SECTION 5.12 "CBD" CENTRAL BUSINESS DISTRICT

Section 5.12-1 Purpose:

The purpose of the "CBD" Central Business District zoning category is to accommodate the types of business and commercial uses that have historically been located in the Midlothian Central Business area.

New or remodeled structures in the CBD zoning district are to incorporate the historic character and appearance of existing downtown structures and must follow the design regulations incorporated herein and also strive to follow the adopted "Downtown Development Guidelines". All developments shall be subject to review by the Historic Advisory Board (HAB) who should advise and make recommendations to the Planning and Zoning Commission (P&Z) for final approval.

Section 5.12-2 Use Regulations:

In the "CBD" Central Business District, no building, structure, land or premises will be used and no building or structure shall hereafter be erected, constructed, reconstructed or altered, except for one or more of the uses listed in ***Section 4.4 Use Table***.

Section 5.12-3 Area Regulations:

Lot Size	No minimum requirement.
Width of Lot	No minimum requirement.
Maximum Coverage	No maximum coverage limit.
Height	Maximum height of ~~ten (10) stories~~ three (3) stories.
Front Yard Set-Back	No minimum requirement, maximum (10) foot
Side Yard Set-Back	No minimum requirement.
Rear Yard Set-Back	No minimum requirement unless a residential area is located to the rear and then a ten (10) foot rear yard set-back will be required.

Section 5.12-4 Accessory Uses:

Uses normally incidental to the uses permitted in ***Section 4.4 Use Tables***, shall be permitted as accessory uses to a principal use.

Section 5.12-5 Landscaping Regulations:

None required for individual lots.

Section 5.12-6 Screening and Fencing Regulations:

None required for individual lots.

Section 5.12-9 Sign Regulations:

Signage regulations shall be in conformance to those general regulations as contained in ***Section 7.4-10 Sign Regulations*** of this ordinance.

Section 5.12-10 Parking Regulations:

There is no minimum parking requirement in the CBD zoning district.

Section 5.12-11 Planned Development:

Planned Developments may be constructed within the "CBD" District in accordance with the regulations provided in ***Section 6.1 "PD" Planned Development District***. Planned Developments are overlay zones and require special approval by the Planning and Zoning Commission and City Council for all uses and proposals.

Section 5.12-12 Floodplain Overlay Zone:

All parcels of land within the "CBD" Central Business District laying within an officially designated floodplain shall be subject to the regulations provided in ***Section 6.2 "FP" Floodplain Overlay Zone.***

Section 5.12-13 Historical Preservation Overlay Zone:

Parcels of land within the "CBD" Central Business District containing property or structures having been, or proposed to be, designated as a historic landmark in accordance with ***Section 6.3 "H" Historic Preservation Overlay Zone*** shall be subject to all the regulations and requirements of that section.

Section 5.12-14 Specific Use Permit:

Uses other than those unconditionally permitted to occur within the "CBD" Central Business District may be permitted by means of a Specific Use Permit authorized by the City. Said uses must be listed as Specific Use Permit uses for the "CBD" Central Business District in ***Section 4.4 Use Table*** and must be granted in accordance with the regulations provided in ***Section 6.4 "SUP" Specific Use Permit.***

Section 5.12-15 Design Regulations:

The following minimum design requirements shall be provided in the "CBD" District.

1. Residential Uses as a Specific Use Permit

   a. Residential dwelling units shall be allowed as secondary/ancillary uses in upper stories of structures only, while maintaining Central Business District uses as the primary use in the first/ground floor.

   b. Floor plans shall be required to be submitted in conjunction with the Specific Use Permit. The floor plans shall include the location and square footage of all non-residential uses, the layout, square footage and total number of residential units.

   c. All buildings and structures approved for residential uses must meet all applicable Uniform Building and Fire Codes.

   ~~d. Residential uses approved as a specific use permit shall present a plan for parking to the Planning and Zoning Commission and the Planning and Zoning Commission shall establish the amount and method of off-street parking to be provided if any.~~

2. Additional Design Requirements

   a. The 1st floor must have minimum fenestration coverage of 90%.
   b. There shall be a wooden kick panel with a minimum height of 18 inches.
   c. There shall be a minimum 5 foot awning extension at the point of main entry.
   d. Window signage or cover shall be a maximum of 30%.
   e. Windows shall not be opaque; the interior of the building must be visible from the outside.
   f. All structures shall be 100% masonry construction.
   g. Doors and Windows shall have a wood, bronze, antique metal finish or the appearance thereof.
   h. Doors at the main point of entry must be recessed a minimum of 36 inches.
   i. Windows on the second story of a structure must be double-hung or have the appearance thereof.

3. Downtown Design Guidelines

   a. Section 5.12-1 states that new developments and improvements should strive to follow the adopted "Downtown Design Guidelines". A project will not be penalized for not complying with these guidelines. However, the Historic Advisory Board and Planning and Zoning Commission will review each project against these guidelines for consistency.

Section 5.12-16 Review Responsibilities

The Historic Advisory Board (HAB) and Planning and Zoning Commission (P&Z) shall be primarily responsible for review and oversight of the regulations and guidelines defined in this section (5.12).

Specifically, the HAB shall have sole review authority and approval of any rehabilitation projects that have a total cost up to 25% of the total current year appraised value of the structure and property. Both the HAB and PZ shall have review authority and approval of new construction projects and rehabilitation projects that have a total cost above 25% of the total current year appraised value of the structure.

The City Council shall hear all appeals with respect to the decisions of the Historic Advisory Board and Planning and Zoning Commission.