

## Proposed Mixed Use/Activity Centers/Large Scale Retail Land Development Code Changes

### Section 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 generally not appropriate for all the 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.

Garden Walls – A freestanding wall parallel to the property line dividing private areas from streets, alleys, and or adjacent lots that is part of a buffer or screen.

Large-Scale Retail – A retail business or building designed for a single retail business 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, subject to authorization by the City Manager or designee.

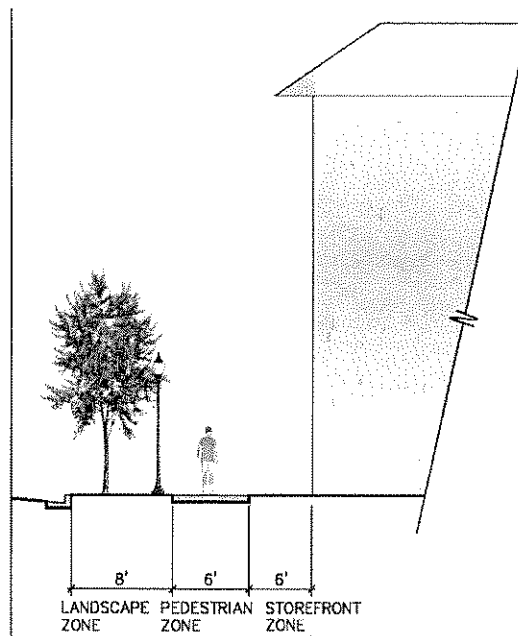
- Street trees/grates, planting strips, raised planters
- Street light standards
- ~~Street signs/pedestrian wayfinding signs~~
- Transit stops
- Postal/freight collection boxes
- Parking meters
- ~~Utility boxes/public phones/fire protection~~
- Seating (with/without tables)
- ~~Trash receptacles~~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

Mixed Use Development – Development that includes both a residential and non-residential component.

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 – Pedestrian walkway designed to adopted improvement standards that are 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 City Manager or designee.

- 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

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) Coordinates the location, scale and design of mixed-use developments with the character and density of the areas to be served.



- (10) Establishes appropriate design and use transitions from 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.
- (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 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 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 shall not require City Plan Board or Development Review Board approval. If the applicant requests a modification of a standard or the project encompasses 15 or more dwelling units or more than 25,000 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. Redevelopment of existing developed areas shall comply with the standards in this section when 51% or more of the existing development is removed or reconstructed or when 25 % of the building area adds new development. The entire site must be brought into compliance and or a regulating plan (this will have to be further defined) that shows how the proposed and future development will comply with this section will occur on site as a unified development. 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.
- (5) Projects that are not located in an activity center shall follow the rules for transition areas.

**(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/transition 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. 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
- f. 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.
- g. Edge area design standards are mandatory in all areas that are not designated core area. 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. Unless otherwise specified, photos and graphics in the table are purely for illustrative purposes and have no regulatory effect.

(3) *Building Design Standards.* Table 30-64B establishes building design standards for the MU-1 District. Unless otherwise specified, photos and graphics in the table are purely for illustrative purposes and have no regulatory effect.

**(4) Connectivity Standards.**

- a. 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 features, and or transportation facilities ~~railroad or limited access highway~~ and the project does not exceed 10 acres. Block perimeter shall be determined by measuring the total distance along the property lines abutting public rights-of-way or private roads or drives (private access drives that will have to be defined as a limited access facilities) that serve the function of a public right-of-way.

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

Area	Maximum Block Perimeter	Maximum Block or Building Length Without a
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Pedestrian Cross Connection		
Core and Transition Area	1,600 feet	400 feet
Edge Area	2,000 feet	600 feet

- b. A private drive may be used to define a block boundary within a project if public access is dedicated and it meets the design standards shown in Figure 30-64A. Where the
- c. ~~Development Review Board or the Planning Board~~ appropriate reviewing board approve the addition of head-in or parallel parking between the internal drive lanes and the landscape zone. Private drives shall comply with the core area streetscape standards established in Table 30-64A.
- d. Neither buildings nor blocks shall exceed the maximum lengths established in Table 30-64C unless a pedestrian cross connection is provided.

