

165.31 BCD – HISTORIC DOWNTOWN BUSINESS COMMERCIAL DISTRICT.

1. Intent. This district is intended to accommodate the major business and office concentration in the City. It is characterized further by a variety of stores and related activities which occupy the central commercial area of the City. This district is intended to be the single central business district of the City and is also characterized by certain mixed use structures and limited residential. The regulations herein are intended to help fulfill the following goals for downtown:

A. Preserve the small-town, unique character of downtown Panora.

B. Complement the existing historic architecture.

C. Enhance the pedestrian orientation of downtown Panora and encourage streetscape design that is inviting and on a human scale.

D. Encourage pedestrian activity downtown.

E. Strive for a “classic” appearance; that is, a look that stands the test of time. When viewed in 20 or 30 years, building façades and streetscape elements should not “date” themselves and be associated with a particular fad or trend, but rather they should have a classic, timeless appearance.

2. Permitted Uses. The following uses are permitted in the BCD District:

A. Business sales and services conducted entirely within the building, including those with incidental manufacturing or processing of goods or products.

B. Offices/clinics.

C. Hotels and motels.

D. Publicly owned and operated buildings and facilities.

E. Existing dwellings at the time of adoption of this chapter (second floor and above only).

3. Excluded Uses. Besides uses not listed above, new body shops and auto repair shops are expressly prohibited within the BCD District:

4. Accessory Uses. Uses of land or structure customarily incidental and subordinate to a permitted use in the BCD District including, but not limited to, the following:

- A. Outdoor sales and service.
 - B. Private garages.
 - C. Parking lots.
 - D. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon the completion or abandonment of the construction work.
 - E. Accessory uses customarily incidental to any permitted principal use.
5. Special Exceptions. The following uses may be permitted in the BCD District subject to specific conditions and requirements, intended to make them compatible with and acceptable to adjacent uses, that may be imposed by the Board of Adjustment:
- A. Service stations and sales of petroleum products.
 - B. Warehousing.
 - C. Preschools and child care centers.
 - D. Churches or accessory facilities.
 - E. Outdoor sales or storage of building materials.
 - F. Railroad tracks but no other facility.
6. Performance Standards. Land, buildings, and other structures may be used for one or more of the purposes specified in the BCD District subject to the following performance standards:
- A. Trailers of any type that are used for the storage of materials, goods or objects shall not be parked or stored within the district unless within an enclosed garage or unless regularly moved off the property at a minimum of every 120 days.
 - B. Street Sales, Furniture and Plants. Any benches or planters kept in front of buildings must be a variety approved by the Downtown Enhancement Committee organized pursuant to 165.31(12). Requests submitted to and denied by the Downtown Enhancement Committee may be appealed to the Planning Commission for their consideration. Any metal may have no rust or chipping paint. Any wood must be finished and weather-resistant. Plants kept in front of buildings must be kept green and alive with no unsightly weeds. Sidewalk sales must be conducted so as to retain at least a five foot wide clear path on the sidewalk and may not continue for more than six consecutive days and no more than 15 days in a calendar month.

7. Bulk Regulations. The following requirements apply to permitted uses and buildings in the BCD District:

Min. Lot Area (sq. ft.)	Min. Lot Width (feet)	Front Yard Requirements	Min. Side Yard (feet)	Min. Rear Yard (feet)	Height: Maximum and Minimum
None	20	None	None, except if a side yard is adjacent to a Residential District, then it shall be 10 feet and if otherwise provided, no less than 5 feet	None, except if a rear yard is adjacent to a Residential District, then it shall be 10 feet	Buildings may not be built to a height more than 15 feet greater than an adjacent building and no less than 15 feet less than an adjacent building.

A. Setback or Build-to Lines. New construction and infill buildings must maintain the alignment of façades along the sidewalk edge (within nine inches). Special exceptions may be granted by the Board of Adjustment if the setback is pedestrian-oriented and contributes to the quality and character of the streetscape. An example would be for outdoor dining.

