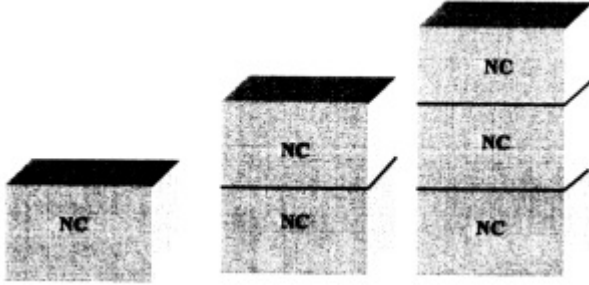


## Sec. 94-221. - BMUD building type II (north of 39th Street).

BMUD BUILDING TYPE II (NORTH OF 39TH STREET)	
	
<p style="text-align: center;"><i>Type II</i></p> <p style="text-align: center;">NC=Neighborhood Commercial Uses See Table IX (permitted use table)</p>	

a. **Building height.** The height of buildings shall be measured in stories as follows:

1. Principal buildings located at primary intersections shall be a minimum of two stories above grade.
2. Principal buildings shall not exceed three stories above grade. Accessory structures shall not exceed two stories in height.
3. Stories at the sidewalk level shall be no less than 12 feet in height from finished floor to finished ceiling and shall not exceed 16 feet in height from finished floor to finished floor. Mezzanines that exceed the permissible percentage of floor area for a mezzanine as defined in the city's building code shall be counted as a story.
4. Stories above the first story shall be no more than 14 feet from finished floor to finished floor. Any mezzanines above the first story shall be counted as a story, notwithstanding the percentage of floor area for a mezzanine defined in the city's building code.
5. Decorative elements such as nonhabitable towers may exceed the allowable height by up to one story (measured by the average height of the habitable stories in the building) with a floor area not to exceed 400 square feet.

Parking garages shall be measured in levels as follows:

1. Each parking garage level at the frontage line(s) shall equal one story for the purposes of measuring building height.
2. Any parking garage levels that are fully concealed by a habitable story and use for a minimum depth of 20 feet from the frontage line(s) are not restricted in the number of levels, provided that the overall height of the garage does not exceed the overall height of the habitable stories at the frontage line.

b. **Building placement.**

1. Building located at primary intersections shall be built along a minimum of 80 percent of the Broadway frontage line, with a setback of no greater than five feet. A streetwall shall be built along the remaining frontage. The frontage line shall adhere to corner visibility triangle requirements established in subsection 94-305(e), visibility at intersections.
2. Exclusive of primary intersections, building facades shall be built along a minimum of 65 percent of the Broadway frontage line with a setback of no greater than five feet. A streetwall shall be built along the remaining frontage. The frontage line shall follow the corner visibility triangle established in subsection 94-305(e), visibility at intersections.

3. New construction shall setback openings along side property lines equal to the full building separation required by the building code.
4. Rear setback shall be a minimum of 15 feet.
5. Open-air porches and stoops, stairs and ramps may encroach into any required setback to a point not closer than three feet to a property line.
6. Sidewalks along Broadway shall be a minimum of eight feet in clear width. The required frontage location and corner visibility setback shall adjust to allow for the sidewalk.

c. *Building uses.*

1. See neighborhood commercial (NC) uses as listed in [ARTICLE IX](#) "permitted uses". Density limitations on residential units shall not apply.

d. *Architectural standards.*

1. Exterior finish material shall be limited to stone, brick, stucco, pre-cast, clapboard siding, or wood shingles. Walls shall be no more than two materials and shall change material along a horizontal line, with the heavier material below the lighter material.
2. Streetwalls and fences built in line with the front building facade shall be 34 to 72 inches in height. Streetwalls or fences in front of the building facade shall be 34 to 42 inches in height. Streetwalls or fences shall consist of a material matching the adjacent building or one of the following: indigenous rock; block and stucco; decorative metal; or painted, stained or pressure treated wood pickets. Chain link, barbed wire, razor wire, electronic elements or other hazardous materials are prohibited. The height and design of the streetwalls for nonresidential property shall allow for surveillance of the property from the public right-of-way.
3. Rear garden walls and fences not facing streets shall be 34 to 72 inches in height. A 72-inch high garden wall shall be required to separate nonresidential properties from residential properties outside of the mixed-use district. Garden walls and fences shall consist of painted, stained, or pressure treated wood pickets, plastic coated chain link, decorative metal, indigenous rock, or block and stucco. Barbed wire, razor wire, electronic elements or other hazardous materials are prohibited. The height and design of garden walls for nonresidential properties shall allow for surveillance of the property from the public right-of-way.
4. All buildings shall have their principal pedestrian entrances facing the Broadway frontage line.
5. Storefronts are required along frontage line(s) and shall be directly accessible from sidewalks. Each storefront must have clear glazed areas, along a minimum of 70 percent of its facade length, between two and eight feet from the ground.
6. Stories above the first floor shall have clear glazed area and openings between 25 percent and 45 percent of the facade area. The facades shall also meet the following requirements:
  - a. Windows, except storefront windows, shall be operable.
  - b. Window and door openings shall be vertical or square in proportion.
  - c. Windows shall be recessed a minimum of two inches from the exterior face of the facade.
  - d. Multiple windows in the same rough opening shall be separated by a four-inch wide post and sit on one continuous sill.
  - e. Openings in upper stories shall be centered above openings in the first story. Openings on the gable ends must be centered. Openings shall be a minimum two feet from building corners.
  - f. All exterior doors shall be hinged, except garage doors.
  - g. Garage doors located in the principal building are not permitted to face the Broadway frontage line.
  - h. If shutters are used, they must be sized to match the opening, and provided for all windows on a given wall.
  - i. If security bars are used, they shall be located on the interior of the structure and designed in such a manner so that they appear as muntins in a divided light window. Mesh and chain link are not permitted to cover openings.
7. All awnings shall be consistent with the architecture of the building and shall be subject to the following requirements:
  - a. Awnings shall be rectangular in shape with straight edges.
  - b. Awnings at the sidewalk level shall not have a bottom soffit or side panels.