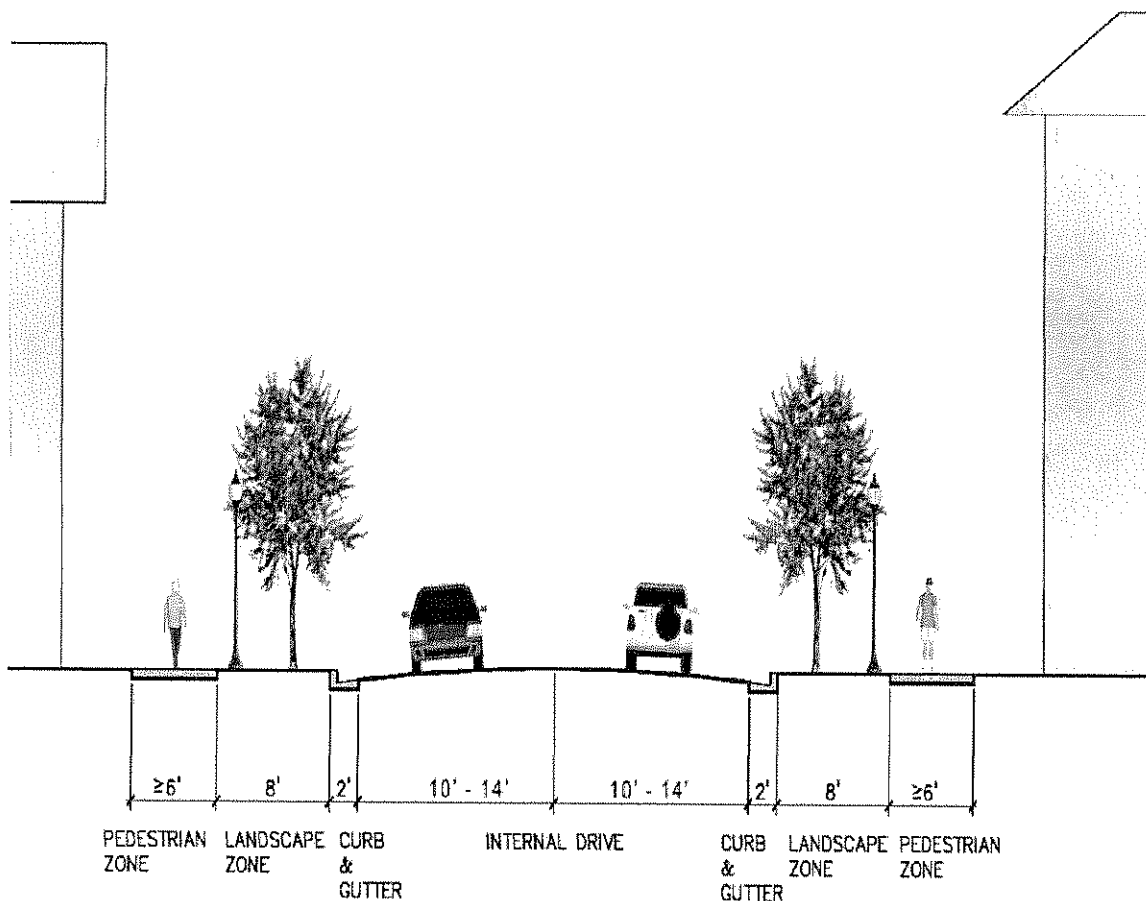


Table 30-64A Site Design Standards MU-1 District

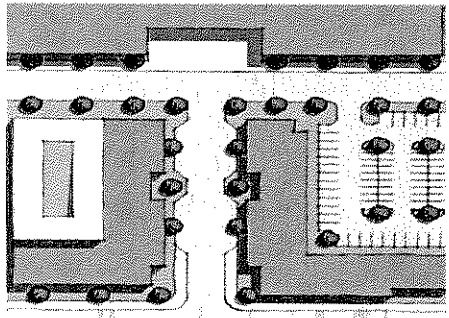
Provisions	Core/Transition Activity Center Standards	Edge Activity Center Standards
<p>a. <b>Setbacks, front and side street yards</b></p>	<ol style="list-style-type: none"> <li>1. <del>The build-to line up to 10 feet is 8 feet from an existing or planned sidewalk along a public street, private street or private drive, if at least 20 feet is provided between the back of the curb as determined by the City and the build to line or the edge of pavement and the build to line where no curb exists. (see streetscaping and landscaping requirements in paragraph e below)</del></li> <li>b. 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.</li> <li>c. Staff may approve an increase in build-to lines to provide for the healthy growth of existing live oak trees and to accommodate a streetscape (provision e. Streetscaping and landscaping).</li> <li>d. <u>The standards shall not result in structures being built in the public right-of-way. If the build-to dimensions result in a build-to line within the public right-of-way, the actual build to line shall be established at the property line adjacent to the public right-of-way.</u></li> </ol>	<ol style="list-style-type: none"> <li>1. Buildings shall comply with <u>edge</u> core area activity center standards except when the <del>Development Review Board or Planning</del> <u>the appropriate reviewing Board grant a Special Use Permit</u> an exception. and the following conditions are met:             <ol style="list-style-type: none"> <li>a. Buildings shall be set back a maximum of 80 feet from the front property line.</li> <li>b. The front setback must include landscape, pedestrian and storefront zones as defined herein, and may include parking if located on a street or private drive meeting district standards.</li> <li><del>c. The site fronts on a state highway or arterial street with a speed limit of 40 miles per hour or greater.</del></li> <li><del>d. The design of the parking will not create a safety hazard for pedestrians, drivers, bicyclists or transit users accessing or passing the project.</del></li> </ol> </li> </ol>

Table 30-64A Site Design Standards MU-1 District

Provisions	Core Activity Center Standards	Edge Activity Center Standards
<b>b. Setbacks, side/rear yards</b>	<ol style="list-style-type: none"><li>1. 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.</li><li>2. Where the side or rear yard abuts a property that is in a multi-family residential zoning district, the minimum setback is 10 feet</li><li>3. No minimum setback is required where abutting a non-residential district.</li></ol>	<ol style="list-style-type: none"><li>4. 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.</li><li>5. Where the side or rear yard abuts a property that is in a multi-family residential zoning district, the minimum setback is 20 feet.</li><li>6. In other locations, side and rear setbacks shall be at least 20 feet, except where allowed pursuant to "Multiple Structure" provisions below.</li></ol>



