

## Exhibit 1

**SECTION 1** - That the following described property, is designated as Urban Conservation District Number 1, to be known as the Walnut Street-West Urban Conservation District, which district shall be subject to the provisions set forth in *Section 4-2300*, Urban Conservation District, of the Land Development Code, and the regulations set forth herein; said district shall be shown on the District maps and is described as follows:

### **Walnut Street-West Urban Conservation District Legal Description**

Beginning at the Northwest Corner of Lot 6 E.T. Robberson's Addition, being the Southeast Corner of Walnut St. and John Q. Hammons Parkway, thence South along the East Rights-of-way of John Q. Hammons Parkway to the Northwest Corner of Lot 16 E.T. Robberson's Addition, being at a point on the South line of an existing 20 foot alley, thence East along the South line of said alley to a point on the West Rights-of-way line of National Ave. 238 feet M/L South of the Southwest Corner of Walnut St. and National Ave., thence Easterly 80 feet M/L crossing National Ave. to the Southwest Corner of Lot 4 O.H. Mitchell Addition, thence East to a point 20 feet East of the Southwest Corner of Lot 3 O.H. Mitchell Addition, being a point on the South line of Lot 3 O.H. Mitchell Addition, thence North to a point 20 feet East of the Northwest Corner of Lot 3 O.H. Mitchell Addition, thence Northeasterly across Walnut St. to the Southeast Corner of Lot 10 Hawthorne Addition, thence North to a point on the South line of Lot 9 Hawthorne Addition, thence East to the Southeast Corner of Lot 9 Hawthorne Addition, thence North along the East line of Lots 9 through 4, Hawthorne Addition to the Northeast Corner of Lot 4 of Hawthorne Addition, also being the South Rights-of-way line of McDaniel St., thence West 166 feet M/L to the Northwest Corner of Lot 4 Hawthorne Addition, thence Westerly 80 feet M/L to the Northeast Corner of Lot 41 East Side Addition also being the Southwest Corner of McDaniel St. and National Ave., thence North 160 feet M/L to the Northeast Corner of Lot 27 East Side Addition, thence West to the Northwest Corner of said Lot 27, thence continue West 15 feet across the alley to the Northeast Corner of Lot 21 East Side Addition, thence South along the East line of Lots 21 and 22 in East Side Addition to and across McDaniel St. and continue South along the East line of Lots 35 through 40 of East Side Addition to the Southeast Corner of Lot 40 East Side Addition, thence West along the South line of Lot 40 East Side Addition, to and across Florence Ave. continuing West along South line of Lot 34 East Side Addition to and across Hampton Ave. to a point on the West Rights-of-way of Hampton Ave. 182feet M/L North of the North Rights-of-way of Walnut St., thence North 18 feet along the West Rights-of-way of Hampton Ave., thence West 150 feet, to the East line of property described in Book 2703 Page 1103, thence North along the East property line of Book 2703 Page 1103 to the South Rights-of-way line of McDaniel St. as it now exists, thence West along the South Rights-of-way line of McDaniel St. 61.4 feet, thence South 207.6 feet, thence West 63 feet,. Thence South 52 feet, thence West 419 feet M/L to a point on the East line of One Parkway Place 210 feet North of the North Rights-of-way line of Walnut St., thence South along the East line of One Parkway Place 210 feet to the North Rights-of-way of Walnut St. thence continuing South Across Walnut St. to a point on the South Rights-of-way of Walnut St. and the North line of Lot 10 of E.T. Robberson Addition, thence West along the North line of Lots 6 through 10 of E.T. Robberson Addition to the Point of Beginning. All in the City of Springfield, County of Greene, State of Missouri.

(Location: East Walnut Street - Hammons Parkway to a point east of National and north

on National to a point north of McDaniel.)

**SECTION 2** - The following sub-districts are hereby established within the Walnut Street-West Urban Conservation District, to be known as Sub Areas A & B which are described as follows:

