

**Sec. 129-139. Mixed use districts.**

*(a) Purpose*

- (1) The **Mixed Use Downtown District (MU-D)** is established to create a vibrant environment with a mixture of retail, services, office, residential, civic, institutional and recreation land uses that complement one another. The district is intended to have high-quality site and building design that creates a walkable and bicycle friendly environment.
- (2) The **Mixed Use Corridor District (MU-C)** is established to allow for the continued mix of retail, services, office, residential, civic, institutional and recreational land uses. This district's physical character is intended to be similar to the Mixed Use Downtown District with pedestrian friendly site and building design but with less intensity due its corridor nature and adjacency to residential neighborhoods.

*(b) Applicability*

- (1) *New structures or uses.* The provisions of this section shall be fully applicable to all new structures and uses.
- (2) *Existing structures.*
  - a. *Commercial.* A property owner may expand an existing building up to 50% of the existing footprint or parking lot without establishing a new PUD as long as it meets the requirements of the C-1 district.
  - b. *Residential.*
    1. An existing single-family detached dwelling, two-family dwelling or twin home dwelling, may be replaced, expanded, or remodeled as long as it meets the bulk regulations of the R-2 district.
    2. An existing multi-family structure may be remodeled or expanded as long as it meets the bulk regulations of the R-3 district. Any multi-family structure that is replaced must follow the standards in sections (c) through (e) below.
  - c. The remodel, replacement or expansion of an existing structure that does not meet the requirements of districts identified above shall be processed and subject to Section 129-35 Nonconformities.
- (3) *Existing planned unit developments or planned residential areas.* Any planned unit developments or planned residential developments that were granted prior to [insert adoption date] shall remain in effect. Amendments shall be processed via the procedures identified for planned unit developments.

*(c) Bulk requirements*

- (1) Ordinary High Water Mark (OHWM) setback for all uses is 50 feet.
- (2) Front yard setbacks are established as follows:
  - a. Non-residential, mixed use, and multi-family residential being replaced shall be located no closer than 10 feet and no greater than 20 feet from the front property line.

- b. Single family and townhomes shall be located no closer than 15 feet and no greater than 25 feet from the front property line.
- (3) The minimum percentage of the street frontage for each lot that must be occupied by a building façade, as measured at the front setback, shall be 60% for the Mixed Use Downtown District and 50% for the Mixed Use Corridor District. This standard applies to the front property line frontage and, for a corner lot, one exterior side property line frontage. Recesses in a building façade do not qualify as meeting the minimum building street frontage standard.
- (4) Rear and side yard setbacks are as established in the planned unit development.
- (5) Building height shall be limited to 35 feet, ~~the following:~~

	Mixed Use — Downtown	Mixed Use — Corridor
<del>Dwelling, two-family, twin home, townhome, and rowhouse</del>	35 feet	35 feet
All other uses	50 feet	50 feet

- (6) All floors above the second story must be stepped back a minimum of 8 feet from the ground floor façade in non-residential, mixed use, or replacement multi-family buildings if the structure abuts or is across the street from residential uses located outside of a mixed use district or if all or part of the structure is located adjacent to a County Road. If the entire building is placed at the upper floor stepback setback, an additional stepback is not required for the upper floors.
- (7) Maximum impervious surface coverage is 75%.

(d) *Site design*

- (1) Developments may include uses mixed horizontally across multiple buildings or vertically where uses are mixed within one building.
- (2) Designated pedestrian routes, including sidewalks and driveway crossings, shall be provided to connect each parking space to the front sidewalk, front entrance, and/or rear entrance. Driveways shall not be utilized as a designated pedestrian route.
- (3) ~~(5)~~ All rooftop or ground mounted mechanical equipment and exterior trash and recycling storage areas shall be enclosed with materials compatible with the principal structure. Low profile, self-contained mechanical units, including solar energy panels and rooftop rainwater collection systems, which blend in with the building architecture are exempt from the screening requirement.
- (4) ~~(6)~~ Outdoor storage of recreational vehicles, trailers, or equipment shall not be allowed unless expressly noted in the planned unit development.
- (5) New mixed-use buildings with residential units or replacement multi-family shall provide the following:
  - a. ~~(3)~~ Interior or exterior bicycle racks or storage shall be provided. No bicycles shall be allowed on individual unit decks or patios.
  - b. ~~(4)~~ Private useable open space. Each multi-family residential development shall provide a minimum of 200 square feet per residential unit as private

usable open space. Private usable open spaces will not count toward park dedication requirements. Usable open space means designed outdoor space intended for passive or active recreation that is accessible and suited to the needs of the development's residents, and shall generally have the following characteristics:

1. Functional and aesthetic design that relates to the principal building or buildings, with clear edges, including seating, landscaping, recreational facilities, sidewalk connections, and other amenities;
2. May be designed as courtyards, plazas, picnic areas, swimming pools, playground, rooftop patios/gardens, or trails within natural areas;
3. Compatible with or expands upon existing pedestrian connections and public parks or open space;
4. May include both private common areas for use by all residents of that development, as well as a private unit's open space for exclusive use by that unit's residents;
5. Does not include driveways, parking areas, steep slopes, or stormwater ponds.

