1	ORDINANCE NO. <u>020581</u>
2	0-03-12
3	An and in an an of the City of
4 5	An ordinance of the City of Gainesville, Florida, imposing the Special Area Plan overlay zoning district for the SW 13th Street
6	Corridor on certain property, generally described as those lands
7	abutting SW 13th Street and bounded on the north by Archer
8	Road/Depot Avenue and on the south by the city limits, and as
9	more specifically described in this ordinance; adopting a Special
10	Area Plan for this property; providing specific regulations;
11 12	providing for administration and enforcement of these regulations; providing directions to
13	the codifier; providing a severability clause; providing a repealing
14	clause; and providing an immediate effective date.
15	, , , , , , , , , , , , , , , , , , , ,
16	
17	WHEREAS, the City Plan Board authorized the publication of notice of a Public
18	Hearing that the text of the Land Development Code of the City of Gainesville, Florida,
19	be amended; and
20	WHEREAS, notice was given and publication made as required by law and a
21	Public Hearing was then held by the City Plan Board on November 21, 2002; and
22	WHEREAS, notice was given and publication made of a Public Hearing which
23	was then held by the City Commission on January 13, 2003; and
24	WHEREAS, the City Commission finds that the Special Area Plan is consistent
25	with the City of Gainesville 2000-2010 Comprehensive Plan as adopted by Resolution
26	No. 002684, as applicable; and
27	WHEREAS, pursuant to law, an advertisement no less than 2 columns wide by
28	10 inches long was placed in a newspaper of general circulation notifying the public of
29	this proposed ordinance and of a Public Hearing to be held in the City Commission
30	Auditorium, City Hall, City of Gainesville, at least 7 days after the day the advertisement
31	was published; and

1	WHEREAS, a second advertisement no less than 2 columns wide by 10 inches			
2	long was placed in a newspaper of general circulation notifying the public of this			
3	proposed ordinance and of the second Public Hearing to be held in the City Commission			
4	Auditorium, City Hall, City of Gainesville, at least 5 days after the day this advertisement			
5	was published; and			
6	WHEREAS, the Public Hearings were held pursuant to the published notices			
7	described at which hearings the parties in interest and all others had an opportunity to be			
8	and were, in fact, heard;			
9	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION			
10	OF THE CITY OF GAINESVILLE, FLORIDA:			
11	Section 1. The Special Area Plan overlay district is imposed on certain property,			
12	generally described as those lands abutting SW 13th Street and bounded on the north by			
13	Archer Road/Depot Avenue and on the south by the city limits, as more specifically			
14	described and shown on the map labeled Figure 1 in Exhibit A, which is made a part			
15	hereof as if set forth in full.			
16	Section 2. The SW 13th Street Corridor Special Area Plan (Exhibit A) is hereby			
17	adopted. The specific regulations of the Special Area Plan for the aforementioned			
18	property and the administration and enforcement of these regulations as delineated in			
19	Exhibit A shall control and guide the development and use of the property.			
20	Section 3. The city manager is authorized and directed to make changes in the			
21	zoning map in order to comply with this ordinance and administer the provisions of the			
22	SW 13th Street Corridor Special Area Plan.			
23	Section 4. It is the intention of the City Commission that the provisions of the			

1 special area plan adopted by this ordinance shall become and be made a part of the Land Development Code of the City of Gainesville, Florida, and that the Sections and 2 Paragraphs of this Ordinance may be renumbered or relettered in order to accomplish 3 4 such intentions. 5 **Section 5.** If any section, sentence, clause or phrase of this ordinance is held to be 6 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance. 7 8 **Section 6.** All ordinances, or parts of ordinances, in conflict herewith are to the 9 extent of such conflict hereby repealed. 10 Section 7. This ordinance shall become effective immediately upon final adoption. 11 **PASSED AND ADOPTED** this 24th day of February, 2003. 12 13 14 15 16 17 18 ATTEST: Approved as to form and legality 19 20 21 KURT M. LANNON 22 FEB 2 5 2003 MARION J. RADSON 23 CLERK OF THE COMMISSION **CITY ATTORNEY** 24 This Ordinance passed on first reading this 10th day of February, 2003. 25

26

27

This Ordinance passed on second reading this 24th day of February, 2003.