**Sub Area A**  
**Walnut Street Area**

Beginning at the Northwest Corner of Lot 6 E.T. Robberson's Addition, being the Southeast Corner of Walnut St. and John Q. Hammons Parkway, thence South along the East Rights-of-way of John Q. Hammons Parkway to the Northwest Corner of Lot 16 E.T. Robberson's Addition, being at a point on the South line of an existing 20 foot alley, thence East along the South line of said alley to a point on the West Rights-of-way line of National Ave. 238 feet M/L South of the Southwest Corner of Walnut St. and National Ave., thence Easterly 80 feet M/L crossing National Ave. to the Southwest Corner of Lot 4 O.H. Mitchell Addition, thence East to a point 20 feet East of the Southwest Corner of Lot 3 O.H. Mitchell Addition, being a point on the South line of Lot 3 O.H. Mitchell Addition, thence North to a point 20 feet East of the Northwest Corner of Lot 3 O.H. Mitchell Addition, thence Northeasterly across Walnut St. to the Southeast Corner of Lot 10 Hawthorne Addition, thence North to a point on the South line of Lot 9 Hawthorne Addition, thence East to the Southeast Corner of Lot 9 Hawthorne Addition, thence North to the Northeast corner of said Lot 9, thence West to the Northwest corner of said Lot 9, thence West across the National Avenue right-of-way to the Northeast corner of Lot 46 of East Side Addition, thence West along the North line of said Lot 46 and across a 15 feet wide alley to the Northeast corner of Lot 40 of East Side Addition, thence South along the East line of Lot 40 of East Side Addition to the Southeast Corner of Lot 40 East Side Addition, thence West along the South line of Lot 40 East Side Addition, to and across Florence Ave. continuing West along South line of Lot 34 East Side Addition to and across Hampton Ave. to a point on the West Rights-of-way of Hampton Ave. 182feet M/L North of the North Rights-of-way of Walnut St., thence North 18 feet along the West Rights-of-way of Hampton Ave., thence West 150 feet, to the East line of property described in Book 2703 Page 1103, thence North along the East property line of Book 2703 Page 1103 to the South Rights-of-way line of McDaniel St. as it now exists, thence West along the South Rights-of-way line of McDaniel St. 61.4 feet, thence South 207.6 feet, thence West 63 feet,. Thence South 52 feet, thence West 419 feet M/L to a point on the East line of One Parkway Place 210 feet North of the North Rights-of-way line of Walnut St., thence South along the East line of One Parkway Place 210 feet to the North Rights-of-way of Walnut St. thence continuing South Across Walnut St. to a point on the South Rights-of-way of Walnut St. and the North line of Lot 10 of E.T. Robberson Addition, thence West along the North line of Lots 6 through 10 of E.T. Robberson Addition to the Point of Beginning. All in the City of Springfield, County of Greene, State of Missouri.

**Sub Area B**  
**National Avenue Area**

Beginning at the Southeast corner of Lot 8 of Hawthorn Addition, thence North along the East line of Lots 8 through 4 of Hawthorne Addition to the Northeast Corner of Lot 4

of Hawthorne Addition, also being the South Rights-of-way line of McDaniel St., thence West 166 feet M/L to the Northwest Corner of Lot 4 Hawthorne Addition, thence Westerly 80 feet M/L to the Northeast Corner of Lot 41 East Side Addition also being the Southwest Corner of McDaniel St. and National Ave., thence North 160 feet M/L to the Northeast Corner of Lot 27 East Side Addition, thence West to the Northwest Corner of said Lot 27, thence continue West 15 feet across the alley to the Northeast Corner of Lot 21 East Side Addition, thence South along the East line of Lots 21 and 22 in East Side Addition to and across McDaniel St. and continue South along the East line of Lots 35 through 39 of East Side Addition to the Southeast Corner of Lot 39 East Side Addition, thence east across a 15 feet wide alley to the Southwest corner of Lot 45 of East Side Addition, thence continuing East to the Southeast corner of said Lot 45, thence East across National Avenue right-of-way to the Southwest corner of Lot 8 of Hawthorn Addition, thence east to the Point of beginning.

### **SECTION 3 - DISTRICT REGULATIONS**

Notwithstanding any other provision of the Springfield City Code to the contrary, the following regulations shall govern and control the enforcement, administration, interpretation, and use and development of land throughout Urban Conservation District No. 1, known as the Walnut Street-West Urban Conservation District. Unless otherwise stated herein, the minimum requirements of the applicable underlying zoning district, the Zoning Ordinance and any other provision of the Springfield City Code shall be applicable to all properties within the Walnut Street-West Urban Conservation District.

#### **A. PERMITTED USES.**

The following uses shall be permitted in the Walnut Street-West Urban Conservation District except for those properties identified in Subsection 3.C.

1. Single-family-detached dwellings.
2. Single-family-semi-detached dwellings, in accordance with *Section 3-3100* of the Zoning Ordinance, Cluster Subdivisions.
3. Townhouses containing no more than four (4) dwelling units.
4. Duplexes.
5. Multi-family dwellings.
6. Boarding and lodging houses.
7. Nursing homes.
8. Day care homes and group day care homes in accordance with Springfield City Code.
9. Group homes, custodial.
10. Public parking areas in accordance with Subsection 4.D. or 5.D., except parking designed for or used for parking of trucks having a capacity of 3/4 ton or larger or the chassis thereof, or a single unit with more than one rear drive axle shall not be permitted.
11. Community centers, nonprofit.
12. Little Theater group, or dramatic clubs.
13. Art galleries, libraries or museums.
14. Offices, administrative, business, financial and professional.

15. Schools and studios for art, dancing, drama, music, photography, interior decorating or similar courses of study.
16. Day care centers in accordance with Springfield City Code.
17. Zero-lot-line construction, in accordance with *Section 3-3200* of the Zoning Ordinance.
18. The following commercial uses shall be permitted in Contributing Buildings as established in Subsection 3.D., provided the existing structure is preserved and was built before January 1, 1940; the goals of historic preservation are met; and any exterior modification to the property is consistent with the Secretary of Interior's Standards for Rehabilitation and the *Walnut Street Design Guidelines*. Commercial uses are limited to the following types:
  - a. Antique shops.
  - b. Book or stationary stores.
  - c. Clothing boutique or ready-to-wear shop.
  - d. Dry goods or notion stores.
  - e. Florist or gift shop.
  - f. Tailors.
  - g. Bed and breakfast inns.
19. Outdoor display and sales. Outdoor display and sales are permitted as an accessory use subject to the following conditions:
  - a. A permitted commercial use, as established in Subsection 3.A.18 of this Ordinance, shall be operating within the building or structure; and,
  - b. Outdoor display and sales shall be limited to the side and rear yard of a lot; and on a corner lot, outdoor display and sales shall be limited to the rear yard and any side yard that does not abut a street; and,
  - c. Outdoor display and sales shall not encroach within a side or rear yard setback, shall be located a minimum of ten feet behind the front building line and shall not encroach within any required vehicular use area; and,
  - d. Outdoor sales shall be limited to hours between sunrise and sunset; and,
  - e. Outdoor display and sales shall be limited to those items that would typically be displayed outdoors, including but not limited to: birdbaths, statuettes, outdoor furniture, plants, etc.; and,
  - f. Items for outdoor display and sales shall be stored in an organized manner and must be integrated as part of a plan that shall require the issuance of a Certificate of Appropriateness from the Landmarks Board; and,
  - g. When considering the issuance of a Certificate of Appropriateness for outdoor display and sales areas, the Landmarks Board shall consider

