

Sec. 35-343. - "IDZ" Infill Development Zone [Complete Change of Zoning Applications submitted prior to November 1, 2018.](#)

STATEMENT OF PURPOSE

To provide flexible standards for the development and reuse of underutilized parcels. Urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas. Any use may be permitted within an "IDZ" so long as it complies with the standards of this section.

The purpose of this section is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. The specific purposes of this section are:

- To provide a more flexible approach to design and development of infill projects.
- To use the objectives of smart growth as the basis for evaluating proposed infill projects.
- To encourage infill development by simplifying procedures for plan approval and public involvement.
- To encourage planning and design flexibility and innovations.
- To create a community environment that is enhanced by a mix of residential, commercial, recreational, open space, employment and institutional uses.
- To assure community compatibility through high standards of land planning, site and architectural design.
- To encourage efficient use of land and public services.
- To ensure adequate public facilities and other community amenities by simplifying and streamlining the approval of private development activities in areas with existing public facilities and infrastructure.

The provisions of this section apply to a geographic portion of the city adopted by city council to compliment the Community Revitalization Action Group (CRAG) Report of the Special Projects Office of the city.

The "IDZ" implements the following policies of the master plan:

- Growth Management, Policy 1g: Continue to make physical improvements in the inner city to encourage redevelopment and infill development.
- Economic Development, Goal 4: Provide economic opportunities in targeted areas, particularly within Loop 410 and the southern sector.
- Neighborhoods, Policy 1a: Rezone vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.
- Neighborhoods, Policy 1d: Promote conversion or adaptive reuse of vacant or underutilized commercial buildings to provide affordable infill housing.
- Neighborhoods, Policy 1d: Provide incentives to the private sector to promote reuse of vacant or underutilized commercial buildings for affordable housing through such mechanisms as zoning and platting processing.

- *Neighborhoods, Policy 2b: Amend the Unified Development Code to create mixed-use districts.*
- *Neighborhoods, Policy 4a: Preserve and revitalize housing and promote targeted infill housing in neighborhoods, particularly older neighborhoods located inside Loop 410.*
- *Urban Design, Policy 1c: Develop zoning regulations that would allow mixed-use development (i.e. residential and commercial) to be placed in the same building.*
- *Urban Design, Policy 1d: Develop criteria and procedures for infill development which will enhance the character of neighborhoods.*
- *Urban Design, Policy 1e: Permit zero setbacks for commercial and multi-family developments.*
- *Urban Design, Policy 4b: Use incentives to encourage development in underutilized urban areas.*
- *Urban Design, Policy 4b: Consider alternatives to existing setback, right-of-way, and other platting and zoning requirements to encourage development.*
- *Urban Design, Policy 4b: Consider rezoning underutilized areas to accommodate and promote appropriate redevelopment, while being cognizant of the surrounding areas' environment.*
- *Urban Design, Policy 5b: Encourage resident and employment growth within walking distance of the downtown area and neighborhood centers in order to support an inter-modal transportation system.*
- *Urban Design, Policy 5e: Promote public and private sector, ride-sharing, flexible working hours, parking management innovations, and mixed-use developments as means of reducing the demand for peak period vehicular trips.*

(a) **Locational Criteria.**

(1) **Generally.**

- A. An "IDZ" may be located within Community Revitalization Action Group (CRAG) target area as defined in 35-A101, which area generally includes the territory located inside the corporate boundaries of the city as they existed in 1940.
- B. An "IDZ" may also be located in a census tract inside of Interstate Loop 410 in which at least two (2) of the following factors are present:
 - 1. At least ten (10) percent of the structures are abandoned; or
 - 2. At least ten (10) percent of the platted lots are vacant; or
 - 3. At least ten (10) percent of the lots or structures are subject to tax liens.
- C. An "IDZ" may also be designated for a location inside of Interstate Loop 410 that meets one (1) of the following:
 - 1. Within the boundaries of a community development reinvestment plan adopted by the city council;
 - 2. Within the boundaries of a neighborhood or community plan adopted by city council at a location designated by the plan that is suitable for "IDZ" designation;
 - 3. On properties currently owned by the federal, state, county or city government; or
 - 4. On properties previously owned by the federal, state, county or city government on or after June 4, 2001.

- (2) **Mapping.** The "IDZ" district may be considered by the city council as an amendment to the official zoning map when it meets one (1) of the location criteria established by subsection (1) above.

- (b) **Use Regulations.** The "IDZ" may be approved as either a base zoning district or an overlay zoning district. The standards provided in this section shall apply whether "IDZ" is requested as either a base district or as an overlay except where otherwise specifically stated.

