

Sec. 24-58 - Mixed Use (MU) District.

The following general intent, provisions and regulations shall apply to all mixed use districts in the City:

- (A) *Purpose.* Mixed-use districts may be applied to limited areas in the City to permit the efficient use of the land, as well as a clustering of different land uses to employ the principles of good urbanism in the planning and development of the City. Mixed-use districts allow residential and nonresidential uses, as defined in the Future Land Use Element of the City's Comprehensive Plan and as established in the specific approved neighborhood master plan.
- (B) *Establishment of Mixed-Use Districts.* Mixed-use districts may be established by amendment of the official zoning map, or as an overlay district, for tracts of land suitable in location, extent, and character for the structures and uses proposed as stated in the specific neighborhood master plan.
- (C) *General Provisions and Requirements.* General provisions and requirements for Mixed-use districts shall be as follows:
  - (1) *Neighborhood Master Plan and the City's Strategic Plan.* A neighborhood master plan must be adopted by the City Council prior to the rezoning of property to a Mixed-use zoning district and shall reflect the goals and objectives of the City's Strategic Plan, when applicable.
  - (2) *Conflict With Other Regulations.* The provisions of this section shall apply generally to the creation and regulation of all Mixed-use districts. Where conflicts exist between these Mixed-use provisions and general zoning, subdivision, or other applicable regulations, the Mixed-use regulations shall apply.
  - (3) *Mixed-Use District Required Elements.* Each individual Mixed-use district must contain the following elements:
    - a. District boundaries.
    - b. Building height.
    - c. Building placement.
    - d. Building use.
    - e. Parking and loading.
    - f. Design standards.
    - g. Signage standards.
    - h. Landscaping.
    - i. Publically accessible open space.
    - j. Streetscape.
    - k. Lot size.
  - (4) *Effect of Mixed-Use Approval.* When approved pursuant to the provisions of this chapter, the neighborhood master plan and all information and documents formally incorporated in the application shall constitute an amendment to this chapter. Development within a Mixed-use district shall occur in conformity with the approved neighborhood master plan.
- (D) *Limitations on Mixed-Use Districts.*
  - (1) A rezoning to a Mixed-use district does not guarantee an increase in the height or density allowed by the existing zoning district.

- (2) Each individual neighborhood master plan will outline the land uses that will be allowed within that particular Mixed-use district. The preferred locations of new neighborhood uses as provided by the neighborhood master plan shall be identified on a lot by lot basis.
  - (3) New Planned Unit Developments (PUDs) are not permitted in Mixed-use districts.
  - (4) *Applicability* — The applicability of Mixed-use district regulations to existing nonconforming uses and buildings and those uses and buildings made nonconforming by the adoption of a Mixed-use district will be governed by the regulations related to nonconformities in Article IV, Section 24-34.
- (E) *Process for Establishment of a Mixed-Use District.*
- (1) The neighborhood master plan required for the enacting of a Mixed-use district may only be initiated by the City.
  - (2) The City Council must approve the neighborhood master plan through the public hearing process. After approval of the neighborhood master plan by the City Council, a comprehensive plan text amendment shall be required to place the neighborhood plan in the appropriate City subarea description.
  - (3) Any specific Mixed-use district zoning regulations must be approved by the City Council, through the public hearing process, and must reflect the goals set forth in the corresponding neighborhood master plan and the City's Strategic Plan, when applicable.
- (F) *Incentives.* Incentives such as, but not limited to, tax increment rebates and increases in the building height or density may be provided in a Mixed-use district in order to accomplish the stated goals and objectives of the neighborhood master plan and the City's Strategic Plan, when applicable. Any tax increment rebate incentive will be subject to the North Miami Beach Community Redevelopment Agency's adopted guidelines and policies.
- (G) *Regulating Plans and Diagrams.* The mixed use districts are governed by a series of regulating plans and diagrams. The Regulating Plans and Diagrams demonstrate development standards in both words and diagrams, and include maps designating the locations where the various standards apply. Unless otherwise noted, all development shall be in compliance with the Regulating Plans and Diagrams specified for each mixed use district. The Regulating Plans and Diagrams for the mixed use districts include the following, where applicable:
- (1) The Sub-areas Regulating Plan, which divides the mixed use district into Sub-areas. The highest density and intensity within the mixed use district shall be allocated to the Core Sub-area, a Mixed-use area in the heart of the district. The densities and intensities shall then gradually decrease from the Core to the Transition Sub-area where Mixed-uses are still permitted and then further decrease to the Edge Sub-area which is characterized by single uses, including low density residential adjacent to existing low density residential, where applicable.
  - (2) The Street Network Connectivity Regulating Plan, which shows the location of existing and the required new streets needed to create the prescribed network of streets within the mixed-use district. This Plan also establishes the hierarchy of the streets.
  - (3) The Designated Publically Accessible Open Spaces and Urban Greenway Systems Regulating Plan, which designates the approximate location of the required publically accessible open spaces and urban greenway system in the mixed-use district.
  - (4) The Building Heights Regulating Plan, which establishes the maximum building height permitted in each sub-area of the mixed-use district.
  - (5) The Building Typology and Placement Regulating Diagrams, which provide a schematic representation of the various building typologies. The diagrams demonstrate the required lot standards and profiles of structures. The Building Typology and Placement Regulating Diagrams are shown in Figures MU-8 through MU-15.

- (H) *Definitions.* The definitions within this section shall apply to all Mixed-use districts. If a term is not defined in this section, the definition in Article II shall apply.
- (1) *Active use* means a use within an enclosed building designed for human occupation with a direct view to adjacent streets or publically accessible open space.
  - (2) *Active use, ground floor* means an active use that attracts pedestrian activity, provides access to the general public, and conceals uses designed for parking and other non-active uses if present. Ground floor active uses generally include, but are not limited to, retail, other commercial, restaurants, coffee shops, libraries, institution, educational and cultural facilities, residential, and entrance lobbies.
  - (3) *Active use liner* means an active use that serves to conceal uses designed for parking and other non-habitable uses. Active liner uses generally include, but are not limited to, commercial, residential, hotel, office and the commercial uses associated with live/work.
  - (4) *Active use-non* means a building use which is generally not intended for human occupation. Non-active uses include, but are not limited to, parking and building service areas such as storage, mechanical, electrical and trash. Architectural treatment shall be provided for all non-active use facade elevations.
  - (5) *Architectural features* means building components attached to or part of a facade and consisting generally of projections intended to provide architectural character and facade articulation.
  - (6) *Architectural treatment* means the provision of architectural and/or landscape elements on a facade which serve to visually screen non-active uses.
  - (7) *Auto-oriented uses* means any use that discourages walkability such as but not limited to, large surface parking lots, drive-thru facilities, motor vehicle sales, service and repair, motor vehicle fuel sales and service and similar uses that, by their nature, are built with special accommodations for service directly to the automobile or the occupants of automobiles and require the extensive use of automobiles as part of their primary function.
  - (8) *Awning* means a roof-like projection without vertical supports placed above windows and doorways to provide pedestrian protection from sun and rain, and to enhance building facades and storefronts with color and dimension.
  - (9) *Building frontage* means the percentage of a building façade that is generally parallel, facing, or oriented toward a street and that lies within the minimum and maximum setback area allowed and shall include a principal building and active use.
  - (10) *Canopy* means a roof-like projection without vertical supports generally placed above primary building entrances or along building facades to provide facade hierarchy, pedestrian orientation and accentuation.
  - (11) *Courtyard building type* means a building characterized as having a central open space that is open to the sky and enclosed by habitable space on at least three (3) sides.
  - (12) *Courtyard house* means a dwelling unit distinguished by the provision of an open-air courtyard or atrium. The courtyard is enclosed on at least three (3) sides by habitable space and shall provide penetrable openings such as windows and doors between the interior of the dwelling and the courtyard.
  - (13) *Courtyard, garden* means a public or semi-public open space that is partly surrounded by walls or buildings and is open to a public right-of-way or public space on at least one (1) side or portions of its sides, with a higher percentage of vegetated area.
  - (14) *Courtyard, interior* means a private open space that is wholly or partly surrounded by walls or buildings.

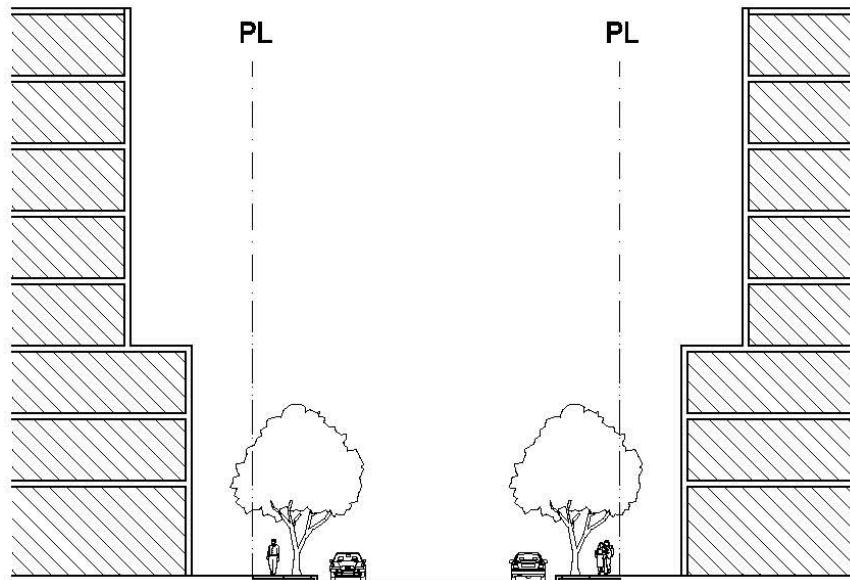
- (15) *Covered structures* means non-habitable areas such as storage areas, restroom facilities, vertical circulation access ways, open air structures such as cabanas, gazebos, trellis and other similar structures which accommodate outdoor common areas.
- (16) *Encroachment* means the maximum allowed projection of a building element beyond the minimum setback or into an adjacent public right-of-way.
- (17) *Facade* means the vertical exterior surface of a building or parking structure which faces a right-of-way or property line.
- (18) *Facade articulation* means the provision of architectural features or treatment on a facade.
- (19) *Facade elevation* means the entire area of a facade that is visible in a two (2) dimensional architectural elevation drawing, but not including facade areas that abut buildings on separate lots with zero setbacks and are therefore fully hidden from view.
- (20) *Fenestration* means the arrangement and design of windows, doors, and openings in a building.
- (21) *Flex building type* means a building that is designed to respond to changes of function in a flexible way. The flex building type is able to accept different internal configurations and easily adapt to its surroundings.
- (22) *Forecourt* means an open area, in front of the building, surrounded by walls on at least three (3) sides.
- (23) *Greenways, urban* means an improved outdoor area in an urban environment, set aside for recreational use or pedestrian connectivity.
- (24) *Ground floor* means the street-level story of a building.
- (25) *Height* means the maximum vertical extent of a building or structure that is measured as a number of stories not to exceed a vertical dimension in feet.
- (26) *Liner building type* means a building that conceals a garage, or other faceless building, that is designed for active use.
- (27) *Live/work* means a type of Mixed-use development that combines a nonresidential use with a residential dwelling unit.
- (28) *Mezzanine* means a partial story that may occur anywhere in the building and shall be utilized for functions ancillary to the floor in which it is located. The height of the mezzanine is not included in the height of a story, provided it does not cause the building to exceed the maximum allowable height.
- (29) *Open space* means an improved outdoor area open to the sky, that meets the requirements in Section 24-58(M).
- (30) *Open space, private* means open space that is intended solely for the use of building occupants.
- (31) *Open space, public or publically accessible* means a ground floor open space for public use and public accessibility abutting a public street on at least one (1) side and with unencumbered pedestrian access from the public sidewalk or right-of-way for the general public at all times.
- (32) *Open space, semi-public* means a ground floor open space intended primarily for use by building occupants but may have limited public access.
- (33) *Pedestrian Passageway* means an open space that provides a pedestrian-only cross-block connection from two (2) or more public rights-of-way or public spaces.
- (34) *Podium* means the lower portion of the tower building type on which the tower rests.

