

Sec. 30-64. - Mixed use low intensity district (MU-1).

- (a) *Purpose.* The mixed-use low intensity district is established for the purpose of allowing coordinated developments designed to offer a mixture of residential, convenience-type retail, professional and consumer service uses primarily for residents of mixed-use and adjacent residential neighborhoods, and places of religious assembly. The district is intended to reduce the length and number of vehicular trips by providing for basic needs within close proximity to residential areas, by encouraging pedestrian access, and by the combining of trips. This district is established to allow uses compatible with each other and with surrounding residential areas to be developed near each other. The MU-1 district may be located in areas where analysis of residential characteristics demonstrates that such facilities are required. This district is intended to encourage the development of planned and unified neighborhood shopping centers in a relationship harmonious with adjoining residential activities. It is also intended to accommodate traditional neighborhoods that include nonresidential uses and neighborhood centers.
- (b) *Objectives.* The provisions of this district are intended to:
- (1) Permit compatible commercial, office, service and residential developments that benefit from being located near each other.
 - (2) Provide an adequate mix of residential uses including multifamily, townhouse, zero lot line, and detached single-family at urban densities.
 - (3) Provide opportunities for the development of compound residential uses.
 - (4) Minimize traffic congestion by:
 - a. Requiring that shopping center and/or mixed-use developments be located on appropriate major collector and arterial roadways, as defined in the comprehensive plan;
 - b. Minimizing the number and regulating the location of driveway connections; and
 - c. Encouraging pedestrian and nonautomotive access.
 - (5) Ensure, through development plan approval, that nonresidential and mixed-use developments are designed to promote the most efficient use of the land, and that they coordinate the internal activities of the site as well as establish a harmonious relationship between such developments and their environment.
 - (6) Require buffering or screening around nonresidential and/or mixed-use development in accordance with the land development code when the development abuts any property zoned for residential use or shown as residential on the future land use map.
 - (7) Accommodate neighborhood-level services and retail uses along existing business corridors.
 - (8) Coordinate the location and size of mixed-use developments commensurate with the character and density of the areas to be served.
 - (9) Allow the market some flexibility in determining locations of new nonresidential development, and the ability to expand such areas in relation to the population densities achieved.
 - (10) Encourage nonresidential and/or mixed-use developments to locate on land that is physically capable of supporting the particular type of development.
- (c) *Permitted uses.* See permitted uses listed in subsection (g) of this section pertaining to permitted uses.
- (1) *Specific conditions for residential uses.* If MU-1 zoning abuts a single-family residential zoning district, then the density of the residential portion of the mixed-use development shall be limited to that allowed by the RMF-6 residential district in the area within 100 feet of the property line, plus the required buffers for that single-family residential zoning district. In addition, multi-family development shall comply with all regulations in the RMF-6 district and the requirements of section 30-56.
 - (2) *Specific conditions for single-family compound uses.* Twenty-five percent of the total floor area up to 1,000 square feet may be used for commercial or office uses. Such uses shall require a minimum lot size of 6,000 square feet and a lot width of 70 feet and shall have direct or shared access to a collector or arterial roadway.
- (d) *Specific conditions for neighborhood shopping centers.*
- (1) *Developments of more than 30,000 square feet.* There is no minimum size for buildings within the MU-1 zoning district. However, within the MU-1 zoning district, nonresidential developments of more than 30,000 square feet of gross leasable floor area are considered neighborhood shopping centers and are subject to the rights of and conditions for neighborhood shopping centers.
 - (2) *Location.* Neighborhood shopping centers shall be located within one-fourth mile of intersections of arterials or intersections of arterials and collectors, as shown on the map entitled Functional Classification of Streets, in the transportation mobility element of the city's comprehensive plan. Such uses shall have direct or shared access to an arterial.
 - (3) *Maximum gross leasable nonresidential floor area.* No more than 100,000 square feet of gross leasable nonresidential floorspace shall be allowed within any neighborhood shopping center.
 - (4) *Maximum gross leasable nonresidential floor area in any one business.* No more than 50,000 square feet shall be contained in any one business located within a neighborhood shopping center, except MG-54 (food stores).
 - (5) *Dimensional requirements for permitted nonresidential uses.* All principal and accessory structures shall

be located and constructed in accordance with the following requirements:

- a. Required yard setbacks:
 1. Minimum front: 20 feet.
 2. Maximum front: 80 feet.
 3. Where the side or rear yard abuts property which is in a residential zoning district, or is shown for residential use on the future land use map of the comprehensive plan, the minimum setback shall be 50 feet or the distance created by the 45 degree angle of light obstruction, whichever is greater.
- b. Maximum lot coverage: 50 percent for single-purpose, nonresidential; 60 percent for mixed-use (inclusive of residential) or compound use.
- c. Maximum building height: Five stories.
- (6) *Multiple structures.* The use of multiple structures shall be considered on a case-by-case basis during development plan approval. Approval shall be conditioned upon findings by the appropriate reviewing board that all such structures are compatible with the uses and purposes of the center and surrounding uses and traffic patterns and are safely incorporated into the overall transportation system for the center.
- (7) *Outparcels.* The proliferation of outparcels contributes to strip commercial development, traffic circulation problems and visual clutter, and obstructs pedestrian and bicycle movement. To mitigate the problems associated with outparcels, the following regulations shall apply:
 - a. *Creation and design.* The creation of outparcels shall be considered on a case-by-case basis during subdivision, lot split approval or development plan approval. Approval shall be conditioned upon findings by the appropriate reviewing board or staff, as applicable, that the neighborhood shopping center and all outparcels are integrated through the use of landscaping and buffers; shared parking, traffic access and circulation; and stormwater management.
 - b. *Dimensional requirements for outparcels.* Outparcels which have unified circulation systems with the adjoining neighborhood shopping center shall not be required to meet the minimum lot area, width and depth requirements; however, development on outparcels shall be required to meet yard setback, lot coverage and building height requirements for the MU-1 district.
- (8) *Access.*
 - a. *Vehicular access.* Access to the neighborhood shopping center shall be in accordance with the provisions of article IX, division 3, and chapter 23 of the Code of Ordinances. Parking areas, including maneuvering space, ingress and egress roads and driving lanes, shall be improved in accordance with the provisions of article IX, division 3, and chapter 23 of the Code of Ordinances. All loading and unloading shall be done on the neighborhood shopping center property. Areas used by motor vehicles shall be physically separated from public streets by landscaped buffer areas.
 - b. *Bicycle, greenway and pedestrian access.* Provisions shall be made to safely incorporate travel ways for bicycle and pedestrian usage into any neighborhood shopping center project. Where bikeways, greenways or sidewalks are presently adjoining the property, provisions shall be made to safely link the internal bicycle and pedestrian system with adjoining facilities. During development plan review, the appropriate reviewing board shall also review the relationship of the neighborhood shopping center to adjoining properties and may require appropriate access for bicycles or pedestrians at locations where vehicular access is prohibited.
- (e) *Dimensional requirements for projects of less than 30,000 square feet.*
 - (1) Yard setbacks:
 - a. Front: The front setback shall be no deeper than the average setback of existing development in the same block face, and within 15 to 80 feet.
 - b. Where the side or rear yard abuts property which is in a residential district or is shown for residential use on the future land use map of the comprehensive plan, the minimum setback shall be 25 feet or the distance created by the 60-degree angle of light obstruction, whichever is greater.
 - c. Where the property abuts a side street, the minimum setback from that street shall be ten feet.
 - d. Where a nonresidential use is adjacent to a nonresidential use no side yard setback is required.
 - (2) Accessory structures shall not exceed 25 feet in height.
 - (3) Maximum lot coverage: 50 percent for single-purpose, nonresidential; 60 percent for mixed-use (inclusive of residential) or compound use.
 - (4) Maximum building height: Five stories.
- (f) *Access.* Access shall be designed to integrate all aspects of the development and shall meet the requirements of article IX, division 3, of this chapter. Driveways and parking shall be coordinated or shared insofar as possible.