(1) **Overlay District.** When the ordinance designates the "IDZ" as an overlay zoning district:

- A. A proposed infill development with frontage on a local street may be approved for any use permitted in the base zoning district in which it is located.

~~B. A conditional use may be permitted utilizing the provisions authorized by section 35-422, Table 422-1 and payment of the condition use fee pursuant to 35-C102.~~

~~C. An additional use approved as a conditional use must be identified on a site plan which shall be filed with the application for rezoning and be incorporated into the ordinance designating the "IDZ" as an overlay zoning district. The site plan shall include the minimum contents prescribed in subsection (2) below. The site plan shall be reviewed by the zoning commission and approved by the city council concurrent with the approval of the "IDZ" overlay zoning district boundary.~~

- ~~B.D.~~ When "IDZ" is adopted as an overlay district, the base zoning district standards ~~and the standards for conventional subdivision, in accordance with section 35-202,~~ shall remain in effect ~~where not specifically provided alternative standards within this section.~~

(2) **Base District and Site Plan Requirements.** When the ordinance designates the "IDZ" as a base zoning district it shall be accompanied by a list of permitted uses and a zoning site plan which shall be filed with the application for rezoning and be incorporated into the ordinance designating the "IDZ" as a base zoning district. The zoning site plan shall be reviewed by the zoning commission and approved by the city council concurrent with the approval of the "IDZ" district. A master development plan is not required where "IDZ" is established as a base zoning district that has filed the requisite site plan. A zoning site plan for an "IDZ" shall include:

- A. Legal description and exhibit of the property at appropriate scale showing the area to be zoned "IDZ."
- B. The location of all comprehensive land use categories as defined in section 35-A101. Multi-family uses shall include an indication of gross density as defined in sections 35-A101 in units per acre, provided there is no limit on the level of density. *For example, a 2.5-acre site with a sixty-five thousand (65,000) square foot building footprint consisting of two hundred seventy-five (275) units in a three-story building with the balance of the site used for amenities and off-street loading facilities shall be considered one hundred ten (110) dwelling units per acre. (275/2.5 = 110)*
- C. The location of all streets and, if applicable, ingress/egress facilities in accordance with subsection (c)(1) below.
- D. When "IDZ" is adopted as a base zoning district, the standards for conventional subdivision, in accordance with section 35-202, shall remain in effect where not specifically provided alternative standards within this section.
- E. A site plan shall not be required for city-initiated "IDZ" rezoning cases.

(3) **Amendments to "IDZ" Site Plan.**

- A. **Initiation.** Revisions to a previously approved "IDZ" site plan shall be classified as minor or major changes. The applicant for site plan amendment shall submit a site plan that is consistent with the requirements of section 35-343(b)(2) above. The submittal shall include the site plan approved with the original application and a revised copy with annotation of the requested changes. The revised site plan shall be prepared to scale and shall include a block for a signature by the property owner and the development services director to indicate acceptance of the revised site plan and,