EXHIBIT

A

Appendix A, Section 7 Special Area Plan for Southwest 13th Street

(a) *Introduction*. This section and the regulations it contains are based on work completed and information gathered at a charrette sponsored by the City of Gainesville and Alachua County on May 4-8, 2002. The Southwest 13th Street Charrette Report contains many recommendations, including recommendations to update land development code regulations in both the City and the County. The Charrette Report also describes several capital improvement projects that should be completed to fully implement the Charrette's vision for Southwest 13th Street. Those capital improvement project recommendations include, but are not limited to, streetscaping, beautification, median improvements, sidewalk and bikepath improvements, lane width reductions, intersection improvements, transit stop improvements, stormwater master plan development, improved access to Bivens Arm, Tumblin Creek enhancement, and improvements to the Paynes Prairie observation area.

- (b) *Purpose*. The Southwest 13th Street Special Area Plan is established:
- to improve the sense of place and community;
- to improve the environment for businesses, including smaller, locally-owned businesses;
- to support a healthy economy by providing a vibrant mix of commercial, office, retail and residential uses in close proximity to each other;
- to meet the needs of motorists, bicyclists and pedestrians by creating a safe, pleasant ambiance and interesting people-scaled features;
- to increase transit viability;
- to beautify the corridor; and
- to create a positive southern gateway into and out of Gainesville.

The standards are designed to make the corridor a more vibrant, livable place, and increase citizen pride in its development. They are designed to encourage private sector investment; increase property values; improve the quality of the built environment; and increase safety, comfort and convenience for motorists, bicyclists, pedestrians and transit users in the district.

 (c) *Boundaries*. The boundaries of the Southwest 13th Street Special Area Plan are shown in Figure 1 (see attached) and generally described as those lands abutting Southwest 13th Street and bounded on the north by Archer Road/Depot Avenue and on the south by the city limits. Within the Plan Area are three sub-areas or districts. Those districts are also shown in Figure 1. District 1 extends from Archer Road/Depot Avenue to Southwest 16th Avenue. District 2 extends from Southwest 16th Avenue to Southwest 25th Place. District 3 extends from Southwest 25th Place to the city limits. Several of the standards contained in this section vary depending on the district.

Southwest 13th Street Special Area Plan

	1	1
	2	2
	3	3
Figure 1	4	4
(see attachment)	5	5
	5	6
	7	7
	8	8
)	9

(d) Effect of Classification. The Southwest 13th Street Special Area Plan is an 1 overlay zoning district that shall operate in conjunction with any underlying zoning 2 district in the corridor area. The regulations of the underlying zoning district, and all 3 other applicable regulations, remain in effect and are further regulated by the Southwest 4 13th Street Special Area Plan standards. If provisions of the Southwest 13th Street Special 5 Area Plan standards conflict with the underlying zoning, the provisions of the Southwest 6 13th Street Special Area Plan standards shall prevail. 7 8 9 (e) Exceptions. Exceptions to the following standards of the Southwest 13th Street Special Area Plan can be granted by the appropriate reviewing board, city manager or 10 11 designee: 12 13 Build-to line: 1. 14 2. Number and layout of automobile parking spaces; 15 3. Dimensional requirements: 16 4. Buffers for single-family areas: 17 5. Required sidewalks: 18 6. Landscaping; and 19 7. Materials. 20 21 Exceptions to the above listed standards may be granted only upon a finding that 22 either of the following criteria are met: 23 24 The proposed construction is consistent with the overall intent of these 1. 25 minimum development standards; or 26 27 2. The applicant proves an undue hardship, owing to conditions peculiar to 28 the land or structure and not the result of the action of the applicant, would 29 result from strict adherence to these standards. 30 31 (f) Right to Appeal. 32 33 1. Any person aggrieved by a decision rendered by the appropriate reviewing 34 board, city manager or designee may appeal the decision to the City 35 Commission within 14 days from the date the decision by the appropriate 36 reviewing board, city manager or designee is reduced to writing and 37 served by certified mail, return receipt requested, to such person. The 38 appeal shall be made by filing a written notice of appeal within the above-39 proscribed time period with the Community Development Department. 40 The notice shall set forth concisely the decision under appeal and the 41 reasons or grounds for the appeal. 42 43 2. The appeal shall be de novo and shall be heard by the City Commission at 44 its next regular meeting, provided at least 14 days have intervened 45 between the time of the filing of the notice of appeal and the date of such 46 meeting. The City Commission shall consider evidence and testimony

