

Sec. 29-168. - CBD, Central business district overlay zoning district.

- (a) *Purpose and intent.* The purpose of the CBD, central business district overlay zoning district (hereinafter the "overlay district") is to provide guidance for future development in the specified area and to encourage continued successful business development in the downtown Cedar Falls area. The overlay district is intended to allow land uses and to encourage appropriate building design standards in a manner that complements and strengthens the downtown retail and service business sector. Originally developed as a compact, multi-functional, walkable environment, the overlay is intended to support pedestrian access and use. The provisions of this section shall apply in addition to any other zoning district regulations and requirements in which the land may be classified. In case of conflict, the more specific standard shall apply.
- (b) *Boundaries.* The CBD, central business district overlay boundaries are generally outlined in the image below. The legal description and official zoning map of the overlay is on file in the office of the city clerk.

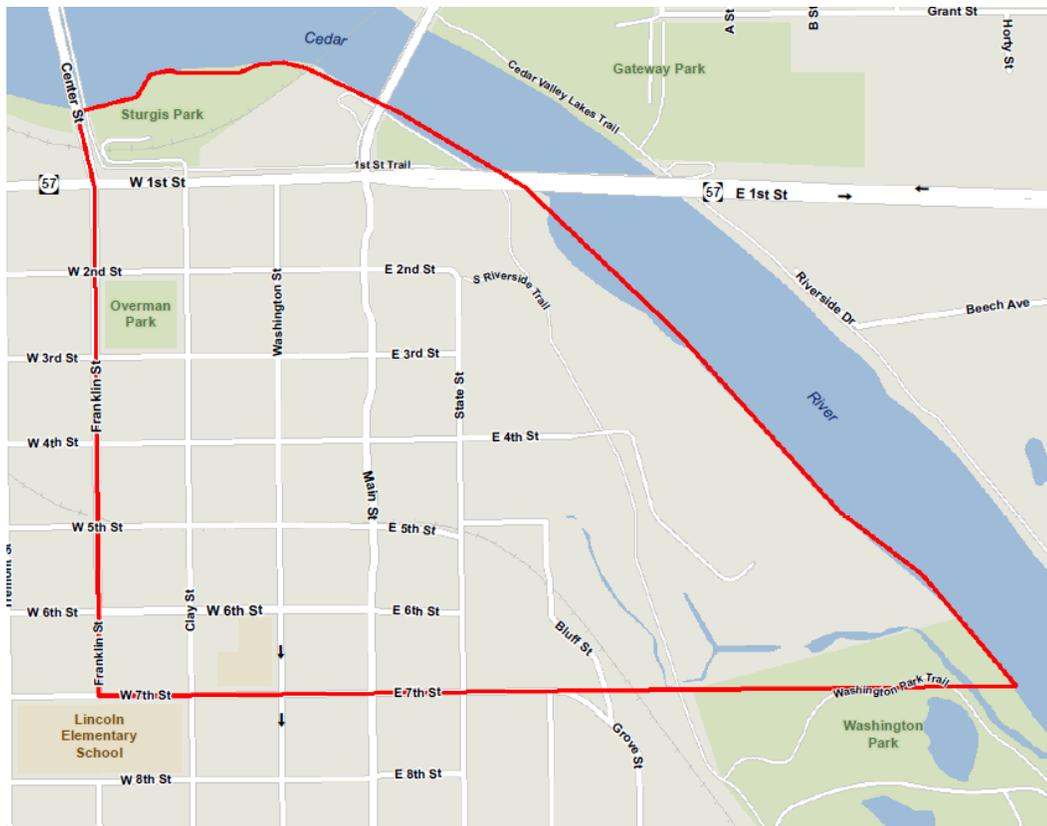


Figure 1 – CBD boundary map

- (c) *Permitted uses.*
 - (1) Allowable uses within the overlay district include typical commercial, professional office and service oriented businesses, uses or facilities, including hotels and lodging facilities, all such uses currently allowed in the C-1 commercial, C-2 commercial and C-3 commercial districts unless herein limited. If the underlying zoning district is more restrictive than the C-3 commercial district, then only those uses permitted in the more restrictive district shall be allowed.