whether the proposal will detract from any element that promotes the historic context of the *Walnut Street National Historic District*; and will unduly impact any adjacent residential use by increasing noise, lighting or traffic directly associated with the commercial activity.

20. The following commercial uses shall be permitted for the properties commonly addressed as 1041 East Walnut Street, 1050 East Walnut Street, 1108 East Walnut Street, 1111 East Walnut Street, 1112 East Walnut Street, 1129 East Walnut Street, all being in Springfield, Greene County, Missouri, and more particularly described as:

Beginning on the north side of East Walnut Street, 974.3 feet west of the range line dividing Ranges 21 and 22, being the southeast corner of Moses Levy's lot; thence east 123.3 feet to the southeast corner of the W. H. Garrett lot for a beginning point; thence east 76 feet, thence north 200 feet; thence west 76 feet, thence south 200 feet to the point of beginning being a part of the southeast quarter (SE 1/4) of the northeast quarter (NE 1/4) Section 24, Township 29, Range 22.

All of Lot 10 and Lot 11 except the east 20 feet, Ad. E. Smith's Addition.

Lot 8, Ad. E. Smith's Addition.

Lot 49 East Side Addition.

Lot 7 and west twenty-four (24) feet and two (2) inches of Lot 6, Ad. E. Smith's Addition.

All of Lot 51 and Lot 52 except the east 17.5 feet, East Side Addition.

- a. Temporary Outdoor Green Grocer's Market limited to daylight hours, four (4) days per week. Notwithstanding other provisions of Chapter 36 of the City Code prohibiting outdoor storage and display of goods for sale, such storage and sales shall be permitted, limited to flowers, potted plants, perishable vegetables and vegetative produce, craft items and baked goods, from portable stands, stalls, or hand carts located in the front yards. Sales from trucks or other vehicles are prohibited. No overnight storage of goods, stands, stalls, or hand carts is allowed from the front yard of any premises, and all goods, stands, stalls, and hand carts must be removed from the front yard by sundown of each day of operation.

21. Personal Service Establishments including beauty parlors, barber shops, dry cleaning and pick-up, shoe repair, self-service laundromats, express or mailing offices, hearing aid and eye glass shops, massage therapy and spas.

## **B. CONDITIONAL USES.**

The following conditional uses may be permitted provided they meet the provisions of, and a Conditional Use permit is issued pursuant to *Section 3-3300* of the Zoning Ordinance; and, these uses shall only be permitted in a Contributing Building as established in Subsection 2.D. except for such accessory outdoor uses with conditions set forth below, provided the existing structure is preserved and was built before January 1, 1940; the goals of historic preservation are met; any exterior modification to the property is consistent with the Secretary of Interior's Standards for Rehabilitation and the *Walnut Street Design Guidelines*; a Certificate of Appropriateness has been issued by the Landmarks Board indicating approval of the work; the use does not create any amplified sound outside the Contributing Building; and the use is in compliance with the noise standards of the Section 6-1500 of Article I of the Land Development Code and Chapter 78, Article IV, Division 2, Section 78-112, Springfield City Code.

1. Restaurants (sit down or dine in), excluding drive-in and carry-out facilities, which restaurants may include outdoor dining as an accessory use to the main structure with the following limitations:
  - A. Outdoor dining shall be limited to the hours of 11:00 a.m. and 11:00 p.m.; and
  - B. All preparation of food for outdoor dining use shall be prepared in the Contributing Building approved for restaurant use; and
  - C. Accessory structures existing at the time of the passage of this ordinance shall be used only for storage and parking accessory to the use of the Contributing Building, and dining and beverage service, including the sale of alcohol, but in no event shall the accessory structure be used for food preparation; and
  - D. All outdoor activity shall cease at 11:00 p.m. other than routine ingress and egress from the Contributing Building.

### **C. USE GUIDELINES FOR 1200 AND 1201 EAST WALNUT.**

The following use regulations shall apply for the properties commonly addressed as 1200 East Walnut and 1201 East Walnut, more particularly described as:

All of Lot 4 and the West 20 feet of Lot 3 in O. H. Mitchell's Addition plus all of Lot 10 in Hawthorn Addition, all in the City of Springfield, Greene County, Missouri.

1. The following uses shall be permitted.
  1. Single-family-detached dwellings.
  2. Single-family-semi-detached dwellings, in accordance with *Section 3-3100* of the Zoning Ordinance, Cluster Subdivisions.
  3. Townhouses containing no more than four (4) dwelling units.
  4. Duplexes.
  5. Multi-family dwellings.
  6. Boarding and lodging houses.

