

CHAPTER 3 DISTRICTS AND REGULATIONS
ARTICLE 1317 - DISTRICTS

1317.7 CITY CENTER

1317.7.1 INTENT

The City Center district is coded to encourage the development and expansion of the City's traditional central business district and downtown historic district. This center is intended to serve as the civic, cultural, and governmental hub of activity for the entire City of Fairmont. The population density within walking distance of the City Center should be much higher. One of the goals of the provisions of this district is to increase the population density. City Centers traditionally form near the convergence of large, coherent neighborhoods. City Centers are finite in size, typically radiating ¼ mile from the "Main-Main" intersection. A pedestrian can therefore walk from one end of the City Center to the other in approximately 10-15 minutes. Corridors of mixed use buildings typically form entryways into the formalized center. Minimum building heights are established along main corridors to ensure proper spatial definition and encourage strong pedestrian spaces. Transitions from Neighborhood Residential areas should be accomplished through architectural design and streetscape treatment. Individual buildings are encouraged to be mixed vertically with street level commercial and upper level residential. Higher densities of residential development are encouraged. This area is supported by the continued development of a coherent street network constructed to support the traffic demands of both the auto and the pedestrian. Minimum parking requirements may be satisfied using on-street parking, shared rear-lot parking areas, or small scale parking lots adjacent to buildings.

1317.7.2 USES PERMITTED; USES PERMITTED BY RIGHT; USES PERMITTED WITH CONDITIONS; CONDITIONAL USES (See Chapter 3 Article 1331 for conditions relating to uses permitted with conditions and conditional uses)

Uses Permitted By Right

Residential

Attached Homes

Apartment Buildings

Duplexes (Two-Family Residences)

Single-Family Residences

Mixed Use and Commercial

In general, office, retail, or service, not exceeding 30,000 square feet, which are designed and/or operated to service the daily needs of the residents of the surrounding neighborhoods and provide workplace opportunities for the community are permitted unless otherwise noted.

Restaurants

Uses Permitted with Conditions

Bed and Breakfast Inns
Bus Shelters
Daycares/Preschools
Essential Services, Class 1 & 2
Home Occupation
Mixed Use Buildings and Live-
Work Units
Residential Care Facility
Residential Care Home
Restaurant/Lounges
Temporary Uses

Conditional Uses

Bars and Nightclubs
Civic Uses
Convenience Stores
Drive-through banking window
Entertainment Uses
Full service hotels exceeding three stories
Institutional Uses
Light Manufacturing
Limited Video Lottery
Office, retail, or service uses exceeding 30,000 square feet
Recreational Facilities

Exclusions**

Adult establishments
Automotive, boat, heavy equipment, & manufactured home repair/sales/service
Drive- through Windows other than banking
Franchise Architecture
Heavy manufacturing uses
Mining or Landfill Operations
Mini-storage
Motels/Inns
Outdoor storage or sales (not including permitted temporary uses such as produce stands)
Automobile Salvage
Salvage
Recycling
Warehousing and/or storage necessitating truck travel (not including servicing of establishments located within the district)

**Also excluded are uses which are not specifically enumerated or construed by the Planning Department to be compatible with this District

1317.7.3 LOT SPECIFICATIONS

Refer to Chapter 3, Article 1351 for infill lot development standards.
Civic buildings are exempt from front setback requirements.

Permitted Building Types

Sideyard Building
Rearyard Building
Courtyard Building
Civic Building

Lot Dimensions

Minimum Lot Width for attached housing and shop front buildings: 20 ft

Frontage Build-Out

Minimum: 70%

Frontage build-out may be accomplished with a minimum build-out of 50% with the remaining frontage line occupied by a wall or hedge not to exceed 4 ft. in height.

Principal Structure Setbacks

Minimum Front: 0 ft

Maximum Front: 10 ft

Front: 5 ft (Encroachments into the public right of way for street and patio dining and on the second and third story only, with the exception of arcades)

Minimum Side: 0 ft

Minimum Rear: 15 ft (exception: buildings which abut alleys – 0 ft)

Accessory Structure Setbacks

Side: 5 ft (Exception: Garages on separate lots that face alleys may be attached at the property line.)

Rear: 5ft (Exception: Garages on alleys shall be setback a minimum of 20 feet the alley's pavement edge.)

1317.7.4 HEIGHT

Minimum Height

Principal Structures: 26 ft

(May be reduced in accordance with Chapter 3, Article 1341 Architectural Requirements)

Maximum Height

All Structures: 8 Stories

1317.7.5 GENERAL PROVISIONS

A. All buildings shall comply with the provisions of Chapter 3, Article 1341 Architectural Requirements and the requirements of any Historic Overlay District as determined by the Historic Review Commission.

B. Corner lots shall have two front yards and utilize the minimum front setbacks for each unless otherwise determined by the Planning Department.

C. Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the front setback a maximum of 5 ft. Canopies and awnings are permitted to encroach into the front setback up to 5 ft. Outdoor street and patio dining is permitted to encroach into the right of way; provided however, that pedestrian and automobile traffic cannot be obstructed. Arcades are permitted to encroach into the right of way with permission from Planning Commission. Open decks and patios are permitted to encroach into the rear setback to within 5 feet of the property line.

D. Accessory buildings, pools, and other similar structures shall be constructed in the rear yard only and shall be set back a minimum of 5 ft from the side and rear property lines. The Planning Department may permit the placement of an accessory building in a side yard, if no practical alternative exists, provided the provisions of Chapter 3, Article 1341 Architectural Requirements are met. The following uses are permitted within accessory structures: parking, gazebo, pool house, equipment storage, artist studio space, sauna, workshop, conservatory, and satellite dish. The aggregate floor area of all accessory structures shall not exceed $\frac{1}{2}$ the total floor area of the principal structure. Two or more garages, each located on a separate lot, may be attached to each other at the property line. In such cases, side yard setbacks shall not be required.

E. Satellite dishes may not exceed 2 feet in diameter.

F. Hedges shall be planted at least 3 feet from the property line. Garden walls shall be constructed at least 1 foot from the property line. Fences may be placed on the property line. Front yard fences shall not exceed 4 ft in height and shall be constructed of split rail, wooden picket, chain link in accordance with Chapter 3, Article 1341.6.2(B)(2), or other material as determined by the building inspector which will not present or create a solid visual obstruction. Side, rear and court yard fences shall not exceed 6 feet in height. Fences shall be constructed such that the finished (sheathed) side is oriented towards adjoining lots, streets, or the public right-of-way.

G. Mailboxes, newspaper boxes, walls, fences, birdhouses, flagpoles, and pump covers may be placed in any front, side or rear yard. Doghouses and dog related structures runs may be placed in rear yards only.

H. Trash containers and mechanical equipment shall be located in the side or rear yard and shall be screened from view. Mechanical equipment for single-family residential uses shall be setback a minimum of 3 feet from the property line.

I. All loading docks and loading dock facilities shall be located in the rear yard or to the rear of the building and shall be screened from view.