

Division 9. M-X Mixed Use District

**Sec. 36-261. Purpose of division.**

The provisions of this division address the areas in the city where a mix of uses in the same building, on the same parcel, or in the same neighborhood are strongly encouraged or required.

(Code 1976, § 14:5-8A; Ord. 2560-19, 6-17-19; Ord. No. 2598-20, 11-16-20)

**Sec. 36-262. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning.

*Building Height to Street Width Ratio* means the percentage of the building height at the street frontage compared to the adjacent street width, measured from the centerline of the street. The “street width” measurement includes all sidewalks, easements, and street yard. The “building height” measurement does not include any upper stories that utilize a step back.

**Illustration: Building height is 60 percent of the street width.**



*Build-to Zone* means the minimum and maximum distance a structure may be placed from a lot line.

*Build-to Zone, Primary* means the build-to zone along a lot’s primary street frontage.

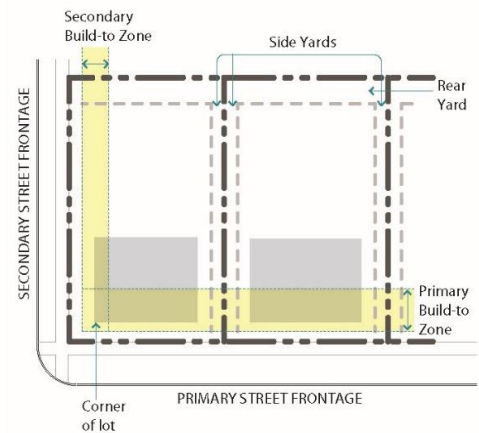
*Build-to Zone, Secondary* means the build-to zone along a lot’s secondary street frontage.

*Commuter Bicycle Facilities* means bike lockers or bike storage room(s), on-site showers, and a bicycle repair station.

*Courtyard* means an outdoor area enclosed by a building facade on at least 3 sides and open to the sky.

*Impervious Site Coverage* means the percentage of a lot developed with principal structures, accessory structures, and impervious surfaces, such as driveways, sidewalks, and patios.

**Illustration: Build-to Zones**



*Inclusionary Commercial Space* means a specified reduction of commercial rent only for small local businesses, based on the fair market commercial rents for the building.

*Lot Line Coverage* means the minimum percentage of the lot line that must have a building façade located within the build-to zone.

*Micro Store Front* means a commercial or industrial space a maximum of 1,500 square feet in size only for a small local business.

*Occupied Space* means an interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

*Pedestrianway* means an open and available pathway designed for use by pedestrians; it can be located mid-block allowing pedestrian movement from one street to another without traveling along the block’s perimeter.

*Small Local Business* means a local, independently owned, non-franchised business. Local means located in the Twin Cities Metro Area.

*Story, Ground* (also referred to as ground floor) means the first story of a building that is level to or elevated above the finished grade on the front and corner facades, excluding basements or cellars.

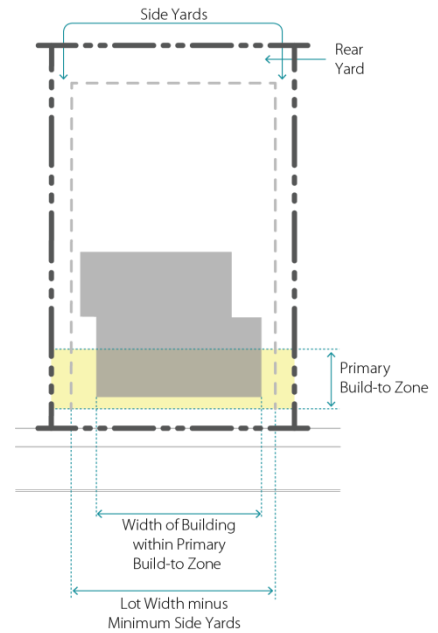
*Story, Half* means a story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.

*Story, Upper* (also referred to as upper floor) means the stories located above the ground story of a building.

*Street Face* means the facade of a building that faces a street right-of-way.

*Street Frontage* means the building and yard area facing and directly adjacent to a street right-of-way line.

**Illustration: Lot Line Coverage**



$$\frac{\text{Width of Building within Primary Build-to Zone}}{\text{Lot Width minus Minimum Side Yards}} = \text{Primary Frontage Lot Line Coverage}$$

*Street Frontage, Primary* means the street frontage that receives priority over other street frontages, defining a higher level of pedestrian orientation. The primary street frontage is classified in the Comprehensive Plan as a collector or arterial. If there are two primary streets, or no primary streets, the Zoning Administrator shall determine the most appropriate street frontage to serve as the primary street frontage. Orientation of other parcels along the street shall be considered.

*Street Frontage, Secondary* means a street frontage that is secondary to the primary street frontage, requiring lower lot line coverage and transparency levels, and permitting more interruptions by driveways. Secondary street frontages are all frontages not identified as a primary street frontage and are categorized as a side yard abutting a street.

*Visible Basement* means a half story partially below grade and partially exposed above with required transparency on the street facade.

*Yard.* Yard is defined in Section 36-4 Definitions. For the purposes of this division, the following definitions shall supplement and, where inconsistent, supersede the definitions of Section 36-4:

*Side and Rear Yards Abutting Other Lots, an Alley, or a Rail Right-of-Way* means a property located in an area designated as a mixed use district, only yards abutting a lot, an alley, or a rail right-of-way at the lot line, and not a street, waterway or other primary or secondary street frontage, are considered side or rear yards.

*Yard, Front.* Refer to *Yard, Street*.

*Yard, Side Abutting a Street.* Refer to *Yard, Street*.

*Yard, Parking Rear* means the space on a lot between the rear façade(s) of the building and the minimum rear setback line and extends to street yards and/or side parking yards. If the building extends to the minimum rear setback line, no rear parking yard will exist.

*Yard, Parking Side* means the space on a lot between the side façade(s) of the building and the minimum side setback line and extends to street yards and/or side minimum side or rear setback lines. If the building extends to the minimum side setback line, no side parking yard will exist.

*Yard, Street* means the space on a lot between the principal structure and the primary and secondary street frontage lot lines and extending to any minimum side or rear yard line.

*Zoning Administrator* means the zoning administrator or designee.

(Code 1976, § 14:5-8B; Ord. 2560-19, 6-17-19; Ord. No. 2598-20, 11-16-20)

**Sec. 36-263. Mixed use division restrictions and performance standards.****(a) Buildings**

- (1) More than one principal building may be placed on one lot.
- (2) Each individual business on the ground floor of a building shall have a direct and primary access facing the street frontage or an interior arcade and the access shall remain open during business hours.

