

14.48.180 - Exceptions for public benefit (CRS).

- A. To implement the downtown design plan, minor exceptions from the provisions of this chapter may be granted in the context of the project's benefit relative to its location. Since these are not required by law, they are to be allowed at the complete discretion of the city, provided the following findings are made:
1. The benefits to the downtown will be significant;
 2. The benefits to the city derived from granting the exception is an appropriate mitigation when considered against the cost to the developer;
 3. The project and mitigation will result in a public benefit to the downtown; and
 4. The resultant project and mitigation are consistent with the general plan and promote or accomplish objectives of the downtown design plan.
- B. For the purposes of this chapter, such exceptions may include, but are not limited to, setbacks, height of structure, height of the first floor, on-site parking, and other zoning regulations. "Height of structure" shall only apply to building height exceptions that support the project's architectural integrity.
- C. For the purposes of this section, significant public benefits identified in the downtown design plan, include, but are not limited to, projects that accomplish the following:
1. Provide for additional public parking, beyond minimum code requirement project needs;
 2. Provide additional public outdoor plazas and gathering and eating spaces, visible from the public right-of-way, to enhance the ambiance of the downtown;
 3. Create prominent, recognizable, entry points into the downtown area;
 4. Preserve the historic character of downtown by renovating existing historic buildings;
 5. Create strong pedestrian linkages to the Civic Center and residential areas adjacent to downtown; and
 6. Develop pedestrian walkways or "paseo" passage ways where they are needed, to better link rear parking plazas to the businesses along State and Main Streets.

(Ord. 08-320 § 3 (part); Ord. 05-294 § 2 (part); Ord. 05-289 § 2 (part); Ord. 04-268 § 2 (part); prior code § 10-2.1919)

(Ord. No. 10-348, § 5, 4-13-2010; Ord. No. 2012-388, § 1, 11-13-2012)

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