

080465 D

CITY OF GAINESVILLE, FLORIDA

MIXED USE STANDARDS

February 22, 2010

Internal Review Draft

Overview.....1

Proposed Comprehensive Plan Edits.....1

Proposed LDC Edits.....5

The following edits to the City of Gainesville's Comprehensive Plan and Land Development Code (LDC) are intended to provide an interim solution to the City's challenges in addressing the mix of uses, distinct design criteria for core and edge area retail centers, flexibility for small, infill and redevelopment projects, and large scale retail center development.

080465 P

OVERVIEW

This document includes edits to the City of Gainesville's Comprehensive Plan and Land Development Code (LDC) that are intended to resolve existing difficulties regarding development within low and medium intensity mixed use activity centers. The LDC amendments do not resolve systemic problems that result from 20 years of regulatory patches to the LDC. They provide targeted fixes to the following challenges that the Development Review Board, Plan Board and City Commission have struggled with in recent years:

- Determining what is an appropriate scale of development in the MU-1 and MU-2 districts;
- Distinguishing edge and core area activity centers and the standards that are appropriate in each area;
- Facilitating transitions from edge to core center designs;
- Applying appropriate standards to small scale, infill and redevelopment projects;
- Setting reasonable standards to achieve a mix of residential and non-residential uses in mixed-use activity centers; and
- Establishing appropriate locations, design standards and other conditions for large scale retail projects.

Proposed Comprehensive Plan amendments:

- a. Clarify where edge and core are development standards shall apply.
- b. Clarify design and character distinctions between core and edge areas.
- c. Provide greater flexibility for small projects while achieving a mix of uses in these categories.

Proposed LDC amendments:

- a. Retain consistency with special area plan requirements whenever those requirements are appropriate in each of the districts.
- b. Clarify the objectives of the MU-1 and MU-2 districts.
- c. Distinguish between edge and core area activity center development standards in each district. The amendments include a broader range of site and building design standards than currently required in each district. When compared to the edge area standards, core area development standards for activity centers establish more stringent build-to lines along streets; allow for more limited side and rear setbacks; provide greater parking flexibility; impose greater limitations on the locations of dumpsters and mechanical equipment; and allow greater building heights.
- d. Establish a process to allow the use of specific edge area design standards in transition areas;
- e. Clarify when a mix of residential and non-residential uses is required and mandate a mix of uses only for larger scale projects.
- f. Mandate compliance with urban design standards in designated urban areas and encourage, but do not require compliance with urban design standards in edge area activity centers;
- g. Allow the Plan Board or Development Review Board to modify urban standards for small projects when they determine the standards will create a hardship.

- h. Better distinguish the MU-1 and MU-2 districts by establishing more restrictive height standards in the MU-1 district than in the MU-2 district, retaining existing business size distinctions, and increasing buffer requirements between large scale projects and existing single family residential districts.
- i. Require master planning and a mix of uses in large-scale projects in these districts.
- j. Incorporate appropriate standards for large-scale retail projects, including provisions that:
 1. Allow large scale retail development in the CCD, BA, BT, BI or BUS districts and eliminate them from the MU-2 district.
 2. Establish building and site design standards for large scale retail projects that incorporate the MU-2 design requirements and establish additional standards that:
 - a. Require reservation of usable community spaces (e.g., courtyards, plazas, squares or civic uses);
 - b. Provide for long-term maintenance of community spaces;
 - c. Require multiple public business entries;
 - d. Establish more specific standards for outdoor storage, trash collection and loading areas;
 - e. Require transit facilities;
 - f. Require market study preparation; and
 - g. Mandate the posting of guarantees that the building will be reoccupied or removed if vacated for more than 18 months.

Many of the design policies and standards proposed in this report for use in activity centers could be applied to other areas of the City. The potential for expanded use of design-based regulations to achieve the City's goals and objectives is being evaluated in a process that is parallel to this effort. Issues, such as reconciling and consolidating special area plan standards, and achieving better design throughout all areas of the City are being addressed through a parallel project to evaluate a comprehensive revision of the City's LDC

PROPOSED COMPREHENSIVE PLAN EDITS

PROPOSED CHANGES TO FUTURE LAND USE ELEMENT POLICIES

The following amendments are formatted to show deletions in strikeout format and additions in underline format.

- 1.1 Adopt city design principles which adhere to timeless, proven, successful, traditional principles that ensure superior design and functionality for both core and edge area development.
 - 1.1.1 ~~To the extent possible, all planning shall be in the form~~ The city shall promote the development of complete and integrated communities containing housing, shops, workplaces, schools, parks, civic facilities and transit options essential to the daily life of the residents.
 - 1.1.2 ~~To the extent possible, neighborhoods~~ Residential and non-residential areas shall ~~be sized, located and designed so that housing, jobs, daily needs and other activities are within easy walking distance of each other. Where this is not possible due to edge area densities and development patterns, vehicle miles traveled shall be minimized through location of uses, street connectivity, design for the full range of travel modes and planning for future intensification.~~

0804657

- 1.1.3 Neighborhoods should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.
- 1.1.4 The city and its neighborhoods ~~to the extent possible, shall have a center-focus that combines~~ shall be designed with activity centers and other focal points that provide commercial, civic, cultural and recreational uses/opportunities.
- 1.1.5 The City ~~to the extent possible~~ shall contain an ample supply of squares, greens and parks whose frequent use is encouraged through placement, definition and design.
- 1.1.6 The City shall encourage community-serving facilities, such as government offices, farmers markets and convention centers to be centrally located, instead of in dispersed, remote, peripheral locations. Public, community-serving facilities shall be developed primarily in the city's central core, and, as appropriate, in neighborhood centers. Private, community-serving facilities should be discouraged from locating in peripheral locations.

1.2 Protect and promote viable transportation choices (including transit, walking and bicycling, and calmed car traffic). [No change to this objective or related policies except:]

- 1.2.5 The City ~~should~~ shall encourage creation of short-cuts for pedestrians and bicyclists with additional connections and cross access in order to create walking and bicycling connections between neighborhoods and neighborhood (activity) centers.

1.3 A hierarchy of activity centers based on function shall be identified and designated on the future land use map series and implemented through the Land Development Code.

- 1.3.1 An Activity Center is a concentrated area of uses intended to serve the needs of residents of the surrounding neighborhoods, the City or the region. Activity centers may consist of a single development project under unified ownership and control or a cluster of projects under multiple ownership and control. The location, boundaries and type of activity centers are depicted on the Activity Center Map as part of the future land use map series.
- 1.3.2 Any future land use map amendment that at maximum build-out would result in 100,000 square feet or more of non-residential development shall be located in an adopted activity center or require designation of a new activity center.
- 1.3.3 Any future land use map amendment authorizing non-residential development immediately adjacent to an existing activity center (including those properties separated from the activity center only by street right-of-way) shall be considered an expansion of the activity center.
- 1.3.4 Designation of a new activity center or expansion of an existing activity center shall require submittal of a market study, using professionally accepted methodologies. The market study shall document the need for location and type of new activity centers or the need for expansion of existing activity centers.
- 1.3.5 As a result of master planning or special area studies, the City may establish specific policies within the plan or specific development standards within the land development code to guide the development of individual activity centers.
- 1.3.6 The uses allowed within an activity center shall be those allowed by the applicable future land use category and zoning. Although some activity centers may consist of a single type of use, a mixture of land uses is encouraged and may be required for projects over a certain size. Activity centers are categorized as follows:

TYPE	FLUM Categories	SIZE Factor
	IN WHICH EACH TYPE OF ACTIVITY CENTER IS ALLOWED	CODE
Regional	MUM, MUH, C, PUD	10+
Community	MUM, MUH, C, PUD	6-18
Neighborhood	MUL, MUM*, MUH*, C, PD	8 maximum 2-10

* While a neighborhood activity center may be developed in these future land use categories, these categories would not be appropriate future land use designations to apply to most new neighborhood centers.

- 1.3.7 Regional activity centers are intended to provide for large, concentrated areas of non-residential and residential uses at a scale and intensity that serves the larger metropolitan area. They are a primary destination for shopping, employment, educational, institutional, cultural and recreational opportunities and other services. Regional activity centers shall be located with safe, adequate and convenient access to roadway and transit, providing for accessibility from throughout the metropolitan area and beyond.
- 1.3.8 Community activity centers are intended to provide for concentrated areas of non-residential and residential uses at a scale and intensity that serves multiple neighborhoods. These centers generally provide a primary destination for shopping, institutional, recreational and other services. They are appropriate on higher capacity arterials and collectors and shall be served by transit. They shall provide safe, adequate and convenient vehicular, transit, bike and pedestrian access to the neighborhoods they serve.
- 1.3.9 Neighborhood activity centers are intended to provide for concentrated areas of commercial, office, residential and recreational uses at intensities compatible with surrounding neighborhoods. These activity centers are appropriate in locations that provide access to transit services, as well as safe, adequate and convenient vehicular, bike and pedestrian access to the neighborhoods they serve.
- 1.3.10 Activity centers shall be designated as either core, edge or transition through adoption of a map in the land development code. All activity centers in the MUH, UMU-1 and UMU-2 future land use categories shall be designated as core. In addition, activity centers in zoning districts that are characterized as requiring urban or traditional design shall be designated as core or transition. All other activity centers shall be designated as core, transition or edge based on the existing or planned characteristics of the surrounding area, including surrounding uses, intensities and densities and connectivity to these uses, street cross-sections, availability, type and level of transit service, and similar factors. Transition areas shall be presumed to be appropriate for core area design standards, but provide greater flexibility to incorporate specific edge area design standards. Specific criteria for development within core, transition and edge activity centers shall be contained in the Land Development Code.

1.4 [Formerly 1.3] Adopt land development regulations that guide the transformation of conventional-hopping centers into walkable, mixed-use neighborhood (activity) centers-great pedestrian, bike and transit-friendly mixed use activity centers through the following measures:

080465 D

PROPOSED CHANGES TO POLICY 4.1.1

Mixed-Use Low-Intensity (8-30 units per acre)

This category allows a mixture of residential and non-residential uses such as standard lot single-family houses, small-lot single-family houses, duplex houses, townhouses (attached housing), accessory dwelling units, group homes, multi-family housing (if compatible in scale and character with other dwellings in the proposed neighborhood), offices scaled to serve the surrounding neighborhood, retail scaled to serve the surrounding neighborhood, public and private schools, places of religious assembly and other community civic uses, and traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance. Intensity will be controlled, in part, by adopting land development regulations that establish height limits of 4 stories or less; however, height may be increased to a maximum of 8 stories by special use permit. A mixture of uses shall be required for new development or redevelopment of projects over a certain size as determined by the Land Development Code regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 10 acres or larger. At a minimum, the Land Development Code regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential; or, that the surrounding area of equal or greater size than the development or redevelopment site, and within 1/4 mile of the site, have a residential density of at least 6 units per acre. Residential use shall not be a required development component for projects under the minimum size threshold established in the Land Development Code, for public and private schools, institutions of higher learning, places of religious assembly and other community civic uses. Buildings in this category shall face the street and have modest (or no) front setbacks.

This category shall not be used to extend strip commercial development along a street. Land development regulations shall ensure a compact, pedestrian-friendly environment for these areas, and provide guidelines or standards for the compatibility of permitted uses.

