions	Yes per CDDSG	No
Temporary Special Events e.g. fairs and carnivals.	Yes	Yes
CIVIC AND INSTITUTIONAL USE GROUP		
Public and private schools	R	No
Studios for professional work or teaching of fine arts	Yes	R
Vocational / business schools	R	No
Hospitals	No	No
Churches, chapels, etc.	R	R
Public recreational facility	R	Yes
Campgrounds, gun clubs, shooting ranges	No	No
City, state, federal uses and buildings	R	R
Cemeteries	No	No
Membership clubs, lodges, and fraternal organizations	Yes	Yes
Public squares, plazas, and community amenities	Yes	Yes



TABLE 1: PRINCIPAL USES ALLOWED IN THE MIXED USE ZONE DISTRICTS		
Yes = Permitted By-Right		No= Not Permitted
R = Permitted Subject to Special Review		
PRINCIPAL USES	CC	MU-R
Transit station	Yes	Yes
INDUSTRIAL AND AGRICULTURAL USE GROUPS: No industrial, manufacturing, warehousing, or agricultural uses listed in Section 17.12.030 of the Zoning Ordinance are permitted.		

B. *Accessory Uses Allowed.*

In the MU-R District and the CC District, accessory uses shall comply with all requirements for principal uses except where specifically modified in this chapter. The general accessory use standards in Section 17.16.030 of this title shall not apply in the MU-R or CC Zone Districts. The following accessory uses shall be allowed subject to operational compatibility standards in Section 8.4 of the Mixed Use Development Design Standards and Guidelines as well as the following conditions stated:

1. *Outdoor Eating and Serving Areas.*

Outdoor eating and serving areas are allowed as an accessory to a principal eating and drinking establishment, subject to compliance with the following conditions:

- a. The outdoor seating or food service area shall not obstruct the movement of pedestrians through plazas, along adjoining public sidewalks, or through other areas intended for public usage.
- b. If food service is provided outdoors, only employees of the principal eating and drinking establishment shall provide the food service.
- c. In approving outdoor seating or food service areas, the city may impose conditions relating to the location, configuration, and operational aspects (such as lighting, noise and hours of operation) of such outdoor areas to ensure that such outdoor areas will be compatible with surrounding uses, will be maintained in an attractive manner, and will comply with applicable building, fire, and liquor licensing codes.

2. *Outdoor Retail Display and Sales.*

Permanent outdoor retail display and sales is allowed as accessory to a principal retail sales establishment, subject to compliance with the following conditions:

- a. *Procedural Requirements.*
 - i. Permanent outdoor display and/or sales areas shall require PUD site plan approval. The site plan shall show the location of such areas in accordance with this subsection. Existing commercial uses that wish to establish new outdoor display and/or sales area shall submit a site plan showing the location of the outdoor display or sales areas and how the requirements of this subsection are to be met. Approval may be subject to appropriate conditions by the Director consistent with the intent of this subsection.
- b. *Prohibited Outdoor Displays/Sales.*



- i. Outdoor display or sale of hazardous and flammable materials, such as gasoline, propane, LP Gas, oil, antifreeze, kerosene, poisons, pesticides, fertilizers are prohibited.
 - ii. Outdoor displays of goods or merchandise shall not be allowed within the public right-of-way, on the roof or on top of any building.
- c. *Accessory Use Only.*

Unless otherwise allowed in the terms of the approved site plan, the accessory outdoor display/sale and the principal retail sales use shall be under the same ownership.

d. *Design and Operational Standards.*

- i. Outdoor display or sales shall be limited to items, goods, or seasonal merchandise directly related to the principal use on the site, or similar in scope and type to the items, goods, or merchandise offered by the principal use on the site. All items, goods, or merchandise shall be displayed solely for the purpose of sale to the general public at retail.
- ii. Outdoor display shall occur within fifteen feet (15') of the exterior walls of the principal building and shall not comprise more than three percent (3%) of the building footprint of the principal building, as shown on the approved site plan.
- iii. Outdoor display areas shall be conducted so as to ensure that the sidewalk or entrance into the principal building is not obstructed, and that a minimum width of eight feet (8') shall be continuously maintained on the sidewalk or entrance into the principal building to allow for pedestrian access.
- iv. The use of semi-trailers, storage or shipping pods, or temporary buildings shall not be permitted.
- v. In no event shall outdoor display be permitted within the off-street parking area, drive aisles, loading zones, or fire lanes as shown on the approved site plan.
- vi. No goods shall be attached to a building's wall surface, or to the surface of doors or windows.
- vii. The height of the outdoor display shall not exceed six (6') feet, unless the Planning Director grants an exception to this provision.
- viii. The outdoor display area shall take place on a hard surface such as the sidewalk or pavement.
- ix. Vending machines and similar dispensing machines used for the purpose of accessory outdoor sales shall not be internally lit. The number of accessory outdoor vending machines allowed per principal retail sales use shall be no more than one machine per 30,000 square feet (gross floor area) of the principal use.
- x. If installed, exterior lighting shall meet the functional needs of the facility without adversely affecting adjacent properties or neighborhoods.

C. *Temporary Uses Allowed.*

The temporary uses specified in Section 17.16.180 as allowed in a nonresidential or residential zone district shall be allowed in the MU-R, and CC Zone Districts, subject to



the requirements for a temporary use permit stated in Section 17.16.180. In addition, the following temporary use is allowed in the MU-R District, subject to compliance with the following conditions:

1. *Temporary Vendor Carts.*

Vendor carts intended for temporary sales may be allowed by temporary use permit when they meet the following criteria:

- a. They provide no service other than the sale of food or beverages in a form suited for immediate consumption.
- b. They are located entirely on private property.
- c. Vendors and carts on private property are limited to one (1) vendor or cart.
- d. The cart shall not exceed six (6') feet in length.
- e. They provide a positive impact upon the community, as determined by an evaluation of the application against all relevant provisions of this title. These will include, but not be limited to, aesthetics, site design, architectural compatibility, and impacts on pedestrian and vehicle traffic.

D. *MU-R District Specific Regulations.*

The following standards and regulations shall apply to all uses and structures within the MU-R District.

1. *Mix of Uses Encouraged in District.*

To ensure a balance of commercial, office, residential, and civic uses as set forth in Section 17.14.030, the city strongly encourages all new developments in the MU-R District to include a mix of two or more distinct types of permitted principal uses.

2. *Required Mix of Uses.*

To ensure a balance of residential, commercial, office and civic uses as set forth in Section 17.14.030, the following use mix requirements shall apply to all parcels of land and development sites within the MU-R District that are five (5) acres or larger.

TABLE 2: REQUIRED MIX OF USES IN MU-R DISTRICT (Sites 5 Acres or Larger Only)	
Minimum Number of Principal Uses ¹	2
Residential Required As Part of Mix	Yes
Note to Table 2: To meet this standard, there must be a minimum of one use from two different principal use groups included in the plan for development. The use groups are shown in Table 1 in Section 17.14.050.A. The use groups that qualify towards meeting the minimum number of uses in the MU-R District shall be the residential, office, commercial, and civic groups.	

3. *Nonconforming Uses and Structures.*

The nonconforming use and structure provisions set forth in Chapter 17.36 shall be strictly applied to all existing nonconforming uses and structures in the MU-R and CC Districts.

4. *Location of Uses.*

- a. Residential uses shall be allowed on the ground floor of any building within the MU-R Zone District if authorized through the PUD process. Ground floor, three story, residential uses are required to demonstrate a compelling benefit to the



City through the PUD process. A compelling benefit may include, but not be limited to the provision of underground parking, the incorporation of green and sustainable building practices, and or the provision of affordable housing. However, this provision shall not apply to those parcels within the MU-R District adjacent to or abutting Cannon Street (Spine Road) as depicted on Exhibit A.

- b. Ground floor nonresidential uses are strongly encouraged to locate around public squares, plazas, and spaces.

Sec. 17.14.060 Dimensional and Bulk Standards.

This Section 17.14.060's dimensional and bulk standards shall apply to all new development in the MU-R and CC Zone Districts.

A. General Intent- MU-R.

The dimensional and bulk standards in this section are intended to encourage and allow more "urban scale" development within the Highway 42 Revitalization Area consistent with planning goals for that area. Compared to other commercial and residential development allowed in Louisville, "urban scale" generally means taller buildings similar to those found in downtown Louisville, greater lot coverage, and buildings pushed close to the front property line. The dimensional and bulk standards are also intended to support a pedestrian friendly environment along the district's streets. Buildings pushed closer to the street edge provide a sense of enclosure for the pedestrian, making the district a more inviting place to walk.

Building length is regulated so that principal buildings are scaled to allow pedestrians and vehicles access from a perimeter public street to the interior of the district at relatively frequent intervals. In addition, a maximum building length standard is intended to prevent adverse visual impacts on neighboring properties that a long, uninterrupted solid building wall might create, particularly where block length within the district exceeds 400 feet.

B. Table of Dimensional and Bulk Standards.

All new development in the MU-R and CC Zone Districts shall comply with the dimensional and bulk standards stated in Table 3 below. See Section 17.14.060.C for additional dimensional and bulk regulations, including rules of measurement and exceptions.

TABLE 3: MIXED USE ZONING DISTRICTS DIMENSIONAL AND BULK STANDARDS		
DIMENSIONAL/BULK STANDARD ▼	ZONING DISTRICT	
	CC	MU-R
Residential Density:		
<i>Minimum</i>	NA	12 units per gross acre
<i>Base Maximum</i>	NA	20 units per gross acre
Minimum Lot Area	NA	N/A
Minimum Lot Width	NA	40
Minimum Building Coverage—See Figure 6.	30%	40%
Minimum Landscape Coverage	20%	10%
Building/Structure Setbacks from Property Lines (Applies to Principal and Accessory Buildings):		
<i>Minimum and Maximum Setbacks from Any Property Line Adjacent to Highway 42 or South Boulder Road</i>	<u>Min.</u> : 15 ft. <u>Max.</u> : 60 ft.	<u>NA</u>



**TABLE 3: MIXED USE ZONING DISTRICTS
DIMENSIONAL AND BULK STANDARDS**

DIMENSIONAL/BULK STANDARD ▼	ZONING DISTRICT	
	CC	MU-R
Minimum and Maximum Setbacks from All Other Street-Facing Property Lines	Min: 0 ft. Max: 30 ft.	Min: 0 ft. for all building ; Max: 10 ft. See Figure 1
Minimum Setback from Side Property Line See Figure 2.	10 ft.	0 ft. [Note 2]
Minimum Setback from Rear Property Line -See Figure 3.	20 ft.	20 ft. from rear property line [Note 2]
Building Height (Principal Buildings): - See Figure 5.		
<i>Height of Buildings</i>	Minimum: 2 Stories and 35 feet Maximum: 3 stories and 45 feet See Figures 4 and 5.	
Maximum Building Height (Accessory Buildings)	20 ft.	20 ft.
Maximum Ground-Floor Building Footprint (Square Feet):		
<i>All Buildings</i>	50,000 sq. ft.	10,000 sq. ft. Option: Special review required for buildings > 10,000 sq. ft.
Maximum Building Length Along Street Frontage:		
<i>Buildings on Parcels Fronting Highway 42</i>	350	NA
<i>All Other Buildings</i>	NA	200 ft.
Minimum % of Street-Facing Property Line(s) that Must Contain a Building or Building Wall [Note 3]	NA	70% for All Other Street-Facing Property Lines See Figure 6.
	Additional Regulations: 1. All buildings or building wall counting toward minimum 70% must contain a permitted principal use on the ground floor to a minimum building depth of 20 feet, which interior space may include common hallways or lobbies but shall not include parking spaces or space occupied solely by mechanical equipment. 2. For properties and lots with more than one street-facing property line, the minimum percentage shall be calculated by dividing the total amount of building wall sited on all street-facing property lines by the total (cumulative) amount of street frontage. See Figure 6. 3. Applicants are encouraged to place building wall at or close to street intersections (i.e., at corners). 4. All buildings with frontage on one corner street shall "wrap" the intersecting corner and continue the street edge with building wall for at least 25 feet.	



**TABLE 3: MIXED USE ZONING DISTRICTS
DIMENSIONAL AND BULK STANDARDS**

DIMENSIONAL/BULK STANDARD ▼	ZONING DISTRICT	
		MU-R

Notes to Table 3:

1. For purposes of this regulation, "side" property line shall mean only those property lines perpendicular to a street-facing property line ("street-facing property line" does not include property lines abutting only an alley).
2. When a property in a mixed-use zone district either abuts or is across a street or alley from a property zoned R-L or R-M, the minimum building height and setback standards stated in Section 8 (Residential Protection and Transitional Standards) of the Mixed Use Design Standards and Guidelines shall apply instead of the bulk/dimensional standards stated in this Table 3.
3. These standards shall not apply to property lines abutting an alley. This standard is met if the building wall is placed anywhere between the minimum and maximum allowed setback from street-facing property lines. The minimum 70% is a cumulative total of one or more buildings or building walls sited on the same property line or, as applicable, on two or more street-facing property lines.