**(b) Non-vehicular access**

- (1) A separate pedestrian access shall connect the principal building to the public street or a public trail, on all sides of the lot which front on a public right-of-way or public trail.
- (2) On-site pedestrian/bicycle facilities shall be provided as logical connections to off-site uses.
- (3) Pedestrian/bicycle accesses shall be separated from parking areas by curbed, landscaped islands which have a minimum width of 20 feet inclusive of sidewalk.
- (4) If an existing transit stop is located on any adjacent public street, pedestrian/bicycle access shall be located convenient to that transit stop.
- (5) Developments located on a public transit route shall work with the transit authority and accommodate a transit stop that conveniently serves the development, if needed for the transit route.
- (6) Sidewalks shall be provided along all sides of the lot that abut a public or private street.

**(c) Vehicular access**

- (1) All delivery service entrances to a building shall be from a public alley, service-alley, off-street parking lot; deliveries not able to be made from a public alley, service-alley or off-street parking lot shall be made from the curb in a manner that does not obstruct drive lanes or on-street parking spaces.
- (2) Vehicular driveway access is managed through alleys, primary and secondary street frontages. The order of access is as follows:
  - a. An alley permits unlimited access.
  - b. If no alley exists, one driveway per secondary street frontage is permitted.
  - c. If no other option exists, one driveway is permitted off the primary street frontage and shared access with abutting properties is encouraged.

- (3) Driveways shall be no greater than 22 feet in width at the right-of-way line.
- (4) Shared driveways are encouraged.
- (5) When two or more parking lots have adjacent rear property lines and each lot contains the same street frontage type, the parking lots shall be connected with a drive perpendicularly crossing the minimum rear yards.
- (6) Designated pedestrian routes, including sidewalks and driveway crossings, shall be provided to connect each parking space to the front sidewalk (and front entrance) or a rear public entrance. Driveways shall not be utilized as designated pedestrian routes.
- (7) There shall be no vehicular access within 50 feet of the intersection of the projection of the nearest curblines of any public streets to a parcel on which a commercial use is operated.

**(d) Exterior uses**

- (1) Parking Location.
  - a. Street Yard. Parking is not permitted in any street yard.
  - b. Rear Parking Yard. Parking may be permitted in the rear of the lot, but shall not be closer than five (5) feet to property zoned R-1 or R-2 in the rear or side yard and shall be fully screened from the front by the building. Refer to the *Street and Parking Yards* illustration. Note that accessory parking structures within each district have separate side and rear yard standards.
  - c. Limited Side Parking Yard. Parking may be permitted with the following:
    - i. Location. The parking is permitted only in the side parking yard of the building (refer to the *Street and Parking Yards* illustration) but shall not be closer than five (5) feet to property zoned R-1 or R-2 in the rear or side yard.
    - ii. Limited Width. Up to one double-loaded bay of surface parking is permitted with a maximum width of 65 feet.
    - iii. Perpendicular to the Street. The parking lot shall be located perpendicular to the street with the centerline of the drive aisle perpendicular to the centerline of the street.
    - iv. Accessory Parking Structure. An accessory parking structure is not permitted in the side yard of a primary street frontage.

d. Garage Entrances. Vehicular entrances to structured parking garages within the building generally shall be limited to locations on the rear façade that face the rear parking yard; except such entrances may be located on the side façade, facing the limited side parking yard, if the following is met:

i. The location may not be closer to the street than the maximum of the build-to zone.

(2) All rear and side yards that do not contain parking lots or ramps shall consist only of landscaped area, designed outdoor recreation area, and/or sidewalk space.

(3) Vehicle storage or display, mechanical equipment, refuse and recycling containers, and loading areas shall not be located within any street yard, build-to zone, or minimum side/rear yard.

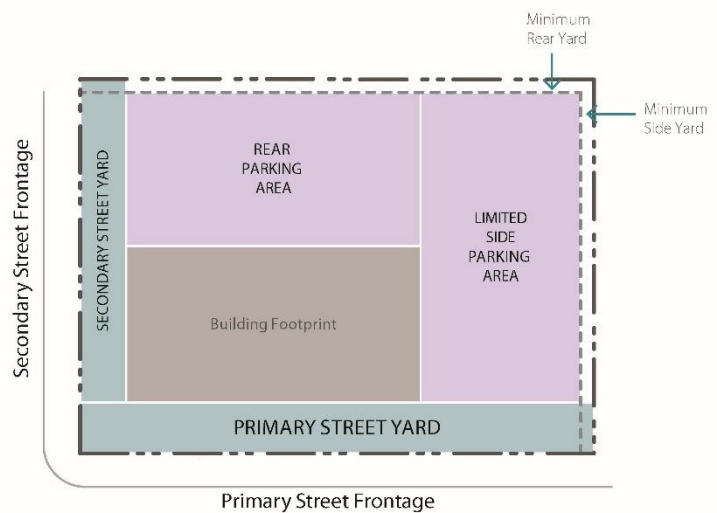
(4) All refuse/recycling and loading areas shall be screened from view within a waste enclosure which shall be constructed of complementary materials to the principal building.

(5) Outdoor storage shall be prohibited except when specifically permitted elsewhere in this chapter.

(6) New structures and structures which expand their gross square footage by more than 50 percent shall be required to place all utility service lines underground. Any new utility services to an existing building shall be placed underground.

(Code 1976, § 14:5-8C; Ord. No. 2367-09, 1-23-2009; Ord. No. 2560-19, 6-17-19; Ord. No. 2598-20, 11-16-20)

**Illustration: Street and Parking Yards**



**Sec. 36-264. MX-1 vertical mixed use district.****(a) Purpose and effect.**

The purposes of the vertical mixed-use district are to:

- (1) Provide appropriate areas for and facilitate quality mixed-use development in activity centers that are consistent with the Comprehensive Plan's land use and transportation goals and strategies;
- (2) Provide a variety of residential housing types and densities to assure activity and support a mix of uses, and enhance the housing choices of city residents;
- (3) Integrate new mixed-use development with its surroundings by encouraging connections for pedestrians, bicyclists, and vehicles and by assuring sensitive, compatible use, scale, and operational transitions to neighborhood uses;
- (4) Encourage reductions in impervious surface by minimizing surface parking and retain open space by encouraging taller buildings for high density uses; and
- (5) Promote high quality architectural design, materials, and innovative site design.

**(b) MX-1 district restrictions and performance standards.**

- (1) All buildings shall have a vertical mix of land uses, such as residential and commercial, with a strong pedestrian orientation. A use on the ground floor must be different from a use on an upper floor. The second floor may be designed to have the same use as the ground floor so long as there is at least one more floor above the second floor that has a different use from the first two floors.
- (2) Business uses, except for off-street vehicular parking and off-street loading, shall be conducted wholly within an enclosed structure except as specifically permitted elsewhere in this chapter.
- (3) At least 75 percent of the building along the primary street frontage must be designed for non-residential uses on the ground floor. Lobbies and amenity areas serving a residential use or a hotel shall not count as a non-residential use.
- (4) The first 30 feet behind the building façade on each street frontage shall contain permitted uses, excluding accessory parking, break rooms, storage areas, and utility closets/rooms. Beyond the first 30 feet behind the building facade, any permitted principal and accessory use is allowed on any floor.
- (5) A development agreement is required as part of the development approval and shall address, at a minimum, approved site and building design criteria, approved sign locations and design criteria, construction phasing, density bonuses, specifications for inclusionary commercial space, cash escrow or letter of credit for construction of on-site and off-site improvements generated by the development, and maintenance.