Mixed-Use Medium-Intensity (12-30 units per acre)

This category allows a mixture of residential, office, business and light industrial uses concentrated in mapped areas. This category shall also allow traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance. Public and private schools, institutions of higher learning, places of religious assembly and community facilities shall be appropriate in this category. Such development shall function as neighborhood center serving multiple neighborhoods. It is not expected that these areas shall be expanded significantly during this planning period. Land development regulations shall ensure a compact, pedestrian environment for these areas; provide guidelines for the compatibility of permitted uses; and ensure that such areas do not serve overlapping market areas of other designated medium-intensity neighborhood centers. Residential development from 12 to 30 units per acre shall be permitted. Intensity will be controlled, in part, by adopting land development regulations that establish height limits of 5 stories or less; however, height may be increased to a maximum of 8 stories by special use permit. A mixture of uses shall be required for new development or redevelopment of projects over a certain size as determined by the Land Development Code regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 10 acres or larger. At a minimum, the Land Development Code regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential; or, that the surrounding area of equal

1.4.1 ~~When feasible, neighborhood centers should be designed to include a gridded, interconnected street network lined with street-facing buildings and buildings at least 2 stories in height. A master plan shall be required prior to large-scale non-residential development within designated activity centers. The master plan shall identify the type and phasing of development within the activity center and shall ensure adherence to the standards contained within this plan and within the land development code. A major consideration in master planning shall be facilitating later intensification and possible transition to an "core area" designation. Large-scale development shall be defined in the Land Development Code, but shall, at a minimum include projects encompassing 150,000 square feet or more of non-residential floor area.~~

~~1.4.2 Centers should be pleasant, safe and convenient for pedestrians and bicyclists and contain a strong connection to transit service.~~

1.4.2 ~~Centers should, to the extent feasible, contain a range of mixed land use types—preferably within a one-quarter mile area—including such uses as neighborhood-scaled retail, office, recreation, civic, school, day care, places of assembly and medical uses. The uses are compact and vertically and horizontally mixed. Multiple connections to and from surrounding areas should be provided along the edges of a mixed-use area. The Land Development Code shall encourage a mix of land uses within activity centers, and establish incentives and minimum requirements to achieve a compatible mix. Incentives may include additional density/intensity, parking incentives, streamlined review and other measures.~~

1.4.3 ~~Centers should be designed so that densities and building heights cascade from higher densities at the core of mixed-use districts to lower densities at the edges. Activity centers shall be designed with high levels of internal and external connectivity. Multiple vehicular and pedestrian connections to and from surrounding residential areas and adjacent non-residential uses shall be provided. The required form for "core area" activity centers includes a gridded, interconnected street network as defined in the Land Development Code.~~

1.4.4 ~~Parking lots and garages should be subordinated, and limited in size. Activity centers shall be designed to ensure compatibility with adjacent lower intensity uses through step down in intensity and height, appropriate screening, or other measures.~~

1.4.5 ~~Parking lots and garages shall be subordinated through a combination of design, location and scale standards. Linear buildings, landscaping, garden walls and other appropriate techniques to limit the visual impact of parking shall be established in the Land Development Code.~~

1.4.6 ~~Activity centers designated as "core area" shall prioritize pedestrian, bicycle and transit modes over single-occupancy vehicles through design criteria in the Land Development Code that establish build-to lines, parking standards (see policy 1.4.5), building orientation to the primary street, and an enhanced pedestrian realm characterized by ample sidewalks and streetscape treatments.~~

1.4.7 ~~The City shall establish criteria and standards regarding the extent to which existing activity centers must meet new requirements upon redevelopment or expansion.~~

GOAL 4

THE LAND USE ELEMENT SHALL FOSTER THE UNIQUE CHARACTER OF THE CITY BY DIRECTING GROWTH AND REDEVELOPMENT IN A MANNER THAT USES NEIGHBORHOOD ACTIVITY CENTERS TO PROVIDE GOODS AND SERVICES TO CITY RESIDENTS; PROTECTS NEIGHBORHOODS; DISTRIBUTES GROWTH AND ECONOMIC ACTIVITY THROUGHOUT THE CITY IN KEEPING WITH THE DIRECTION OF THIS ELEMENT; PRESERVES QUALITY OPEN SPACE AND PRESERVES THE TREE CANOPY OF THE CITY. THE LAND USE ELEMENT SHALL PROMOTE STATEWIDE GOALS FOR COMPACT DEVELOPMENT AND EFFICIENT USE OF INFRASTRUCTURE.

080465 D

or greater size than the development or redevelopment site, and within 1/4 miles of the site, have a residential density of at least 6 units per acre. Residential use shall not be a required development component for projects under the minimum size threshold established in the Land Development Code for public and private schools, institutions of higher learning, places of religious assembly and other community civic uses. Buildings in this category shall face the street and have modest (or no) front setbacks.

Mixed-Use High-Intensity (up to 150 units per acre)

This category allows a mixture of residential, office, business uses and light industrial uses concentrated in mapped areas. This category shall also allow traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance. Public and private schools, institutions of higher learning, places of religious assembly and community facilities shall be appropriate in this category. Such development shall function as an activity center serving the core area. When in accord with all other land use regulations, residential densities up to 150 units per acre shall be permitted. Land development regulations shall be prepared to ensure the compact, pedestrian character of these areas. A mixture of uses shall be required for new development or redevelopment of projects over a certain size as determined by the Land Development Code regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 4 acres or larger. At a minimum, the Land Development Code regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential. Residential use shall not be a required development component for projects under the minimum size threshold established in the LDC for public and private schools, institutions of higher learning, places of religious assembly and community facilities. Buildings in this category shall face the street and have modest (or no) front setbacks. Floor area ratios in this district shall not exceed 10.00.

Commercial

The Commercial land use category identifies those areas most appropriate for large-scale, highway-oriented commercial uses and for commercial uses that do not include a residential component. When designed sensitively, residential uses, office and other compatible uses may be allowed with appropriate design standards. Land development regulations shall determine the appropriate scale of uses. This category is not appropriate for neighborhood activity centers. Land development code regulations shall determine the allowable mix of uses and appropriate scale and design of development, including measures to ensure compatibility with adjacent uses. Intensity will be controlled by adopting height limits of 5 stories or less, requiring buildings to face the street, and modest build-to-lines instead of a maximum floor area; however, height may be increased to a maximum of 8 stories by special use permit.

(Staff to discuss whether commercial future land use category may be applied to neighborhood activity centers)

4.3 The City shall establish protection and enhancement policies, as needed, for selected neighborhood (activity) and regional centers.

PROPOSED CHANGES TO URBAN DESIGN ELEMENT POLICIES

1.1.7 To encourage sustainable design of activity centers, the City shall encourage use of the core area activity center designation and standards as specified in Future Land Use Element Policies 1.3.11 and 1.4.8 and as

further defined in the Land Development Code. The City shall use the master planning process specified in Future Land Use Element Policy 1.4.2 to facilitate later intensification of activity centers and possible transition to a more urban form that incorporates a combination of the following design factors: In order to encourage neighborhood-serving town centers, the City shall allow for the designation of new town centers only if they, at a minimum, meet the following standards:

- Build-to lines that locate buildings close Modest commercial build-to lines that pull the building up to a wide streetside sidewalk with a row of appropriate street trees.
- Reduced Modest instead of abundant off-street parking, located at the rear or side of buildings, and away from pedestrian areas.
- A sense of arrival and departure.
- A connected sidewalk and path system promoting safety, comfort and convenience by linking buildings within the center and to adjacent properties.
- Building facades facing the street and aligned to form squares, streets, plazas or other forms of a pleasant public realm.
- A horizontal or vertical mix of residences and non-residential uses within the core area activity centers; and required percentage of center floor area that is residential and retail.
- Limited first floor areas for single businesses.
- No free-standing retail establishment within the center exceeding 30,000 square feet for some set maximum of first floor area.
- First floor uses promoting entertainment and retail uses, and articulation and glazing for pedestrian interest.
- Building articulation and glazing to stimulate pedestrian interest.
- Restricting establishment of auto-oriented uses, or uses that generate significant noise, odor, or dust.

1.1.8 The City shall encourage the conversion of edge area activity centers and conventional shopping centers into more traditional, livable town core area activity centers through redevelopment or expansions addition of uses, features and structures as specified in Urban Design Element Policy 1.1.7 and Future Land Use Element Policies 1.4.2 and 1.4.8 and as further defined in the Land Development Code. Design of such redevelopment shall be supportive of transit. The City shall encourage new, additional buildings relatively near the street where site planning allows adequate space, addition of residential units in existing activity centers, and design features that encourage a transformation of shopping centers into appealing, "destination" town centers. The City shall encourage the conversion of surface parking lots to buildings in activity centers being transformed into town core area activity centers. Minimum car parking requirements in activity centers shall be reduced as one incentive for the creation of core area activity centers (allowing that former parking area to be used for "liner" buildings).

1.4.1 In areas where the City seeks to promote transportation choices and prioritize transit and pedestrian access, all most non-residential off-street parking shall be placed to the rear or side of the building, rather than in the front or otherwise adjacent to a street.

PROPOSED LDC EDITS

The following sections are intended to establish distinct standards for MU-1 and MU-2 districts in defined core and edge areas, establish transition areas, where core area activity center standards may be relaxed through the special use permit process, and establish standards of large scale retail projects. Each section is intended to replace corresponding sections in the code so changes have not been shown in reline format. To achieve these objectives, the proposed amendments:

- Supplement the list of definitions in Section 30-23 of the LDC;
- Replace Sections 30-64 and 30-65;
- Edit Sections 30-61(C), 30-62(C), 30-63(C) and 30-67; and
- Create new Sections 30-68, 30-167 and 30-347.9

SEC. 30-23. DEFINITIONS

Activity Center – A concentrated area of uses intended to serve the needs of residents of the surrounding neighborhoods, the City or the region. Activity centers may consist of a single development project under unified ownership and control or a cluster of projects under multiple ownership and control. The location, boundaries and type of activity centers are depicted on the Activity Center Map as part of the future land use map series. This LDC establishes building and site design criteria based on their location in a core, transition or edge area.

Community Space – Area within a project designed for people to gather, but not necessarily owned or maintained by the public. Community spaces include, but are not limited to plazas, squares, picnic areas, gardens, outdoor dining areas, sidewalks, galleries, arcades and courtyards.

Core Areas - Areas shown in Appendix B of this code that are or are planned to be developed in accordance with urban design characteristics that include a combination of the following design factors:

- Build-to lines that locate buildings close to a wide streetside sidewalk with appropriate street trees;
- Reduced off-street parking, located at the rear or side of buildings, and away from pedestrian areas;
- A connected sidewalk and path system promoting safety, comfort and convenience by linking buildings within the center and to adjacent properties;
- Building facades facing the street and aligned to form squares, streets, plazas or other forms of a pleasant public realm;
- A horizontal or vertical mix of residences and non-residential uses within the core area activity centers;
- Limited first floor areas for single businesses;
- First floor uses promoting entertainment and retail uses;
- Building articulation and glazing to stimulate pedestrian interest; and
- Rules that restrict auto-oriented uses, or uses that generate significant noise, odor, or dust.

Edge Areas - Areas that are not within core or transition areas designated in Appendix B of this code. These areas are not appropriate for the all urban design characteristics of core areas, and generally have larger landscape areas, wider setbacks between uses, lower heights and more visible parking than core areas.

080465 D

Garden Walls – A freestanding wall along the property line dividing private areas from streets, alleys, and or adjacent lots.

Large-Scale Retail – A business or building encompassing 100,000 square feet or more of gross leasable area.

Landscape Zone - That portion of the sidewalk located between the curb line and the pedestrian zone in which the following elements are located, following authorization by the Public Works Department.

- Street trees/grates, planting strips, raised planters
- Street light standards
- Street signs/pedestrian wayfinding signs
- Transit stops
- Postal/freight collection boxes
- Parking meters
- Utility boxes/public phones/ fire protection
- Seating (with/without tables)
- Trash receptacles
- Bicycle racks

Liner Building – A building that is located between the street right of way and other buildings on the site. Liner buildings are used to create more interesting pedestrian environment along the street, create a sense of enclosure, and reduce the visual impact of parking garages, parking lots, loading areas and mechanical equipment.

Pedestrian Zone - The pedestrian zone is that portion of the sidewalk that is maintained free of any obstructions to allow for the passage of pedestrians.

Pedestrian Cross Connection – an all-weather surfaced walkway measuring at least six (6) feet in width that provides access across a block and/or between or through a building to improve pedestrian connectivity within and between developments.

Sidewalk – Area located between the landscape zone and the storefront zone.

Storefront Zone - That portion of the sidewalk located between the pedestrian zone and the building facade in which the following elements are permitted, following authorization by the Public Works Department.

- Seating (with/without tables)
- Bollards
- Recessed lighting for the building facade
- Bike racks
- Valet or hostess station/canopies
- Temporary sale/display of merchandise
- Moveable sandwich boards
- Postal/freight collection boxes
- Planters/landscaped areas
- Public art

080465 D

Transition Areas – Areas that are appropriate for urban design standards applicable to core areas, but which may be approved for use of specific edge area standards through the special use permit process established in Division 5 of this LDC

SEC. 30-64. MIXED USE LOW INTENSITY DISTRICT (MU-1)

(a) *Purpose and Objectives.* The mixed-use low intensity district may apply to core, transition or edge area activity centers. It is intended to support a mix of compatible residential and non-residential uses that result in walkable neighborhoods. The District:

- (1) Permits compatible commercial, office, professional and consumer services, places of religious assembly and residential developments that benefit from being located near each other.
- (2) Provides a mix of residential uses including multifamily, townhouse, zero lot line, and detached single-family.
- (3) Provides opportunities for the development of compound residential uses.
- (4) May be located in areas where analysis of residential characteristics demonstrates that there is sufficient demand for non-residential uses, and that a mix of uses can be compatibly integrated with existing neighborhoods.
- (5) Encourages the development of planned and unified neighborhood shopping centers in a relationship harmonious with adjoining residential activities by providing greater flexibility for projects with unified circulation systems and design.
- (6) Accommodates traditional neighborhoods that include residential uses, non-residential uses and neighborhood centers.
- (7) Minimizes traffic congestion by:
 - a. Reducing the length and number of vehicular trips by providing for basic needs near residential areas, encouraging pedestrian access, and combining trips;
 - b. Requiring that shopping centers and/or mixed-use developments be located on appropriate major collector and arterial roadways, as defined in the comprehensive plan;
 - c. Minimizing the number and regulating the location of driveway connections;
 - d. Encouraging pedestrian and nonautomotive access;
 - e. Promoting pedestrian activity; and
 - f. Providing safe and convenient access for transit users, bicyclists and pedestrians.
- (8) Ensures, through development plan approval, that non-residential and mixed-use developments are designed to promote the most efficient use of the land, and that they coordinate the internal activities of the site, and establish a harmonious relationship between the developments and their setting.
- (9) Establishes appropriate buffering or screening around non-residential and/or mixed-use development that abuts any property zoned for residential use or shown as residential on the future land use map.