7. Nursing homes.
  8. Day care homes and group day care homes in accordance with Springfield City Code.
  9. Group homes: custodial.
2. The following conditional uses may be permitted provided they meet the provisions of, and a Conditional Use permit is issued pursuant to Section 3-3300 of the Zoning Ordinance. These uses shall only be permitted in a Contributing Building as established in Subsection 3.D., provided the existing structure is preserved and was built before January 1, 1940; the goals of historic preservation are met; and any exterior modification to the property is consistent with the Secretary of Interior's Standards for Rehabilitation and the *Walnut Street Design Guidelines*; and a Certificate of Appropriateness has been issued by the Landmarks Board indicating approval of the proposed work.
- a. Public parking areas, in accordance with Subsection 4.D. or 5.D.
  - b. Antique shops.
  - c. Bed and breakfast inns.
  - d. Book or stationary stores.
  - e. Clothing boutique or ready to wear shop.
  - f. Community centers, nonprofit.
  - g. Dry goods or notion stores.
  - h. Florist or gift shop.
  - i. Little Theater group, or dramatic clubs.
  - j. Art galleries museums or libraries.
  - k. Offices, administrative, business, financial and professional.
  - l. Schools and studios for art, dancing, drama, music, photography, interior decorating or similar courses of study.
  - m. Tailors.
  - n. Day care centers in accordance with Springfield City Code.
  - o. Zero-lot-line construction, in accordance with *Section 3-3200* of the Zoning Ordinance.

#### **D. CONTRIBUTING BUILDINGS.**

For purposes of this ordinance, Contributing Buildings shall be determined in accordance with the *Walnut Street Historic District National Register of Historic Places Nomination* as officially listed in the National Register of Historic Places on March 21, 1985, and incorporating any amendments of said nomination.

#### **E. CERTIFICATE OF ECONOMIC HARDSHIP.**

The standards contained in *Section 4-2404* of the Zoning Ordinance, and typically applicable to a Historic Landmark and Historic Districts, shall be applicable to any site or parcel in the Walnut Street-West Urban Conservation District.

**F. ADDITIONAL STANDARDS REGARDING CERTIFICATES OF APPROPRIATENESS AND ECONOMIC HARDSHIP.**

All sites and parcels within the Walnut Street-West Urban Conservation District and subject to the issuance of Certificates of Appropriateness and Economic Hardship shall also be subject to the standards contained in *Sections 4-2405, 4-2406, 4-2407 and 4-2408* of the Zoning Ordinance.

**G. REFUSE STORAGE.**

In addition to the standards of Subsection 6-1002.B of the Zoning Ordinance, refuse storage shall adhere to the following:

Waste cans, dumpster units, or other forms of litter control and refuse disposal devices, approved for use in the City of Springfield, shall be placed on the site in a location where they are least visible from a public right-of-way other than alleys. Each litter control or refuse device shall be enclosed so that no part of the device shall be visible from public right-of-way (except alleys) or from adjoining properties.

**H. MINIMUM MAINTENANCE REQUIREMENTS.**

1. Every owner, and every person in actual possession of property in the district, shall keep all interior and exterior portions of buildings and other structures in good repair.
  - a. Public areas. All sidewalks leading to a building, steps, driveways, parking spaces, and similar paved areas for public use shall be kept in a proper state of repair. If any sidewalk or driveway or portion thereof by virtue of its state of repair shall constitute a danger to public health and safety, the sidewalk or driveway or portion thereof shall be replaced.
  - b. Structural members. All supporting structural members of all structures shall be kept structurally sound, free of deterioration, and maintained capable of safely bearing the dead and live loads imposed upon them.
  - c. Exterior surfaces (foundations, walls, and roof). Every foundation, exterior wall, roof, and all other exterior surface shall be maintained in a workmanlike state of maintenance and repair.
  - d. Foundation walls. All foundation walls shall be maintained so as to carry the safe design and operating dead and live loads and shall be maintained plumb and free from open cracks and breaks, so as not to be detrimental to public safety and welfare.

- e. Exterior walls. Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portions of the walls or to the occupied spaces of the building. All exterior surface materials shall be maintained weatherproof and shall be properly surface coated when required to prevent deterioration.
- f. Roofs and drainage. The roof shall be structurally sound, tight, and not have defects which might admit rain. Roof drainage shall be adequate to prevent rain water from causing dampness or deterioration in the walls or interior portion of the building. Roof water shall not be discharged in a manner that creates a nuisance to owners or occupants of adjacent premises or that creates a public nuisance.
- g. Decorative features. All cornices, entablatures, belt courses, corbels, terra cotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- h. Signs and awnings. All canopies, signs, awnings, stairways, fire escapes, exhaust ducts, and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a safe and sound condition. They shall be protected from the elements and against decay and rust by the periodic application of a weather-coating material such as paint or other protective treatment.
- i. Chimneys. All chimneys and similar appurtenances shall be maintained structurally safe, sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials such as paint or similar surface treatment.
- j. Stairs and porches. Every stair, porch, fire escape, balcony, and all appurtenances attached thereto shall be so constructed as to be safe to use and capable of supporting the anticipated loads and shall be maintained in sound condition and good repair.
- k. Window and door frames. Every window, door, and frame shall be constructed and maintained in such relation to the adjacent wall construction so as to exclude rain as completely as possible, and to substantially exclude wind from entering the dwelling or structure.
- l. Weathertight. Every window and exterior door shall be fitted reasonably in its frame and be weathertight. Weather stripping shall be used to exclude wind or rain from entering the dwelling or structure and shall be kept in sound condition and good repair.