B. Building Width Requirements: Any new building more than 45 feet in width should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of the following techniques.

- (1) Divisions or breaks in materials
- (2) Window bays
- (3) Separate entrances and entry treatments
- (4) Variation in roof lines
- (5) Building setbacks (up to nine inches)

8. Off-Street Parking Requirements:

A. New dwelling units created after 2006 shall have a minimum of two (2) spaces per dwelling unit.

B. Off-street parking must be located in the rear of buildings on Main Street.

9. Off-Street Loading. The following off-street loading requirements shall apply in the BCD District:

A. All activities or uses allowed in the BCD District shall be provided with adequate receiving facilities accessible by motor

vehicle off any adjacent service drive or open space on the same zoning lot.

B. Loading shall not be permitted to block public right-of-way unless otherwise provided for in this Code of Ordinances.

10. Signs. The following sign regulations shall apply to the BCD District:

A. Off-premises signs are not permitted.

B. On-premises signs are permitted subject to the following regulations:

(1) Political signs on private property are permitted but shall not exceed thirty-two (32) square feet in size. Real estate, lease or sales signs, relating to the property on which the sign is located, are permitted but shall not exceed six (6) square feet in area.

(2) Signs for residential use identifying the premises and occupant, but not including advertising matter, are permitted but shall not exceed six (6) square feet in area. Public, parochial, private schools and colleges, children's homes, and public and quasi-public buildings for cultural use, may have identification signs not to exceed thirty-two (32) square feet in area. Churches, synagogues, and chapels shall be allowed one (1) sign not exceeding twenty-four (24) square feet in size.

(3) Internally illuminated signs (not including neon) are prohibited except for theater signage. Pylon and monument signage is prohibited on Main Street. Temporary window signage is limited to one-third of the window surface area. The combination of neon signage, permanently painted signage and temporary signage should not exceed a total of two-thirds of the window surface area.

(4) Projecting signs must be no greater than 12 square feet and have a maximum width of 3 feet and maximum height of five feet. No less than 8 feet of clearance shall be provided between the sidewalk elevation and the lowest point of the projecting sign. Maximum distance between sign and building face is one foot. Projecting or wall signs cannot block or obliterate design details, windows or cornices of the building upon which they are placed.

(5) No flashing or moving message signs are allowed.

(6) Wall signs must be placed between 4 and 12 feet above the grade of the sidewalk, unless there are architectural details that would be covered.

(7) No sign may be more than 14½ feet high.

C. All business signs shall be removed from the premises within ninety (90) days of the closing of a business.

11. Design Standards. Adherence to the following standards is required for any new buildings or structures, building additions, or changes to existing building façades:

A. Primary Building Materials. Painting previously unpainted brick is not allowed. The following materials are not allowed on the façades or sides of buildings adjacent to public right-of-ways:

(1) Concrete block or brick larger than 4 inches in height, 12 inches in length.

(2) Aluminum, vinyl or fiberglass siding or roofing materials.

(3) Concrete masonry units (except split-faced block variety may be used for accents only).

(4) Materials that attempt to mimic traditional materials. An example would be fiberglass panels that are molded to look like brick.

B. Front Entry. Except when using a door style original to the building, doors must be metal or wood with a full panel design with at least the upper panels in glass. Vinyl and metal screen/storm doors are not allowed.

C. Cornices.

(1) Cornices should be preserved, maintained, or repaired in their original configuration or with materials and details to match the existing.

(2) Do not remove, conceal or cover a cornice.

(3) If the cornice is missing, it should be replaced based upon physical or pictorial evidence. If no such evidence exists, cornices should be in keeping with other cornices on similar commercial buildings.

D. Windows.

(1) New buildings: 30% of the first floor to be transparent.