placed before it, and shall render its decision promptly. The City Commission may affirm, amend or reverse the decision of the appropriate reviewing board, city manager or designee, based on competent, substantial evidence. The decision by the City Commission shall be reduced to writing and shall constitute final administrative review. Appeals from decisions of the City Commission may be made to the courts as provided by law.

(g) Definitions.

Adjacent. Property that physically abuts the subject property on the same side of the street.

Arcade. An exterior covered passageway along a building facade open to the street frontage (see Figure 2).

Build-to line. The line at which construction of a building facade is to occur on a lot. A build-to line runs parallel to the front property line and is established to create an even (or more or less even) building facade line on a street.

Civic or civic use. Administrative and legislative government offices, schools, postal facilities, cultural facilities (such as libraries and museums), places of religious assembly, meeting halls, child care centers, clubhouses, band shells, pavilions, and the like.

Facade. The principal face, front elevation, or vertical surface of a building which is set along a frontage.

Formal landscaping. Street trees or shrubs, sometimes placed in tree grates, brick-paved sidewalks, planters, or distinctive screening walls, that form an aligned street wall parallel to the street (see Figure 3).

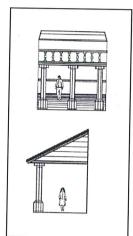


Figure 2: Arcade, Front view (top); and side view (bottom)

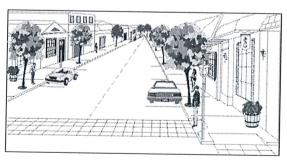


Figure 3: Formal Landscaping

Freestanding retail. A retail building in which the entire building is used by a single retailer. A single-use rather than mixed-use retail building. Retail shall not include entertainment activities.

Frontage. That side of a lot abutting a street right-of-way. When a lot abuts more than one street, it is that side that abuts the more primary street or the street designed for

1 2	the highest pedestrian volume. For a corner lot, all sides abutting a street shall be considered frontage.
3 4	Glazed area. Combined geometric surface area of fixed or operable window units, storefront windows and glass doors. Glazed area does not include glass block.
5 6	Main entrance. The entrance of the building which is most architecturally prominent and contains operable doors.
7 9	Mechanical equipment. A heating, ventilation, or air conditioning unit placed outside of a building.
11 13 15	Parapet. A low, solid, protective screening or decorative wall; often used around a balcony or balconet, or along the edge of a roof (see Figure 4).
17 19 21 23	Parking structure. A multiple story structure containing vehicle parking. Does not include a single-level parking area, commonly known as a "surface parking lot."
25	Figure 4: Parapet
26 27 29	Pedestrian-style/scale or people-scaled. The establishment of appropriate proportions for building mass and features in relation to pedestrians and the surrounding context.
31 33 35 37 39 41	Pilaster. A rectangular or round column or shallow pier attached to a wall constructed to coordinate with the style of the building (see Figure 5).
43 45 47 48 49 50	Primary street. When a building or lot abuts two or more streets, the street with the higher functional classification. If both streets have the same classification, the primary street is the street with the greatest volume.
51 52	Rhythm. Regularly recurring facade elements, features, or building masses.
53 54 55 56	Screening wall. A wall made of stone, brick, stucco, or a combination of these materials, or other durable and decorative material, excluding round industrial railing and chain link. The wall shall create a visual buffer and shall be at least 75 percent opaque (see Figure 6).