- (10) Coordinates the location, scale and design of mixed-use developments with the character and density of the areas to be served.
- (11) Allows the flexibility to establish new non-residential and mixed use development in proximity to core area density residential development on land that is physically capable of supporting the particular type of development.
- (12) Facilitates the transition of development of activity centers from edge area to core area character.

(b) *Approval Process.*

- (1) Core area projects that are developed in accordance with the core area site and building design standards of this district that do not satisfy the rapid review or minor review criteria in section 30-159 of this code shall be reviewed using the minor review process and shall not require City Plan Board or Development Review Board approval. If the applicant requests a modification of a standard or the project encompasses 100 or more dwelling units or more than 50,000 square feet of additional gross leasable floor area, the application shall be processed in accordance with all standards of section 30-159.
- (2) Transition area projects that are developed in accordance with the core area site and building design standards of this district that do not satisfy the rapid review or minor review criteria in section 30-159 of this code shall be reviewed using the minor review process and shall not require City Plan Board or Development Review Board approval. If the project encompasses 100 or more dwelling units or more than 50,000 square feet of additional gross leasable floor area, the application shall be processed in accordance with all standards of section 30-159. If the applicant proposes to use any of the building or site design criteria for edge areas, the application shall require approval of a special use permit in accordance with Article VII, Division 5 of this LDC. In addition to the criteria established in section 30-233, prior to approving a special use permit, the city plan board shall find that the deviation from the core area standards will not be detrimental to the mobility of pedestrians, bicyclists or transit users.
- (3) Edge area projects that are developed in accordance with the edge area site and building design standards of this district that do not satisfy the rapid review or minor review criteria in section 30-159 of this code shall be reviewed using the minor review process and shall not require City Plan Board or Development Review Board approval. If the applicant requests a modification of a standard or the project encompasses 100 or more dwelling units or more than 50,000 square feet of additional gross leasable floor area, the application shall be processed in accordance with all standards of section 30-159.
- (4) Existing projects in core or transition areas that do not conform to the site and building design standards of the following section may be remodeled or redeveloped in conformance with the requirements of section 30-346. Where the City Plan Board or Development Review Board finds that strict compliance with the provisions of this section are a deterrent to the development of a property encompassing 15,000 square feet or less of gross leasable floor area, the board may grant relief to site design standards for site design standards addressing land use transitions, parking and loading standards.

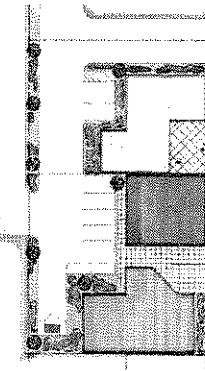

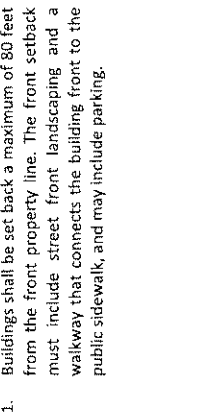

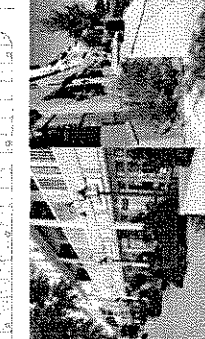
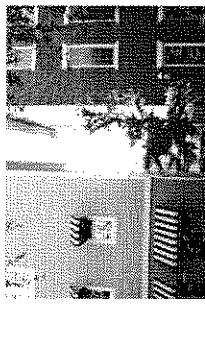

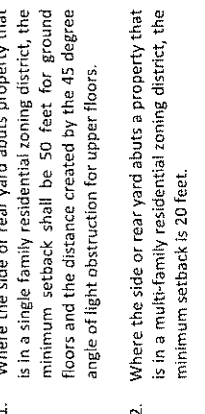
(c) **Site and Building Design Standards.**

- (1) **Applicability.**
 - a. This subsection applies to all projects within the MU-1 district.
 - b. This subsection establishes core area and edge area activity center design standards.
 - c. Core area design standards are mandatory in core area activity centers.
 - d. Core area design standards are mandatory in transition areas except as specifically authorized through a special use permit as provided in Division 5 of this LDC.
 - e. Edge area design standards are mandatory in all areas that are not designated core area. At the discretion of the Development Review Board or City Plan Board, as applicable, core area site and building design standards may be applied to edge developments, provided however that core area standards for building heights, side and rear setbacks and parking spaces shall not apply unless the project is approved for development in compliance with all core area criteria.
- (2) **Site Design Standards.** Table 30-64A establishes site development standards for the MU-1 district.
- (3) **Building Design Standards.** Table 30-64B establishes building design standards for the MU-1 District.
- (4) **Connectivity Standards.** Maximum block perimeters shall not exceed the standards shall comply with the standards of Table 30-64C unless the approving body finds that compliance is prohibited by an environmental feature, railroad or limited access highway. Block perimeter shall be determined by measuring block areas encompassed by public right-of-way or private road that serves the function of a public right-of-way. Neither buildings nor blocks shall exceed the maximum lengths established in Table 30-64C unless a pedestrian cross connection is provided.

TABLE 30-64C: CONNECTIVITY FOR MU-1 DISTRICT

Area	Maximum Block Perimeter	Maximum Block or Building Length Without a Pedestrian Cross Connection
Core and Transition Area	1,700 feet	400 feet
Edge Area	2,500 feet	600 feet

TABLE 30-64A: SITE DESIGN STANDARDS (MU-1 DISTRICT)

Provision	Core Area Activity Center Standards	Edge Area Activity Center Standards	Core Area Illustrations	Edge Area Illustrations
<p>a. Setbacks, front and side street yards</p>	<ol style="list-style-type: none"> The build-to line is 5 feet from an existing or planned sidewalk, if at least 18 feet is provided between the back of the curb and the build-to line or the edge of pavement and the build-to line where no curb exists. (see landscape requirements below) No minimum or maximum front build-to line applies to courtyards and other community spaces. These spaces may occupy no more than 50% of any block face. Courtyards and community spaces must be interior to the block face and shall not be located along the corner of the block. 	<ol style="list-style-type: none"> Buildings shall be set back a maximum of 80 feet from the front property line. The front setback must include street front landscaping and a walkway that connects the building front to the public sidewalk, and may include parking. 	  <p>Buildings close to sidewalk with varying front setbacks for seating areas and plantings</p>	  <p>Street front landscaping</p> <p>Front setback may include parking</p>
<p>b. Setbacks, side/rear yards</p>	<ol style="list-style-type: none"> Where the side or rear yard abuts property that is in a single family residential zoning district, the minimum setback is 20 feet for the ground floor and the distance created by the 45 degree angle of light obstruction for upper floors. Where the side or rear yard abuts a property that is in a multi-family residential zoning district, the minimum setback is 10 feet. No minimum setback is required where abutting a non-residential district. 	<ol style="list-style-type: none"> Where the side or rear yard abuts property that is in a single family residential zoning district, the minimum setback shall be 50 feet for ground floors and the distance created by the 45 degree angle of light obstruction for upper floors. Where the side or rear yard abuts a property that is in a multi-family residential zoning district, the minimum setback is 20 feet. In other locations, side and rear setbacks shall be at least 20 feet, except where allowed pursuant to "Multiple Structure" provisions below. 	  <p>Buildings close to sidewalk with varying front setbacks for seating areas and plantings</p> <p>Side yard setback with walkway to rear parking lot</p>	  <p>Street front landscaping</p> <p>Front setback may include parking</p> <p>Walkway connection from sidewalk to building front</p>

080465 D

TABLE 30-64A: SITE DESIGN STANDARDS (MU-1 DISTRICT)

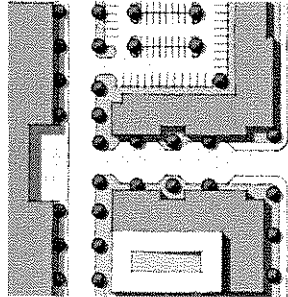
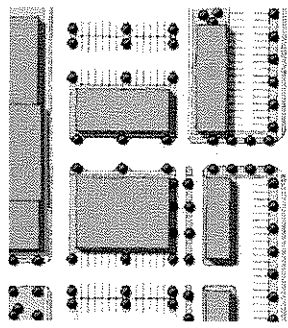


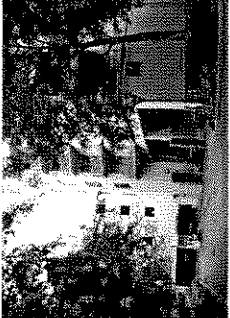
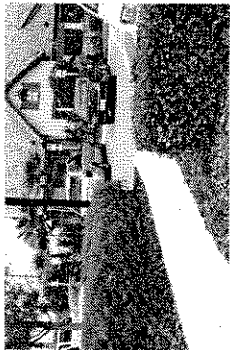
Provision	Core Area Activity Center Standards	Edge Area Activity Center Standards	Core Area Illustrations	Edge Area Illustrations
<p>c. Multiple structures and outparcels</p> <ol style="list-style-type: none"> The use of multiple structures may be allowed, subject to findings by the applicable reviewing board that all such structures are compatible with the uses and purposes of the project and surrounding uses and traffic patterns and are safely incorporated into the overall transportation system for the project. Outparcels require subdivision, lot split approval or development plan approval. Approval shall be conditioned upon findings by the appropriate reviewing board or staff, as applicable, that the neighborhood shopping center and all outparcels are integrated through the use of landscaping and buffers; shared parking, traffic access and circulation; pedestrian connections and stormwater management. Outparcels that have unified circulation systems with the adjoining project are not required to meet the minimum lot area, width and depth requirements. However, development on outparcels is subject to setback, lot coverage and building height requirements for area in which the project is located. If there are multiple buildings in a project, the buildings shall be arranged and grouped so that their orientation complements adjacent development and achieves one or more of the following design objectives: <ul style="list-style-type: none"> Frames the corner of an adjacent street intersection; Frames and encloses an internal pedestrian and/or vehicle access corridor within the project; or Encloses parking areas, public spaces, or other amenities. 			 <p>Multiple structures creating entry corridors and concealing parking lots and structures</p>	 <p>Out parcels creating entry corridors and concealing rear parking lots and structures</p>
			 <p>Entry corridor</p>	 <p>Outparcels</p>
			 <p>Concealing parking structure</p>	 <p>Pedestrian connections to the outparcel</p>

TABLE 30-64A: SITE DESIGN STANDARDS (MU-1 DISTRICT)

Provision	Core Area Activity Center Standards	Edge Area Activity Center Standards
<p>d. Transitions between different uses</p>	<p>A non-residential or mixed-use project that abuts a residential project must use the following transitional tools:</p> <ol style="list-style-type: none"> Architectural Transitions: Employ a minimum of three of the following techniques: <ul style="list-style-type: none"> Similar building setback; Similar building heights; Similar roof forms; or Front-to-front building orientations (front facades facing each other), especially with commercial uses that are pedestrian-intensive (e.g., restaurants, banks). Back-to-front orientations (back facade facing front facade) are prohibited, even if the other architectural transition techniques are used. Green/Open Space Transitions: The following areas may be counted towards the 20 percent open space requirement: <ul style="list-style-type: none"> Green spaces, courts, squares, parks, plazas, and similar spaces that can also function as community gathering places; or Natural features as transitions, including natural differences in topography (not retaining walls), water bodies, existing stands of trees and similar features. Intensity Transitions: Site the less-intensive uses as transitions to lower-intensity, adjacent uses (i.e., neighborhood stores, bed & breakfast inns, community facilities, etc). Landscaping and Screening Transitions. Use landscape buffering and supplemental fences and walls. 	