- 130 if applicable, shall include appropriate signature and seals of the design professional
131 (i.e. architect, engineer, surveyor) that prepared the site plan. The site plan shall be
132 processed only upon payment of the plan amendment fee indicated in 35-C103.
- 133 B. **Completeness Review.** Development services will conduct a completeness review
134 within five (5) working days of submittal. Within five (5) working days after filing the
135 proposed site plan amendment, including all required items and information, the
136 director of development services shall provide a written response to the applicant
137 indicating whether or not the submitted revised "IDZ" site plan has been accepted as
138 a minor or major amendment.
- 139 C. **Major Amendments.** A major amendment shall require a new application for
140 rezoning pursuant to the procedures of 35-421. A major amendment to an "IDZ" site
141 plan shall include:
- 142 1. Any increase in the number of dwelling units per acre within the "IDZ" plan area.
 - 143 2. Any increase in the total commercial acreage within the "IDZ" plan area.
 - 144 3. Any increase in the total industrial acreage within the "IDZ" plan area.
 - 145 4. Any decrease above ten (10) percent in the total open space acreage within the
146 "IDZ" plan area.
 - 147 5. Any decrease in perimeter buffers between the "IDZ" plan area and adjacent
148 properties.
 - 149 6. Any amendment to the location previously identified in the "IDZ" site plan from
150 residential to an office, commercial or industrial use, if the property where the
151 proposed change is to occur abuts existing property in which the principal use is
152 a single-family residence.
- 153 D. **Minor Amendments.** Any other revision to an "IDZ" site plan not described in
154 subsection 35-343(b)(3)C above, shall be deemed a minor change. After the five-day
155 completeness review process, a site plan revision deemed by the director as a minor
156 amendment shall undergo a technical review by staff not to exceed thirty-five (35)
157 days and shall not require review by the zoning commission nor approval by the city
158 council. If approved, the director shall sign the amendment indicating official
159 acceptance in the required signature block.
- 160 (c) **Lot and Building Specifications.**
- 161 (1) **Lot Layout.**
- 162 A. **Minimum Lot Size.** When "IDZ" is established as a base zoning district lots for the
163 uses permitted on the zoning site plan may be platted without a minimum lot area
164 requirement, provided that detached single-family uses shall have a minimum lot size
165 of one thousand two hundred fifty (1,250) square feet.
 - 166 B. **Frontage.** When "IDZ" is established as a base zoning district lots may be platted
167 without frontage on a public or private street, provided that lots without frontage on a
168 public or private street shall be provided with vehicular and/or pedestrian traffic
169 access by means indicated on the subdivision plat for the area with the "IDZ"
170 designation. Approximate locations of ingress/egress facilities shall be shown on the
171 zoning site plan. The provisions of this subsection regarding lots shall supersede the
172 requirements of subsection 35-515(c)(4) titled "Frontage." Minimum fire access
173 requirements shall apply.
 - 174 C. See section 35-515(d)(1), table 515-1 relative to front yard design.
- 175 (2) **Building Location.** The requirements of this subsection shall apply to the construction of
176 new buildings within the "IDZ" district ~~whether~~ used as ~~an overlay or~~ a base district. The
177 provisions of this subsection shall not apply to the reuse and/or rehabilitation of existing

structures provided however that these requirements shall apply to any additions, expansion or enlargement of any existing buildings.

A. **Nonresidential.** The side, front and rear setback provisions of the zoning regulations (article III) shall not apply to an approved infill development zone provided, however, that no new or existing building shall be erected, constructed or expanded to extend within the public right-of-way or within five (5) feet of the rear lot line. A 900 series lot, as defined in section 35-A101, may be provided in lieu of the required five-foot setback from the rear lot line provided that the 900 series lot provides a lot width at least equivalent to the required setback distance.

B. **Residential.** On blocks where over fifty (50) percent of the blockface is occupied with existing single-family, duplex, triplex, and/or quadraplex residential units, the front setback within IDZ for uses zoned for single-family, duplex, triplex, and quadraplex uses shall be within ten (10) percent of the median setback of existing buildings on the block face. No new or existing building shall be erected, constructed or expanded to extend within the public right-of-way or within five (5) feet of the rear lot line. If there is a public street right-of-way, the front facade shall front the street. A 900 series lot, as defined in 35-A101, may be provided in lieu of the required front or rear setbacks provided that the 900 series lot provides a lot width at least equivalent to the minimum required setback distance.

On blocks where fifty (50) percent or less of the blockface is occupied with existing single-family, duplex, triplex, and/or quadraplex residential units, or the block is being redeveloped for over fifty (50) percent of the block face, the front, side and rear setback provisions of the zoning regulations (article III) shall not apply to an approved infill development zone provided, however, that no new or existing building shall be erected, constructed or expanded to extend within the public right-of-way or within five (5) feet of the rear lot line. A 900 series lot, as defined in section 35-A101, may be provided in lieu of the required five-foot setback from the rear lot line provided that the 900 series lot provides a lot width at least equivalent to the required setback distance.

(d) **Adequacy of Public Facilities.** The traffic impact and roughly proportionate determination (section 35-502 of this chapter) do not apply to an application for development approval within an "IDZ" district.

(e) **Street Construction Standards.**

(1) **Standards Not Applicable.** The street construction standards shall not apply to infill development which involves the activities listed in subsections A and B below, except as provided in subsection (2) below. The street construction standards shall apply to all other infill development not listed below:

