File #: O-246-20, **Version:** 1

Zoning & Planning Committee

Amending Toledo Municipal Code (TMC), Part Eleven, Subsection 1109.0205, Planning and Zoning Code, Building Design Standards; and declaring an emergency.

SUMMARY & BACKGROUND:
The proposed text amendment to TMC§1109.0205 *Building Design Standards* is designed to strengthen the design requirements for commercial buildings by requiring windows and a door facing the right-of-way.

The purpose of the proposed text amendment is to make newly constructed commercial buildings more attractive and more walkable by meeting a threshold of transparency along the right-of-way-facing elevation(s). Historically, commercial storefronts were designed to have as many large windows as possible with clear, accessible entranceways, allowing merchants to showcase their products and services. This made the buildings more attractive and accessible, improving the experience for customers. Requirements like those being presented today were not historically necessary. However, newer construction practices make these requirements necessary.

Currently, the Zoning Code requires that the primary façade be subdivided and proportioned using features such as windows, entrances, arcades, and awnings. However, the code does not state how many entrances and windows need to be provided, or where. As a result, developers have constructed stores that have either no windows or fake windows, and doors that face the rear or the side of the building.

On March 12, 2020 the Toledo City Plan Commission considered and recommended approval of the requested text amendment.

On June 17, 2020, Toledo City Council, Planning and Zoning Committee reviewed, and sent without recommendation the requested text amendment.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1 That Toledo Municipal Code Subsection 1109.0205, Building Design Standards, which reads as follows:

1109.0205 Building Design Standards
The intent of building design standards is to ensure a base level of quality architecture that is responsive to its context and contributes to the established architectural character of an area rather than a design solution that is based on a standardized formula or market prototype superimposed on the selected site. Not all buildings in the surrounding area contribute equally to the area character and each example shall be weighed against the balance of all other projects. In areas with little, no or poor immediate context, or under redevelopment, proposals should add to area character without rigid uniformity of design.

A. Variation in Massing
The design of a building shall reduce its apparent mass or bulk by dividing the building into smaller masses. The internal function of the building may indicate a logical hierarchy for breaking the mass of the building. The apparent mass of a building may be reduced by the following techniques such as:

1. variations in roof form and parapet heights;

2. incorporating clearly pronounced recesses and projections;

3. introducing wall plane offsets (dimension established by building module);

4. use of other reveals and projections and subtle changes in texture and color of wall surfaces;

5. use of deep set windows with mullions;

6. use of ground level arcades and second floor galleries/balconies; or

7. other techniques that reduce the apparent mass of a building.

B. Character and Image

1. Building design shall contribute to the uniqueness of established neighborhoods by harmonizing design elements of the adjacent architecture such as the following:

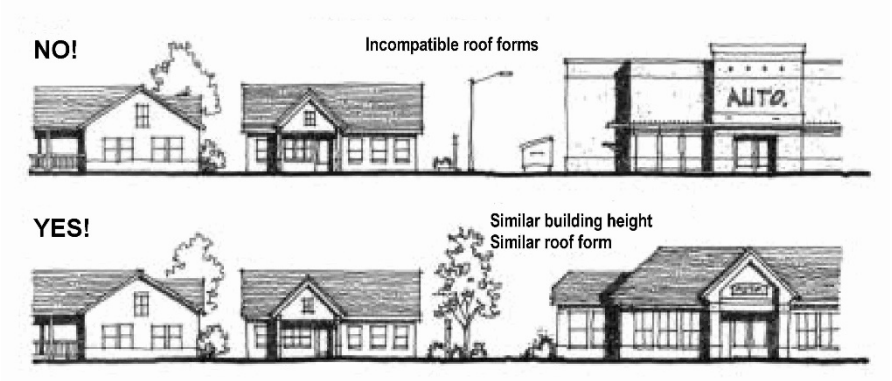
a. scale and massing of structures;

b. roof and parapet forms;