- (2) Residential uses are allowable subject to planning and zoning commission and city council review and approval. No residential use may be established on the ground floor of any building within the commercial area bounded by First Street south to Sixth Street from Washington Street east to State Street. Residential uses are encouraged to be established in upper levels of downtown commercial buildings (hereinafter referred to as “mixed-use buildings”).
- (d) *Conditional uses.* Where some question arises whether a particular commercial use is appropriate within the overlay district, the use may be allowed subject to planning and zoning commission and city council review and approval, provided that the proposed use conforms to the prevailing character of the downtown area and provided that the use will not necessitate the use of outdoor storage areas. In addition, such uses must not generate excessive amounts of noise, odor, vibrations or fumes, or truck traffic. If the underlying zoning district is more restrictive than the C-3 commercial district, allowable conditional uses will be those generally compatible with the more restrictive standards of the underlying zoning district. Examples of uses that may be allowed subject to approval of a conditional use permit are:
- (1) Auto repair shop.
 - (2) Printing or publishing facility.
 - (3) Limited manufacturing activity that is directly related to the operation of a retail business conducted on the premises.
 - (4) Plumbing and heating shop.
 - (5) Sign painting shop.
 - (6) Appliance repair shop.
 - (7) Home supply business.
- (e) *Prohibited uses.* In all cases the following uses will not be allowed within the overlay district either as permitted or conditional uses:
- (1) Lumber yards.
 - (2) Used or new auto sales lots and displays.
 - (3) Auto body shop.
 - (4) Storage warehouse or business.
 - (5) Mini-storage warehouse.
 - (6) Sheet metal shop.
 - (7) Outdoor storage yard.
- (f) *Site plan review.* Any proposed substantially improved or new building structure or development, including proposed residential facilities, must submit a detailed site plan and building plans for review and approval by the planning and zoning commission and the city council. Applicants are encouraged, but not required, to consult with Community Main Street’s Design Guidelines and Design Committee as a design resource. Elements to be considered in this review process are proposed use, proposed building

improvements or new structural elements, with particular attention to exterior building design elements, parking provision (see section 29-177 parking regulations), and how the proposed improvement or development will complement existing nearby uses and building design elements.

“Substantial *improvement* ” includes any new building construction within the overlay district or any renovation of an existing structure that involves any modification of the exterior appearance of the structure by virtue of adding or removing exterior windows or doors or altering the color or exterior materials of existing walls. All facade improvements, changes, alterations, modifications or replacement of existing facade materials will be considered a substantial improvement. Included in this definition are any new, modified or replacement awning structures or similar material extensions over the public sidewalk area. A substantial improvement also includes any increase or decrease in existing building height and/or alteration of the existing roof pitch or appearance.

The following shall be exempt from site plan review:

- (1) Existing detached single-unit and multi-unit dwellings containing less than seven units; not including mixed-use buildings.
 - (2) Routine repair or replacement of existing roof materials, awnings, or other minor façade elements that do not materially change the appearance, shape or configuration of the existing building will not be considered a "substantial improvement".
 - (3) Emergency repairs needed as the result of unanticipated building or facade damages due to events such as fire, vandalism, or weather related damages, provided that the needed repairs do not alter the appearance of the structure prior to the event causing the unanticipated damages.
- (g) *Parking:* On-site parking in the downtown area will not be required for principal permitted commercial, professional office or service business uses or facilities. Any proposed residential use established within the overlay district must conform to the parking regulations described in section 29-177.
- (h) *Front Setbacks.*
- (1) New commercial and mixed-use buildings shall be placed to the front and corner of lots, and set back a minimum of 0 feet and maximum of 10 feet from any street-side lot line.
 - (2) New residential or expansions of residential buildings shall be setback a minimum of 10 feet.
- (i) *Building design review.* All substantially improved or new building structures within the overlay district shall be reviewed by the planning and zoning commission and the city council for architectural compatibility with surrounding structures. Paramount to this

review will be consideration of building materials, exterior building materials on all sides, coloration of materials, building height, roof line, size and location of windows and doors, roof mounted appurtenances, and facades. For the purposes of this section, when a building is located on a corner lot the primary street shall be the north-south street, with other streets being considered secondary. In addition to consideration of typical physical structural improvements to structures, review is also required of any wall painting, mural wall signs or painted artwork or other similar applications to exterior walls. The purpose of review of said exterior wall paintings or drawings is to ensure that said applications are consistent with the prevailing standards and character of the downtown area. The following design elements will be reviewed:

