

**PART 10**

**“CBD” CENTRAL BUSINESS DISTRICT ZONING DISTRICT**

**Section 1000. Purpose**

This zoning district includes the traditional mixed use (residential and non-residential development) business area of the Borough, comprising the heart of and the prominent focal point of Highspire. The area includes a high degree of pedestrian scaled and pedestrian oriented mixed use buildings and development designed in a compatible and complementary manner which seeks to encourage retention and enhancement of existing businesses and residential opportunities, attraction of new businesses and residents, and creation of a pleasing and safe environment for residents, business owners, customers and visitors alike. This zoning district seeks to maintain and enhance the traditional business area of the Borough through compatible reuse, replacement, and infill development.

**Section 1001. Permitted Uses by Right**

A. See Table 6-2 in Section 605.

**Section 1002. Uses Permitted by Conditional Use or Special Exception**

A. See Table 6-2 in Section 605.

**Section 1003. Area and Design Requirements**

Use	Minimum Lot Area	Minimum Lot Width at Lot Frontage	Maximum Permitted Impervious Lot Coverage / Minimum Vegetative Coverage	Building Setbacks			Minimum /Maximum Permitted Building Height
				Minimum/Maximum Front	Minimum Side	Minimum Rear	
Permitted uses	Shall based on size of the buildings, required setbacks, coverage, parking, loading/unloading, and other applicable standards including stormwater management requirements of Chapter 22 the Highspire SALDO		85% Impervious / 10% Vegetative	0 ft./10 ft.	5 ft., except 0 ft. at the shared lot line of lawfully attached buildings or uses constructed with a shared common party wall and the written consent of the owner of the abutting lot and building.	15 ft.	2 stories or 24 ft / 65 ft.

Use	Minimum Lot Area	Minimum Lot Width at Lot Frontage	Maximum Permitted Impervious Lot Coverage / Minimum Vegetative Coverage	Building Setbacks			Minimum /Maximum Permitted Building Height
				Minimum/Maximum Front	Minimum Side	Minimum Rear	
Accessory use or structure	N/A	N/A	N/A	Not permitted to be located between the principal building and the public street	3 ft.	3 ft., except that detached garages adjacent to and having access to an alley, shall be setback five (5) feet from the right-of-way or fifteen (15) feet from the centerline of the alley, whichever is greater	Not higher than the principal building

**Section 1004. Additional Standards and Guidelines**

**A. Reuse of Existing or Former Residential Buildings**

1. The reuse of existing or former residential buildings for all permitted non-residential and mixed use establishments, the existing building shall maintain an exterior appearance that resembles and is compatible with any existing residential dwellings and residential buildings in the neighborhood. No modifications or alternations to the external appearance of the front and street side facades of the building (except for permitted signs, fire escapes, and front porch enclosures provided for herein this subsection below) which would alter its existing or former residential character, shall be permitted.
  - a. Building modifications shall occur to the rear and/or non-public street (excluding alleys) side of the existing principal building.
  - b. Covered Front Porch Enclosures
    - (1). Front porch enclosures shall be provided in accordance with the following standard:
      - (a). The applicant shall demonstrate that expansion to the rear and/or side of the existing principal building, including enclosing any side and rear porches, is not feasible.
      - (b). Front porch enclosures shall be limited to the existing front porch footprint.

(c). Front porch enclosures shall include the use of glass or screens that leave intact the original elements of the porch including the open space (percentage of window/door openings to solid wall space); the railings, transoms, columns, and roof.

(2). Front porch enclosures shall include the use of materials and colors consistent and compatible with the principal building.

(3). Multiple-story front porch enclosures shall not be permitted.

## 2. Building Footprint of Existing or Former Residential Buildings

a. There shall be no limit to the total floor area, but the existing building may be expanded only to the extent that the total building footprint of the existing building plus any expansion combined shall not exceed two thousand five hundred (2,500) square feet.

## B. New Buildings

1. In addition to the standards and provisions set forth herein Section 1003 above and elsewhere in the Chapter, new buildings shall comply with the following provisions:

### a. New Building Dimensions

(1.) Where a new principal building is proposed, the maximum building footprint of any new building shall not exceed fifteen thousand (15,000) square feet.

(2.) Where a new principal building is proposed, at least eight-five (85) percent of the building's front facade shall be located on the required front setback.