- m. Glazing. Every required window sash shall be fully supplied with approved glazing materials which are without open cracks and holes.
  - n. Door hardware. Every exterior door and its hardware shall be maintained in good condition. Door locks on all doors entering dwelling units shall be in good repair and capable of tightly securing the door.
  - o. Basement hatchways. Every basement hatchway shall be so constructed and maintained as to prevent the entrance of rats, rain, and surface drainage water into the structure.
  - p. Grading and drainage. All premises shall be graded and maintained so as to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Stagnant water shall be determined as any accumulation that has not dispersed within seven days of the last recorded local rainfall.
  - q. Accessory structure. All accessory structures, including detached garages, fences, and walls, shall be maintained structurally sound and in compliance with Subsections 3.H.1.a. through 3.H.1.p.
- 2. The Landmarks Board may refer violations of this section to the Director of Building Development Services for purposes of conducting such inspections and enforcement proceedings as the Director of Building Development Services may deem appropriate so that the building or structure may be preserved in accordance with the purposes of this ordinance.
  - 3. The provisions of this section shall be in addition to all other applicable provisions of the Springfield City Code relating to the construction and maintenance of buildings and structures.

## **SECTION 4 – AREA A REGULATIONS**

### **A. SITE PLANS.**

Any development or use requiring a site plan pursuant to *Section 3-3000* of the Zoning Ordinance, and located within the Walnut Street-West UCD, must first acquire a Certificate of Appropriateness, when required, from the Landmarks Board in accordance with Subsection 4.B. Site plans may also be subject to conditions by City Council in order to promote the intent of the *Walnut Street Preservation Plan*.

### **B. CERTIFICATE OF APPROPRIATENESS.**

The standards contained in Section 4-2403 of the Zoning Ordinance, and typically

applicable to a Historic Landmark and Historic Districts, shall be applicable to any site or parcel in the Walnut Street-West Urban Conservation District, unless otherwise modified herein.

1. When Required. A Certificate of Appropriateness shall be required in accordance with the standards contained in Section 4-2403-A of the Zoning Ordinance with the following modification:
  - a. Section 4-2403-A-2 shall be applicable to structures as specified in the *Walnut Street Design Guidelines* or *Historic Survey* conducted in the Walnut Street-West Urban Conservation District.
2. Review Criteria. The Board, in considering whether or not to issue a Certificate of Appropriateness, shall be guided by the standards contained in Section 4-2403-D of the Zoning Ordinance with the following modifications:
  - a. The *Walnut Street Design Guidelines* which are on file with the Director of Planning and Development shall be used to fulfill the standard referenced in Section 4-2403-D-2 of the Zoning Ordinance.
  - b. For demolition, the Board shall also consider the standards contained in Section 4-2403-D-4 with the following additions and modifications:
    1. The visual and spatial relationship of the structure to its surroundings and to the rest of the Walnut Street Urban Conservation District - West.
    2. The Board shall consult the *Walnut Street Historic Survey*, the *Walnut Street Historic District National Register Nomination* and/or the *Walnut Street Preservation Plan* in addition to those items contained in Section 4-2403-D-4-b of the Zoning Ordinance.
    3. The alternatives available to the demolition applicant including:
      - Donation of the subject structure or site to a public or benevolent agency.
      - Donation of a part of the value of the subject structure or site to a public or benevolent agency, including the conveyance of development rights and facade easements.
      - The possibility of sale of the structure or site, or any part thereof, to a prospective purchaser capable of preserving such structure or site.
      - The potential of such structure or site for renovation and its potential for continuing use.

4. The Board shall balance the interest of the public in preserving the structure, site, or portion thereof and the interest of the owner in its utilization.
3. Demolition of Contributing Buildings. The standards contained in Section 4-2403-H of the Zoning Ordinance shall not be applicable to the Walnut Street-West Urban Conservation District. Notwithstanding any other provisions of this ordinance to the contrary, demolition of a Contributing Building as defined in Subsection 3.D. of this ordinance shall occur only in accordance with the provisions of this section. Demolition of a Contributing Building in the Walnut Street Urban Conservation District - West constitutes an irreplaceable loss to the quality and character of the district and the City of Springfield. No permit shall be issued for demolition of a Contributing Building unless a Certificate of Economic Hardship has been issued by the Board verifying that the structure has degenerated beyond feasible limits for rehabilitation, or that rehabilitation is impracticable and there is an economic hardship.