- (1) *Proportion*: The relationship of width and height of the front elevations of adjacent buildings shall be considered in the construction or alteration of a building. An effort should be made to generally align horizontal elements along a street frontage, such as cornice lines, windows, awnings and canopies. The relationship of width and height of windows and doors of adjacent buildings shall be considered in the construction or alteration of a building. Particular attention must be given to the scale of street level doors, walls and windows. Blank walls at the street level are to be discouraged. Elements such as windows, doors, columns, pilasters, and changes in materials, artwork, or other architectural details that provide visual interest must be distributed across the façade in a manner consistent with the overall design of the building.
- (2) *Roof shape, pitch and direction*: The similarity or compatibility of the shape, pitch and direction of roofs in the immediate area shall be considered in the construction or alteration of a building. Routine repair and maintenance or replacement of existing roof materials will not be subject to review provided that the existing roof line and configuration is not altered during the course of said repairs or maintenance.
- (3) *Pattern*: Alternating solid surfaces and openings (wall surface versus doors and windows) in the front facade, sides and rear of a building create a rhythm observable to viewers. This pattern of solid surfaces and openings shall be considered in the construction or alteration of a building.
- (4) *Building Composition (See Figure 2)*:
 - (i) To create visual interest and visually break up long building walls, facades on buildings greater than 50 feet in length shall be divided vertically into bays. Façade bays shall be a minimum of 20 feet wide and a maximum 40 feet wide. The bays shall be distinctive but tied visually together by a rhythm of repeating vertical elements, such as window groupings, pilasters, window bays, balconies, changes in building materials and textures, and/or by varying the wall plane of the façade.
 - (ii) To avoid flat, continuous, and overly long upper floor facades, the maximum length of a wall plane of the façade is 60 feet. Articulation between continuous upper floor façade sections shall be accomplished by recessing the façade 1 foot minimum for a distance of at least 10 feet. This

recessed section would count as a façade bay per paragraph (i), even if the width is less than 20 feet.

(iii) Storefronts in mixed-use buildings shall be distinguished from the upper floors by a horizontal element, such as a cornice, band board, or soldier course to create a distinctive base to the building.

(iv) For all mixed-use and commercial buildings, the minimum ground floor, floor-to-structural ceiling height is 14 feet.

