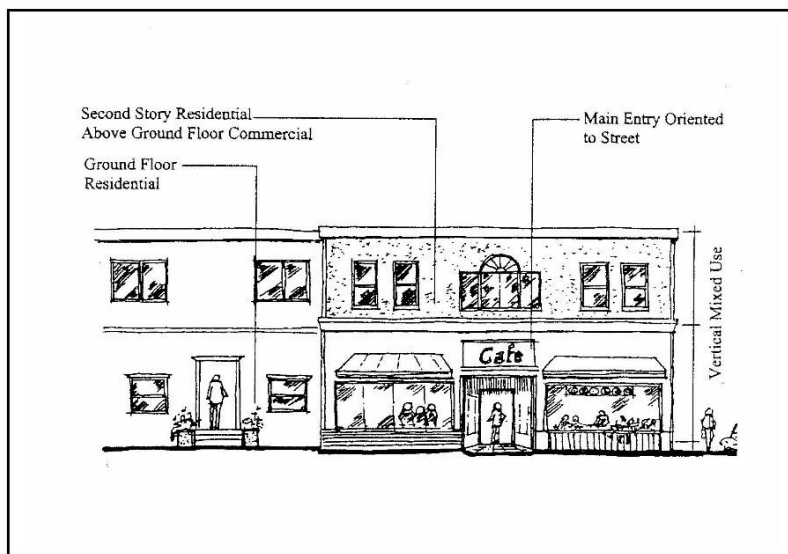


## **ARTICLE 11 MIX, MIXED USE DEVELOPMENT DISTRICT**

### **Sec. 11.1. Purpose and Description.**

This zoning district is intended to provide for both vertical and horizontal mixed uses. For purposes of this Article, horizontal mixed use means two or more different types of uses are placed next to each other (but not attached), planned as a unit, and connected together with pedestrian and vehicular access. For instance, a subdivision containing single-family dwellings that is adjacent to a neighborhood commercial development and office complex. For purposes of this Article, vertical mixed use means two or more different uses occupying the same building usually on different floors. For instance, retail on the ground floor and office and/or residential uses on the second and/or third floors (see figure).

#### **Residential Uses Mixed With Commercial Shops**



Source: Oregon Transportation and Growth Management Program 1999.

This zoning district is also intended to meet the following purposes:

- (a) Encourage, protect and enhance the pedestrian environment.
- (b) Encourage additional street level activity.
- (c) Reduce automobile trips.
- (d) Create a "sense of place."
- (e) Provide for the efficient use of land and services.
- (f) Allow for a mix of land uses which strengthens opportunities for economic vitality and supports diversity of housing opportunities.
- (g) Provide for community gathering places and pedestrian/visitor amenities.
- (h) Establish a distinct storefront character associated with the district.
- (i) Provide transitions to adjacent neighborhoods and commercial areas.

(j) Maintain and enhance the area’s character through design guidelines.

**Sec. 11.2. Permitted Uses.**

Uses within a mixed-use district shall be as permitted in Table 11.1. When this district is applied through a rezoning application by an individual property owner, use limitations may be specified as conditions of zoning by the Governing Body. The applicant for this mixed-use zoning district shall at the time of application propose a mixed-use development concept and illustrate it with a site plan submitted as a part of the application. MIX zoning existing on the effective date of this Ordinance shall be limited to uses specified in Table 11.1 and subject to the specific use requirements of this Article and this Ordinance generally. When a site plan is required, the site plan shall show the following areas of land use, as appropriate:

- (a) Residential neighborhoods
- (b) Commercial and office-professional areas
- (c) Civic and institutional areas
- (d) Vertical mixed-use areas

The applicant may modify the name of these types of development to better represent the themes of the proposed mixed-use development. A mixed-use site plan is not required to include each of these types of development listed above; provided, however, that a mix of uses, either within a single building or on a development site, must be provided. Certain permitted uses are, in addition to the limitations of Table 11.1, further regulated by specific use provisions of this Article.