- (6) The development shall comply with all other applicable chapter provisions unless specifically modified by subsections (1) through (6) of this section.

**(c) Uses, generally.**

- (1) **Permitted uses (P).** Uses listed in Table 36-263(b) with a “P” symbol are permitted by-right in the street frontage types in which they are listed.
- (2) **Uses permitted in limited stories (PL).** Uses listed in Table 36-263(b) with a “PL” symbol are permitted by-right in the street frontage types in which they are listed, provided that the uses are located in the upper stories of a structure; the basement; or in the ground story, a minimum of 30 feet behind any primary street façade and behind a permitted use.
- (3) **Uses permitted with conditions (PC).** Uses listed in Table 36-263(b) with a “PC” symbol are permitted provided compliance with the listed conditions and requirements.
- (4) **Uses permitted by conditional use permit (CUP).** Uses listed in Table 36-263(b) with a “CUP” symbol require a Conditional Use Permit; refer to 36-33 Conditional Use Permits.



Table 36-263(b) Mixed Use District Uses

	Primary Street Frontage	Secondary Street Frontage
<b>RESIDENTIAL AND LODGING USES</b>		
Multifamily residential	PC	PC
Live-work unit	PC	PC
Roominghouse	PL	PL
State-licensed residential facility	PL	PL
Group home/non-statutory	PL	PL
Nursing home	PL	PL
Hotel/motel	PC	PC
<b>CIVIC AND INSTITUTIONAL USES</b>		
Education/academic	PL	P
Museum/library category	P	P
Police/fire station	PC	PC
<b>COMMERCIAL USES</b>		
Animal handling, limited, less than 8,000 square feet	P	P
Animal handling, limited, 8,000 square feet or larger	PC	PC
Brewery, Microdistillery	PC	PC
Business/trade school/college	PL	P
Dental office, Medical office	P	P
Food service	P	P
Grocery store	PC	PC
Liquor store	CUP	CUP
Group daycare/nursery school	PC	PC
Offices	PL	P
Private entertainment (indoor)	CUP	CUP
Research and development	PL	P
Retail, Service - less than 8,000 square feet	P	P
Retail, Service - 8,000 square feet or larger	PC	PC
Retail, large item	PC	PC
Restaurants with or without intoxicating liquor license	P	P
Studios	PC	PC
<b>INDUSTRIAL USES</b>		
Catering	PC	PC
Printing process/supply	PC	PC
Showrooms	PC	PC
<b>TRANSPORTATION AND INFRASTRUCTURE USES</b>		
Communication antennas	CUP	CUP
Transit stations	P	P

(Ord. No. 2621-21, 7-6-2021; Ord. No. 2641-22, 1-18-22)

**(d) Uses permitted with conditions (PC).***(1) Multifamily residential category.*

- a. Shall be located in the upper stories of a structure; the basement; or in the ground story, a minimum of 30 feet behind any primary street façade and behind a permitted use, or on a secondary, rear, or side facade.
- b. Dwelling unit entrances are not required to be internal to the building, and individual exterior entrances are encourage for ground floor units.
- c. Balconies shall serve a single dwelling unit.
- d. Buildings are discouraged from being massive in scale or institutional in appearance.
- e. Use may include leasing and/or property management offices, gym or other fitness facilities for tenants, and meeting rooms as accessory uses.

*(2) Live-work unit.*

- a. The units shall only be located on a street frontage.

*(3) Hotel/motel.*

- a. Shall be located in the upper stories of a structure; the basement; or in the ground story, a minimum of 30 feet behind any primary street façade and behind a permitted use.
- b. Rooms shall be accessed from the interior of the building.
- c. Secondary service uses may also be provided, such as food service, meeting rooms, pools, and fitness rooms as accessory uses.
- d. A lobby and secondary service uses serving the hotel/motel may be provided along 25 percent of the primary frontage. The remaining 75 percent of the primary frontage shall be non-residential uses.

*(4) Police/fire station.*

- a. Garage doors are permitted on the front facade.
- b. Stations are exempt from maximum driveway widths.

*(5) Brewery*

- a. The brewery shall not produce more than 20,000 barrels of malt liquor per year.
- b. The maximum overall gross floor area is limited to 20,000 square feet.

- c. A taproom and/or retail outlet is required and shall be located in the Primary Street storefront of the building.
- d. The taproom and/or retail outlet shall occupy a minimum of 20 percent of the gross floor area with no maximum limit.
- e. Alcohol produced off-site shall not be sold on-site, this includes both on-sale and off-sale transactions
- f. This use may also include associated facilities such as offices and small-scale warehousing, but distribution is limited to vans and small trucks. Distribution access shall be from the rear.

(6) *Grocery store.*

- a. When the grocery store is part of a mixed-use development with residential or office uses above the grocery, the following applies:
  - i. No activity results in any noxious or offensive odors, sounds, vibrations, emissions, or any external nuisances upon adjacent properties.
  - ii. Hours of operation, including deliveries, shall be limited to 6 a.m. to 12 a.m.

(7) *Micro-distillery.*

- a. The maximum overall gross floor area is limited to 20,000 square feet.
- b. A cocktail room and/or retail outlet is required and shall be located in the primary street frontage of the building.
- c. The cocktail room and/or retail outlet shall occupy a minimum of 20 percent of the gross floor area with no maximum limit.
- d. Alcohol produced off-site shall not be sold on-site, this includes both on-sale and off-sale transactions
- e. This use may also include associated facilities such as offices and small-scale warehousing, but distribution is limited to vans and small trucks. Distribution access shall be from the rear.

(8) *Retail, 8,000 square feet or larger.*

- a. The retail space shall be located at a corner of the building or near a primary building entrance.
- b. The retail space shall not occupy more than 25 percent of the gross floor area of the ground floor.

(9) *Retail, large item.*

- a. The establishment shall be less than 20,000 square feet in size.

(10) *Service facilities, 8,000 square feet or larger.*

- a. The service space shall be located at a corner of the building or near a primary building entrance.
- b. The service space shall not occupy more than 25 percent of the gross floor area of the ground floor.