A. The reuse of an existing building; or

B. The development of an existing parcel or lot of less than twenty thousand (20,000) square feet.

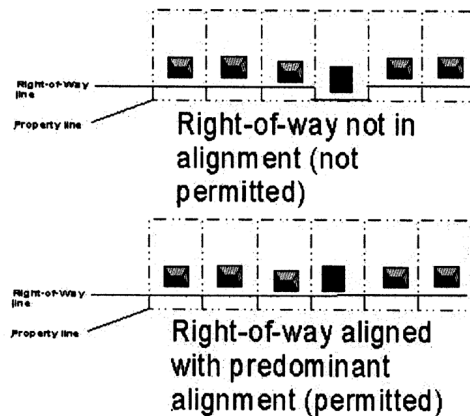


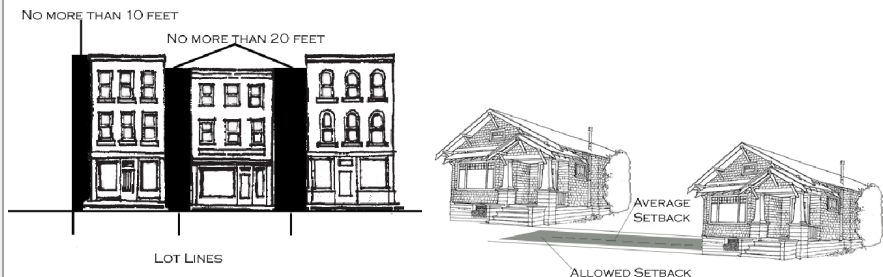
Figure 343-1

- (2) **Standards Which Are Applicable.** The following provisions of the street construction standards shall apply to all infill development, including that listed above:
- A. Standards relating to sidewalks, subsection 35-505(q) provided, however, that the applicant shall not be required to provide a sidewalk width exceeding that of any existing sidewalks adjoining the site, provided that minimum ADA standards shall be met in accordance with 35-506(d)(9)C. In single-family locations see also section 35-506(q)(2)F.
 - B. If the lot adjoins a street in which the right-of-way is not aligned with the adjoining parcels, the standards relating to the dedication of right-of-way (subsection 35-505(g)) shall apply (see Figure 343-1).
- (f) **Stormwater Management.** Infill development shall comply with the stormwater management standards, section 35-504 of this chapter, except as otherwise provided herein. The stormwater management standards shall not apply to the following:
- (1) The reuse of an existing building; or
 - (2) The development of an existing parcel or lot of less than ten thousand (10,000) square feet.
- The stormwater management standards shall apply to all other infill development not listed above.
- (g) **Utilities.** The utilities standards shall apply to infill development.
- (h) **Parks and Open Space.** The parks and open space standards (section 35-503 of this chapter) shall not apply to infill development.
- (i) **Reserved.**
- (j) **Buffers, Landscaping, and Streetscape Planting.** The buffering standards (section 35-510) shall not apply to infill development. The landscaping standards (section 35-511) and streetscape planting standards (section 35-512) shall apply. Only twenty-five (25) points shall be required under subsection 35-511(d) (elective criteria), for landscaping on lots within the "IDZ" district, see also section 35-511(e)(7).
- (k) **Parking.** The minimum vehicle parking requirements in subsection 35-526(b) shall not apply to infill development. Where parking is provided, subsections 35-526(c) through 35-526(f) shall apply to infill development.

- 249 (l) **Outdoor Storage.** The outdoor storage standards shall apply to infill development.
- 250 (m) **Urban Design.**
- 251 (1) **Compatible Design.** Any new building shall be compatible in massing to buildings on
- 252 abutting lots and abutting block faces. Any extension or enlargement of an existing building
- 253 shall be compatible in "massing" to the building from which it is being added onto. For
- 254 purposes of this section, the term "massing" refers to the shape and form of a building
- 255 provided by all, or a combination of, architectural elements such as roof configuration,
- 256 spacing between buildings, setbacks from the street right-of-way, proportion of fenestration
- 257 and entryways, building form, exterior building materials, building scale, architectural
- 258 styles, and landscaping. For the purpose of this subsection only the term "abutting" refers
- 259 to being located next to or bordering and "adjacent" refers to lying near or close. See
- 260 Richard Hedman, *Fundamentals of Urban Design* (Chicago: American Planning
- 261 Association, APA Planner's Press, 1985), at 11—19, for reference. A building or site plan
- 262 shall be considered to be compatible in massing" to buildings on abutting lots and adjacent
- 263 block faces, or uses if at least two (2) of the following five (5) elements are provided:

**SETBACKS AND SPACING
BETWEEN BUILDINGS .**

A narrow side setback (not exceeding ten (10) feet) shall be provided between building facades facing the street public right-of-way in order to frame the structure and to provide spacing and rhythm between the structures. The side setback provisions of this section shall not apply to single-family detached dwellings or lots abutting a single-family detached dwelling.



