

ORDINANCE # 7, 2018
AN ORDINANCE AMENDING ARTICLE 2, SECTIONS 10-10 AND 10-11
AND ARTICLE 9, SECTION 10-80
ENTITLED TEN (10) ZONING DISTRICTS AND ZONING MAPS

WHEREAS, the Common Council for the City of Attica, after considering the recommendation of the Attica Area Plan Commission, believes it is in the best interest of the citizens of Attica to create a tenth zoning district entitled Neighborhood Commercial, Mixed-Use District (CRM), and

WHEREAS, such a District would accommodate mixed-use buildings with neighborhood-serving retail, service, and other uses on the ground floor facing the street and residential units either behind on the alley side or on upper floors, and encourage development that allows for pedestrian oriented, storefront-style shopping streets.

NOW THEREFORE BE IT ORDAINED that Article 2, Section 10-10 and Section 10-11 AND Article 9, Section 10-80 be amended to include the following provisions:

Section 1. Article 2, Section 10-10 shall be amended to include an additional District designated as follows:

“CRM” Neighborhood, Mixed-Use District

Section 2. Article 2, Section 10-11 shall be amended such that the Zoning Maps shall reflect that the CRM District shall be an area East of Union Street to the West side of Brady Street and North of Jackson Street to the South of Ferry Street.

Section 3. Article 9, Section 10-80 shall be amended to include the following provisions:

101. Definitions

As used in this ordinance, the following words and terms shall have the meanings specified herein:

“**Floor Area Ratio**” means the ratio of a building’s gross floor area to the area of the lot on which the building is located.

“**Gross Floor Area**” is the sum of the gross horizontal areas of all floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. Gross floor area does not include basements when at least one half the floor-to-ceiling height is below grade, accessory parking (i.e., parking that is available on or off-site that is not part of the use’s minimum parking standard), attic space having a floor-to-ceiling height less than seven feet, exterior balconies, uncovered steps, or inner courts.

“**Mixed-use Building**” means a building with a business use in at least the ground floor storefront area facing the street and with residential use either on the ground floor on the alley

side behind the business use area or on upper floors of the building. Residential use is not permitted on the ground floor in the front area facing the street.

102. Allowed Uses

Uses are allowed in “CRM” zoning districts in accordance with the use table of this section.

P= permitted by-right C = conditional use N = Not allowed	
RESIDENTIAL	
Household Living	
Artist Live/Work Space located above the ground floor	P
Artist Live/Work Space, ground floor	C
Dwelling Units located above the ground floor	P
Detached House	C
Multiunit (3+ units) Residential	C
Single-Room Occupancy	C
Townhouse	C
Two-Flat	C
Group Living	
Assisted Living	C
Group Home	P
Nursing Home	C
Temporary Overnight Shelter	C
Transitional Residences	C
Transitional Shelters	C
PUBLIC AND CIVIC	
Cultural Exhibits and Libraries	P
Day Care	P
Hospital	N
Lodge or Private Club	N

Parks and Recreation	P
Postal Service	P
Public Safety Services	P
Religious Assembly	P
School	C
COMMERCIAL	
Adult Use	N
Animal Services	
Shelter/Boarding Kennel	N
Sales and Grooming	P
Veterinary	P
Artist Work or Sales Space	P
Drive-Through Facility	C
Eating and Drinking Establishments	
Restaurant	P
Tavern	C
Entertainment and Spectator Sports	
Small (1-149 seats)	P
Medium (150-999 seats)	N
Large (1,000+ seats)	N
Financial Services	P
Food and Beverage Retail Sales	P
Gas Stations	N
Lodging	
Small (1-16 guest rooms)	P
Large (17+ guest rooms)	C

Medical Service	P
Office	P
Parking, Commercial (Nonaccessory)	C
Personal Service, including health clubs and gyms	P
Repair Service	P
Residential Storage Warehouse	N
Retail Sales, General	P
Vehicle Sales, Service, and Repair	N
INDUSTRIAL	
Manufacturing, Production and Industrial Services	
Artisan (hand-tools only; e.g., jewelry or ceramics)	C

103. Commercial Establishment Size Limits

The gross floor area of commercial establishments in the CRM district shall be a minimum of 400 square feet on the side of the building facing the street.

104. Indoor/Outdoor Operations

All permitted uses in the CRM district must be conducted within completely enclosed buildings unless otherwise expressly authorized. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas.

105. Setbacks

- (1) The entire building façade must abut front and street side property lines or be located within [10] feet of such property lines.
- (2) The minimum rear setback is 10% of the depth of the lot with a minimum depth of 15 feet and need not exceed 25 feet in depth.
- (3) No interior side setbacks are required in the CRM district, except when CRM-zoned property abuts R-zoned property, in which case the minimum side setback required in the CRM district shall be the same as required for a residential use on the abutting R-zoned lot.

106. Building Height

The maximum building height shall be 60 feet or 5 stories for mixed-use buildings.

107. Off-Street Parking

- (1) No off-street parking is required for nonresidential uses in CRM districts unless such uses exceed [3,000] square feet of gross floor area, in which case off-street parking must be provided for the floor area in excess of [3,000] square feet.
- (2) Off-street parking spaces shall be required for residential use and must be located to the rear of the principal building or by a designated parking spot not located on Perry Street.

IT IS FURTHER ORDAINED that the Zoning Map which complies in part of the Zoning Ordinance be, and the same is, hereby amended showing said rezoning.


IT IS FURTHER ORDAINED that this Ordinance be in full force and effect from and after its adoption by the Attica Common Council.

The Common Council for the City of Attica adopt this Ordinance this 11 day of June 2018, by a vote of 5 for and 0 against.


Sponsoring Council Member

ATTEST:


Susan Stoll, Clerk-Treasurer


Duane Roderick, Mayor

ATTEST:


Susan Stoll, Clerk-Treasurer