Table 30-64A Site Design Standards MU-1 District

Provisions	All Activity Centers Standards
<p><b>c. Multiple Structures</b></p>	<ol style="list-style-type: none"> <li>1. Multiple structures are allowed on one or more lots in a project subject to findings by staff or the applicable reviewing board that all such structures are compatible with the uses of other buildings in the project and surrounding uses, and that connectivity standards are met (see section 30-64.(c)(4)) and traffic patterns are safely incorporated into the overall transportation system for the project.</li> <li>2. 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 all uses are compatibly integrated within the project and to adjacent development through unified, interconnected pedestrian and vehicular access and circulation and a combination of:             <ul style="list-style-type: none"> <li>• landscaping;</li> <li>• shared parking, where applicable; and</li> <li>• coordinated stormwater management.</li> </ul> </li> <li>3. All buildings in a multi-building project shall front on a public street or a private drive meeting the standards of section 30-64.(c)(4). Outparcels are not required to meet the minimum lot area, width and depth requirements. However, development on outparcels is subject <u>to</u> district setback, lot coverage and building height requirements.</li> <li>4. 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"> <li>• Frames the corner of an adjacent street or private drive intersection;</li> <li>• Frames and encloses an internal pedestrian and/or vehicle access corridor within the project; or</li> <li>• Encloses parking areas, public spaces, or other amenities.</li> </ul> </li> </ol> <div style="text-align: center;">  <p>Multiple structures creating entry corridors and concealing parking lots and structures.</p> </div>

<p><b>d. Transition between different uses</b></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"> <li>1. Architectural Transitions: Employ a minimum of three of the following techniques: <ul style="list-style-type: none"> <li>• Similar building setback;</li> <li>• Similar building heights;</li> <li>• Similar roof forms; or</li> <li>• 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 façade facing front facade) are prohibited, even if the other architectural transition techniques are used.</li> </ul> </li> <li>2. Green/Open Space Transitions: The following areas may be counted towards the 20 percent open space requirement: <ul style="list-style-type: none"> <li>• Green spaces, courts, squares, parks, plazas, and similar spaces that can also function as community gathering places; or</li> <li>• Natural features as transitions, including natural differences in topography (not retaining walls), water bodies, existing stands of trees and similar features.</li> </ul> </li> <li>3. Intensity Transitions: Site the less-intensive uses as transitions to lower-intensity, adjacent uses (i.e., neighborhood stores, bed &amp; breakfast inns, community facilities, etc).</li> <li>4. Landscaping and Screening Transitions. Use landscape buffering and supplemental fences and walls.</li> </ol>