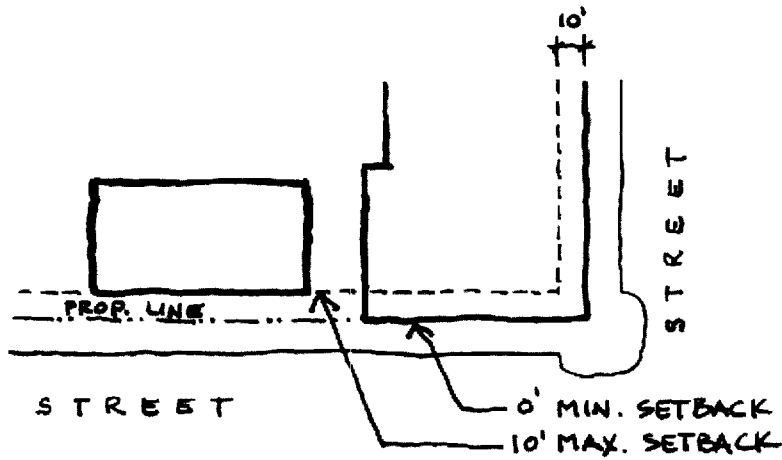


Figure 1: Building Setbacks from Street-Facing Property Line in MU-R District

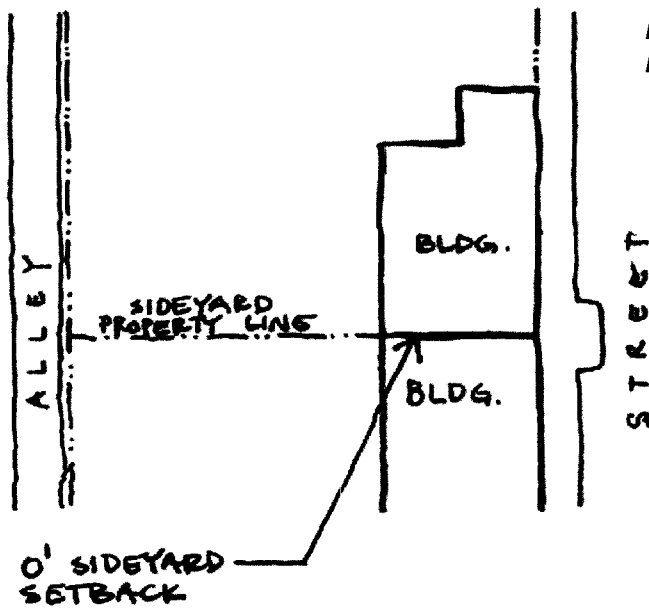


Figure 2: Setbacks from Side Property Line in the MU-R District

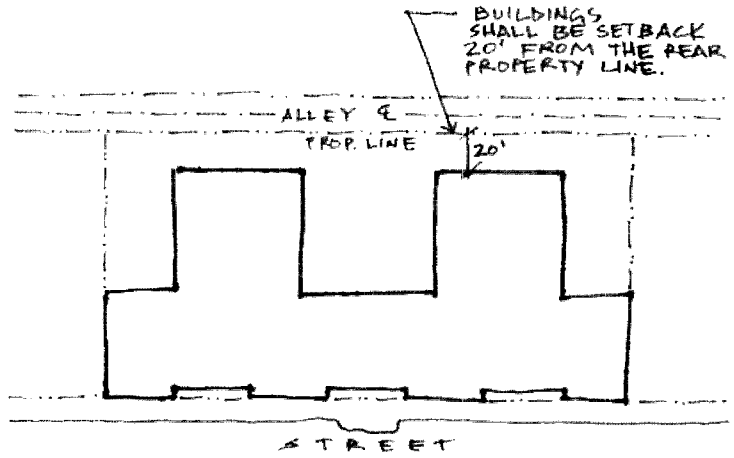


Figure 3: Rear Setbacks from Rear Property Line in the MU-R and CC Districts.

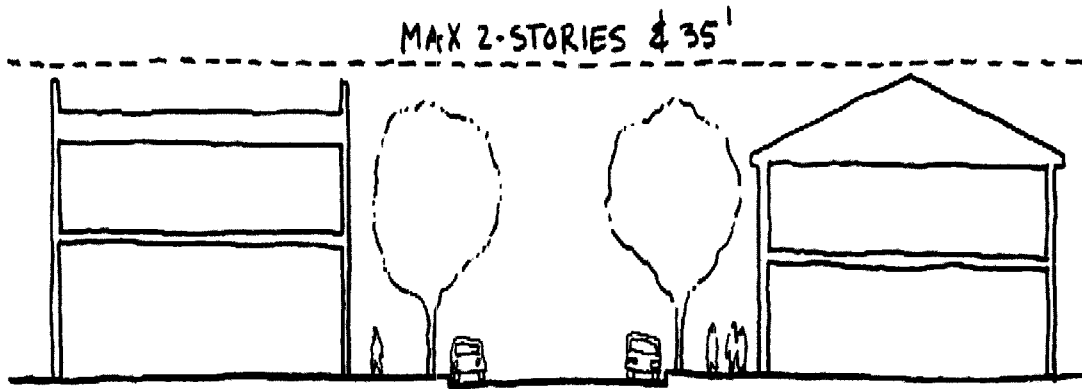
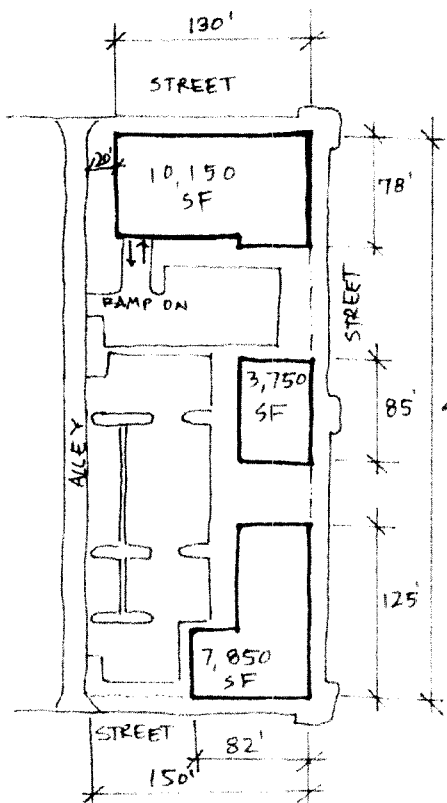


Figure 4: CC and MU-R Districts--Minimum Height



Figure 5: CC and MU-R Districts--Maximum Height



MINIMUM BLDG. COVERAGE:

$$\begin{aligned}
 &21,750 \text{ SF} \\
 &\div 60,000 \text{ SF} \\
 &= 36\% \quad (30\% \text{ REQ'D IN CC DISTRICT}) \\
 &\quad \quad (40\% \text{ REQ'D IN MU-R DISTRICT})
 \end{aligned}$$

PERIMETER COVERAGE:

$$\begin{aligned}
 &515' \text{ TOTAL BLDG. PERIMETER} \\
 &\div 700' \text{ TOTAL FRONTAGE} \\
 &= 73\% \quad (70\% \text{ REQ'D})
 \end{aligned}$$

Figure 6: Minimum Building Coverage and Minimum % of Street-Facing Property Line(s) Covered by Building or Building Walls

C. Additional Bulk and Dimensional Standards and Exceptions.

1. Additional Residential Density Standards.

a. Calculated as Gross Density.

Residential density in Table 3 above is calculated as gross density, and shall be measured as an average including over the gross land area of only the residential portion of the site (as determined by the City), plus one-half (1/2) the area of any adjacent street or alley right-of-way. For developments with mixed-use buildings containing both residential and nonresidential uses, residential density is measured including the gross land occupied by the entire mixed-use building.

2. Setbacks—Rules of Measurement.

- a. The Highway 42 setback shall be measured from the back edge of the Highway 42 right-of-way.
- b. The maximum street-facing front setback requirements shall apply only to the lower 35 feet or first two stories, whichever is less, of a building, and higher portions of the building may be stepped back further from the front property line.
- c. The maximum front minimum and maximum street-facing setback standards shall not apply to surface parking lots, which are subject instead to the minimum



buffer standards in Section 7.1 of the Mixed Use Design Standards and Guidelines.

- d. Setbacks from a rear property line shall be measured from the property line.
 - e. *See also* Section 8 (Residential Protection and Transitional Standards) of the Mixed Use Design Standards and Guidelines for additional setback standards when new development in a MU-R or CC Zone District is adjacent to existing residential uses in a R-L or R-M Zone District.
3. *Zero Building Setbacks Encouraged in MU-R District.*
To encourage pedestrian-friendly streets by bringing buildings close to pedestrian sidewalks and ways, the city encourages principal buildings in the MU-R District to be built to the back edge of the public sidewalk (zero (0) feet setback), except as necessary to allow room for outdoor seating and service areas, outdoor sales and displays, landscaping, emphasized entryways integral to the building design, and similar pedestrian and customer amenities.
4. *Maximum Height Standards.*
- a. The maximum height of a two story building is 35.0', which is inclusive of any parapet or rooftop mechanical equipment or other architectural or mechanical elements. The maximum height of a three story building is 45.0', which is inclusive of any parapet or rooftop mechanical equipment or other architectural or mechanical elements. All rooftop mechanical equipment shall be screened according to the Mixed Use Design Standards and Guidelines.

Sec. 17.14.070 Development and Design Standards.

All new development in the MU-R Zone District shall comply with the development and design standards stated in the Louisville Mixed Use Design Standards and Guidelines, except as expressly waived or modified by the city in a planned unit development plan approved according to Chapter 17.28 and subject to the limitations stated in Section 17.14.090.

Sec. 17.14.080 Incentives.

A. References to Incentives.

Following is a summary of the mixed use development incentives provided and cross-references to the applicable sections of this Chapter 17.14:

- 1. A greater number and variety of uses allowed in the mixed use zone districts compared to other zone districts in Louisville. See Section 17.14.050 (Permitted Uses and District Specific Regulations).
- 2. Modifications of certain standards that reflect less demand and greater efficiencies in mixed-use projects, such as off-street parking. See Mixed Use Design Standards and Guidelines, Section 4.1 (Off-Street Parking).
- 3. Additional flexibility for developers of mixed-use developments to propose a waiver or modification of some of the otherwise generally applicable development or design standards outlined in this Chapter 17.14 and the Mixed Use Design Standards and Guidelines. See Section 17.14.090.A.2.b.i. (General Rule Allowing Waiver or Modification of Standards).



Sec. 17.14.090 Review Procedures for Development in the Mixed-Use Residential or the Commercial Community Districts.

A. General Requirements.

Rezoning within the Highway 42 Revitalization Area shall be consistent with the preferred land uses as reflected in Exhibit A, Land Use Plan Exhibit.

1. Rezoning with PUD Site Plan Approval Required.

Development on all sites in a Mixed-Use Residential or Commercial Community Zone District shall require subdivision approval, as applicable, and approval of a PUD site plan according to the planned unit development procedures and criteria stated in Chapter 17.28 of this title, except as expressly modified by this section prior to construction.

2. Planned Unit Development (PUD) Option.

Preliminary Planned Unit Development Plan shall be submitted and reviewed according to the requirements stated in Chapter 17.28.

a. Final PUD Plan Required.

An approved Final Planned Unit Development Plan is required prior to establishment of any use included in an approved Preliminary PUD Development Plan. The Final PUD Plan shall be subject to public hearings before planning commission and city council as required under Section 17.28.190.

b. Applicable Regulations.

i. General Rule Allowing Waiver or Modification of Standards.

Unless otherwise limited by this section, the city may waive or modify all applicable stated Mixed Use Development Design Standards and Guidelines stated in this Chapter 17.14, or other generally applicable design standards and provision of this Title 17, if the decision-making body finds that the proposed development represents an improvement in site and building design over that which could be accomplished through strict compliance with otherwise applicable district standards. Unless specifically waived or modified during the review and approval process, the zoning, use, bulk, dimensional, development, and design standards stated in this Chapter 17.14 and the Mixed Use Design Standards and Guidelines shall apply.

ii. Specific Standards That Cannot Be Waived or Modified.

The following zoning, use, and development/design standards shall not be waived or modified as part of the PUD review procedure:

- (a) The principal uses allowed in the MU-R District stated in Section 17.14.050.A.;
- (b) The requirements for a mix of principal uses for the MU-R District stated in Section 17.14.050.D.;
- (c) The street design standards and guidelines stated in Section 1 of the Mixed Use Development Design Standards and Guidelines (the block design and dimension standards found in the same Section 1 may be modified through the PUD review process); and
- (d) The residential protection and transitional standards stated in Section 8 of the Mixed Use Development Design Standards and Guidelines.



- 3. *Effect of a PUD Development Plan Approval.*
 - a. *Binding Nature of PUD Site Plan.*

The Final PUD site plan shall limit and control the issuance and validity of all building permits and occupancy permits and shall restrict and limit the construction, location, use, and operation of all land and structures included within the site plan to all limitations and conditions set forth in the approved plan. Failure to maintain a property in compliance with its approved site plan shall be a basis for enforcement action under this title, subject to Section 17.28.200 Construction Procedures and Building Permits.

Sec. 17.14.100 Definitions.

As used in this chapter, the following terms have the following meanings:

Assisted Living/Senior Independent Living Facilities

Establishments that provide housing service for the elderly, as further defined as follows:

Assisted living facilities provide a range of residential and personal care services, often with on-site nursing care facilities for the elderly who are unable to fully care for themselves, and/or the elderly who do not desire to live independently. Individuals live in a variety of residential settings with meals, housekeeping, social, leisure, and other services available to assist residents in daily living. Assisted living facilities do not include adult foster care homes and adult care group homes, which are often established in single-family homes and where elderly residents share the house with the care provider's family.

Independent living facilities include any residential development that is age-restricted to persons 55 years of age and older, and that is not a group home (as defined by C.R.S. 31-23-303), and which may be in any housing form, including single-family detached or attached dwellings or multi-family structures. Independent living facilities may offer private or semi-private rooms/units, shared community dining facilities, and other social, recreational, or transportation amenities for the entire community, but does not provide for individualized personal or medical care for residents.

Research and Development

A facility that is designed or equipped for basic or applied research or experimental study, testing, or analysis in the natural sciences or engineering, including any educational activities associated with and accessory to such research. Research and development offices do not include the mass manufacture, fabrication, processing, or sale of products, except limited facilities for the sale of products as incidental and accessory to the research purposes of the facility are allowed.