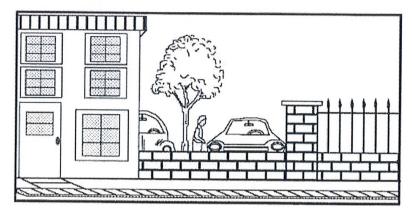


Figure 6: Screening wall

(h) *Prohibited uses*. The following land uses shall be prohibited within the Corridor:

Use	SIC Code
Crematories	7261
Bus Stations	4173
Outdoor display of automobile/ motorized vehicles for sale or rental	N/A
except for automobile rentals associated with hotels or motels	
Outdoor storage as the principal use	N/A
Car washes	7542
Recreational vehicle parks/camp sites	7033
Social service homes or halfway houses	N/A
Rehabilitation centers	N/A
Pawnshops	5932
Tattoo parlors	7299
Adult and sexually orientated establishments	N/A
Parking lots as the principal use, other than structured parking	7521

Uses made non-conforming by this section shall be regulated in accordance with Section 30-288, Non-Conforming Uses.

(i) Build-to line.

1. *Intent*. The intent of a build-to line is to move the building facade close to the street and the streetside sidewalk, and away from potentially incompatible uses to the rear. By doing so, building facades along a block face will be aligned to form a street edge that frames the public area, while retaining enough width for people to walk



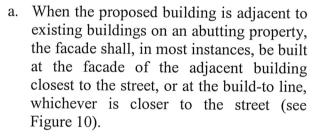
Figure 7: Building facades placed along the sidewalk

comfortably, and sufficient space to provide a formal landscape created by street trees (see Figures 7 and 8). By defining public space, the build-to line creates a sense of comfort and security for the public. Additionally, buildings located near the street sidewalk have more of a human scale, and allow for the construction of canopies that create shade and shield pedestrians from rain.

Figure 8: Street edge alignment

2. Standard. Except as provided for in this section, the build-to line (see Figure 9) shall be 15 feet from the front property line in District 1, 20 feet from the front property line in District 2, and 25 feet from the front property line in District 3. The build-to line shall apply to at least 70 percent of the building facade even along sides (except rear) abutting a street other than the more primary street. standards described in this subsection shall supersede anv landscape buffer width requirements found in Article VIII of the Land Development Code for frontage areas, except

in front of surface parking lots.)



b. The appropriate reviewing board, city manager or designee can approve a facade closer than the designated build-to line so that a consistent street edge of adjacent buildings can be maintained.

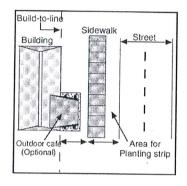


Figure 9: Build-to line

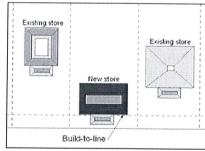


Figure 10: Build-to line with adjacent buildings

c. The appropriate reviewing board, city manager or designee may increase the distance between the build-to line and the front property line when site constraints such as significant tree features or significant design features warrant it. If such approval by the appropriate reviewing board, city manager or designee is granted, the front yard area must be landscaped with tree plantings to provide shade for pedestrians and to establish the street edge articulation.

- d. Places of religious assembly and other civic buildings may have a build-to line of up to 60 feet to allow congregational/assembly/open space, as long as at least 50 percent of the building facade is built at the applicable district's designated build-to line.
- (j) Extensions beyond the build-to line. The items listed below are allowed to extend beyond the build-to line provided that the sidewalk widths required by this section are maintained, and that room for any required tree strip is retained. Encroachments into the public right-of-way are prohibited.
 - Stoops;
 - Stairs;
 - Bay windows;
 - Open porches;
 - Projecting signs;
 - Balconies:
 - Colonnades;
 - Arcades;
 - Awnings; and
 - Outdoor cafes.

(k) Building orientation.

- a. *Intent*. Buildings should offer an attractive and inviting façade toward the main or primary street. This defines and beautifies the street for pedestrians, bicyclists, and motorists. Building entrances located along a sidewalk adjacent to a primary street provide convenience for customers and residents by minimizing walking distances from public sidewalks and nearby buildings. Inappropriate entrances separate buildings from street life and hide architectural character from public view.
- b. Standard. The most architecturally prominent entrance of buildings must be located on the first floor and oriented to the street, not a parking area. If the building is on a corner, the most architecturally prominent entrance must be located on the more primary street or at the corner. This standard does not preclude additional rear or side entrances that face parking areas.
- (l) Number of motor vehicle parking spaces. Within Districts 1 and 2, no motor vehicle parking is required. Within District 3, the minimum number of motor vehicle parking spaces required shall be 25% of the minimum number typically required by Section 30-332. In each of the three districts the maximum number of motor vehicle parking spaces allowed is the minimum otherwise required by Section 30-332. Additionally, in each of the three districts there shall be no limit on the number of parking spaces in parking structures (garages).