TABLE 30-64A: SITE DESIGN STANDARDS (MU-1 DISTRICT)

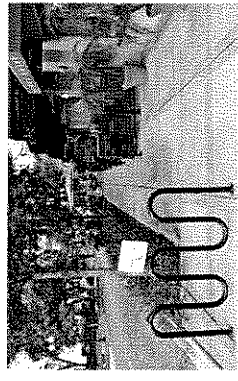
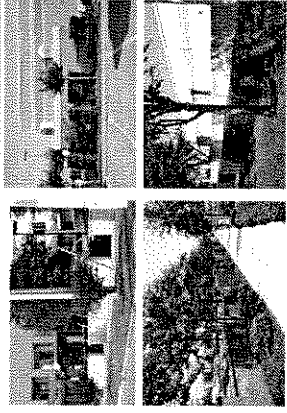
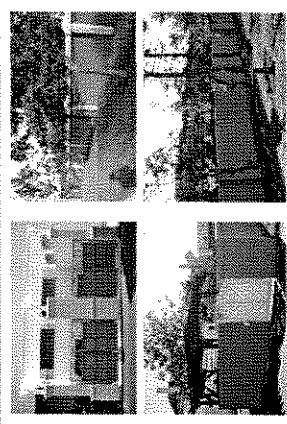

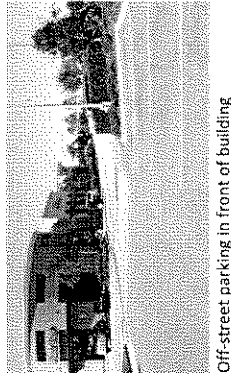




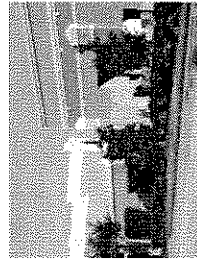

Core Area Activity Center Standards		Edge Area Activity Center Standards	
<p>e. Streetscaping and Landscaping</p>	<p>1. Landscaping shall comply with the requirements of Article VIII Division 2, Subdivision 1 of this code, except that credit shall be provided for trees planted within the right-of-way where approved by the City.</p> <p>2. Streetscape – minimum 20 feet wide from back of curb to the building façade, shall include a landscape zone (minimum 8 feet wide); a pedestrian zone (minimum 6 feet wide); and a storefront zone (minimum 6 feet wide).</p>	<p>1. Landscaping shall comply with the requirements of Article VIII Division 2, Subdivision 1 of this code.</p> <p>2. Streetscape – minimum 14 feet wide from back of curb to property line shall include a landscape zone (minimum 8 feet wide) and a pedestrian zone (minimum 6 feet wide).</p>	<p>Core Area Illustrations</p>  <p>Core area streetscapes provide shade and are wide enough to accommodate a range of uses</p>
<p>f. Garden Walls</p>	<p>1. Garden walls may be used to screen loading areas, parking areas or building walls that face streets.</p> <p>2. Garden walls shall match the principal building or fieldstone, brick, or stucco or decorative metal excluding round industrial railing and chain link.</p> <p>3. Garden walls shall be at least 50 percent solid and capped by a flat, round or pitched top overlapping no less than 1/4 inch of the wall below.</p> <p>4. Garden walls shall have a maximum height of 42 inches along public rights-of-way, including alleys and maximum height of 72 inches along all other property lines.</p>	<p>Edge Area Illustrations</p>  <p>Edge area streetscapes should protect pedestrians from traffic and buffer parking areas</p>	<p>Illustration</p>  <p>Garden wall screening parking lot</p> <p>Garden wall screening loading area</p> <p>Garden wall screening dumpster</p> <p>Garden wall screening residential</p>

TABLE 30-64A: SITE DESIGN STANDARDS (MU-1 DISTRICT)

Core Area Activity Center Standards		Edge Area Activity Center Standards		Core Area Illustrations		Edge Area Illustrations	
<p>g. Parking spaces</p>	<p>1. Required in accordance with section 30-332, except that the number of spaces shall not exceed 80 percent of the required number of spaces unless structured parking is provided. On-street parking spaces may be counted towards required spaces for uses abutting the spaces.</p>	<p>1. Required to be provided on-site in accordance with section 30-332, except that the number of spaces may be reduced pursuant to the joint use parking standards established in section 30-329 for centers with residential and non-residential uses.</p>	 <p>On-street parking</p>	 <p>Off-street parking in front of building</p>	 <p>Parking lot at front of building</p>	 <p>Parking lot at side of building</p>	
<p>h. Parking/circulation/location/design</p>	<p>1. Parking spaces shall not be located in the front or street side yard.</p>	<p>1. Parking spaces may be located in the front, side, and rear yards subject to parking lot landscaping and setback requirements. Not more than 50 percent of required parking may be located between the front façade and the street on which the building fronts.</p>	 <p>Parking lot at rear of building</p>	 <p>Parking lot at side of building</p>	 <p>Loading area at rear of building</p>	 <p>Loading area internal to site with garden wall and landscaping</p>	
<p>i. Loading</p>	<p>1. No loading docks shall be located between a building and a residential district unless there is a minimum 50 feet setback between the loading dock and the residential district and that the setback includes a type "D" buffer with a wall in accordance with section 30-253.</p> <p>2. Loading docks are not allowed on a front or street side yard.</p> <p>3. Loading docks/truck parking shall be incorporated into the overall design of the building or the landscaping.</p> <p>4. Loading docks shall be designed to provide safe and convenient access by service vehicles.</p> <p>5. For all loading and unloading shall be done on-site or from a local non-residential street.</p> <p>6. All loading and unloading shall be done on-site.</p>	<p>1. No loading docks shall be located between a building and a residential district unless there is a minimum 50 feet setback between the loading dock and the residential district and that the setback includes a type "D" buffer with a wall in accordance with section 30-253.</p> <p>2. Loading docks are not allowed on a front or street side yard.</p> <p>3. Loading docks/truck parking shall be incorporated into the overall design of the building or the landscaping.</p> <p>4. Loading docks shall be designed to provide safe and convenient access by service vehicles.</p> <p>6. All loading and unloading shall be done on-site.</p>					

Provision

Core Area Activity Center Standards

Edge Area Activity Center Standards

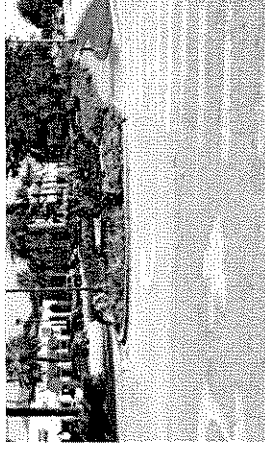
Core Area Illustrations

Edge Area Illustrations

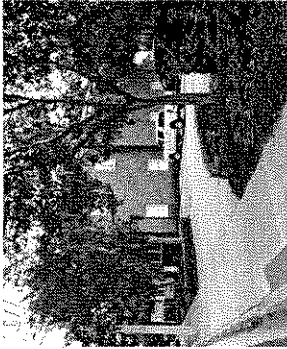
J. Vehicular access shall comply with Article IX, Division 3, and Chapter 23 of the Code of Ordinances. Parking areas, including maneuvering space, ingress and egress roads and driving lanes, shall be improved in accordance with the provisions of Article IX, Division 3, and Chapter 23 of the Code of Ordinances. Areas used by motor vehicles shall be physically separated from public streets by landscaped buffer areas.



Vehicular access into parking garage



Vehicular access into front parking lot

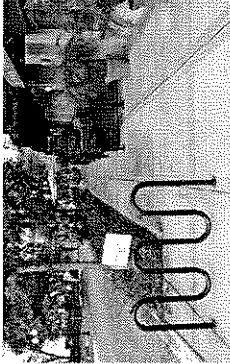
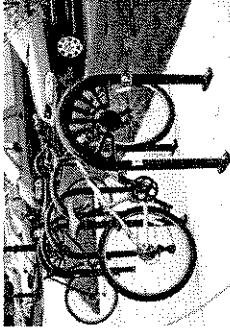
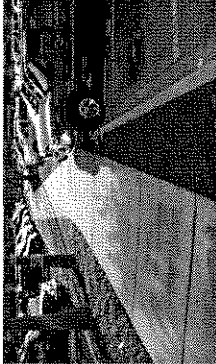
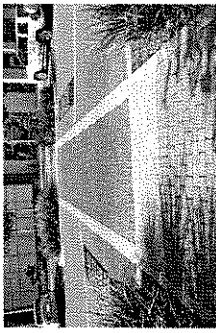

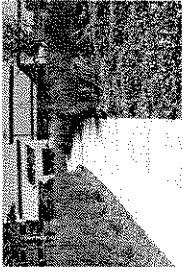


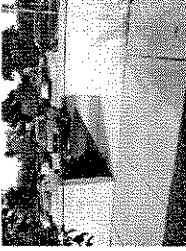



Vehicular access into surface parking lot



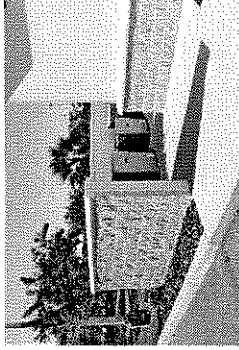
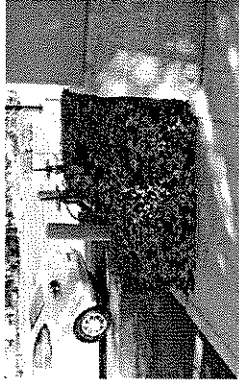

Vehicular access into entry corridor

TABLE 30-64A: SITE DESIGN STANDARDS (MU-1 DISTRICT)

Provision	Core Area Activity Center Standards	Edge Area Activity Center Standards
<p>k. Bicycle and pedestrian access</p>	<p>1. A neighborhood shopping center project shall incorporate travel ways for bicycle and pedestrian usage. The internal bicycle and pedestrian system shall connect to adjoining bikeways, greenways or sidewalks that exist or are planned when the application is filed. During development plan review, the appropriate reviewing board shall also review the project's relationship to adjoining properties, and may require access for bicycles or pedestrians at locations where vehicular access is prohibited.</p> <p>2. Where bicycle lanes are required, they shall be at least 5 feet in width.</p> <p>3. Bicycle racks shall be provided at each storefront or block.</p> <p>4. All pedestrian walkways within a parking lot shall include:</p> <ul style="list-style-type: none"> • Shade trees (or a shade structure) along one or both sides of the walkway (minimum 10 feet wide planting area); • Pedestrian-scale lighting to illuminate and define the route; and • Clear division from vehicular areas, with a change in grade, landscaping and a change in surface material. <p>5. All pedestrian crosswalks shall be distinguished from all parking and vehicle maneuvering areas through the use of contrasting surface materials such as pavers, brick or scored concrete or striping using high durability paints.</p>	  <p style="text-align: center;">Bicycle Racks</p>   <p style="text-align: center;">Pedestrian crosswalk with decorative pavers</p>   <p style="text-align: center;">Walkway through a building</p>   <p style="text-align: center;">Walkway at rear parking lot</p>   <p style="text-align: center;">Pedestrian circulation system</p>
	<p>1. Minimum 6 feet wide pedestrian walkways shall be provided from the rear/side parking areas to the ground floor uses, either through rear/side building entrances or pedestrian walkways along the perimeter of buildings to the front or side streets.</p>	<p>1. Continuous internal pedestrian walkways, no less than 8 feet in width shall be provided from the public walkway or right-of-way to all buildings and store entry points, transit stops, crosswalks, and central features and community spaces.</p> <p>2. Walkways at least 8 feet in width shall be provided along the full length of the building featuring a customer entrance, and along any facade abutting public parking areas. Such walkways shall be at least 6 feet wide planting bed, except where features such as arcades or entryways are part of the facade.</p> <p>3. Where a garden wall is provided along an arterial street, at least one public pedestrian access to the internal street of public building entry is provided along the arterial street every 300 feet.</p>

080465 D

TABLE 30-64A: SITE DESIGN STANDARDS (MU-1 DISTRICT)

Provision	Core Area Activity Center Standards	Edge Area Activity Center Standards	Core Area Illustrations	Edge Area Illustrations
<p>l. Mechanical equipment</p> <p>1. Mechanical equipment shall not be located between a building and an abutting street. If located on the roof, it shall be screened from view from the street.</p>	<p>1. Mechanical equipment shall not be located between the front of a building and the street. If located between the side and rear yard and a street, the equipment shall be screened from view from the street. If located on the roof, it shall be screened from view from the street.</p>	<p>1. Mechanical equipment shall not be located between the front of a building and the street. If located between the side and rear yard and a street, the equipment shall be screened from view from the street. If located on the roof, it shall be screened from view from the street.</p>	 <p>Mechanical equipment at rear of building</p>	 <p>Mechanical equipment at side of building</p>
			<p>m. Dumpsters</p> <p>1. Dumpsters shall be separated from adjacent parking stalls by a minimum 3 feet wide (interior clear dimension) planter.</p> <p>2. No trash dumpsters shall be located between a building and a residential district unless set back from the residential district at least minimum 50 feet and a type "D" buffer with a wall is provided in accordance with section 30-253.</p> <p>3. Dumpsters shall be enclosed with a wall constructed of the same materials as the principal structure. The wall enclosure shall be at least 6 feet and no more than 8 feet in height.</p>	 <p>Enclosed dumpster with garden wall and landscaping</p>

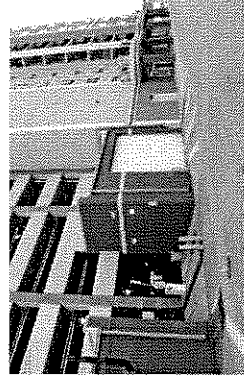
Provision Core Area Activity Center Standards

4. Dumpsters, where used, shall be located in alleys, within buildings or at the rear of and attached to the principal structure.

