

Article 7.10 Mixed-Use Overlay Districts

7.10.01 Intent

- (a) The Mixed Use District is intended to allow for a wide range of uses in a manner in which the impacts on adjacent land uses are minimized.
- (b) The district overlays one or more conventional zoning districts, which are referred to in this article as the “underlying” zoning district.

7.10.02 Schedule of Uses

Buildings or land shall be not used and buildings shall not be erected except for one (1) or more of the following specified uses, unless otherwise provided for in this ordinance. Land and/or buildings in the districts indicated at the top of Table 7.10.1 may be used for the purposes denoted by the following abbreviations:

- (a) **Permitted Use (P).** Land and/or buildings in this district may be used for the purposes listed by right.
- (b) **Special Land Use (SLU).** Uses which may be permitted by obtaining special land use approval when all applicable requirements in *Article 7.13 Use Requirements* and the standards of *Section 7.19.04 Review Standards* are met.
- (c) **Additional Requirements.** Indicates requirements or conditions applicable to the use.

Table 7.10.1: Mixed-Use Overlay Districts Schedule of Uses (1)

Use	MU	Additional Requirements
Uses		
Principal uses permitted in the underlying zoning district and which meet the requirements in the underlying zoning district for that use	P	
All uses allowed subject to special conditions in the underlying zoning district and which meet the requirements in the underlying zoning district for that use	SLU	
All uses allowed in the R-1, RM, OS-1, B-1, B-2, CBD-1 and I-1 zoning districts as a principal use but not allowed in the underlying zoning district	SLU	Footnotes (2) and (3) below
All uses allowed in the R-1, RM, OS-1, B-1, B-2 and CBD zoning districts as a special land use but not allowed by right in the underlying zoning district	SLU	Footnotes (2) and (3) below
Accessory & Similar Uses		
Accessory building & uses, customarily incidental to any of the above permitted uses	P	Section 7.12.11

- (1) More than one (1) principal use may be permitted on a lot of record with site plan approval by the Planning Commission.

- (2) The use shall meet the requirements in the zoning district in which the use is allowed except as provided for in Section 7.10.03 below. Where the use is allowed in more than one (1) district the Planning Commission shall apply the standards that are closest in intensity as the underlying zoning district.
- (3) Uses permitted under footnote (2) shall also comply with the following:
 - a. The Planning Commission may impose conditions on the operation of the proposed use including hours of operation, outdoor operations and delivery and shipping of material that is necessary to ensure the uses compatibility with surrounding uses.
 - b. In portions of the mixed use district where residences and offices predominate, any structure proposed for construction or expansion shall have an exterior appearance consistent with the general character of the area, including scale and mass of the building, arrangement of windows, pitch of roof and type of siding material.
 - c. The Planning Commission may reduce minimum number of parking spaces required for property involving two (2) or more uses if their parking demand could expect to overlap.

7.10.03 Area, Height, and Placement Requirements

- (a) Dimensional requirements such as lot area and building height must comply with those of the underlying zoning district, except as otherwise provided for in this Article.
- (b) In addition, the Planning Commission may establish maximum front and side lot line setbacks and minimum height requirements for any expansion or new development if they determine it is necessary to maintain the urban character of the neighborhood.
- (c) Where more than one (1) principal use is allowed on a lot of record, setbacks between buildings shall be based on the yard setbacks of the underlying zoning district, but may be modified by the Planning Commission if they determine that adequate conditions have been included to address public health and adequate emergency access within the site.