

Section 43. Bulk, yard and density regulations for business and industrial districts.

(a) *Definitions.*

FLOOR AREA RATIO (FAR): The ratio of the **gross floor area** to the **principal building or principal buildings** on a **lot** to the total **lot area**. In calculating FAR, the **gross floor area** of a parking structure shall not be included.

(b) *Maximum FAR.*

(1) The maximum **FAR** permitted in the district(s) specified shall not exceed the following:

FAR	Zoning District
2.0	BA, BA-1, BB, BC and IM
3.0	IL, CGD***
4.0	IH
6.0	BD, BD-1**, BD-2*, BD-3 and BE
10.0	TOC
	*Where a lot in a BD-2 District abuts a residence district along a rear or side lot line, the maximum permitted FAR is 2.5. ** Where a lot in a BD-1 District abuts an RS-1, RS-2, RM-1 or RM-2 Residence District, the maximum permitted FAR is 3.0. *** In the CGD, the maximum permitted FAR can be increased to 4.5 by utilizing strategies to improve site sustainability. See section 43(b)(2) **** In the BD-3, the maximum permitted FAR for sites where the primary use is commercial (non-residential) can be increased to 8 by utilizing strategies to improve site sustainability and/or by providing public plazas subject to the requirements of section 43.1)

(2) *FAR Bonuses in CGD, TOC, and BD-3.*

- a. Purpose. Because these corridors have great development potential and the capacity for larger buildings and commercial enterprises, they are eligible for **FAR** bonuses. However, because larger buildings have a greater environmental impact and because the City of New Haven prioritizes sustainability and resiliency measures, the **FAR** bonus is available to those projects that mitigate these impacts with sustainability measures in the table below.
- b. In the CGD, the maximum permitted **FAR** can be increased up to 4.5 through incorporation of strategies to improve site sustainability. Developments in the CGD District may implement any strategies in the chart below in Sections 1—4 and 6. The following sustainability strategies can be converted into points, with each point worth a 0.1 increase in **FAR**. A memo detailing what strategies are employed shall be included in the site plan submission.
- c. In the BD-3, the maximum permitted **FAR** can be increased up to 8.0 for all sites where the primary use is commercial (non-residential). The following sustainability strategies (except 6a.) and provision of public plazas can be converted into points, with each point worth a 0.2 increase in **FAR**. A memo detailing what strategies are employed shall be included in the site plan submission.
- d. In the TOC zone, the maximum permitted **FAR** can be increased up to 12.0 through incorporation of strategies to improve site sustainability and provision of public plazas. The following sustainability strategies (except 6a.) and provision of public plazas can be converted into points, with each point worth a 0.2 increase in **FAR**. A memo detailing what strategies are employed shall be included in the site plan submission.

