
Sec. 94-209. - Mixed-use (MU) district.

1. The following provisions apply to all mixed-use districts:

- a. *Intent.* 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 tenets of the new 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.* A neighborhood master plan must be adopted by the city commission prior to the rezoning of property to a mixed-use zoning district.
 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. Public 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, density or floor area ratio 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 or expansion of planned developments are not permitted in mixed-use districts.
- 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 commission must approve the neighborhood master plan through the public hearing process. After approval of the neighborhood master plan by the city commission, a comprehensive plan text amendment is 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 commission, through the public hearing process, and must reflect the goals set forth in the corresponding neighborhood master plan.
- f. **Incentives.** Increases in the building height, density, or floor area ratio may be provided as incentives in a mixed-use district in order to accomplish the stated goals and objectives of the neighborhood master plan.
2. Currie mixed-use district (CMUD) and Northwood mixed-use district (NMUD). The following provisions apply to the Currie mixed-use district and the Northwood mixed-use district:
- a. **Definitions.** The definitions within this section shall only apply to the Currie mixed-use district (CMUD) and Northwood mixed-use district (NMUD). If a term is not defined in this section, the definition in [ARTICLE XIX](#) shall apply.

Accessory use means a use of a nature customarily incidental and subordinate to the primary use located on the same lot.

Active use means a use within an enclosed building designed for human occupation with a direct view to adjacent streets or public open space.

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, offices, libraries, institutional, educational and cultural facilities, residential, and entrance lobbies.

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.

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.

Architectural features means building components attached to or part of a Façade and consisting generally of projections intended to provide architectural character and Façade articulation.

Architectural treatment means the provision of architectural and/or landscape elements on a Façade which serve to visually screen non-active uses.

Automobile-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.

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 Façades and storefronts with color and dimension.

Balcony means a horizontal projection above the ground floor that is unenclosed and designed for human occupation.

Building frontage means the percentage of a building Façade that is generally parallel to, facing, or oriented toward a street and that lies within the minimum and maximum setback area allowed and shall include a principal building, with active uses or colonnades.

Colonnade means a horizontal projection which is open, continuous, roofed or covered, and unglazed and which includes vertical supports which extend from the ground.

Commercial use, other means premises used generally for the sale of merchandise, materials or services, including, but not limited to, barber and beauty shops; clubs and lodges; exercise studios and health clubs; financial institutions and banks directly serving to the public; laundry and dry cleaning establishments with no cleaning on premises; music and dance studios; pet grooming establishments; postal services; travel agencies; and printing services.

Canopy means a roof-like projection without vertical supports generally placed above primary building entrances or along building Façades to provide Façade hierarchy, pedestrian orientation and accentuation.

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 sides.

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 sides by habitable space and shall provide penetrable openings such as windows and doors between the interior of the dwelling and the courtyard.

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 side or portions of its sides, with a higher percentage of vegetated area.

Courtyard, interior means a private open space that is wholly or partly surrounded by walls or buildings.

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.

Designated, publicly accessible private roadway means a privately owned and maintained access easement that is open at all times for vehicular and pedestrian use. A designated, publicly accessible private roadway must comply with the mixed-use district right-of-way street and landscape standards. Any section of a designated, publicly accessible private roadway that is covered by buildings does not need to comply with landscape standards.

Encroachment means the maximum allowed projection of a building element beyond the minimum setback or into an adjacent public right-of-way.

Façade means the vertical exterior surface of a building or parking structure which faces a right-of-way, property line, public open space and/or semi-public open space.

Façade articulation means the provision of architectural features or treatment on a façade.

Façade elevation means the entire area of a Façade that is visible in a two dimensional architectural elevation drawing, but not including façade areas that abut buildings on separate lots with zero setbacks and are therefore fully hidden from view.

Fence means a freestanding structure of any material or combination of materials erected for confinement, screening, or partition purposes.

Fenestration means the arrangement and design of windows, doors, and openings in a building.

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.

Forecourt means an open area, in front of a building, surrounded by walls on at least three sides.

Greenways, urban means an improved outdoor area in an urban environment, set aside for recreational use or pedestrian connectivity.

Gross building area means the total floor area of a building, including air-conditioned or fully enclosed storage spaces, enclosed areas on the rooftop, such as bathrooms and lobbies, stairs and elevator areas, and external unenclosed circulation areas. The gross building area does not include parking areas; unenclosed colonnades, porches and balconies; mechanical and electrical spaces; and trash rooms. Storage spaces without windows and enclosed by surfaces that allow for natural ventilation or outside air circulation shall not be included. The gross building area shall be measured from the outside face of exterior walls.

