

- 26 (c) single-family residential use;
- 27 (d) two-unit residential use;
- 28 (e) three-unit residential;
- 29 (f) adult-care services use (limited or general); or
- 30 (g) childcare services use (limited or general).

31 **§ 25-2-1053 TRIGGERING PROPERTY.**

32 A triggering property is a site:

- 33 (1) with at least one dwelling unit but less than four dwelling units; and
- 34 (2) zoned Urban Family Residence (SF-5) or more restrictive.

35 **§ 25-2-1054 SITE-SPECIFIC AMENDMENTS.**

- 36 (A) Except as provided in Subsection (B), council may grant site-specific amendments
37 to height limits established in Section 25-2-1061 (*Compatibility Height Limits*) if
38 council determines that an amendment is appropriate and will not harm the
39 surrounding area.
- 40 (B) A site is not eligible for a site-specific amendment if the site is:
 - 41 (1) zoned:
 - 42 (a) special purpose base zoning district;
 - 43 (b) density bonus (DB) combining district; or
 - 44 (2) subject to the university neighborhood overlay (UNO).
- 45 (C) An applicant may file a rezoning application to request a site-specific amendment
46 to this article.
- 47 (D) A rezoning application filed under this section is subject to the same requirements
48 and procedures established for a rezoning application that changes the base district
49 classification of a property.

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§ 25-2-1061 COMPATIBILITY HEIGHT LIMITS.

- (A) In this section, structure includes a portion of a structure.
- (B) This section does not apply when the site’s zoning ordinance establishes a maximum height of less than 40 feet and the site is zoned:
- (1) neighborhood office (NO);
 - (2) limited office (LO); or
 - (3) neighborhood commercial (LR).
- (C) A structure that is located 75 feet from a triggering property shall comply with the height limits established by the site’s zoning ordinance.
- (D) Except as provided by a site-specific amendment to this section, a structure that is located:
- (1) at least 50 feet but less than 75 feet from a triggering property may not exceed 60 feet; and
 - (2) less than 50 feet from a triggering property may not exceed 40 feet.

§ 25-2-1062 COMPATIBILITY BUFFERS AND SETBACKS.

- (A) This section does not apply to:
- (1) condominium residential use; or
 - (2) townhouse residential use.
- (B) Compatibility Buffers.
- (1) Except as provided in Subdivision (2), a compatibility buffer is required along a site’s property line that is shared with a triggering property.
 - (2) A compatibility buffer is not required if the site’s zoning ordinance establishes a maximum height of less than 40 feet and the site is zoned:

- 74 (a) neighborhood office (NO);
- 75 (b) limited office (LO); or
- 76 (c) neighborhood commercial (LR).
- 77 (3) The minimum width of a compatibility buffer is 25 feet.
- 78 (4) A compatibility buffer must comply with Section 25-8-700 (*Minimum*
- 79 *Requirements for a Compatibility Buffer*).
- 80 (C) Setbacks.
- 81 (1) This subsection applies to a site’s property line that is shared with a
- 82 triggering property.
- 83 (2) The minimum rear setback is 10 feet if the site is zoned:
- 84 (a) neighborhood office (NO);
- 85 (b) limited office (LO); or
- 86 (c) neighborhood commercial (LR).
- 87 (3) The minimum interior side-yard setback is five feet if the site is zoned
- 88 neighborhood commercial (LR).

89 **§ 25-2-1063 SCREENING, NOISE, AND DESIGN REQUIREMENTS.**

- 90 (A) Exterior lighting must be hooded or shielded so that the light source is not visible
- 91 from the site’s property line that is shared with a triggering property.
- 92 (B) Mechanical equipment may not produce sound in excess of 70 decibels measured
- 93 at the site’s property line that is shared with a triggering property.
- 94 (C) A concrete slab used for a refuse receptacle may not be placed within 15 feet of
- 95 triggering property.
- 96 (D) Except for a multi-use trail, an on-site amenity that is available only to residents
- 97 and occupants of the site and their guests may not be located within 25 feet of a
- 98 triggering property.

99 (E) Screening Requirements. Except when visible from or through a pedestrian or
100 bicycle access point, the following objects may not be visible at the site’s property
101 line that is shared with a triggering property and shall be screened:

102 (1) vehicle lights from vehicles that use or are parked on a parking lot or in a
103 parking structure located on the site;

104 (2) mechanical equipment;

105 (3) outdoor storage;

106 (4) refuse receptacles and collection areas; or

107 (5) common areas for amenities, including outdoor decks, patios, or pools.

108 (F) The screening required in Subsection (E) may not impede pedestrian or bicycle
109 access points.

110 **PART 2.** Subsection 1.3.3 in Section 1.3 (*Exceptions*) of Subchapter F (*Residential*
111 *Designs and Compatibility Standards*) of City Code Chapter 25-2 is amended to read:

112 **1.3.3.**

113 [~~This Subchapter does not apply to a~~] A use[s] listed in Subsections 1.2.2(I)-(M) [(K)-
114 (Q)] of Section 1.2 may comply with this subchapter or [~~if an applicant has agreed, in a~~
115 ~~manner prescribed by the director, to comply with~~] the requirements of Chapter 25-2,
116 Article 10 (*Compatibility Standards*).

117 **PART 3.** City Code Section 25-2-1176 (*Site Development Regulations for Docks,*
118 *Marinas, and Other Lakefront Uses*) is amended to add a new Subsection (E) to read:

119 (E) A person constructing shoreline access, as that term is defined in Section 25-2-
120 1172 (*Definitions*), shall screen the shoreline access from the view of property with
121 at least one dwelling unit but less than four dwelling units and is zoned Urban
122 Family Residence (SF-5) or more restrictive.

123 (1) A person may comply with this subsection by providing vegetation and tree
124 canopy as prescribed by rule and may supplement compliance with other
125 screening methods prescribed by rule.