Sustainability Strategies		Points
1. Leadership in Energy and Environmental Design (LEED) Scorecard or other equivalent, nationally recognized rating system.		
1.a	Scorecard indicating LEED Certification rating or equivalency to a LEED Certification rating signed by a LEED accredited professional.	1
1.b	Scorecard indicating LEED Silver rating or equivalency to a LEED Silver rating signed by a LEED accredited professional.	2
1.c	Scorecard indicating LEED Gold rating or equivalency to a LEED Gold rating signed by a LEED accredited professional.	3
1.d	Scorecard indicating LEED Platinum rating or equivalency to a LEED Platinum rating signed by a LEED accredited professional.	4
2. On-Site Energy Generation		
2.a	At least 25% of energy use is generated from on-site renewable sources.	1
2.b	At least 50% of energy use is generated from on-site renewable sources.	2
2.c	75% or more of energy use is generated from on-site renewable sources.	3
2.d	The site has net zero energy impact.	4
3. Rainwater		
All vegetation used in strategies 3a—3c must use at least 50% Native Plants.		
3.a	Retention	
3.a-1	Retaining 10%—30% of anticipated runoff generated by the 10-year 24-hour storm, as defined by NOAA.	1
3.a-2	Retaining 30%—60% of anticipated runoff generated by 10-year 24-hour storm, as defined by NOAA.	2
3.a-3	Retaining more than 60% of anticipated runoff generated by the 10-year 24-hour storm, as defined by NOAA.	3
3.b	Green Stormwater Infrastructure	
3.b-1	Green stormwater infrastructure is used to capture 30%—60% of runoff retained in Section 3.a	1
3.b-2	Green stormwater infrastructure is used to capture over 60% of runoff retained in Section 3.a	2
3.c	Ecoroofs as defined in Section 1.	
3.c-1	30%—60% of roof area is an ecoroof.	1
3.c-2	60% or greater of roof area is an ecoroof.	2
3.d	Payment-in-lieu	
3.d-1	For sites where the retention or infiltration strategies enumerated in Sections 3.a—3.c above are not feasible, a one-time payment may be made in-lieu of satisfying such strategies at a rate of \$6.00 per cubic foot of runoff generated by the proposed structure and site during a 1-year, 6-hour storm as defined by NOAA.	1
3.d-2	For sites where the retention or infiltration strategies enumerated in Sections 3.a—3.c above are not feasible, a one-time payment may be made in-lieu of satisfying such strategies at a rate of \$9.00 per cubic foot of runoff generated by the proposed structure and site during a 1-year, 6-hour storm as defined by NOAA.	2
3.d-3	For sites where the retention or infiltration strategies enumerated in Sections 3.a—3.c above are not feasible, a one-time payment may be made in-lieu of satisfying such strategies at a rate of \$12 per cubic foot of runoff generated by the proposed structure and site during a 1-year, 6-hour storm as defined by NOAA.	3
4. Building Reuse		
The following strategies are mutually exclusive.		

4.a	Exterior design of new development is compatible with adjacent neighborhood fabric, built more than 50 years ago, including the use of similar window and door sizes, cladding materials, bays, and other primary structure elements, As part of the applicant's site plan application, the applicant shall provide a report by a design preservation professional demonstrating compliance with this strategy.	1
4.b	At least 75% of street facing Building facade, from structures built more than 50 years ago are restored and integrated into the new development, in accordance with the standards recommended by the Secretary of the Interior Standards for the Treatment of Historic Properties.	2
4.c	Existing building shell(s) constructed more than 50 years ago is restored, in accordance with the standards recommended by the Secretary of the Interior Standards for the Treatment of Historic Properties.	3
5. Public Plazas designed in accordance with Section 43.1.		
5a.	Public plazas totaling between 3,000 to 5,499 gross square feet.	1
5b.	Public plazas totaling between 5500 to 7,499 gross square feet.	2
5c.	Public plazas totaling between 7500 to 9,999 gross square feet.	3
5d.	Public plazas totaling between 10,000 to 15,000 gross square feet.	4
5e.	Public plazas in excess of 15,000 gross square feet.	5
6. Other		
6.a	In CGD only, outdoor space is dedicated to food production (e.g. community gardens in Privately Owned Public Space 43(l)(4)).	1
6.b	Construct primary structures out of Mass Timber or other engineered timber systems.	5
6c	Public Plaza that meets SITES certification or equivalent can qualify for additional FAR points at .5 of the points assigned to the equivalent LEED certification rating set forth in subsections 1a—1d above.	Varies

(3) *Reserved.*

(c) *CGD Residential Density.* The following residential density requirements apply only to CGD zones and supersede those requirements specified in Section 42.

(1) For mixed-use or residential developments, a minimum total residential density of 35 units per acre must be achieved for sites wholly or partially located within a ¼ mile radius of a designated, fixed route transit stop under the 2019 Moe New Haven Plan. For all other mixed-use developments within a CGD, a minimum residential density of 25 units per acre must be achieved.

(2) *Reserved.*

(d) *Maximum building height.*

(1) Except as provided in subsections 43(d)(2), (3), (4), (5), (6), (7), (8), (9), (10) there shall be no direct limit on building height in any business, or industrial district (although indirect limits may be produced by floor area ratio and other requirements).