Table 30-64A Site Design Standards MU-1 District

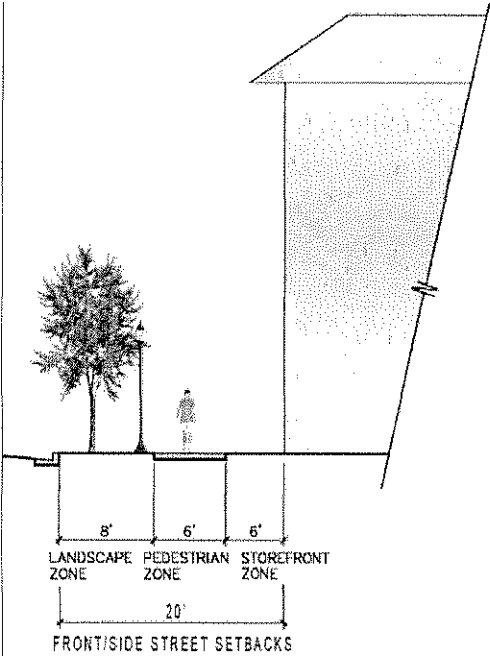
Provisions	Core Activity Center Standards	Edge Activity Center Standards
<p><b>e. street-scaping and landscaping</b></p>	<p>1. Landscaping shall comply with the requirements of Article VIII Division 2, Subdivision 1 of this code, except that credit shall be provided for trees planted within the right-of-way 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). (see illustration below)</p>  <p>The diagram illustrates the required street setbacks from the back of the curb to the building facade. It shows three distinct zones: a Landscape Zone of 8 feet, a Pedestrian Zone of 6 feet, and a Storefront Zone of 6 feet. A total bracket below these zones indicates a combined width of 20 feet for the front/side street setbacks. The illustration includes a tree in the landscape zone, a person in the pedestrian zone, and a building facade in the storefront zone.</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>

Table 30-64A Site Design Standards MU-1 District

Provisions	Core Activity Center Standards	Edge Activity Center Standards
<p><b>f. Garden Walls for all centers</b></p>	<ol style="list-style-type: none"> <li>1. Garden walls may be used to screen loading areas, parking areas or building walls that face streets.</li> <li>2. Garden walls shall match the principal building or fieldstone, brick, or stucco or decorative metal excluding round industrial railing and chain link.</li> <li>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.</li> <li>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.</li> </ol>	
<p><b>g. Parking spaces</b></p>	<ol style="list-style-type: none"> <li>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. <u>Parking structures must be lined with a liner building on the first floor.</u></li> </ol>	<ol style="list-style-type: none"> <li><del>2. Required to be provided on-site in accordance with section 30-332, except that the number of spaces may be reduced pursuant to section 30-220 and 30-332. <u>to the joint use parking standards established in section 30-329 for centers with residential and non-residential uses.</u></del></li> </ol>
<p><b>h. Parking location</b></p>	<ol style="list-style-type: none"> <li>1. <u>Parking spaces shall not be located in the front or street side yard, in core and transition area. A maximum of two rows of parking may be allowed in the front yard of edge building. Parking at the intersection of corner lots in edge areas that wrap around the corner shall be prohibited.</u></li> </ol>	