### b. New Building Orientation, Entrances and Walls/Windows

#### (1). Building Orientation

(a). New buildings on lots abutting 2<sup>nd</sup> Street shall have at their primary front facades, provided with a main or everyday front entrance and windows, oriented toward and facing 2<sup>nd</sup> Street.

(b). Otherwise, the orientation or location of a new building's main or everyday entrance and windows shall be provided in accordance with the following standard:

#### (i). Interior Lots

1. Principal buildings shall have their primary front facades, provided with a main or everyday front entrance and windows, oriented toward and facing the public street (excluding alleys).

#### (ii). Corner Lots

1. Principal buildings on lots fronting on more than one (1) public street shall have their primary front facades, provided with a main or everyday front entrance and windows, oriented towards and facing (in order of preference):

- a. both the intersecting street (excluding alleys); or
- b. the corner, with one entrance located at and oriented toward the corner with an appropriate building articulation such as a chamfered corner, turret, canopy, or other similar building feature.

(2). Building Entrances

- (a). All new buildings' primary front facades shall have their main or everyday front entrance accentuated and provided with some weather protection. Permitted entrances types include: recessed, protruding, canopy, awning, portico, or overhang.

(3). Building Walls and Windows

- (a). Blank walls on building facades facing public streets shall not be permitted.
- (b). A minimum of fifty (50) percent of a new building's primary front facades' first floor facing a public street shall either include windows, doors, or combination of both.
- (c). Additionally, where a new building with public street-side façades greater than forty-five (45) feet in width is proposed, such facades shall incorporate recesses, projections, different façade materials, colors and/or designs, and/or different rooflines and roof pitches, as to reduce the effect of a monotonous, blank wall look that would deteriorate the appearance of the Borough.
- (d). Smoked, reflective, or black glass is prohibited.

C. Non-Residential Uses within an Enclosed Building

- 1. Unless otherwise permitted elsewhere in this Chapter, all permitted principal non-residential uses shall be conducted within a completely enclosed building, except for permitted outdoor cafes and outside sales and display.

D. Residential Dwelling Unit Size

- 1. The minimum dwelling unit size shall be eight hundred (800) square feet.

E. Prohibited Uses

- 1. The following uses are prohibited in this zoning district:
  - a. Drive-in/drive-through facilities.
  - b. Ground floor residential uses.

F. Refuse Areas

1. The storage of refuse, including dumpsters, trash bins, and recycling receptacles, for non-residential and multi-family residential uses shall be provided within the principal or accessory building(s) or within an outdoor area enclosed by walls or opaque fencing. Any refuse areas outside of a principal or accessory building shall be:
  - a. designed to be architecturally compatible with the principal or accessory building (including design, materials, and colors); and
  - b. located behind the rear wall of the principal building; and
  - c. entirely screened by a six (6) foot high wall/fence or other enclosure, and plantings.

**G. Screening**

1. In addition to the standards set forth in Part 4, screening shall be provided in accordance with the following:
  - a. All wall-mounted mechanical, electrical, communication, and service equipment, including satellite dishes (not including residential uses) and vent pipes shall be screened from public view by parapets, walls, fences, landscaping, or other approved means.
  - b. All rooftop mounted equipment and other appurtenances shall be concealed by or integrated within the roof form or screened from view at ground level of nearby streets. The following when above the roofline requires screening: stair wells, air conditioning units, large vents, heat pumps, and mechanical equipment. In no case shall fencing be used as a rooftop equipment screen.
  - c. Service and loading areas must be visually screened from the public street, sidewalks, and abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district. For new construction, service and loading areas must be behind the principal building. Loading docks shall not be located along 2<sup>nd</sup> Street.

**H. Hours of Operation**

For proposed non-residential and mixed use developments, the hours of operation and activities must be appropriately scheduled to protect the existing neighborhood from detrimental noise, disturbance or interruption. An hours of operations plan shall be submitted as part of any application for such use.

**Section 1005. Compliance with General Regulations**

- A. All uses shall comply with all applicable General Regulations contained within Part 4 of this Chapter, as well as:
  1. Part 18 Signs
  2. Part 19 Lot Access, Parking, and Loading Regulations.

**Section 1006. Overlay Districts**

- A. If located within or affected by the following overlay districts, development or uses shall meet the requirements of the applicable overlay provisions in accordance with:
  1. Part 15 FP Floodplain Overlay District Regulations
  2. Part 17 APZ Airport Zoning Overlay District Regulations.