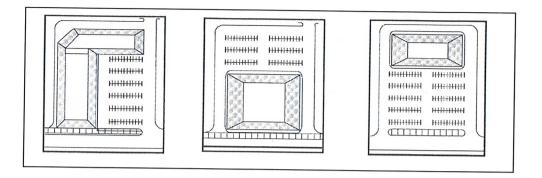


Figure 11: Parking location; the alternative site design at the right is prohibited (the center site design is preferred)

- (m) Location of motor vehicle parking area. For new development, the following provisions apply regarding the location of motor vehicle parking areas.
 - 1. Parking areas for motor vehicles shall be located to the rear and/or side of the primary building (see Figure 11, above).
 - 2. No parking for motor vehicles shall be located between the build-to line and the front property line (see Figure 12).

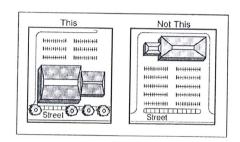


Figure 12

- No parking lot areas shall extend for a width of more than 70 feet along any street frontage, without a building, structure, outdoor café, or small park interrupting the parking streetscape.
- 4. Parking areas for motor vehicles shall not abut the more primary street intersection (see Figure 13), or occupy lots that terminate a street vista.

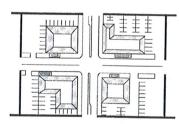


Figure 13

Parking structures (parking garages) must be located behind and/or above retail, office or residential uses.

(n) Motor vehicle parking lots located adjacent to a street. When a parking lot for motor vehicles is adjacent to a street, the parking lot shall be buffered with a 3 feet high screening wall in order to enclose the portion of the parking exposed (see Figure



Figure 14: Screening wall

14). That wall shall be located between the parking area and the sidewalk,

and be constructed of brick, stone or some other durable and decorative material.

) |-|-

Alternatively, 3-4 feet high landscaping may be used if it adequately defines the street corridor and screens the parking area with at least 75 percent opacity. However, such walls or landscaping must be broken up at intervals no greater than 50 feet to allow pedestrian access.

- (o) *Bicycle parking*. Bicycle parking spaces shall be installed as required in Section 30-332. Such parking may extend beyond the build-to line as long as at least 5 feet of unobstructed sidewalk width and any required tree strip is retained. Bicycle parking requirements may be waived if public bicycle parking exists to serve the use. There is no maximum number of bicycle parking spaces that may be provided.
- (p) Buffers for single-family areas. Where a use other than single-family residential abuts single-family residential development or a single-family residential zoning district, a landscape buffer not less than 9 feet in width and planted in accordance with Article VIII, and including a 6 feet high masonry wall (or equivalent material in noise attenuation and visual screening) shall be installed between the parking area and the property line abutting the single-family area. If, in the professional judgment of City staff, masonry wall construction would damage or endanger significant trees or other natural features, the appropriate reviewing board or staff (when only staff review is required) may authorize the use of a fence and/or additional landscape buffer area to substitute for the masonry wall. There shall be no requirement for a masonry wall or equivalent if buildings are 200 or more feet from abutting single-family properties. In addition, the appropriate reviewing board may substitute an increased vegetative buffer and tree requirement for the masonry wall.
- (q) Dimensional requirements. All principal and accessory structures shall be located and constructed in accordance with the following requirements:
 - Minimum lot area: 3,000 square feet
 - Minimum lot width (parallel to the street): 35 feet
 - Minimum building height: two stories
 - Maximum building height (as defined in Section 30-23): five stories and 65 feet in Districts 1 and 2; four stories and 52 feet in District 3
 - Maximum building width (parallel to the street): 100 feet
 - Maximum building foot print (first floor building area): 30,000 square feet for single-use buildings; multiple-use (including residential) buildings are limited by height limit, stormwater management regulations, required buffers, and other code requirements.
- (r) Signs. The provisions of the City sign code (Article IX, Division 1) apply within the corridor area. Those exceptions are listed below:
 - New pole-mounted signs shall be prohibited within the corridor.