Table 30-64A Site Design Standards MU-1 District

Provisions	Core Activity Center Standards	Edge Activity Center Standards
<p><b>i. <u>Loading for all areas.</u></b></p>	<ol style="list-style-type: none"> <li>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.</li> <li>2. Loading docks are not allowed on a front or street side yard.</li> <li>3. Loading docks/truck parking shall be incorporated into the overall design of the building or the landscaping.</li> <li>4. Loading docks shall be designed to provide safe and convenient access by service vehicles.</li> </ol>	
	<ol style="list-style-type: none"> <li>5. For all loading and unloading shall be done on-site or from a local non-residential street.</li> </ol>	<ol style="list-style-type: none"> <li>6. All loading and unloading shall be done on-site.</li> </ol>
<p><b>j. <u>Bicycle and pedestrian access for all areas.</u></b></p>	<ol style="list-style-type: none"> <li>1. Projects 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, staff or the applicable 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.</li> <li>2. Where bicycle lanes are required, they shall be at least 5 feet in width.</li> <li>3. Bicycle racks shall be provided at each storefront or block.</li> <li>4. All pedestrian walkways within a parking lot shall include: <ul style="list-style-type: none"> <li>• Shade trees (or a shade structure) along one or both sides of the walkway (minimum 10 feet wide planting area);</li> <li>• Pedestrian-scale lighting to illuminate and</li> </ul> </li> </ol>	

	<p>define the route; and</p> <ul style="list-style-type: none"><li>• Clear division from vehicular areas, with a change in grade, landscaping and a change in surface material.</li></ul> <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>6. Safe and convenient pedestrian access 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>7. Continuous internal pedestrian walkways, less than 6 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>8. Walkways at least 6 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 abut a minimum 6 feet wide planting bed, except where features such as arcades or entryways are part of the facade.</p> <p>9. 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>	
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<p><b>k.</b> <b>Mechanical equipment</b></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>2. 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><b>l. Dumpsters</b></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>4. Dumpsters, where used, shall be located in alleys, within buildings or at the rear of and attached to the principal structure.</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>4. 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</p>

**Table 30-64B: Building Design Standards (MU-1)**

Provisions	Core Area Activity Center	Edge Area Activity Center
<p>a. Maximum gross leasable non-residential floor area per project</p>	<p><del>100,000 square feet in urban area.</del></p>	<p><u>100,000 square feet in urban area.</u></p>
<p>b. Maximum first floor footprint per business</p>	<p>50,000 square feet, except MG-54 (food stores) in urban area.</p>	<p><u>50,000 square feet, except MG-54 (food stores) in urban area.</u></p>
<p>c. Maximum lot coverage by buildings</p>	<p>No limit, subject to setbacks, landscaping and drainage requirements. <u>20% open space set-aside</u></p>	<p>50 percent for single-purpose, non-residential; 60 percent for mixed-use (inclusive of residential) or compound use. <u>20% open space set-aside</u></p>



<p>d. <b>Building orientation/ entries</b></p>	<p>1. Each principal building on a site shall have clearly defined, visible entrances, providing access from the front of the building to the pedestrian zone, and featuring no less than three of the following:</p> <ul style="list-style-type: none"><li>• Canopies or porticos;</li><li>• Awnings;</li><li>• Overhangs</li><li>• Recesses/projections;</li><li>• Arcades;</li><li>• Raised corniced parapets over the door;</li><li>• Peaked roof forms or arches;</li><li>• Outdoor patios; or</li><li>• Display windows.</li></ul> <p>2. <i>Customer Entries.</i> Customer entries shall be provided at least every 150 feet along any 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.</p>	
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<p><b>e. Building height</b></p>	<p>1. Minimum of 25 feet and maximum of 5 stories, subject to angle of light obstruction standards in Table 30-64A.</p>	<p>2. Maximum of 3 stories, subject to angle of light obstruction standards in Table 30-64A.</p>
<p><b>f. Building materials <u>all areas</u></b></p>	<p>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.</p> <p>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.</p> <p>3. Exterior building materials shall not include the following:</p> <ul style="list-style-type: none"> <li>a. Split shakes, rough-sawn or board and batten wood;</li> <li>b. Vinyl siding;</li> <li>c. Smooth-faced gray concrete block, painted or stained concrete block, smooth-faced tilt-up concrete panels;</li> <li>d. Field-painted or pre-finished corrugated metal siding;</li> <li>e. Standard single- or double-tee concrete systems; or</li> <li>f. Barrier-type EIFS.</li> </ul> <p>4. Materials that are heavier or highly resistant to damage, defacing, and general wear and tear, such as</p>	