Edge Area Activity Center Standards

5. Dumpsters shall be located behind buildings or in internal side yards. Dumpsters shall not be located between a building and an abutting arterial street and may not be located within 20 feet of a street sidewalk.

Core Area Illustrations



Enclosed dumpster integrated into building located



Enclosed dumpster at side of building

080465 D

TABLE 30-64B: BUILDING DESIGN STANDARDS (MU-1 DISTRICT)

Provision	Core Area Activity Center Standards	Edge Area Activity Center Standards	Core Area Illustrations	Edge Area Illustrations
a. Maximum gross leasable non-residential floor area per project	100,000 square feet in urban area.	100,000 square feet in edge area.		
b. Maximum first floor footprint per business	50,000 square feet, except MG-54 (food stores) in urban area.	50,000 square feet, except MG-54 (food stores) in edge area.		
c. Maximum lot coverage by buildings	No limit, subject to setbacks, landscaping and drainage requirements.	50 percent for single-purpose, non-residential; 50 percent for mixed-use (inclusive of residential) or compound use.		

TABLE 30-64B: BUILDING DESIGN STANDARDS (MU-1 DISTRICT)


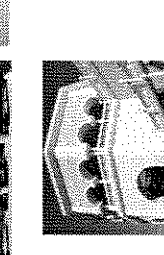



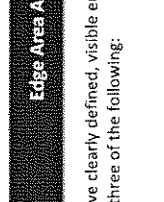
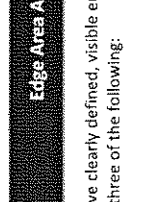
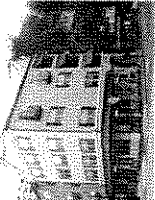
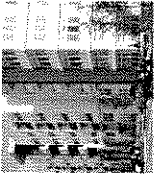

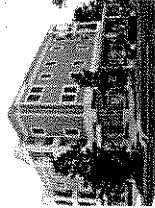
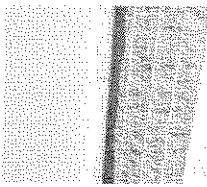

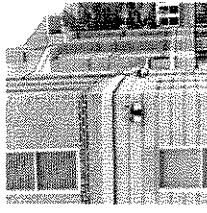
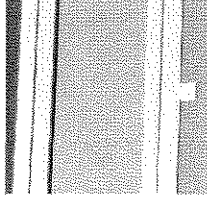
Core Area Activity Center Standards		Edge Area Activity Center Standards	
<p>d. Building orientation/entries</p> <p>1. Each principal building on a site shall have clearly defined, visible entrances, extending from the front of the building, and featuring no less than three of the following:</p> <ul style="list-style-type: none"> • Canopies or porticos; • Awnings; • Overhangs • Recesses/projections; • Arcades; • Raised corniced parapets over the door; • Peaked roof forms or arches; • Outdoor patios; or • Display windows. 	 <p>Recesses and projections</p>  <p>Canopy</p>  <p>Varied rooflines</p>  <p>Outdoor patio</p>  <p>Arcade</p>	<p>2. Buildings shall have entries facing front and side arterial and collector streets. A corner lot may include an entry that faces the street Building orientation/ entries intersection.</p>	<p>3. For a single building, the entry and building front shall face the arterial street abutting the site.</p> <p>4. For multiple buildings, the buildings may face an internal street or parking area where:</p> <ul style="list-style-type: none"> • A garden wall is provided along the arterial street, and • There is at least one public pedestrian access to the internal street system or public building entry along every 300 feet of arterial street frontage.
	 <p>Single building facing</p>  <p>Multiple building facing interior parking area</p>		

TABLE 30-64B: BUILDING DESIGN STANDARDS (MU-1 DISTRICT)

Core Area Activity Center Standards		Core Area Illustrations			Edge Area Illustrations				
e. Building height 1. Minimum of 25 feet and maximum of 4 stories, subject to angle of light obstruction standards in Table 30-64A. 2. May be increased to a maximum 8 stories by special use permit.	1. Maximum of 3 stories, subject to angle of light obstruction standards in Table 30-64A.					Maximum 4 stories	Greater heights allowed through special use permit	2 stories	Maximum 3 stories
		f. Building materials 1. Exterior building materials shall be durable, economically-maintained and of a quality that will retain their appearance over time, including, but not limited to, natural or synthetic stone, brick, stucco, cement board siding, integrally-colored, textured, or glazed concrete masonry units; high-quality pre-stressed concrete systems; water-managed Exterior Installation Finish Systems (EIFS); or glass. 2. Natural wood or wood paneling shall not be used as a principal exterior wall material, but durable synthetic materials with the appearance of wood may be used. 3. Exterior building materials shall not include the following: a. Split shakes, rough-sawn or board and batten wood; b. Vinyl siding; c. Smooth-faced gray concrete block, painted or stained concrete block, tilt-up concrete panels; d. Field-painted or pre-finished standard corrugated metal siding; e. Standard single- or double-tee concrete systems; or f. Barrier-type EIFS. 4. Materials that are heavier or highly resistant to damage, defacing, and general wear and tear, such as precast concrete, stone masonry, brick, and commercial grade ceramic tile, shall be used at the base of the building.	   	Stone and textured	Brick and siding	Various bricks	Textured stucco		

080465D

TABLE 3D-648: BUILDING DESIGN STANDARDS (MU-1 DISTRICT)

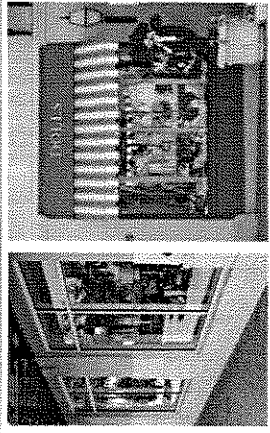
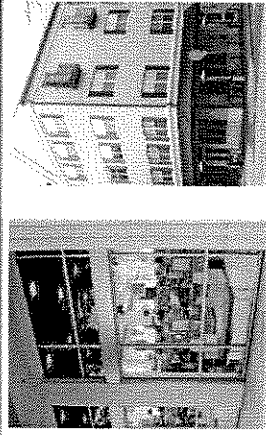
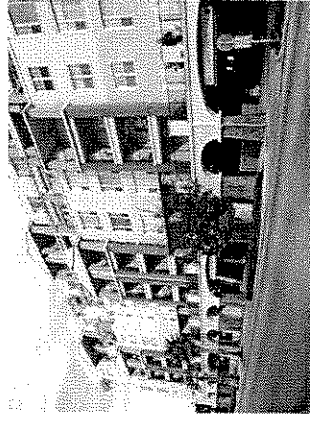
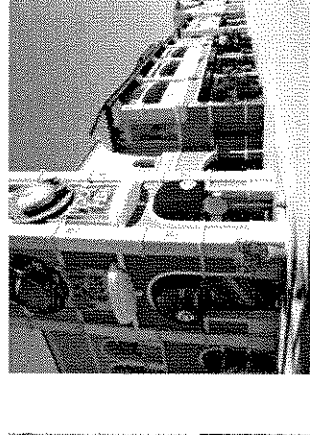
	Core Area Activity Center Standards	Edge Area Activity Center Standards	Core Area Illustrations	Edge Area Illustrations
g. Glazing	<ol style="list-style-type: none"> Windows shall be non-reflective. Windows or glazed areas facing a sidewalk on the first story of a commercial building shall use glass which is at least 80 percent transparent. Windows shall be recessed and shall include visually prominent sills, shutters, or similar forms of framing. Each upper story façade or ground floor residential façade facing a street shall have at least 15 percent glazing. Non-residential portions of buildings shall have a minimum of 50 percent and a maximum of 80 percent glazing located between 3 feet and 8 feet above sidewalk grade for façades fronting a street except where a garden wall is used along a side street. 	<ol style="list-style-type: none"> Windows less than 100 feet in length, measured horizontally, shall have at least one color, texture or material change along all walls facing a public street. Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3 percent of the length of the façade and extending at least 20 percent of the length of the façade. No uninterrupted length of any façade shall exceed 100 horizontal feet. Building façades shall include a pattern that shall include no less than three of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically: <ul style="list-style-type: none"> Color change Texture change Material module change Architectural feature, such as an offset, projection, or reveal with at least 36 inches in depth. 		
h. Building articulation/modulation	<ol style="list-style-type: none"> Facades less than 100 feet in length, measured horizontally, shall have at least one color, texture or material change along all walls facing a public street. Facades greater than 100 feet in length, measured horizontally, shall have a change in at least three of the following elements every 30 feet along all walls facing a public street: <ul style="list-style-type: none"> Color change; Texture change; Material change; or Architectural feature, such as an offset, projection, or reveal with at least 12 inches in depth. 	<ol style="list-style-type: none"> Facades less than 100 feet in length, measured horizontally, shall have at least one color, texture or material change along all walls facing a public street. Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3 percent of the length of the façade and extending at least 20 percent of the length of the façade. No uninterrupted length of any façade shall exceed 100 horizontal feet. Building façades shall include a pattern that shall include no less than three of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically: <ul style="list-style-type: none"> Color change Texture change Material module change Architectural feature, such as an offset, projection, or reveal with at least 36 inches in depth. 		

TABLE 30-64B: BUILDING DESIGN STANDARDS (MU-1 DISTRICT)

Core Area Activity Center Standards		Edge Area Activity Center Standards	
Provision		Illustrations	
i. Rooflines	<ol style="list-style-type: none"> 1. Rooflines shall be varied in height, or at least once every 100 feet. Hips, gables, dormers or changes in parapet elevation may be used to provide relief in height. 2. Parapets with cornices, gable roofs, hip roofs or dormers shall be used to conceal flat roofs and rooftop mechanical equipment from public view. 	 <p>Hip roof</p>	 <p>Gable roof</p>
j. Parking structures	<ol style="list-style-type: none"> 1. Parking structures fronting a public street or public space shall be masked by a liner building a minimum of 30 feet deep. 2. The first 30 feet of depth of the liner building shall be occupied by office, residential or other non-parking commercial uses. 3. Liner buildings shall be at least 2 stories or 34 feet in height. 4. Liner buildings may be detached from or incorporated into parking structures. 5. When a liner building is not possible due to unusually shallow lot depth or unique topographical features, provide a planted patio space between the structure and the street. 6. The parking structure/liner buildings shall be designed to have similar façade treatments with respect to building materials and articulations to complement the architectural theme of the development. 	 <p>Parking structure behind liner buildings</p>	 <p>Parking structure with architectural features fronting a street</p>
		 <p>Liner building incorporated into parking structure</p>	 <p>Parking structure located internally on site</p>

080465

(c) **Permitted uses.** The uses established in Table 30-64C are authorized to be established in the MU-1 district subject to the conditions established in this code.

- (1) *Specific Conditions for Residential Uses.* If MU-1 zoning abouts a single-family residential zoning district, then the density of the residential portion of the mixed-use development is limited to that allowed by the RMF-6 residential district in the area within 100 feet of the property line, plus the required buffers for that single-family residential zoning district. In addition, multi-family development shall comply with all regulations in the RMF-6 district and the requirements of section 30-56.
- (2) *Specific Conditions for Single-Family Compound Uses.* Twenty-five percent of the total floor area up to 1,000 square feet may be used for commercial or office uses. Such uses require a minimum lot size of 6,000 square feet and a lot width of 70 feet when located in a structure originally designed for single family residential use, and shall have direct or shared access to a collector or arterial roadway.
- (3) *Mixed Uses.* A mix of residential and non-residential uses is encouraged, but is not required in the MU-1 district.
- (4) *Neighborhood Shopping Center Locations.* When established, neighborhood shopping centers shall be located within one-fourth mile of intersections of two or more arterials or intersections of arterials and collectors, as shown on the map entitled Functional Classification of Streets, in the transportation mobility element of the city's comprehensive plan. These uses shall have direct or shared access to an arterial. For purposes of the MU-1 district, non-residential developments of more than 30,000 square feet of gross leasable floor area are considered neighborhood shopping centers.