- (35) *Projection, horizontal* means any facade surface or building component which protrudes from the main building facade plane, including, but not limited to, architectural features, awnings, balconies, canopies, colonnades and porches.
- (36) *Sideyard house* [means] a detached dwelling distinguished by the provision of an unenclosed porch on the side of the house. The side porch is screened from the view of the street by a wall or fence.
- (37) *Story* means the vertical space in a building measured between the upper surface of any floor and the surface of the next floor above, or if there is no floor above, then the space between the floor and the uppermost surface of the ceiling assembly or roof above. The number of stories is used to calculate building height.
- (38) *Street designation* means a street classification system that regulates the characteristics of streets and rights-of-way with respect to spatial dimension, pedestrian and vehicular mobility and building active uses. Street designations vary in each mixed-use district and generally consist of four (4) types: primary, secondary, tertiary and alleys.
- (39) *Street Vista* means a view down a street or corridor that ends with a building serving as the focal point.
- (40) *Tower building type* means a multi-level building organized around a central core where a part of the building is higher in proportion.
- (41) *Transit Facilities* means structures, appurtenances and improvements related to the support and function of effectively providing mass transit such as stops (bus, train, water taxi) including the shelters, structures, signs and furniture associated with those stops; designated park and ride parking spaces; and other transit-related infrastructure.
- (I) *Use Standards*. The following use standards shall apply to development in all mixed-use districts in addition to any applicable use specific standards in other sections of the Code:
  - (1) The vertical mixing of residential uses with nonresidential uses within a single project or building, with residential development on upper floors, is encouraged. The horizontal mixing of stand-alone residential developments and adjacent stand-alone nonresidential or mixed-use developments in the district is allowed, provided the developments are well integrated in terms of complementary uses, access and circulation, and compatible design.
  - (2) The incorporation of high-activity nonresidential uses such as retail shops and restaurants at street level is encouraged, especially along those building facades abutting or most visible from primary streets, other major arterial streets, major pedestrian walkways, or public spaces.
  - (3) New auto-oriented uses are prohibited.
- (J) *Street Standards*. The following standards shall apply to development in all mixed-use districts:
  - (1) The periphery of any site fronting on a public right-of-way shall be improved by the provision of sidewalks, streetlights, street furniture, street trees and other elements, covering the entire area from face of curb to face of building.
  - (2) Where a sidewalk or other pedestrian walkway crosses a parking lot, street, or driveway the following standards shall apply:
    - a. The intersection shall be clearly marked and lighted for safety;
    - b. The sidewalk shall be continuous and remain at a constant level at all instances; and
    - c. A change of tactile surface texture shall be installed at all street crossings.
  - (3) *Street Network Connectivity Regulating Plan and Street Standards*. The Street Network Connectivity Regulating Plan for each mixed-use district shows the approximate location of existing and required new streets needed to create the prescribed network of streets within

each mixed-use district. This plan also establishes the hierarchy of the streets within the district. In addition, the following shall apply:

- a. All streets shall be located according to the Street Network Connectivity Regulating Plan for each mixed use district.
  - i. All Primary and Secondary Streets shall be required in the same general location as shown on the Street Network Connectivity Regulating Plan and may be modified with respect to alignment. The full width of all primary and secondary streets shall be open to the sky for a minimum of ninety-five (95%) percent of the entire length of the street. Structures, such as but not limited to, pedestrian bridges and canopies shall be permitted to span over a portion of the street.
  - ii. Tertiary Streets and Alleys shown on the Street Network Connectivity Regulating Plan are encouraged to promote connectivity and to conform to block length requirements. Unless otherwise specified in the mixed-use district, tertiary streets and alleys may be modified or deleted for the purpose of assembling parcels for development.
- b. The modification or deletion of any street requires the following conditions are satisfied:
  - i. The modification/deletion is reviewed and recommended by the Director of Community Development Department or his/her designee who shall review the proposed modification for compliance with these regulations.
  - ii. The modification/deletion is reviewed and recommended by the Community Redevelopment Agency (CRA), where applicable, who shall review the proposed modification for compliance with the CRA goals and objectives.
  - iii. The modification/deletion is reviewed and recommended by the Director of Engineering and Public Works who shall review the proposed modification for traffic and safety issues.
  - iv. The modification/deletion does not diminish the general size and approximate location of an open space shown in the Designated Publically Accessible Open Space and Urban Greenways Systems Regulating Plan.
  - v. The modification/deletion maintains connectivity to the surrounding area.
  - vi. The modification/deletion enhances pedestrian safety.
  - vii. The modification/deletion is compatible with the surrounding area.
  - viii. The modification/deletion allows for the appropriate use of private property.
  - ix. The modification/deletion does not create block lengths that exceed the maximum allowed, thereby limiting walkability.
  - x. The modification/deletion complies with the requirements for vacating and closing streets and alleys, as applicable, in accordance with the City of North Miami Beach Code of Ordinances.
- c. The design of new streets and modifications of existing streets shall comply with the following requirements:
  - i. All streets and alleys shall connect to other streets or alleys. Cul-de-sacs, T-turnarounds, and dead end streets shall be prohibited.
  - ii. All streets shall allow general public access. Privately built streets shall provide an approved plat restriction to allow general public access. No gates that impede through traffic are permitted along streets.

- iii. Where there is insufficient area for the streetscape improvements within the existing right-of-way, the City may require an easement or dedication at its discretion. Additionally, the development and ongoing maintenance of the required streetscape improvements along the entire property shall be the responsibility of the developer/property owner.
- iv. Except as modified through the prescribed public urban greenway and/or street types in each mixed use district, all streets and alleys shall be designed according to the typical street and alley sections provided in Figures MU-1 through MU-4 and the following standards shall apply:
  1. For streets only, a minimum landscaped strip of five (5) feet shall be provided along the street edge.
  2. For streets only, tree grates a minimum of five (5) feet by five (5) feet may be utilized in place of the required landscape strip. The use of tree grates is appropriate when on-street parking is provided. When no on-street parking is provided, landscape strips are preferred.
  3. For streets only, a minimum sidewalk width of five (5) feet shall be provided adjacent to the landscaped area.
  4. For streets only, a minimum unobstructed area of sixty (60) inches shall be provided in the sidewalk.
  5. For streets only, where a colonnade is provided, free and clear use of a continuous unobstructed area of at least ten (10) feet shall be provided within the colonnade.
  6. For streets only, no utility poles, fire hydrants or any other temporary or permanent structures shall be permitted within the unobstructed area.
  7. For streets only, overhead utilities are not permitted. Existing overhead utilities shall be relocated underground where feasible.
  8. For streets only, where on-street parking is provided on both sides of the street, the minimum right-of way width shall be sixty (60) feet.
  9. For alleys only, the minimum right-of-way width shall be thirty (30) feet.



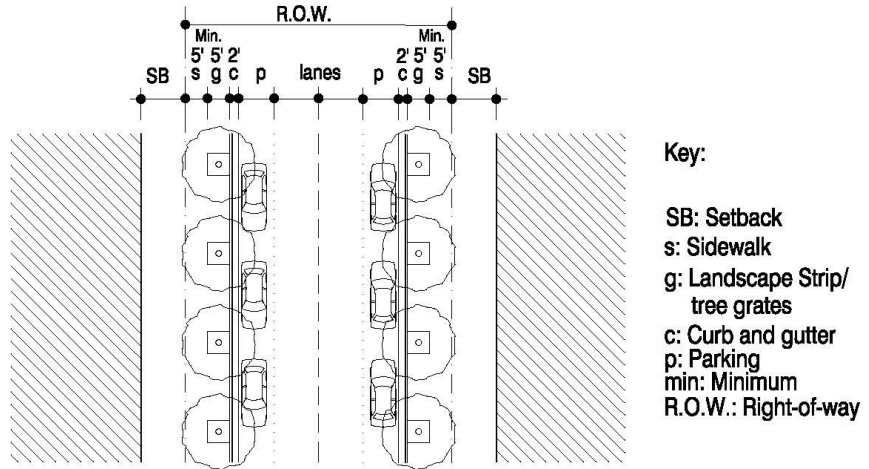


Figure MU-1: Typical street section with parking on both sides

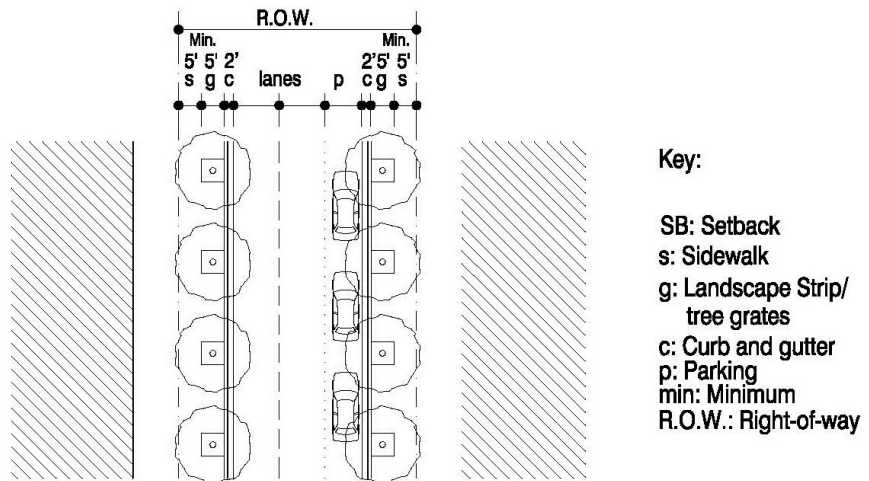
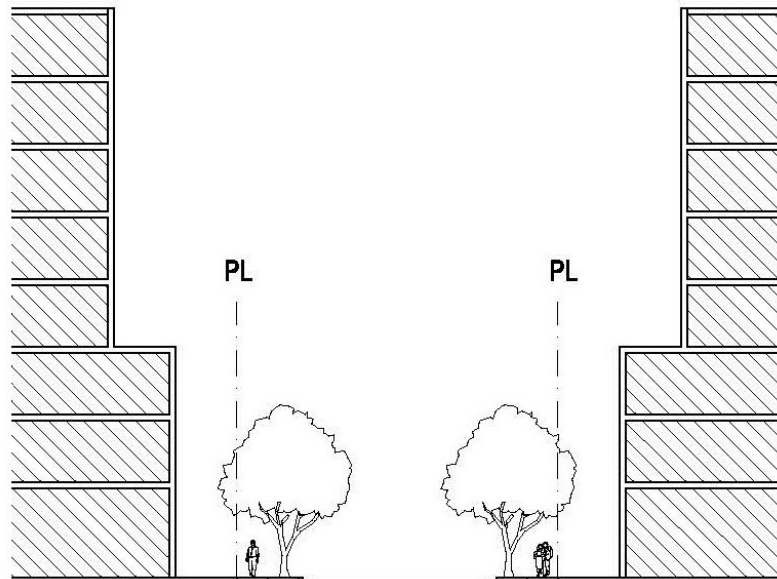