Ground floor means the street-level story of a building.

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. In the Currie Mixed-use District (CMUD) and in the Core Sub-district of the Northwood Mixed Use District (NMUD), the height shall be the maximum vertical extent of a building or structure that is measured in feet, regardless of the number of stories.

Liner building type means a building that conceals a garage, or other non-active use with an active use.

Live/work means a type of mixed-use unit that combines a nonresidential use with a residential dwelling unit.

Mezzanine means a partial story, not exceeding 50 percent of the floor area of the story where it is located, 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.

Non-active use. See "Active use-non".

Open space means an improved outdoor area open to the sky.

Open space, private means open space that is intended solely for the use of building occupants.

Open space, public means a ground floor open space for public use and access abutting a public street on at least one side and with unencumbered pedestrian access from the public sidewalk or right-of-way for the general public at all times.

Open space, semi-public means a ground floor open space intended primarily for use by building occupants but may have limited public access.

Overhead cover means for the purpose of the public open space requirement in the Northwood Mixed Use District (NMUD), a fixed roof-like architectural feature or projection above the ground level intended to provide protection from the sun or rain or, in the case of passageways, to provide pedestrian or vehicular connections between buildings. Overhead cover includes, but is not limited to, arbors, trellises, awnings, canopies, fixed umbrellas, shade sails, and shading devices. Arcades or colonnades shall not be allowed as overhead cover. Minimum clearance for the overhead cover shall be no less than 12 feet when overhead cover is part of the main building structure.

Pedestrian passageway means an open space that provides a pedestrian-only cross-block connection from two or more public rights-of-way or public spaces.

Podium means the lower portion of the tower building type on which the tower rests.

Projection, horizontal means any Façade surface or building component which protrudes from the main building Façade plane, including, but not limited to, architectural features, awnings, balconies, canopies, colonnades and porches.

Projection, vertical means any building element that protrudes beyond the maximum permitted height. Vertical projections are open-air roof-like structures on a roof including, but not limited to, open air decorative or architectural roofs, architectural features, covered structures, pergolas, trellises, fabric structures, parapets, swimming pools and decks, and mechanical rooms or enclosures.

Public paseo means a ground floor pedestrian access way located within the Northwood Mixed Use District (NMUD) that is open to the public.

Public walkway means a right-of-way or easement dedicated for public pedestrian access at all times.

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.

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 in specifically designated mixed-use districts and sub-districts.

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 types: primary, secondary, tertiary and alleys.

Street vista means a view down a street or corridor that ends with a building serving as the focal point.

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

- b. **Height standards.** The height of buildings shall be measured in stories and/or in feet, depending on the specific mixed-use district and sub-district. 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 calculated from the average elevation of the adjacent public sidewalk or the crown of the road if no sidewalk exists to the top of the highest story. Pitched roofs must comply with the requirements of Table VII-1 Projections and Encroachments.
 2. Each story shall be permitted a maximum height of 12 feet except for the ground floor which shall be permitted a maximum height of 20 feet in NMUD. The CMUD shall be exempt from this requirement.
 3. When the mezzanine area is greater than 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 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 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.
- c. **Use standards.** The following use standards shall apply to development in CMUD and NMUD in addition to any applicable standards in section 94-273, Extra requirements for special uses or permitted uses:
1. CMUD .
 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 Façades abutting or most visible from primary streets, other major arterial streets, major pedestrian walkways, or public spaces.
 3. New automobile-oriented uses are prohibited.
 2. NMUD .
 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 along those building Façades abutting primary and secondary streets south of 25th Street, other major pedestrian walkways, or public spaces.
 3. New automobile-oriented uses are prohibited.
- d. *Street standards.* The following standards shall apply to development in CMUD and NMUD:
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 walkway crosses a parking lot, street, or driveway the following standards shall apply, as applicable:
 - a. The intersection shall be clearly marked and lighted for safety;
 - b. The sidewalk or walkway 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.
- e. *Vehicular access and circulation, parking and loading standards.* The following standards shall apply to development in CMUD and NMUD:
1. *Vehicular access and circulation.*
 - a. Driveway access shared between adjoining lots shall be provided, 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 easement, in form acceptable to the city attorney's office, running with the property on which the facilities are located.
 - c. In CMUD, driveway access for single-family residential lots may be provided at the primary frontage of the property; however, driveway access from the side, rear, or alley is highly encouraged.
 2. *Parking.* Parking developed in compliance with the standards in [ARTICLE XV](#) of this chapter (parking) 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. For CMUD, 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 point of access to the parking lot area.
 - ii. For NMUD, surface parking shall be located to the side or rear of the property and accessed off an alley, tertiary A, B, C, secondary A, B, or primary B street only. If the parking lot is accessed from a primary B or secondary street, there shall be only one point of access to the parking lot area.
 - iii. Openings off any street shall not exceed two lanes in width and 24 feet maximum per entrance/exit. Entrances/exits on alleys are exempt from this requirement.
 - iv. All parking areas shall have direct pedestrian access to a public walkway.
 - v. Except along an alley, parking lots may either be screened by a liner building or in compliance with the standards in [ARTICLE XIV](#) of this chapter (landscaping, land clearing, tree protection, and artificial turf) and subsection [94-209\(2\)\(f\)](#).
 - vi. New stand-alone surface parking lots shall only be permitted if constructed, owned and/or operated by the city and/or community redevelopment agency.
 - 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, tertiary C street, railroad right-of-way, or a pedestrian passageway, all levels of the garage shall be screened along all building facades facing a right-of-way or open space by a liner building containing a minimum depth of 20 feet of habitable space.
 - ii. Openings off any street shall not exceed two lanes in width and 24 feet maximum per entrance/exit. Entrances/exits on alleys are exempt from this requirement.

