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Article 3. Commercial and Industrial Zones

Section 3.03 Allowed Uses

3.03.05 Use Table

USE GROUP	Commercial Zones								Industrial Zones			Use-Specific Standards
Use Category	CN	CC	CG	CBD	CT	CO	CRL	CRG	IP	IL	IG	
1 Specific Use Type												
P = permitted by right C = conditional use - = not permitted												
COMMERCIAL												
Retail Sales and Service												
Antique shop	P	P	P	P	P	P	-	P	-	-	-	
Flea market	-	-	-	-	-	-	-	-	-	C	-	§Section 6.24
Furniture rental, consumer	-	C	-	-	-	-	-	-	-	-	-	§Section 6.24
Secondhand store	-	C	-	-	-	-	-	-	-	-	-	§Section 6.24
Vintage clothing store	-	-	-	C	C	-	-	-	-	-	-	§Section 6.24
Other (not specifically listed above or specifically excluded herein)	P	P	P	P	P	P	-	P	-	-	-	

The City Commission took action to **not add Vintage Clothing stores to Section 6.24 on 4/28/09 (O/R-112-09). The above text amendment will clean up the unnecessary cross reference. This text amendment is optional and will not affect the LGD.**

Article 4. Special Purpose Zones

Section 4.07 LGD, Linden Gateway District Zone

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Article 6. Use Regulations

Section 6.03 Animal Services, Sales and Grooming

Overnight animal boarding activities and outside animal runs are prohibited in CN and LGD zones.

Article 9. General Regulations

Section 9.02 Fences and Walls

9.02.04 Other Districts

Fences or walls within other zones are subject to the following standards:

A. Linden Gateway District

Zone	Fence or Wall Type	Maximum Fence Height by Yard/Setback Type (feet)			
		Front Yard	Side Yard	Rear Yard	Site Triangle [1]
Linden Gateway District	1	4	6	7	3
	2	4	6	7	3
	3	–	–	–	–
	4	4	6	7	3
	5	–	6	7	–
	6	4	6	7	3
	7	–	–	–	–
	8	According to engineering requirements			

[1] Triangular portion at the corner, 50 feet from the intersection of right-of-ways

Article 10. Signs

Section 10.13 Signs Allowed In Downtown Districts (CBD, CT, LGD, and ART Zones)

Article 12. Review Procedures

Section 12.14 Certificates of Appropriateness (Historic)

12.14.01 Applicability

Within the boundaries of a Historic Preservation Overlay zone or a Chapter 99 Development Plan that calls for the application of design guidelines in the Development plan area or within Subdistrict 5 of the Linden Gateway District Zone, the alteration of the exterior appearance or demolition of any existing structure, or construction of a new structure, or portions thereof, may not be undertaken until a Certificate of Appropriateness has been issued. However, a Certificate of Appropriateness is not required for:

- A. Ordinary maintenance and repair where the purpose of the work is to correct deterioration to the structure or where no change is made to the appearance of a building or site. Ordinary maintenance and repair includes:
 1. Repainting a building the same color;
 2. Replacement of window glass (but not the style or type of windows);
 3. Caulking and weather-stripping;
 4. Installation of minor landscaping, including the planting vegetable and flower gardens, shrubs, and trees, except when part of overall landscaping or replanting of yard space;
 5. Pruning trees and shrubbery and removal of trees less than 6 inches in diameter;
 6. Repairs to walks, patios, fences, and driveways, provided that replacement materials match the original or existing materials in detail and color;
 7. Replacement of small amounts of missing or deteriorated original or existing siding, trim, roof coverings, porch flooring, steps, and the like, as long as replacement materials match the original or existing materials in detail and color;
 8. Replacement of gutters and downspouts as long as the color and shape matches the original;
 9. Erection of temporary signs such as real estate and political signs;
 10. Installation of house numbers and mailboxes that are compatible with the original in style, size and material;
 11. Repair of existing street or yard lighting.
 12. Any construction, alteration, or demolition duly approved prior to the effective date of this section.

12.14.02 Application

E. Contents

2. Every application for alterations or additions to existing structures or the erection of any new structure within the boundaries Historic Preservation Overlay zone or Chapter 99 Development Plan area or within Subdistrict 5 of the Linden Gateway District Zone must be accompanied by drawings of the proposed exterior alterations, additions, or changes. For new construction, all buildings and other site improvements must be indicated on the drawings. For demolition, all proposed changes to any remaining structures and any site improvements must be indicated on the drawings.

12.14.06 Review and Decision-Making Criteria

- F. If the proposed work involves new construction (both infill and additions to existing structures), the Urban Design Review Board must make the following findings to approve the work:
 2. That the proposed project is compatible with other buildings in the Historic Preservation Overlay zone or approved Chapter 99 Development Plan area or within Subdistrict 5 of the Linden Gateway District Zone in terms of form, proportion, mass, texture, configuration, building materials, color, and location of the building on the lot.

12.14.08 Features not Subject to Review

In reviewing an application for a Certificate of Appropriateness, the Urban Design Review Board may not consider interior arrangement or features that are not subject to any public view. The Urban Design Review Board may not impose any requirements except for the purpose of preventing development that is architecturally incompatible with the Historic Preservation Overlay zone or Chapter 99 Development Plan area or within Subdistrict 5 of the Linden Gateway District Zone.

12.14.11 Maintenance of Historic Structures; Emergency Conditions

- A. Maintenance of Historic Structures
All contributing buildings and structures in Historic Preservation Overlay zones or any Chapter 99 Development Plan areas or within Subdistrict 5 of the Linden Gateway District Zone must be properly maintained and repaired, in accordance with applicable city ordinances

and codes. Should an owner deliberately omit essential maintenance and repairs, which would eventually result in the building becoming so run down that it would be constitutionally unreasonable for the City to refuse to allow the owner to demolish the building, the Urban Design Review Board will bring this matter to the Historic Preservation Officer and/or the Code Enforcement Department, which will immediately require the owner or agent to undertake protective maintenance and repair to further the economy, health, safety, and general welfare of the City and nothing in this section should be construed to prevent ordinary maintenance or repairs of any structures.

Section 12.15 Design Review

12.15.01 Applicability

Design review procedures are applicable to:

- A. Applications for waivers or modifications of the residential Infill Development Standards of Section 2.04, ~~or~~ the commercial Character Standards of Section 3.05, the Mixed Use Corridor Overlay standards of Section 5.08, and the Linden Gateway District Zone of Section 4.07.

Article 13. Review and Decision-Making Bodies

Section 13.03 Urban Design Review Board

13.03.05 Duties and Powers

- E. The Urban Design Review Board must make decisions on requests for waivers or modifications of the infill development standards of this ordinance, the Mixed Use Corridor Overlay (MUC-O) Zone, and the Linden Gateway District (LGD) Zone. The Urban Design Review Board must use the Review and Approval Criteria in accordance with Section 12.15.

Article 16. Definitions

Section 16.02 Use Groups and Categories

16.02.05 Public and Civic Use Group

F. Recreation and Open Space

2. Low-Intensity

(i) Plazas, courtyards, and pocket parks