Each multiple-occupancy complex and each single-occupancy building/development may have one or two ground-mounted signs in accordance with the following:

Street Frontage	Maximum	Maximum Size of	Minimum Distance	Minimum
(feet)	# of Signs	Sign (sq. ft.)	from Side Property	Distance from
			Line (feet)	Other Signs (ft.)
Less than 50	1	24	10	
50 to less than	1	32	10	
100				
100 to less than	1	64	20	
200				7
200 to less than	1	72	50	50
300				
Greater than 300	1	96	50	100
Greater than 600	2	Total square	50	250
with no		footage no more		
outparcels	Α	than 144; neither		
	, 2	sign may be greater	p	
7		than 96 square feet		
201		or more than 10 feet		
		in height		

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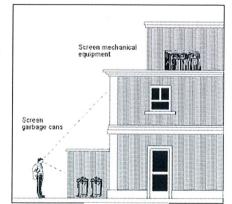
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b.

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- (s) *Trash and recycling receptacles, and loading docks.*
- Trash and recycling receptacles, grease containers, and loading a. docks sometimes provide an unsightly appearance and/or odor problem. Improperly located and screened receptacles and docks can cause noise problems for nearby land uses when receptacles and packages are being loaded or unloaded. Therefore, they should be located away from public sidewalks and screened from view.
 - Standard. If stored outside of the building, and if the building is not residential only, all solid waste, recycling, yard trash containers (except litter containers), and grease containers, shall be placed at the side or the rear of the building and within 10 feet of the building. The container shall be enclosed with an enclosing wall, so that it is not visible from the street or adjacent property (from ground level). The enclosing wall shall be finished and/or painted with the same material as is used on the building. The



enclosing wall shall be fitted with an opaque sliding or hinged door and working latch. Loading docks shall be placed at the side or rear of the building, and shall be screened from the street.

Figure 15

(t) Required sidewalks.

- a. *Intent.* Sidewalks, when properly designed and maintained, make walking a pleasant, safe, clean, healthy, convenient, and efficient transportation alternative. Good sidewalks promote transit use and pedestrian activity, which in turn, provides economic and social benefits to the community.
- b. Standards. All buildings or developments must provide sidewalks along the street edge(s) of their property.
 - 1. Sidewalk location. Sidewalks shall be placed to align with existing sidewalks. Sidewalk connections from the principal building to the public sidewalk must be provided, and be aligned to minimize walking distance. Curvilinear sidewalks are not allowed unless they are necessary to avoid significant trees, stormwater basins, or topography, as determined by the appropriate reviewing board, city manager or designee.
 - 2. *Minimum sidewalk widths*. Minimum sidewalk widths shall be consistent with the following table:

District	Right-of-Way Width	Min. Sidewalk Width
1	86 feet or less	7 feet
1	More than 86 feet	10 feet
2	N/A	10 feet
3	N/A	10 feet

The minimum unobstructed width shall be 2 feet less than the required sidewalk width, as long as at least 5 feet of unobstructed width is retained. At transit stops, the minimum width is 8 feet of unobstructed width. Minimum width for a tree strip shall be 4 feet, or such other width as may be adequate for tree placement, unless the tree strip requirement is waived by the appropriate reviewing board, city manager or designee.

(u) Building wall articulation.

a. *Intent*. Buildings with interesting architecture and windows attract pedestrians, who act as a security system for the businesses that occupy those buildings. In contrast, long expanses of blank walls tend to be monotonous. Buildings without relief and interest tend to create a "massive scale," and make the public space impersonal.

b. Standards.