c. door and window fenestration pattern; and

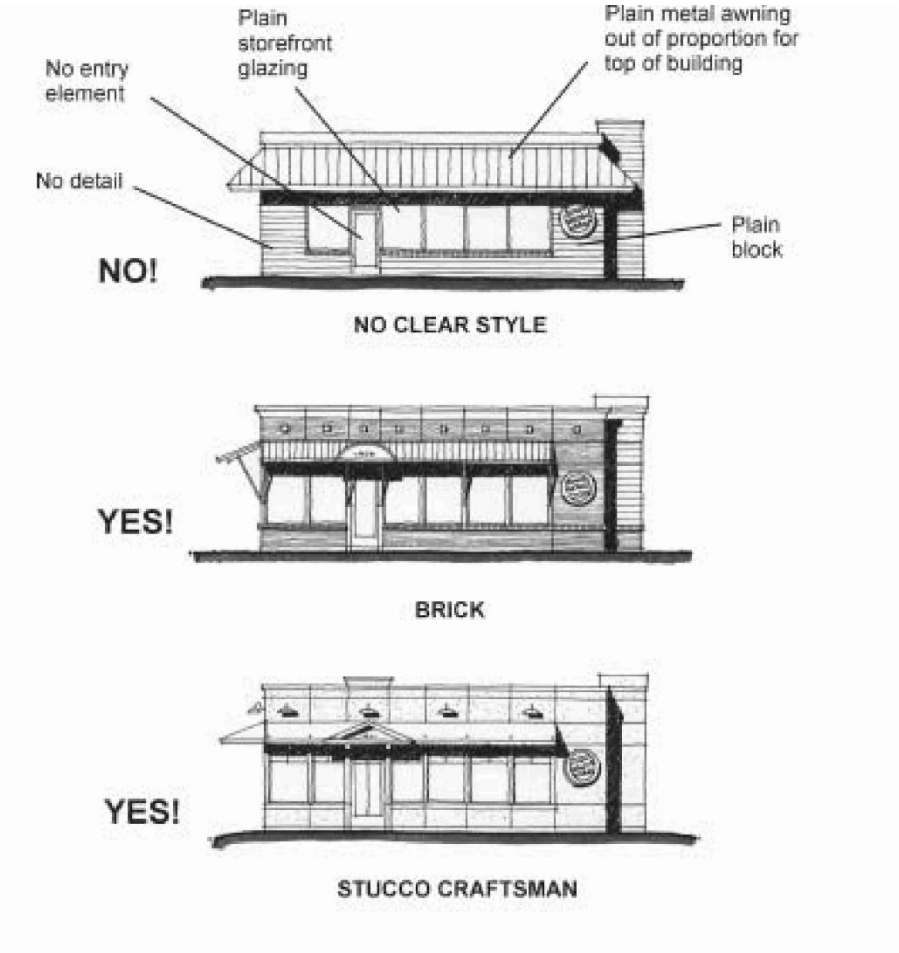
d. materials.

2.



In multiple building development, each individual building shall include predominant characteristics shared by all buildings in the development so that the development forms a cohesive sense of place.

3.



Building design that is based on a standardized formula associated with a business or franchise shall be modified if necessary to meet the provisions of this section.

C. Building Façade Treatment

1. Minimum Wall Articulation

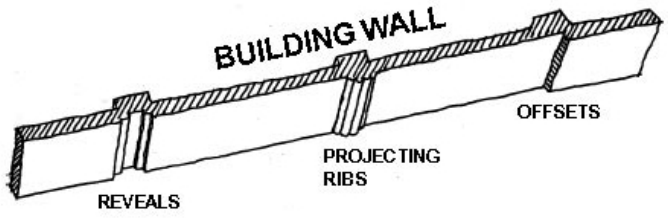
Exterior walls shall be articulated in order to add architectural interest and variety and avoid the effect of a single, long or massive wall with no relation to human size. Articulation shall be visually established by using architectural features such as columns, ribs or pilasters, piers, and fenestration pattern. The following minimum wall articulation treatment standards shall apply:

a. Exterior walls over 50 feet in length that face a street or connecting walkway shall be divided and include at least two of the following within each successive articulation:

iv. change in wall plane, such as projections or recesses extending at least 20 percent of the length of the façade;

ii. change in texture or masonry pattern;

iii. windows; or



iv. an equivalent element that subdivides the wall into human scale proportions.

b. All sides of the building shall include compatible materials and design characteristics consistent with those on the primary façade. The degree of consistency required will be in proportion to the visibility of the side to the public or to an adjacent residential district.