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(g) *Permitted uses.*

SIC	Uses	Conditions
	USES BY RIGHT:	
	Any accessory uses customarily and clearly incidental to any permitted principal use	
	Bed and breakfast establishments	In accordance with

		article VI
	Community residential homes with 14 or fewer residents	When part of a permitted single-family or multifamily residential component and in accordance with article VI
	Community residential homes with more than 14 residents	In accordance with article VI
	Compound uses	
	Eating places	
	Family child care homes	When part of a permitted single-family or multifamily residential component and in accordance with state law
	Large family child care homes	In accordance with article VI
	Itinerant food vendor	In accordance with chapter 19, article IV
	Outdoor cafes	As defined in article II and in accordance with article VI
	Personal fitting and sales of prosthetic or orthopedic appliances	
	Places of religious assembly	In accordance with article VI
	Public service vehicles	As defined and in accordance with article VI
	Repair services for household needs	As defined in article II
	Residential (8 to 30 dwelling units per acre)	In accordance with the requirements of the RMF-6, RMF-7 or RMF-8 zoning districts and the additional requirements of this section, and the requirements of section 30-56
	Residential use buffer	
	Neighborhood convenience center	
	Neighborhood shopping center	
	Specialty T-shirt production	
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
IN-0752	Animal specialty services, except veterinary	Only within enclosed buildings
GN-078	Landscape and horticultural services	
MG-15	Building construction - General contractors and operative builders	

GN-171	Plumbing, heating and air conditioning	
GN-172	Painting and paper hangers	
GN-173	Electrical work	
MG-27	Printing, publishing and allied industries	
MG-43	U.S. Postal Service	
GN-472	Arrangement of passenger transportation	Offices only, with no operation of passenger tours from the site
GN-481	Telephone communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI, excluding cellular telephone services
GN-482	Telegraph and other message communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI
GN-483	Radio and television broadcasting stations	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI
GN-523	Paint, glass and wallpaper stores	
GN-525	Hardware stores	
GN-526	Retail nurseries, lawn and garden supply stores	
MG-53	General merchandise stores	
MG-54	Food stores	Accessory gasoline and alternative fuel pumps in accordance with article VI, and by special use permit in neighborhood convenience and shopping centers
GN-553	Auto and home supply stores	Excluding garage and installation facilities
GN-554	Gasoline service stations including the sale of alternative fuels for automobiles	In accordance with article VI and by special use permit in neighborhood convenience and shopping centers
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishings and	

	equipment stores	
MG-59	Miscellaneous retail	Excluding direct selling establishments (IN-5963); fuel dealers (IN-5983); including liquor stores (IN-5921) limited to 2,000 square feet and excluding on-site consumption when located in neighborhood convenience and shopping centers, inside storage, display and sales only for all uses
Div. H	Finance, insurance and real estate	Excluding cemetery subdividers and developers (IN-6553)
MG-72	Personal services	including funeral services and crematories in accordance with article VI and excluding linen supply (IN-7213), industrial laundries (IN-7218), and diaper services in neighborhood convenience and shopping centers
MG-73	Business services	Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment rental and leasing (IN-7353), and equipment rental and leasing, not elsewhere classified (IN-7359)
GN-752	Automobile parking	
MG-76	Miscellaneous repair services	Excluding miscellaneous repair shops and related services (GN-769) and including repair services for household needs as defined in this chapter
MG-78	Motion pictures	Excluding drive-in

		theaters (IN-7833) and outdoor filming facilities
MG-79	Amusement and recreation services	Only within enclosed structures, and excluding go-cart rental and raceway operations and also raceway operations and also excluding commercial sports (GN-794)
MG-80	Health services	Including nursing and intermediate care facilities in accordance with article VI when applicable, and excluding rehabilitation centers and hospitals (GN-806)
MG-81	Legal services	
MG-82	Educational services	Including private schools, in accordance with article VI
MG-83	Social services	Including day care centers as defined in this chapter and in accordance with article VI, excluding residential care (GN-836), rehabilitation centers, halfway houses, social service homes, and residences for destitute people as defined in this chapter
GN-841	Museums and art galleries	
MG-86	Membership organizations	
MG-87	Engineering, accounting, research management and related services	Excluding testing laboratories (IN-8734) and facilities support management services (IN-8744)
MG-89	Services, not elsewhere classified	
Div. J	Public administration	
	USES BY SPECIAL USE PERMIT	
	Accessory gasoline and alternative fuel pumps	In accordance with article VI in neighborhood convenience and shopping centers
	Accessory transmission, retransmission and microwave towers over 100 feet in height	In accordance with article VI