Figure MU-2: Typical street section with parking on one side

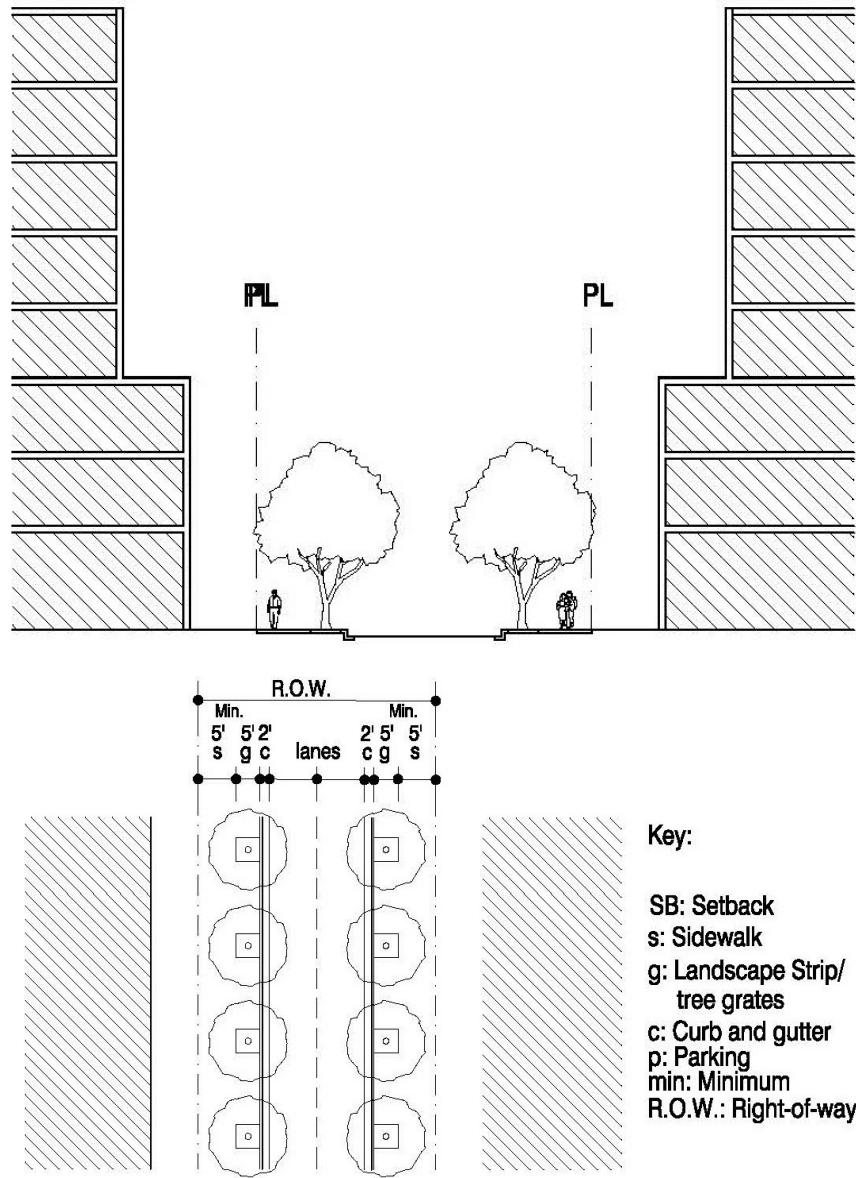


Figure MU-3: Typical street section with no parking

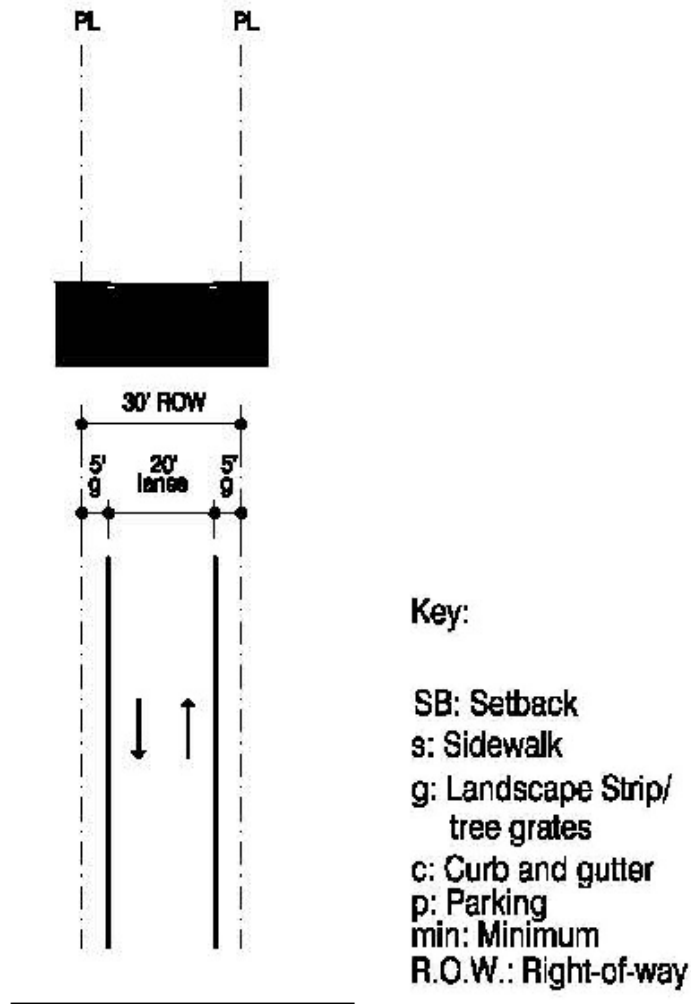


Figure MU-4: Typical alley section

- d. Street Furniture. Street furniture includes but is not limited to outdoor benches, waste containers, planters, phone booths, bus shelters, bicycle racks, tree grates, decorative stamped concrete or stamped asphalt crosswalks, banners, water fountains, newspaper dispensers and bollards whether within or outside the public right-of-way. Street furniture provided on site shall be compatible with the architecture of the surrounding buildings, the character of the area and other elements of the streetscape. Consistency in the selection and location of the various elements of street furniture is critical for maximum effect and functional use. All street furniture shall be subject to the approval of the City.
- (K) *Vehicular Access and Circulation, Parking and Loading Standards.* The following standards shall apply to development in all the mixed-use districts:
- (1) *Vehicular Access and Circulation.* Vehicular access and circulation developed in compliance with the standards in Article IX (Off-Street Parking and Loading) is required, with the following modifications:
    - a. Driveway access shared between adjoining lots shall be required, where feasible, for non-residential and mixed-use development in order to limit direct vehicular access along streets or comply with driveway intersection spacing requirements.

- b. Parking facilities on adjoining lots may share access points, driveways and parking subject to a recorded covenant running with the property on which the facilities are located.
- (2) *Parking*. Parking developed in compliance with the standards in Article IX (Off-Street Parking and Loading) is required, with the following modifications:
- a. *Surface Parking Lots*. Surface level parking lots, whether stand-alone or part of a larger development, shall comply with the following standards:
    - i. Surface parking shall be located to the side or rear of the property and accessed off an alley or tertiary street when possible. If the parking lot is accessed from a primary or secondary street, there shall be only one (1) point of access to the parking lot area.
    - ii. Openings off any street shall not exceed two (2) lanes in width and twenty-four (24) feet maximum per entrance/exit. Entrances/exits on alleys are exempt from this requirement.
    - iii. All parking areas shall have direct pedestrian access to a public walkway.
    - iv. Except along an alley, parking lots may either be screened by a Liner building or in compliance with the standards in Article XI (Landscaping).
    - v. New stand-alone surface parking lots shall only be permitted if constructed, owned and/or operated by the City and/or CRA.
    - vi. Wheel stops shall be prohibited and continuous curbing shall be placed two (2) feet from the front of all parking spaces, except those in a parallel configuration.
  - b. *Parking Garages*. Multi-level parking garage structures, whether stand-alone or part of a larger development, shall comply with the following standards:
    - i. Except along an alley or a pedestrian passageway all levels of the garage shall be screened along all frontages by a Liner building containing a minimum depth of twenty (20) feet of habitable space. The requirement for a Liner building along the side and rear frontage may be waived by the Director of the Community Development Department or his/her designee if the applicant demonstrates compliance with the standards below:
      - 1. All architectural elements that face a street or a publically accessible open space shall appear consistent and harmonious with that of habitable space;
      - 2. No vehicles parked within the garage shall be visible from the street;
    - ii. Openings off any street shall not exceed two (2) lanes in width and twenty-four (24) feet maximum per entrance/exit. Entrances/exits on alleys are exempt from this requirement.
    - iii. The garage shall be accessed from an alley or tertiary street, when possible. If the garage is accessed from a primary or secondary street, there shall be only one (1) point of access to the garage area.
    - iv. All parking garages shall have direct pedestrian access to a public walkway.
    - v. New stand-alone parking garages shall only be permitted if constructed, owned and/or operated by the City and/or CRA.
    - vi. Electric car charging stations shall be encouraged to be located within parking structures.
  - c. *Joint and Shared Use Parking*. Joint and Shared Use parking, developed in compliance with the standards in Section 24-92(B) (Joint and Shared Use Facilities) is permitted, with the following modifications for non-residential uses only:

- i. The maximum distance between the primary pedestrian entrance of the joint and shared use parking lot or parking garage and the primary pedestrian entrance of the use served by the parking shall be one thousand three hundred twenty (1,320) feet.
              - d. *Shared Parking.* Shared parking, developed in compliance with the standards in Section 24-99 (Shared Parking) is permitted.
              - e. *Location of Parking.* Parking, developed in compliance with the standards in Section 24-92(D) (Location of Parking) is permitted, with the following modifications for existing non-residential uses only:
                - i. Existing nonresidential uses which need to add spaces to accommodate proposed expansion, may provide for such additional parking on a separate nonresidentially zoned parcel, provided that the maximum distance between the primary pedestrian entrance of the off-site parking lot or parking garage and the primary pedestrian entrance of the use served by the parking shall be one thousand three hundred twenty (1,320) feet.
                - ii. Existing nonresidential uses which need to add spaces to accommodate their existing parking requirements and no expansion is proposed, may provide for such additional parking on a separate nonresidentially zoned parcel, provided that the maximum distance between the primary pedestrian entrance of the off-site parking lot or parking garage and the primary pedestrian entrance of the use served by the parking shall be one thousand three hundred twenty (1,320) feet.
                - iii. All parcels used for remote parking purposes shall be joined with the parcel on which the principal use is located by a recorded easement and/or operational agreement, which shall be approved by the City Attorney. Those parties having any right, title or interest in and to the parcel being served by the remote parking shall execute and place in the public records of Miami-Dade County, Florida at their expense, a covenant, approved by the City Council, that the nonresidential use, or portion thereof, that requires the remote parking in order to obtain the necessary permits or licenses, shall cease and terminate upon the loss and elimination of the remote parking, and that no nonresidential use may be made of the portion of the property requiring remote parking until the required parking facilities are available and provided. This covenant shall run with the land and be binding on the heirs, successors, assigns and lessees, and shall contain a provision that the City may collect costs and attorney's fees if litigation is necessary to enforce this covenant.
- (3) *Loading.* Properties within the mixed use districts shall comply with the standards for Off-Street Loading in Section 24-96 (Off-Street Loading Requirements) and Section 24-97 (Minimum Loading Space Requirements). Loading for properties within the mixed-use districts shall be provided on-site. Where it is unfeasible to provide loading on-site, loading shall be permitted off an alley. Where an alley is not existing, proposed or feasible, loading shall also be permitted on-street subject to the following conditions:
  - a. The loading area shall be located within the on-street parking along a tertiary street;
  - b. An On-Street Loading Plan, subject to Site Plan approval, is required. The On-Street Loading Plan shall demonstrate the location of the loading space(s), the hours for loading and unloading, and a list of the uses on abutting properties and their respective hours of operation; and
  - c. The hours of loading and unloading, as demonstrated in the On-Street Loading Plan, shall not create a conflict with the current or proposed uses on abutting properties. Should the hours of loading and unloading create a conflict with current or future uses on abutting properties, the on-street loading plan shall be revised and/or revoked accordingly.

(L) *Landscape Standards.* The following standards shall apply in addition to any applicable standards in Article XI (Landscaping) not modified herein.

(1) *Modified Standards.*

- a. Tree specifications shall be as per Section 24-119 (Minimum Landscaping Requirements for All Zoning Districts) except for the following:
  - i. A maximum of twenty-five (25%) percent of all required trees shall be of a palm species.
- b. Utilization of berms to screen parking and/or vehicular use areas from public thoroughfares and adjacent residential uses shall be prohibited.
- c. Perimeter landscape requirements: The requirement of a continuous buffer strip of not less than five (5) feet in width, along the perimeter of a property adjacent to any street right-of-way only, shall not be required.

(2) *Additional Standards.*

- a. Building setback shall be adjusted to preserve existing native tree canopies, where feasible.
- b. Landscape strips shall only be placed between the sidewalk and the back of curb.
- c. Use of trees to provide shade, color, and interest, and use of vines, or trained plant materials is appropriate.
- d. Street Trees.
  - i. Street trees are required and shall be spaced at a maximum of thirty (30) feet on center.
  - ii. Street trees shall not be required when colonnades are being provided along the street and the colonnade is placed at a maximum of five (5) feet from the back of curb.
  - iii. When a landscape strip is not provided, street trees shall be placed in tree pits covered with ADA compliant grates. Tree grates shall be sized appropriately for each tree species at maturity. The use of tree grates is appropriate when on-street parking is provided. When no on-street parking is provided, landscape strips are preferred.
  - iv. Adequate clearance to the building facade for uniform development of the street tree canopy shall be demonstrated for the type and species selected.

(3) *Passageways.*

- a. Pedestrian passageways shall be a minimum clear width of fifteen (15) feet between buildings.
- b. A minimum of fifty (50%) percent of the pedestrian passageway shall be shaded and may include a combination of landscaping and architectural elements.
- c. If provided, tree placement shall be in planters or tree grates a minimum of five (5) feet by five (5) feet.
- d. Pedestrian scaled lighting shall be provided.

(M) *Open Space Standards.* Open space areas may be one (1) of three (3) types: designated publically accessible, semi-public or private.

- (1) *Designated Publically Accessible Open Spaces.* The Designated Publically Accessible Open Spaces and Urban Greenway Systems Regulating Plan for each mixed-use district shows the approximate location of existing public and new designated publically accessible open spaces throughout the mixed-use district, where applicable. New designated

publically accessible open spaces are small in scale, largely devoted to natural landscaping and tend to have few structures. Accessory structures may include, statuary, fountains, etc. New designated publically accessible open spaces shall be subject to the following requirements:

- a. The minimum size of a new designated publically accessible open space shall be four thousand eight hundred (4,800) square feet unless otherwise specified in the zoning district.
- b. New designated publically accessible open spaces shall be provided at grade level.
- c. New designated publically accessible open spaces shall provide shaded areas, and their ground surface shall be a combination of paving materials, lawn, or ground cover.
- d. Off-street parking shall not be required for new designated publically accessible open spaces.
- e. Fences, walls and hedges are permitted around the perimeter of a new designated publically accessible open space at a maximum height of thirty-six (36) inches, provided the enclosure does not prohibit public access.
- f. The development and ongoing maintenance of a new designated publically accessible open space area shall be the responsibility of the developer/property owner.
- g. Properties that provide new designated publically accessible open space shall be permitted relief from the minimum and maximum building setback requirements along the portion of the building fronting the open space specifically for the purpose of accommodating the open space.