- c. Awnings at the sidewalk level shall project a minimum of four feet from the building facade. Awnings on stories above the sidewalk level shall project a minimum of three feet from the building facade.
  - d. Valances shall not exceed eight inches in height.
  - e. Variances may be granted administratively by the planning director or his/her designee in order to maintain the architectural character of a structure, or in the event that site features, such as, but not limited to, utility line poles or street trees, restrict the applicant from full compliance.
8. Mechanical systems, backflow preventers, television antennas, satellite dishes and similar devices shall be screened from view on all sides to the full height of the structure by landscaping or built elements designed as an integral part of the building architecture.
  9. Sloped roofs shall have symmetrical pitches of no less than 5:12, except that porch and stoop roofs may be sheds of no less than 2:12. Buildings that utilize barrel tile roof may be pitched no less than 3:12. Flat roofs shall be enclosed by a parapet no less than 42 inches in height.
  10. Dumpsters and storage areas shall be located at the rear of the property and shall be enclosed in the building or a structure consistent with the architecture of the building. Dumpsters for food service businesses shall be fully enclosed and air-conditioned.

e. *Sign standards.*

1. The sign area shall not exceed 36 inches in height by 60 percent of the width of each side of the building. This sign area shall be located within the first two stories of the building. If the storefront uses, awnings, the copy or logo on the valance shall not exceed six inches in height and shall be considered as square footage against the allowable building signage.
2. A sign band may be located on the rear of a building and facing a residential zoning district shall not exceed one and one-half (1½) feet in vertical dimension by 30 percent of the width of the facade width. The illumination of the sign shall be directed only toward the sign face. This sign band shall be located on the first floor only.
3. Pedestrian blade signs may be attached perpendicular to the facade extending up to four feet from the frontage line and not exceeding three feet in vertical dimension. One pedestrian sign is permitted for each business with a door at the sidewalk level.
4. Each business is allowed a maximum of one neon sign.
5. Signs pertaining to special sales, events or services may be affixed to the inside of windows provided that the total area does not exceed 15 percent of the window area. Such signs shall not remain in place for more than 30 days.
6. All fasteners shall be concealed. Exposed raceways, transformers, ballasts and electrical wiring are not allowed. No signs with visible backs are permitted.
7. All installation components or hanging devices such as, but not limited to, fasteners, clips, bolts, etc. shall be of non-corrosive, stainless steel, aluminum, brass or bronze; carbon bearing steel shall be of non-ferrous metal of quality material and finish. All black iron materials shall be finished to withstand corrosion. All penetrations of the fascia shall be neatly sealed in a watertight manner using a single component silicon sealant. All signage shall have an individual circuit and be controlled by a time clock. Exposed conduit or electrical wiring is prohibited. Internally illuminated panels are prohibited.
8. Buildings constructed prior to September 15, 2003 shall be permitted to replace pole sign(s) with one low freestanding sign for nonresidential uses. Such signs shall not exceed 16 square feet in area or six feet in height. Internally illuminated freestanding signs are prohibited.
9. Motor vehicle fuel sales and service establishments shall be permitted to replace pole sign(s) with one low freestanding sign not to exceed 32 square feet in area or six feet in height.

f. *Parking and loading standards.*

1. A minimum of three off-street parking spaces is required for each 1,000 square feet of nonresidential use and one parking space for each residential unit. The number of parking spaces cannot exceed 125 percent of the required minimum for nonresidential uses and three parking spaces per residential unit.
2. Available on-street parking along the corresponding frontage lines may be counted towards the parking requirement.
3. All surface parking areas shall be concealed with a streetwall along all street frontages.
4. Garages shall be located a minimum of 20 feet behind the principal building facade.

5. Vehicular entries on a building facade or streetwall shall not exceed 24 feet in width and driveway/curb cut openings shall not exceed 30 feet in width.
6. Loading docks and service areas shall not be permitted on the frontage line.
7. The zoning board of appeals may adjust by variance the parking requirements based on the existing supply in the district, and on impact to the neighboring properties.

g. *Landscaping standards.*

- The city's landscape code, as described in [ARTICLE XIV](#) of the zoning and land development regulations, shall apply unless otherwise provided herein.

(Ord. No. 3648-03, § 2, 9-15-2003; Ord. No. 3724-04, § 1, 1-20-2004)