(11) *Catering; studio; printing process/supply; showrooms.*

- a. This use may also include associated facilities such as offices and small-scale warehousing, but distribution is limited to vans and small trucks. Distribution access shall be from the rear.
- b. The maximum overall gross floor area is limited to 12,000 square feet.
- c. A showroom or retail outlet is permitted.
- d. If located on a secondary street frontage the following additional conditions apply:
  - i. The use is permitted only in specifically designated live/workspaces on the ground floor and with its own exterior entrance.
  - ii. Distribution shall be from a designated loading area only.
- e. If located on a primary street frontage, the following additional conditions apply:
  - i. A showroom and/or retail outlet is required and shall be located in the primary street frontage of the building.
  - ii. The showroom and/or retail outlet shall occupy a minimum of 25 percent of the gross floor area.

(12) *Animal handling.*

- a. The customer service space shall be located at a corner of the building or near a primary building entrance.
- b. The animal handling limited space shall not occupy more than 25 percent of the gross floor area of the ground floor.

(Ord. No. 2621-21, 7-6-2021)

(13) *Group daycare/nursery school*

- a. The on-site outdoor activity areas shall be enclosed with a fence.
- b. City parks may be utilized to meet up to 50 percent of the required outdoor activity areas with the following conditions:
  1. The park must have age-appropriate play equipment.
  2. There is a clearly defined and maintained sidewalk or improved trail connecting the facility to the park.
- c. An off-street passenger loading area shall be provided in order to maintain vehicular and pedestrian safety.

(Ord. No. 2641-22, 1-18-22)

**(e) Uses permitted by conditional use permit (CUP).**

Uses listed in Table 36-263(b) with a “CUP” symbol require a Conditional Use Permit; refer to 36-33 Conditional Use Permits.

(1) *Liquor store.*

- a. The lot must be at least 1,000 feet from the property line of a site containing a pawnshop, currency exchange, payday loan agency, firearms sales, or sexually oriented business. The distance shall be measured from the portion of the center or building occupied by the liquor store.

(2) *Private entertainment (indoor).*

- a. No activity results in any noxious or offensive odors, sounds, vibrations, emissions, or any external nuisances upon adjacent properties.

(3) *Communication antennas.*

- a. Shall be developed in accordance with 36-368 Communication (Towers and antennas Antennas), except that communication antennas located in the MX-1 district shall be co-located atop a permitted building.

**(f) Accessory uses.**

The following uses shall be permitted accessory uses in any MX-1 district.

(1) *Off-street parking.* The following are types of accessory parking permitted:

- a. *Parking lot.*
- b. *Parking ramp.*
  - i. Parking ramps shall be located only behind the rear of the building.
  - ii. Parking ramps located on the secondary street frontage shall have principal uses on the ground floor.

- iii. Parking ramps shall meet the façade requirements for the principal building.
  - c. *Building interior parking.*
    - i. Parking is permitted fully in any basement and in the rear portion of any building, beyond the first 30 feet behind the building facade.
    - ii. Interior parking shall meet the façade requirements of the building.
    - iii. Entrances to the interior parking are permitted from the rear or side building facades only, unless otherwise noted per the street frontage type.
- (2) *Incidental repair or processing* which is necessary to conduct a permitted use and not to exceed 10 percent of the gross floor area of the associated permitted use.
- (3) *Outdoor seating and service of food and beverage*, subject to the following conditions:
- a. Shall be directly adjacent to the structure containing the associated use.
  - b. No speakers or other electronic devices which emit sound are permitted if the use is located within 500 feet of a residential use.
  - c. The hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if the use is located within 500 feet of a residential use; and
- (Ord. No. 2637-21, 12-6-21)
- (4) *Bar*, if accessory to a restaurant, hotel, or private entertainment (indoor).
- (5) *Catering*, if accessory to a restaurant, food service, delicatessen, grocery store or retail bakery.
- (6) *Break rooms*, if accessory to a non-residential use and are not located along the primary street frontage.
- (7) *Visitor lodging* associated with residential care facilities.
- (8) *Warehouse/storage* which is necessary for a permitted use and not to exceed 20 percent of the gross floor area of the associated permitted use.
- (9) *Home occupations* as regulated by this chapter. (Ord. No. 2624-21, 8-16-2021)
- (10) *Outdoor sales* are permitted only as accessory uses with garden and nursery sales.
- (11) *Public transit stops/shelters.*
- (12) *Community gardens.*

(13) *Accessory utility structures* including:

- a. Small wind energy conversion system, as defined in 36-4 Definitions.
- b. Solar energy systems. A solar energy system with a supporting framework that is either placed on, or anchored in, the ground and that is independent of any building or other structure; or that is affixed to or an integral part of a principal or accessory building, including but not limited to photovoltaic or hot water solar energy systems which are contained within roofing materials, windows, skylights, and awnings.
- c. Cisterns and rainwater collection systems. A container or series of containers for the collection and reuse of rainwater. A cistern may be exempted from inclusion in the Site Impervious Area calculation.
- d. Where accessory utility structures are permitted with conditions, the following apply:
  - i. Accessory use. The equipment shall be located on a lot with a building and is a secondary use for the lot.
  - ii. Roof mounted location. Roof mounted equipment shall be located per one of the following:
    - a. Pitched roof. Locate the equipment on a rear facing surface of the roof, if feasible for communication purposes.
    - b. Flat roof. Locate the equipment towards the rear portion of the roof, where visibility is limited from the street to the maximum extent possible.
  - iii. Ground mounted location. Ground mounted equipment is limited to the rear yard. Equipment may be located in the side yard if the equipment is screened from the street with an opaque wall, of the same or similar material of the street facade of the building.
  - iv. Height. The height of the equipment is either a maximum of 12 feet or the maximum that is not visible from any street sidewalk, whichever is greater.
  - v. Performance standards. When noxious or offensive odors, sounds, vibrations, emissions, or any external nuisances upon adjacent properties, including truck traffic, will be generated by this accessory use above any generated by the principal use, a Conditional Use Permit is required. Refer to 36-33 Conditional Use Permits.

- vi. Freestanding wind energy conversion systems (WECS). Refer to Sec. 36-369, with the exception of the following requirements which shall replace the provisions of Table 36-369 A for all projects within the MX-1 District:
  - a. Height Limit: 110 feet
  - b. Maximum Number of WECS per lot: 2
  - c. Minimum Lot Size: 1.5 acres

(14) *Solar energy systems.* (Ord. No. 2640-22, 1-18-22)

**(g) Dimensional standards/densities.**

Notwithstanding the provisions of Section 36-32, the following standards and requirements cannot be modified or waived except as specifically stated:

- (1) The maximum nonresidential density is 1.5 FAR and the maximum residential density is 50 units per acre. In determining density, the total nonresidential floor area or number of residential units shall be divided by the land associated with each use, including building coverage and parking areas associated with the use and a proportion of the on-site usable open space. Stormwater ponds and public/private streets and alleys shall be excluded from land calculations. Maximum residential densities may be increased by up to 50 percent based on Table 36-263(f)(1).