(2) *Semi-public Open Spaces.*

- a. Semi-public open space shall only be permitted where residential dwelling units are on the ground floor.
- b. Semi-public open space shall count towards the minimum private open space requirement.
- c. Semi-public open space shall abut a public sidewalk and be visible from the street.
- d. The development and ongoing maintenance of a new semi-public open space area shall be the responsibility of the developer/property owner.
- e. Off-street parking shall not be required for semi-public open spaces.
- f. Fences, walls and hedges are permitted around the perimeter of a semi-public open space at a maximum height of thirty-six (36) inches.
- g. Properties that provide semi-public open space shall be permitted relief from the minimum and maximum building setback requirements along the portion of the building fronting the open space specifically for the purpose of accommodating the open space.

(3) *Private Open Spaces.*

- a. Private open spaces shall be provided in the form of colonnades, courtyards, terraces, and lawns. Corridors, walkways, lobbies, parking courts and parking lot buffers shall not count towards the private open space requirement.
- b. The minimum area required for private open space shall be as specified in each mixed-use district.
- c. Private open spaces shall provide shaded areas, and their ground surface shall be a combination of paving materials, lawn, or ground cover.

(4) *Open Space Type Configuration and Design.* New designated publically accessible open spaces and new semi-public open spaces shall be developed in the form of greens, plazas or squares.

a. *Greens.*

- i. Greens shall have more than fifty (50%) percent of their property lines surrounded by residential uses.
- ii. Exclusive of dedicated rights-of-way, the maximum impervious surface area is twenty (20%) percent. The pervious surface areas shall consist primarily of sod, trees, and garden structures.

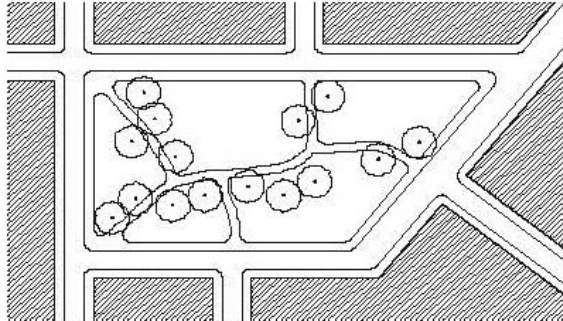


Figure MU-5: Green

b. *Plazas.*

- i. Plazas shall have more than fifty (50%) percent of their property lines surrounded by nonresidential uses.
- ii. Exclusive of dedicated rights-of-way, the minimum impervious surface area is fifty (50%) percent and the maximum impervious surface area is seventy-five (75%) percent. The pervious surface areas shall consist primarily of sod, trees that are regularly spaced, and garden structures. The impervious surfaces shall consist of paved areas, permanent architecture such as archways, statues and gazebos or water-oriented features.

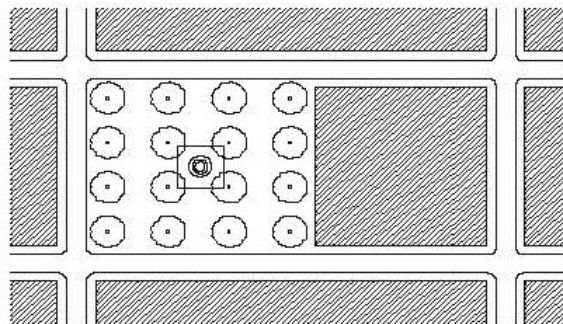


Figure MU-6: Plaza

c. *Squares.*

- i. Squares shall be flanked by streets on at least three (3) sides.
- ii. Exclusive of dedicated rights-of-way, the maximum impervious surface area is fifty (50%) percent. The pervious surface areas shall consist primarily of sod and

trees that are regularly spaced. The impervious surfaces shall consist of hard-surfaced walks.

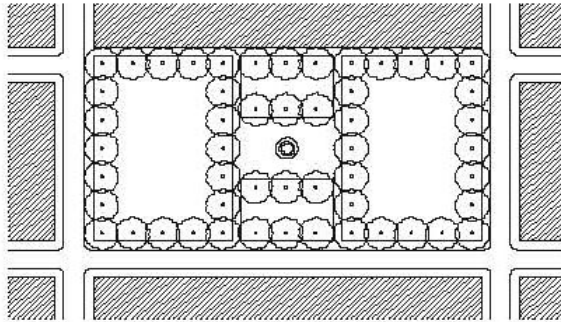


Figure MU-7: Square

- (N) *Designated Publically Accessible Urban Greenways Systems.* The Designated Publically Accessible Open Spaces and Urban Greenways Systems Regulating Plan for each mixed-use district shows the approximate location of the required publically accessible urban greenways system throughout the mixed-use district. The property owner shall dedicate the land for the publically accessible urban greenway or provide an easement, at the City's discretion, for public access along the entire length of the greenway abutting the property. Additionally, the development and ongoing maintenance of the required designated publically accessible urban greenways shall be the responsibility of the developer/property owner along the urban greenway. The design and dimensional requirements for the required greenways are specified in each mixed-use district.
- (O) *Mechanical Equipment and Service Utilities.* The following standards shall apply in addition to any applicable standards in Section 24-81 (Setback Encroachments) not modified herein:
- (1) Mechanical equipment, backflow preventers, television antennas, satellite dishes, communication devices and similar systems and service areas shall not be visible from the public sidewalk and shall be located to the rear of a building or on an alley where feasible.
  - (2) Window air conditioning units shall not be visible from any street.
  - (3) Utility connections and service boxes shall not be visible from any street.
- (P) *Fences, Walls and Hedges.* The following standards shall apply in addition to any applicable standards in Section 24-80 (Fences, Walls and Hedges) not modified herein:
- (1) Fences, walls and hedges in non-residential and mixed-use buildings shall only be permitted when used in conjunction with the following:
    - a. Screening of mechanical equipment;
    - b. Screening of off-street loading, trash and service areas;
    - c. Required perimeter buffer; and
    - d. Screening of off-street parking lots.
  - (2) Fences, walls and hedges in residential buildings located within the front setback shall not exceed forty-eight (48) inches in height.
  - (3) No fence or wall may be constructed, installed or maintained which includes barbed wire, broken glass, electrical elements, or other hazardous materials.
- (Q) *Light Pole Standards.* The following standards shall apply for light poles:
- (1) Light poles shall not exceed an overall height of 17.5 feet above grade;



- (2) No cobra head lights are permitted;
  - (3) All lighting shall be LED or light-emitting diode; and
  - (4) All lighting shall be weather and vandal resistant (i.e., resistant to graffiti, shattering etc.).
  - (5) All lighting shall be constructed from steel, cast iron, spun aluminum, colored concrete or granite.
  - (6) All wiring shall be underground.
  - (7) On-site lighting poles shall be of a consistent architectural style and shall complement the predominant architectural theme of the project.
- (R) *Height Standards.* The height of buildings shall be measured in stories and in feet. The maximum overall building height shall not exceed the maximum building height allowed for the district. Additionally, the following shall apply:
- (1) Building height is the vertical distance above the centerline of the adjacent fronting road to the highest point of the building, or in the case of pitched roofs, to the average height between the bottom of the eave and the peak of the roof. In a Special Flood Hazard Area (SFHA) the building height shall be measured from the minimum finished flood elevation required in the SFHA. Only accessory structures permitted elsewhere in these regulations to extend beyond the height of the building are exempt from the maximum allowable building height requirements.
  - (2) Each story shall be permitted a maximum height of twelve (12) feet except for the ground floor which shall be permitted a maximum height of twenty (20) feet.
  - (3) When the mezzanine area is greater than fifty (50%) percent of the floor area in which it is in, it shall count as a full story when calculating building height.
  - (4) Parking garages shall be measured in levels.
  - (5) Each parking garage level at the frontage line(s) shall equal one (1) story for the purposes of measuring building height.
  - (6) Any parking garage levels that are fully concealed by a habitable story and use for a minimum depth of twenty (20) feet from the frontage line(s) are not restricted in the number of levels, provided that the overall height of the garage does not exceed the overall height of the habitable stories at the frontage line.
- (S) *Design Standards.* The following design standards shall apply:
- (1) *Building Configuration and Design.*
    - a. Building Length. The maximum horizontal dimension of a building shall be three hundred (300) feet.
    - b. Building Separation. For tower building types only, when a building is constructed at the maximum building length, a minimum thirty-foot separation at the podium level shall be required between the subject building and any subsequent building.
    - c. Projects with three (3) or more distinctly separate buildings/building groups shall have substantially different front elevations. Substantially different front elevations shall include but not be limited to variations in fenestration, material, massing and color.
    - d. The primary entrance of a building shall provide access to a public right-of-way, urban greenway or an open space.
    - e. The primary entrance to the upper levels of a mixed-use building shall be from a public right-of-way.
    - f. Porticoes, canopies, colonnades and roofs shall be guttered, and drainage shall be deposited on-site.

- g. **Active Use Standards.** Active uses shall be required along all building frontages and the following shall apply:
  - i. **Ground Floor Active Use.** Storefronts are active uses located along the ground floor of a building. Storefronts shall be provided in compliance with the following standards:
    - 1. They shall be provided on the ground floor of all mixed-use and non-residential buildings;
    - 2. They shall be directly accessible from a street frontage, urban greenway or an open space;
    - 3. For properties with two (2) or more frontages, they shall be located on a minimum of two (2) frontages, with priority given to frontages on an urban greenway, open space and the highest ranking street;
    - 4. They shall have a transparent clear glazed area of not less than seventy (70) percent of the façade area;
    - 5. Ground floor window sills shall be placed at a maximum height of twenty-four (24) inches above grade; and
    - 6. Security enclosures, if any, shall be of the mesh type that pedestrians can see through, and shall be located behind storefront displays.
  - ii. **Active Use Liner.** The minimum depth of an active use liner is measured generally perpendicular to the building frontage.
    - 1. The minimum depth of the active use liner shall be twenty (20) feet.
    - 2. Those portions of active use liners which exceed the minimum frontage requirements may have a minimum depth of fifteen (15) feet.
    - 3. When a parking structure is the primary use, the active use liner may be reduced to a minimum of fifteen (15) feet.
- h. **Facade Articulation Requirements.**
  - i. Architectural features or architectural treatment shall be provided for all facade elevations.
  - ii. The following shall be permitted, but shall not be considered architectural features or architectural treatments acceptable as facade articulation: inward or recessed projections resulting from required setbacks; paint; faux treatments; building signs; construction joints, scoring, or material applications less than four (4) inches in height, width or depth.
- i. **Architectural Treatment Standards.**
  - i. Architectural treatment shall be provided for all non-active use facade elevations and shall be integrated with the design of adjacent active use facades.
  - ii. Architectural treatment shall be provided through a combination of two (2) or more treatments including, but not limited to, the use of materials and construction assemblies; the continuation of fenestration patterns, architectural features, articulation and rhythm; the application of architectural screens, meshes, louvers, and glass; the incorporation of vegetated surfaces and planters; and architectural lighting.
  - iii. Architectural treatment does not include the application of paint and faux treatments; scoring, construction joints or material projections less than four (4) inches in height, width or depth. These elements are permitted, but they do not fulfill the requirements of architectural treatment.