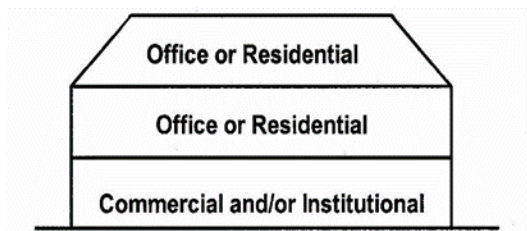
**Table 11.1 Uses Permitted In Mixed Use Development Zoning Districts**

<b>RETAIL/SERVICE USES:</b>	<b>RESIDENTIAL USES:</b>
Bed and breakfast inns.	Dwellings, single-family detached. Dwellings, single-family attached (townhouses).
Business service establishments.	
Commercial recreational facilities, indoor.	
Cottage industries.	
Day care centers.	
Finance, insurance and real estate establishments.	
Health spas.	
Personal service establishments.	Dwellings, occupying the second or third story, or both, of a building where the ground floor of said building is occupied by office-institutional or retail use, or both, and where each dwelling has its own separate entrance with access to street level.
Restaurants, including outside seating areas but not including drive-ins or drive-through facilities.	
Retail trade establishments, enclosed.	
Special event facilities.	

<b>OFFICE AND INSTITUTIONAL USES:</b>	<b>OTHER USES:</b>
Churches, temples, synagogues, and places of worship.	Accessory uses and structures normally incidental to one or more permitted principal uses.
Offices, including conference centers and retreat centers.	Parks, open spaces, and conservation areas.
Clinics.	Uses existing on the effective date of this ordinance and which are integrated into (connected with) the mixed-use development.
Clubs or lodges, nonprofit, sponsored by a civic or similar organization.	Temporary uses and structures.
Institutional residential living and care facilities.	Parking decks.
Schools of all types, including colleges and universities.	
Public and semi-public uses.	

**Sec. 11.3. Uses on Storefront Streets.**

With some limitations specified in this Article, it is the intent that within buildings fronting along designated storefront or pedestrian retail streets, only commercial, office, civic, or institutional uses should occupy the ground-level floor. Floors above the ground level may be occupied by office or residential uses.



**Sec. 11.4. Detached, Single-family Dwellings.**

When detached, single-family residential dwellings each on their own lot, are provided in horizontal mixed-use development, such uses shall conform to the following requirements:

**Sec. 11.5. Street-level Housing.**

No more than fifty (50) percent of a single street frontage at ground level may be occupied by residential uses. Every dwelling unit with a front façade facing the street in a pedestrian retail or storefront area, if provided, shall to the maximum extent possible have its primary entrance face the street. Every building containing four or more dwelling units shall have at least one building entry or doorway facing any adjacent street that has on-street parking

**Sec. 11.6. Attached, Single-family Dwellings (Townhouses).**

When attached, single-family residential dwellings, each on their own lot, are provided in horizontal mixed-use development such uses shall conform to the following requirements.

- (a) Maximum density: 8 units per acre.
- (b) Minimum lot size (townhouse): 2,000 square feet.
- (c) Minimum lot width: 20 feet.
- (d) Minimum heated floor area per dwelling unit: 1,500 square feet.

**Sec. 11.7. Freestanding Multi-Family Dwellings.**

When apartments or condominiums are provided in a horizontal mixed-use development such uses shall conform to the following requirements.

- (a) Maximum density: 14 units per acre.
- (b) Minimum heated floor area per dwelling unit: 750 square feet.

**Sec. 11.8. Retail and Service Components.**

Enclosed retail trade establishments and personal service establishments should be located in careful relation to other land uses within and outside of the mixed-use development. Such uses should be scaled to the pedestrian and to the mixed-use development itself, and designed and oriented to face the interior of the mixed-use development but may if double-fronted also be oriented to passerby traffic exterior to the mixed-use development.

**Sec. 11.9. Light Manufacturing.**

Light manufacturing, meaning production or manufacturing of small scale goods, such as crafts, electronic equipment, candy products, printing and binderies, custom furniture, and similar goods, shall be permitted in store front or pedestrian retail areas, subject to compliance with.

**Sec. 11.10. Minimum Vertical Mixed-Use Requirement.**

When a mixed-use district is established, there shall be at least ten percent of the total land area within the mixed-use development that meets the definition of vertical mixed use. In calculating compliance with this requirement, the street rights-of-ways, public or private, within and serving the vertical mixed-use development (i.e., with buildings fronting on both sides of the street) shall be counted as vertical mixed use.