**Table 36-263(f)(1)**

3 points	10% increase in density
6 points	20% increase in density
9 points	30% increase in density
12 points	40% increase in density
15 points	50% increase in density

- a. Inclusionary housing (maximum 6 points may be earned)
  - i. Provide affordable housing at the levels required in the city’s Inclusionary Housing Policy, as amended from time to time, whether or not the development includes city financial assistance (6 points).



- b. Environmental, energy, and water resources (maximum 8 points may be earned)
    - i. Meet the requirements of the city's Green Building Policy as amended from time to time, whether or not the development includes city financial assistance (5 points);
    - ii. Provide 0.5 W of on-site renewable energy per gross square foot of building area (3 points)
  - c. Inclusionary commercial (maximum 4 points may be earned)
    - i. Inclusionary commercial space for retail and service less than 8,000 square feet, food service, and restaurant uses (4 points):
      - a. 10 percent of total commercial space provided at 80 percent fair market rent for 10 years; or
      - b. 20 percent of total commercial space provided 90 percent fair market rent for 10 years.
    - ii. Provide 20 percent or up to 5,000 square feet, whichever is less, of the total commercial space as micro storefronts (4 points)
  - d. Travel demand management (maximum 2 points may be earned)
    - i. Complete a travel demand management plan and implement all recommended strategies (1 points).
    - ii. Commuter bicycle facilities provided onsite (1 points)
      - a. In addition to the bicycle parking requirements in Section 36-361, an additional 10 percent of the required bicycle parking facilities shall be provided as bike lockers, onsite showers shall be available for building occupants, and a bicycle repair station shall be provided.
  - e. Gathering spaces (maximum 2 points may be earned)
    - i. Provide and maintain a publicly accessible space which may include a plaza, courtyard, or community room (1 points)
    - ii. Provide and maintain a publicly accessible community garden (1 points)
- (2) The development site shall include a minimum of 12 percent designed outdoor recreation area based on private developable land area.

(3) Building shall be constructed to the form requirements specific to the street frontage type in Table 36-263(f)(3).

**Table 36-263(f)(3)**

	Primary Street Frontage	Secondary Street Frontage
<b>BUILDING SITING</b>		
Minimum Lot Line Coverage	80% <sup>a</sup>	50% <sup>a</sup>
Build-to Zone	10' to 15' <sup>b</sup>	10' to 20' <sup>b</sup>
Maximum Building Length	200 feet <sup>c</sup>	
<b>HEIGHT</b>		
Building to Street Width Minimum	60%	60%
Building to Street Width Maximum	100%	200%
Minimum Height	2 stories	2 stories
Maximum Height	6 stories <sup>d</sup> or 75', whichever is less	
Primary Ground Story Height	12' to 20' <sup>e</sup>	
All Other Stories Height	10' to 15'	
<b>FAÇADE</b>		
Entrance Elevation	Each street entrance shall be within 30" of adjacent street sidewalk average grade	
<sup>a</sup> Minimum Lot Line Coverage, the following exceptions may apply: <ul style="list-style-type: none"> <li>• Courtyards. A courtyard up to 35% of the width of the front facade is permitted and may contribute to the minimum lot line coverage.</li> <li>• Driveways. When a driveway is located at a primary street frontage and side yard parking is not utilized, a driveway width of 22' may be deducted from the width of the build-to zone and is not included in the calculation of the minimum lot line coverage.</li> </ul>		
<sup>b</sup> Build-to Zone: <ul style="list-style-type: none"> <li>• Encroachments. Awnings and signage are permitted to encroach beyond the build-to zone toward the lot line.</li> <li>• Intersection of two build-to zones.                         <ul style="list-style-type: none"> <li>○ All buildings located on corner lots shall be built to the corner of the build-to zone unless otherwise stated.</li> <li>○ The corner is defined as the intersection of the two build-to zones. Courtyards, per definition, cannot be located in this area.</li> </ul> </li> </ul>		
<sup>c</sup> Maximum Building Length: <ul style="list-style-type: none"> <li>• May be increased up to 50% if a pedestrianway is provided.</li> <li>• These pedestrianways can be pedestrian easements and pathways or exterior through-building linkages at least every 200'.</li> </ul>		
<sup>d</sup> Step-backed stories: all stories that exceed the maximum building to street width shall be stepped back from the front façade a minimum of 10 feet and a maximum of 30 feet.		
<sup>e</sup> Tall stories: 18' or more in floor-to-floor ground story height counts as two stories toward maximum building height.		

## (4) Side and rear yards:

- a. Buildings with side or rear property lines adjacent to R-1 or R-2 zoned and used districts shall have a maximum building height of 40 feet, and minimum side and rear yards of 15 feet.
- b. Buildings may exceed 40 feet in height if the portion of the building above 40 feet is stepped back from the side and rear property lines a distance equal to the additional height.

**(h) Special provisions.**

## (1) Signage shall be allowed with the following conditions:

- a. Pylon signs are prohibited;
- b. Freestanding monument signs shall utilize the same exterior materials as the principal buildings and shall not interfere with pedestrian, bicycle or automobile circulation and visibility.
- c. Maximum allowable number, sizes, heights and yards for signs shall be regulated by Section 36-362, MX division requirements.
- d. Wall signs of non-residential uses shall only be placed on the ground floor and exterior walls of the occupied tenant lease space, and/or a monument sign.
- e. Wall signs shall not be included in calculating the aggregate sign area on the lot if they meet the following outlined conditions:
  - i. Non-residential wall signs permitted by this section that do not exceed seven percent of the exterior wall area of the ground floor tenant lease space.
  - ii. The sign is located on the exterior wall of the ground floor tenant lease space from which the seven percent sign area was derived.
  - iii. No individual wall sign shall exceed 100 square feet in area.
- f. Pedestrian scale signs visible from public sidewalks shall be encouraged. Such signs shall be no more than three feet in vertical dimension unless flush with the building wall.

(2) Architectural Design. The standards established in Sec. 36-366 shall apply, with the following additional standards:

- a. Façade Transparency
  - i. Each upper story façade shall have a minimum transparency of 20% for primary and secondary street frontages.
- b. Building Entrances
  - i. The principal entrance to the building shall be required on the primary street frontage of the building.
  - ii. Each street entrance shall be within 30" of adjacent street sidewalk average grade.

(Ord. No. 2367-09, 1-23-2009; Ord. No. 2560-19, 6-17-19; Ord. No. 2598-20, 11-16-20; Ord. No. 2621-21, 7-6-2021; Ord. No. 2624-21, 8-16-2021; Ord. No. 2637-21, 12-6-21; Ord. No. 2640-22, 1-18-22; Ord. No. 2641-22, 1-18-22)

**Sec. 36-265. MX-2 neighborhood mixed use district.**

**(a) Purpose and effect.**

The purposes of the neighborhood mixed use district are to:

- (1) Promote investment and infill development within the district by allowing flexibility of uses and a mix of uses;
- (2) Integrate new development with its surroundings by encouraging connections for pedestrians, bicyclists, and vehicles and by considering sensitive, compatible use, scale, and operational transitions to neighborhood uses;
- (3) Promote shared parking and optimization of existing parking areas; and
- (4) Promote high quality architectural design and materials, and innovative site design.