(2) In the Business C zone, the maximum average building height shall be 35 feet.

(3) No building in a Business D-2 District shall exceed 200 feet above average finished lot grade provided a building shall be entitled ten feet of additional height if such building is registered as a Leadership in Energy and Environmental Design (LEED)-certified building for new commercial construction and major renovation projects, as established by the United States Green Building Council, or an equivalent standard, and the owner or applicant certifies its good faith intent to achieve such standard.

(4) In the BA-1, the maximum building height shall be 45 feet. Buildings shall also have a minimum of two stories and a minimum building height of 25 feet.

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- (5) In the BA-2, buildings shall have a maximum of four stories and a maximum building height of 50 feet. Buildings shall also have a minimum of two stories and a minimum building height of 25 feet, provided that the enlargement, expansion or extension of an existing one-story structure shall not be considered an increase in non-conformity for the purposes of Section 67(d).
 - (6) In the CGDs, primary buildings shall have a minimum of two stories and a minimum building height of 25 feet, provided however, that the following shall not be considered an increase in non-conformity for the purposes of Section 67(d): (a) The enlargement, expansion or extension of an existing one-story structure; and (b) Additions that are less than 25% of the existing floor area of the structure.
 - (7) In the BD-3 and TOC Districts, if the average height of a principal building exceeds 100 feet above average finished lot grade and if any portion of the principal building has frontage on College, Temple, Church, or Orange Streets or on Church Street South (between Columbus Avenue and South Frontage Road) Lafayette Street, Washington Avenue, Union Avenue, or Congress Avenue, then one 15-foot stepback of the upper levels of the building shall be required on the façade that fronts on such street, commencing no later than the point at which the height of the building is the same as the total of the width of the street that the building fronts on. The depth of the stepback need not be uniform, provided that at one point, the stepback is 15 feet from the front of the building façade at the floor immediately below the floor at which the stepback begins, and provided further, that the depth of the stepback area on the roof of the floor below the floor at which the stepback begins must be at least 250 square feet. If the principal building fronts on more than one such street, then only one stepback shall be required. (See Figure 43.1)
 - (8) Where a lot in a BD-1 District abuts property in an RS-1, RS-2, RM-1 or RM-2 Residential District, a maximum building or structure height of 70 feet is permitted.
 - (9) In the CGD, the maximum building height shall be 75 feet. Building heights greater than 75 feet are permitted by Special Permit.
 - (10) Reserved.
 - (11) On any lot located in a BD-3 District located south of South Frontage Road, Rte. 34, except for lots:
 - a. Directly abutting South Frontage Road. Rte. 34; or
 - b. Directly abutting Church Street South between Columbus Avenue and South Frontage Road, or
 - c. Directly abutting Lafayette Street, or
 - d. Directly abutting Washington Avenue, Union Avenue, or Congress Avenue between Lafayette and Liberty Streets:
a maximum building height of 70 feet is permitted.