	<p>precast concrete, stone masonry, brick, and commercial grade ceramic tile, shall be used at the base of the building.</p> <p>5. Staff may approve the use of alternate building materials if they comply with Florida Building Code standards and have the appearance and durability of materials approved in this section.</p>	
<p><b>g. Glazing, <u>all areas</u></b></p>	<ol style="list-style-type: none"> <li>1. 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.</li> <li>2. Ground floor windows for non-residential uses shall be non-reflective and use glass that is at least 30 percent transparent.</li> <li>3. Windows shall be recessed and shall include visually prominent sills, shutters, or similar forms of framing.</li> <li>4. Each upper story façade or ground floor residential façade facing a street shall have at least 15 percent glazing.</li> </ol>	
<p><b>h. Building articulation/modulation</b></p>	<ol style="list-style-type: none"> <li>1. 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.</li> <li>2. Facades greater than 100 feet in length, measured horizontally, shall have a change in at least three of the following elements every 40 feet along all walls facing a public street: <ul style="list-style-type: none"> <li>• Texture change;</li> <li>• Material change; or</li> </ul> </li> </ol>	<ol style="list-style-type: none"> <li>1. 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.</li> <li>2. 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 facade. No uninterrupted length of any façade shall exceed 100 horizontal feet.</li> <li>3. Building facades 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:</li> </ol>

	<ul style="list-style-type: none"> <li>• Architectural feature, such as an offset, projection, or reveal with at least 12 inches in depth.</li> </ul>	<ul style="list-style-type: none"> <li>• Color change</li> <li>• Texture change</li> <li>• Material module change</li> <li>• Architectural feature, such as an offset, projection, or reveal with at least 36 inches in depth.</li> </ul>
<p><b>i. Rooflines, all areas</b></p>	<ol style="list-style-type: none"> <li>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.</li> <li>2. Parapets with cornices, gable roofs, hip roofs or dormers shall be used to conceal flat roofs and rooftop mechanical equipment from public view.</li> </ol>	
<p><b>i. Parking structures</b></p>	<ol style="list-style-type: none"> <li>1. Parking structures fronting a public street or public space shall be masked by a liner building a minimum of 30 feet deep.</li> <li>2. The first 30 feet of depth of the liner building shall be occupied by office, residential or other non-parking commercial uses.</li> <li>3. Liner buildings shall be at least 2 stories or 34 feet in height.</li> <li>4. Liner buildings may be detached from or incorporated into parking structures.</li> <li>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.</li> <li>6. The parking structure/liner buildings shall be designed to have similar façade treatments with respect to building</li> </ol>	<ol style="list-style-type: none"> <li>1. Parking structures fronting onto any street or located internally on site shall be designed to have the general appearance of a building along its street frontage with respect to materials and façade massing to complement the architectural theme of the development.</li> </ol>

	<p>materials and articulations to complement the architectural theme of the development.</p>	
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(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 abuts 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**

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	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

<b>Uses by right:</b>		
	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	
<b>GN-074</b>	Veterinary services	Only within enclosed buildings and in accordance with Article VI
<b>IN-0752</b>	Animal specialty services, except veterinary	Only within enclosed buildings
<b>GN-078</b>	Landscape and horticultural services	
<b>MG-15</b>	Building construction - General contractors and operative builders	
<b>GN-171</b>	Plumbing, heating and air conditioning	
<b>GN-172</b>	Painting and paper hangers	
<b>GN-173</b>	Electrical work	
<b>MG-27</b>	Printing, publishing and allied industries	
<b>MG-43</b>	U.S. Postal Service	
<b>GN-472</b>	Arrangement of passenger transportation	Offices only, with no operation of passenger tours from the site
<b>GN-481</b>	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
<b>GN-482</b>	Telegraph and other message communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with Article VI
<b>GN-483</b>	Radio and television broadcasting stations	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with Article VI
<b>GN-523</b>	Paint, glass and wallpaper stores	
<b>GN-525</b>	Hardware stores	
<b>GN-526</b>	Retail nurseries, lawn and garden supply stores	
<b>MG-53</b>	General merchandise stores	
<b>MG-54</b>	Food stores	Accessory gasoline and alternative fuel pumps in accordance with Article VI, and by special use permit in neighborhood convenience and shopping centers
<b>GN-553</b>	Auto and home supply stores	Excluding garage and installation facilities