**(b) MX-2 district restrictions and performance standards.**

- (1) Fences.
  - a. All fences shall comply with the standards established in Sec. 36-74.
  - b. Fences in the street yards are prohibited, unless they meet the following standards:
    - i. Maximum height: three feet.
    - ii. Maximum opacity: 50%.

**(c) Uses, generally.**

- (1) **Permitted uses (P).** Uses listed in Table 36-264(b) with a "P" symbol are permitted by-right.

- (2) **Uses permitted with conditions (PC).** Uses listed in Table 36-264(b) with a “PC” symbol are permitted provided compliance with the listed conditions and requirements.
- (3) **Uses permitted by conditional use permit (CUP).** Uses listed in Table 36-264(b) with a “CUP” symbol require a Conditional Use Permit; refer to 36-33 Conditional Use Permits.

**Table 36-264(b) Neighborhood Mixed Use District Uses**

<b>Principal Use</b>	<b>Primary and Secondary Street Frontages</b>
<b>RESIDENTIAL AND LODGING USES</b>	
Residential dwellings (including multifamily housing, - and roominghouses)	PC (up to 8 units) / CUP (up to 30 u/a)
Live-work unit	P
<b>CIVIC AND INSTITUTIONAL USES</b>	
Library	P
Museum	P
Parks/open space	P
Parks/recreation	PC
Police/fire station	P
Places of Assembly	CUP
<b>COMMERCIAL USES</b>	
Adult day care	PC
Animal handling	PC
Appliance, small engine and bicycle repair	PC
Bank	PC
Brewery	PC
Food service	PC
Group day care/nursery school	PC
Liquor store	PC
Medical/dental office	P
Micro-distillery	PC
Office	P
Post office customer service	PC
Private entertainment (indoor)	PC
Restaurant with or without intoxicating liquors	PC
Retail, less than 7,500 square feet	P
Retail, large item, less than 7,500 square feet	P
Service, less than 7,500 square feet	PC
Shopping center	P
Vendor market	PC
<b>INDUSTRIAL USES</b>	
Light assembly or low impact manufacturing and processing	PC
Medical, optical and dental laboratories	PC
Printing process/supply	P
Research and development	PC
Showrooms	P
Studio	PC

Principal Use	Primary and Secondary Street Frontages
<b>TRANSPORTATION AND INFRASTRUCTURE USES</b>	
Antenna and communication tower	PC (less than 45') / CUP (between 45' and 75')
Parking lot as principal use	PC
Parking ramp as principal use	PC
Public service structure	PC
Utility substation	PC

**(d) Uses permitted with conditions (PC).**

A structure or land in the MX-2 district may be used for one or more of the following uses with conditions established below:

(1) *Adult day care.*

- a. The condition for adult day care is at least 12% of the lot area shall be developed as designed outdoor recreation area.

(2) *Animal handling.*

- a. No animals shall be kept outside the building or cause offensive odor or noise discernible at the property line of the lot on which the activity is conducted.
- b. Boarding animals during the day and/or night shall not be permitted in a multi-story mixed-use building, additionally the facility shall be located a minimum of 100 feet from any parcel that is zoned residential and used for residential.

(Ord. No. 2621-21, 7-6-2021)

(3) *Appliance, small engine, and bicycle repair.*

- a. Engines shall not be operated or tested outside of a structure if the use is located within 300 feet of any parcel that is zoned residential and used or subdivided for residential, or has an occupied institutional building, including but not limited to schools, religious institutions, and community centers.

(4) *Banks.*

- a. In-vehicle sales or services are prohibited.
- b. Self-service machines shall be located inside the building

(5) *Brewery.*

- a. The brewery shall not produce more than 20,000 barrels of malt liquor per year.
- b. A taproom and/or retail outlet is required and shall be located in the Primary Street storefront of the building.

- c. The taproom and/or retail outlet shall occupy a minimum of 20 percent of the gross floor area with no maximum limit.
  - d. Alcohol produced off-site shall not be sold on-site, this includes both on-sale and off-sale transactions.
- (6) *Communication towers* that are 45 feet or less in height, subject to the provisions of Section 368 (Communication Towers and Antennas).
- (7) *Food service*.
- a. In-vehicle sales or services are prohibited.
- (8) *Group daycare/nursery school*.
- a. The on-site outdoor activity areas shall be enclosed with a fence.
  - b. City parks may be utilized to meet up to 50 percent of the required outdoor activity areas with the following conditions:
    - i. The park must have age-appropriate play equipment.
    - ii. There is a clearly defined and maintained sidewalk or improved trail connecting the facility to the park.
  - c. An off-street passenger loading area shall be provided in order to maintain vehicular and pedestrian safety.
- (9) *Light assembly or low impact manufacturing and processing*.
- a. A showroom and/or retail outlet is required and shall be located in the primary street frontage of the building.
  - b. The showroom and/or retail outlet shall occupy a minimum of 20 percent of the gross floor area with no maximum limit.
  - c. All outdoor activities such as loading and unloading shall be located a minimum of 100 feet from any parcel that is zoned residential and used residential.
- (10) *Liquor stores*.
- a. The lot must be at least 1,000 feet from the property line of a site containing a pawnshop, currency exchange, payday loan agency, firearms sales or sexually oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the liquor store.



(11) *Medical, optical, and dental laboratories.*

- a. The use shall not generate any fumes or odors which are detectable at the property lines of the parcel on which the use is located.

(12) *Micro-distillery.*

- a. A cocktail room and/or retail outlet is required and shall be located in the primary street frontage of the building.
- b. The cocktail room and/or retail outlet shall occupy a minimum of 20 percent of the gross floor area with no maximum limit.
- c. Alcohol produced off-site shall not be sold on-site, this includes both on-sale and off-sale transactions.

(13) *Parking lots as principal use.*

- a. Shall be owned by the municipal government.