	Alcoholic beverage establishments	In accordance with article VI
	Limited automotive services	In accordance with article VI
	Other uses (including light assembly or packaging)	Within completely enclosed structures; no outdoor storage, truck traffic limited to that normal to commercial activities such as grocery stores, loading docks and mechanical equipment must be screened, and sound attenuation shall be provided to any adjacent residential area or area in actual residential use; no access to any residential street; must meet industrial buffers. Storage of hazardous materials in accordance with the county hazardous materials management code
	Rehabilitation centers	In accordance with article VI
	Residences for destitute people	In accordance with article VI
	Social service homes	In accordance with article VI
GN-598	Fuel dealers	
GN-701	Hotels and motels	Except in neighborhood convenience and shopping centers
GN-702	Roominghouses and boardinghouses	In accordance with article VI

(h) *General requirements.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and article IX.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3918, § 4, 11-15-93; Ord. No. 3963, § 5, 3-14-94; Ord. No. 4075, § 7, 5-8-95; Ord. No. 950862, § 5, 11-13-95; Ord. No. 951420, § 4, 7-8-96; Ord. No. 961100, §§ 1—3, 7-14-97; Ord. No. 980273, § 3, 11-9-98; Ord. No. 990299, § 3, 10-25-99; Ord. No. 002469, §§ 4—6, 3-17-03; Ord. No. 020590, § 2, 4-14-03; Ord. No. 041268, § 8, 8-22-05; Ord. No. 070619, § 4, 3-24-08)

Sec. 30-65. - Mixed use medium intensity district (MU-2).

- (a) *Purpose.* The mixed-use medium intensity district is established for the purpose of providing a mix of employment, retail, professional, service and residential uses in medium level activity centers. The district is intended to encourage a reduction in the number and length of vehicular trips by providing for basic needs and employment opportunities within close proximity to residential areas. Such districts are established to allow uses compatible with each other and with surrounding residential areas to be clustered in a compact urban center. The mixed-use medium intensity district shall be located in areas where analysis of residential characteristics demonstrates that such facilities are required, and where there is limited overlapping of market areas with other mixed-use medium intensity districts.
- (b) *Objectives.* The provisions of this district are intended to:
- (1) Coordinate the locations of activity centers with the population and land use needs of adjoining residential

- areas. It is intended that activity centers have only minimally overlapping market areas;
- (2) Encourage large, mixed-use developments to locate on land that is physically capable of supporting the proposed development;
 - (3) Ensure that new development within the district is integrated with existing development and is designed to promote pedestrian and nonautomotive access within the district and from surrounding residential areas;
 - (4) Minimize traffic congestion by requiring that large, mixed-use developments be located on appropriate major collector and arterial roadways, and by minimizing the number and location of driveway connections;
 - (5) Encourage proper design review through the utilization of the development plan review process to ensure a harmonious relationship with surrounding development (including adequate ingress and egress);
 - (6) Integrate all outparcel development through landscaping; shared parking, traffic access management and circulation; and stormwater management; and
 - (7) Require appropriate buffering or screening around large mixed-use development to maintain its compatibility with surrounding land uses.
- (c) *Requirements for developments of less than 50,000 square feet.*
- (1) Yard setbacks.
 - a. Front: The maximum setback shall be the average setback of existing development in the same face block face; however, when there is no existing development in the same block face, the setback shall be between 15 and 80 feet.
 - b. Where the side or rear yard abuts property which is in a residential zoning district or is shown for residential use on the future land use map of the comprehensive plan, the minimum setback shall be 25 feet or the distance created by the 45-degree angle of light obstruction, whichever is greater. If MU-2 zoning abuts a single-family residential zoning district, then the residential portion of the mixed-use development shall be limited to RMF-7 in the area within 100 feet of the property line, plus the required buffers for the single-family residential zoning district. In addition, the multi-family development shall comply with all the regulations in the RMF-7 district and the requirements of section 30-56.
 - (2) Maximum building height: Five stories.
 - (3) Maximum lot coverage: 50 percent.
 - (4) Access: Access shall be designed to integrate all aspects of the development and shall meet all requirements of article IX and Chapter 23. Driveways shall be coordinated or shared insofar as possible.
- (d) *Requirements for developments of 50,000 square feet or more.* These requirements apply to developments with at least 50,000 square feet of gross leasable area.
- (1) *Location.* Nonresidential development shall be located at intersections of arterials or arterials and collectors, as shown in the city comprehensive plan.
 - (2) *Dimensional requirements.* All principal and accessory structures shall be located and constructed in accordance with the following requirements:
 - a. Minimum lot area: 10,000 square feet.
 - b. Minimum lot width at minimum front yard setback: 100 feet.
 - c. Minimum yard setbacks:
 1. *Internal to the district.* Where there are separate residential uses and nonresidential uses within the MU-2 district, such uses shall have an angle of light obstruction for all principal and accessory structures of 60 degrees.
 2. *Between different districts.* Where the side or rear yard abuts property which is in a residential district, or is shown on the future land use map of the comprehensive plan for residential use, the minimum setback shall be 100 feet or the distance created by a 45-degree angle of light obstruction, whichever is greater. If MU-2 zoning abuts a single-family residential zoning district, then the residential portion of the mixed-use development shall be limited to RMF-7 in the area within 100 feet of the property line, plus the required buffers for the single-family residential zoning district. In addition, the multi-family development shall comply with all the regulations in the RMF-7 district and the requirements of section 30-56.
 3. *Front yard.* The maximum setback shall be the average setback of existing development in the same face block face; however, when there is no existing development in the same block face, the setback shall be between 15 and 80 feet.
 - d. Maximum lot coverage: 50 percent for single-use projects; 75 percent for mixed-use projects that include residential.
 - e. Maximum building height: Five stories.
 - (3) *Multiple structures.* The use of multiple structures shall be considered on a case-by-case basis during development plan approval. Approval shall be conditioned upon findings by the development review board or city plan board that all such structures are compatible with the uses and purposes of the center and surrounding uses and traffic patterns and are safely incorporated into the overall transportation system for the center.
 - (4) *Outparcels.*
 - a. *Purpose.* The proliferation of outparcels contributes to strip commercial development, traffic circulation problems and visual clutter, and obstructs pedestrian and bicycle movement. To mitigate the problems associated with outparcels the following regulations shall apply.