Person

An individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or other legal entity of any type, or any group or combination acting as a unit.

Section 2. Chapter 17.12 of the Louisville Municipal Code is hereby amended by the addition of a new Section 17.12.070, to read as follows:



Sec. 17.12.070. Limitation on Certain Industrial Zoned Uses.

A. Applicability.

This section is applicable to all properties with Industrial (“I”) District zoning that are located within the Highway 42 Revitalization Area as of November 6, 2007.

B. Intent.

This section is intended to implement the Highway 42 Revitalization Area Comprehensive Plan as adopted by the City Council on September 13, 2003, by Resolution No. 30, Series 2003, and as adopted by reference into the 2005 Citywide Comprehensive Plan. Specifically, this section furthers the city’s intent to encourage the long-term development of a high-quality, mixed use neighborhood in the plan area, including residential uses, and to avoid potentially incompatible industrial and large-scale or heavy commercial growth.

C. Limitation on Existing Industrial (I) District Uses in the Highway 42 Plan Area.

1. Existing I District Uses May Continue.

Subject to the limitations stated in this subsection, uses of land existing on November 6, 2007 and subject to this section may continue and be maintained in reasonable repair until such time as the property owner or the city makes an application to rezone such property to a Mixed Use Residential (MU-R) or a Commercial Community (CC) Zone District as set forth in Chapter 17.14.

2. No New Uses May Be Established.

No new uses of land, or changes of use, may be established on I District zoned property in the Highway 42 Plan Area after November 6, 2007, except as part of, or subsequent to, an application to rezone such property to a Mixed Use Residential (MU-R) or a Commercial Community (CC) Zone District as set forth in Chapter 17.14. Such new or changed use shall comply with the terms of the approved rezoning to a Mixed Use Zone District, or Commercial Community District.

3. No Alteration, Extension, or Expansion Allowed.

a. After November 6, 2007, no structure on I District zoned property in the Highway 42 Plan Area shall be altered, extended, enlarged, or expanded under the terms of the existing I District zoning; provided, however, that (i) this provision shall not apply to work to extend an existing use to, or to establish a permitted I use within, a portion of a structure that was arranged or designed for such a use as of November 6, 2007; (ii) this provision shall not apply to work to alter, expand, or enlarge an existing use (including alterations to a structure housing an existing use) where the cost of work is less than twenty-five (25) percent of the replacement value of the use or structure at the time of the proposed work; and (iii) this provision shall not apply to work involuntarily undertaken and specifically ordered by a federal, state or county regulatory agency to be completed to bring the property into compliance with applicable federal, state or county laws or regulations for the protection of the public health or the environment. This twenty-five (25) percent limitation shall be a cumulative limit applied to all work occurring on a parcel after November 6, 2007.

b. After November 6, 2007, no use of land that does not involve a structure may be extended or expanded to occupy additional area of the property under the terms of the existing I District zoning.



4. *Discontinuance of Existing I District Uses.*

- a. If an existing use permitted under the I District zoning and involving a structure is discontinued from use for a period of one (1) year, further use of the property shall be prohibited until the city approves an application for rezoning to a Mixed Use Residential (MU-R) or a Commercial Community (CC) Zone District as set forth in Chapter 17.14. All such further use of the property shall comply with the terms of the approved rezoning to a Mixed Use Residential (MU-R) or a Commercial Community (CC) Zone District as set forth in Chapter 17.14.
- b. If an existing use permitted under the I District zoning and not involving a structure is discontinued from use for a period of six (6) months, further use of the property shall be prohibited until the city approves an application for rezoning to a Mixed Use Residential (MU-R) or a Commercial Community (CC) Zone District as set forth in Chapter 17.14. All such further use of the property shall comply with the terms of the approved rezoning to a Mixed Use Residential (MU-R) or a Commercial Community (CC) Zone District as set forth in Chapter 17.14.

Section 3. Chapter 17.16 of the Louisville Municipal Code is hereby amended by the addition of a new Section 17.16.300, to read as follows:

Sec. 17.16.300. Mixed Use Design Standards and Guidelines to Apply.

A. Incorporation by Reference.

There is hereby adopted by reference and incorporated into this title the City of Louisville Mixed Use Development Design Standards and Guidelines (“MUDDSG”), which are set forth in full as Appendix A to this Chapter 17.16. The development design standards and guidelines contained in the MUDDSG may be amended from time to time in the manner set forth in Chapter 17.44. The City Council may, in its discretion, waive or modify requirements of the MUDDSG in a planned unit development plan approved according to Chapter 17.28 and subject to the limitations stated in Section 17.14.090. All applicants pursuing development in a Mixed Use Residential (MU-R) or a Commercial Community (CC) Zone District shall be advised of the existence of the MUDDSG and a copy thereof shall be made available to such applicant.

B. Applicability.

Any addition, remodeling, relocation, construction, or other improvement within the Mixed Use Residential (MU-R) or a Commercial Community (CC) Zone District and requiring a building permit, sign permit, or any other approval or permit from the city shall comply with all requirements of the City of Louisville Mixed Use Development Design Standards and Guidelines, as adopted and amended from time to time.

Section 4. Chapter 17.28 of the Louisville Municipal Code is hereby amended by the addition of a new Section 17.28.065, to read as follows:

Section 17.28.065 PUD-MU Planned Mixed Use Districts.

At the applicant’s option, a request for rezoning to a Mixed Use Zone District, or a proposal to develop subsequent to rezoning to a Mixed Use Zone District, may be reviewed and approved according to the planned unit development procedures and criteria stated in this Chapter 17.28, except as expressly modified by Section 17.14.090.

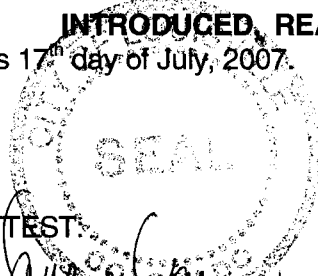


Section 5. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 6. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 7. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED
this 17th day of July, 2007.



Charles L. Sisk, Mayor

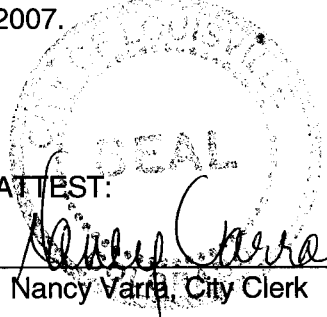
ATTEST:

Nancy Varra, City Clerk

APPROVED AS TO FORM:

Light Harrington & Dawes, P.C.
City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this 7th day of August, 2007.



Charles L. Sisk, Mayor

ATTEST:

Nancy Varra, City Clerk

Land Use Plan

Exhibit A

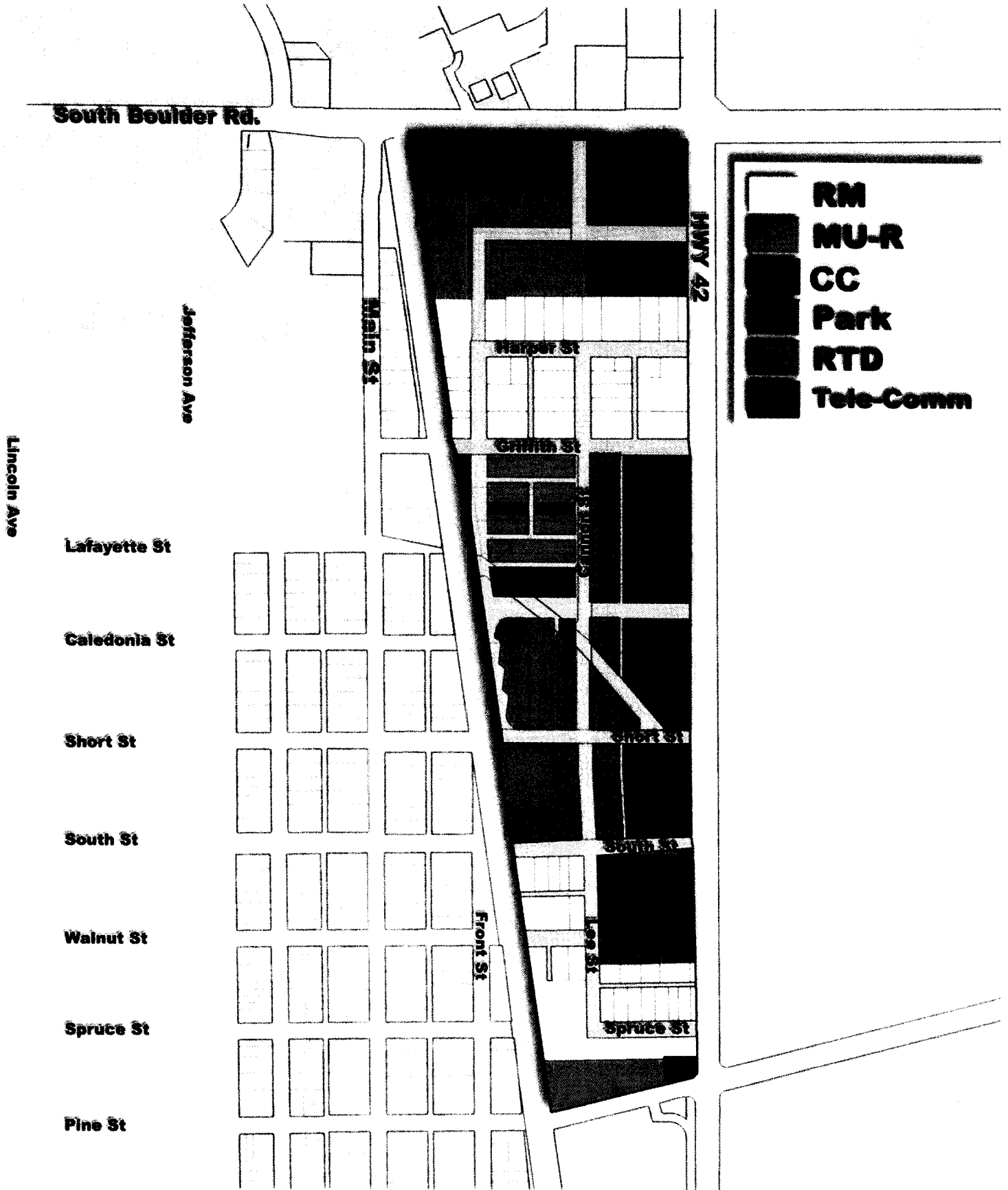


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LOUISVILLE, COLORADO
IMPLEMENTATION OF THE HIGHWAY 42 REVITALIZATION AREA PLAN

Appendix A
MIXED USE DEVELOPMENT DESIGN STANDARDS AND GUIDELINES

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CITY OF LOUISVILLE MIXED USE DESIGN STANDARDS AND GUIDELINES

INTRODUCTION

PURPOSE AND INTENT

Major improvements to U.S. Highway 42 and the potential development of a commuter rail station in Louisville are creating the conditions for significant development and change in the Highway 42 Revitalization Area. In anticipation of such change, the City of Louisville hereby declares that it is the purpose and intent of these Mixed Use Development Design Standards and Guidelines (MUDDSG) to:

1. Implement the Highway 42 Revitalization Area Comprehensive Plan;
2. Strengthen and enhance adjacent residential neighborhoods while protecting them from potential adverse impacts associated with new development;
3. Complement and integrate the area with historic downtown Louisville through the establishment of strong pedestrian, and multimodal connections;
4. Capture the potential for high-quality, mixed use development that will serve adjacent neighborhoods and the citizens of Louisville and enhance the city's long-term tax base;
5. Avoid incompatible industrial and large-scale or heavy commercial growth;
6. Adopt a regulatory framework that promotes and encourages redevelopment to integrate principles of sustainable architecture and energy conservation.
7. Adopt design standards for the development of a commuter rail station that promote the public health and safety, adequate ingress and egress, and parking.
8. Decentralized surface parking shall be constructed in a manner so that it does not overwhelm the redevelopment area.
9. Capture the potential for highway commercial development adjacent to State Highway 42 providing a restricted range of retail sales and services.

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APPLICABILITY

The regulations and requirements of this manual shall apply to all land, existing development, and proposed development in the Residential Mixed Use Zone District (MU-R), and the Commercial Community Zone District (CC). All new development, changes in use, or substantial alterations or expansions of an existing use in these zone districts shall comply with these Mixed Use Development Design Standards and Guidelines.

HOW TO USE THIS MANUAL

1. *Who Uses This Manual.*

These Mixed Use Development Design Standards and Guidelines are to be used by property owners/applicants and their design consultants in the planning of development in the MU-R or CC Zone District within the City of Louisville. The MUDSG will also be used by city staff, the planning



commission, and the city council as part of their review of development proposals in the MU-R and CC Districts.

2. *How to Use the Mixed Use Development Design Standards and Guidelines.*

The MUDDSG are generally organized in a descending order of scale, from overall site planning concerns, to circulation issues, to building and site details, and then to signs and lighting. When first developing overall planning concepts for a development in the MU-R and CC Districts, the earlier sections of the manual will be most relevant. At advanced stages of project design, when architectural details and specific landscaping ideas are being developed, sections appearing later in the manual will be most relevant.

3. *How the Manual is Organized.*

This manual is organized into sections, with the first five sections comprising this introduction and explaining the manual's intent, how to use this document, and how other city regulations apply and interplay with this Manual. The fifth section in this introduction provides definitions of terms of art used in the Manual and not otherwise defined in the city's Zoning Ordinance (Title 17) of the city's municipal code.

The remainder of the sections each addresses a different substantive area, such as blocks and streets, off-street parking, pedestrian circulation, and architectural and building design. In many cases, the section may refer back to the City of Louisville Commercial Development Design Standards and Guidelines (CDDSG) and direct the user to apply the standards and guidelines in that document to the proposed project in the mixed use zone district. In other cases, the user is directed to apply the relevant CDDSG standard or guideline, but with specific variations appropriate to implementing the vision for the MU-R and CC Districts.