**Sec. 11.11. Minimum Mixes for Horizontal Mixed Use.**

For horizontal mixed use, as defined, a minimum of twenty-five percent of horizontal mixed-use development's total land area (or, if vertical mixed-use is included, only those areas that are horizontal mixed use) shall be devoted to residential uses, and a minimum of twenty-five percent shall be devoted to retail/service, office, and/or civic/institutional uses. In calculating compliance with this requirement, the street rights-of-ways, public or private, within and serving the development (i.e., with lots and dwellings fronting on both sides of the street) shall be part of such use.

**Sec. 11.12. Minimum Open Space.**

For horizontal mixed-use developments, there shall be at least twenty percent (20%) of the total land area within the mixed-use development that is passive or active recreation or open space.

### **Sec. 11.13. Dimensional Requirements.**

The following requirements shall be observed in all mixed-use developments, except where the requirement is more specifically attributed to horizontal mixed use, or vertical mixed use, as the case may be.

(a) Minimum Height. Within storefront areas (i.e., vertical mixed use), buildings shall be a minimum of two stories in height.

(b) Maximum Height. The height for a vertical mixed-use building shall not exceed four stories in height, or 50 feet, whichever is greater. No parking structure shall exceed a height of the average height of adjacent structures on the site and on all abutting properties.

(c) Building Setbacks. There shall be no required building setbacks for mixed-use development, except those that may be proposed by the mixed-use developer and/or made a condition of approval by the Governing Body.

(d) Building Frontage Requirement. Within a storefront or pedestrian retail area, at least 50 percent of the width of the lot shall be occupied by a building at the front setback.

(e) Floor-Area Ratios. There are no floor-area ratio maximums established by this Article. If the MIX zoning district is initiated by an individual property owner, as a condition of approval the Governing Body may establish intensity and density limitations in order to ensure compatibility with adjacent existing development.

### **Sec. 11.14. Requirements for Pedestrian Friendly Infrastructure.**

The following provisions shall be required in store front and pedestrian retail areas and may be considered appropriate in other parts of the mixed-use district.

(a) Sidewalks and Streetscape Zone. Sidewalks shall be built along all public streets in the district. All sidewalks shall have a minimum width of 10 feet with a minimum clear zone of ten feet. Alongside the sidewalk and integrated there with shall be a continuous streetscape zone for street trees and street furniture adjacent to the curb which shall not be less than five feet in width; provided, however, that where the existing building line does not presently provide a width of 15 feet, the minimum sidewalk width and streetscape zone width may be reduced to the actual width of the existing sidewalk and streetscape zone.

(b) Pedestrian Amenities. The streetscape zone shall be planted with street trees and furnished with street furniture, including but not limited to benches and litter receptacles. The streetscape zone may also include signs, light poles, and other similar items unless otherwise specifically prohibited by regulation.

(c) Pedestrian Crossings of Driveways and Intersections. The color and composition of sidewalk shall be continued as it crosses vehicular driveways and street intersections. Where the sidewalk color and composition of the sidewalk is not otherwise distinguishable from the driveway or roadway composition and color, the sidewalk shall be composed of material with color and texture that demarcates the pedestrian crossing. This provision is required to promote safety of pedestrians, as different textures or colors of pedestrian crossings alert or remind the motorist pedestrians are present.

**Sec. 11.15. Parking.**

(a) On-street Parking. On-street parking is required for all newly constructed streets in areas designated as storefront or pedestrian retail that have vehicular access, and may be required to be integrated in an existing public street right-of-way.

(b) Reduction of Maximum Parking Space Requirements. Where another provision of this ordinance requires off-street parking, those requirements may be reduced by up to 20 percent for all uses within vertical mixed-use developments, plus an additional one space for each on-street parking space provided in the vertical mixed-use development area.

(c) Off-Street Parking Location Limitations. Parking areas or driveways, except for a driveway to reach a side or rear yard or on-site parking facility, are not permitted between the sidewalk and the front of the building. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, located in parking areas behind or to the side of the building, or placed underground, where feasible.

**Sec. 11.16. Architectural Design.**

Within areas designated as storefront or pedestrian retail, the following architectural features should be used along the street frontage building elevations, as applicable.

(a) Buildings should have consistent spacing of similar shaped windows with trim or other decorative molding on all building stories.

(b) Large display windows should be employed on ground floor storefronts. Display windows should be framed to visually separate the ground floor from the second floor.

(c) All buildings with a flat roof should have a decorative cornice at the top of the building; or eaves when the building is designed with a pitched roof.