TABLE 30-64C: USES AUTHORIZED IN THE MU-1 DISTRICT

SIC	Uses	Conditions
	Any accessory uses customarily and clearly incidental to any permitted principal use	
	Bed and breakfast establishments	In accordance with Article VI
	Community residential homes with 14 or fewer residents	When part of a permitted single-family or multifamily residential component and in accordance with Article VI
	Community residential homes with more than 14 residents	In accordance with Article VI
	Compound uses	
	Eating places	
	Family child care homes	When part of a permitted single-family or multifamily residential component and in accordance with state law
	Large family child care homes	In accordance with Article VI
	Itinerant food vendor	In accordance with chapter 19, Article IV
	Outdoor cafes	As defined in Article II and in accordance with Article VI
	Personal fitting and sales of prosthetic or orthopedic appliances	
	Places of religious assembly	In accordance with Article VI
	Public service vehicles	As defined and in accordance with Article VI
	Repair services for household needs	As defined in Article II

SIC	Uses	Conditions
	Residential (8 to 30 dwelling units per acre)	In accordance with the requirements of the RMF-6, RMF-7 or RMF-8 zoning districts and the additional requirements of this section, and the requirements of section 30-56
	Residential use buffer	
	Neighborhood convenience center	
	Neighborhood shopping center	
	Specialty T-shirt production	
GN-074	Veterinary services	Only within enclosed buildings and in accordance with Article VI
IN-0752	Animal specialty services, except veterinary	Only within enclosed buildings
GN-078	Landscape and horticultural services	
MG-15	Building construction - General contractors and operative builders	
GN-171	Plumbing, heating and air conditioning	
GN-172	Painting and paper hangers	
GN-173	Electrical work	
MG-27	Printing, publishing and allied industries	
MG-43	U.S. Postal Service	
GN-472	Arrangement of passenger transportation	Offices only, with no operation of passenger tours from the site
GN-481	Telephone communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with Article VI, excluding cellular telephone services
GN-482	Teletype and other message communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with Article VI
GN-483	Radio and television broadcasting stations	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with Article VI
GN-523	Paint, glass and wallpaper stores	
GN-525	Hardware stores	
GN-526	Retail nurseries, lawn and garden supply stores	
MG-53	General merchandise stores	
MG-54	Food stores	Accessory gasoline and alternative fuel pumps in accordance with Article VI, and by special use permit in neighborhood convenience and shopping centers
GN-553	Auto and home supply stores	Excluding garage and installation facilities
GN-554	Gasoline service stations including the sale of alternative fuels for automobiles	In accordance with Article VI and by special use permit in neighborhood convenience and shopping centers
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishings and equipment stores	
MG-59	Miscellaneous retail	Excluding direct selling establishments (IN-5963); fuel dealers (IN-5983); including liquor stores (IN-5921) limited to 2,000 square feet and excluding on-site consumption when located in neighborhood convenience and shopping centers, inside storage, display and sales only for all uses
Div. H	Finance, insurance and real estate	Excluding cemetery subdividers and developers (IN-6553)
MG-72	Personal services	Including funeral services and crematories in accordance with Article VI and excluding linen supply (IN-7213), industrial laundries (IN-7218), and diaper services in neighborhood convenience and shopping centers

080465D

STC	Uses	Conditions
MG-73	Business services	Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment rental and leasing (IN-7353), and equipment rental and leasing, not elsewhere classified (IN-7359)
GN-752	Automobile parking	
MG-76	Miscellaneous repair services	Excluding miscellaneous repair shops and related services (GN-769) and including repair services for household needs as defined in this chapter
MG-78	Motion pictures	Excluding drive-in theaters (IN-7833) and outdoor filming facilities
MG-79	Amusement and recreation services	Only within enclosed structures, and excluding go-cart rental and racetrack operations and also racetrack operations and also excluding commercial sports (GN-794)
MG-80	Health services	Including nursing and intermediate care facilities in accordance with Article VI when applicable, and excluding rehabilitation centers and hospitals (GN-806)
MG-81	Legal services	
MG-82	Educational services	Including private schools in accordance with Article VI
MG-83	Social services	Including day care centers as defined in this chapter and in accordance with Article VI, excluding residential care (GN-836), rehabilitation centers, halfway houses, social service homes, and residences for destitute people as defined in this chapter
GN-841	Museums and art galleries	
MG-86	Membership organizations	
MG-87	Engineering, accounting, research management and related services	Excluding testing laboratories (IN-8734) and facilities support
MG-89	Services, not elsewhere classified	Management services (IN-8744)
Div. J	Public administration	
Uses by Special Permit:	Accessory gasoline and alternative fuel pumps	In accordance with Article VI in neighborhood convenience and shopping centers
	Accessory transmission, retransmission and microwave towers over 100 feet in height	In accordance with Article VI
	Alcoholic beverage establishments	In accordance with Article VI
	Limited automotive services	In accordance with Article VI
	Other uses (including light assembly or packaging)	Within completely enclosed structures; no outdoor storage, truck traffic limited to that normal to commercial activities such as grocery stores, loading docks and mechanical equipment must be screened, and sound attenuation shall be provided to any adjacent residential area or area in actual residential use; no access to any residential street, must meet county hazardous materials management code
	Rehabilitation centers	In accordance with Article VI
	Residences for destitute people	In accordance with Article VI
	Social service homes	In accordance with Article VI
GN-598	Fuel dealers	
GN-701	Hotels and motels	Except in neighborhood convenience and shopping centers
GN-702	Roominghouses and boardinghouses	In accordance with Article VI

(d) **General Requirements.** All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and Article IX.

SEC. 30-65. MIXED USE MEDIUM INTENSITY DISTRICT (MU-2)

(a) **Purpose and Objectives.** The mixed-use medium intensity district may apply in core, transition and edge area activity centers. It is intended to support a mix of employment, retail, professional, service and residential uses in community and regional shopping centers. The District:

- (1) Permits a compatible mix of commercial, office, professional and consumer services, places of religious assembly and residential uses that benefit from being located near each other.
- (2) Coordinates the locations of shopping centers with the population and land use needs of adjoining residential areas as well as the larger community. It is intended that shopping centers have only minimally overlapping market areas.
- (3) Encourages large, mixed-use developments to locate on land that is physically capable of supporting the proposed development.
- (4) Ensures that new development within the district is integrated with existing development and is designed to promote pedestrian and nonautomotive access within the district and from surrounding residential areas.
- (5) Minimizes traffic congestion by:
 - a. Reducing the length and number of vehicular trips by providing for basic needs near residential areas, encouraging pedestrian access, and combining trips;
 - b. Requiring that shopping centers and/or mixed-use developments be located on appropriate major collector and arterial roadways, as defined in the comprehensive plan;
 - c. Minimizing the number and regulating the location of driveway connections;
 - d. Encouraging pedestrian and nonautomotive access;
 - e. Promoting pedestrian activity along streets in core and transition areas; and
 - f. Providing safe and convenient access for transit users, bicyclists and pedestrians in all areas.
- (6) Ensures, through development plan approval, that non-residential and mixed-use developments are designed to promote the most efficient use of the land, and that they coordinate the internal activities of the site, and establish a harmonious relationship between the developments and their environment.
- (7) Establishes appropriate buffering or screening around non-residential and/or mixed-use development that abuts any property zoned for residential use or shown as residential on the future land use map.
- (8) Coordinates the location, scale and design of mixed-use developments with the character and density of the areas to be served.
- (9) Integrates all outparcel development through landscaping; shared parking, traffic/pedestrian access management and circulation; and stormwater management.

080465 D

- (10) Allows the market some flexibility in establishing new non-residential and mixed-use development in proximity to urban density residential development on land that is physically capable of supporting the particular type of development.
- (11) Facilitates the transition of development from a edge area to core area character.
 - (b) **Approval Process.**
 - (1) Core area projects that are developed in accordance with the core area site and building design standards of this district that do not satisfy the rapid review or minor review criteria in section 30-159 of this code shall be reviewed using the minor review II process and shall not require city plan board or development review board approval. If the applicant requests a modification of a plan board or development review board approval, the application shall be processed in accordance with all standards of section 30-159. If the project encompasses 100 or more dwelling units or more than 50,000 square feet of additional gross leasable floor area, the application shall be processed in accordance with all standards of section 30-159.
 - (2) Transition area projects that are developed in accordance with the core area site and building design standards of this district that do not satisfy the rapid review or minor review criteria in section 30-159 of this code shall be reviewed using the minor review II process and shall not require city plan board or development review board approval. If the project encompasses 100 or more dwelling units or more than 50,000 square feet of additional gross leasable floor area, the application shall be processed in accordance with all standards of section 30-159. If the applicant proposes to use any of the building or site design criteria for edge areas, the application shall require approval of a special use permit in accordance with Article VII, Division 5 of this LDC. In addition to the criteria established in section 30-233, prior to approving a special use permit, the city plan board shall find that the deviation from the core area standards will not be detrimental to the mobility of pedestrians, bicyclists or transit users.
 - (3) Edge area projects that are developed in accordance with the edge area site and building design standards of this district that do not satisfy the rapid review or minor review criteria in section 30-159 of this code shall be reviewed using the minor review II process and shall not require city plan board or development review board approval. Core area standards may be approved for developments in edge areas by the city plan board or development review board. If the applicant requests a modification of a standard or the project encompasses 100 or more dwelling units or more than 50,000 square feet of additional gross leasable floor area, the application shall be processed in accordance with all standards of section 30-159.
- (c) **Site and Building Design Standards.** Development shall comply with the site and building design standards established in Tables 30-64A and 30-64B, for the MU-1 district except as follows:
 - (1) All standards applicable to neighborhood shopping centers shall apply to community and regional shopping centers.
 - (2) **Front Setbacks.** For projects located in edge areas, there is no maximum front building setback for the principal structure. Buildings that are set back more than 80 feet from abutting roads on the front or side of the principal structure must comply with the following conditions:
 - a. The project shall provide for buildings that span at least 30 percent of the length of the frontage that meet MU-1 edge area setback requirements and either face the road, face an entry drive or back up to a garden wall.
 - b. Regardless of which side of the building is oriented to the road, that side shall comply with

- standards for building material, articulation, and rooflines.
- c. Where no garden wall is provided, the building wall facing the street shall also meet minimum glazing requirements.
- (3) **Side and Rear Setbacks.**
 - a. For projects encompassing less than 50,000 square feet of gross leasable floor area, which are adjacent to one or more residential districts or land that is shown on the future land use map of the comprehensive plan for residential use, the side and rear setback shall be the greater of 25 feet or the distance created by a 45-degree angle of light obstruction.
 - b. For projects encompassing 50,000 to 100,000 square feet of gross leasable floor area, which are adjacent to one or more residential districts or land that is shown on the future land use map of the comprehensive plan for residential use, the side and rear setback shall be the greater of 100 feet or the distance created by a 45-degree angle of light obstruction.
 - c. Internal to the district. Where there are separate residential uses and non-residential uses within the MU-2 district, such uses shall have an angle of light obstruction for all principal and accessory structures of at least 60 degrees.
- (4) **Building Height.**
 - a. Subject to the side and rear setback requirements, maximum building height shall be 5 stories unless otherwise authorized pursuant to a specific area plan or special use permit.
 - b. Minimum building height for core area development shall be 2 stories or 30 feet for corner lots and 25 feet for interior lots.
 - c. Minimum building height for structures larger than 50,000 square feet of gross leasable floor area shall be 25 feet.
- (5) Building coverage shall not exceed 50 percent for single-use projects or 75 percent for mixed-use projects that include residential uses.
- (6) Maximum floor areas per project or business established in the MU-1 district do not apply within the MU-2 district, subject to requirements for large projects established in Section 30-68.
- (7) Maximum ground floor area per business in a core area shall not exceed 75,000 square feet of gross leasable floor area.
- (8) **Connectivity Standards.** Maximum block perimeters shall not exceed the standards shall comply with the standards of Table 30-65A unless the approving body finds that compliance is prohibited by an environmental feature, railroad or limited access highway. Block perimeter shall be determined by measuring block areas encompassed by public right-of-way or private road that serves the function of a public right-of-way.
- (9) **Customer Entries.** Customer entries shall be provided at least every 250 feet along the building front. In core and transition areas, at least one entry shall be provided along each street or at each corner of the building facing an intersection. Customer entries shall be clearly visible and accompanied by a combination of changes in building relief, building color, awnings or entry coverings, changes in rooflines, building materials or other architectural features designed to increase the entry's visibility.
- (10) **Outdoor Storage, Trash Collection and Loading Areas.** The following standards are intended to reduce the impacts of outdoor storage, loading and operations areas on adjacent land uses.

080465

- a. Areas for truck parking and loading shall be screened by a combination of structures and evergreen landscaping to minimize visibility from adjacent streets and residential districts.
- b. Outdoor storage, trash collection and/or compaction, loading or similar uses shall be located in the rear of the lot. If because of lot configuration the development review board determines that this placement is not feasible, then the side yard may be used. These uses are not permitted within 20 feet of any public street, public sidewalk or on-site pedestrian way.
- c. Outdoor storage, HVAC equipment, trash collection, trash compaction and other service functions shall be incorporated into the overall site design. Views of these areas shall be screened from visibility from all property lines and separated from sidewalks and on-site pedestrian ways. Screening structures shall be made of the same materials as the principal structure;
- d. Areas for the storage and sale of seasonal merchandise shall be permanently defined and screened with walls and/or fences. Materials, colors and design of screening walls and/or fences shall conform to those used as in the principal structure. If these areas are to be covered, then the covering shall conform to the colors on the building.
- e. Outdoor display and storage shall not encroach on any portion of a walkway, drive aisles or required parking spaces. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 30 feet of any internal pedestrian way.

080465 D

TABLE 30-65A: MAXIMUM BLOCK PERIMETER FOR MU-2 DISTRICT

Area	Maximum Block Perimeter	Maximum Block or Building Length Without a Pedestrian Cross Connection
Core and Transition Area	2,000 feet	500 feet
Edge Area	3,000 feet	800 feet

(d) **Location.** Non-residential development shall be located at intersections of arterials or arterials and collectors, as shown in the comprehensive plan.