- j. Fenestration Standards. All building types, except single-family, shall comply with the following fenestration standards:
  - i. Except for storefronts, a minimum of thirty (30) percent of all ground floor street walls shall be fenestrated with windows;
  - ii. Mirror type glass shall be prohibited;
  - iii. All glazing shall be of a type that permits view of human activities and spaces within the structure; and
  - iv. Colonnade column spacing, windows, and doors shall be proportioned such that the height of each opening is greater than its width.
- k. Colonnade Standards.
  - i. Colonnades built to satisfy building frontage requirements shall be attached to the principal structure.
  - ii. In no case shall the depth of the colonnade exceed the colonnade's height.
  - iii. The finished floor elevation of the colonnade shall match the adjoining sidewalk, when applicable.
- l. Awnings. The type of awning used and its form, materials and color shall be consistent with the design character of the building to which it is attached and shall be subject to the following requirements:
  - i. Awnings shall be located between, rather than across, significant vertical architectural features that make up the composition of the facade, such as pilasters or protruding columns. Awning framing shall align with storefront framing.
  - ii. Awnings shall be rectangular in shape with straight edges except when located above an archway or arched fenestration.
  - iii. Vinyl and plastic awnings are prohibited unless treated in a manner so as to appear similar to canvas or other natural materials in texture and color.
  - iv. Valances shall not exceed eight (8) inches in height.
  - v. When used, lighting for awnings shall be from fixtures located above the awning and shall be designed and placed to enhance the appearance of the building. Internally illuminated awnings are prohibited.
  - vi. A waiver may be granted administratively by the Director of the Community Development Department or his/her designee in order to maintain the architectural character of a structure, or in the event that site features, such as, but not limited to, utility line poles or street trees, restrict the applicant from full compliance.
- m. Automatic food and drink machines and telephones must be located inside buildings.
- n. Dwelling Units. Dwelling units shall not be less than five hundred fifty (550) square feet. In multiple dwelling unit buildings, the cumulative average of all dwelling units shall not be less than eight hundred (800) square feet.
- o. Live-Work Units. Both the non-residential and the residential uses in the live-work unit shall be occupied by a common owner or tenant and shall comply with the following standards:
  - i. The nonresidential use's space shall be located on the ground floor and shall be directly accessible from the street frontage, urban greenway or an open space;

- ii. The ground floor shall be restricted to those non-residential uses permitted within the mixed use districts. The full conversion of the unit or lease space into all residential use or all non-residential uses shall be prohibited;
  - iii. The nonresidential use's facade shall have a transparent clear glazed area of not less than seventy (70%) percent; and
  - iv. If the entrance of the residential component of a live-work unit is separate from the nonresidential use's portion of the unit then the primary entrance of the residential component shall directly lead to a street frontage, urban greenway or an open space.
- p. Rooftop Terraces. These regulations are intended to guide the nonhabitable use of rooftops for buildings built to the maximum story height limit to allow rooftop terraces. Rooftop terraces and rooftop amenities, such as roof gardens, observation decks, swimming pools, and running tracks, are encouraged to create unique gathering spaces to aid in the reduction of the urban heat index in the mixed-use district area, and to add aesthetic value to the buildings. Rooftop terraces are not intended to add additional story height for uses that could otherwise occupy space within the building, such as, but not limited to, fitness centers, restaurants, locker rooms, and other similar amenities. Rooftop terraces shall be subject to the following criteria:
- i. Rooftop terraces shall be architecturally compatible with the design of the overall building.
  - ii. Rooftop terraces that are entirely open to the sky may occupy one hundred (100%) percent of the total gross roof area.
  - iii. Rooftop terraces shall be hardscaped with materials such as, but not limited to, patterned concrete, pavers, or wood decking.
  - iv. Rooftop terraces shall provide shaded seating areas.
  - v. Rooftop terraces shall be landscaped over a minimum of fifteen (15%) percent of the rooftop terrace area. Landscaping shall consist of trees, shrubs, ground cover, and vines.
- q. Covered Structures.
- i. Covered structures above the maximum allowable building height are permitted to cover a maximum area of thirty (30%) percent of the gross rooftop area. For the purposes of calculating the maximum area, the term "covered structures" shall not include enclosures for screening mechanical systems.
  - ii. Covered structures above the maximum allowable building height shall not be designed in any manner that would permit the conversion of such structure from non-habitable to habitable space, and shall not include commercial uses. Covered structures shall be compatible with and in proportion to the architecture of the overall building. The following restrictions apply:
    - 1. Climate-controlled structures are limited to the minimum area necessary to accommodate uses which are secondary and incidental to the primary rooftop amenity. These structures may include saunas and steam rooms and code-required restrooms.
    - 2. The supporting restroom facilities shall not exceed one hundred ten (110%) percent of the size required by the health department.
    - 3. Refreshment service areas are permitted provided such areas do not include cooking facilities and are not climate-controlled.
    - 4. Open air structures located on the ground floor shall not be subject to these requirements.

- r. **Swimming Pools.** Swimming pools and/or whirlpools are permitted in rooftop terraces subject to the following criteria:
  - i. Swimming pools and/or whirlpools are permitted provided the top of the surrounding deck does not exceed eight (8) feet above the top of the main rooftop.
  - ii. Swimming pools and/or whirlpools shall be surrounded by a minimum five-foot-wide walkway.
  - iii. Facilities associated with swimming pools shall comply with the standards for covered structures.

(2) *Block Requirements.* The following standards for blocks shall apply:

- a. In the Mixed-Use Town Center (MU/TC), Mixed-Use Employment Center (MU/EC), Mixed-Use Neighborhood Center (MU/NC), and Arch Creek Mixed-Use Corridor (MU/C) the maximum length of a block shall be six hundred (600) feet and the maximum perimeter shall be one thousand nine hundred (1,900) feet. The perimeter of a block is the sum of the sides of the block.
- b. In the South Mixed-Use Waterfront (South MU/WF), Eastern Mixed-Use Waterfront (Eastern MU/WF) and Northern Mixed-Use Waterfront (Northern MU/WF) the maximum length of a block shall be four hundred (400) feet and the maximum perimeter shall be one thousand four hundred (1,400) feet. The perimeter of a block is the sum of the sides of the block.







(3) *Building Typology and Placement Regulating Diagrams and Dimensional Standards.*

- a. *Building Typology.* All new buildings shall conform to one (1) of the permitted building typologies. The building typologies are demonstrated in the Building Typology and Placement Regulating Diagrams as shown in Figures MU-8 through MU-15. The diagrams provide a schematic representation of the various building typologies and demonstrate the required setbacks, lot standards, and profiles of structures. Not all building typologies are permitted in each mixed-use district. Each mixed-use district specifies the allowable building types permitted in each district. Existing buildings which do not fit a prescribed typology, shall follow the standards required for the Flex building typology.

**FIGURE MU-8: TOWER BUILDING TYPE**

**DEFINITION:**

a multi level building organized around a central core where a part of the building is higher in proportion.

-  BUILDING LINE
-  PROPERTY LINE
-  ACTIVE USE
-  PARKING AREA
-  LOT WIDTH
-  LOT DEPTH

**LOT STANDARDS: MIN. MAX.**

	MIN.	MAX.
a. Lot Width	200'	250'
b. Lot Depth	200'	N/A
c. Lot Area	N/A	N/A
d. Impervious Area	N/A	90% (1)
e. Pervious Area	10%	N/A
f. Interior Side Setback	0' (2)	N/A
g. Rear Setback	0' (2)	N/A
h. Tower Setback	15' (3)	N/A

**NOTES:**

1. At Podium
2. Except 30' minimum when abutting Townhouse, zero lot lines and existing single family and an alley is not existing or proposed.
3. From podium.

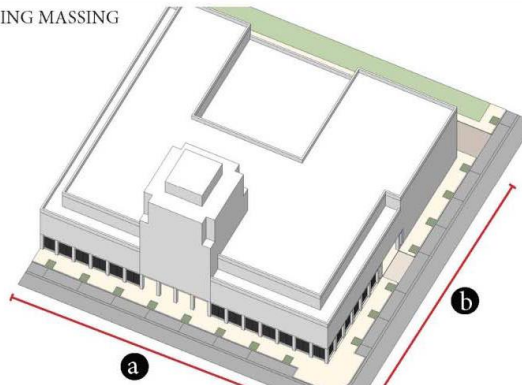
**OPEN SPACE STANDARDS:**

All multi-family residential, live-work units and mixed-use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.

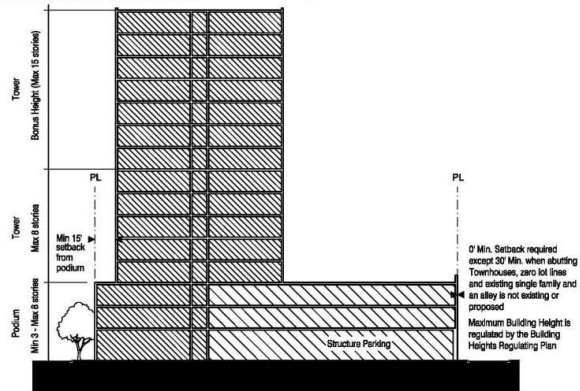
**TOWER ORIENTATION:**

Primary and Secondary Streets, Terminated Vistas and along Greenways and Designated Open Spaces

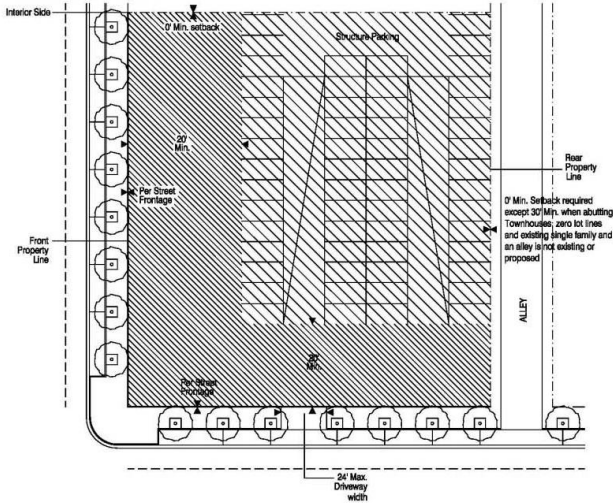
**BUILDING MASSING**



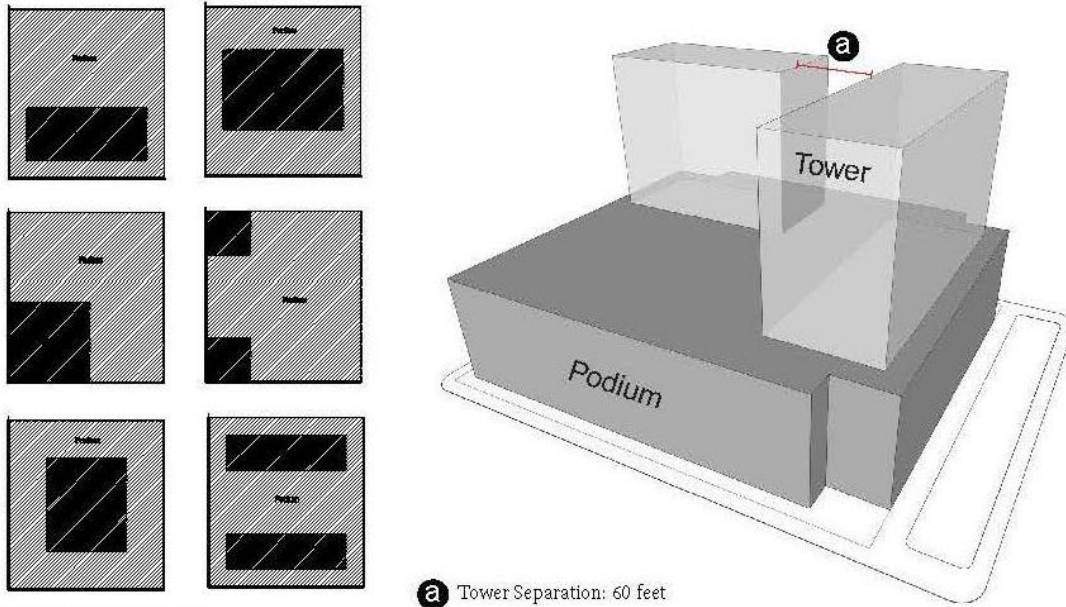
**BUILDING CONFIGURATION**



**BUILDING SETBACKS**



## EXAMPLES OF TOWER CONFIGURATION



### TOWER FLOORPLATE:

The average shall be calculated as the total cumulative tower floorplate area divided by the number of tower stories. The maximum average floorplate is dependant on the tower's primary use as follows: Office of Mixed Use - average up to 35,000 square feet and a maximum of 45,000 square feet for any single tower floorplate; Residential or Hotel - average up to 20,000 square feet and a maximum of 30,000 square feet for any single tower floorplate. The total cumulative floorplate area at any given story shall not exceed maximum permitted footprint.

### TOWER SETBACK:

The minimum setback for the tower shall be 15 feet from the podium. Where the portion of the tower is at the end of a street vista, the minimum setback shall be 0 feet from the podium.

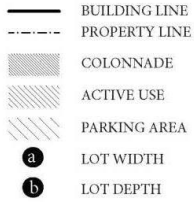
## ILLUSTRATIVE EXAMPLES



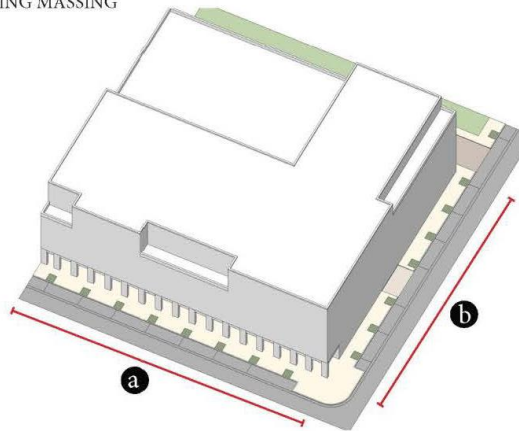
**FIGURE MU-9: LINER BUILDING TYPE**

**DEFINITION:**

A building that conceals a garage, or other faceless building, that is designed for occupancy.



