

509 OFFICE APARTMENT DISTRICT (OA)

509.01 PURPOSE

Section 509 is adopted to implement the goals and policies of the Comprehensive Plan. The intent of these provisions is to:

- A. Provide for a mix of office uses and compatible uses such as residential uses;
- B. Provide a high standard of architectural design and landscaping; and
- C. Provide for pedestrian improvements and pedestrian oriented site and building design to support non-auto trips.

[Amended by Ord. ZDO-224, 5/31/11]

509.02 AREA OF APPLICATION

Areas may be zoned Office Apartment District when they meet Subsection 509.02(A) or (B):

- A. The area to be considered by the land use application is located in a Corridor Design Type Area as defined in the Growth Concepts section of the Land Use Chapter of the Comprehensive Plan; or
- B. The area to be considered by the land use application is located on a Corridor Street and the majority of the area is within 150 feet of the Corridor Street right-of-way, and meets the following criteria:
 - 1. Access to the site will meet transportation safety standards and not cause an unacceptable level of service on the Corridor Street; and
 - 2. Access to the site is consistent with access management plans that have been prepared for the Corridor Street. (For example, see Comprehensive Plan Map X-SC-5, *Sunnyside Corridor Community Plan, Sunnyside Road Access Management Targets*.)

[Amended by Ord. ZDO-224, 5/31/11]

509.03 PRIMARY USES

A minimum of 60 percent of the total floor space of the buildings on a site shall be a primary use, as listed below.

- A. Office Uses:

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1. Business and professional offices, including legal, financial, architectural, engineering, governmental, manufacturer's representatives, property management, corporate and administrative offices;
 2. Medical and dental services, clinics or community health care programs, counseling services, and associated pharmacies;
 3. Testing laboratories and facilities, provided no operation shall be conducted or equipment used which would create hazards and/or noxious or offensive conditions;
 4. Graphic arts, printing, blueprinting, photo processing or reproduction labs, publishing and bookbinding services;
 5. Banks, credit unions, and savings and loan, brokerage, and other financial institutions, but not drive-in windows or drive through services;
 6. Business services such as duplicating, photocopying, mailing and stenographic services, fax and computer facilities, telecommuting uses, employment agencies, office management services, notary public, business and communications equipment and service, and real estate offices;
- B. Civic uses: Post office, recreation facilities, fire station, police station, libraries, and museums;
- C. Daycare facilities, and facilities that provide daycare for adults, subject to Section 807;
- D. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835; and
- E. Any use that the Planning Director finds to be similar to one or more of those specified above and consistent with the Comprehensive Plan and the purposes of Section 509. A request for a determination under Subsection 509.03(E) shall be processed as an Interpretation pursuant to Subsection 1305.03.

[Amended by Ord. ZDO-224, 5/31/11]

509.04 ACCESSORY USES

The following uses may be provided on the same site area as any primary use in the Office Apartment District:

- A. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;

- B. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on site prior to onsite reuse or removal by the generator or licensed or franchised collector to a user or broker;
- C. Bike racks, pedestrian amenities, and transit amenities;
- D. Solar energy systems;
- E. Cogeneration facilities;
- F. Rainwater collection systems;
- G. Electric vehicle charging stations;
- H. Meeting facilities;
- I. Cafeterias and recreation/exercise facilities provided for employees within the same structure of a primary use;
- J. Utility carrier cabinets, subject to Section 830;
- K. Building and landscape maintenance offices and enclosed storage areas for maintenance equipment;
- L. Gyms and health clubs provided primarily for the use of employees; and
- M. Level one mobile vending units, subject to Section 837.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12]

509.05 LIMITED USES

- A. No more than 40 percent of the total floor space of the buildings on a site may be limited uses.
- B. The following uses may be allowed as part of a development when developed concurrently with, or after the primary use:
 - 1. Multifamily dwellings, subject to the density standards of Section 313, may be developed in the same building as a primary use.
 - 2. Attached single-family dwellings, subject to the density standards of Section 1604, may be developed in the same building as a primary use.
 - 3. Retail Uses: The following uses are allowed, limited to no more than 10 percent of the total floor space of the buildings on a site, with individual uses limited to no more than 2,500 square feet per use:

- a. Bakeries;
 - b. Cafes and delicatessens, serving at least breakfast and/or lunch;
 - c. Catering services;
 - d. Video sales and rentals;
 - e. Personal services such as laundry, dry-cleaning, tailor, barber and beauty salons, shoe repair, photo processing services and tanning salons;
 - f. Any use that the Planning Director finds to be similar to one or more of those specified in Subsections 509.05(B)(3)(a) through (e) and consistent with the Comprehensive Plan and the purposes of Section 509. A request for a determination under Subsection 509.05(B)(3)(f) shall be processed as an Interpretation pursuant to Subsection 1305.03.
4. Parochial and private schools, business, performing arts, trade, technical or similar schools, limited to no more than 30 percent of the total floor space of the buildings on a site.
 5. Senior housing, congregate care facilities and nursing and convalescent homes, limited to no more than 40 percent of the total floor space of the buildings on a site.