(14) *Parking ramps as principal use.*

- a. Shall be owned by the municipal government.
- b. The height of any parking ramp located within 200 feet of any parcel that is zoned residential and used for residential may not penetrate the height of a line commencing at and perpendicular to said parcel line and extending upward away from said parcel at a slope of five horizontal feet for each vertical foot.
- c. The minimum yard requirement for any parking ramp located within 200 feet of a parcel that is zoned residential and used for residential shall be 50 feet.
- d. Access shall be from a roadway identified in the Comprehensive Plan as a collector or arterial or otherwise located so that access can be provided without conducting significant traffic on local residential streets.
- e. The parking ramp shall be screened from view from any abutting property located within an R district. The screening shall include a six-foot berm if the parking ramp is above ground.
- f. If the parking ramp is located within 400 feet of any parcel that is zoned residential and used for residential, all light sources on the top deck of a parking ramp shall be below the sight lines drawn from a point one foot above the light source to any point within said parcel ten feet lower than the maximum structure height of that use district at a distance of 400 feet from the wall of the parking ramp nearest to said parcel.
- g. A minimum of 40% of the street level frontage of a parking ramp located adjacent to a street designated as a collector or arterial in the Comprehensive Plan shall be dedicated to non-parking uses.

- h. Parking ramp shall be designed so that vehicles are not visible from the sidewalk and the only openings at street level are those to accommodate vehicle ingress and egress.
- i. Snow storage areas shall not be located in the front yard or side yard abutting a street.

(15) *Parks/recreation.*

- a. The principal structure shall be located a minimum of 50 feet from a lot in an R district.
- b. Areas designated for group activities shall be located a minimum of 25 feet from a lot in an R district.
- c. Swimming pools shall be located a minimum of 50 feet from any lot line and a minimum of 12 feet from any other structure on the same lot.
- d. Screening shall be installed along the property line when the use abuts property residentially used or in one of the R districts. This screening shall include a berm or fence which shall be adequately maintained. Application of this provision shall not require a fence within the required front yard.
- e. Facilities which serve a community wide or regional function shall be located with primary vehicular access on a collector or arterial street.

(16) *Post office customer service.*

- a. The use shall only be permitted when it can be demonstrated that the operation will not have a significant adverse effect on the existing level of service and safety of adjacent streets and intersections.
- b. Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- c. In-vehicle sales or services prohibited.
- d. Storage of vehicles is prohibited.
- e. Outdoor mailboxes intended for in vehicle service shall be located to allow in vehicle mail drop off by the vehicle's driver.
- f. Screening shall be provided along the lot line between the drive through facilities and stacking areas and adjacent streets and properties and shall not interfere with visibility at the intersection of the exit drive and adjacent street as required by section 36-76.

(17) *Private entertainment (indoor) with or without intoxicating liquor license.*

- a. In-vehicle sales or services prohibited.
- b. Not permitted in a building with residential uses.

(18) *Public service structures.*

- a. All exterior faces of all buildings shall meet the provisions of Article V of this chapter.
- b. All structures shall be located a minimum of 15 feet from any parcel that is zoned residential and used or subdivided for residential, or has an occupied institutional building, including but not limited to schools, religious institutions, and community centers.
- c. All service drives shall be paved.

(19) *Restaurants with or without intoxicating liquor license.*

- a. In- vehicle sales or services prohibited.

(20) *Residential dwellings.*

- a. The residential use is part of a mixed-use building with non-residential uses on the ground floor; the non-residential uses on the ground floor may include structured parking, however, structured parking may not occupy the first 30 feet in depth of the ground floor of the primary street frontage.
- b. The building design and placement provide a desirable residential environment.
- c. Access to open space, plazas, and pedestrian ways is provided.
- d. The housing is located above the ground floor.
- e. The total number of units provided on an individual parcel does not exceed eight units.

(21) *Service, less than 7,500 square feet.*

- a. In-vehicle sales and services are prohibited.

(22) *Studio.*

- a. Not permitted in a building with residential uses.

(23) *Utility substation.*

- a. No structure shall be located within 25 feet of any property line.
- b. No structures shall be located within 200 feet of any parcel that is zoned residential and used or subdivided for residential, or has an occupied institutional building, including but not limited to schools, religious institutions, and community centers.
- c. No impact noise shall be audible from any property located in an R district.

(24) *Vendor market.*

- a. In-vehicle sales or services prohibited.
- b. Not permitted in a building with residential uses.
- c. In multi-tenant buildings, noise shall be contained within that space dedicated to the place of vendor/food hall. No noise shall be audible within common areas or in adjacent units.
- d. In multi-tenant buildings, the vendor market shall have a separate entrance or shall have an interior entrance that is within 50 feet of a common building entrance.

**(e) Uses permitted by conditional use permit (CUP).**

No structure or land in the MX-2 district shall be used for the following uses except by conditional use permit:

- (1) *Communication towers* more than 45 feet in height but not to exceed 70 feet in height, subject to the provisions of Section 368 (Communication Towers and Antennas).
- (2) *Educational (academic).*
  - a. Pickup/drop-off areas shall not conflict with other on-site or abutting land uses and shall not create congestion on public streets. Buses shall not be permitted to use an alley for pickup and drop-off of students.
  - b. The size of the school shall be limited to 20 students.
  - c. In multitenant buildings, the school shall have at least one separate building entrance or shall have an interior entrance that is within 50 feet of a common building entrance.
- (3) *Places of assembly with or without intoxicating liquor.*
  - a. Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
  - b. Not permitted in a building with residential uses.
  - c. Seating capacity shall be limited to 150 persons.
  - d. Parking shall meet zoning code requirements, unless it is a religious or other institution that requires walking because of a religious tenet or other rule, then one space per every eight seats shall be required.
  - e. In multi-tenant buildings, noise shall be contained within that space dedicated to the place of assembly use. No noise shall be audible within common areas or in adjacent units.

- f. In multi-tenant buildings, the place of assembly shall have a separate entrance or shall have an interior entrance that is within 50 feet of a common building entrance.

(4) *Residential dwellings.*

- a. The residential use is part of a mixed-use building with non-residential uses on the ground floor; the non-residential uses on the ground floor may include structured parking, however, structured parking may not occupy the first 30 feet in depth of the ground floor of the primary street frontage.
- b. The building design and placement provide a desirable residential environment.
- c. Access to off-site parks, open space, plazas and pedestrian ways is provided.
- d. The housing is located above the ground floor.
- e. The total number of units provided on an individual parcel does not exceed a density of 30 units per acre.
- f. The use is in conformance with the comprehensive plan including any provisions of the redevelopment chapter and the plan by neighborhood policies for the neighborhood in which it is located, and conditions of approval may be added as a means of satisfying this requirement.
- g. Ground floor multi-family dwellings in existence on December 11, 2020, shall be considered a conforming use.

**(f) Accessory uses.**

The following uses shall be permitted accessory uses in the MX-2 district when meeting the standards below:

- (1) *Catering* if accessory to a restaurant, food service, delicatessen, grocery store or retail bakery.
- (2) *Food service* where food service is an accessory use to other uses).
- (3) *Home occupations* as regulated by this chapter. (Ord. No. 2624-21, 8-16-2021)
- (4) *Incidental repair or processing* which is necessary to conduct a permitted principal use shall not exceed 40 percent of the gross floor area or 40 percent of the labor hours required to conduct the principal permitted use.
- (5) *Outdoor seating and service of food and beverages.*
  - a. The use shall not be located in the interior side or back yard if the use is adjacent to a parcel that is occupied by a residential dwelling. This provision will not apply if the first floor of the building located on the adjacent parcel is not occupied by a residential dwelling or if a residential

dwelling is located above the principal use.

