

62.1120 Transit-Oriented Development Interim Overlay District

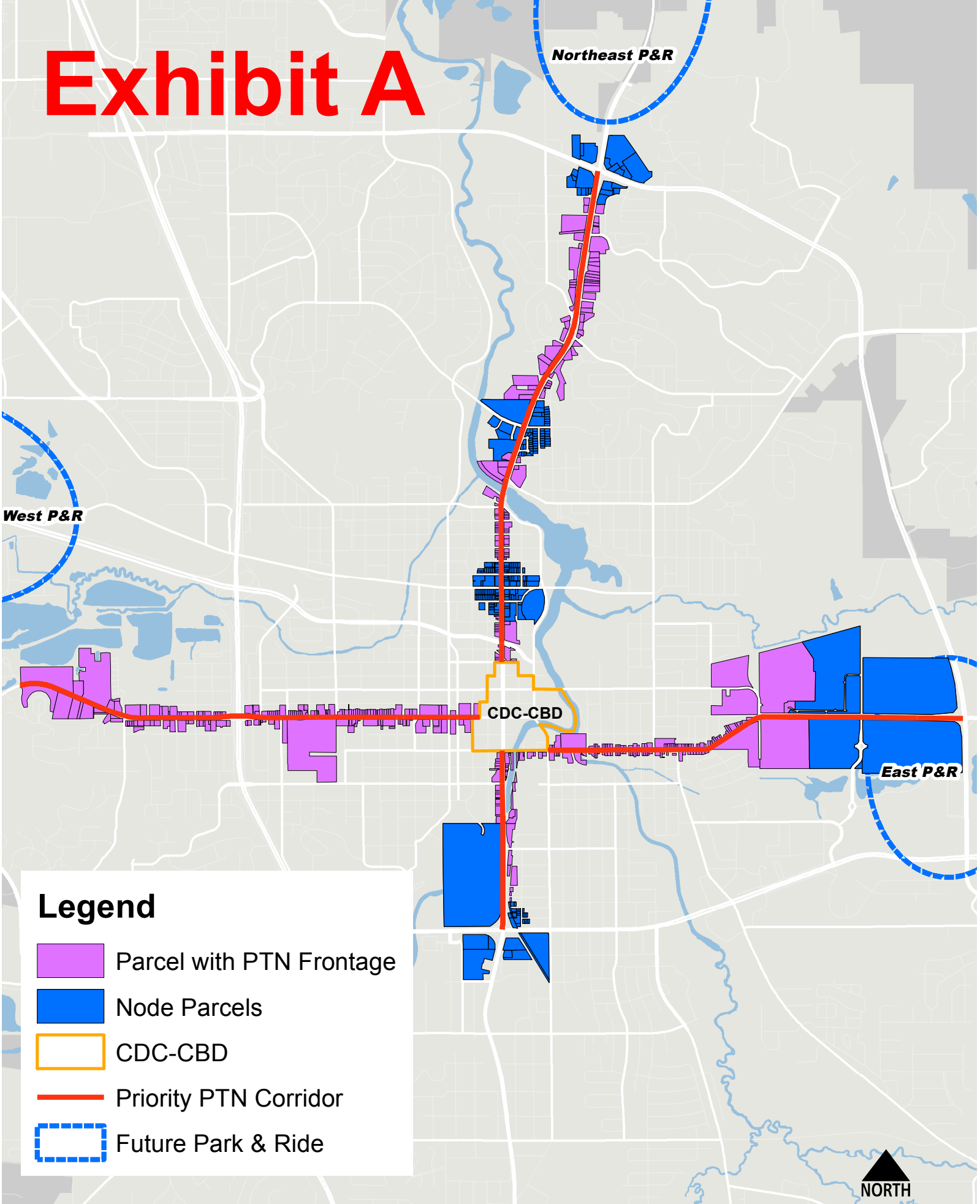
Subd. 1 Purpose

The Transit-Oriented Development (TOD) Interim Overlay District is intended to protect opportunities for transit-supportive and transit oriented development for a limited time period while long-term TOD regulations and incentives are being drafted. Areas affected by this overlay require intensities and patterns of development that support vibrant pedestrian activity, promote the use of transit, and discourage specific land uses and types of development that could potentially interfere with future growth of TOD and transit ridership.






Subd. 2 Applicability

- A. The standards of this overlay district shall apply when a new primary building is constructed after the effective date of this overlay district, or when a primary building constructed before the effective date of this overlay district is expanded by more than 25 percent of the building's gross floor area, when all or a part of the lot on which the building is constructed or expanded is located:
1. Parcels within one-eighth mile of one of the Primary Transit Network (PTN) nodes as shown on the following map. The node locations are generally located around the intersections Broadway: 37th N, Elton Hills Drive N, 7th street N, 12th Street S/TH 14, and the intersection of Collegeview Rd E and Silver Creek Rd NE. In case of a conflict between this general description and map "exhibit A", the map "exhibit A" shall govern; or
 2. Parcels with frontage on portions of Broadway, 4th Street SE and 2nd Street SW, as shown on the following map. The overlay zoning district generally includes parcels abutting Broadway Ave between 37th Street N and 12th Street S, abutting 4th Street SE between Silver Creek Rd NE and Broadway Ave South, and parcels abutting 2nd Street SW between Wimbledon Hills Dr SW and Broadway Ave South, excluding parcel within the Central Business District In case of a conflict between this general description and map "exhibit A", the map "exhibit A" shall govern.
- B. In the case of a building expansion, the standards in Subd. 4 shall apply to the expansion area to the maximum extent feasible and consistent with the intended function of the expansion area, as determined by the Planning Department.
- C. The modifications to base zone district regulations in this interim overlay zone shall not supersede, modify or annul the regulations authorized in any previously adopted Special Districts (section 60.327) or supersede, modify or annul any conditions of approval established as part of an approved conditional use permit or zoning variance before the effective date of this overlay district. Any zoning permit or certification for which a complete application has been filed before the effective date of this overlay district shall be processed without consideration of these overlay requirements or incentives.