The remaining sections, which are especially applicable to development in the MU-R and CC Districts, are generally comprised of the following components:

- A. **Intent and purpose statement**, which is a broad statement explaining the general or specific reasons and goals for the approach taken and substance found in the particular standard or guideline.
- B. **Standards**, which mandate the specific course of planning and design action that the applicant must incorporate in its project application. Compliance with standards is mandatory. Statements of standards are indicated by use of the word "shall" in the rule or directive. A failure to meet a standard may be used as a basis for the city's denial of a project application.
- C. **Guidelines**, if any, follow the standards and are indicated by the words "may" or "should." Guidelines are voluntary and not mandatory; however, compliance is strongly encouraged to fulfill the intent of the section. A failure to meet a guideline cannot be used by the city as a basis for project denial.
- D. **Graphic illustrations** showing one or more suggested design solutions that would be appropriate or inappropriate with respect to the standards and guidelines. Graphics may include photographs or drawings, and are intended to be illustrative of the text and not regulatory. In the event of a conflict between a graphic illustration and the text of a MUDDSG standard, the text shall control.



RELATIONSHIP TO OTHER REGULATIONS

1. *Relationship to the Louisville Commercial Development Design Standards and Guidelines and Downtown Design Handbook for Downtown Louisville.*

The City of Louisville Commercial Development Design Standards and Guidelines (CDDSG) shall not apply to development subject to these Mixed Use Development Design Standards and Guidelines except as expressly cross-referenced or provided in this manual. The standards and guidelines set forth in the Downtown Design Handbook for Louisville and the yard, bulk, and other requirements applicable to Downtown Louisville (including but not limited to Section 17.12.050 and Section 17.20.025 of this Zoning Ordinance) shall not apply to development subject to these Mixed Use Development Design Standards and Guidelines except as specifically cross-referenced or provided in this manual.

2. *Relationship to General Zoning Regulations.*

When these Mixed Use Development Design Standards and Guidelines state a development or design standard specific to the MU-R or CC Zone District, such standards shall apply in lieu of any general regulation stated in Chapter 17.16 or in other parts of Title 17 that addresses the same subject. When the general development or design regulations in Chapter 17.16 or in other provisions of Title 17 regulate a subject that these standards and guidelines do not clearly address, the general regulation shall apply to development in the MU-R District.

DEFINITIONS

1. **Maximum Extent Feasible**

No feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent feasible."

2. **Maximum Extent Practicable**

Under the circumstances, reasonable efforts have been undertaken to comply with the regulation or requirement, that the cost of additional compliance measures clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from the noncompliance.



MIXED USE DEVELOPMENT DESIGN STANDARDS & GUIDELINES

1. Street and Block Design Standards.

1.1. Intent.

In order to encourage a synergistic mix of uses within the MU-R and CC Districts and to complement existing Downtown development, clear pedestrian and automobile links and safe pedestrian movements within the districts and between the districts and Downtown Louisville are essential. With the districts organized into regular-sized blocks, an internal public street system is created that can work to disperse and distribute project-generated traffic to multiple access points, rather than funneling such traffic through a single primary access way. The street and block standards are a fundamental cornerstone in creating a pedestrian-oriented and pedestrian-friendly district. Finally, the street and block standards purposely model the existing street grid and block system in Downtown Louisville to encourage the MU-R and CC Districts to mature as an extension of Downtown, and to enable present and future vehicle, pedestrian, and visual access between the areas.

1.2. General Street and Block Layout Standards.

A. To the maximum extent practicable, the general layout of blocks and streets within the Highway 42 Revitalization Area shall conform to an interconnected traditional grid pattern similar in layout, scale, and function as found in the Louisville Downtown Area. (S)

B. Street alignment within the MU-R and CC Districts shall generally conform to the street pattern adopted in the Highway 42 Plan to the maximum extent practicable. To ensure both visual and physical connections top the Downtown, east-west streets in the MU-R and CC Zone Districts shall align with the east-west streets found in the Louisville Downtown Area to the maximum extent feasible. (S)

C. The street grid pattern may be modified to accommodate changes in natural grade, existing property boundary lines, utility easements, or important visual elements within the district (e.g., a street may terminate at a "T" intersection to accentuate a key building or feature). (S)

1.3. Allowed Block Dimensions.

The following block standards apply to all new development:

A. Permitted Block Width: (Generally, the east and west sides of block)

- 1. MU-R District: 270-320 feet. (S)
- 2. CC-District: 400 feet (S)

B. Permitted Block Length (Generally, the north and south sides of block)

- 1. MU-R District: 300-400 feet. (S)
- 2. CC District: 600 feet (S)

C. All block dimensions shall include area devoted to alleys. (S)

1.4. General Street Design Standards.

A. Internal Public Street System.

All development sites shall provide for multiple blocks and an internal street system according to the street and block standards in this section, and according to the Louisville Public Works Department's general policies, standards, and guidelines governing street design. (S)



B. Internal Streets.

Internal streets provided according to this section are to be dedicated to the public. All internal streets shall be constructed according to the Louisville Public Works Department's general policies, standards, and guidelines governing public street construction. On a case-by-case basis, the city may approve alternative private street design that varies from the city's adopted public street cross-sections, based on the city's consideration of the proposed intensity of vehicle and pedestrian use, adequacy of emergency safety access, drainage requirements, and similar issues. (S)

C. General Street Design Standards.

Accent paving materials located within the public right-of-way shall meet Louisville Public Works Department criteria. (S)

D. Mid-Block Alleys Encouraged.

Guideline: The city encourages the provision of mid-block through alleys to serve both residential and nonresidential uses. For nonresidential uses, alleys may be used to enable secondary vehicle access and service access. (G)

2. Vehicle Access, Circulation, and Connections.

2.1. Intent.

The vehicle access, circulation and connection standards in this section are intended to minimize the number of curb cuts; maximize the amount of on-street parking available for residents, employees, and visitors to the district; encourage the use of shared access ways to off-street parking areas (including the use of alleys for this purpose).

2.2 Site and Vehicular Access Standards and Guidelines.

All new development in the MU-R and CC Districts shall comply with the following **standards** and **guidelines**:

A. Site access to the MU-R and CC Districts from Highway 42 shall be from dedicated public streets only. (S)

B. New curb cuts along Highway 42 to provide direct access to individual parcels via entrance drives are prohibited. Existing curb cuts and entrance drives along Highway 42 that directly access individual parcels shall be closed or consolidated to the maximum extent feasible as parcels are developed or redeveloped. As applicable, applicants shall reference the adopted Access Control Plan as amended from time to time for additional Highway 42 access regulations. (S)

C. Street intersections providing site access to the district shall be enhanced by incorporating signs, accent paving, special landscaping, and lighting. Materials used in entry features shall be consistent with other materials used in the development. (S)

D. A minimum separation of fifty (50) feet shall be maintained between adjacent curb-cuts along private streets. (S)

E. A minimum separation of eighty (80) feet shall be maintained between a public or private street and a parcel curb-cut that is created after the effective date of these standards. (S)

F. Vision clearance areas shall not be required except with respect to fences, walls, landscaping and service enclosures. (S)

G. Applicants for development are strongly encouraged to provide mid-block through alleys to provide primary or secondary access to the site for off-street parking or services. (G)



2.3. *Vehicular Circulation and Connection Standards.*

The policy, standards, and guidelines for vehicular circulation stated in Section 2.1.2 of the CDDSG shall apply in the MU-R and CC Districts, except as varied by the following standard for vehicle connections:

A. *Street Connections to Adjacent Uses.*

Connections between adjacent development parcels shall be provided by aligning new perimeter and internal streets to connect with existing and planned external streets of equivalent functional classifications to create through-street connections from mixed-use development to adjacent development. Where it is necessary to prevent cut-through traffic from entering existing residential areas, street alignments may be discontinuous and traffic calming improvements shall be utilized. (S)

2.4. *Service/Delivery, Emergency and Utility Access.*

The policy, standards, and guidelines for service/delivery, emergency and utility access stated in Section 2.1.4 of the CDDSG shall apply in the MU-R and CC Districts. Shared service and delivery access ways between adjacent parcels and/or buildings shall be employed to the maximum extent feasible. The city shall require cross access easements whenever necessary to ensure that adjacent parcels have adequate access if ownership patterns change. (S)

2.5. *Mass Transit Facilities.*

Transit facilities shall be provided in a manner to make transit an attractive mode of travel for residents and employees.

A. Locate bus shelters close to significant clusters of buildings. Provide a concrete pad in front of bus shelters. Provide protection for bus shelters from prevailing winds. (S)

B. Coordinate any shelter design and locations with RTD. (S)

3. Site Planning.

3.1. *Intent.*

The orientation of a principal building is a major influence on the public realm environment created at the public sidewalk or street edge. When buildings are set back far from the public sidewalk or street, or when a building turns its back on the primary abutting street, the pedestrian experience at the sidewalk or on the street suffers in quality. These building orientation and siting standards are intended to accommodate and invite pedestrians to walk to and between destinations within the MU-R, and CC Districts, to feel safe and comfortable doing so, and to support the use and security of the commuter rail line and transit station located in the Highway 42 plan area.

3.2. *Building Orientation and Building Entrances.*

The policy, standards, and guidelines for building siting and orientation stated in Section 1.1 of the CDDSG shall apply in the MU-R and CC Districts. In addition, the following building orientation standards and guidelines shall apply:

A. *Principal Buildings on Parcels With Highway 42 Frontage.*

1. Principal buildings on parcels with Highway 42 frontage shall have primary facades and entrances oriented either:

- a. Toward Highway 42 subject to the standard in subsection 2 below;
- b. Toward an abutting internal or perimeter street other than Highway 42, or
- c. Toward an adjacent public plaza, park, or on-site amenity. (S)

See Figure 1.



2. If the primary façade and entrance to a principal building orients toward Highway 42, a second primary building entrance of equal size, scale, and prominence shall be provided on a different elevation of the building that orients toward an abutting internal or perimeter street other than Highway 42. (S) See Figure 1.

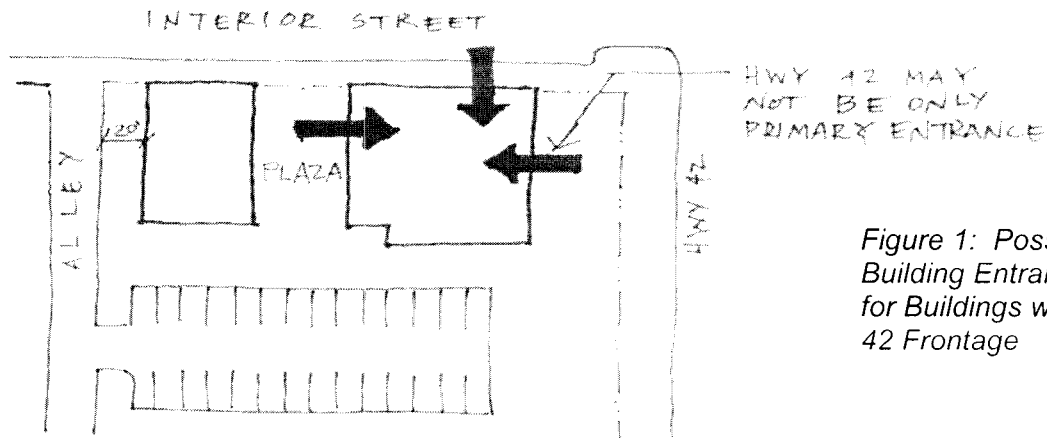


Figure 1: Possible Primary Building Entrance Locations for Buildings with Highway 42 Frontage

3. All primary building entries shall comply with the prominent entry design standards in Section 9.3 below. (S)

4. Secondary building entrances may orient toward and face Highway 42. (G)

B. All Other Buildings.

1. All principal buildings shall have their primary façades and entrances oriented toward public street frontages and shall not face parking lots or alleys. The building's primary façade and entrance shall face the primary abutting access street or an adjacent public plaza, park, or on-site amenity. Primary building entries shall comply with the prominent entry design standards in Section 9.3 below. (S)

2. Secondary entrances may face a rear parking area, or other streets with sidewalks or walkways. (G)

3.3. Utilities, Mechanical, and Telecommunications Equipment.

The policy, standards, and guidelines for utilities, mechanical, and telecommunications equipment stated in Section 1.5 of the CDDSG shall apply in the MU-R and CC Districts, except that utility meters and other above-ground utility boxes and similar equipment shall be located where they will be least visible from an abutting local street. (S)

3.4. Water Quality Control and Drainage.

The policy, standards, and guidelines for water quality control and drainage stated in Section 1.7 of the CDDSG shall apply in the MU-R and CC Districts.



3.5. *Site Grading, Excavation and Erosion Control.*

The policy, standards, and guidelines for site grading, excavation, and erosion control stated in Section 1.8 of the CDDSG shall apply in the MU-R and CC Districts.

4. **Off-Street Parking and Loading.**

4.1. *Off-Street Parking.*

A. *Intent.*

An adequate supply of off-street parking is necessary for the commercial viability and success of new development in the MU-R and CC Districts. However, commuter rail located within easy walking distance of the entire Highway 42 Revitalization Area may reduce the amount of off-street parking required or supplied in developments where the only travel mode option is the automobile. The city's adopted street design for the Highway 42 Revitalization Area will also ensure that on-street parking spaces can serve the district's visitors and users.