- b. *Creation and design.* The creation of outparcels shall be considered on a case-by-case basis during subdivision, lot split approval or development plan approval. Approval shall be conditioned upon findings by the plan board, development review board or staff, as applicable, that the center and all outparcels are integrated through the use of landscaping and buffers; shared parking, traffic access management and circulation; and stormwater management.
- c. *Dimensional requirements for outparcels.* Outparcels with unified circulation systems with adjoining shopping centers shall not be required to meet the minimum lot area, lot depth, and lot width requirements; however, outparcels shall be required to meet the yard setback, lot coverage and floor area ratio requirements for the MU-2 district.
- (5) *Access.*
- a. *Vehicular access.* Access to the shopping centers shall be in accordance with the provisions of article IX, Division 3, of this chapter, Chapter 23 of the Code of Ordinances, and section 30-67(f) of the Code of Ordinances. Parking areas, including maneuvering space, ingress and egress roads and driving lanes, shall be improved in accordance with the provisions of Division 3 of article IX, pertaining to access management. All loading and unloading shall be done on the property. Areas used by motor vehicles shall be physically separated from public streets by landscaped buffer areas.
- b. *Bicycle, greenway and pedestrian access.* Provisions shall be made to safely incorporate travel ways for bicycle and pedestrian usage into development projects. Where bikeways, greenways or sidewalks are presently adjoining the property, provisions shall be made to safely link the internal bicycle and pedestrian system with adjoining facilities. During development plan review, the development review board shall also review the relationship of the mixed-use development to adjoining properties and may require appropriate access for bicycles or pedestrians at locations where vehicular access is prohibited.

(e) *Permitted uses.*

SIC	Uses	Conditions
	USES BY RIGHT:	
	Any accessory uses customarily and clearly incidental to any permitted principal use	
	Bed and breakfast establishments	In accordance with article VI
	Community residential homes with 14 or fewer residents	In accordance with article VI
	Compound uses	
	Eating places	
	Itinerant food vendor	In accordance with Chapter 19, article IV
	Outdoor cafes	As defined in article II and in accordance with article VI
	Personal fitting and sales of prosthetic or orthopedic appliances	
	Places of religious assembly	In accordance with article VI
	Public service vehicles	As defined and in accordance with article VI
	Repair services for household needs	As defined in article II
	Residential uses (12 to 30 dwelling units per acre)	Residential development shall conform to the requirements of the RMF-7 or RMF-8 zoning districts, the requirements of section 30-56, and the additional requirements of this

		section
	Specialty T-shirt production	
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
IN-0752	Animal specialty services, except veterinary	Only within enclosed buildings
GN-078	Landscape and horticultural services	
MG-15	Building construction - General contractors and operative builders	
GN-171	Plumbing, heating and air conditioning	
GN-172	Painting and paper hangers	
GN-173	Electrical work	
MG-27	Printing, publishing and allied industries	
MG-43	U.S. Postal Service	
GN-472	Arrangement of passenger transportation	Offices only, with no operation of passenger tours from the site
GN-481	Telephone communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI, excluding cellular telephone services
GN-482	Telegraph and other message communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI
GN-483	Radio and television broadcasting stations	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI
GN-484	Cable and other pay television services	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI
GN-523	Paint, glass and wallpaper stores	
GN-525	Hardware stores	
GN-526	Retail nurseries, lawn and garden supply stores	