- 1. No more than 20 feet of horizontal distance of wall shall be provided without articulation or architectural relief for building walls facing the street. Building walls along rear or side service areas or parking may be exempted by the appropriate reviewing board, city manager or designee. Building wall articulation or architectural relief can include, but is not limited to, pilasters, windows, pedestrian entrances, arcades, awnings, shutters and canopies, or other types of building massing that modulates the building mass or surface texture. Building wall articulation shall maintain a distinction between the street-level story and upper stories.
- 2. Development shall generally maintain the rhythm established by the repetition of facade elements. The relationship of a new building's width to its height, particularly in lower floor bays, should be similar, if possible, to buildings in the same block face. Traditional, established breaks that occur between buildings, such as alleys, may be modified, although they should not be eliminated.
- 3. Front and side building walls shall have non-reflective, transparent windows or glazed area at pedestrian level (between 3 feet above grade and 8 feet above grade) on the first floor. For front building walls, windows shall cover at least 30 percent of this area. For side walls, windows shall cover at least 10 percent of this area. However, side wall glazing is only required if the building is set back at least 3 feet from the side property line. Operable entrance doors shall be excluded from the calculation of total facade surface area. Windows or glazed areas facing a sidewalk on the first story of a commercial building shall use glass that is at least 80 percent transparent.

(v) Mechanical equipment.

- a. *Intent*. Avoid noise problems and visual blight associated with improperly located and/or screened mechanical equipment.
- b. Standards. All mechanical equipment must be placed on the roof, in the rear or side of the building, or otherwise visually screened from the street. In no case shall mechanical equipment be allowed along street frontage(s). Mechanical equipment on the roof shall be screened from abutting streets with parapets or other types of visual screening.

(w) Landscaping.

a. Intent. In the Southwest 13th Street Corridor, landscaping shall be used to

1 2 3			shade	the pedestrian feel more comfortable by providing beautification and, and by helping to form public spaces. Landscaping that obstructs
3			sidew	alks should be avoided.
4			~ .	
5		b.	Stand	ards.
6			_	
7			1.	Shade-providing street trees are required. Those trees shall be
8				located adjacent to existing and proposed street sidewalks.
9				Existing trees may be used to meet this standard. Street shade trees
10				shall frame and define the public space, and reach at least 40 feet
11				in height at maturity. Street shade trees must be no more than 30
12				feet apart along streets, except for Live Oaks (quercus virginiana),
13				which must be no more than 40 feet apart along streets.
14				
15			2.	Chain link fences, barbed wire, line-voltage electrified wire, and
16				razor wire fences are prohibited. The city manager, designee, or
17				appropriate review board, may waive the prohibition on barbed
18				wire or electrified fences due to public safety concerns.
19				Regardless of other regulations in this section that may prohibit the
20				use of vinyl as a building material, vinyl fences shall be permitted.
21				
22			3.	This section does not exempt any development project from any
23				other landscaping provision of the City Code. Where this section
24				conflicts with another portion of the City Code, with respect to
25				landscaping, this section prevails.
26				
27	(x) Ma	aterials.		
28			_	
29		a.	Intent.	Poorer quality construction and a deteriorating built environment
30			have r	made the corridor less desirable. The use of quality materials
31			permit	s buildings to last longer and retain their value.
32			<i>a</i> ,	
33		b.	Standa	rds.
34				TTI 0.44
35			1.	The following materials or systems are prohibited as a finish
36				and/or exposed product: smooth-finish concrete block (standard
37				concrete masonry units), pre-cast concrete tee systems, plywood or
38				textured plywood. Plywood shall be allowed for soffit material.
39			•	
40			2.	Plastic, vinyl or metal is prohibited as a finish material for walls or
41				trim. Plastic or vinyl is prohibited as a finish material for slope
42				roofs, visible roof structures, and facias.
43			2	
44			3.	The prohibited materials and systems listed in $(x)b.1$. and $(x)b.2$.
45 46				above, may be approved by the appropriate reviewing board or staff, if the applicant submits a written request and a product

1 2 3		apple. The material or system may be approved if the following seria are satisfied.
4 5 6	• ,	The product shall appear authentic from the closest distance that it the product will be viewed by the general public.
7 8 9	•	The product shall be substantial. Thin and flimsy imitations are unacceptable.
10 11 12	•	The product shall retain its original shape, appearance, and color, as well as the product it is imitating.
13 14	•	The product's color shall resemble the color of the product it is imitating.