- b. No speakers or other electronic devices which emit sound are permitted outside of the principal structure if the use is located within 500 feet of a parcel that is zoned residential and used for residential.
- c. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if located within 500 feet of a parcel that is zoned residential and used for residential.

(Ord. No. 2637-21, 12-6-21)

(6) *Parking lots.*

(7) *Parking ramps.*

- a. Parking ramps shall be located only behind the rear of the building.
- b. Parking ramps located on the secondary street frontage shall have principal uses on the ground floor.
- c. Parking ramps shall meet the façade requirements for the principal building.
- d. The height of any parking ramp located within 200 feet of any parcel that is zoned residential and used for residential may not penetrate the height of a line commencing at and perpendicular to said parcel line and extending upward away from said parcel at a slope of five horizontal feet for each vertical foot.
- e. The minimum yard requirement for any parking ramp located within 200 feet of a parcel that is zoned residential and used for residential shall be 50 feet.
- f. Access shall be from a roadway identified in the Comprehensive Plan as a collector or arterial or otherwise located so that access can be provided without conducting significant traffic on local residential streets.
- g. If the parking ramp is located within 400 feet of any parcel that is zoned residential and used for residential, all light sources on the top deck of a parking ramp shall be below the sight lines drawn from a point one foot above the light source to any point within said parcel ten feet lower than the maximum structure height of that use district at a distance of 400 feet from the wall of the parking ramp nearest to said parcel.

- h. The parking ramp shall be screened from view from any abutting property located within an R district. The screening shall include a six foot berm if the parking ramp is above ground.
- i. A minimum of 40% of the street level frontage of a parking ramp located adjacent to a street designated as a collector or arterial in the Comprehensive Plan shall be dedicated to non-parking uses.
- j. Parking ramp shall be designed so that vehicles are not visible from the sidewalk and the only openings at street level are those to accommodate vehicle ingress and egress.
- k. Snow storage areas shall not be located in the front yard or side yard abutting a street.

(8) *Building interior parking.* Parking is permitted fully in any basement and within the building, except on the primary street frontage. Interior parking shall meet the façade requirements of the building. Entrances to the interior parking are permitted from the rear or side building facades only, unless otherwise noted per the street frontage type.

(9) *Warehouse/storage* provided that the storage does not occupy more than 40 percent of the gross floor area of the site. No warehouse/storage area shall exceed 20,000 square feet.

(10) *Solar energy systems.* (Ord. No. 2640-22, 1-18-22)

**(g) Dimensional standards.**

(1) Buildings shall be constructed to meet the form requirements of each applicable street frontage type in Table 36-264(f)(1).

**Table 36-264(f)(1)**

	Primary Street Frontage	Secondary Street Frontage
<b>BUILDING SITING</b>		
Minimum Lot Line Coverage	80% <sup>a</sup>	50% <sup>a</sup>
Build-to Zone	10' to 15' <sup>b</sup>	10' to 20' <sup>b</sup>
Maximum Building Length	130'	
<b>HEIGHT</b>		
Minimum Height	2 stories	2 stories
Maximum Height	3 stories	
Ground Story Height	14' to 18' <sup>c</sup>	
All Other Stories Height	10' to 15'	
<sup>a</sup> Minimum Lot Line Coverage, the following exceptions may apply: <ul style="list-style-type: none"> <li>• Courtyards. A courtyard up to 35% of the width of the front facade is permitted and may contribute to the minimum lot line coverage.</li> <li>• Driveways. When a driveway is located on a primary street frontage and side yard parking is not utilized, a driveway width of 22' may be deducted from the width of the build-to zone and is not included in the calculation of the minimum lot line coverage.</li> </ul>		
<sup>b</sup> Build-to Zone: <ul style="list-style-type: none"> <li>• Minimum is 10' or the smallest setback of the existing buildings on the block front, whichever is greater.</li> <li>• Encroachments. Awnings and signage are permitted to encroach beyond the build-to zone, towards the lot line.</li> <li>• Intersection of two build-to zones.               <ul style="list-style-type: none"> <li>○ All buildings located on corner lots shall be built to the corner of the build-to zone unless otherwise stated.</li> <li>○ The corner is defined as the intersection of the two build-to zones. Courtyards, per definition, cannot be located in this area.</li> </ul> </li> </ul>		
<sup>c</sup> Tall stories: 18' or more in floor-to-floor ground story height counts as two stories toward maximum building height.		

(2) Side and Rear Yards:

- a. Buildings with side or rear property lines adjacent to R-1 or R-2 zoned and used districts shall have a minimum side yard of 10 feet and rear yard of 15 feet.
- b. Accessory parking structures shall have minimum side yard and rear yard setbacks of 15 feet.



**(h) Special provisions.**

- (1) Generally. The design of lots and uses in the MX-2 district that fall within the Historic Walker Lake area should substantially conform with the guidelines established in the *Historic Walker Lake Area Design Guidelines*, adopted by the City Council on December 11, 2020.
- (2) Off-Street Parking Areas. Specific standards for the neighborhood mixed use district established in Sec. 36-362 shall apply.
- (3) Sign Regulations. The standards established in Sec. 36-363 shall apply, with the following additional standards:
  - a. Signage shall be allowed with the following conditions:
    - i. Pylon signs are prohibited.
    - ii. Freestanding monument signs are prohibited.
    - iii. Pedestrian scale signs visible from public sidewalks shall be encouraged. Such signs shall be no more than three feet in vertical dimension unless flush with the building wall.
- (4) Outdoor Lighting. The standards established in Sec. 36-364 shall apply.
- (5) Landscaping. The standards established in Sec. 36-365 shall apply.
- (6) Architectural Design. The standards established in Sec. 36-366 shall apply, with the following additional standards:
  - a. Façade Transparency
    - i. Each upper story façade shall have a minimum transparency of 20% for primary and secondary street frontages.
  - b. Building Entrances
    - i. The principal entrance to the building shall be required on the primary street frontage of the building.
    - ii. Each street entrance shall be within 30" of adjacent street sidewalk average grade.

**Secs. 36-266—268. (Repealed Ord. No. 2598-20, 11-16-20)**

(Code 1976, § 14:5-8D; Ord. No. 2367-09, 1-23-2009; Ord. No. 2560-19, 6-17-19; Ord. No. 2598-20, 11-16-20; Ord. No. 2621-21, 7-6-2021; Ord. No. 2624-21, 8-16-2021; Ord. No. 2637-21, 12-6-21; Ord. No. 2640-22, 1-18-22; Ord. No. 2641-22, 1-18-22)