## **C. SIGNS.**

All signage shall meet the standards of *Section 5-1400* of the Zoning Ordinance unless otherwise modified herein:

1. Number. Each premise shall be permitted one (1) detached sign and shall also be permitted either one (1) projecting sign or one (1) wall sign.
2. Size. A maximum of sixteen (16) square feet of background area shall be permitted for each attached or detached sign. Detached signs may be two sided, each side not to exceed sixteen (16) square feet. A single-sided detached sign shall not exceed sixteen (16) square feet.
3. Height. No part of a detached sign shall exceed a height of five (5) feet above the ground area upon which it is located.
4. Sign Lighting. No sign shall use a blinking, flashing, animated, or other illuminating device which changes in light intensity. No beacons or strobe lights shall be permitted.
5. Sign Types. Signs shall only refer to a business, person, activity, goods, products, or service located on the premises where the sign is installed and maintained. Temporary signs shall not be permitted.
6. Exempt Signs. Those signs set forth below shall also be permitted.
  - a. Address Numbers and Name Plates. Address numbers for each residential building not exceeding one (1) square foot in effective area and one name plate not exceeding two (2) square feet in effective

area per dwelling unit or business.

- b. Banner Signs. One sign composed of highly flexible lightweight material, such as a banner, per business premise, which is not over four (4) square feet in effective area, posted for not more than thirty (30) days per year.
- c. Directional Signs. Detached on-premise directional signs which do not exceed five (5) square feet in effective area. Any logo, business name, product, or service identification, or other advertising shall not exceed twenty percent (20%) of the effective area. No part of the sign shall exceed four (4) feet in height above street grade or four (4) feet in height above the lowest level of the ground under the sign if elevation of premise at sign location is more than twelve (12) inches above street grade, excluding berms or other landscaping features. A Certificate of Appropriateness must be issued prior to installation of directional signs.
- d. Flag. A flag or similar device identifying any person.
- e. Government Signs. Any sign erected or maintained by or for any agency or government pursuant to and in discharge of any governmental function or required or authorized by law, ordinance, or governmental regulations.
- f. Internal Signs. Any one-premise sign, the copy of which cannot be viewed from a street right-of-way or adjoining property.
- g. Neighborhood Identifications Signs. A sign, masonry wall, landscaping or other similar material or features which are combined to form a display for neighborhood or tract identification, provided that the legend of such display shall consist of only the neighborhood, tract name, or historic district. A Certificate of Appropriateness must be issued prior to installation of neighborhood identification signs.
- h. Real Estate Sale, Lease, And Construction Signs. Non-illuminated temporary on-premise signs pertaining to the construction, sale, or lease of that premise, not to exceed six (6) square feet in effective area. Such signs shall be removed within fourteen (14) days after the closing of the sale or lease or within thirty (30) days after the issuance of an occupancy permit or erection of a permanent sign, whichever occurs first.
- i. Miscellaneous Exempt Signs.
  - 1. A temporary sign not exceeding four (4) square feet in background area advertising drives or events of a civic, philanthropic, educational, religious, political, or similar nature, provided that said sign is posted only during said drive or event

for no more than thirty (30) days per year and is removed within twenty-four (24) hours after an event.

2. Attached incidental sign, which pertains to goods, products, services, or facilities that are available on the premises where the sign is located, but only tangentially related to the main activities or purposes of the business, not exceeding a total of four (4) square feet in effective area per business.

#### **D. OFF-STREET PARKING REQUIREMENTS.**

All uses shall provide off-street parking in accordance with *Section 5-1500* of the Zoning Ordinance, unless the contributing structure is intact, whereas *Section 5-1500* of the Zoning Ordinance is otherwise modified herein:

1. Parking Spaces Required.
  - a. Non-residential uses shall have at least one (1) parking space for each three hundred fifty (350) square feet of gross leasable area, excluding outdoor display and sales areas. However, parking requirements may be reduced for uses that demonstrate a sensitivity to historic preservation. The applicant may submit a parking plan to the Administrative Review Committee for modification to the requirements. The Administrative Review Committee shall consult with the Landmarks Board for overall sensitivity to historic preservation.
  - b. Residential uses shall have at least one and one-half (1.5) parking spaces for each dwelling unit.
2. Parking Lot Surface. Parking lots and driveways shall be surfaced with either asphalt, concrete or pavers so as to provide a permanent surface capable of withstanding the type of vehicular traffic to which such area is likely to be subjected.

### **SECTION 5 – AREA B REGULATIONS.**

#### **A. SITE PLANS.**

All development and uses shall comply with the site plan requirements of *Section 3-3000* of the Zoning Ordinance.

#### **B. CERTIFICATE OF APPROPRIATENESS.**

1. When Required. A Certificate of Appropriateness shall be required when a contributing structure is proposed to be demolished.

2. Review Criteria. The Board, in considering whether or not to issue a Certificate of Appropriateness, shall be guided by the standards contained in Section 4-2403-D-4 of the Zoning Ordinance with the following modifications:
  - a. For demolition, the Board shall also consider the standards contained in Section 4-2403-D-4 with the following additions and modifications:
    1. The visual and spatial relationship of the structure to its surroundings and to the rest of the Walnut Street Urban Conservation District - West.
    2. The Board shall consult the *Walnut Street Historic Survey*, the *Walnut Street Historic District National Register Nomination* and/or the *Walnut Street Preservation Plan* in addition to those items contained in Section 4-2403-D-4-b of the Zoning Ordinance.
    3. The alternatives available to the demolition applicant including:
      - Donation of the subject structure or site to a public or benevolent agency.
      - Donation of a part of the value of the subject structure or site to a public or benevolent agency, including the conveyance of development rights and facade easements.
      - The possibility of sale of the structure or site, or any part thereof, to a prospective purchaser capable of preserving such structure or site.
      - The potential of such structure or site for renovation and its potential for continuing use.
    4. The Board shall balance the interest of the public in preserving the structure, site, or portion thereof and the interest of the owner in its utilization.
3. Demolition of Contributing Buildings. The standards contained in Section 4-2403-H of the Zoning Ordinance shall not be applicable to the Walnut Street-West Urban Conservation District. Notwithstanding any other provisions of this ordinance to the contrary, demolition of a Contributing Building as defined in Subsection 2.D. of this ordinance shall occur only in accordance with the provisions of this section. Demolition of a Contributing Building in the Walnut Street Urban Conservation District - West constitutes an irreplaceable loss to the quality and character of the district and the City of Springfield. No permit shall be issued for demolition of a Contributing Building unless a Certificate of Economic Hardship has been issued by the