(e) **Permitted Uses.** The uses established in Table 30-65B are authorized to be established in the MU-2 district subject to the conditions established in this code.

(1) **Mixed-Uses Encouraged.** A mix of residential and non-residential uses is encouraged, but not required, in any non-residential project encompassing less than 150,000 square feet of gross leasable floor area located within a core, transition or edge area.

(2) **Mixed-Uses Required.**

a. For non-residential projects in an edge area that encompass 150,000 square feet or more of gross leasable floor area, there shall be a residential component or an approved master plan for the establishment of residential and non-residential components. Master plans shall be processed through the major review process established in section 30-159, but subject to the submittal requirements and approval criteria established in section 30-167.

b. The residential component shall comprise at least 10 percent of the project's total floor area.

c. If the project is located within 1,200 feet of a residential project and the density of the project is 6 dwelling units per acre or more and there is direct pedestrian access between the projects, then the off-site residential density may be counted towards the residential component. Direct pedestrian access includes sidewalks, paths and crosswalks.

d. An existing non-residential project of 150,000 square feet or more of gross leasable floor area that does not include the residential component required by this subsection (e), is considered a non-conforming use subject to section 30-346.

(3) **Where Abutting a Single Family Residential District.** If MU-2 zoning abuts a single-family residential zoning district, then the residential portion of the mixed-use development is limited to the uses and densities of the RMF-7 district in the area within 100 feet of the property line, plus the required buffers for the single-family residential zoning district. In addition, the multi-family development shall comply with all the regulations in the RMF-7 district and the requirements of section 30-56.

TABLE 30-65B: USES AUTHORIZED IN MU-2 DISTRICTS

SIC	Uses	Conditions
	Uses by right:	
	Any accessory uses customarily and clearly incidental to any permitted principal use	
	Bed and breakfast establishments	In accordance with Article VI
	Community residential homes with 14 or fewer residents	In accordance with Article VI
	Compound uses	
	Eating places	
	Itinerant food vendor	In accordance with Chapter 19, Article IV
	Outdoor cafes	As defined in Article II and in accordance with Article VI
	Personal fitting and sales of prosthetic or orthopedic appliances	
	Places of religious assembly	In accordance with Article VI
	Public service vehicles	As defined and in accordance with Article VI
	Repair services for household needs	As defined in Article II
	Residential uses (12 to 30 dwelling units per acre)	Residential development shall conform to the requirements of the RMF-7 or RMF-8 zoning districts, the requirements of section 30-56, and the additional requirements of this section
	Specialty T-shirt production	
GN-071	Veterinary services	Only within enclosed buildings and in accordance with Article VI
IN-0752	Animal specialty services, except veterinary	Only within enclosed buildings
GN-078	Landscape and horticultural services	
MG-15	Building construction - General contractors and operative builders	
GN-171	Plumbing, heating and air conditioning	
GN-172	Painting and paper hangers	
GN-173	Electrical work	
MG-27	Printing, publishing and allied industries	
MG-43	U.S. Postal Service	
GN-472	Arrangement of passenger transportation	Offices only, with no operation of passenger tours from the site
GN-481	Telephone communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with Article VI, excluding cellular telephone services
GN-482	Telegraph and other message communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with Article VI
GN-483	Radio and television broadcasting stations	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with Article VI
GN-484	Cable and other pay television services	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with Article VI
GN-523	Paint, glass and wallpaper stores	
GN-525	Hardware stores	
GN-526	Retail nurseries, lawn and garden supply stores	
MG-53	General merchandise stores	
MG-54	Food stores	Accessory gasoline and alternative fuel pumps in accordance with Article VI

080465 D

SIC	Uses	Conditions
Uses by right:		
GN-553	Auto and home supply stores	Garage and installation facilities, in accordance with the provisions for limited automotive services in Article VI
GN-554	Gasoline service stations including the sales of alternative fuels for automobiles	In accordance with Article VI
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishings and equipment stores	
MG-59	Miscellaneous retail	Excluding fuel dealers (IN-5983)
Div. H	Finance, insurance and real estate	Excluding cemetery subdivisions and developers (IN-5533)
MG-72	Personal services	Including funeral services and crematories, in accordance with Article VI
MG-73	Business services	Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment rental and leasing (IN-7353), and equipment rental and leasing, not elsewhere classified (IN-7359)
GN-752	Automobile parking	
MG-76	Miscellaneous repair services	Excluding miscellaneous repair shops and related services (GN-769) and including repair services for household needs as defined in this chapter
MG-78	Motion pictures	Excluding drive-in theaters (IN-7833) and outdoor filming facilities
MG-79	Amusement and recreation services	Only within enclosed structures, and excluding go-cart rental and raceway operations and excluding commercial sports (GN-794)
MG-80	Health services	Excluding hospitals (GN-806) and including nursing and personal care facilities (GN-805) in accordance with Article VI, and excluding rehabilitation centers
MG-81	Legal services	
MG-82	Educational services	Including private schools, in accordance with Article VI
MG-83	Social services	Including day care centers as defined in this chapter and in accordance with Article VI, excluding rehabilitation centers, halfway houses, social service homes, and residences for destitute people as defined in this chapter
GN-841	Museums and art galleries	
MG-86	Membership organizations	
MG-87	Engineering, accounting, research management and related services	Excluding testing laboratories (IN-8734) and facilities support management services (IN-8744)
MG-89	Services, not elsewhere classified	
Div. J	Public administration	
Uses by Special Permit:		
	Accessory transmission, rettransmission and microwave towers over 100 feet in height	In accordance with Article VI
	Alcoholic beverage establishments	In accordance with Article VI
	Limited automotive services	In accordance with Article VI
	Other uses (including light assembly or packaging)	Within completely enclosed structures; no outdoor storage, truck traffic limited to that normal to commercial activities such as grocery stores, loading docks and mechanical equipment must be screened, and sound attenuation shall be provided to any adjacent residential area or area in actual residential use; no access to any residential street; must meet industrial buffers. Storage of hazardous materials in accordance with the county hazardous materials management code.
	Recycling centers	In accordance with Article VI
	Rehabilitation centers	In accordance with Article VI

SIC	Uses	Conditions
Uses by right:		
GN-598	Residences for destitute people	In accordance with Article VI
	Social service homes	In accordance with Article VI
GN-598	Fuel dealers	
GN-701	Hotels and motels	
GN-702	Rooming houses and boardinghouses	In accordance with Article VI
MG-79	Amusement and recreation services when outside enclosed structures	In compliance with noise ordinance

(f) **General requirements.** All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and Article IX.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3918, § 5, 11-15-93; Ord. No. 3963, § 6, 3-14-94; Ord. No. 4075, § 8, 5-8-95; Ord. No. 950364, § 1, 8-28-95; Ord. No. 950862, § 6, 11-13-95; Ord. No. 951420, § 5, 7-8-96; Ord. No. 960773, § 4, 11-9-98; Ord. No. 990299, § 4, 10-25-99; Ord. No. 992469, §§ 7-9, 3-17-03; Ord. No. 020590, § 3, 4-14-03; Ord. No. 070619, § 5, 3-24-08)

SEC. 30-67. GENERAL PROVISIONS FOR BUSINESS AND MIXED USE DISTRICTS

(a) **Shopping Centers in Business Zones.** Any retail or mixed use project within any district, except CCD, that consists of 50,000 to 100,000 square feet of gross floor area, shall comply with the site and building design standards for the MU-1 district established in section 30-64 (c), except that individual retail buildings that encompass more than 100,000 square feet of gross leasable floor area shall comply with the standards established in Section 30-68. Minimum parking requirements for these developments shall be based on either the required parking for the particular use(s) or the requirements as set forth for the shopping centers, whichever is less.

SEC. 30-68. LARGE-SCALE RETAIL DEVELOPMENT

- (a) Applicability.
- (1) Large-scale retail development, shall comply with applicable district standards, the site and building design standards and additional project development requirements established in this section.
 - (2) Large-scale retail development includes retail business with 100,000 square feet or more of gross leasable area on the ground floor located within a BA, BUS, BT or PD zoning district.
 - (3) If located within a PD district, the large-scale retail development shall be part of a mixed use project that meets all the PD objectives and requirements of Sec. 30-211 and 30-213.

(b) **Site and Building Design Standards.** Development of large scale retail development shall comply with the site and building design standards established in Tables 30-64A and 30-64B, for the MU-1 district except as provided in this Section 30-68:

- (1) All standards applicable to neighborhood shopping centers shall apply to community and regional shopping centers.
- (2) **Front Setbacks.** For projects located in edge areas, there is no maximum front building setback

0804657

for the principal structure. Buildings that are set back more than 80 feet from abutting roads on the front or side of the principal structure must comply with the following conditions:

- a. The project shall provide for buildings that span at least 30 percent of the length of the frontage that meet MU-1 edge area setback requirements and either face the road, face an entry drive or back up to a garden wall.
- b. Regardless of which side of the building is oriented to the road, that side shall comply with standards for building material, articulation, and rooflines.
- c. Where no garden wall is provided, the building wall facing the street shall also meet minimum glazing requirements.

(3) Side and Rear Setbacks.

- a. Side and rear setback shall be the greater of 100 feet or the distance created by a 45-degree angle of light obstruction.
- b. Internal to the district. Where there are separate residential uses and non-residential uses within a project with a large scale retail development, such uses shall have an angle of light obstruction for all principal and accessory structures of at least 60 degrees.

(4) Building Height.

- a. Subject to the side and rear setback requirements, maximum building height shall be 5 stories unless otherwise authorized pursuant to a specific area plan or special use permit.
- b. Minimum building height for core area development shall be 2 stories or 30 feet for corner lots and 25 feet for interior lots.
- c. Minimum building height for edge areas shall be 25 feet.

(5) Building coverage shall not exceed 50 percent for single-use projects or 75 percent for mixed-use projects that include residential uses.

(6) Maximum floor areas per project or business established in the MU-1 district do not apply to large scale retail development.

(7) Maximum ground floor area per business in a core area shall not exceed 75,000 square feet of gross leasable floor area.

(8) Connectivity Standards. Maximum block perimeters shall not exceed the standards shall comply with the standards of Table 30-65A unless the approving body finds that compliance is prohibited by an environmental feature, railroad or limited access highway. Block perimeter shall be determined by measuring block areas encompassed by public right-of-way or private road that serves the function of a public right-of-way.

(c) Community Spaces Required.

- (1) A minimum of 500 square feet of community space per acre of land must be provided.
- (2) Where community space is required, it may be in the form of libraries, museums, community centers, amphitheaters, public squares, parks, landscaped plazas, courtyards or similar elements.
- (3) Community space shall be linked to the retail use and project perimeter via sidewalks and pedestrian connections.

(d) **Maintenance.** The ultimate owner of the community space shall be responsible for raising all monies required for operations, maintenance, or physical improvements to the community space through annual dues, special assessments, or other arrangements approved by the City. A copy of binding covenants or other arrangement providing for ongoing maintenance shall be recorded and a copy shall be provided to the City. In the event that the association or any successor organization shall, at any time after establishment of a development containing community space, fail to maintain the community space in reasonable order and condition in accordance with the development plan, the City may serve written notice upon the owner of record, setting forth the manner in which the owner of record has failed to maintain the community space in reasonable condition. Failure to adequately maintain community space in reasonable order and condition constitutes a violation of this code. The City is hereby authorized to give notice, by personal service or by United States mail, to the owner or occupant, as the case may be, of any violation, directing the owner to remedy the same within twenty (20) days.

(e) **Entries.** Customer entries shall be provided at least every 250 feet along the building front. In core and transition areas, at least one entry shall be provided along each street or at each corner of the building facing an intersection. Customer entries shall be clearly visible and accompanied by a combination of changes in building relief, building color, awnings or entry coverings, changes in rooflines, building materials or other architectural features designed to increase the entry's visibility.

(f) **Outdoor Storage, Trash Collection and Loading Areas.** The following standards are intended to reduce the impacts of outdoor storage, loading and operations areas on adjacent land uses.

- (1) Areas for truck parking and loading shall be screened by a combination of structures and evergreen landscaping to minimize visibility from adjacent streets and residential districts.
- (2) Outdoor storage, trash collection and/or compaction, loading or similar uses shall be located in the rear of the lot. If because of lot configuration the development review board determines that this placement is not feasible, then the side yard may be used. These uses are not permitted within 20 feet of any public street, public sidewalk or on-site pedestrian way.
- (3) Outdoor storage, HVAC equipment, trash collection, trash compaction and other service functions shall be incorporated into the overall site design. Views of these areas shall be screened from visibility from all property lines and separated from sidewalks and on-site pedestrian ways. Screening structures shall be made of the same materials as the principal structure;
- (4) Areas for the storage and sale of seasonal merchandise shall be permanently defined and screened with walls and/or fences. Materials, colors and design of screening walls and/or fences shall conform to those used as in the principal structure. If these areas are to be covered, then the covering shall conform to the colors on the building.
- (5) Outdoor display and storage shall not encroach on any portion of a walkway, drive aisles or required parking spaces. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 30 feet of any internal pedestrian way.