**Uses by right:**

<b>GN-554</b>	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
<b>MG-56</b>	Apparel and accessory stores	
<b>MG-57</b>	Home furniture, furnishings and equipment stores	
<b>MG-59</b>	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
<b>Div. H</b>	Finance, insurance and real estate	Excluding cemetery subdividers and developers (IN-6553)
<b>MG-72</b>	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
<b>MG-73</b>	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)
<b>GN-752</b>	Automobile parking	
<b>MG-76</b>	Miscellaneous repair services	Excluding miscellaneous repair shops and related services (GN-769) and including repair services for household needs as defined in this chapter
<b>MG-78</b>	Motion pictures	Excluding drive-in theaters (IN-7833) and outdoor filming facilities
<b>MG-79</b>	Amusement and recreation services	Only within enclosed structures, and excluding go-cart rental and raceway operations and also raceway operations and also excluding commercial sports (GN-794)
<b>MG-80</b>	Health services	Including nursing and intermediate care facilities in accordance with Article VI when applicable, and excluding rehabilitation centers and hospitals (GN-806)
<b>MG-81</b>	Legal services	
<b>MG-82</b>	Educational services	Including private schools, in accordance with Article VI
<b>MG-83</b>	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
<b>GN-841</b>	Museums and art galleries	
<b>MG-86</b>	Membership organizations	
<b>MG-87</b>	Engineering, accounting, research management and related services	Excluding testing laboratories (IN-8734) and facilities support management services (IN-8744)
<b>MG-89</b>	Services, not elsewhere classified	
<b>Div. J</b>	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 industrial buffers. Storage of hazardous materials in accordance with the county hazardous materials management code



Uses by right:		
	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.
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.** See section 30-64(b)

- ~~b. 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.~~
- (5) ~~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.~~
- (6) ~~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. 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 connectivity, site and building design standards established in Section 30-64(c)(4) and 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) *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.
- (3) 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 60 degrees or less.
- (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.
  - 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) In edge areas, 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, but are subject to requirements for large projects established in Section 30-68, as applicable.
- (7) Maximum ground floor area per business in a core area shall not exceed 75,000 square feet of gross leasable floor area.
- (8) *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.
  - 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 or pedestrian zone along a private drive.

- 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 the pedestrian zones of public streets and private drives. 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. This provision excludes permitted temporary seasonal sales.
  - 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.
- (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 30-65A 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 30-65A: USES AUTHORIZED IN MU-2 DISTRICTS**

<b>Uses by right:</b>		
	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	
<b>GN-074</b>	Veterinary services	Only within enclosed buildings and in accordance with Article VI
<b>IN-0752</b>	Animal specialty services, except veterinary	Only within enclosed buildings
<b>GN-078</b>	Landscape and horticultural services	
<b>MG-15</b>	Building construction - General contractors and operative builders	
<b>GN-171</b>	Plumbing, heating and air conditioning	
<b>GN-172</b>	Painting and paper hangers	
<b>GN-173</b>	Electrical work	
<b>MG-27</b>	Printing, publishing and allied industries	

**Uses by right:**

<b>MG-43</b>	U.S. Postal Service	
<b>GN-472</b>	Arrangement of passenger transportation	Offices only, with no operation of passenger tours from the site
<b>GN-481</b>	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
<b>GN-482</b>	Telegraph and other message communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with Article VI
<b>GN-483</b>	Radio and television broadcasting stations	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with Article VI
<b>GN-484</b>	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
<b>GN-523</b>	Paint, glass and wallpaper stores	
<b>GN-525</b>	Hardware stores	
<b>GN-526</b>	Retail nurseries, lawn and garden supply stores	
<b>MG-53</b>	General merchandise stores	
<b>MG-54</b>	Food stores	Accessory gasoline and alternative fuel pumps in accordance with Article VI
<b>GN-553</b>	Auto and home supply stores	Garage and installation facilities, in accordance with the provisions for limited automotive services in Article VI
<b>GN-554</b>	Gasoline service stations including the sales of alternative fuels for automobiles	In accordance with Article VI
<b>MG-56</b>	Apparel and accessory stores	
<b>MG-57</b>	Home furniture, furnishings and equipment stores	
<b>MG-59</b>	Miscellaneous retail	Excluding fuel dealers (IN-5983)
<b>Div. H</b>	Finance, insurance and real estate	Excluding cemetery subdivisions and developers (IN-6553)
<b>MG-72</b>	Personal services	Including funeral services and crematories, in accordance with Article VI
<b>MG-73</b>	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)
<b>GN-752</b>	Automobile parking	
<b>MG-76</b>	Miscellaneous repair services	Excluding miscellaneous repair shops and related services (GN-769) and including repair services for household needs as defined in this chapter
<b>MG-78</b>	Motion pictures	Excluding drive-in theaters (IN-7833) and outdoor filming facilities
<b>MG-79</b>	Amusement and recreation services	Only within enclosed structures, and excluding go-cart rental and raceway operations and excluding commercial sports (GN-794)
<b>MG-80</b>	Health services	Excluding hospitals (GN-806) and including nursing and personal care facilities (GN-805) in accordance with Article VI, and excluding rehabilitation centers
<b>MG-81</b>	Legal services	
<b>MG-82</b>	Educational services	Including private schools, in accordance with Article VI
<b>MG-83</b>	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