Board verifying that the structure has degenerated beyond feasible limits for rehabilitation, or that rehabilitation is impracticable and there is an economic hardship.

### **C. SIGNS.**

All signage shall meet the standards of *Section 5-1400* of the Zoning Ordinance unless otherwise modified herein:

1. Number. Each premise shall be permitted one (1) detached sign and shall also be permitted either one (1) projecting sign or one (1) wall sign.
2. Size. A maximum of fifty (50) square feet of background area shall be permitted for each attached or detached sign. Detached signs may be two sided, each side not to exceed fifty (50) square feet. A single-sided detached sign shall not exceed fifty (50) square feet.
3. Height. No part of a detached sign shall exceed a height of ten (10) feet above the ground area upon which it is located.
4. Sign Lighting. No sign shall use a blinking, flashing, animated, or other illuminating device which changes in light intensity. No beacons or strobe lights shall be permitted.
5. Sign Types. Signs shall only refer to a business, person, activity, goods, products, or service located on the premises where the sign is installed and maintained. Temporary signs shall not be permitted.
6. Exempt Signs. Those signs set forth below shall also be permitted.
  - a. Address Numbers and Name Plates. Address numbers for each residential building not exceeding one (1) square foot in effective area and one name plate not exceeding two (2) square feet in effective area per dwelling unit or business.
  - b. Banner Signs. One sign composed of highly flexible lightweight material, such as a banner, per business premise, which is not over four (4) square feet in effective area, posted for not more than thirty (30) days per year.
  - c. Directional Signs. Detached on-premise directional signs which do not exceed five (5) square feet in effective area. Any logo, business name, product, or service identification, or other advertising shall not exceed twenty percent (20%) of the effective area. No part of the sign shall exceed four (4) feet in height above street grade or four (4) feet in height above the lowest level of the ground under the sign if elevation of premise at sign location is more than twelve (12) inches above street grade, excluding berms or other landscaping features. A

Certificate of Appropriateness must be issued prior to installation of directional signs.

- d. Flag. A flag or similar device identifying any person.
- e. Government Signs. Any sign erected or maintained by or for any agency or government pursuant to and in discharge of any governmental function or required or authorized by law, ordinance, or governmental regulations.
- f. Internal Signs. Any one-premise sign, the copy of which cannot be viewed from a street right-of-way or adjoining property.
- g. Neighborhood Identifications Signs. A sign, masonry wall, landscaping or other similar material or features which are combined to form a display for neighborhood or tract identification, provided that the legend of such display shall consist of only the neighborhood, tract name, or historic district. A Certificate of Appropriateness must be issued prior to installation of neighborhood identification signs.
- h. Real Estate Sale, Lease, And Construction Signs. Non-illuminated temporary on-premise signs pertaining to the construction, sale, or lease of that premise, not to exceed six (6) square feet in effective area. Such signs shall be removed within fourteen (14) days after the closing of the sale or lease or within thirty (30) days after the issuance of an occupancy permit or erection of a permanent sign, whichever occurs first.
- i. Miscellaneous Exempt Signs.
  - 1. A temporary sign not exceeding four (4) square feet in background area advertising drives or events of a civic, philanthropic, educational, religious, political, or similar nature, provided that said sign is posted only during said drive or event for no more than thirty (30) days per year and is removed within twenty-four (24) hours after an event.
  - 2. Attached incidental sign, which pertains to goods, products, services, or facilities that are available on the premises where the sign is located, but only tangentially related to the main activities or purposes of the business, not exceeding a total of four (4) square feet in effective area per business.

#### **D. OFF-STREET PARKING REQUIREMENTS.**

All uses shall provide off-street parking in accordance with *Section 5-1500* of the Zoning Ordinance, unless the contributing structure is intact, whereas *Section 5-1500* of the Zoning Ordinance is otherwise modified herein:

1. Parking Spaces Required.
  - a. Non-residential uses, except restaurant uses which shall follow the Zoning Ordinance requirements, shall have at least one (1) parking space for each three hundred fifty (350) square feet of gross leasable area, excluding outdoor display and sales areas. However, parking requirements may be reduced for uses that demonstrate a sensitivity to historic preservation. The applicant may submit a parking plan to the Administrative Review Committee for modification to the requirements.
  - b. Residential uses shall have at least one and one-half (1.5) parking spaces for each dwelling unit.
2. Parking Lot Surface. Parking lots and driveways shall be surfaced with either asphalt, concrete or pavers so as to provide a permanent surface capable of withstanding the type of vehicular traffic to which such area is likely to be subjected.