B. *Amount of Off-Street Parking Required.*

1. The amount of off-street parking required for permitted uses in the MU-R and CC Districts is set forth in Table 1 below. Credits and reductions may be allowed according to subsection 4.1.C. below. (S)
2. Unless otherwise specifically noted, all square footage-based parking standards shall be computed pursuant to Section 17.20.025 of the Louisville Municipal Code on the basis of gross floor area, which shall be measured as the floor area primary to the functioning of the particular use of the property and shall exclude stairwells, elevator shafts, hallways, bathrooms, ornamental balconies, space occupied by heating, air conditioning or other utility equipment, common area open spaces (e.g., courtyards), and space devoted to off-street parking or loading. Additionally, the area measured with respect to a restaurant use shall not include floor area designed primarily for use by service and food preparation staff. (S)
3. In all calculations of the minimum or maximum amount of parking, all fractions shall be rounded down to the nearest whole number. (S)
4. Pursuant to Section 17.20.025 of the Louisville Municipal Code, if an off-street parking space has been provided in connection with existing floor area or is added in connection with existing floor area, the existing parking space shall not be eliminated if elimination would result in fewer spaces for the existing floor area than the required ratio set forth in Table 1. Therefore, existing parking may be credited to the parking requirement of Table 1 only if the existing parking space exceeds the required ratio. If the use of a freestanding building occupied solely by a restaurant is changed in whole or part to another use, parking for the floor area changed in use shall be calculated and provided as set forth in this section. (S)



TABLE 1		
AMOUNT OF OFF-STREET PARKING SPACES REQUIRED		
<i>GLA = Gross Leasable Area</i>		
USE CATEGORY ▼	CC DISTRICT	MU-R DISTRICT
All Retail Sales, Service, and Office Uses:	[Hatched]	[Hatched]
<i>Professional and Business Office</i>	Minimum: 1 space per 400 square feet of GLA Maximum: 125% of minimum required spaces	Minimum: 1 space per 500 square feet of GLA Maximum: 125% of minimum required spaces
<i>Eating/Drinking Establishments</i>	Minimum: 1 space per 300 square feet of GLA Maximum: 125% of minimum required spaces	Minimum: 1 space per 300 square feet of GLA Maximum: 125% of minimum required spaces
<i>All Other Retail Sales, Service,</i>	1 space per 300 square feet.	Minimum: None Maximum: 1 space per 300 square feet.
All Residential Uses [Note 1]:	[Hatched]	[Hatched]
1-bedroom unit	Minimum: 1 space per unit Maximum: 1.25 spaces per unit	Minimum: 1 space per unit Maximum: 1.25 spaces per unit
2-bedroom unit	Minimum: 2 spaces per unit	Minimum: 2 spaces per unit
3-or-more-bedroom unit	Minimum: 2.0 spaces per unit	Minimum: 2.0 spaces per unit
Additional guest parking [Note 2]	1 space per 8 dwelling units in addition to the minimum off-street parking spaces.	1 space per 8 dwelling units in addition to the minimum off-street parking spaces.
Civic, Institutional, and Public Uses:	[Hatched]	[Hatched]
<i>Educational Institutions</i>	Minimum and Maximum: 1 per 4 seats or 1 per 1,000 square feet of floor area, whichever requires the greater amount.	Minimum and Maximum: 1 per 4 seats or 1 per 1,000 square feet of floor area, whichever requires the greater amount.
<i>All Other Permitted Public, Institutional, and Civic Uses</i>	Minimum: One 1 per 400 square feet of floor area Maximum: 3 per 1,000 square feet of floor area	Minimum: One 1 per 400 square feet of floor area Maximum: 3 per 1,000 square feet of floor area
Notes to Table 1:		
1. Off-street parking spaces located in an enclosed parking garage, including in an accessory residential garage, and which comply with these Mixed Use Development Design Standards and Guidelines, shall not be counted toward the maximum amount of spaces permitted.		
2. On-street parking spaces abutting the property line(s) of the primary building housing the use may be counted toward the required number of residential guest parking spaces.		

C. Credits and Reductions.

1. Credit for On-Street Parking.

On-street parking spaces abutting the property line(s) of a primary nonresidential building may be credited toward meeting the minimum required off-street parking spaces. On-street parking



spaces abutting the property line(s) of a primary residential building may be counted toward the required number of guest parking spaces only. On-street parking allowed by this provision shall not be counted toward the maximum amount of off-street parking allowed. (G)

2. *Reduction for Shared Parking.*

The amount of off-street parking required may be reduced by an amount determined by the Planning Director when it can be shown through a parking demand study that sufficient parking is or can be met by the subject uses through shared parking. The parking demand study shall provide information and evidence about the anticipated parking demand at peak times during a day and the distance relationship between available shared parking spaces and the specific uses served. A shared parking agreement shall be executed and recorded prior to the issuance of a certificate of occupancy or prior to the issuance of a certificate of completion by the Building Safety Division. (S)

3. *Maximum Total Reductions.*

Total cumulative reductions to the minimum off-street parking requirements through application of this subsection shall not exceed twenty-five (25) percent. (S)

4.2. *Parking Lots and Structures.*

A. *Intent.*

To ensure a more pedestrian-oriented and pedestrian-friendly environment, off-street parking facilities, especially surface parking lots, must not dominate the street front, but should instead be sited, designed, and screened to be as unobtrusive as possible. Perimeter and interior landscaping shall be required for screening and/or to break up hard-surfaced parking lots and soften their edges.

B. *Remote Parking Allowed.*

The city may permit all or a portion of required off-street parking to be located off-site subject to the following standards:

1. *Location.*

Remote off-street parking spaces shall be located no farther than six hundred (600) feet away from the principal building they are intended to serve, as measured from the nearest point of the remote off-street parking facility to the nearest point of the building or structure served. (S)

2. *Zoning Classification.*

Remote parking areas shall be considered accessory to the principal use that the parking spaces are intended to serve. Parking areas shall require the same or a more intensive zoning classification than that required for the most intensive of the uses served by the remote parking area, provided that remote parking facilities may be located in any zoning district that allows commercial parking lots and garages. (S)

3. *Remote Parking Agreement.*

If a remote parking area is not under the same ownership as the principal use served, an executed and recorded written agreement among the owners of record shall be required. A remote parking agreement may be revoked by the parties to the agreement only if off-street parking is provided under this Section. (S)

C. *Surface Parking Lot Development and Design Standards.*

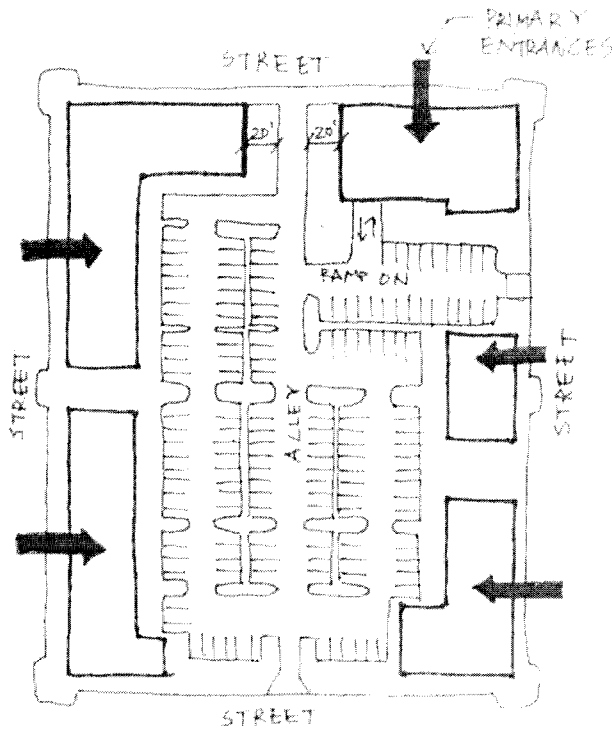


Figure 2: Location of Accessory Surface Parking Lots in the MU-R District.

The policy, standards, and guidelines for surface parking lots stated in Section 2.2.1 of the CDDSG shall apply in the MU-R and CC Districts, except for the minimum parking ratios stated therein. The off-street parking amount standards in Section 4.1.B. shall apply in the mixed use districts. In addition, the following standards and guidelines shall apply in the mixed-use zone districts:

1. *Location of Surface Parking Lots.*

On-site, off-street accessory surface parking lots shall be located to the side or to the rear of a building face that contains a primary building entrance. No on-site, off-street parking lots shall be located between a building's front facade and the adjacent street in the MU-R District. See **Figure 2**. Off-street parking may be permitted between the building's front façade and Highway 42 frontage, subject to parking lot landscape screening requirements for properties zoned CC. (S)

2. *Parking Lot Landscaping and Screening.*

See Section 7 for parking lot landscaping and screening requirements.

D. *Parking Structures and Parking Beneath Buildings.*

The policy, standards, and guidelines for parking structures and parking beneath buildings stated in Section 2.2.2 of the CDDSG shall apply in the MU-R and CC District, except for the standard stated therein regarding ground-level parking structure use and design (Standard 2.2.2.D.) Instead, the use and design of the ground floor of all above-ground parking structures, including a commuter parking structure, are subject to the following standards:

1. *Design of Entries/Access.*

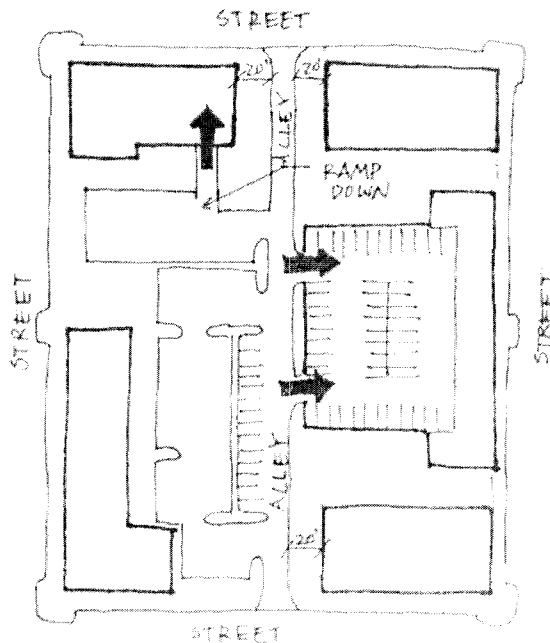


Figure 3: Parking Structure Access

Vehicle entries to off-street parking structures shall be internalized in building groupings or oriented away from the primary street frontage, to the maximum extent practicable. At a minimum, parking structures facilities shall have user vehicle access from alleys or from secondary streets at locations that do not conflict with pedestrian circulation. (S) See Figure 3.

2. *Ground Floor Parking Structure Use.*

The following standard shall apply to all parking structures, but not including parking structures used exclusively as parking for transit riders and commuters:

- a. When structured parking occupies the ground floor of a building or structure, the length of the street-facing wall for that portion of the building/structure containing the parking spaces shall not be credited toward compliance with the “Minimum % of Street-Facing Property Front Lot Line that Must Contain a Building or Building Wall” standard stated in Section 17.14.060.B (Table 3: Mixed Use Zoning Districts Dimensional and Bulk Standards). (S)
- b. In order to maintain an active and attractive street presence, when a parking structure provides commercial or accessory parking, or is integrated into a building containing principal permitted uses, commercial or other nonresidential use of the ground-floor street frontage is strongly encouraged. (G)

3. *Ground Floor Parking Structure Design.*

In order to maintain an active, attractive, and safe street presence for pedestrians, when a parking structure provides parking on the ground floor, and the ground floor does not contain ground-floor commercial or other nonresidential “active” uses the ground-level façade of the parking structure (at least the first 12 vertical feet of the structure) shall include at least two (2) of the following design features:



- a. Facade articulation and modulation through changes in vertical wall plane and/or a change in building material;
- b. Use of real windows with glazing that may be translucent, but shall not include black or mirrored glass or similar opaque glazing;
- c. Use of false windows defined by frames, lintels, or sills;
- d. Integration of multiple building entrances;
- e. Buffering of the street edge with landscaping, berms, or landscaped built-in or movable planters; or
- f. Similar architectural detailing consistent with the intent to maintain an attractive and safe streetscape for pedestrians. (S)

See Figure 4.

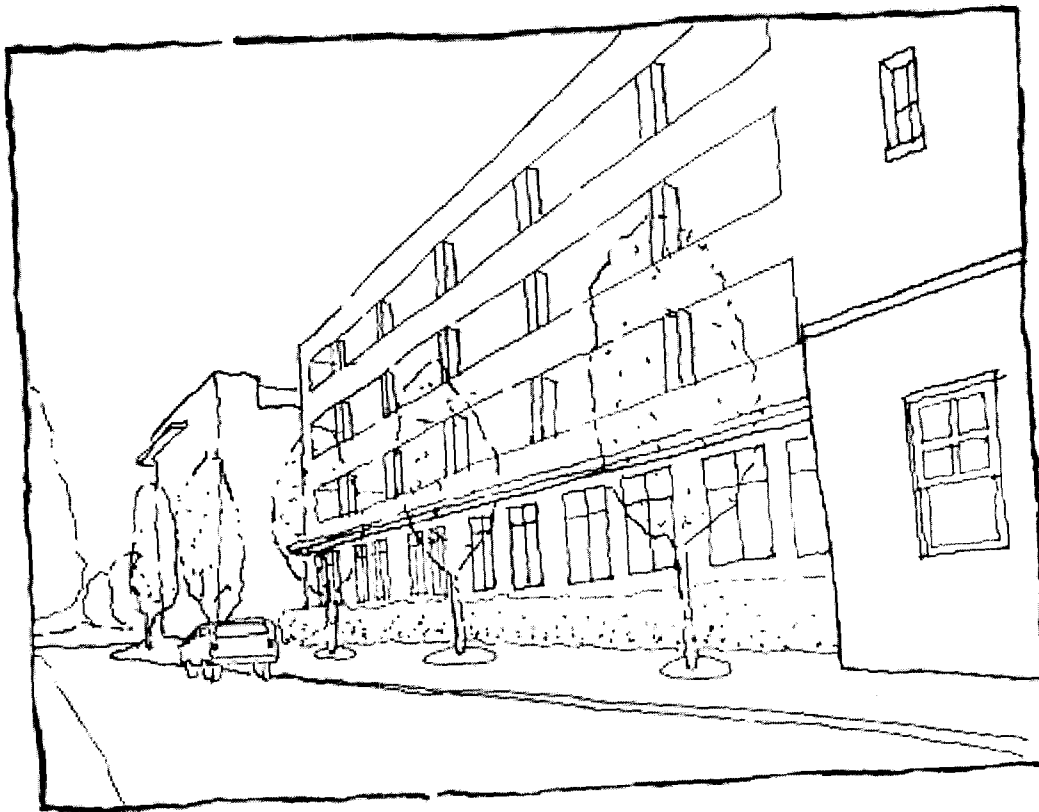


Figure 4: Example of Ground Floor Parking Structure Design

4. Motorcycle Parking.

The policy, standards, and guidelines for motorcycle parking stated in Section 2.2.4 of the CDDSG shall apply in the MU-R and CC Districts.

