

3. All Other Design Standards

All other development and design standards applicable to new development in the underlying Zone District may be modified.

9.4.3.4 Conservation Overlay Districts Established

The following conservation overlay Zone Districts are established:

CONSERVATION OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Hilltop Heritage Conservation Overlay District	CO-1
Curtis Park Conservation Overlay District	CO-2
<u>Scottish Village Conservation Overlay District</u>	<u>CO-3</u>

9.4.3.5 Effect of Approval

A. Zoning Map Designator

Each Conservation Overlay District shall be shown on the official map by an “CO-#” designator and an appropriate number placed after the underlying Zone District designation.

B. Limitation on Permit Issuance

No zoning permit for development or for a use within a Conservation Overlay District shall be issued by Community Planning and Development unless the development or use meets the standards set forth in the adopted Conservation Overlay District.

9.4.3.6 Hilltop Heritage Conservation Overlay District (CO-1)

A. Creation

There is hereby created a conservation overlay Zone District designated as Hilltop Heritage Conservation Overlay District CO-1.

B. Limitation on the Establishment of Zone Lots in the Overlay District

Any zone lots in this overlay Zone District that existed on July 21, 2000, may be amended or subdivided only if each of the zone lots that are created or result therefrom is not less than 75 feet wide at any street (Side Street or Primary Street) setback line for structures and are not less than 9,300 square feet in lot size.

C. Exceptions Inapplicable

The exceptions from zone lot width and area requirements for zone lots in Section 1.2.3.3, Flag Zone Lots, shall not apply in this overlay Zone District, provided however, zone lots containing at least 27,900 square feet existing on March 7, 2000, may be amended into zone lots in compliance with the zone lot width reduction for flag lots contained in Section 1.2.3.3, Flag Zone Lots, if the resultant zone lots contain at least 9,300 square feet.

9.4.3.7 Curtis Park Conservation Overlay District (CO-2)

A. Creation

There is hereby created a Conservation Overlay District designated as the Curtis Park Conservation Overlay District.

B. Intent

Accommodate detached accessory structures in a manner that respects the character of the Curtis Park neighborhood.

C. Applicability

This Curtis Park Conservation Overlay District shall apply only to zone lots zoned to an -RH Zone District.

D. Building Form Standards for Zone Lots with a Historic Structure

For any zone lot occupied by a historic structure, as “historic structure” is defined in Article 13, Rule of Measurements and Definitions, development of a detached accessory structure is allowed subject to the following allowances and conditions:

1. The structure may comply with the U-RH-2.5 Detached Garage building form standards and exceed the maximum building coverage; and
2. The structure may comply with the U-RH-2.5 Detached Accessory Dwelling Unit building form standards and:
 - a. May exceed the maximum building coverage,
 - b. Shall be exempt from the bulk plane, and
 - c. May exceed the maximum height in stories not to exceed two stories.
3. The structure shall be located in the rear one-half of the zone lot; and
4. The design and location of the building shall be approved by the Landmark Preservation Commission before final approval of a zoning permit.

E. Building Form Standards for Zone Lots without a Historic Structure

For zone lots not occupied by a historic structure, development of a detached accessory structure is allowed using the U-RH-2.5 Detached Accessory Dwelling Unit building form, subject to the following allowances and conditions:

1. The structure shall be exempt from the bulk plane,
2. The structure may exceed the maximum height in stories not to exceed two stories,
3. The structure shall be located in the rear one-half of the zone lot, and
4. The design and location of the structure shall be approved by the Landmark Preservation Commission before final approval of a zoning permit.

9.4.3.8 Scottish Village Conservation Overlay (CO-3)

A. Creation

There is hereby created a Conservation Overlay District designated as the Scottish Village Conservation Overlay (CO-3).

B. Intent

To allow setback, building coverage, and lot depth building form standards that are consistent with the character of the Scottish Village.

C. Applicability

This Scottish Village Conservation Overlay shall apply only to those areas designated as CO-3 on the Official Zone Map.

D. Primary Building Form Standards Applicable to Urban House, Duplex and Tandem House Building Forms Only

1. Side Interior Setback

The minimum side interior setback shall be 3 feet.

2. Building Coverage

a. Building coverage maximum per zone lot shall be 60%.

b. An exemption from the maximum building coverage shall not be given for a portion of the zone lot area occupied by a Detached Accessory Dwelling Unit or a Detached Garage form.

3. Shallow Lot Standards

a. Applicability

- i. Zone lots established prior to (adoption date of this overlay) where at least one side interior or side street zone lot line is 90 feet or less deep, measured from the intersection of the primary street zone lot line and a side interior or side street zone lot line to the intersection of a zone lot line opposite the primary street.

b. Standards

- i. Rooftop and/or Second Story Decks are allowed in 100% of zone lot depth.
- ii. The following underlying zone district primary building form height standards applicable in the front 65% of zone lot depth shall apply to 100% of zone lot depth:
- a) Height in stories;
 - b) Height in feet;
 - c) Allowable height increase; and
 - d) Bulk plane vertical height at side interior and side street zone lot line.

E. Accessory Building Form Standards Applicable to Detached Accessory Dwelling Unit Building Form Only

1. Side Interior Setback

- a. The minimum side interior setback shall be 0 feet.
- b. Side interior setbacks less than 5 feet may be subject to more restrictive building and fire code review.

SECTION 9.4.4 USE OVERLAY DISTRICTS (UO-)

9.4.4.1 Purpose

Use Overlay districts are a vehicle to permit or prohibit specific land uses in delineated parts of the city that otherwise are included in a variety of underlying Zone Districts and portions of Zone Districts. The purpose of the Adult Use and Billboard Use overlay Zone Districts created herein is to maintain the status quo of entitlement relating to the establishment, maintenance, and operation of adult uses and billboard uses as those rights existed before June 25, 2010. The purpose of the Historic Structure Use Overlay District is to encourage the continuing preservation and adaptive reuse of landmark and historic structures. Because variation of permitted uses in an underlying Zone District is most appropriately the focus of a legislative rezoning or an amendment to the underlying Zone District, future application of the use overlay Zone Districts created herein is strictly limited and the establishment of new use overlay Zone Districts is prohibited.

9.4.4.2 Modification of Underlying Zone District Standards

A. Modification of Permitted Uses and Use Limitations Allowed

1. A Use Overlay District may be used to add to the specific permitted uses in the underlying Zone District, or prohibit specific permitted uses in the underlying district.
2. Use limitations otherwise applicable to permitted uses in the underlying Zone District may be modified.

B. Applicable Standards -- Modification Not Allowed

All of the provisions of the underlying Zone District shall be in full force and effect, and shall not be modified by the provisions of the applicable overlay Zone District.