**BUILDING MASSING**



**LOT STANDARDS: MIN. MAX.**

	MIN.	MAX.
a. Lot Width	125'	300'
b. Lot Depth	170'	N/A
c. Lot Area	N/A	N/A
d. Impervious Area	N/A	90%
e. Pervious Area	10%	N/A
f. Interior Side Setback	0' (1)	N/A
g. Rear Setback	0' (1)	N/A

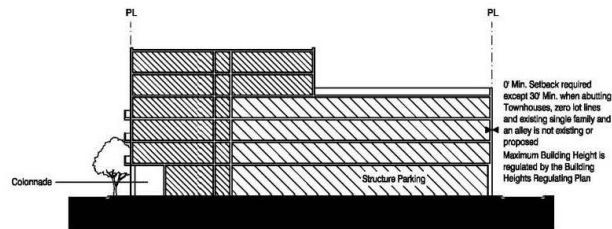
**NOTES:**

1. Except 30' minimum when abutting Townhouse, zero lot lines and existing single family and an alley is not existing or proposed.
2. The minimum depth of the active use lining the garage or other faceless building shall be 20 feet.

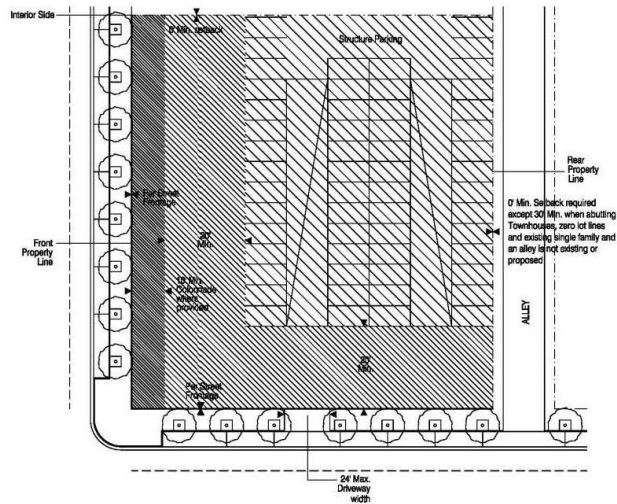
**OPEN SPACE STANDARDS:**

All multi-family residential, live-work units and mixed-use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.

**BUILDING CONFIGURATION**

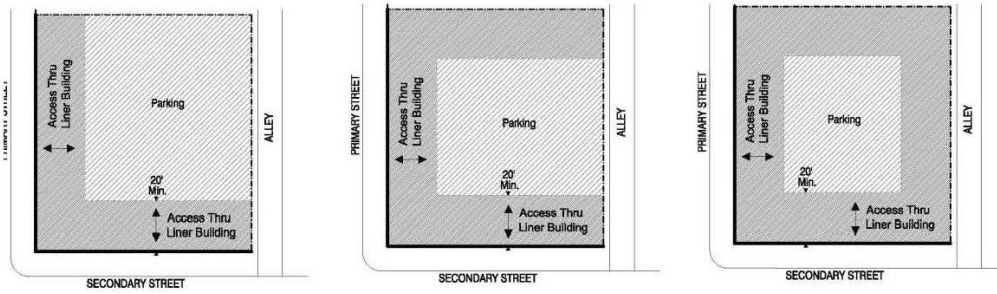


**BUILDING SETBACKS**





# EXAMPLES OF LINER CONFIGURATION



Liner buildings along Main Street in City Place









View from rear of lot showing parking garage structures lined along the street

## FIGURE MU-10: COURTYARD BUILDING TYPE A

### DEFINITION:

a building characterized as having a central open space that is open to the sky and enclosed by habitable space on at least three sides with detached parking.

	BUILDING LINE
	PROPERTY LINE
	ACTIVE USE
	PARKING AREA
	LOT WIDTH
	LOT DEPTH

### LOT STANDARDS: MIN. MAX.

	MIN.	MAX.
a. Lot Width	150'	200'
b. Lot Depth	160'	N/A
c. Lot Area	N/A	N/A
d. Impervious Area	N/A	90%
e. Pervious Area	10%	N/A
f. Interior Side Setback	0' (1)	N/A
g. Rear Setback	0' (1)	N/A

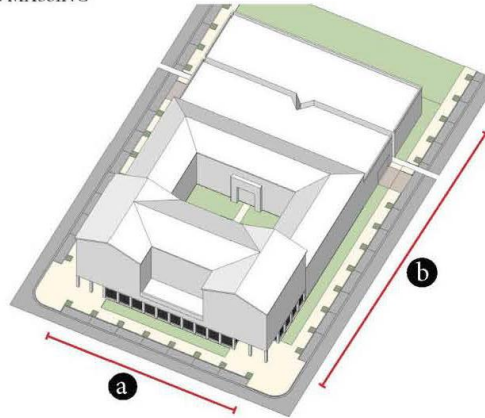
### NOTES:

1. Except 30' minimum when abutting Townhouse, zero lot lines and existing single family and an alley is not existing or proposed.

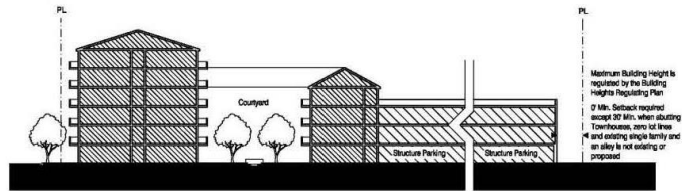
### OPEN SPACE STANDARDS:

All multi-family residential, live-work units and mixed-use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.

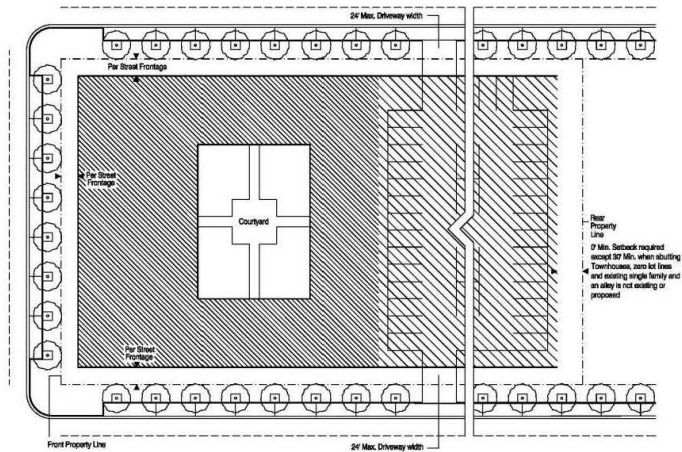
### BUILDING MASSING



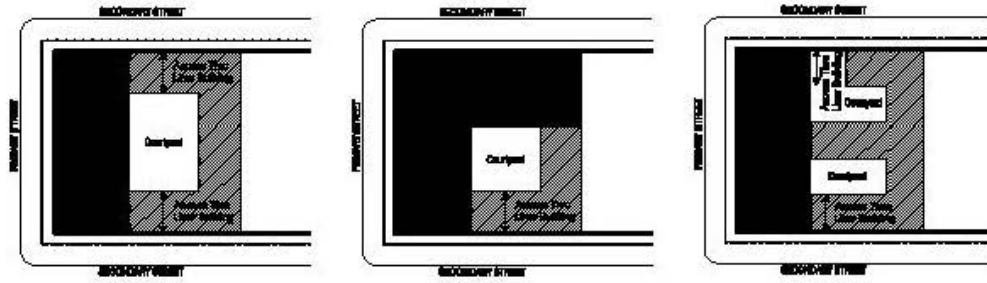
### BUILDING CONFIGURATION



### BUILDING SETBACKS



## EXAMPLES OF BUILDING CONFIGURATION









## ILLUSTRATIVE EXAMPLES



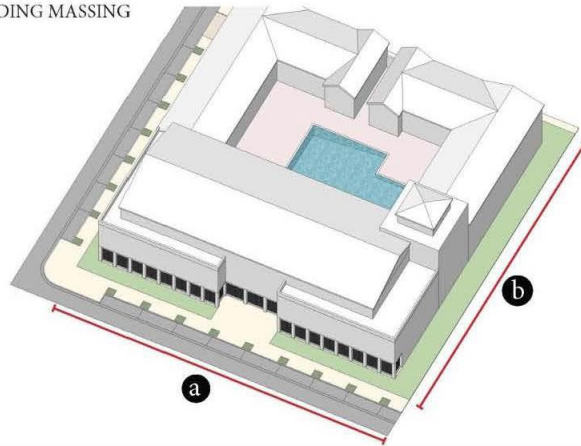
**FIGURE MU-11: COURTYARD BUILDING TYPE B**

**DEFINITION:**

a building characterized as having a central open space that is open to the sky and enclosed by habitable space on at least three sides with attached parking.

-  BUILDING LINE
-  PROPERTY LINE
-  ACTIVE USE
-  PARKING AREA
-  LOT WIDTH
-  LOT DEPTH

**BUILDING MASSING**



**LOT STANDARDS: MIN. MAX.**

a. Lot Width	150'	200'
b. Lot Depth	160'	N/A
c. Lot Area	N/A	N/A
d. Impervious Area	N/A	90%
e. Pervious Area	10%	N/A
f. Interior Side Setback	0' (1)	N/A
g. Rear Setback	0' (1)	N/A

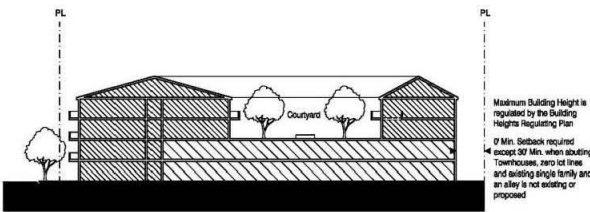
**NOTES:**

1. Except 30' minimum when abutting Townhouse, zero lot lines and existing single family and an alley is not existing or proposed.

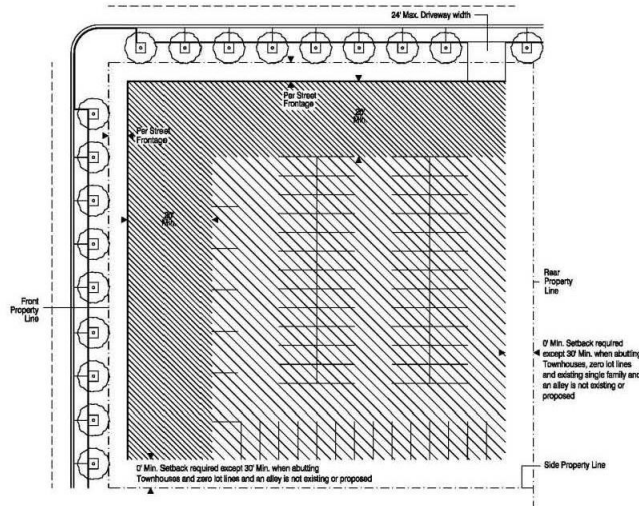
**OPEN SPACE STANDARDS:**

All multi-family residential, live-work units and mixed-use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.

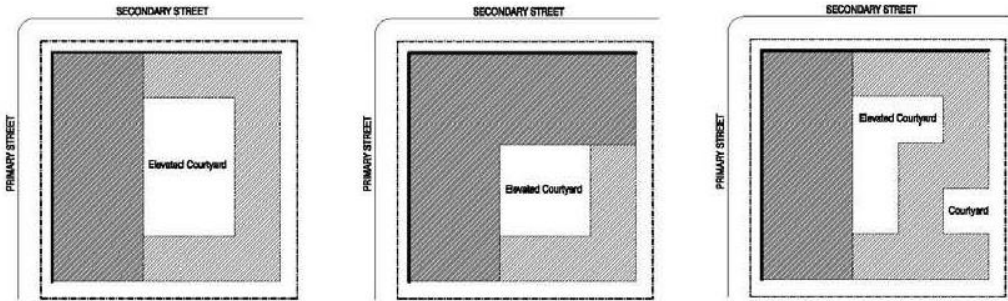
**BUILDING CONFIGURATION**



**BUILDING SETBACKS**



# EXAMPLES OF BUILDING CONFIGURATION










# ILLUSTRATIVE EXAMPLES



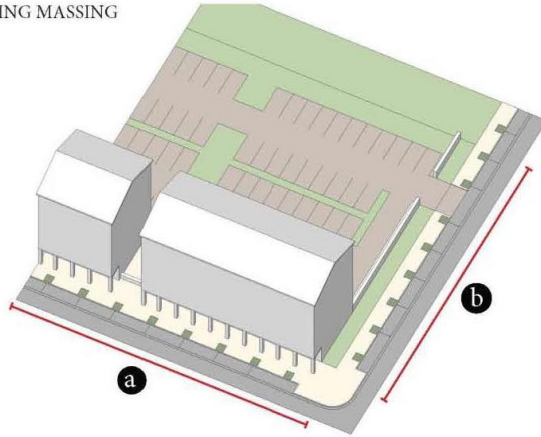
**FIGURE MU-12: FLEX BUILDING TYPE**

**DEFINITION:**

buildings designed to respond to changes of function in a flexible way. The flex building is able to accept different internal configurations and easily adapt to its surroundings.