(e) *Architectural design*

(1) *Architectural details*

- a. All new building fronts shall include a minimum of two of the following elements:
  1. Architectural detailing, such as cornice, awning, parapet, or columns
  2. A visually pleasing primary front entrance that, in addition to doors, shall be accented with design features as awnings, canopies, pillars, special building materials or architectural details Entrances shall be clearly articulated and obvious from the street
  3. A combination of horizontal and vertical design features
  4. Irregular building shapes
- b. No individual mixed-use building with residential units shall have a facade facing a lot line that is longer than 200 feet.
- c. Any exterior building wall adjacent to or visible from a public street, public open space, or private street may not exceed 50 feet in length without significant visual relief consisting of one or more of the following:
  1. A façade shall be divided architecturally by means of significantly different materials or textures
  2. Horizontal offsets of at least four feet in depth
  3. Vertical offsets in the roofline of at least four feet
  4. Fenestration at the first floor level that is recessed horizontally at least one foot into the facade
- d. Multi-story buildings shall have the ground floor distinguished from the upper floors by having one or more of the following:
  1. Awning
  2. Trellis
  3. Arcade

- 4. Window lintels
  - 5. Intermediate cornice line
  - 6. Brick detailing such as quoins or corbels
  - e. All building entrances shall incorporate arcades, roofs, porches, alcoves, porticoes or awnings that protect pedestrians from the rain and sun.
  - f. Darkly tinted, frosted windows or any windows that block two-way visibility are prohibited as ground floor windows along street facades.
- (2) *Exterior finish materials*
- a. Wood lap siding, including fiber cement products with the same look, should be the predominant exterior material for street facing elevations. Other materials that provide a similar high quality exterior may be approved through the planned unit development process.
  - b. Bulkheads may use wood, brick, stone, or precast products.
  - c. Window and siding trim may be combination of wood materials.
- (3) All accessory structures, excluding private exterior trash enclosures, shall be constructed of the same materials and colors of the principal building.
- (f) *Parking and loading*
- (1) Parking for residential units shall be provided on site and shall be specifically reserved for the use of residents. Visitor parking for residential units can be shared with other uses on site. ~~Designed~~ Designated residential unit spaces shall not be counted as part of any shared parking or joint parking agreement.
  - (2) When two or more parking lots have adjacent rear or side property lines, the parking lots may be connected by a driveway crossing the side and rear yards as long as access easements are established.
  - (3) Any parking lot that will contain six (6) or more parking spaces abutting or across the street from a residential use outside of the mixed use district shall have a screening plan approved as part of the planned unit development. This screening plan should include a combination of landscaping, fencing, or walls.
  - (4) Loading docks shall not be located in the front yard and shall be 100% screened from ground level view of public streets and public open spaces. Screening can be landscaping or a wall of the same materials and colors as the principal building.
- (g) *Allowable uses*

Within the mixed use districts, no building or land shall be used except for one or more of the following uses

- P = Permitted Use
- C = Conditional Use
- (-) = Not Allowed

Use	MU-D	MU-C
<b>Residential</b>		
<b>Household Living</b>		
Dwelling, single-family detached	C	C
Dwelling, manufactured home	-	-
Dwelling, two-family and Dwelling, twin home	C	P
Dwelling, townhouse or rowhouse	P	P

Use	MU-D	MU-C
Dwelling, <u>replacement</u> apartment multiple-family	<del>P</del> <u>C</u>	<del>P</del> <u>C</u>
Dwelling, mixed use apartment (1 or more units)	P	P
Dwelling, existing and replacement	P	P
Manufactured Home Park	-	-
<b>Group Living</b>		
Community Residential Facilities (6 or less)	-	-
Community Residential Facilities (16 or less)	C	C
Senior Living Facility	<del>P</del> <u>C</u>	<del>P</del> <u>C</u>
<b>Lodging</b>		
Lodging, such as hotels and motels	P	P
Short-term Dwelling Unit Rental	-	-
Bed and Breakfast	P	P
<b>Non-Residential Uses</b>		
Adult Establishments	P	P
Automobile Repair, Minor	-	P
Automobile Repair, Major	-	-
Banks, Finance, Insurance, and Real Estate Services	P	P
Bar / Tavern	P	P
Boat and Marine Sales	-	C
Brewery & Microdistillery, including Taproom & Cocktail Room	P	P
Brewpub	P	P
Car Wash	-	-
Cemeteries	-	-
Commercial Recreation	C	C
Electrical Substations	-	-
Essential Service Buildings	C	C
Essential Services	P	P
Funeral Home	P	P
Health Club, Fitness Center and Dance Studio	P	P
Industrial, Light	-	-
Licensed Daycare and Preschool (12 or less)	P	P
Licensed Daycare and Preschool (13+)	P	P
Local Government Buildings & Institutional Buildings	P	P
Medical and Dental Clinics	P	P
Motor Fuel Station	-	-
Motor Fuel Station, Convenience Store	-	-
Offices	P	P
Open Sales Lots	-	C
Parking Lot, Surface (Principal Use)	C	C

<b>Use</b>	<b>MU-D</b>	<b>MU-C</b>
Parking Lot, Structured (Principal Use)	C	C
Personal Services	P	P
Pet and Veterinary Services	P	P
Place of Worship	P	P
Planned Unit Development	C	C
Private Lodges and Clubs	P	P
Public and Private schools	C	C
Public Park and Recreation	P	P
Repair Service Shops	P	P
Restaurant	P	P
Retail, General	P	P
Shopping Center	P	P
Theaters	P	P
<b>Accessory Uses</b>		
Accessory Buildings	P	P
Drive-through for a permitted or conditional business	C	C
Food Trucks	P	P
Gardening and Horticulture uses	P	P
Home Occupations	P	P
Lodging Room	P	P
Outdoor Dining Area for Commercial Use	C	C
Outdoor Sales Display	C	C
Parking Lot, Surface (Accessory)	P	P
Parking Lot, Structured (Accessory)	P	P
Swimming Pools and Hot Tubs	P	P