4.3. Off-Street Loading.



A minimum of one (1) dedicated, off-street loading space is required for nonresidential uses greater than 50,000 square feet in gross leasable area and for multi-family residential uses containing more than fifteen (15) units. All other uses should have adequate alleys, private drives, or on-street parking spaces available for intermittent loading/delivery needs. If the city determines, based on experience with similar uses, that a particular use typically has a demonstrated need for a dedicated loading area, the city may require the applicant to make provision for an off-street loading area on-site. (S)

5. Pedestrian and Bicycle Circulation.

5.1. General Connectivity Standards.

All new development shall provide pedestrian and bicycle systems that provide continuous connections with off-site destinations according to the following standards:

- A. Provide well-identified and differentiated bicycle and pedestrian access from the development site. Access shall be provided to existing and designated public bike paths or greenways located on or adjacent to the development site. (S)
- B. On-site connections shall be made at points necessary to provide direct pedestrian and bicycle travel from within the development to residential areas and to major pedestrian destinations located within the adjacent neighborhood(s), including, but not limited to adjacent parks, schools, and the Louisville Downtown area. In order to provide direct pedestrian connections to these adjacent destinations, the city may require additional sidewalks, walkways, or bike paths not associated with a street, or the extension of a sidewalk from the end of a dead-end street to another street or walkway. (S)
- C. Connections from a perimeter public sidewalk system to the on-site sidewalks and walkways shall be made at the same block length intervals as exists within the development site. (S)
- D. Separate pedestrian and vehicle movement to the extent practical with the use of landscaping, barriers or other appropriate design solutions recommended in Section 3.3 of the CDDSG.

5.2. Internal Pedestrian Circulation and Connections.

All new development shall provide and contribute to an on-site system of pedestrian walkways and/or public sidewalks throughout the district. The on-site pedestrian circulation system shall provide the most efficient access routes between intended points of travel. Specifically, on-site pedestrian connections shall be provided to and between the following points:

- A. The primary entrance or entrances to each building housing a principal use;
- B. Existing or planned transit stations, shelters, and park and ride locations;
- C. Any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the development site;
- D. Any public sidewalk system along the perimeter streets adjacent to the development site; and
- E. On-site amenities, as provided according to Section 6.3.
- F. On-site and remote surface parking lots. (S)

5.3. On-Site Pedestrian Walkway Design Standards.

In the MU-R and CC Districts, all on-site pedestrian walkways shall maintain a minimum unobstructed pathway of five (5) feet at all times. (S) **See Figure 5.**

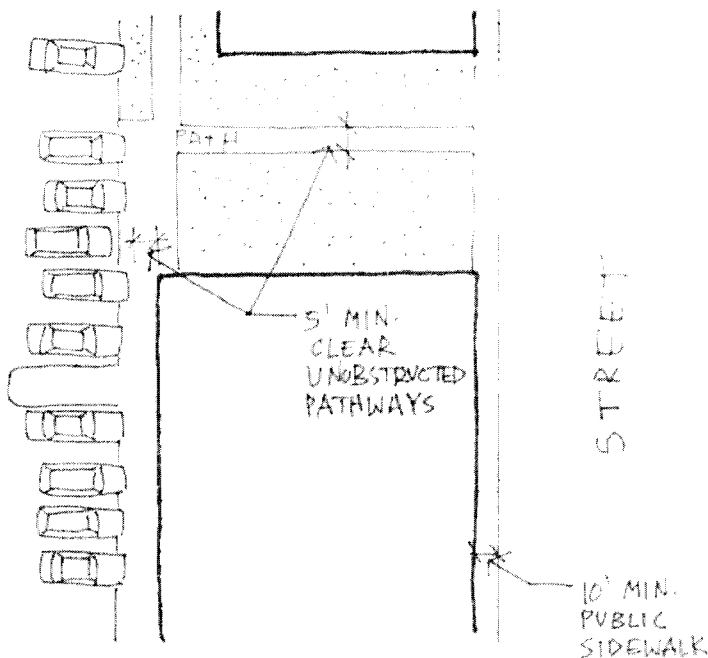


Figure 5: 5-Foot Unobstructed On-Site Pedestrian Pathways

5.4. Public Sidewalk Design Standards.

A. Sidewalks provided within a public street right-of-way shall comply with the City of Louisville public street standards and the standards stated in this subsection. In the case of conflict between the city’s public street standards and this subsection’s public sidewalk standards, the public sidewalk standards in this Section shall apply and control. (S)

B. In the MU-R and CC Districts, all public sidewalks shall be a minimum of ten (10) feet wide incorporating tree planting within the right-of-way. The right-of-way shall be landscaped with street trees and other living plant material or, as an alternative, tree grates for street trees combined with decorative paving and/or moveable planters may be utilized. (S)

1. Provide a minimum of one (1) tree per twenty (20) lineal feet of public and private street frontage. (S)
2. Place annual and perennial planting areas at project entries. (G)
3. Trees shall be irrigated from subsurface irrigation. (S)

5.5. Bicycle Parking Standards.

A. Functional and convenient bike parking shall be provided in adequate numbers for both customers and employees.

1. Provide one (1) bicycle parking space for every ten (10) required off-street automobile parking spaces up to a total of twenty (20) bicycle parking spaces. (S)
2. Providing protection from the elements for bicycle parking is encouraged. (G)



- 3. Coordinate the design of the bicycle shelter with adjacent buildings or other street furniture designs. (G)
- 4. Do not position bicycle racks or shelters where they will obstruct building entrances or the flow of pedestrian traffic. (S)

6. Open Space and On-Site Amenities.

6.1. Intent.

An attractive public realm is a fundamental ingredient in the success of a mixed use development. Open air and semi-enclosed public gathering spaces can act as central organizing elements in a mixed use district. They can also help to shape the relationship between different uses and provide focal points and anchors for pedestrian activity. On-site amenities can create a strong image and unique character for a mixed use development, making it a special place for the community, instead of just a project.

This subsection is intended to create on-site amenities and features, such as outdoor plazas, parks, and public art. Such amenities and features provide desirable open space, create an inviting image for customers, visitors, and employees, enhance the pedestrian environment and streetscape in a zone district, offer attractive spaces for people to gather, interact, rest, shop, and eat, and contribute to the character of the city.

6.2. Applicability.

This section shall apply to all commercial and mixed-use development in the MU-R and CC Zone districts.

6.3. Provision of On-Site Amenities.

A. Pedestrian amenities should be incorporated into both overall and individual site development plans.

- 1. Furnish spaces with pedestrian amenities such as benches, landscaping, fountains and play areas. These outdoor spaces should be 'functional' and accessible for a substantial part of the year. (S)
- 2. Delineate areas of pedestrian activity with accent paving, landscaping, lighting and furnishings. (S)
- 3. All common amenities within commercial developments shall be owned and maintained by the developer or by an organization established for such purpose. (S)

B. In addition, development on sites smaller than one (1) acre shall incorporate at least one (1) of the following on-site amenities or features, and developments on sites one (1) acre or larger shall incorporate at least two (2) of the following on-site amenities or features, as highly-visible, easily-accessible, focal points or gathering places for residents, employees, or other visitors to the development site: (S)

- 1. Patio or plaza with seating area, provided such patio or plaza has a minimum depth and width of ten (10) feet, and a minimum total area of one hundred fifty (150) square feet.
- 2. For outdoor patios or plazas, asphalt is prohibited as a paver; use of decorative pavers or textured, colored concrete is required.
- 3. Patios and plazas shall include pedestrian amenities intended to support these places as gathering areas. Amenities may include, but are not limited to, seating, lighting, special paving, planting, food and flower vendors, artwork, and/or special recreational features.



4. Landscaped mini-parks, squares, or greens, provided such park or green has a minimum depth and width of ten (10) feet and a minimum total area of two hundred fifty (250) square feet. Such parks, squares, or greens shall include pedestrian amenities intended to support these places as gathering areas. Amenities may include, but are not limited to, seating, lighting, additional landscaping and plantings, food and flower vendors, artwork, and/or special recreational features.

5. Protected pedestrian walkways; arcades; recessed corner entries with a minimum area of 100 square feet; or easily identifiable building pass-throughs containing window displays and intended for general public access.

6. Water feature, such as a pond or fountain, provided the feature is easily accessed by pedestrians and includes or integrates seating areas for pedestrians.

- 7. Outdoor public art, as approved by the city, in an area that is:
 - a. Visible from an adjacent public sidewalk or street, and
 - b. Easily accessed for viewing by pedestrians (e.g., a sculpture mounted to an exterior building wall).

8. Any other, well-designed area and/or focal feature that, in the city's judgment, is consistent with the intent of this section, and adequately enhances such development and serves as a gathering place for visitors, customers, and employees. (S)

C. On-site amenities provided according to this Section 6.3 may be located on the interior of the development site, and need not be accessible or visible to the general public, unless a provision in Section 6.3.B expressly states otherwise. (G)

D. Credit for one (1) on-site amenity otherwise required in Section 6.3.B. may be taken for any park dedicated to the City by the developer located within one hundred (100) feet of the development site's boundary. (G)

6.4. *Buildings Adjacent to Outdoor Amenities.*

Providing good public visibility of outdoor amenities is intended to encourage pedestrian use of on-site outdoor amenities, while at the same time enhancing the security of such places. Accordingly, when a building will be adjacent to a pedestrian plaza, patio, or park provided under this subsection, the building wall facing such outdoor amenity shall contain at least one (1) of the following elements: (S)

- A. A building entry;
- B. Windows facing onto the outdoor amenity;
- C. Arcades along the edges of the outdoor amenity;
- D. Outdoor seating areas or cafes; or
- E. A similar feature that the city finds will, to at least the equivalent degree, bolster security and encourages pedestrian use of the outdoor amenity.

6.5. *Maintenance.*

The property owner shall be responsible for the continued maintenance and repair of all on-site amenities provided according to this subsection. (S)



7. Landscaping and Buffers.

7.1. Perimeter Landscaping Adjacent to Public and Private Roads.

A. Applicability in the MU-R and CC Districts.

The perimeter landscaping standards and guidelines shall apply only to parcels adjacent to Highway 42 and South Boulder Road as set forth in Section 7.2.

B. Applicability of Parking Lot Buffer Provisions.

In the MU-R and CC Districts, the perimeter of all surface parking lots adjacent to a public plaza, park, or public or private street (including alleys) shall be screened from view. Visual buffering shall be incorporated by the provision of planting strips between public right-of-way and edge of the parking lot pavement. The following parking lot buffer standards and guidelines shall apply:

1. The buffer area shall be installed between the parking lot edge and the back of the public sidewalk or right-of-way, and shall have a minimum five (5) foot width. (S)
2. As applicable, screening materials shall be installed to align with the adjacent front building lines to continue the prevailing street wall on a block face. (S)
3. Raised planters and masonry screen walls may be incorporated to provide parking lot screening. (G) Bermed turf areas shall be avoided due to their tendency to waste irrigation water. (S)
4. The minimum width of a buffer area may be reduced from five (5) feet to three (3) feet when used to screen a parking lot. A three (3) foot wide buffer area shall incorporate an ornamental fence or masonry wall. Permitted fence and wall materials shall be limited to brick, stone, and other masonry materials, and to decorative metals (e.g., wrought iron). Use of an ornamental fence or wall shall be combined with live landscaping material such as flowering and evergreen shrubs, grasses, vines, and ground cover. The maximum height of a fence or wall shall be no taller than three (3) feet when used to screen the parking lot. All landscaping material shall be installed on the outside of the screening wall (closest to the sidewalk). (S)

7.2. Highway 42 and South Boulder Road Buffer Area.

The required landscaped buffer is intended to convey a uniform and high-quality image of the CC District to persons traveling and using Highway 42 and South Boulder Road, and to screen from public view conditions such as parking or ground-mounted utilities or equipment that might adversely affect the district's image.

A. On all properties adjacent to Highway 42 and South Boulder Road within the CC District, a minimum ten (10) foot wide landscaped buffer shall be provided adjacent to the Highway 42 or South Boulder Road right-of-ways. (S)

B. The buffer area shall be landscaped with a combination of deciduous and evergreen trees, shrubs, and ground covering.

1. Provide a minimum of one (1) tree per 40 lineal feet of public street frontage within ten (10) feet outside the sidewalk, internal to the development. (S)
2. Provide a minimum of one (1) shrub per five (5) lineal feet plus ground cover or turf outside the sidewalk, internal to the development. Turf should be limited in this area and when use should be planned in a manner that can be efficiently irrigated. Low water using species should be chosen, providing a green appearance. (S)



3. Landscaping within public easements is limited to shrubs, ground covers, and small ornamental trees. No canopy/shade trees may be planted within such easements. (S)

7.3. *Parking Lot Landscaping.*

A. *Intent.*

These standards are intended to encourage landscaped surface parking lots, including the planting of trees, that will improve the aesthetics of a development site by breaking up expanses of paved areas; will reduce the significant solar heat gain (“urban heat island effect”) from parked automobiles and paved parking areas; and will provide a more pedestrian-friendly environment.

