
Sec. 94-219. - Broadway mixed-use district (BMUD).

- a. *Intent.* The Broadway corridor is a linear, urban, pedestrian-oriented, mixed-use district located along Broadway, north of 25th Street ex-tending to the city limits. Unlike suburban residential and commercial areas, this type of mixed-use district requires urban types of development regulations. The intent of the development standards for the Broadway corridor mixed-use district is to create a predictable, urban corridor that adds vitality to the adjacent Northwood business district and preserves the character of the adjacent residential properties. The building massing, height, and land uses compliment the 1-2 story single-family residential neighborhoods to the east and west and the urban retail and residential buildings prescribed in the Northwood mixed-use district (NMUD).
- b. *District boundaries.* The Broadway mixed-use district (BMUD) consists of the properties along Broadway, north of 25th Street extending to the city limits.
- c. *Administration.* In order to maintain predictability in development, planned developments and variances to increase building height shall be prohibited. Variances from the dimensional requirements or waivers from any other standards or special review projects may be approved by the planning board, provided that the applicant meets the standards pertaining to such variance or waiver.
- d. *General development standards.*
 1. The Broadway mixed-used district (BMUD) code consists of the Broadway mixed-use district regulating plan and these mixed-use regulations.
 2. The provisions of the BMUD code, when in conflict, shall take precedence over the existing zoning code.
 3. The provisions of the building code, when in conflict, shall take precedence over the provisions of the BMUD code.
 4. The regulating plan designates the locations of building types I, II, primary intersections and preferred locations for public open space.
 5. Existing buildings may be destroyed or removed, however must be replaced according to the BMUD mixed-use district regulations.
 6. The footers of all principal buildings shall be engineered to support a minimum of two stories.
 7. [ARTICLE XVI](#), regulation of nonconformities use, of the zoning and land development regulations shall govern buildings and uses within the BMUD boundaries existing as of the effective date of this Ordinance No. 3648-03.
 8. New surface parking lots are not permitted on existing vacant lots.
 9. Landscape compliance for existing nonconformities:
 - a. All properties shall be brought into compliance with the landscape regulations in [ARTICLE XIV](#), concurrently with exterior building improvements exceeding \$10,000.00.
 - b. All existing surface parking lots shall be landscaped with a 36-inch high perimeter hedge and shade trees at every third parking space within 24 months of the Broadway corridor rezoning. Shrubs shall be planted at two-foot intervals.
 - c. The planning director shall have authority to grant a one-time, three month extension to (a) or (b) or waive landscaping that would interfere with existing parking and circulation or be in conflict with ADA standards.
 10. Automatic food, drink machines and telephones must be located inside buildings.
- e. *Public open space.* Public open space is encouraged at the locations designated on the BMUD regulating plan. The open space must be improved according to a plan approved by the planning director or his/her designee. The open space may be privately owned and maintained and shall be accessible to the general public. Areas designated and dedicated as public open space shall be exempt from the requirements for building frontage or street walls.
- f. *Civic buildings.* The design of civic buildings shall be subject to these regulations. Waivers to the building location standards may be granted for municipal public safety facilities in order to meet minimum circulation requirements.
- g. *Historically designated structures.* Structures designated on the local or national historic register may be relocated to lots fronting Broadway Avenue and shall be exempt from all but the following requirements for building height and building placement: subsections [94-220\(b\)\(6\)](#), [94-221\(b\)\(6\)](#) and [94-305\(e\)](#) and exempt from all but the following

architectural standards: subsections 94-220(d)(2), (3), (7) and (9) and 94-221(d)(2), (3), (8) and (10)) for the particular building type. Notwithstanding any exemption, every effort shall be made for the relocated historically designated structure to be consistent with the building height, building placement and architectural standards requirements. All other building type regulations shall apply to the relocated historically designated structure. Approval of the site plan by the planning and zoning department shall be required prior to the relocation of a historically designated structure. Additions to historically designated structures shall follow the BMUD regulations and shall be approved by the historic preservation board.

h. *Lot size.* There are no minimum lot size requirements in the BMUD.

(Ord. No. 3648-03, § 2, 9-15-2003; Ord. No. 3915-05, § 2, 12-5-2005; Ord. No. 4124-08, § 1, 4-21-2008; Ord. No. 5008-22, § 9, 07-25-2022)