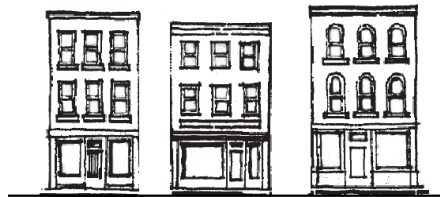
**PROPORTION OF
WINDOWS, BAYS, AND
DOORWAYS.**

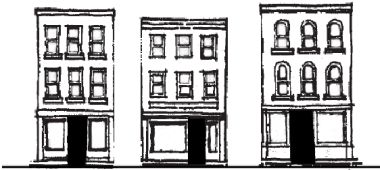
Windows, doorways, bays, and pediments meet the following criteria: (1) windows, doorways, bays, and pediments do not vary more than ten percent (10%) in area from windows, doorways, bays, and



pediments in the facade of abutting buildings on abutting lots or if the subject property is the only lot on a block, the windows, doorways, bays, and pediments do not vary more than ten percent (10%) in area from windows, doorways, bays, and pediments of buildings on adjacent block faces, and (2) vertical or horizontal elements tied together in bands across facade lengths.

PROPORTION OF PRIMARY FACADE. The size of facades facing the street public right-of-way are similar in area and height to width ratios to buildings on abutting and/or adjacent lots. The size of the facade shall be considered "similar" if the proposed facade does not vary by more than thirty percent (30%) in area from any facade on a building of an abutting lot or, if the subject property is the only lot on the block, the facade shall not vary by more than thirty percent (30%) in area from building facades on adjacent block faces. If this standard cannot be met because of the variation in size of two facades on abutting lots or facades on adjacent block faces in the case of a single



| | |
|--|--|
| <p>lot on a block, the proposed building shall not vary by more than thirty percent (30%) from one of the facades on abutting lots or adjacent blocks, at the discretion of the applicant.</p> | |
| <p>LOCATION AND TREATMENT OF ENTRYWAY. At least one (1) entryway shall be provided along the front facade, which is the facade that faces the street public right-of-way. In order to create visual commonality between structures, the following criteria shall apply: (1) the size of entryways in building facades facing the street public right-of-way shall not vary by more than thirty percent (30%) in area from entryways on a building of an abutting lot or, if the subject property is the only lot on the block, the entryway shall not vary by more than thirty percent (30%) from entryways on building from adjacent block faces, and (2) the height of entryways for abutting buildings shall not vary more than thirty percent (30%) as measured from grade.</p> |  |

BUILDING SCALE. Building height and footprint shall not vary by more than ten percent (10%), from buildings on abutting lots or, if the subject parcel is the only property on the block, the height shall not vary by more than ten percent (10%) from building heights on adjacent block faces. Building height may vary by more than ten percent (10%) only in order to maintain continuity between the ground floor elevations of adjoining buildings on the site.



264

265 (2) **Alternative Designs.**

- 266 A. As an alternative to compatible design requirements in subsection (1) above, an
 267 applicant requesting "IDZ" designation as a base ~~or as an overlay~~ district on
 268 blockfaces that are not occupied by fifty (50) percent or greater residential uses as
 269 established in section 35-343(c)(2)B above may submit alternative building design
 270 plans that demonstrate substantial conformance to the requirements of section 35-
 271 204(o) for recommendation by the zoning commission and consideration by the city
 272 council as part of a request to rezone property to "IDZ" as a base ~~or as an overlay~~
 273 district. Where properties are located within a historic district or a river improvement
 274 overlay districts building designs require approved of the office of historic preservation
 275 and historic and design review commission, as applicable.
- 276 B. As an alternative to the compatible design requirements in subsection (1) above, an
 277 applicant, including the city for city-initiated large area rezoning cases, requesting
 278 "IDZ" designation as a base ~~or as an overlay~~ district may submit an alternative site
 279 and building design plan that conforms to the design guidelines from a physical
 280 master plan adopted as a component of the city's comprehensive plan as part of a
 281 request to rezone property to "IDZ" as a base ~~or as an overlay~~ district for
 282 recommendation by the zoning commission and consideration by the city council. To
 283 qualify under this provision, the alternative site and building design plan must at a
 284 minimum include building height, build-to-zone, percent of façade in build-to-zone,
 285 building and tenant entrance location, parking location, building material, and
 286 landscape standards that conform to the physical master plan guidelines that are
 287 applicable to the property subject to the rezoning request.

288 (Ord. No. 100126) (Ord. No. 2008-06-12-0532, § 2, 6-12-08) (Ord. No. 2009-01-15-0001, § 2, 1-
289 15-09) (Ord. No. 2010-11-18-0985, § 2, 11-18-10) (Ord. No. 2012-10-18-0829, § 2, 10-18-12;
290 Ord. No. [2015-12-17-1077](#), § 2, 12-17-15)