-  BUILDING LINE
-  PROPERTY LINE
-  ARCADE / COLONNADE
-  ACTIVE USE
-  PARKING AREA
-  LOT WIDTH
-  LOT DEPTH

**BUILDING MASSING**



**LOT STANDARDS: MIN. MAX.**

	MIN.	MAX.
a. Lot Width	75'	200'
b. Lot Depth	130'	N/A
c. Lot Area	N/A	N/A
d. Impervious Area	N/A	90%
e. Pervious Area	10%	N/A
f. Interior Side Setback	0' (1)	N/A
g. Rear Setback	0' (1)	N/A

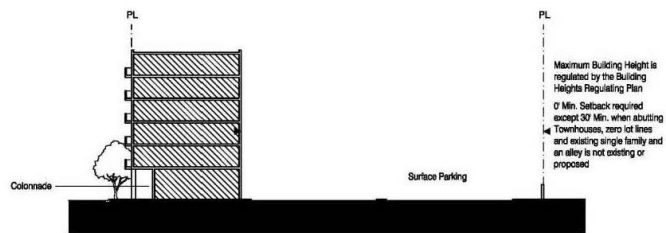
**NOTES:**

1. Except 30' minimum when abutting Townhouse, zero lot lines and existing single family and an alley is not existing or proposed.

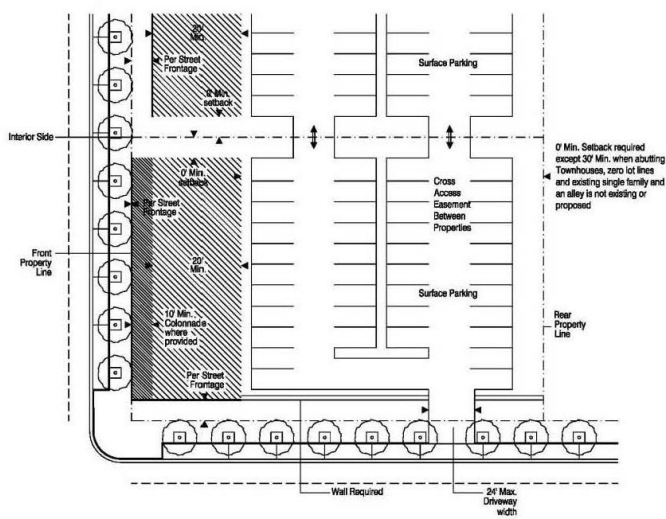
**OPEN SPACE STANDARDS:**

All multi-family residential, live-work units and mixed-use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.

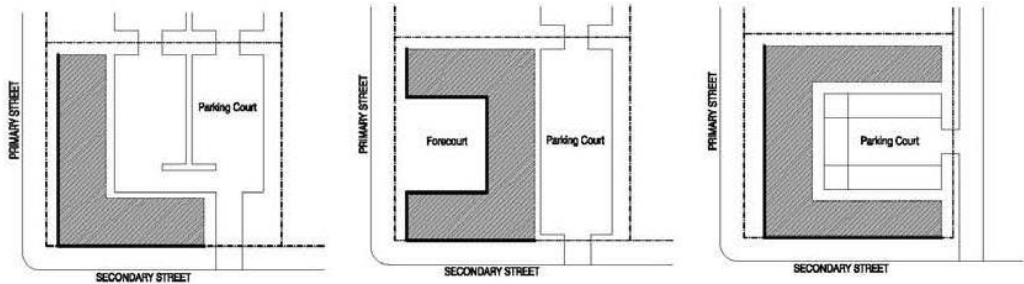
**BUILDING CONFIGURATION**



**BUILDING SETBACKS**



EXAMPLES OF BUILDING CONFIGURATION









ILLUSTRATIVE EXAMPLES



**FIGURE MU-13: TOWNHOUSE BUILDING TYPE 1**

**DEFINITION:**

a single family residential building attached to a series of other single family residential buildings by not more than two party walls. Townhouse Type 1 is distinguished by a detached garage there-by providing a private rear yard.

-  BUILDING LINE
-  PROPERTY LINE
-  ACTIVE USE
-  PARKING AREA
-  LOT WIDTH
-  LOT DEPTH

**LOT STANDARDS: MIN. MAX.**

a. Lot Width	25'	30'
b. Lot Depth	100'	110'
c. Lot Area	1800 sf	N/A
d. Impervious Area	N/A	90%
e. Pervious Area	10%	N/A
f. Interior Side Setback	0'	0' (2)
g. Rear Setback	0'	5'

**NOTES:**

- Townhouses shall provide a minimum of 15 feet between building groups and the length of a building group shall not exceed 240 feet.
- Except 10 feet when abutting a passageway.

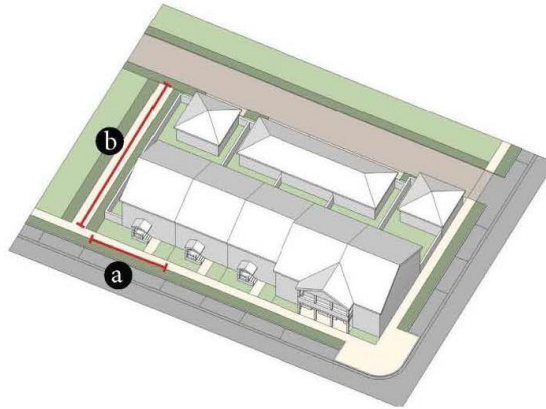
**PARKING STANDARDS:**

The parking shall be accessed from the rear off an alley with a right-of-way of 30 feet wide.

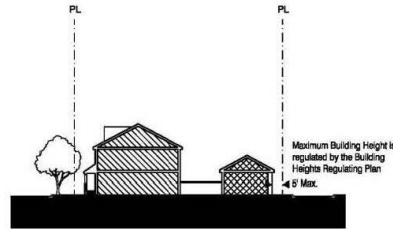
**OPEN SPACE STANDARDS:**

Townhouse Type 1 shall only be permitted in the Transition and Edge Sub-areas. A minimum of 400 square feet of private open space shall be required in the form of a rear yard.

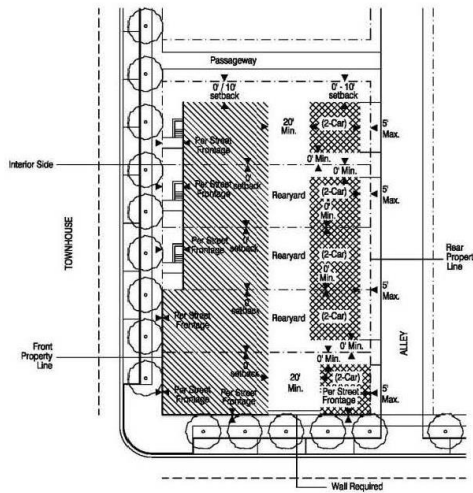
**BUILDING MASSING**



**BUILDING CONFIGURATION**



**BUILDING SETBACKS**

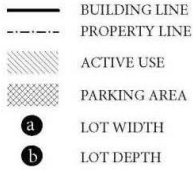




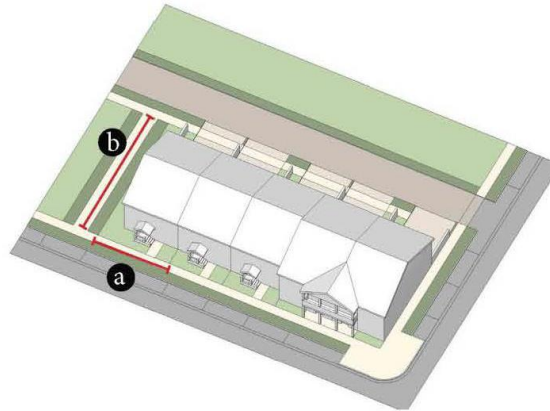
**FIGURE MU-14: TOWNHOUSE BUILDING TYPE 2**

**DEFINITION:**

a single family residential building attached to a series of other single family residential buildings by not more than two party walls. Townhouse Type 2 is distinguished by an attached garage thereby not providing a private rear yard.



**BUILDING MASSING**



**LOT STANDARDS: MIN. MAX.**

a. Lot Width	25'	30'
b. Lot Depth	70'	85'
c. Lot Area	1800 sf	N/A
d. Impervious Area	N/A	90%
e. Pervious Area	10%	N/A
f. Interior Side Setback	0'	0' (2)
g. Rear Setback	0'	5'

**NOTES:**

1. Townhouses shall provide a minimum of 15 feet between building groups and the length of a building group shall not exceed 240 feet.
2. Except 10 feet when abutting a passageway.

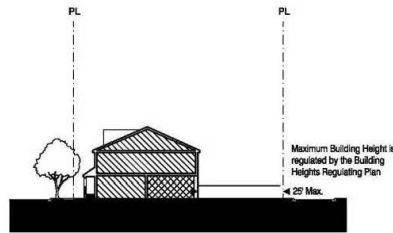
**PARKING STANDARDS:**

The parking shall be accessed from the rear off an alley with a right-of way of 30 feet wide.

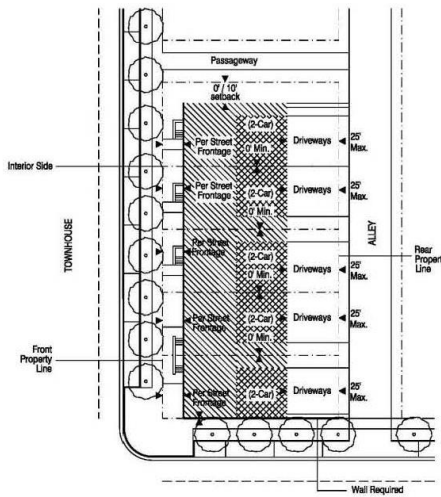
**OPEN SPACE STANDARDS:**

Townhouse Type 2 shall only be permitted in the Core and Transition Sub-areas. A minimum of 200 square feet of private open space shall be required and a rear yard shall not be required.

**BUILDING CONFIGURATION**



**BUILDING SETBACKS**



**FIGURE MU-15: ZERO-LOT LINE (SIDEYARD HOUSE AND COURTYARD HOUSE TYPE)**

**DEFINITION:**

**Sideyard House:** a detached dwelling distinguished by the provision of an unenclosed porch on the side of the house. The side porch is screened from the view of the street by a wall or fence.

**Courtyard House:** A dwelling unit distinguished by the provision of an open-air courtyard or atrium. The courtyard is enclosed on at least three sides by habitable space and shall provide penetrable openings such as windows and doors between the interior of the dwelling and the courtyard.

- SY Sideyard
- CY Courtyard
- BUILDING LINE
- - - PROPERTY LINE
- ▨ ACTIVE USE
- ▩ PARKING AREA

LOT STANDARDS:	SY		CY	
	MIN.	MAX.	MIN.	MAX.
a. Lot Width	50'	60'	40'	50'
b. Lot Depth	100'	110'	100'	110'
c. Lot Area	5000sf	4000sf	N/A	N/A
d. Impervious Area	N/A	60%	N/A	70%
e. Pervious Area	30%	N/A		
f. Interior Side Setback	0'/15' (1)	0'	0'/N/A	0'
g. Rear Setback	0'	5'	0'	5'

**NOTES:**

- One side shall be 0 feet and the other a minimum of 15 feet.
- Sideyards shall be required to provide a porch on the side a minimum 10 feet deep.

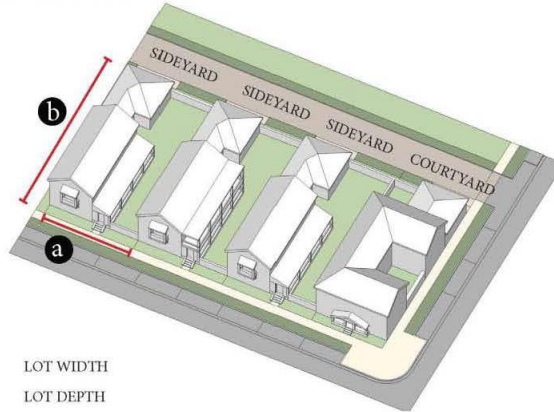
**PARKING STANDARDS:**

In the Center Sub-district, parking shall be accessed from the rear off an alley.