Example of BD-3 Stepback Requirements

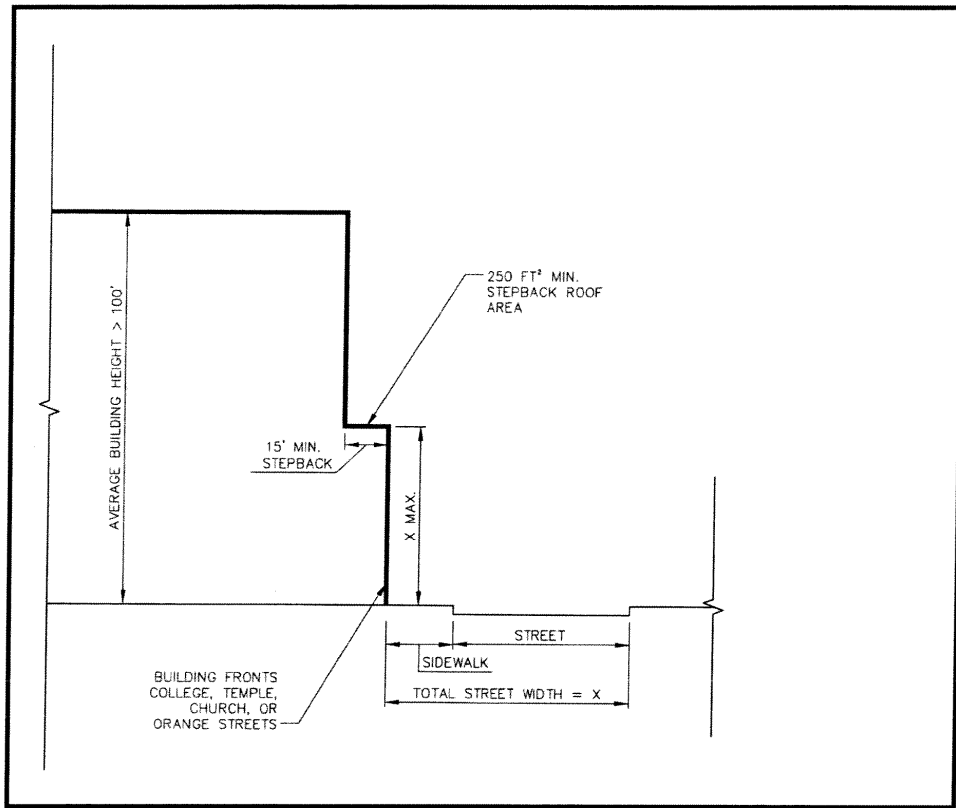


Figure 43.1 BD-3 Stepback Requirements

- (12) *Exceptions.* Ecoroofs, roof decks, roof gardens, roof accesses, mechanical floors, and related structures shall not be counted in building height limits.
- (e) *Maximum building coverage.* There shall be no direct limit on **building coverage** in any business or industrial district.
- (f) *Maximum size of courts.* Except for the Business D-3 District, the horizontal distance between facing walls of any **court** in any business or industrial district shall not be less than five feet where neither facing wall has an **average height** greater than 20 feet, and not less than one foot for each four feet of **average height** of the two facing walls averaged together where either facing wall has an **average height** greater than 20 feet. In the BD-3 District, there shall be no required distances between the facing walls of any court for any **nonresidential building**. For **mixed use buildings** and **residential principal buildings**, the horizontal distance between facing walls of a **court** shall not be less than 20 feet if neither facing wall has an **average height** greater than 30 feet and not less than one foot for each four feet of **average height** of the two facing walls averaged together where either facing wall has an **average height** greater than 30 feet.
- (g) *Yard Regulations.* The following requirements shall apply in all business or industrial districts except for BD, BD-1, BD-3, TOC, and CGD Districts (see subsection 43(g)(4) and 43(g)(5)), the BA-1 District (see subsection 43(l)), the BA-2 District (see subsection 43(l)), and except where a business or industrial district abuts a residence district (see § 47). These requirements shall apply to both principal and accessory buildings.
- (1) *Front yards:* There shall be no front yard required in any business or industrial district.

- (2) **Side yards:** There shall be no **side yard** required in any business or industrial district, except that in any case where a **side yard** is actually provided such **side yard** shall be required to be not less than five feet for a **building** wall having an **average height** of 20 feet or less, and not less than one foot for each four feet of **average height** for a **building** wall having an **average height** of more than 20 feet.
- (3) **Rear yards:** There shall be a **rear yard** in all business and industrial districts of not less than ten feet for a **building** wall having an **average height** of 30 feet or less and not less than one foot for each three feet of **average height** for a **building** wall having an average height of more than 30 feet.
- (4) There shall be no minimum yard requirements in the BD, BD-1, TOC, or the BD-3 Districts except that in the BD-3 District there shall be a minimum of 15 feet, and in the TOC a minimum of 20 feet, of unobstructed land from the ground up on which no structures shall be located between the outer face of a building foundation wall at grade of a principal building that fronts on a street and the curb of such street in order to provide for sidewalks, streetlights and landscaped areas between the sidewalk and the curb, provided, however, that overhead pedestrian walkways and the footings, foundations, piers, and/or supports for such walkways may be located in the above described 15 or 20 foot area. Additionally, in the BD-3 District, when a mixed use or a residential principal building which is four stories or less, contains one or more windows that face a nonresidential building on the same lot, there shall be a minimum of ten feet of unobstructed land from the ground up between the nonresidential building and the residential principal building or mixed-use building. If such residential principal building or such mixed-use building faces a nonresidential building on an adjacent lot or faces an adjacent vacant lot, then there shall be a minimum ten-foot side or rear yard (as the case may be) on the lot on which such residential principal building or mixed use building is located facing the adjacent lot.