[Amended by Ord. ZDO-224, 5/31/11]

509.06 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

The Planning Director may approve the following use, pursuant to Subsection 1305.02:

- A. Wireless telecommunication facilities listed in Subsection 835.05, subject to Section 835.

[Amended by Ord. ZDO-224, 5/31/11]

509.07 PROHIBITED AND PREEXISTING USES

- A. The following are prohibited uses in the Office Apartment District (OA):
 1. Uses of structures and land not specifically allowed;
 2. Drive-thru window service;
 3. Service stations, or any auto-oriented use.

- B. Preexisting lawfully established dwellings may be allowed to remodel or expand without review under Section 1206. In addition, a lawfully established dwelling may be converted to any use permitted in the OA District, subject to all requirements of this Ordinance for new development.
- C. All other preexisting legally established structures and uses not specifically permitted in Section 509 shall be nonconforming uses subject to Section 1206.

[Amended by Ord. ZDO-224, 5/31/11]

509.08 DIMENSIONAL REQUIREMENTS

- A. Building Height and Setbacks: All developments shall comply with the following minimum and maximum building height, setback, and landscaping requirements:
 - 1. No structure shall exceed three stories.
 - 2. No structure shall exceed 45 feet in height.
 - 3. Front Lot Line Setback:
 - a. Minimum: 10 feet
 - b. Maximum: 20 feet
 - 4. Side Lot Line Setback: Minimum six feet, except the following requirements shall apply to any side lot line abutting a Low Density Residential zoning district:
 - a. The first story of a structure (25 feet or less in height) shall be set back at least six feet.
 - b. The second story of a structure (25 to 35 feet in height) shall be set back at least 16 feet.
 - c. The third story of a structure (35 to 45 feet in height) shall be set back at least 40 feet.
 - 5. Rear Lot Line Setback: Minimum 10 feet except where the rear lot line abuts a Low Density Residential zoning district, in which case the following requirements shall apply:
 - a. The first story of a structure (25 feet or less in height) shall be set back at least 10 feet.
 - b. The second story of a structure (25 to 35 feet in height) shall be set back at least 20 feet.

- c. The third story of a structure (35 to 45 feet in height) shall be set back at least 40 feet.

6. Minimum Landscaping Area: 20 percent of the lot.

[Amended by Ord. ZDO-224, 5/31/11]

509.09 DEVELOPMENT STANDARDS

- A. Development is subject to the applicable provisions of Sections 1000 and 1100.
- B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall also comply with the specific policies and standards for the adopted Community or Design Plan.
- C. Master Plans: Upon application for development of any portion of the Office Apartment District, the applicant shall submit a master plan pursuant to Sections 1000 and 1100 for the site area consisting of all contiguous tax lots designated Office Apartment, to ensure compliance with the standards of Section 509 and Chapter 10 of the Comprehensive Plan.
- D. Traffic Management Plan: A traffic management plan shall be submitted with each development application. The plan shall address, but is not limited to, the following traffic management mechanisms:
 - 1. Physical site controls on existing traffic, p.m. peak hour;
 - 2. Existing traffic limitations;
 - 3. Traffic monitoring;
 - 4. Restrictions on the number of parking spaces;
 - 5. Transportation/transit information center;
 - 6. Flextime, staggered working hours; and
 - 7. Carpool and vanpool spaces and similar ride share programs.
- E. Pedestrian Circulation: Landscaping, crosswalks, additional lighting, signalizing, or similar improvements may be required to create safe and inviting places for pedestrians to cross streets.
- F. Facades:
 - 1. Building facades facing public streets shall be designed with windows and entries or bays. Sides or rears of buildings shall not consist of an

undifferentiated wall when facing a public street, accessway, or a residential area.

2. Arcades are encouraged along public street rights-of-way or along walkways within the complex of buildings.
3. Consistent design elements shall be used throughout the office area to ensure that the entire complex is visually and functionally unified.

G. Screening: All primary and accessory uses associated with office uses, including storage of materials, products, or waste, shall be wholly contained within an approved structure.

H. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

[Amended by Ord. ZDO-224, 5/31/11]