

SECTION 36 – WATERFRONT DESIGN (WD) DISTRICT

36.1 STATEMENT OF PURPOSE

The Waterfront Design (WD) District is designed to foster a pedestrian-oriented environment within a low to mid-rise mixed use commercial and residential community and encourages water dependent uses and provides incentives to encourage incorporation of public usable open space to extend shorefront public space.

36.2 DESCRIPTION AND INTENT

The WD district encourages development of a middle density mixed use waterfront community with significant public open space and **water dependent** elements to serve both the neighborhood and the city.

- To encourage development of a waterfront pedestrian scaled neighborhood with working, living and recreation components that takes advantage its waterfront setting in a manner that extends the existing neighborhood development pattern and fabric and continues to expand an accessible public waterfront.
- To provide amenities for private use such as private courts, decks and balconies, porches and stoops and use of natural materials are encouraged.
- As much of the area is in a flood plain, use of at grade parking with structures above, or garages accessed from a service alley is encouraged. Large expanses of surface parking and garages with individual street access are discouraged.

36.3 USES PERMITTED IN WATERFRONT DESIGN (WD) DISTRICT

In the Waterfront Design District (hereafter WD) uses listed in Table 39.2 Summary of Permitted Use in the Commercial, Industrial and Other Districts are permitted subject to §36.3.2 General Standards and Table 36.1 Area and Bulk Regulations and the requirements below.

36.3.1 General Standards.

1. **Disturbing Aspects.** Noise, odor, light, **signs** and all other possible disturbing aspects connected with operation of such **uses** shall be enclosed, screened or otherwise controlled to the extent that the operation of any such **use** shall not unduly interfere with the area use and enjoyment of properties or streets.
2. **Utility Services** shall be underground.
3. **Signs.** All **uses** permitted by this section shall comply with §65 Sign requirements.
4. **Parking** shall be located to the rear of structures whenever practical, screened from the view shed of the street and shall be subject to §60 Parking, Loading and Access requirements.

36.3.2 **As-of-Right.** Uses permitted **as-of-right** do not require approval of either the Commission or Board except where a Site Plan or Coastal Site Plan Review is required, but require a *Certificate of Zoning Compliance (CZC)* be issued if all applicable requirements are met. In Table 39.2 Summary of Permitted Use in the Commercial, Industrial and Other Districts the letter **R** indicates a use permitted As-of-Right.

36.3.3 **Special Permit and Special Use Exceptions.** It is hereby recognized that certain uses are a necessary part of the community and if properly controlled are compatible with surrounding uses. In making its decision on any application the Commission must weigh community and landowner interests in having the use.

Applications for Special Permits and Special Use Exceptions in Waterfront Districts shall be reviewed using the procedures and criteria of Article 8 of this Regulation and shall be subject to the standards and procedures of Article 10, including a Public Hearing and Section 75, Site Plan Review.

36.3.4 **Accessory Uses and Structures.** Uses and structures which are customarily accessory and clearly incidental to permitted principal uses and structures shall be permitted in development subject to the general restriction on permitted principal uses and structures.

36.4 RESIDENTIAL DEVELOPMENT

A range of residential dwelling types is encouraged and no more than 60% shall be the same type of dwelling unit. Buildings shall be designed in conformance with the selected design vocabulary and shall vary in terms of footprint, architectural elevations, fenestration, type of roof, height, front entrance, and porch or balcony locations.

36.4.1 **Color, materials, and architectural details** should be limited in number, compatibility and repetition throughout the development.

36.4.2 **First Floor to be Raised.** All residential units shall be raised above the level of the adjacent sidewalk, and the residential units shall be raised above ground level at the front of the building by a minimum of two feet.

36.4.3 **Usable Front Yards Required.** A minimum of 50% of all dwelling units, excluding accessory buildings and apartments on upper floors, shall have a clearly defined front yard using landscaping, hedging, fencing, or a brick or stone wall, none of which shall exceed three (3) feet in height. Front yards of attached duplexes or townhouses may be unified into one common yard treated as a single yard for the entire building.

36.4.4 **Usable Open Space per Dwelling Unit Required.** A minimum *usable open space* per *dwelling unit* of 250 square feet is required.

36.5 SIDEWALKS, WALKWAYS AND BIKEWAYS

36.5.1 A **sidewalk network** shall be provided throughout the development to interconnect residential, commercial and open spaces to promote pedestrian activity within each site and through the development; they shall be separate and distinct from motor vehicle circulation to the greatest extent possible, provide a pleasant route for uses, promote enjoyment of the development, and encourage incidental social interaction among pedestrians.