B. *Interior and Perimeter Parking Lot Landscaping.*

The policies, standards, and guidelines for parking lot landscaping shall apply in the MU-R and CC Zone Districts.

1. *Perimeter Landscaping.*

Except for the parking lot buffer required by subsection 7.1.B. above, perimeter parking lot landscaping is not required in the MU-R District.

2. *Interior Parking Lot Landscaping.*

a. *Applicability.*

The parking lot interior landscaping requirements shall apply to all new off-street surface parking lots with more than five (5) parking spaces and to existing lots that are expanded by more than twenty-five percent (25%) of existing spaces.

b. *Minimum Standards.*

i. Parking lots with six (6) to one hundred (100) spaces shall have 5% of the total interior area landscaped. (S)

ii. Utilize landscaped islands and medians to improve the definition of circulation patterns, provide shading for paved areas and break up continuous rows of parking. (S)

iii. No landscaped area within a parking lot shall be less than one hundred (100) square feet. (S)

iv. Surface parking lots with more than one hundred (100) spaces shall have 10% of the interior area landscaped. (S)

C. *Parking Lot Buffer Credit.*

Surface parking lot buffer landscaping in excess of the dimensions required in subsection 7.1.B. may be credited towards meeting the interior landscaping standards. (G)

D. *Spacing of Internal Landscape Islands.*

Internal planting islands shall be spaced no farther than fifteen (15) parking spaces apart. (S)

E. *Spacing of Required Trees.*

One (1) tree shall be provided for every 300 square feet of internal landscaped area. (S)

F. *Landscaping Used to Break Up Large Parking Lots.*



Surface parking lots with more than 50 spaces shall be broken up into blocks of no more than 25 spaces. Each block shall be separated from other parking blocks by a landscaped area that is at least six (6) feet wide, by a pedestrian walkway or sidewalk within a landscaped median with a minimum width of ten (10) feet, or by a low decorative fence or wall with a maximum height of four (4) feet bordered by landscaping on at least one side. (S)

7.4. *Building Site Landscaping.*

A. *Intent.*

Landscaping at the individual building site scale is intended to provide respites from the overall higher densities and intensities of development encouraged in the MU-R and CC Zone Districts, and to provide public and community gathering places.

B. *Applicable Standards.*

The policy, standards, and guidelines for building site landscaping shall apply in the MU-R and CC Zone Districts.

1. *Minimum Landscape Area.*

a. The minimum landscape area required within each building site shall be ten (10) percent in the MU-R District, and twenty (20) percent in the CC Zone District including hardscaped plazas, outdoor seating/serving areas, walkways within on-site open space areas, and other similar hardscaped on-site amenities. (S)

b. Hardscaped elements such as those listed in this provision shall account for no more than two-thirds of the minimum landscape area requirement. (S)

c. In a development proposal including multiple building sites, the percent area required for each building site may be transferred between individual building sites, provided the aggregated landscape area enhances the connection to transit facilities or provides a more centralized landscaped area(s) convenient to the development's residents, employees, and visitors, enhances the pedestrian environment, and creates a publicly accessible space. (S)

d. Protect landscaping from vehicular and pedestrian encroachments with raised planting surfaces, depressed walks, and /or curbs. (S)

e. Landscaping within public easements is limited to shrubs, ground covers, and small ornamental trees. No canopy/shade trees may be planted within such easements. (S)

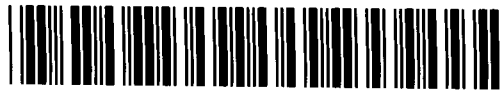
7.5. *Landscape Irrigation/Water Conservation.*

The policy, standards, and guidelines for landscape irrigation/water conservation stated in Section 5.5 of the CDDSG shall apply in the MU-R and CC Zone Districts. Xeriscape concepts shall be incorporated into landscape design without compromising the intent to establish significant visual amenities through landscaping.

A. *Applicable Standards.*

1. Incorporate a 'zoned planting scheme' to reduce water demand by grouping similar varieties of plants that are drought and disease tolerant. (S)

2. For all irrigated areas, potential runoff should be avoided through the proper selection of irrigation devices. (S)



7.6. *Landscape Materials Standards, Maintenance, and Replacement.*

The policy, standards, and guidelines for landscape standards and plant material selection, for planting size standards, and landscape maintenance and replacement stated in Section 5.6 through Section 5.8 of the CDDSG shall apply in the MU-R and CC Zone Districts.

7.7. *Existing Vegetation.*

The policy, standards, and guidelines for preserving existing vegetation stated in Section 5.9 of the CDDSG shall apply in the MU-R and CC Zone Districts.

8. Residential Protection and Transitional Standards.

8.1. *Intent.*

This section is intended to ensure that site planning and building design of new development in the MU-R and the CC Zone Districts mitigate to the maximum extent possible any potential adverse visual or operational impacts on adjacent residentially zoned properties in adjacent neighborhoods.

8.2. *Applicability.*

This section's standards are applicable to development or redevelopment in a MU-R or CC zone district as a more intensive use adjacent to an existing, less-intense residential use located in an R-L or R-M Residential Zone District. For purpose of this Section, "adjacent" shall include properties separated only by a local or collector street.

8.3. *Building Setback and Height Transitions Required.*

A. *MU Development Across a Street from Residential Zone District (Front Transition).*

When new development in a MU-R or CC Zone District is separated from an existing residential use in an R-L or R-M District by a local or collector street, the following transition standards shall apply:

1. *Required Building Setbacks.*

All buildings and structures on the MU-R, or CC zoned property shall be setback from the street-facing property line at least ten (10) feet. The maximum building setback applicable in the zone district, as stated in Section 17.14.060 of the Zoning Ordinance, shall apply. (S) **See Figure 6.**

2. *Transition Building Heights Required.*

Within fifty (50) feet from the edge of the street right-of-way, the average height of a building shall not exceed thirty-five (35) feet. (S) **See Figures 6 and 7.**

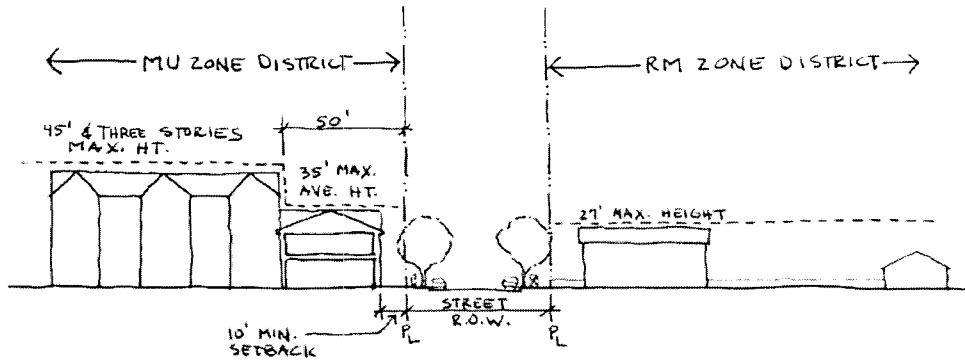


Figure 6: Transition to RM Zone District Across a Street

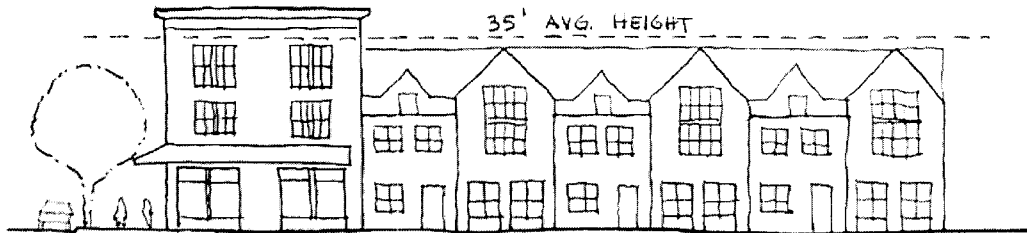


Figure 7: Example of 35 Feet Average Height



B. Development Abutting Residential Zone District or Separated by Alley (Rear or Side Transition).

When new development in a MU-R or CC Zone District is separated from an existing residential use in an R-L or R-M District by only an alley, or abuts the rear or side property line of the protected residential use, the following transition standards shall apply:

1. Required Building Setbacks.

All buildings and structures on the MU-R or CC zoned property shall be setback a minimum of fifteen (15) feet from the rear property line of the R-L or R-M residential use. If the MU-R or CC zoned property abuts the residential use's side yard or property line (rather than its rear yard), the minimum setback for a building or structure on the MU-R zoned property shall be five (5) feet. The maximum building setback applicable in the zone district, as stated in Section 17.14.060 of the Zoning Ordinance, shall apply. (S) See Figure 8.

2. Transition Building Heights Required.

Within fifty (50) feet from the alley centerline, or from the rear or side property line of the protected residential use, the maximum height of a building shall not exceed twenty-seven (27) feet. (S) See Figure 8.

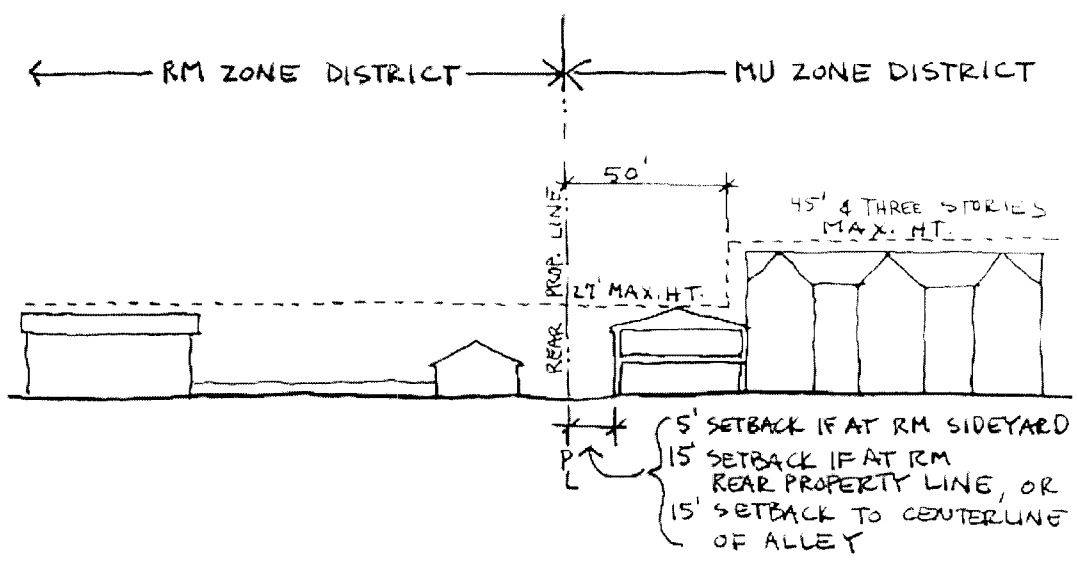


Figure 8: Transition to RM District Across Rear Alley or Rear/Side Property Line



8.4. *Conditions for Operational Compatibility.*

The city may impose conditions upon the approval of rezonings, PUD development plans, site plans, special review uses, and other development actions to ensure that development in a mixed use zone district will be compatible with existing and planned neighborhoods and uses, including but not limited to conditions on the following:

- A. As a condition of rezoning approval only, the availability or ability to develop specific uses otherwise allowed by Chapter 17.14;
- B. Hours of operation;
- C. Hours of deliveries and other similar activities;
- D. Location, intensity, and hours of operation of exterior lighting, including security lighting;
- E. Placement of trash receptacles;
- F. Amplification of music in a commercial place of entertainment;
- G. Location of delivery and loading zones;
- H. Placement and illumination of outdoor activity areas and equipment, including outdoor vending machines;
- I. Venting of nuisance fumes and vapors from non-residential uses;
- J. Illumination of signage and, or architectural building features.

9. **Architectural and Building Design.**

9.1. *Intent.*

The architectural and building design standards and guidelines of this section are intended to promote high-quality building, streetscape, and open area design and construction that will give the MU-R and CC Zone Districts an identifiable character and unique physical image.

More specifically, to create the appearance of development that occurred over a period of time, architectural features of new developments, including rooflines, materials, colors, door and window patterns, and decorative elements, should vary in form and style. Especially important is the ground-floor design of buildings and its interaction with adjacent public streets, sidewalks, and open spaces. The ground-floor is the portion of a building that, if designed well, can create high-quality visual interest and a human scale that pedestrians find comforting, inviting, and safe. Key elements that contribute to such a pedestrian environment include first-floor openings (doors and windows), emphasized customer user entrances, materials, targeted landscaping, and continuity of the front building line along a block (to heighten the sense of "enclosure").

9.2. *Applicability.*

The architectural and building design standards and guidelines in this subsection shall apply to all new development in the MU-R and CC Zone Districts. Development of residential uses in the MU-R District shall also comply with the residential site and building design standards in subsection 10 that follows.

9.3. *Building Massing, Forms, Prominent Entries, and Pedestrian Scale.*

The policy, standards, and guidelines for building massing, forms, and pedestrian scale shall apply in the MU-R and CC Zone Districts.



A. *General Standards and Guidelines.*

1. Variations in façade elements should be incorporated to reduce perceived scale and mass. (S)
2. Variations in color and/or texture shall be used. (S)
3. Step downs and step backs shall follow the terrain and be tiered and reinforced by landscape or hardscape elements. (S)
4. Variation in roof forms and height of roof elements should be used. (G)

B. *Ground Floor Façade Design—Doors and Windows.*

The following standards shall apply to the facades of all buildings in the MU-R District.