## **SECTION 6 - DEFINITIONS.**

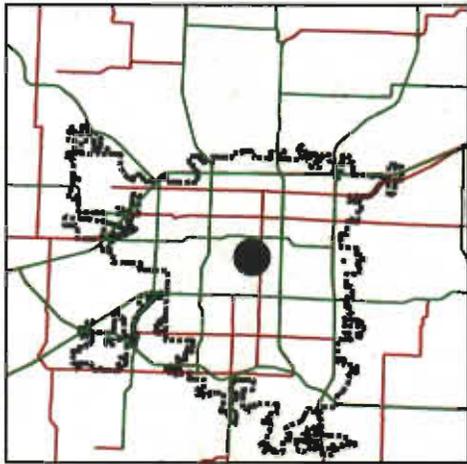
The Walnut Street-West Urban Conservation District shall be subject to all applicable definitions found in Division II of the Zoning Ordinance. Any definition found in Division II of the Zoning Ordinance and referencing historic structures, Historic Sites, Historic Landmarks or Historic Districts shall also be deemed applicable to any building or property within the Walnut Street-West Urban Conservation District.

# Zoning & Subdivision Report

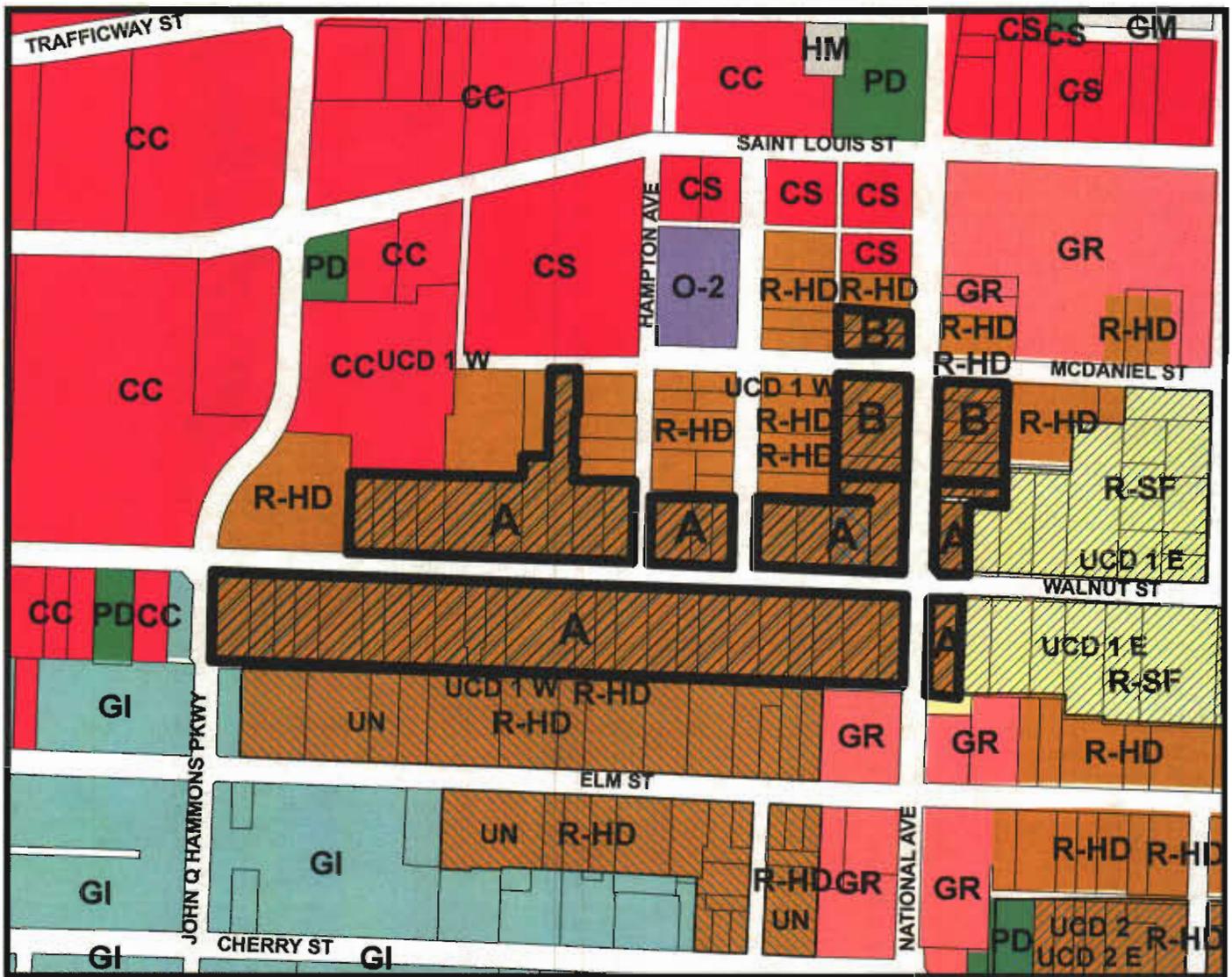
Planning & Development - 417/864-1611  
840 Boonville - Springfield, Missouri 65801

## Exhibit 2 Z-02-2010 Walnut Street-West UCD Sub Areas

Location: 900-1200 blk E. Walnut & 200-300 blk S. National



LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet