

ARTICLE XX.1
Business & Entertainment District (BE)

§ 595-114.1. Legislative intent; requirements.

A. Legislative intent.

- (1) The purpose of the Business & Entertainment District (BE) is to encourage active uses and storefronts that enhance Easton’s Downtown as a place to visit, do business, and stay for evening dining and entertainment.
- (2) The Business & Entertainment District should encourage cultural events, vibrant commercial activity, dining, and entertainment establishments and venues. This District is considered the hub of local and regional festivals, events and intends to create a consistent stream of daytime and nighttime foot traffic from existing businesses and potential customers that sustain the district.
- (3) Maintain or construct vertical multi-story mixed-use buildings.
- (4) Provide continuity between old and new in the built environment.
- (5) Permit building design appropriate with the standards set forth by the Local Historic District Ordinance.
- (6) Permit land uses that increase opportunities day time, evening and weekend activities.
- (7) Promote development that maintains an attractive streetscape.
- (8) Support entrance and façade remodeling on downtown buildings that will contribute to the existing pedestrian environment.
- (9) Permit housing and office opportunities on upper floors.
- (10) Discourage development and uses that require storage, or drive-through lanes or drive-through windows.

B. Requirements.

- (1) The minimum building height in the district is 60 feet and be designed to appear to be a minimum of five stories at the street.
- (2) The build-to line shall be zero (0) feet.

§595-114.2. Permitted uses.

A. Uses permitted by right in the Business & Entertainment District are as follows:

- (1) A12 Mixed residential/business.
- (2) B1 Cultural activities and exhibitions.
- (3) B2 Amusements.
- (4) B4 Private social clubs.
- (5) C1 Shopping gallery.
- (6) C3 General Merchandise.
- (7) C5 Eating and drinking places.
- (8) D1 Information and data.
- (9) D2 Finance, insurance, real estate.
- (10) D3 Personal services.
- (11) D4 Business services.
- (12) D6 Professional services.
- (13) D7 Administrative offices.
- (14) D8 Hotel/Motel.
- (15) F4 Publishing.

- (16) F9 Computers and electronics.
- (17) I1 Accessory amusements.
- (18) I2 Accessory offices.
- (19) I3 Accessory structure.
- (20) I11 No impact home-based business.

§595-114.3. Special Exception uses.

A. Special exception uses are as follows:

- (1) H5 Communications antennas.

§595-114.4. Dimensional criteria.

The Table of Dimensional Criteria for the Business & Entertainment Overlay District (BE) is located at the end of this chapter.

§595-114.5. Accessory buildings and structures.

- A. Shall not exceed 15 feet in height.
- B. Shall be located behind the principal structure.
- C. Shall be set back 4 feet from any and all side lot lines.
- D. Rear yard setback shall be 4 feet where no vehicular access exists and six feet otherwise.

§595-114.6. Design standards.

- A. Article XXXV Context Sensitive Design Standards shall not apply in this district.
- B. The following design standards shall apply:

- (1) All new building construction shall utilize the entire lot for building(s) and accessory uses.

(2) Building Design:

- (a) The build-to line shall be zero (0) feet. The build-to line shall apply to the first 4 stories of the building height. Additional stories may be set back 10 feet beyond the build-to-line.
- (b) Primary entrances shall be located along the street front. Secondary entrances may be located at the side or rear of building.
- (c) The first floor use shall have a commercial or office component visible to the public from the front facade. Such space shall be located along the primary façade for depth of at least 40 feet and have direct pedestrian entry from the street.
- (d) Building Height:
 - 1. Buildings shall have a minimum height of 60 feet and be designed to appear to be a minimum of five stories at the street.
 - 2. A bonus height option is provided for those developers that build:
 - a. Green rooftops. These shall be continuously maintained to ensure they thrive throughout the life of the building. – 2 additional stories
 - b. Include greater than 10% of all proposed residential units be affordable to those earning no more than 60% of the area median family income. These affordable residential units shall

- be equally dispersed throughout the building. – 2 additional stories
 - c. LEED certification rating level of Silver, Gold, or Platinum – 2 additional stories
 - d. If all three (3) items above are met (a, b, & c) – Maximum permitted height shall be 240 feet or 20 stories.
 - 3. Additional height is permitted at gateway and corner locations for architectural features, such as clock towers, spires, statues, or public art
 - (e) Any new building that exceeds 40 feet in width shall be designed with vertical bays formed by pilasters, windows, panels and other projections or recesses. Fenestration shall be vertical in orientation.
 - (f) Corner buildings are considered to be anchor buildings in the City’s downtown districts. Building design and front door placement shall be appropriately anchored to a street corner.
 - (g) A minimum of 60% of the first floor of the primary façade shall be window surface area. No more than 20% of such window surface area shall be blocked by interior fixtures and/or signs.
- (3) Building design must promote enhanced pedestrian accessibility, active uses and amenities on the streets, public areas and right-of-ways in this district. New sidewalks and crosswalks proposed are intended to extend from and into existing sidewalks and crosswalks.
- (4) Streetscape or landscape enhancements including but not limited to fencing, sitting walls, brick pavers, and other hardscape elements must be included within a landscaping plan.
- (5) Chain link fences are not permitted.
- (6) The building and site design shall be reviewed by the Historic District Commission and shall receive a Certificate of Appropriateness.

§595-114.7. Parking requirements.

- A. Off-street parking is not required in the Business & Entertainment District.
- B. The applicant shall provide the city with an employee and tenant parking information including:
 - (1) Estimate of employees during peak business hours.
 - (2) Employee parking agreements with building tenants.
 - (3) Residential parking plan.
 - (4) Plans for valet program, as applicable.

§595-114.8. Standards and criteria governing special exception uses.

- A. Communications facilities, including communications antennas mounted on an existing public utility transmission tower, building or other structures and existing communications towers and communications equipment buildings, shall meet the requirements of Part 6, ARTICLE XL, Communications Facility Regulations.
- B. Requirements of § 595-251, Special exceptions, shall be met.

§595 Attachment 1 - Table of Uses by Zoning District

Use	BE
A Residential Uses	
A12 Mixed residential/business	P
B Arts, Entertainment and Recreation Uses	
B1 Cultural activities and exhibitions	P
B2 Amusements	P
B4 Private social clubs	P
C Retail Uses	
C1 Shopping Gallery	P
C3 General merchandise	
C5 Eating and drinking places	P
D Service Uses	
D1 Information and data	P
D2 Finance, insurance, real estate	P
D3 Personal services	P
D4 Business services	P
D6 Professional services	P
D7 Administrative offices	P
D8 Hotel/Motel	P
F Light Industrial Uses	
F4 Publishing	P
F9 Computers and electronics	P
H Transportation, Communication Facilities and Utility Uses	
H5 Communication facilities	SE
I Accessory Uses	
I1 Accessory amusements	P
I2 Accessory offices	P
I3 Accessory structure	P
I11 No impact home based business	P

§595 Attachment 10.2

Dimensional Criteria for Business & Entertainment (BE) District

Permitted Use	Minimum Lot Requirements	Build-To Line	Minimum Yard Setbacks		Minimum Building Height (ft)	Maximum Building Height (ft)	Maximum Impervious Coverage (%)
		(ft)	Side (ft)	Rear (ft)			
All permitted uses	All new building construction shall utilize the entire lot for building(s) and accessory uses	0	0	0	40	120 ¹	100%

¹ An additional two stories are permitted if a green roof system is proposed.

¹ An additional two stories are permitted if greater than 10% of all proposed residential units are affordable to those earning no more than 60% of the area median family income.

¹ An additional two stories are permitted if silver, gold, or platinum LEED certified buildings.

¹ A height of 240 feet or 20 stories will be permitted for a building with a green roof system, more than 10% of all proposed residential units are affordable to those earning no more than 50% of the area median family income, and if it is LEED certification of Silver, Gold, or Platinum.