36.5.2 **Sidewalks Standards.**

1. **Barrier free design** sidewalks shall be used to the greatest extent possible.
2. The **pedestrian circulation** system shall include gathering/sitting areas and provide, landscaping, benches and other street furniture where appropriate.
3. **Sidewalk Width.** A minimum width of 4 feet, along major pedestrian routes 5 to 6 feet, and in commercial areas 8 to 12 feet.
4. **Material.** Sidewalks shall be constructed of brick, slate, textured concrete pavers, concrete with accent materials such as brick borders, or some combination thereof compatible with the style, materials, colors, and details of surrounding buildings. Functional, visual and tactile properties of paving material shall be appropriate to the proposed functions of pedestrian circulation.

36.5.3 **Walkways Delineation.** Walkways shall be raised and curbed along buildings and within parking lots where suitable. Pedestrian street crossings shall be clearly delineated by a change in pavement and/or texture. All sidewalks and other pedestrian walkways shall have appropriate lighting, using poles and fixtures consistent with the overall design theme for the development.

36.5.4 **Bikeway Links.** Bikeway links shall be provided, where possible, to link open space areas, and to link to surrounding development. Bikeways shall be a minimum of six feet wide and may use asphalt paving. Bike racks shall be provided in internal open space areas where feasible.

36.6 COMMERCIAL DEVELOPMENT

Since the Waterfront Design District is planned as a Mixed Use zoning district, Commercial uses are permitted and required as part of a Mixed Use Development.

Commercial Retail and other uses are as permitted in Table 39.2. A wide range of retail stores, personal service establishments and water oriented commercial uses is encouraged and expected.

Commercial uses shall be constructed in accordance with a development schedule approved by the Planning & Zoning Commission. Said non-residential uses shall be constructed in each phase of the development with certificates of occupancy granted prior any sales or rental of residential units.

A minimum of 2,500 square feet of commercial retail and other commercial uses shall be provided for each bedroom in the residential component of the mixed use development.

TABLE 36.1 AREA AND BULK REQUIREMENTS IN DESIGN DISTRICTS

KEY	REQUIREMENT	RPD	CD	RCPD	SRR	TOD	WD	PRD	
A.	Minimum Tract Size (Acres)	NA	NA	NA	NA	2	15	20	
B.	Minimum Lot Size (Sq. Ft.)	40,000	20,000	20,000	7,500	6,000	20,000	N/A	
C.	Minimum Lot Area per Residential Unit (Sq. Ft.)	2,000	16,000	8,000	5,000	1,000	2,000	N/A	
D.	Maximum Number of Units per Building	8	NA	NA	8	8	8	N/A	
E.	Minimum Front Yard (Feet)	50	50	50	12	12⊙	12	50	
F.	Minimum Side Yard (Feet)	25	25	25	0❖, 20	0❖, 12	0❖, 20	25	
G.	Minimum Rear Yard (Feet)	50	50	50	30	25	25	50	
H.	Minimum Street Frontage (Feet)	100	100	100	50	50	50	100	
I.	Minimum Inner Yard	10 Feet Per Story, Excluding Basement							
J.	Maximum Building Coverage (%)	25	60	25	30	40	40	40	
K.	Maximum Impervious Surface Coverage (%)	15	30	15	20	20	20	40	
L.	Maximum Lot Coverage(%)	40	90	40	50	60	60	80	
M.	Maximum Height (In Stories) ♦								
	Hotel	N/A	8	8	NA	8	8	8	
	Commercial or Residential	4	4,6	4,6▼	3	8	4,6	n/a	
	Office, Research, Educational	4	4,6	8	3	8	8	8	
N.	Maximum Height (in feet) ♦								
	Hotel	NA	45,75	75	NA	100	100	100	
	Commercial or Residential	45,75	45,75	45,75	35	100	45,75	N/A	
	Office, Research, Educational	45,75	45,75	45,75	35	100	100	100	
O.	Minimum Open Space (%)	60	10	60	50	40	40	20	
P.	Minimum Off-Street Parking – For parking requirements, refer to Section 60.								

All new construction within these zones will require Site Plan Approval and must meet the minimum bulk regulations above, as well as those requirements set forth in Section 83.

- ♦ First number is As-of-Right, second number is by Special Permit,
- ❖ 12 ft, Except 0 Ft for Side-by-Side Townhouses only.
- ⊙ **Front Yard** - 12 FT. build-to line for **structures** up to 40 foot total height, or for **structures** of more than 48 foot total **height**, a minimum setback of 1 foot for each 4 foot total **height**.
- ▼ University buildings may be six stories by Special Permit.