(h) **CGD Yard Regulations.** The following requirements shall apply in the CGDs:

- (1) In CGDs, the minimum and maximum yard requirements for frontages on the three main corridors are:

	Front Yard Min	Front Yard Max	Side Yard Min	Side Yard Max	Rear Yard Min	Rear Yard Max
Whalley	0	5	0	40	10	20

Figure 43.2

Where the parcel abuts side streets that are not Whalley, the front yard minimum is zero and the front yard maximum is 20 feet. The front yard provided should be demonstrably consistent with the front yards of the relevant side street.

- (2) Because larger development sites are often phased for financing and lease purposes, contiguous sites in the CGD zone that are being developed together may be considered as a single lot for purposes of setbacks and other dimensional requirements (e.g. FAR, POPS) regardless of ownership.

(g) **Structures within required yards.** The following rules shall apply to yards provided under § 43(f).

- (1) No wall of a **building** shall extend beyond the outer face of a **building** foundation wall into such a **yard** for more than six inches.
- (2) A **projection** from a **building** may extend into such a **yard** for not more than one-half the width of such **yard**, but in no case more than five feet into such **yard** for fire escapes, one-story open porches, ramps, loading docks, and steps leading up to the ground floor, or three feet into such **yard** for all other projections, and in no case to within two feet of any **lotline**.

(j) **Usable Open Space/Common Amenity Space for the BC, BD, BD-1, BD-2, BD-3, TOC, CGD and IL Districts.**

- (1) In the BD-3 and TOC Districts, for all nonresidential buildings in excess of 10,000 square feet of gross floor area, a minimum of 25 square feet of usable open space per 1,000 square feet of gross floor area

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- up to a maximum of 10,000 square feet of usable open space shall be provided on the same lot on which the nonresidential building is located. In the event that any point on such lot is located within a 1,000-foot radius of publicly accessible open space, then a minimum of 13 square feet of usable open space per 1,000 square feet of gross floor area shall be required on such lot up to a maximum of 10,000 square feet of usable open space.
- (2) In the BC, BD, BD-1, BD-2, BD-3, TOC, CGD and IL Districts, for all mixed use buildings and residential principal buildings both existing and proposed, a minimum of 50 square feet per dwelling unit of usable open space shall be provided on the same lot on which such building is located. In the event that any point on the lot upon which the mixed use building or the residential principal building is situated is located within a 1,000-foot radius of publicly accessible usable open space, then a minimum of 25 square feet of usable open space per dwelling unit shall be required.
 - (3) In the BC, BD, BD-1, BD-2, BD-3, TOC, CGD and IL Districts, mixed use buildings and residential principal buildings both existing and proposed with six or more dwelling units shall provide 50 square feet of common amenity space per dwelling unit in addition to the usable open space required under subsection 43(i)(1)b. above.
- (k) *Principal entrances in the BD-3 and TOC Districts.* Buildings facing College Street, Orange Street, Temple Street, Church Street South (between Columbus Avenue and South Frontage Road), Lafayette Street, Washington Avenue, Union Avenue, or Congress Avenue shall have a principal entrance facing such streets or on the corner of any of the above listed streets and another street.
- (l) *Transparent and active uses in the BD-3 and TOC District.*
- (1) Every nonresidential building and every mixed use building that faces College Street, Orange Street, Temple Street, or Church Street, Washington Avenue, Congress Avenue, Union Avenue, Lafayette Street or Church Street South (between Columbus Avenue and South Frontage Road) in whole or in part shall have, at minimum, 60 percent of the first floor façade between two feet and eight feet in height facing such street comprised of clear windows and/or doors that allow views of indoor space and/or product display areas.
 - (2) The first floor of the façade of every nonresidential building and every mixed use building that faces College Street, Orange Street, Temple Street, or Church Street, Washington Avenue, Union Avenue, Congress Avenue, Lafayette Street or Church Street South (between Columbus Avenue and South Frontage Road) shall contain uses which are active and involve the movement of persons in such spaces, including but not limited to restaurants, retail stores, art galleries, fitness centers, yoga studios, lobbies, dance or music studios, and personal services businesses.
 - (3) Every nonresidential building and every mixed use building which faces Martin Luther King Boulevard or Legion Avenue/South Frontage Road in whole or in part shall have, at minimum, 30 percent of the first floor façade between two feet and eight feet in height facing such street comprised of clear windows and/or doors that allow views of indoor space and/or product display areas.
- (m) *Additional requirements for buildings in a BA-1, BA-2, and CGD Districts.*
- (1) *Yards facing the public right-of-way:* In BA-1 and BA-2 Districts, building façades must abut or be located within ten feet of at least 75 percent of the property line abutting the public street (see figure 43.1 below). Building façades in CGDs must be located within the distance specified in Section 43(g)(5).
 - (2) *Side yards:* No minimum side yards are required. For CGD Districts, maximum side yards are specified in Section 43(g)(5).
 - (3) *Rear yards:* Minimum ten-foot rear yard. In CGD Districts, minimum rear yards are specified in Section 43(g)(5).

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- (4) *Street frontage:* In CGD Districts only, buildings must occupy 100% of street frontage for lots with less than 250 feet of street frontage or access driveways no greater than 20 feet wide. A special exception may be sought to devote frontage to Privately Owned Pedestrian Space.
 - a. *Privately Owned Pedestrian Space (POPS):* Up to 20% of street frontage on Whalley in CGD Districts can be occupied by POPS, within the constraints of the maximum permitted side yards. POPS are pedestrian friendly areas, which are owned and maintained by private property owners. POPS count toward usable open space requirements, specified in Section 43(i). POPS are intended to produce active and safe spaces. They include human-scale elements such as lighting, windows, art, and landscaping. Commercial activities, including food service and sales may occupy POPS. To the extent possible, it is strongly encouraged for POPS to be plazas, community gardens, or pedestrian arcades providing safe opportunities for the public to walk, sit, recreate, and congregate.
 - b. For lots with 250 feet or more of street frontage, at least 75% of the street frontage not occupied by building façade or access driveway no greater than 20 feet wide, shall be occupied by POPS, as described in subsection (a) above.
 - c. An exterior lighting plan must be included with site plans for POPS.
 - (5) *Corner lots:* Are exempt from rear yard requirements for the first 50 feet from the street.
 - (6) *Doors and Entrances:* Buildings must have a primary entrance facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
 - (7) *Transparency:* In new buildings, except for buildings or portions of buildings containing residential or religious uses or health care facilities on the first floor, a minimum of 75 percent of the street-facing first floor building façade between two feet and eight feet in height must comprise clear windows that allow views of indoor space or product display areas. The bottom of any window or product display window used to satisfy this standard may not be more than three feet above the adjacent sidewalk.
 - (8) *Security bars and Gates:* Solid metal security gates, bars, or solid roll-down metal windows shall not be permitted. Link or grill type security devices shall be permitted. If installed on the outside, the coil boss shall be recessed and concealed behind the building wall.
 - (9) *Landscaping:* All parts of the property visible from the public right-of-way or from residential units contained on the property or adjoining properties shall be adequately landscaped to maximize recreational utility and aesthetic views. Landscape improvements may include pavers or paved surfaces, gravel, trees, shrubs, ground cover, and wherever possible, the retention of existing landscape features.
 - (10) *Fencing:* Rear yard property lines must be fenced where they abut residential zones as practicable. Alleyways should have decoratively designed gates or fences. Fences in front or side yards should not obscure sight lines to increase public safety. Chain link fences are prohibited except for temporary fences for construction.
 - (11) *Screening:* All trash receptacles, dumpsters, or bins placed outside the building must be screened from view from the public right-of-way and constructed and maintained so as to prevent noxious sights, odors, vermin, or other nuisances.