**OPEN SPACE STANDARDS:**

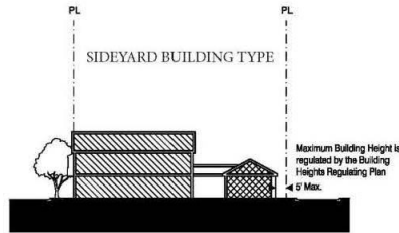
In the Center/Edge Sub-district a minimum of 400 square feet of private open space shall be required in the form of a courtyard, sideyard or rear yard.

**BUILDING MASSING**

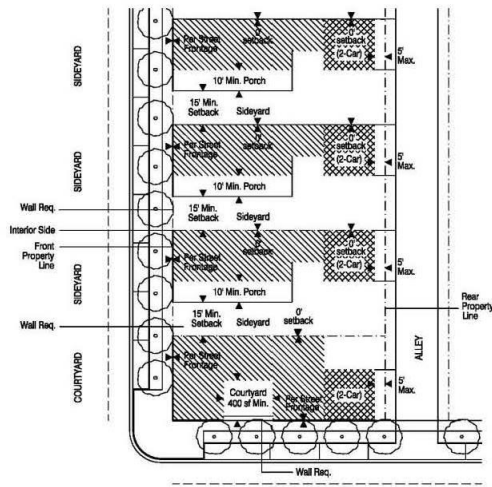


- a** LOT WIDTH
- b** LOT DEPTH

**BUILDING CONFIGURATION**



**BUILDING SETBACKS**



**ILLUSTRATIVE EXAMPLES**

*TOWNHOUSE BUILDING TYPE*



*ZERO-LOT LINE (SIDEYARD HOUSE TYPE)*



*ZERO-LOT LINE (COURTYARD HOUSE TYPE)*



*ZERO-LOT LINE (SIDEYARD HOUSE TYPE)*



b. *Setbacks and Building Frontage.*

- i. *Front and Street Side Setbacks and Building Frontage.* Front and Street Side setbacks are determined based on the street the building fronts and is specified in each mixed-use district. For purposes of the building frontage, a forecourt shall be considered as a principal building. Where a forecourt is provided, the following shall apply:
  1. The portion of the building fronting the forecourt may be set back up to twenty-five (25) feet from the property line to accommodate a forecourt.
  2. Where there is an outdoor eating area installed on the street frontage, the building frontage may be altered by providing a forecourt. The forecourt shall not exceed sixty (60%) percent of the building frontage as shown in Figure MU-16.

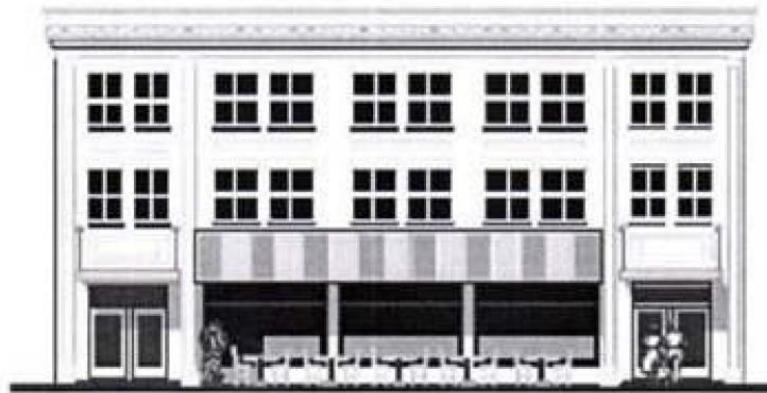
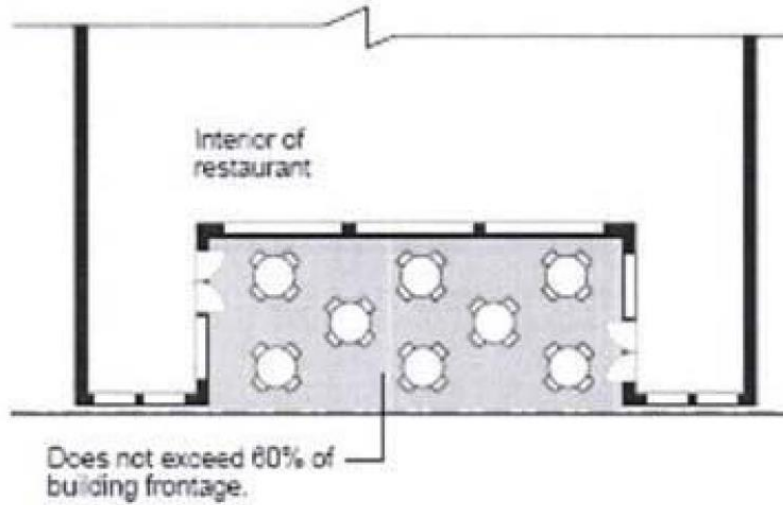


Figure MU-16: Forecourt

- ii. *Interior Side and Rear Setbacks.* Interior Side and Rear Setbacks are determined based on the selected building typology. Table MU-1 lists the minimum interior side setbacks based on building typology.

Table MU-1 Interior Side and Rear Setbacks By Building Type (1)				
Building Type	Interior Side	Rear		Setback Notes
	Min. (No Max.)	Min.	Max.	
Tower (At Podium)	0	0	N/A	30 ft. Min. required when abutting townhouses, zero-lot

Level)				lines and existing single family residential and an alley is not existing or proposed
Liner	0	0	N/A	30 ft. Min. required when abutting townhouses, zero-lot lines and existing single family residential and an alley is not existing or proposed
Courtyard Building A&B	0	0	N/A	30 ft. Min. required when abutting townhouses, zero-lot lines and existing single family residential and an alley is not existing or proposed
Flex	0	0	N/A	30 ft. Min. required when abutting townhouses, zero-lot lines and existing single family residential and an alley is not existing or proposed
Townhouse Type 1	0 (2)	0	5	N/A
Townhouse Type 2	0 (2)	0	25	N/A
Zero-Lot Line (Courtyard House)	0 / 15	0	5	One side shall be 0 feet and the other shall be a minimum of 15 ft.
Zero-Lot Line (Sideyard House)	0 / 15	0	5	One side shall be 0 feet and the other shall be a minimum of 15 ft.
<p>Note:</p> <p>(1) Setbacks shall be measured from property lines.</p> <p>(2) Except ten (10) feet when abutting a pedestrian passageway.</p>				

iii. *Tower Regulations.*

1. *Tower Floorplate Standard.* The average shall be calculated as the total cumulative tower floorplate area divided by the number of tower stories. The maximum average floorplate is dependent on the tower's primary use as follows: Office or Mixed-use — average up to thirty-five thousand (35,000) square feet and a maximum of forty-five thousand (45,000) square feet for any single tower floorplate; Residential or Hotel — average up to twenty-two thousand (22,000) square feet and a maximum of thirty thousand (30,000) square feet for any single tower floorplate.
2. *Tower Separation.* The minimum allowable horizontal distance between two (2) or more tower floorplates shall be sixty (60) feet.

3. *Tower Orientation.* Tower Orientation shall be specified toward terminating Street Vistas and along Designated Publically Accessible Urban Greenways and Open Spaces, where applicable. The placement of the tower shall be such that it is near, fronting or adjacent to a specified Designated Publically Accessible Urban Greenway and/or Open Space.
- c. *Lot Standards.* Lot standards, including but not limited to lot dimensions and impervious surface area, are determined based on the selected building typology. Table MU-2 lists the lot standards.

Table MU-2 Lot Standards By Building Type									
Building Type	Lot Standards (1)							Private Open Space	Additional Notes
	Lot Width (Ft.)		Lot Depth (Ft.)		Impervious Surface Area	Lot Area (SF)	Pervious Surface Area		
	Min.	Max.	Min.	Max.	Max.	Min.	Min.		
Tower	200	250	200	N/A	90%	N/A	10%	All multifamily residential, live-work units and Mixed-use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.	N/A
Liner	125	300	170	N/A	90%	N/A	10%	All multifamily residential, live-work units and Mixed-use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private	N/A

								open space.	
Courtyard Building	150	200	160	N/A	90%	N/A	10%	All multifamily residential, live-work units and Mixed-use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.	N/A
Flex	75	200	130	N/A	90%	N/A	10%	All multifamily residential, live-work units and Mixed-use developments with residential dwellings shall reserve a minimum of 10% of the site for common, private open space.	N/A
Townhouse Type 1	25	30	100	110	90%	1,800	10%	Minimum of 400 sq. ft. of private open space shall be required in the form of a rear yard.	Townhouses shall provide a minimum of 15 feet between building groups and the length of a building group shall not exceed 240 feet.
Townhouse	25	30	70	85	90%	1,800	10%	Minimum of 200 sq. ft. of private	Townhouses shall provide a



Type 2								open space shall be required and a rear yard shall not be required.	minimum of 15 feet between building groups and the length of a building group shall not exceed 240 feet.
Zero-Lot Line (Courtyard House With Alley)	40	50	100	110	70%	4,000	30%	Minimum of 400 sq. ft. of private open space shall be required in the form of a courtyard, sideyard or rear yard	N/A
Zero-Lot Line (Sideyard House With Alley)	50	60	100	110	60%	5,000	30%	Minimum of 400 sq. ft. of private open space shall be required in the form of a side yard. The required sideyard shall be a minimum of 15 feet wide.	N/A
(1) The Planning Director shall have the authority to waive administratively the requirements for minimum lot coverage, pervious area, lot depth and lot width.									

(4) *Projections and Encroachments.* Projections and encroachments including, but not limited to, architectural features; awnings; balconies; canopies; colonnades; porches; decorative roofs; covered structures; parapets; mechanical rooms and swimming pools shall comply with Table MU-3. Additionally, the following shall apply:

- a. In no case shall encroachments occur within four (4) feet of the back of curb.
- b. Encroachments shall not interfere with street tree placement and the normal trunk and canopy envelope created by street tree growth.

**Table MU—3 Projections and Encroachments**

<b>Building Element</b>	<b>Minimum Vertical Clearance from the Sidewalk Elevation</b>	<b>Minimum Horizontal Projection</b>	<b>Maximum Horizontal Projection</b>	<b>Maximum Horizontal Encroachment</b>
Architectural Features (1)	—	—	—	2 feet
Awning (1)	8 feet	3 feet	8 feet	8 feet
Balcony (1)	—	3 feet	—	5 feet
Canopy (1)	10 feet	8 feet	20 feet	12 feet
Arcade/Colonnade (2)	10 feet	10 feet unobstructed	20 feet	12 feet
Porch (3)	—	8 feet	—	12 feet

**Vertical Projections**

<b>Building Element</b>	<b>Maximum Height Encroachment</b>
Architectural/Decorative Roof	15 feet
Architectural Features	15 feet
Covered Structures	12 feet
Parapet	5 feet
Mechanical Rooms and Equipment	Not Permitted
Swimming Pools and Decks	8 feet

**Notes:**

(1) Into public right-of-way and setback.

(2) Into public right-of-way and setback. Encroachments into the public right-of-way shall only be permitted for freestanding colonnades, provided there is a minimum 5 feet sidewalk along the street

edge in addition to the colonnade.

(3) Within setback only.

- (T) *Development Permit Review Procedures.* The following development permit review procedure will apply to all mixed-use districts:
- (1) The review procedures set out in Article XV and Section 24-171 (Concurrency) will apply within the mixed-use districts.
  - (2) Preapplication Conference: For those development permit requests that require a Pre-Application Conference, the specific issues identified in the Comprehensive Plan and zoning regulations for the specific mixed-use district must be reviewed by the Applicant and addressed with staff at the Preapplication Conference.
    - (a) In addition to the submittal requirements in Article XV and Section 24-171 (Concurrency), the required plans submitted for review for the Pre-Application conference shall demonstrate the Applicant's general approach to comply with the requirements noted above in Section 24-58(C)(3) as described herein and within the applicable mixed-use district per the district's:
      - (1) Sub-Areas Regulating Plan.
      - (2) Street Network and Connectivity Regulating Plan.
      - (3) Designated Publically Accessible Open Spaces and Urban Greenways Regulating Plan.
      - (4) Building Heights Regulating Plan.
      - (5) Building Typology.
  - (3) Applications that include a development agreement shall be subject to the additional notice and hearings set forth in Article XIX.

( [Ord. No. 2015-5](#), § 2(Exh. A), 3-17-15; [Ord. No. 2018-6](#), § 2, 5-24-18)

**Editor's note**— [Ord. No. 2015-5](#), § 2(Exh. A), adopted March 17, 2015, repealed the former § 24-58, and enacted a new § 24-58 as set out herein. The former § 24-58 pertained to FCC Fulford City Center (Mixed-Use) District.