2. Primary Façade

The primary façade shall be subdivided and proportioned using features such as windows, entrances, arcades, and awnings.

3. Entrances

Primary entrance(s) must be unlocked and accessible during business hours. Primary building entrance(s) shall be clearly defined and contrast with the surrounding wall plane using techniques such as the following:

a. recessed or framed by a sheltering element such as an awning, arcade, portico or overhang;

b. raised corniced parapets over the door or peaked roof forms;

c. architectural detail such as tile work and moldings integrated into the building structure and design; and

d. integral planters or wing walls that incorporate landscaped areas.

4. **Base and Top Treatments**
   The design of a building shall reduce its perceived height by dividing the building mass into smaller scale components. One way to achieve this breakdown is to provide a well-defined base, middle and top to the building using the following techniques:
   a. A solid building base may be achieved by elements such as low planters and walls, base planting, a base architectural veneer banding (wainscot) and treatments defined by a different material, texture or color.
   b. A solid building base (and a more articulated building mass) may be achieved by the addition of covered walkways, or architectural awnings that provide deep shadow at ground level.
   c. Using features such as distinct and multiple architectural roof forms, clearly pronounced eaves, and distinct parapet designs and cornice treatments may achieve a well-defined building top.
5. **Exterior Building Materials and Color**
   See Sec. XX1109.0500XX Building Façade Materials and Color

be amended to read as follows:

1109.0205 Building Design Standards
The intent of building design standards is to ensure a base level of quality architecture that is responsive to its context and contributes to the established architectural character of an area rather than a design solution that is based on a standardized formula or market prototype superimposed on the selected site. Not all buildings in the surrounding area contribute equally to the area character and each example shall be weighed against the balance of all other projects. In areas with little, no or poor immediate context, or under redevelopment, proposals should add to area character without rigid uniformity of design.

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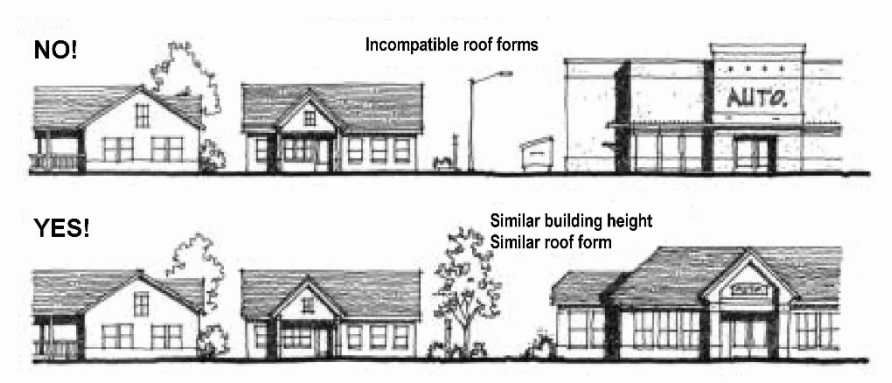

