

ARTICLE 4 - ZONING DISTRICTS

Table of Contents

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1
2
3
4
5
6
7
8
9
10
11
12
13

ARTICLE 4. ZONING DISTRICTS

Division 2. Overlay and Special Purpose Districts

Section 4-201. Mixed Use District (MXD)..... 4-22

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ARTICLE 4 - ZONING DISTRICTS

1 **ARTICLE 4. ZONING DISTRICTS**

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3 **Division 2. Overlay and Special Purpose Districts**

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5 **Section 4-201. Mixed Use District (MXD).**

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7 B. Permitted uses for overlay districts only. The following uses are permitted in the Mixed Use
8 District overlay districts in addition to the permitted and conditional uses of the underlying
9 zoning district, subject to the standards in this Section and other applicable regulations in
10 Article 5:

- 11
- 12 1. Accessory uses, residential.
 - 13
 - 14 2. Accessory uses, non residential, except for drive through facilities.
 - 15
 - 16 3. Alcoholic beverage sales.
 - 17
 - 18 4. Government uses.
 - 19
 - 20 5. Ground floor uses.
 - 21
 - 22 a. Government uses.
 - 23
 - 24 b. Live work units.
 - 25
 - 26 c. Multi-family dwellings.
 - 27
 - 28 d. Museums.
 - 29
 - 30 e. ~~Offices uses where public rights-of-way are in excess of one hundred (100) feet in~~
31 ~~width.~~
 - 32
 - 33 f. Overnight accommodations.
 - 34
 - 35 g. Restaurants.
 - 36
 - 37 h. Retail sales and services.
 - 38
 - 39 i. Theaters.
 - 40
 - 41 j. Sales and/or leasing offices as a part of a residential development for a period not
42 to exceed twelve (12) months from the issuance of a Certificate of Occupancy. The
43 City Manager may grant a maximum of two (2) extensions for a period of six (6)
44 months each with a cumulative total not to exceed twelve (12) months.
 - 45
 - 46 6. Religious Institutions.
 - 47
 - 48 7. Swimming pool as an accessory use.
 - 49
 - 50 8. Uses permitted in the underlying district as a permitted use and conditional use subject

ARTICLE 4 - ZONING DISTRICTS

1 to the permitted ground floor uses as listed above.

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<i>Table 1.</i>				
Reference	Individual building(s)	Overlay District	<i>Type</i>	<i>Requirements</i>
E. Building regulations.				
1.		✓	Encroachments of bridges over rights-of way.	Bridges traversing a public right-of-way are permitted, however, only if properties on both sides are under same ownership.
2.	✓	✓	Encroachments for balconies, awnings, etc.	Subject to applicable regulations.
3.		✓	Floor area ratio.	Up to 3.5 with Mediterranean architecture.
4.	✓	✓	Floors.	No minimum or maximum required.
5.	✓	✓	Floor-to-floor height.	The minimum floor-to-floor height shall be permitted as regulated per the Building Code.
6.		✓	Height.	The permitted heights for habitable space for the following underlying zoning designations shall be as follows: <ul style="list-style-type: none"> • Up to a maximum of one hundred (100) feet in an Industrial District. • Underlying Commercial Limited District. Up to a maximum of seventy five (75) feet. • Manufacturing uses shall be limited to forty-five (45) feet. • Commercial District up to a maximum of one hundred (100) feet.
7.	✓	✓	Heights of architectural elements, etc.	The permitted height of architectural elements, spires, bell towers, elevator housings or similar non-habitable structures for the following underlying zoning designations shall be as follows: <ul style="list-style-type: none"> • Commercial Limited District: up to a maximum of fifteen (15) feet. • Industrial and Commercial Districts: up to a maximum of twenty-five (25) feet. • Manufacturing uses shall be limited to ten (10) feet.
8.		✓	Height adjoining residential uses.	Properties which are adjacent to residential district designations shall be limited to a maximum height (habitable space) of forty-five (45) feet within one hundred (100) feet of the adjacent right-of-way line. Ten (10) additional feet are permitted for roof top architectural elements, etc. above the habitable height.
9.	✓	✓	Number of buildings per site.	No minimum or maximum required.
10.	✓	✓	Ground floor building frontage on primary streets.	Minimum of fifty (50%) percent of the linear ground floor building frontage shall include retail sales and service, <u>office</u> , or restaurant or public realm land area (i.e. plazas, courtyards, open space, etc.) uses. Primary street means a major street of considerable continuity which serves or is intended to serve as a major traffic artery connecting large

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<i>Table 1.</i>				
<i>Reference</i>	<i>Individual building(s)</i>	<i>Overlay District</i>	<i>Type</i>	<i>Requirements</i>
				areas of the community (City).
11	✓	✓	Ground floor building frontage on secondary streets.	Minimum of forty (40%) percent of the linear ground floor building frontage shall include retail sales and service, office , or restaurant or public realm land area (i.e. plazas, courtyards, open space, etc.) uses. Secondary street means a minor street used to access abutting properties which carries traffic to the primary street system.
12	✓	✓	Retail frontage on alleys.	No minimum or maximum required.
13.		✓	Residential density.	Up to a maximum of one hundred and twenty-five (125) units per acre.
14.	✓	✓	Setbacks (buildings).	<p>Front: Up to forty-five (45) feet in height: None. If over forty-five (45) feet in height: Ten (10) feet</p> <p>Side: Interior side: None. Side street: Fifteen (15) feet.</p> <p>Rear: Abutting a dedicated alley or street: None. No abutting dedicated alley or street: Ten (10) feet.</p> <p>Balconies: Cantilevered open balconies may project into the required setback areas a maximum of six (6) feet.</p> <p>Applicants and property owners desiring to develop pursuant to these regulations may not seek a variance for relief or reduction in building setbacks. Reductions are only permitted subject to the below listed regulations.</p>
15.	✓	✓	Setback reductions and vertical building setbacks.	<p>Reduction in setbacks. Setbacks may be reduced subject to the following standards:</p> <p>Minimum percentage of open space. A minimum of fifty (50%) percent of the total ground floor square footage received from the setback reduction is provided as publicly accessible street level open space and landscape area on the private property. The open space is subject to the following:</p> <ul style="list-style-type: none"> • Types of open space. Types of open space shall be in the form of courtyards, plazas, arcades/loggias, pedestrian pass-throughs and open atriums adjacent/contiguous to the adjacent rights-of-way. • Minimum area. Minimum square footage of allowable open space (i.e., plazas) shall be five hundred (500) square feet. • Include both hard and softscape landscape improvements and pedestrian amenities. • Vertical volume. As a minimum include a vertical volume of space equal from street level to the first floor height or a minimum of thirteen (13) feet. Additional height may be recommended. • Restaurant seating. This area may be used for outdoor restaurant seating subject to approval as provided for in these regulations. <p>Vertical building setbacks. A vertical building setback of a minimum of ten</p>

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<i>Table 1.</i>				
Reference	Individual building(s)	Overlay District	<i>Type</i>	<i>Requirements</i>
				(10) feet shall be provided at a maximum height of forty-five (45) feet on all façades. Additional vertical building setbacks may be required by the City Architect and the entire Board of Architects to further reduce the potential impacts of the building bulk and mass.
16.		✓	Setbacks adjoining residential uses.	Residential districts. All property lines abutting a residential land use or district shall be a minimum of fifteen (15) feet. No reductions in setbacks may be requested or granted.
17.		✓	Street/lot frontage.	No minimum or maximum.

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