- iii. For CMUD, 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 point of access to the garage area.
 - iv. For NMUD, the garage shall be accessed from an alley, tertiary A, B, C, secondary A, B, or primary B street only. If the garage is accessed from a primary B or secondary street, there shall be only one point of access to the garage area.
 - v. All parking garages shall have direct pedestrian access to a public walkway.
 - vi. New stand-alone parking garages shall only be permitted if constructed, owned and/or operated by the city and/or community redevelopment agency.
 - c. *Off-site parking.* Off-site parking, developed in compliance with the standards in section 94-485 of this chapter is permitted, with the following modifications for non-residential uses only:
 - i. For CMUD, 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 600 feet.
 - ii. For NMUD, there is no maximum distance requirement 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 provided the off-site parking is provided within the NMUD.
 - d. *On-site parking.* On-site parking shall be developed in compliance with the standards in section 94-485 of this chapter and the specific parking regulations within sections 94-210 and 94-215.
 - e. *Shared parking.* Shared parking developed in compliance with the standards in section 94-484 of this chapter (shared parking requirements) is permitted.
3. *Loading.* Properties within the CMUD and NMUD shall comply with the standards for off-street loading in section 94-485(p) (loading space requirements) and section 94-486 (specific parking requirements; loading space requirements for individual uses). Loading for properties within the CMUD and NMUD 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 within the on-street parking along any street in city designated locations.
- 1. The loading area shall be located within the on-street parking along a tertiary street;
 - 2. 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
 - 3. 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.
- f. *Landscape standards.* The following standards shall apply in addition to any applicable standards in ARTICLE XIV (landscaping, land clearing, tree protection, and artificial turf) which are not modified below:
- 1. *Modified standards.*
 - a. Utilization of berms to screen parking areas from public thoroughfares and adjacent residential uses shall be prohibited.
 - b. The landscape buffer strip of at least five feet wide along the entire edge of the property for nonresidential uses and mixed-uses adjacent to a public thoroughfare, nonresidential use, or mixed-use use, shall not be required for:
 - i. the portion along the edge of the property containing building frontage, and
 - ii. the side and rear property lines where a zero foot setback is permitted and utilized or where the intent is to provide a pedestrian passageway through the block.
 - c. The landscape buffer strip of at least ten feet wide for five or more multifamily dwellings adjacent to a public thoroughfare shall not be required in the following circumstances:
 - i. When the distance from the property line to the back of curb is a minimum of 15 feet and contains a continuous landscape strip and sidewalk, and
 - ii. For the portion along the edge of the property containing building frontage.