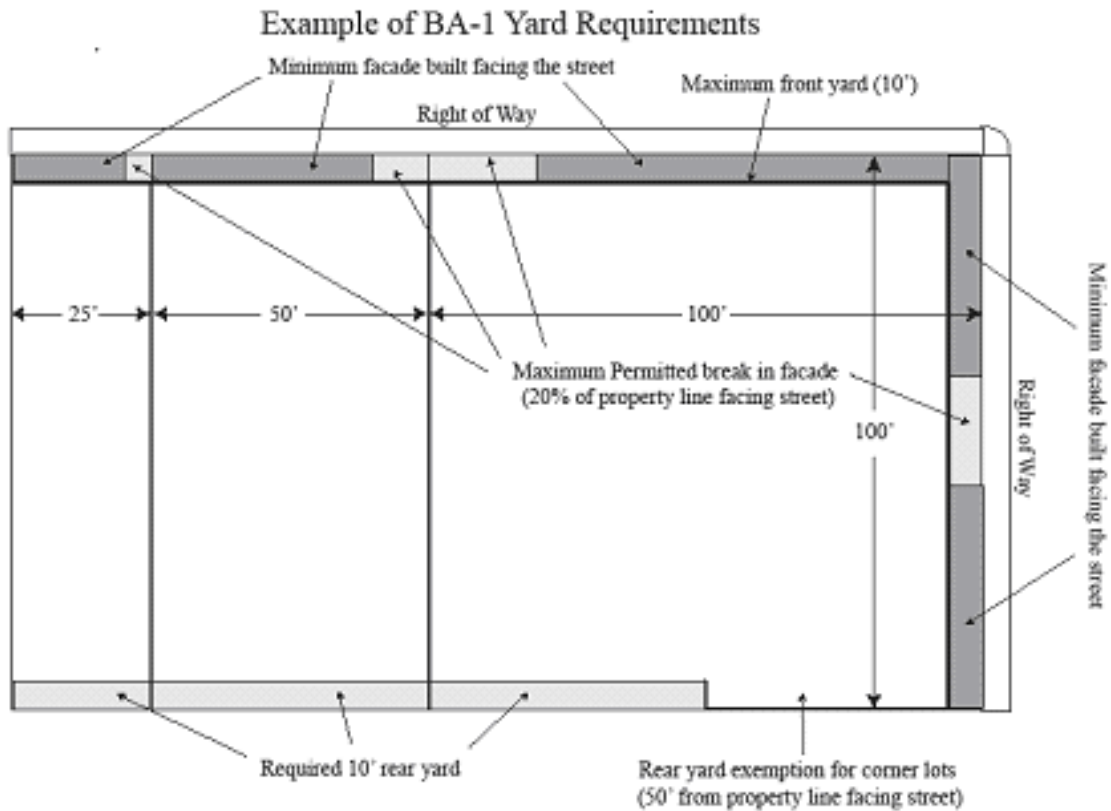


Figure 43.2 BA-1 Yard Requirements

- (12) *Design guidelines:* The following design guidelines apply to all buildings in a BA-1 or CGD District only. They should to the greatest extent possible, be incorporated into the design of new buildings and the renovation of existing structures. Compliance with these guidelines shall apply when (1) there are proposed modifications to a building façade to include replacement of windows, replacement of façade materials, or additions to or extensions of a façade; (2) there is an addition or modification to an existing structure that is subject to site plan review under Section 64(f); and (3) for all new construction.
- a. *General design principles:* Emphasis is placed on the pedestrian-scaled environment. Buildings should harmoniously blend with the existing neighborhood fabric. All materials and architectural details used on the exterior of a building should be compatible with the building style, and with each other. A building designed of an architectural style that normally includes certain integral materials and/or details should incorporate such into its design. Plans should reflect an attention to detail, the use of quality materials, and good craftsmanship.
 - b. *Scale, mass and continuity:* Buildings should generally relate in scale and design to the surrounding buildings where such buildings represent quality construction and design associated with historical development of the area. Buildings should reflect a continuity of treatment in the following ways:
 1. Maintain, when appropriate, the building mass and scale of adjacent buildings.

