

# IMPACTED AREAS OF UDO

## *Areas Using “Building Footprint” In UDO:*

### 3.7 RESIDENTIAL USE STANDARDS

#### E. RESIDENTIAL PLANNED UNIT DEVELOPMENT REGULATIONS (UNITS > 4)

3. Proposals should limit the height of structures to 40 feet. In the instance that an increase in height above 40 feet is proposed, the following factors and information shall be considered:

- a) The applicant shall provide the height of all existing structures abutting the subject site and within a 100 foot linear distance from the property line of the subject site. The height of all inventoried structures shall be provided in a table format as part of the application.
- b) Consideration should be made to reduce the **building footprint** in favor of the proposed height increase above 40 feet. The applicant should consider increasing the required setbacks by two (2) feet for every one (1) foot of additional height above 40 feet.

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### 3.9 NONRESIDENTIAL USE STANDARDS

#### N. MIXED USE NONRESIDENTIAL-RESIDENTIAL

1. The purpose of the mixed use nonresidential-residential use is to accommodate commercial and/or residential uses within a building and/or development.

- a) The first habitable floor shall have 50% of the **building footprint** dedicated to a nonresidential use. Such nonresidential use shall be located along the primary street frontage. No residential uses shall be visible along any street lot line on the first habitable floor.
- b) In a VE flood zone the nonresidential use may be reduced to 25% of the **building footprint**.
- c) For each lot that is 10 acres or greater, subsections (a) and (b) above shall not apply, and cumulative nonresidential uses shall occupy a minimum of 3,000 square feet per acre. Stand-alone residential buildings shall not be located any closer than three (3) times the setback distance to a major thoroughfare (Lake Park and Dow).
- d) There shall be pedestrian connectivity between all nonresidential uses.
- e) Mixed use nonresidential-residential developments located in the CBD shall have the primary building façade and at least one (1) ingress/egress point located adjacent to a public right-of-way/street lot line, or town property.
- f) A conditional zoning shall be required if the mixed-use nonresidential residential development meets any of the following:
  - i) Mixed use buildings that are cumulatively more than 25,000 square feet of gross floor area.
  - ii) Building height that exceeds 50 feet.

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### **3.49 RECONSTRUCTION, MAINTENANCE, FULL OR PARTIAL DEMOLITION AND RENOVATION OF NONCONFORMING SITUATIONS**

- A. Nonconforming uses created by a change in regulations may continue to exist and shall be subject to all other provisions of this article. Nonconforming regulations pertaining to fences are found in the fence section within Division 2.
- B. Any building or structure for which normal repair, renovation, demolition and reconstruction, or routine maintenance is proposed in an amount less than 100% of the current tax or certified appraised value of the building or structure, regardless of the reason for such repair or maintenance, shall be entitled to do so using the same **building footprint** and density with which the building or structure was originally constructed, provided the number of living units or nonresidential spaces are not increased and no additional nonconformities are created. No increase in height or floor area shall be permitted. If the repairs exceed 50% of the current tax or certified appraisal value but not greater than 100%, then the structure must comply with setback provisions where abutting a non-street lot line in addition to complying with the minimum off-street parking requirements.

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### ***Applicable Areas Using “Footprint” In UDO***

#### **2.14 SPECIFIC REVIEW PROCEDURES**

##### **B. MINOR SITE PLAN**

- 1. Purpose. Minor site plan review is intended to ensure that the layout and general design of low-intensity development is compatible with all applicable standards in this ordinance and all other applicable town regulations.
- 2. Applicability. The following development types must submit a minor site plan as specified in this ordinance:
  - a) Changes of use.
  - b) Proposals for single-family residential uses and residential structures consisting of four (4) or fewer dwelling units or for renovation/rehabilitation projects that will modify an existing structure’s **footprint**.

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### **3.49 RECONSTRUCTION, MAINTENANCE, FULL OR PARTIAL DEMOLITION AND RENOVATION OF NONCONFORMING SITUATIONS**

- F. Reconstruction of a nonconforming building, structure or use under the provisions of subsection (e) of this section shall be subject to the following restrictions:
  - 1. A letter of intention to reconstruct with certification of the original building or **footprint** is required to be delivered to the Building Inspector and UDO Administrator within 180 days from the date the building was damaged or destroyed. Prior to such letter of intent, buildings shall be made safe so as not to endanger the public or jeopardize public safety. Said 180-period may be extended by an action of the Town Council.

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## 5.125 SPECIFIC STANDARDS

H. Accessory structures. When accessory structures (sheds, detached garages, etc.) are to be placed within a special flood hazard area, the following criteria shall be met:

8. An accessory structure with a footprint less than 150 square feet or that is a minimal investment of \$3,000.00 or less and satisfies the criteria outlined above is not required to meet the elevation or floodproofing standards. Elevation or floodproofing certifications are required for all other accessory structures in accordance with Section 5-92.

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## 5.130 COASTAL HIGH HAZARD AREA (ZONE VE)

Coastal high hazard areas are special flood hazard areas established in Section 5-265, and designated as zones VE. These areas have special flood hazards associated with high velocity waters from surges or seismic activity and, therefore, all new construction and substantial improvements shall meet the following provisions in addition to the provisions of Sections 5-124 and 5-125:

- L. In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures.

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## 7.3 DEFINITIONS

**Site Plan, minor** means a plan for proposed development that is comprised of the following:

1. Changes of use.
2. Proposals for single-family residential uses and residential structures consisting of four (4) or fewer dwelling units or for renovation/rehabilitation projects that will modify an existing structure's footprint.

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