(g) **Transit Facilities.** An off-street transit stop, approved by the applicable transit provider, shall be established within 300 feet of the principle entry with a direct walkway connecting to the internal pedestrian circulation system, including street sidewalks and building entries.

(h) Market Study Required.

- (1) Contents. The applicant for a large scale building with a single retail business encompassing 100,000 square feet or more of gross leasable floor space shall prepare a market study providing

0804657

the following information:

- a. Gross leasable floor area of retail space proposed;
- b. Types of retail goods to be sold (e.g., food, clothing, large appliances, small appliances, etc.);
- c. Projected retail sales of each type of good in the first and fifth year of operations;
- d. Market area of sales;
- e. Existing market volume for each type of good in the market area;
- f. Needs analysis showing the projected market volume for each type of good to be offered by the project in the project's market area for five years from the date of application;
- g. Impact on existing retail establishments in terms of loss of retail sales, loss of employment or square feet of retail establishments to be vacated;
- h. Anticipated sales tax to be generated;
- i. Net sales tax revenue increase for the City resulting from the development in the first and fifth year of operations;
- j. Projected employment of the proposed development in the first and fifth year of operations;
- k. Net employment resulting from new jobs created within the proposed development and the loss of existing jobs within the City;
- l. Average wage rate anticipated by employees within the development; and
- m. Factors and proposed measures to mitigate projected loss of jobs, decline in wage rates, loss of revenues and/or abandonment of existing retail buildings.

(2)

Review and Action. The applicable review body shall review the market study for completeness, projected impacts of the development and the effectiveness of proposed mitigation measures in preventing the following:

- a. Net loss of employment;
- b. Decreases in prevailing wage rates;
- c. Loss of sales tax revenues; and
- d. Blight by abandonment.

(i) *Sustained Occupancy Required.* As may be required by the city, all large scale retail development as defined herein, shall obtain, provide evidence to the city, and carry in full force and effect throughout the duration of the life of the project, or time period as may be stipulated by a development agreement, a letter of credit, approved as to form by the city attorney, providing for demolition of the primary building or buildings as identified by the city. Said performance/surety bond shall provide funds to cover the cost of complete building demolition and maintenance of the vacant building site if the primary building is ever vacated or abandoned, and remains vacant or abandoned for a period of more than eighteen (18) consecutive months following primary business closure.

(ii) *Approval.* The Development Review Board may approve, approve with conditions or deny the application for approval of a large scale retail development project based on the following criteria:

- (1) The project complies with applicable district standards and the standards established in this section;
- (2) The project is consistent with the comprehensive plan;
- (3) Within five (5) years:
 - a. The project will result in a net increase in employment; and
 - b. There will be sufficient demand for the retail space and existing retail development in the project's market area; and
- (4) Adequate provisions are made for the continued use of the project.

SEC. 30-61(C) BUS DISTRICT PERMITTED USES

- 1. Development Review Board approval shall be required for any retail structure encompassing 100,000 square feet or more of gross leasable floor area.

SEC. 30-62(C) BA DISTRICT PERMITTED USES

- 1. Development Review Board approval shall be required for any retail structure encompassing 100,000 square feet or more of gross leasable floor area.

SEC. 30-63(C) BT DISTRICT PERMITTED USES

- 1. Development Review Board approval shall be required for any retail structure encompassing 100,000 square feet or more of gross leasable floor area.

SEC. 30-67.1(C) BI DISTRICT PERMITTED USES

- 1. Development Review Board approval shall be required for any retail structure encompassing 100,000 square feet or more of gross leasable floor area.

SEC. 30-167 MASTER PLAN PURPOSE SUBMITTAL AND APPROVAL REQUIREMENTS, AND EFFECT

(a) *Purpose.* A master plan is intended to provide a conceptual plan for the future urbanization of large scale developments within mixed-use activity centers, showing the manner in which a project will achieve a mix of residential and non-residential land uses that are consistent with the City's future land use and urban design policies.

(b) *Master Plan Submittal Requirements.* Master plan applications shall include the following information:

- (1) Existing conditions map. This map or series of maps shall be drawn to a scale acceptable to the city manager or designee, but in no instance to a scale smaller than one inch equals 100 feet unless the proposed master plan area is over 100 acres in size, and shall include:

080465 D

- a. Title of the proposed master plan area and name(s) of the applicant(s);
 - b. Scale, date, north arrow and general location map showing the boundaries of the master plan area, section lines within the master plan area and the nearest ones without, and the existing property lines for both public and private property within the master plan area and for 300 feet surrounding it;
 - c. Within the site and the 300-foot area surrounding it, the location and names of all existing streets; the location and use of all existing principal buildings and existing recreation or open space areas; the location and size of all existing drainage, water, sewer, electrical and other utilities facilities, including fire hydrants; and all existing easements, surface waters and wetlands, bridges, wooded areas, sinkholes and other physical conditions affecting the area;
 - d. Existing topography at one inch equals 100 feet with 2-foot contour lines and a slope category analysis for areas of more than ten-percent slope; however, a different scale may be used if the proposed master plan area is over 100 acres in size;
 - e. Generalized soil types in the project area and surrounding area;
 - f. A general map or aerial showing existing and proposed vegetation. The degree of detail is dependent on the master plan area request and the information necessary to render a decision. In presenting the information, include the approximate size and location of major tree groupings, and regulated trees as defined in section 30-254. Aerial and on-site photographs may be used to show vegetation; and
 - g. The location of all other existing public facilities that would serve the site, such as schools, parks, fire stations, transit stops, activity centers, greenways, civic uses and the like.
- (2) Master plan maps. Such map or maps shall be drawn and submitted at a scale acceptable to the city plan board, but not smaller than one inch equals 100 feet, unless the proposed master plan area is over 100 acres in size, and shall include:
- a. The proposed land use relationships, including the boundaries of each use area, and the uses to be permitted therein;
 - b. The proposed vehicle, bicycle, pedestrian and transit circulation system, including the general locations and widths of rights-of-way;
 - c. Residential and non-residential uses, and, generally, the size, location, distance from one another and height of all proposed buildings and other structures;
 - d. The location and size of usable open space areas, plazas and recreation areas, with an indication for each whether it will be a common area or dedicated to public use; and
 - e. Drawings indicating the general architectural theme or appearance and representative building types.
- (3) Master plan report. The approved master plan report include (if applicable):
- a. A statement indicating the purpose and intent of the project and the applicant's opinion of how the proposed master plan area complies with the goals and policies of the city's comprehensive plan and future land use map;
 - b. Statistical information, including:
 - 1. Total acreage of the site;

- 2. Maximum building coverage expressed as a percentage of the site area;
 - 3. Maximum impervious ground coverage expressed as a percent of the total site area; The maximum and minimum number of dwelling units and residential density in each residential use area;
 - 5. A listing of nonresidential land uses by type and size (gross floor area); and
 - 6. The maximum acreage of each use area;
- c. The areas of land devoted to publicly owned usable open space, publicly owned recreational areas, publicly owned plazas, common area usable open space, common area recreational areas and common area plazas, all expressed as percentages of the total site area;
 - d. Stormwater management concept plan, addressing stormwater runoff and water quality;
 - e. A statement indicating the design standards proposed to be utilized for all streets and off-street parking and loading facilities, public or private; and
 - f. A development schedule for the master plan area (or for each phase, if phasing is proposed). The development schedule shall not be binding, except as may be specifically required in the rezoning ordinance.

(c) **Requirements and evaluation of master plan.** The master plan report shall address each item in the subsections below. In considering a proposed master plan for approval, the city plan board shall evaluate the proposal in consideration of these criteria:

- (1) Conformance with the master plan objectives and the comprehensive plan. No development plan may be approved unless it is consistent with the objectives set forth in the city's comprehensive plan, future land use map and concurrency management system.
- (2) Concurrency. The proposed master plan must meet the level of service standards adopted in the comprehensive plan. Proof of meeting these standards shall exist in the form of a certificate of concurrency exemption, certificate of preliminary or final concurrency (as applicable at the particular review stage), or certificate of conditional concurrency reservation.
- (3) Internal compatibility. All land uses proposed within a master plan must be compatible with other proposed uses; that is, no use may have any undue adverse impact on any neighboring use, based on the streetscape, treatment of pedestrian ways and circulation, motor vehicle circulation, and the separation and buffering of parking areas and sections of parking areas; the existence or absence of, and the location of, focal points and vistas, open spaces, plazas, recreational areas and common areas, and use of existing and proposed landscaping; use of the topography, physical environment and other natural features; use and variety of building setback or build-to lines, separations and buffering; use and variety of building groupings, building sizes, architectural styles, and materials; variety and design of dwelling types; particular land uses proposed, and conditions and limitations thereon; and any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of any proposed use within the master plan.
- (4) External compatibility. All land uses proposed within a master plan must be compatible with existing and planned uses of properties surrounding the master plan; that is, no internal use may have any avoidable or undue adverse impact on any existing or planned surrounding use, nor shall any internal use be subject to undue adverse impact from existing or planned surrounding uses. An evaluation of compatibility of a master plan shall consider: adjacent

080465D

existing and proposed uses, design of the development, traffic circulation, and density and intensity.

(5) Intensity of development. The residential density and intensity of use in the master plan area shall be compatible with (that is, shall have no undue adverse impact upon) the physical and environmental characteristics of the site and surrounding lands, and they shall comply with the policies and density limitations set forth in the comprehensive plan. Within the maximum limitation of the comprehensive plan, the permitted residential density and intensity of use in a master plan area may be adjusted upward or downward in consideration of the following factors: the availability and location of public and utility services and facilities; the trip capture rate of development; and the degree of internal and external connectedness of streets.

(6) Usable open spaces, plazas and recreation areas. Usable open spaces, plazas and recreation areas provided within a master plan area shall be evaluated based on conformance with the policies of the comprehensive plan and the sufficiency of such areas to provide appropriate recreational opportunities, protect sensitive environmental areas, conserve areas of unique beauty or historical significance, enhance neighborhood design, and encourage compatible and cooperative relationships between adjoining land uses.

(7) Environmental constraints. The master plan area shall be suitable for use in the manner proposed without hazards to persons either on or off the site from the likelihood of increased flooding, erosion or other dangers, annoyances or inconveniences. Condition of soil, groundwater level, drainage and topography shall all be appropriate to the type, pattern and intensity of development intended. The conditions and requirements of article VIII, environmental management, including surface water, gateway, nature park, greenway, uplands, and wellfield overlay districts, must be met.

(8) External transportation access. A master plan shall be located on, and provide access to, a major street (arterial or collector) unless, due to the size of the master plan and the type of uses proposed, it will not adversely affect the type or amount of traffic on adjoining local streets. Access shall meet the standards set in article IX, additional development standards, and chapter 23, streets, sidewalks, and other public places. Connection to existing or planned adjacent streets is encouraged. The trip generation report shall be signed by a professional engineer registered in the state when there is a difference between the traffic report provided by the petitioner and the concurrency test.

(9) Internal transportation access. Every dwelling unit or other use permitted in a master plan shall have access to a public street either directly or by way of a private road, pedestrian way, court or other area which is either dedicated to public use or is a common area guaranteeing access. Permitted uses are not required to front on a dedicated public road. Private roads and other accessways shall be required to be constructed so as to ensure that they are safe and maintainable.

(10) Provision for the range of transportation choices. Sufficient off-street and on-street parking for bicycles and other vehicles, as well as cars, shall be provided. Parking areas shall be constructed in accordance with such standards as are approved by the city commission to ensure that they are safe and maintainable and that they allow for sufficient privacy for adjoining uses. When there is discretion as to the location of parking in the project, it is strongly encouraged that all motor vehicle parking be located at the rear or interior side of buildings, or both. The design of a master plan shall, whenever feasible, incorporate appropriate pedestrian, bicycle and transit accessways, so as to provide for a variety of mobility opportunities. Connection to all sidewalks,

greenways, trails, bikeways, and transit stops along the perimeter of the master plan is required. Where existing perimeter sidewalks do not exist, sidewalks shall be provided by the development.

(d) **Consistency Required.** Subsequent site plan approvals for development within an area subject to a master plan shall be consistent with the master plan.

SEC. 30-347.9 CRITERIA FOR MODIFICATION OF THE CORE AREA MAP

The application for amendment to the Core Area Map established in Appendix B of this land development code shall be processed as any other zoning map amendment petition under the procedures set forth in this land development code. In addition to satisfying the criteria established in section 30-347.3(b), the city plan board shall consider the following factors when determining whether to designate an area as core or transition:

- (a) The benefits of the change for the area;
- (b) The likely impacts of the changes to development patterns abutting neighborhoods;
- (c) Whether the area has or is planned for sufficient street, bike, pedestrian and transit connectivity to support urban development; and
- (d) The potential for provision of adequate transit services to the area.