Uses by right:		
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, 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 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
	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.

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

b. *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.

- a. 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.
- (4) Large-scale retail development includes a single 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.
- (5) 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.** Large scale retail development shall comply with the connectivity established in Section 30-64(c)(4), site and building design standards for edge areas and established in Tables 30-64A and 30-64B, for the MU-1 district except as provided in this Section 30-68:

(1) *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.

(6) *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.
- (7) Building coverage shall not exceed 50 percent for single-use projects or 75 percent for mixed-use projects that include residential uses.
- (8) Maximum floor areas per project or business established in the MU-1 district do not apply to large scale retail development.
- (9) Maximum ground floor area per business in a core area shall not exceed 75,000 square feet of gross leasable floor area.
- (10) *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.
- (11) *Utilities Design.* Water and sewer service lines and connections to the City's services shall be sized, located designed to facilitate resubdivision of large retail spaces into multiple buildings.





- (f) **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.
- (g) **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.
- (h) **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.
- (i) **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.
- (3) 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.
  - (4) 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 pedestrian zone of a private drive.
  - (5) 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 pedestrian zones of public streets or private drives. Screening structures shall be made of the same materials as the principal structure;
  - (6) 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.



- (7) 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.
- (j) **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 pedestrian zones of public streets and private drives and building entries.
- (k) **Market Study Required.**
- (1) **Contents.** The applicant for a large scale building with a single retail business encompassing 100,000 square feet of more of gross leasable floor space shall prepare a market study providing 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.
- (l) **Sustained Occupancy Plan Required. (City Attorney Review required)** The City finds that vacant large scale retail buildings are a nuisance and a blighting influence on the City that require specific action to reduce the risks to neighborhoods and the City. The applicant for approval of a retail business subject to this section shall submit a plan for sustained occupancy of the structure that demonstrates to the satisfaction of the City that the approval criteria listed in the following section have been satisfied. The plan may include any combination of the following strategies that are enforceable through a voluntary development agreement with the City or some other means approved by the City:



- (1) Surety for re-occupancy or demolition of the building that is not reoccupied by at least 60 percent for any continuous period of more than two years.
- (2) Surety for maintenance and security of vacant properties.
- (3) Contribution to a district or fund that is dedicated to the redevelopment or revitalization of the area in which the project is located.
- (4) Reuse agreement providing for the right of first refusal for a public use at a mutually agreeable lease rate.
- (5) Prohibition of lease limitations that would block the re-occupancy of the building by any viable use allowed within the applicable zoning district.
- (6) Other strategies accepted by the City Commission.

(m) **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.
2. Add Large Scale Retail as a specific use.

### **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.
2. Add Large Scale Retail as a specific use.

### **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.

2. Add Large Scale Retail as a specific use.

### **New Section to be Added (Regulating Plan)**

In accordance with section 30-64(b)(4) a regulating plan for the development must be developed and approved for the entire development site. The Plan must specify the development boundary, the location of all existing streets, the location of required future streets/drives within the district, maximum building heights, side and rear yard setback requirements and build-to lines, a streetscape plan, and a parking plan for each building site.

The Plan shall:

1. Identify a hierarchy of street classification of each street such as storefront, principal or local street, the level of street hierarchy will determine the level of street urbanism; and
2. Identify the dimensions of each proposed street right-of-way, lane width, curb-to-curb width and block dimensions.