MG-53	General merchandise stores	
MG-54	Food stores	Accessory gasoline and alternative fuel pumps in accordance with article VI
GN-553	Auto and home supply stores	Garage and installation facilities, in accordance with the provisions for limited automotive services in article VI
GN-554	Gasoline service stations including the sales of alternative fuels for automobiles	In accordance with article VI
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishings and equipment stores	
MG-59	Miscellaneous retail	Excluding fuel dealers (IN-5983)
Div. H	Finance, insurance and real estate	Excluding cemetery subdivisions and developers (IN-6553)
MG-72	Personal services	Including funeral services and crematories, in accordance with article VI
MG-73	Business services	Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment rental and leasing (IN-7353), and equipment rental and leasing, not elsewhere classified (IN-7359)
GN-752	Automobile parking	
MG-76	Miscellaneous repair services	Excluding miscellaneous repair shops and related services (GN-769) and including repair services for household needs as defined in this chapter
MG-78	Motion pictures	Excluding drive-in theaters (IN-7833) and outdoor filming facilities
MG-79	Amusement and recreation services	Only within enclosed structures, and excluding go-cart rental and raceway operations and

		excluding commercial sports (GN-794)
MG-80	Health services	Excluding hospitals (GN-806) and including nursing and personal care facilities (GN-805) in accordance with article VI, and excluding rehabilitation centers
MG-81	Legal services	
MG-82	Educational services	Including private schools, in accordance with article VI
MG-83	Social services	Including day care centers as defined in this chapter and in accordance with article VI, excluding rehabilitation centers, halfway houses, social service homes, and residences for destitute people as defined in this chapter
GN-841	Museums and art galleries	
MG-86	Membership organizations	
MG-87	Engineering, accounting, research management and related services	Excluding testing laboratories (IN-8734) and facilities support management services (IN-8744)
MG-89	Services, not elsewhere classified	
Div. J	Public administration	
	USES BY SPECIAL USE PERMIT	
	Accessory transmission, retransmission and microwave towers over 100 feet in height	In accordance with article VI
	Alcoholic beverage establishments	In accordance with article VI
	Limited automotive services	In accordance with article VI
	Other uses (including light assembly or packaging)	Within completely enclosed structures; no outdoor storage, truck traffic limited to that normal to commercial activities such as grocery stores, loading docks and mechanical equipment must be screened, and sound

		attenuation shall be provided to any adjacent residential area or area in actual residential use; no access to any residential street; must meet industrial buffers. Storage of hazardous materials in accordance with the county hazardous materials management code
	Recycling centers	In accordance with article VI
	Rehabilitation centers	In accordance with article VI
	Residences for destitute people	In accordance with article VI
	Social service homes	In accordance with article VI
GN-598	Fuel dealers	
GN-701	Hotels and motels	
GN-702	Roominghouses and boardinghouses	In accordance with article VI
MG-79	Amusement and recreation services when outside enclosed structures	In compliance with noise ordinance

- (f) *General requirements.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and article IX.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3918, § 5, 11-15-93; Ord. No. 3963, § 6, 3-14-94; Ord. No. 4075, § 8, 5-8-95; Ord. No. 950364, § 1, 8-28-95; Ord. No. 950862, § 6, 11-13-95; Ord. No. 951420, § 5, 7-8-96; Ord. No. 980273, § 4, 11-9-98; Ord. No. 990299, § 4, 10-25-99; Ord. No. 002469, §§ 7—9, 3-17-03; Ord. No. 020590, § 3, 4-14-03; Ord. No. 070619, § 5, 3-24-08)

Sec. 30-65.1. - Urban mixed-use district 1 (UMU-1).