- (2) Existing Buildings:
- a. Original windows should be repaired and retained. Window replacement should only be considered when existing are not original or part of a historic remodeling, or when they are so deteriorated that repair is not feasible.
 - b. New storefront windows should match the original in location, design, size, configuration and materials of original display windows.
 - c. If the original storefront windows are missing, and the original design is unknown, they should be replaced with traditionally scaled windows.
 - d. Clear glass should be installed for display windows, not tinted glass. Interior shades or horizontal blinds should be utilized for shade or privacy. Permanent shades or covers may not be used.
 - e. Avoid creating new window openings or eliminating original window openings on all principal elevations, or on areas of a historic building that can be viewed easily by the public.
 - f. Window shutters should only be installed on those windows of the building that historically had shutters.
 - g. Original window trim should be preserved and retained. Decorative window lintels and details should be added only if there is evidence they existed originally.
 - h. Upper story replacement windows must match the original in size and shape. Design, material and glazing pattern must be replicated if feasible.
- E. Awnings. If awnings are used, awnings cannot extend across multiple storefronts and/or multiple buildings. Awnings must be constructed of durable, protective and water repellent canvas. Backlighting or illuminating awnings are not allowed. Awnings must project a minimum of 36 inches from the building.

F. Roofs and Parapets.

(1) The roof design or style must be maintained where it is visible from the ground (e.g., a flat roof may not be replaced with a pitched roof).

(2) Roofing materials visible from the ground cannot include metal.

(3) Adequate gutters and downspouts must be located to carry water off the roof and away from the building.

(4) Heating/cooling units, air circulation units, antennas and satellite dishes must be located as near to the rear of the roof as mechanically possible so they cannot be seen from the ground and front of the building. If placement out of view from the ground is not mechanically possible, a movable barrier designed to blend with the rest of the structure should be built around such mechanical units that would provide adequate air circulation.

(5) Parapets should be capped and sealed.

(6) Unless damaged beyond repair, architectural designs on the parapet must be maintained.

G. Other Architectural Details. Bulkheads, transoms, molding and other architectural details must be replaced with like architectural details, even if exact materials cannot be used. Transom windows should be replaced with windows unless the interior structure has been altered such that windows are not feasible. In all other cases, materials for architectural details shall replicate the appearance of the original.

H. Color. The color of buildings should complement the adjacent buildings' colors. The color of brick or other natural building materials should dictate the color family choice. Bricks in the red and brown tones with light and bright colors used only as minor accents. The accent colors should complement the primary color. Colors used must either be on the color palette approved by the Downtown Enhancement Committee organized pursuant to 165.31(12) or a proposed color must be submitted to and approved by them. If the Downtown Enhancement Committee does not approve a color submitted, the applicant may appeal the decision to the Planning Commission for consideration.

I. Utility Areas and Mechanical Equipment Screening. Where mechanical equipment, utility boxes or dumpsters are

located on the ground visible from the street, a barrier must be constructed around the structure, to the height of the structure, to screen such equipment or dumpster. Barriers should maintain necessary access and adequate air circulation to and around such equipment.

12. Downtown Enhancement Committee.

A. Downtown Enhancement Committee Created. A Downtown Enhancement Committee is hereby created to develop a palette of acceptable colors for buildings in the Business Commercial Downtown District; to develop a list or menu of planters, benches and other street furniture that shall be acceptable for the BCD District; to approve any proposed colors or street furniture not already on such list or palette; and to make recommendations to the Planning Commission and City Council regarding design issues in Downtown Panora.

B. Committee Organization. The Downtown Enhancement Committee shall consist of five (5) members. Members shall be nominated by the Planning Commission and approved by the City Council. Terms of the members shall be five-year terms, each having overlapping, or staggered, terms. At least two of the members must own property in the BCD District or represent someone who owns property in the BCD District. The Committee shall elect from its members a Chair, Vice Chair and 2nd Vice Chair. To approve any building colors, street furniture, or anything else, or to make any recommendations, at least three (3) members of the Committee must vote in favor of the approval or recommendation.

13. Exhaust Fans. Exhaust fans may not exhaust through any wall visible from a street.

(Section 165.31 added by Ord. 246 – Oct. 07 Supp.)