1. *Amount of Openings Required—Ground Floor Facades.*

In the MU-R Zone District, a minimum of thirty-five (35) percent of the total wall area of each street-facing ground floor building façade shall be comprised of pedestrian entrances (doors), windows, and/or vehicle entry drives. The thirty-five (35) percent shall be measured using elevation views of the building plan, and “ground floor” shall be measured from floor plate to floor plate. In the CC Zone District, the minimum shall be twenty (20) percent. (S)

2. *Minimum Glazing Requirements.*

a. *Nonresidential Uses on Ground Floor.*

Glazing on all ground floor windows shall be transparent. (S)

C. *Building Entries and Doorways.*

The standards, and guidelines for building entrances shall apply in the MU-R and the CC Zone Districts.

1. *Placement of Entries.*

- a. Locate main entrances to be clearly identifiable from the adjoining road or drive. (S)
- b. Design building entrances to contrast with the surrounding wall plane. (S)
- c. Design primary entrances to be accessible to handicapped users without complex ramp systems. (S)

2. *Entry Emphasis Required.*

All building entrances shall be emphasized through incorporation of a building recess, projection, canopy, or similar design element. (S)

3. *Primary Entry Emphasis.*

- a. The primary entry should be recessed through the incorporation of a building recess or projection, or similar design element. (G)
- b. Corner buildings should provide a prominent corner entrance to street level commercial retail uses or common residential or office lobby space in a manner consistent with primary entries, as described in Section C.1.a. As applicable, corner building entries should be anchored at the sidewalk edge and beveled, recessed, and/or sheltered by a covered arcade structure, canopy, or awning to provide an area for retail displays. Recessed entries should be illuminated. (G)



D. Equal Treatment of Visible Building Facades.

All sides of a building or structure that face a public street, other than an alley, or that are visible from any commuter rail line, shall be finished with the same mix of primary building materials and the same degree of articulation that is used on the building's primary façade. (S)

9.4. Roof Forms and Materials.

The policy, standards, and guidelines for roof forms and materials stated in Section 4.4 of the CDDSG shall apply in the MU-R and CC Zone Districts.

9.5. Building Materials and Colors.

Exterior materials and colors should be of a high quality and compatible with materials and colors of nearby structures. The following standards and guidelines shall apply:

A. All sides of building visible to the public from a street, park, public open space, or other public right-of-way shall be finished to an equivalent quality with the primary façade. (S)

B. Large, blank, featureless walls are not allowed. (S)

C. Use materials manufactured in units and measurable in human proportions such as brick, tile and modular stone. Other appropriate materials include: stucco, wood, metal accents, glass and decorative tiles. (S) Painted block or concrete is not an acceptable building material. (S)

9.6. Service Entrances and Loading Areas.

The policy, standards, and guidelines for service entrances and loading areas shall apply in the MU-R and CC Zone Districts.

A. General Standards and Guidelines.

1. Orient service entrances, loading docks, dumpster enclosures, and other similar uses away from local, collector, and arterial roadways. (S)
2. All dumpster and service enclosures shall be fully screened by masonry wall construction using building materials consistent with materials as employed elsewhere on the building or site. (S)
3. Coordinate the location of service areas with adjacent development, so that shared service drives may be feasible. (G)

B. Provision of Recycling Centers.

All new and significantly remodeled structures where refuse is generated by the use for the structure shall provide adequate space for the collection and storage of refuse and recyclable materials per Section 17.16.265 of the Louisville Municipal Code.



9.7. *Energy Conservation Measures.*

New development should evaluate increased opportunities to implement resource conservation and sustainable building practices. Local climate conditions afford the opportunity to incorporate passive and/or active solar energy applications. Buildings should be designed and sited to maximize the use of solar gain.

The policy, standards, and guidelines for energy conservation measures shall apply in the MU-R and CC Zone Districts.

A. Builders and contractors are encouraged to be members of a national green program which promote construction practices and products and materials which improve energy efficiency, and conservation of resources. (G)

B. The following energy design concepts are encouraged but not limited to: (G)

1. Types of materials and insulation characteristics.
2. The arrangement of windows and doors.
3. Direct solar or photovoltaic energy.
4. Daylighting concepts.
5. Recycling of construction materials.
6. Water conservation.
7. The provision of a sustainable roof.
8. Providing an on-premise shower facilities for bicycle commuters.
9. Use of recycled building products

10. Multi-Family Residential Site and Building Design.

All development of buildings that are predominantly multi-family in terms of gross square footage or that provide garages serving multi-family units shall comply with this section's standards and guidelines, as applicable.

10.1. *Siting of Accessory Parking Lots and Structures.*

A. *Intent.*

These siting standards for accessory parking lots and structures (private parking garages or carports) are intended to reduce the visual prominence of the garage and open parking lots along multi-family streetscapes and common areas; to encourage a more varied multi-family streetscape through the use of a variety of garage orientations and types; and to emphasize the prominence of primary pedestrian and vehicular entrances, open spaces, and residential units along multi-family streetscapes and common areas.

B. *Applicability.*

The following standards shall apply to development of new multi-family dwellings in the MU-R District.

C. *Residential Alleys Encouraged.*

Private garages, carports, and parking lots accessory to a principal multi-family residential dwelling use should be accessed from a street or alley other than the primary abutting access street. (G)



D. Multi-Family Dwellings Other than Attached Townhomes.

The following standards and guidelines shall apply to development of new predominantly multi-family dwellings in the MU-R District, except that new multi-family townhome dwellings shall comply with the following standards.

1. To the maximum extent feasible, garage entries, carports, parking lots, and parking structures shall be internalized in building groupings or located away from street frontages. (S)
2. When access to parking lots, carports, or common garages is **not** from an alley, the following limitations shall apply. *See also* the limitation on garage parking wall that may occupy a street-facing property line stated in Section 17.14.060 (Dimensional and Bulk Standards) of the Zoning Ordinance.
 - a. Carports and garages shall be limited to sixty-five (65) feet in length. (S)
 - b. Parking lots and freestanding parking structures (detached garages or carports) shall not occupy more than thirty percent (30%) of each perimeter public street frontage. (S)
 - c. To the maximum extent practicable, freestanding parking structures (detached garages or carports) that are visible from perimeter public streets shall be sited perpendicular to the perimeter street in order to reduce visual impacts on the streetscape. (S)
 - d. Garage doors of attached garages shall not comprise more than thirty-three percent (33%) of the total length of a multi-family building's front façade, and the plane of a garage door shall be offset by at least four (4) feet from the plane of an adjacent garage door. (S)
 - e. Rear walls of detached garages over forty (40) feet in length that back onto the perimeter street shall be articulated or punctuated through the use of two or more of the following options:
 - i. Six (6) or more window openings defined by frames, sills and lintels;
 - ii. Three (3) one-hundred (100) square feet trellis structures spaced along the rear wall, planted with an approved vine or creeping plant to cover the trellis structure at maturity;
 - iii. Change in wall plane of at least six (6) inches every ten (10) feet;
 - iv. Vertical change in material or masonry pattern; or
 - v. One (1) roof dormer for each ten (10) feet of length. (S)
 - f. Detached garages and carports shall incorporate compatible materials, scale, colors, architectural details, and roof slopes similar to those of the primary multi-family buildings. (S)



E. Parking Lot/ Structure Design for Townhome Dwelling Developments.

The following standards and guidelines shall apply to development of new townhome dwellings. For purposes of this provision, a “townhome dwelling” is defined as a residential multi-family dwelling containing two (2) or more dwelling units attached by common vertical walls, with each dwelling unit located on its own legal lot.

1. *Access Requirements.*

Residential garages accessed from the public street adjoining the front lot line (“front-loading garages”) are allowed only when access from an adjoining side street or rear alley to a garage is not feasible. (S)

2. *Front-Loading Garages.*

Front-loading garages that protrude towards the street in front of the primary façade of the principal structure are prohibited. Garage doors on all front-loading (street-oriented) garages shall be either:

a. Recessed a minimum of four (4) feet behind the front façade of the dwelling portion of the structure (including side-loading garages), or a front porch that is at minimum of five (5) feet wide by eight feet long; or

b. Recessed a minimum of two (2) feet beneath a second floor bay. (S)

3. *Side-Loading Garages.*

Side-loaded garages shall provide windows or other architectural details that mimic the features of the living portion of the dwelling on the side of the garage facing the front street. (S)

4. Front-loading (street-oriented) garage doors shall not comprise more than 45% of the front façade of the principal dwelling structure. (S)

10.2. *Multi-Family Building Design.*

A. *Intent.*

These building design standards and guidelines are intended to improve the appearance of multi-family developments through the incorporation of architectural detailing, façade articulation, and other features designed to provide a more distinct character and human scale for multi-family buildings of all sizes.

B. *Applicability and Conflicting Regulations.*

The building design standards in this subsection shall apply to all new multi-family development in the MU-R District. In case of conflict between a specific multi-family building design standard in this subsection and a more general architectural and building design standard stated in Section 9 of this manual, the more specific multi-family standard in this subsection shall apply.



C. *Building Design Standards.*

1. All sides of a multi-family building visible from a public right-of-way (not including an alley) shall display a similar level of quality and architectural detailing. The majority of a building’s architectural features and treatments shall not be restricted to a single façade. Building details, including roof forms, windows, doors, trim, and siding materials, shall reflect the architectural style of the building. (S)
2. The maximum length of any multi-family building shall be 200 feet. (S)
3. The facades of all multi-family buildings shall be articulated through the incorporation of two (2) or more of the following:
 - a. Balconies,
 - b. Bay or box windows,
 - c. Insets or other relief in the wall plane,
 - d. Porches,
 - e. Dormers,
 - f. Variations in materials; or
 - g. Variations in roof forms. (S)
4. Horizontal variations in materials along the façade of a multi-family building shall occur in conjunction with a change in wall plane, preferably at the inside corner of a wall. (S)

10.3. *Architectural Variety.*

A. *Intent.*

The architectural variety standards and guidelines in this subsection are intended to ensure that individual groupings of multi-family buildings within a larger development exhibit a distinct variation in size and mass that allows them to be easily distinguished from surrounding building groupings. The standards are specifically intended to avoid the bleak, “barracks-type” appearance associated with large concentrations of identical or very similar structures.

B. *Design Standards.*

1. *Apartments.*

- a. Apartment developments shall incorporate a variety of distinct exterior building designs according to the scale of the development, as follows: (S)
 - i. 3-10 buildings: 2 models minimum;
 - ii. 11-20 buildings: 3 models minimum;
 - iii. 21 or more buildings: 1 model for every 6 buildings minimum.
- b. Distinct building designs, as required above, shall be easily distinguished through a minimum of three (3) of the following: (S)
 - i. A variation in length of 30% or more;
 - ii. A variation in the footprint of the building of 30% or more;
 - iii. A distinct variation in color and use of materials;



iv. A variation in the type of dwelling unit contained in the building that results in a significantly different scale and mass, e.g., apartments vs. attached townhomes; or

v. A distinct variation in building height and roof form.

c. Apartment buildings shall provide concentrated unit access points. Monotonous access balconies and corridors running the length of the exterior of a building are prohibited. (S)

2. *Townhomes.*

Within each townhome row or cluster of more than ten (10) attached units, individual units shall be differentiated through two (2) or more of the following methods: (S)

a. Use of distinct variations in materials between individual units;

b. Use of distinct variations in architectural style or features, such as a porch or similar feature, between individual units;

c. Use of distinct variations in roof form,

d. Variation in garage orientations; or

e. A variation in the plane of the front façade to provide a minimum three-foot variation between individual units.

11. Site Furniture and Features.

The policy, standards, and guidelines for site furniture and features stated in Section 5.10 of the CDDSG shall apply in the MU-R and CC Zone Districts.

12. Screen Walls and Fences.

The policy, standards, and guidelines for screen walls and fences stated in Section 6 of the CDDSG shall apply in the MU-R and CC Zone Districts, except as varied by the following provisions:

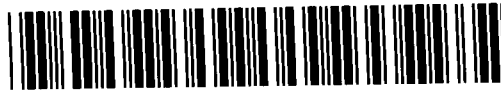
12.1. *Retaining Walls.*

Use of retaining walls is encouraged to reduce the steepness of man-made slopes and to provide planting pockets conducive to vegetation. Retaining walls shall comply with the following standards:

A. Retaining walls shall not exceed three (3) feet in height from the finished grade. (S)

B. Terracing shall be limited to three (3) tiers, except that the city may approve more than three (3) tiers when a greater number of tiers will result in less land disturbance and less steep man-made slopes. The width of any terrace between any two retaining walls shall be a minimum of four (4) feet with a maximum slope of 3:1. Terraces created between retaining walls shall be permanently landscaped or revegetated. (S)

C. Retaining walls shall be constructed from durable materials such as stone, brick or metal with dark finishes (wrought iron or similar), or a combination of these materials. Wood is not an acceptable material for retaining walls. Concrete walls are permitted if faced with masonry or stone or earth-colored materials similar to the surrounding natural landscape. (S)



13. Sign Design.

The policy, standards, and guidelines for sign design stated in Section 7 of the CDDSG shall apply in the MU-R and CC Zone Districts only to signage placed on a building fronting an arterial street or in a yard or setback adjacent to an arterial street. All other signage in the MU-R District shall comply with the sign standards applicable in the Louisville Downtown Area, as stated in the Design Handbook for Downtown Louisville.

14. Exterior Site Lighting.

The policy, standards, and guidelines for exterior site lighting stated in Section 8 of the CDDSG shall apply in the MU-R and CC Zone Districts.