Exhibit A



Legend

-  Parcel with PTN Frontage
-  Node Parcels
-  CDC-CBD
-  Priority PTN Corridor
-  Future Park & Ride

Subd. 3 Use Regulations

Notwithstanding other provisions of this zoning ordinance, all properties located in this overlay district shall comply with the following use regulations.

A. PROHIBITED USES

1. The following uses are prohibited as either primary or accessory uses of land or structures.
 - a. Air transportation
 - b. Auto center
 - c. Auto maintenance services
 - d. Automotive repair services
 - e. Car washes
 - f. Drive-in facilities
 - g. Motor freight and warehousing
 - h. Railroad transportation
 - i. Sales and storage lots
 - j. Self-service storage facility
 - k. Structured parking facility unless ground floor frontages are occupied by non-parking uses
 - l. Surface parking facility unrelated to park-n-ride location designated by the City
 - m. Wholesaling
2. Accessory parking required by the Land Development Manual for the primary use of a property shall be exempt from this provision.

Subd. 4 Development Standards

A. BUILDING PLACEMENT

At least 65 percent of the first floor of the front façade of each primary building shall be located not more than 8 feet from each front lot line. In cases where Rochester Public Utilities (RPU) requires a larger set-back due to overhead power line safety requirements, at least 65 percent of the first floor of the front façade of each primary building shall be located no further than the minimum distance required by RPU.

B. BUILDING ENTRANCES

1. Each primary structure shall have at least one pedestrian entrance on each façade facing a public right-of-way. If the lot has frontage on a PTN corridor, the pedestrian entrance shall face the PTN corridor. If the lot does not have frontage on a PTN corridor, the pedestrian entrance shall face the front lot line.
2. If there are multiple ground-floor tenant spaces facing a public right-of-way, each ground floor tenant space with 25 feet of frontage or more shall have at least one pedestrian entrance facing that public right-of-way.
3. Each required pedestrian entrance shall open directly to the outside with direct access to the adjacent sidewalk without requiring pedestrians to pass through a lobby area, garage, parking lot, or a non-pedestrian area located between the entrance and the frontage.

C. GROUND FLOOR WINDOWS

Each ground floor façade facing a public right-of-way shall have transparent windows or other transparent glazed area covering 65 percent or more of the ground floor façade area between three and eight feet above sidewalk grade. Required glazed areas shall have a visible light transmittance ratio of 0.6 or higher, and shall not include reflective, heavily tinted, or black glass windows.

D. VEHICULAR ACCESS AND CIRCULATION

In order to promote walkability within the PTN, to the maximum extent feasible:¹

1. Vehicular access and circulation shall be designed to minimize conflicts with pedestrian and bicycle traffic and with surrounding residential uses; and
2. Curb cuts for vehicles shall be consolidated and cross-access easements between adjacent accessory surface parking facilities shall be provided.

E. PEDESTRIAN AND SITE DESIGN STANDARDS

All developments shall comply with the Pedestrian and Site Design Standards in Sections 63.270 through 63.275 of this Land Development Manual. Where the standards of this overlay district are in conflict with the Pedestrian and Site Design Standards, the provisions of the overlay district shall govern.

F. CONSOLIDATION OR SUBDIVISION OF EXISTING LOTS

No consolidation of two or more lots existing on the effective date of this overlay district into a parcel of one acre or larger shall be approved, and no subdivision of lots existing on the effective date of this overlay district shall be approved, unless the applicant has submitted a General Development Plan demonstrating that a high level of pedestrian, bicycle, and motor vehicle connectivity will be maintained through the consolidated or subdivided parcel or parcels, and the City has approved that plan as consistent with the goals of the PTN and with any other approved connectivity plans for abutting or nearby properties.

Subd. 5 Incentives

A. INCREASED MAXIMUM FLOOR AREA RATIO

If the primary structure contains only non-residential primary uses, the maximum permitted floor area ratio for each development or redevelopment that complies with all of the standards of this overlay district is 2.0. If the primary structure contains only residential primary uses, the maximum permitted floor area ratio for each development or redevelopment that complies with all of the standards of this overlay district is 3.0. If the project is a mixed-use building including a mix of residential and non-residential primary uses, the maximum permitted floor area ratio for each development or redevelopment that complies with all of the standards of this overlay district is 4.0. The maximum residential density established in the underlying zoning district shall not apply, provided that the development complies with the maximum floor area ratio of this overlay district.

B. INCREASED MAXIMUM HEIGHT

In the commercial, mixed commercial-industrial, industrial, and medium- and high-density residential zoning districts, the maximum building height of each primary building for each development or redevelopment that complies with all of the standards of this overlay district is 60 feet.

C. REDUCTIONS TO REQUIRED PARKING

1. The minimum number of required off-street parking spaces shall be reduced by 30 percent below that required in portions of the underlying zone district that are not subject to this overlay district; and

¹ *Maximum extent feasible* is typically defined as follows: “No feasible and prudent alternative exists, as determined by City staff, and all possible efforts to comply with the regulation or minimize potential harmful or adverse impacts have been undertaken by an applicant. Economic considerations may be taken into account but shall not be the overriding factor in determining the *maximum extent feasible*.”

2. The maximum number of off-street parking spaces provided for any development shall not exceed the minimum number required in portions of the underlying zone district that are not subject to this overlay district.

VOTED 4/16/18