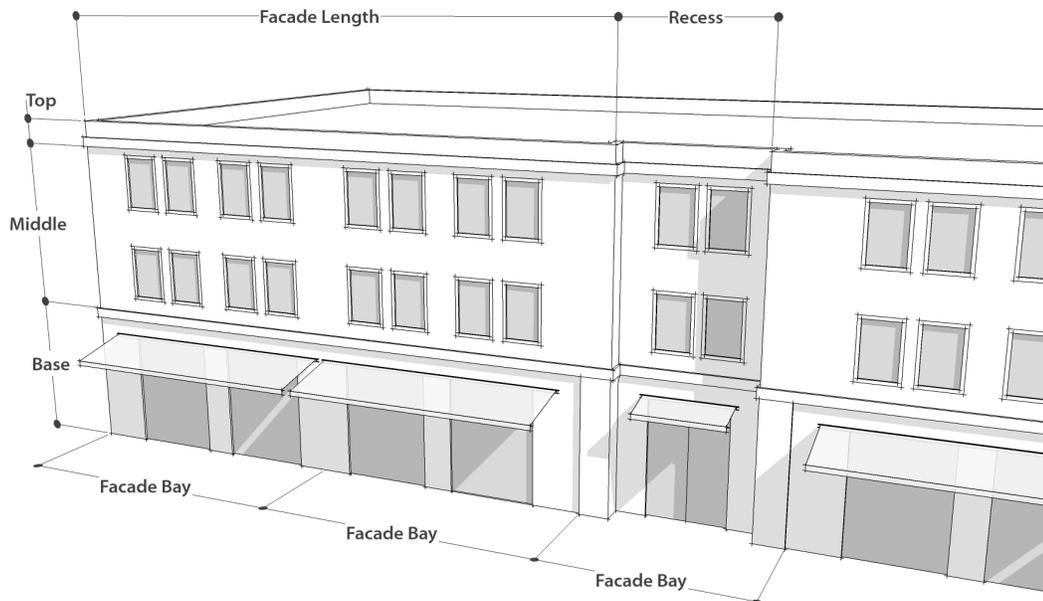


Figure 2 – Building composition example

- (5) **Windows and *Transparency*:** The size, proportion, and type of windows need to be compatible with existing neighboring buildings. For storefronts, the following standards shall apply:
- (i) A minimum of 70% of the storefront area between 2 and 10 feet in height above the adjacent ground level shall consist of clear and transparent storefront windows and doors that allow views into the interior of the store. The bottom of storefront windows shall be no more than 2 feet above the adjacent ground level, except along sloping sites, where this standard shall be met to the extent possible so that views into the interior of the store are maximized and blank walls are avoided. Exceptions may be allowed for buildings on corner lots where window coverage should be concentrated at the corner, but may be reduced along the secondary street façade, and for repurposing of buildings not originally designed as storefront buildings (e.g. re-purposing of an industrial or institutional building).
 - (ii) Transom windows are encouraged above storefront display windows. Residential window types, reflective (mirrored), or colored glass are not allowed for storefronts.

(iii) Glazing should be clear and highly transparent to maximize views into the store. Low-E or tinted glazing will reduce transparency, so is discouraged for storefront windows, but if used, the glass chosen should have a high visible light transmittance and low reflectivity.

(iv) Removing storefront windows or reducing storefront window coverage is discouraged and will require Planning & Zoning Commission and City Council approval.

- (6) *Materials and texture:* The similarity or compatibility of existing materials and texture on the exterior walls and roofs of the buildings in the immediate area shall be considered in the construction or alteration of a building. A building or alteration will be considered compatible if the materials and texture used are appropriate in the context of other buildings in the immediate area.

Street-facing facades shall be comprised of at least 50% brick, stone, or terra cotta. Side and rear walls shall be comprised of at least 25% brick, stone, or terra cotta. These high quality materials should be concentrated on the base of the building.

The following materials may be used in limited amounts:

(i) Fiber cement, aluminum, metal, pre-formed panels, painted wood, or anything similar – Up to 35 percent of any one siding material may be used on the street-facing façade and up to 40 percent of any other sides. These materials are not generally allowed for storefronts. Fiber cement board should be high quality and smooth-faced. Metal shall be heavy gauge and non-reflective. Durability and maintenance of the metal shall be carefully considered if used in high use areas.

(ii) Concrete and Precast Concrete- This includes site-poured or preformed concrete items. Use is limited to architectural elements such as window hoods, cornices, columns, capitals, etc. Architectural CMU may be used in combination with other materials such as brick, stone or terra cotta. Except for burnished/polished or glazed units, CMU is not generally allowed on the storefront level, however, architectural CMU, such as split-face, ground-face, and rock-face, may be used as an accent material on the storefront level.

(iii) EFIS may only be used for architectural detailing above the ground floor

(iv) In the case of an unenclosed rear or roof deck, stained wood is permitted.

- (7) *Color:* The similarity or compatibility of existing colors of exterior walls and roofs of buildings in the area shall be considered in the construction or alteration of a building. Buildings in the CBD utilize earth and neutral tones; however, other colors can highlight the architectural features of a building and are acceptable as accents. Accents generally include trim areas and comprise up to 15% of the façade. Painting unpainted brick or stone is discouraged.

- (8) *Architectural features*: Architectural features including but not limited to cornices, entablatures, doors, windows, shutters, fanlights and other elements prevailing in the area shall be considered in the construction or alteration of a building. It is not intended that the details of existing buildings be duplicated precisely, but those features shall be suggestive of the extent, nature and scale of details that would be appropriate on new buildings or associated with building alterations.
- (9) *Building Entries*: This section applies to new mixed use and commercial buildings.
- (i) Primary entries to ground floor building space and to common lobbies accessing upper floor building space shall be located along street-facing facades. For buildings with more than one street-facing façade, entries along facades facing primary streets are preferred. Building entries along rear and side facades or from parking garages may not serve as principal building entries. Buildings with more than three street-facing facades shall have building entries on at least two street-facing sides.
 - (ii) For buildings that contain residential dwelling units, there must be at least one main entrance on the street-facing façade or façade facing a prominent residential courtyard that provides pedestrian access to dwelling units within the building. Access to dwelling units must not be solely through a parking garage or from a rear or side entrance.
 - (ii) For storefronts with frontage of 100 feet or more, a visible entryway shall be provided a minimum of every 50 feet.
 - (iii) Entryways into a storefront will be at grade with the fronting sidewalks.
 - (iv) Entryways shall be designed to be a prominent feature of the building. The use of architectural features such as awnings, canopies, and recessed entries are encouraged.
- (10) *Exterior mural wall drawings, painted artwork, exterior painting*: These elements shall be reviewed to consider the scale, context, coloration and appropriateness of the proposal in relation to nearby facades and also in relation to the prevailing character of the downtown area. Exterior painting of detached single unit and two-unit residential structures within the district shall be exempt from this provision. Other multi-unit dwelling structures will be subject to this review.
- (j) *Signage*. All signage shall conform to requirements of the Cedar Falls sign regulations outlined in the Zoning Ordinance Section 29-202, except as provided for below:
- (1) Freestanding signs:
 - (i) When located adjacent to any street other than First Street, shall not exceed 15 feet in height and 40 square feet in surface area.
 - (ii) When located adjacent to First Street, shall not exceed 25 feet in height and 60 square feet in surface area.
 - (iii) One freestanding or monument sign shall be allowed per lot provided all components are entirely on private property. In the case of a double frontage lot, a second sign may be considered.