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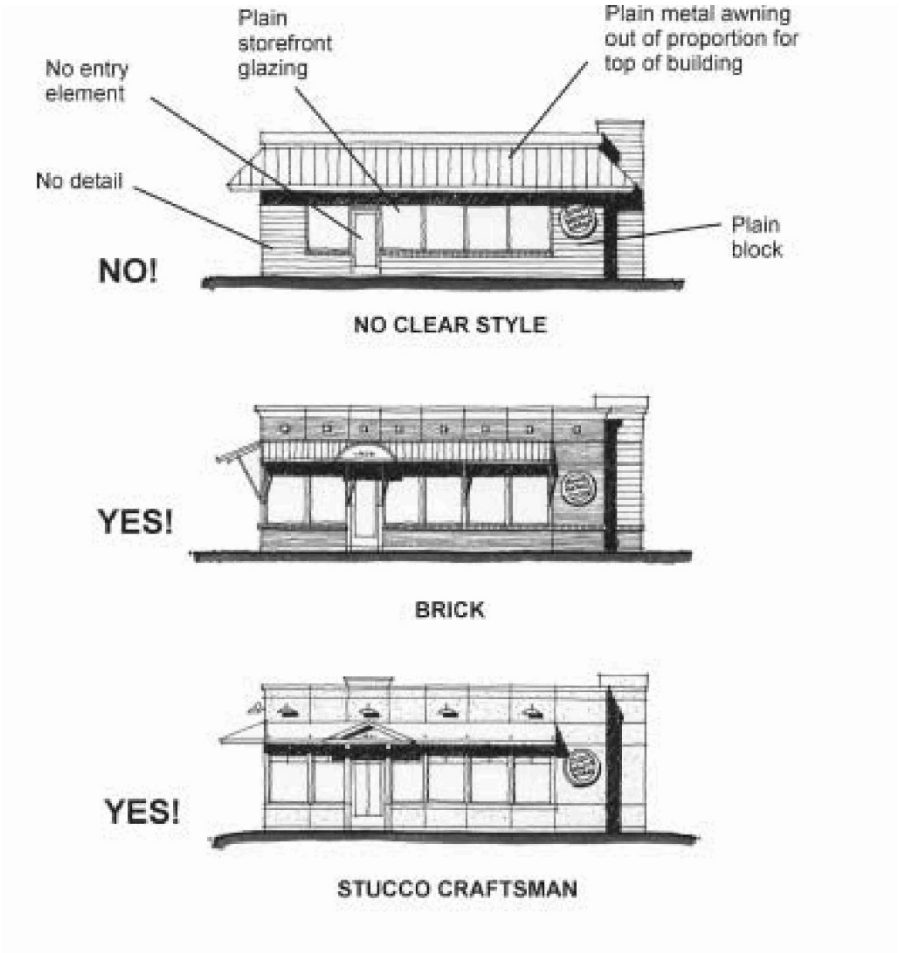

Building design that is based on a standardized formula associated with a business or franchise shall be modified if necessary to meet the provisions of this section.

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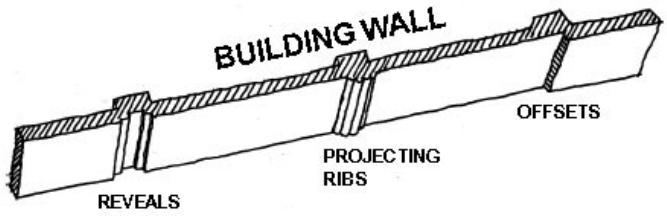

iv. an equivalent element that subdivides the wall into human scale proportions.

b. All sides of the building shall include compatible materials and design characteristics consistent with those on the primary façade. The degree of consistency required will be in proportion to the visibility of the side to the public or to an adjacent residential district.

2. Primary Façade

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3. Windows

For Commercial Use Types as listed in Sec. 1104.0100, transparent windows shall occupy at least 40 percent of the area between two and ten feet at grade from the base of the primary elevation facing the right-of-way. For corner properties, transparent windows shall also occupy at least 20 percent of the area between two and ten feet at grade from the base of the elevation facing the side street. This window glass shall be transparent to permit views of activity and/or display areas within the building, and shall not be obstructed during business hours. Framing elements up to 4 inches in width may be included to meet this requirement.

4. **Entrances**
   At least one primary entrance shall be oriented to the street. This entrance shall open to a connecting walkway leading to the sidewalk, per Sec. 1109.0204. Primary entrance(s) must be unlocked and accessible during business hours. Primary building entrance(s) shall be clearly defined and contrast with the surrounding wall plane using techniques such as the following:

   a. recessed or framed by a sheltering element such as an awning, arcade, portico or overhang;

   b. raised corniced parapets over the door or peaked roof forms;

   c. architectural detail such as tile work and moldings integrated into the building structure and design; and

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   c. Using features such as distinct and multiple architectural roof forms, clearly pronounced eaves, and distinct parapet designs and cornice treatments may achieve a well-defined building top.

6. **Exterior Building Materials and Color**
   See Sec. XX1109.0500XX Building Façade Materials and Color

SECTION 2. That this Ordinance hereby is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and that this Ordinance must be immediately effective in order to provide for the orderly development of the area and to protect the land values in the area.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____ _____
Clerk of Council President of Council

Approved: _____ _____
Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council _____.

Attest: _____
Clerk of Council