- d. The required side and rear landscape buffer strip of at least five feet wide for five or more multifamily dwellings shall not be required where a zero foot setback is permitted and utilized or where the intent is to provide a pedestrian passageway through the block.
 - e. A landscape buffer strip of at least five feet wide shall be provided along the entire edge of a property abutting a railroad right-of-way.
2. *Additional standards.*
- 1. Building setback shall be adjusted to preserve existing native tree canopies, where feasible.
 - 2. Landscape strips shall only be placed between the sidewalk and the back of curb.
 - 3. Use of trees to provide shade, color, and interest, and use of vines, or trained plant materials is appropriate.
 - 4. Street trees.
 - i. Street trees are required and shall be spaced at a maximum of 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 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 Façade for uniform development of the street tree canopy shall be demonstrated for the type and species selected.
3. *Pedestrian passageways .*
- 1. Pedestrian passageways shall be a minimum clear width of 15 feet between buildings.
 - 2. A minimum of 50 percent of the pedestrian passageway shall be shaded and may include a combination of landscaping and architectural elements.
 - 3. If provided, tree placement shall be in planters or tree grates a minimum of five feet by five feet.
 - 4. Pedestrian scaled lighting shall be provided.
- g. *Mechanical equipment and service utilities .*
- 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.
- h. *Fences and walls.* The following standards shall apply in addition to the standards in section 94-302(a)(1) through (4) Fences, hedges and walls.
- 1. Fences and walls for 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.
 - e. Around the perimeter of open spaces in accordance with the specific mixed-use district regulations.
 - 2. Fences and walls for non-residential and mixed-use buildings built in line with the building frontage shall be 36 to 72 inches in height. Fences and walls located in front of the building frontage shall not be permitted for non-residential buildings and for the portion of the mixed-use buildings containing non-residential uses on the ground floor. For the portion of the mixed-use buildings containing residential uses on the ground floor, fences and walls located in front of the building frontage shall not exceed 48 inches in height.
 - 3. Fences and walls for residential buildings built in line with the building frontage shall be 36 to 72 inches in height. Fences and walls for residential buildings located in front of the building frontage shall not exceed 48 inches in height.

4. Side and rear fences and walls not fronting streets shall be 36 to 72 inches in height.
5. Fences and walls built in line or in front of a building frontage shall consist of a material matching the adjacent building or one of the following: indigenous rock; block and stucco; decorative metal; or painted, stained or pressure treated wood pickets.
6. Side and rear fences and walls not fronting streets shall consist of a material matching the adjacent building or one of the following: painted, stained, or pressure treated wood pickets, plastic coated chain link, decorative metal, indigenous rock, or block and stucco.
7. Wall enclosures for trash receptacles, with exception of the access gate, shall only be constructed of brick, decorative concrete, or other decorative masonry.
8. Enclosures for mechanical equipment on roof decks or podiums that face a street or open space shall appear consistent and harmonious with that of habitable space.
9. Barbed wire, razor wire, electronic elements or other hazardous materials are prohibited.
10. Fences and walls shall comply with section 94-305(e) Visibility at intersections.
- i. *Light pole standards.* The following standards shall apply for light poles located on local roads:
 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.).
- j. *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 250 feet. For building frontages greater than 150 feet, no facade shall exceed 60% of the building frontage without providing a planar break or multiple planar breaks a minimum of three feet in depth. The cumulative horizontal length of all planar breaks shall be greater than or equal to 20% of the building frontage.
 - b. Building separation. For tower building types only, when a building is constructed at the maximum building length, a minimum 30-foot separation at the podium level shall be required between the subject building and any adjacent building.
 - c. Tower plate setback in CMUD. The tower plate of a tower building type within CMUD shall be setback a minimum of 20 feet from the podium on the primary and secondary streets specified in Section 94-215. For buildings fronting along the Northwood Road Extension, the tower plate shall be setback a minimum of 40 feet from the podium along Northwood Road, as required by Sec. 94-215(f)(1). Additional tower setbacks beyond this requirement shall be encouraged to provide variation in building form. Where there are multiple towers on a building, a minimum setback of 60 feet shall be provided between towers.
 - d. Projects with three 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.
 - e. The primary entrance of a building shall provide access to a public right-of-way, urban greenway or public, semi-public or private open space.
 - f. The primary entrance to the upper levels of a mixed-use building shall be from a public right-of-way.
 - g. Porticoes, canopies, and colonnades shall be guttered, and drainage shall be deposited on-site.
 - h. 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. Storefronts shall be provided on the ground floor of all mixed-use and non-residential buildings;
 2. Storefronts shall be directly accessible from a street frontage, an urban greenway, a public, semi-public or private open space, a public paseo, or a designated, publicly accessible private roadway;