- (iv) Monumental signs: Shall not exceed 8 feet in height and 40 square feet in surface area.
- (2) Projecting signs: One projecting sign per business is permitted on the primary façade. Signs which are permitted to encroach over or upon public rights-of-way shall meet the following standards and clearance height:
 - (i) Vehicular ways: 14 feet clear above the vehicular way, unless public services necessitate higher clearance.
 - (ii) Pedestrian ways: 10 feet clear above the pedestrian way. For blade signs and awnings, the minimum clearance height shall be 8 feet.
 - (iii) Blade signs are limited to an area of 4 square feet and a projection of 2.5 feet from an exterior wall.
 - (iv) All projecting signs, excluding blade signs, shall project no further than half the width of the sidewalk that the storefront is located on or 5 feet, whichever is less.
 - (v) All projecting signs, excluding blade signs, shall be no larger in size than 1 square foot for each linear foot of the side of the building to which the sign is attached, not to exceed 40 square feet per sign face.
 - (vi) Corner projecting signs are those that are visible from two or more intersecting streets, and shall be allowed as long as they do not exceed 40 square feet per sign face.
- (3) Window Signs and film: Permanent or adhered window signage and film shall not exceed 25% of glazing of the first 15 vertical feet of wall area and shall not be placed in a manner that prevents views into a storefront.
- (4) Wall Signs: Wall signs shall not exceed 10% of the total wall area, and in no case shall exceed 10% of the area of the storefront. Wall signs on storefronts shall not extend beyond or above an existing sign band or extend over or detract from the architectural features of the building facade, such as cornices, pilasters, transoms, window trim, and similar.
- (5) Billboards: Prohibited
- (6) Roof signs: Prohibited
- (7) Illuminated signs: Illuminated signs are permitted. External illumination should be provided by a continuous light source directed onto the sign. The use of internally lit signs (back-lit plastic) is acceptable for monument and freestanding signs. The use of internally lit wall and projecting signs (back-lit plastic) are permitted when the background is opaque at night.
- (k) *Removal or demolition of building structures.* Removal or demolition of structures within the overlay district is allowable, subject to securing a demolition permit with the city inspection services division. If no immediate building reconstruction plans are proposed within 30 days following building removal or demolition, the site shall be filled and graded to a topographic elevation equal to or level with surrounding adjacent property natural grade levels. All drainage shall be directed away from existing buildings. Within 30 days

of final grading of the site or at the earliest opportunity during the growing season conducive to plant germination, the site shall be seeded with grass. Reasonable efforts shall be taken by the property owner to ensure proper germination of the vegetation and the property owner must maintain the property in accordance with city ordinances.

- (l) Exceptions: The Planning and Zoning Commission and City Council may approve deviations from the standards if there are characteristics of the site or building that makes it difficult or infeasible to meet the requirements outlined in this section, such as buildings located on a corner lot, sloping sites, reuse of an existing building that was not originally designed as a storefront building, or other similar situation. To be granted an exception the applicant must provide:
 - (1) A detailed explanation of why the specific standard cannot be met;
 - (2) The proposed building is uniquely designed to fit the characteristics of the site and the surrounding neighborhood, is consistent with the purpose and intent of the CBD, Central Business District Overlay, and will not detract from or be injurious to other properties in the vicinity.
 - (3) The Planning and Zoning Commission or City Council may require an alternative design solution that is consistent with the intent of the standard being modified.