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2. Maintain front yard build-to lines.
 3. Maintain cornice and transition lines in buildings of the same height.
 4. Primary horizontal and vertical lines in the architectural composition should remain visible or be incorporated into the design.
- c. *Building entrances:* All entrances to a building should be defined and articulated by architectural elements of the building. Any such element utilized should be architecturally compatible with the style, materials, and details of the building as a whole.
 - d. *Fenestration:* The arrangement and design of windows and doors in a building should be architecturally compatible with the style, materials, and details of the building. Windows should be vertically proportioned wherever possible. To the extent possible, upper story windows should be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows. All windows should be stylistically consistent with the building and energy efficient.
 - e. *Roofs:* Roof types should be appropriate to a building's architectural type. Repairs to existing construction should conform to the building vernacular.
 - f. *Buildings on corner lots:* Buildings on corner lots should be considered important structures because they contain more than one façade that is exposed to the street. These buildings should be enhanced with appropriate architectural embellishments.
 - g. *Façades:* The architectural treatment of the front façade should be continued, in its major features, around all visibly exposed sides of a building. All sides of a building should be architecturally designed to be consistent with regard to style, materials, and details. Deteriorated materials should be restored to actual function if possible, and if not possible, should be replaced with similar materials that have the same form and surface characteristics without visually changing the façade's character. New buildings should, at street level, have clear glass windows sufficiently transparent to provide views into the interior of the building.
 - h. *Storefront façades:* Storefronts should be integrally designed as part of the entire façade. Buildings with multiple storefronts should be architecturally uniform throughout through the use of architecturally compatible materials, details, awnings, canopies and marquees.
 - i. *Signage and lighting fixtures:* Attachments and/or fixtures should complement the architectural design of the façade and should be appropriate in scale to the ornamentation and the design elements of the building. Fixtures and attachments should not obscure historically significant materials, architectural features or decorative details.
 - j. *Signage:* Signage should be architecturally compatible with style, materials, and details of the building and neighborhood.
 - k. *Awnings, canopies and marquees:* Awnings, canopies and marquees are permitted at ground level. Such treatments should be designed to complement the building and should be compatible with the materials and details of the building and neighborhood. In buildings with multiple storefronts compatible awnings, canopies and marquees should be used as a means to unify the building. Solid, lighted awnings and canopies are not permitted. Vinyl awnings are not permitted.
- (13) *Special permit:* All proposed uses of greater than 5,000 net square feet, whether located in new or existing structures, shall require a Special Permit in order to ensure that such relatively large proposals are compatible with and meet the general criteria and standards of the Business A-1 and Business A-2 Districts as described and defined in Section 41. Uses within CGDs are exempt from this provision.

(Ord. No. 1410, § 3, 3-20-06; Ord. No. 1412 (Rev. Sched. A, §§ 6, 7), 5-1-06; Ord. No. 1614, § 1, 3-1-10; Ord. No. 1685, Sched. D, 8-6-12; Ord. No. 1696, Sched. A, 5-6-13; Ord. No. 1726, Sched. A, 12-2-13; Ord. No. 1751, Sched. A, § 2, 8-6-14; Ord. No. 1804, Attach. C, 8-1-16; Ord. No. 1807, Attach. C, 8-1-16; Ord. No. 1820, Sched. B, 6-5-17; Ord. No. 1842, Sched. B, 6-4-18; Ord. No. 1886, Sched. C, 1-17-20; Ord. No. 1899, Sched. A, 7-6-20)