3. For properties with two or more frontages, storefronts shall be located on a minimum of two frontages, with priority given to frontages on an urban greenway, open space and the highest ranking street;
4. Storefronts shall have a transparent clear glazed area of not less than 70 percent of the Façade area;
5. Ground floor window sills shall be placed at a maximum height of 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 20 feet.
 2. Those portions of active use liners which exceed the minimum frontage requirements may have a minimum depth of 15 feet.
 3. When a parking structure is the primary use, the active use liner may be reduced to a minimum of 15 feet.
- i. Façade articulation requirements.
 - i. Architectural features or architectural treatment shall be provided for all façade elevations.
 - ii. The following shall be permitted, but shall not be considered architectural features or architectural treatments acceptable as Façade articulation: inward or recessed projections resulting from required setbacks; paint; faux treatments; building signs; construction joints, scoring, or material applications less than four inches in height, width or depth.
- j. Architectural treatment standards.
 - i. Architectural treatment shall be provided for all non-active use Façade elevations and shall be integrated with the design of adjacent active use Façades.
 - ii. Architectural treatment shall be provided through a combination of two 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 inches in height, width or depth. These elements are permitted, but they do not fulfill the requirements of architectural treatment.
- k. Fenestration standards. All building types, except single-family, shall comply with the following fenestration standards:
 - i. Except for storefronts, a minimum of 30 percent of all ground floor building frontages 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.
 - v. If shutters are used, they must be operable, sized to match the opening, and provided for all windows on a given wall.
 - vi. Security bars are permitted.
- 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 Façade, 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. Awnings shall provide pedestrian protection from sun and rain.
 - iv. 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.
 - v. Valances shall not exceed eight inches in height.
 - vi. 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.
 - vii. A waiver may be granted administratively by the development services director 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.
 - i. For CMUD, dwelling units shall not contain less than 550 square feet of gross floor area. In multiple dwelling unit buildings, the cumulative average of all dwelling units shall not be less than 800 square feet of gross floor area.
 - ii. For NMUD, dwelling units shall not contain less than 550 square feet of gross floor area, except for dwelling units existing prior to the adoption of Ordinance No. 4772-18.
- o. Live-work units. Both the nonresidential 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 public, semi-public or private open space;
 - ii. The ground floor shall be restricted to those nonresidential uses permitted within the CMUD or NMUD. The full conversion of the unit or lease space into all residential use or all nonresidential uses shall be prohibited;
 - iii. The nonresidential use's Façade shall have a transparent clear glazed area of not less than 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 public, semi-public or private open space.
- k. *Block requirements.* The following standards for blocks shall apply:
 - 1. The maximum length of a block shall be 600 feet.
 - 2. The maximum perimeter of a block shall be 1,900 feet. The perimeter of a block is the sum of the sides of the block.
- l. *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 VII-1.

**TABLE VII-1:
PROJECTIONS AND ENCROACHMENTS**

BUILDING ELEMENT	MINIMUM VERTICAL CLEARANCE FROM THE SIDEWALK ELEVATION	MINIMUM HORIZONTAL PROJECTION	MAXIMUM HORIZONTAL PROJECTION	MAXIMUM HORIZONTAL ENCROACHMENT
Architectural Features	—	—	—	2 feet
Awning	8 feet	3 feet	8 feet	8 feet
Balcony	—	3 feet	—	5 feet
Canopy	10 feet	8 feet	20 feet	12 feet
Colonnade	10 feet	10 feet unobstructed	20 feet	12 feet
Porch	—	8 feet	—	12 feet (1)
VERTICAL PROJECTIONS				
BUILDING ELEMENT			MAXIMUM HEIGHT ENCROACHMENT (2)	
Architectural/Decorative Roof			15 feet	
Architectural Features			15 feet	
Covered Structures			12 feet	
Parapet			5 feet	
Mechanical Rooms & Equipment			15 feet	
Swimming Pools and Decks			8 feet	
NOTES:				
1. Within setback only. 2. Maximum height encroachment in the NMUD edge sub-district is five (5) feet.				

Additionally, the following shall apply:

1. In no case shall encroachments occur within four feet of the back of curb.
2. Encroachments shall not interfere with street tree placement and the normal trunk and canopy envelope created by street tree growth.
3. Projections and encroachments into any right-of-way require the approval of the applicable governing agency.

(Code 1979, § 33-88; Ord. No. 4528-14, § 2(Exh. B), 11-10-2014; Ord. No. 4772-18, § 4(Exh. B), 5-21-2018; Ord. No. 4963-21, § 1 (Exh. A), 11-15-2021; Ord. No. 5014-22, § 4, 08-22-2022; Ord. No. 5024-22, § 3 (Exh. A), 11-14-2022)