- (a) *Purpose.* The UMU-1 district is created to promote and encourage redevelopment of urban corridors and neighborhoods in the core of the city and to reflect the character and scale of the existing developments in the neighborhoods. The UMU-1 district is intended to encourage pedestrian access and the combining of trips and is established to allow uses compatible with each other and with surrounding residential areas which are consistent with the land use policies stated in the comprehensive plan. This district will also allow for establishments engaged in conducting research and experimental development in the physical, engineering or life sciences, in order to facilitate technology transfer from institutions of higher learning to the market place.
- (b) *Objectives.* The objectives of this district are to:
- (1) Provide a mixture of residential, commercial and office/research uses that are complementary to the residential and mixed-use character of the district;
 - (2) Encourage the renovation of existing structures;
 - (3) Promote the integration of pedestrian traffic and vehicular traffic;
 - (4) Promote retail and office uses that serve the surrounding neighborhoods; and
 - (5) Promote office/research uses to serve the needs of the University and the community.
- (c) *Permitted uses.*
- (1) Uses by right are as follows:

Sic	Uses	Conditions
	Single-family dwellings	
	Row houses	
	Multi-family dwellings (up to 75 units per acre)	
	Incidental residential accessory uses, including storage rooms, management offices, club or game rooms, and recreational and laundry facilities	

	intended for use solely by the residents of the developments and their guests.	
	Dormitory	Must not abut property designated single-family on the future land use map
	Rooming houses and boarding houses	In accordance with article VI
	Consolidated apartment management offices	In accordance with article II
	Bed and breakfast establishment	In accordance with article VI
	Community residential homes with 14 or fewer residents	When part of a permitted single-family or multi-family residential component and in accordance with article VI
	Community residential homes with more than 14 residents	In accordance with article VI
	Adult day care homes	In accordance with article VI
	Family day care homes	In accordance with article VI
	Day care center	In accordance with article VI
	Places of religious assembly	In accordance with article VI
	Public service vehicles	In accordance with article VI
	Outdoor cafes	As defined in article II and in accordance with article VI
	Eating places	
	Repair services for household needs	As defined in article II
	Specialty T-shirt production	As defined in article II
	Limited automotive services	In accordance with article VI
	Rehabilitation centers	In accordance with article VI
	Research and Development in the Physical, Engineering and Life Sciences	Research and Development in the Physical, Engineering and Life Sciences, defined as establishments primarily engaged in conducting research and experimental development in the physical, engineering, or life sciences, such as agriculture, electronics, environmental, biology, botany, biotechnology, computers, chemistry, food, fisheries, forest, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary and other allied subjects (NAICS 2002-541710).
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
GN-078	Landscape and horticultural services	
MG-43	U. S. Postal Service	
GN-471	Arrangement of passenger transportation	Offices only, with no operation of passenger tours on site.
GN-483	Radio and television broadcasting stations	Accessory transmission, retransmission, and microwave towers up to and including 100 feet in height in accordance with article VI, excluding cellular telephone services.
GN-523	Paint, glass, and wallpaper stores	
GN-525	Hardware stores	
GN-526	Retail nurseries, lawn and garden supply.	
MG-53	General merchandise stores	
MG-54	Food stores	
MG-	Apparel and accessory stores	

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MG-57	Home furniture, furnishing, and equipment stores	
MG-59	Miscellaneous retail	Excluding GN598 Fuel Dealers
Div. H	Finance, insurance and real estate	Excluding cemetery subdividers and developers (IN-6553)
MG-72	Personal services	Including funeral services and crematories in accordance with article VI and excluding industrial laundries (IN-7218)
MG-73	Business services	Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment rental and leasing (IN7353), and equipment rental and leasing, not elsewhere classified (IN-7359)
GN-701	Hotels and motels	
GN-752	Automobile parking	Structured parking only, and not within 100 feet of property designated for single-family use
MG-78	Motion picture	
MG-79	Amusement and recreation service	Only within enclosed structures, and excluding go-cart rental and raceway operations and also excluding commercial sports
MG-80	Health services	
MG-81	Legal services	
MG-82	Educational services	
MG-83	Social services	
MG-84	Museums, art galleries, and botanical and zoological gardens	
MG-86	Membership organization	
MG-87	Engineering, accounting, research, management, and related services	

(2) Use by special use permit:

Alcoholic beverage establishments in accordance article VI.	
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(d) *Dimensional requirements.* All principal and accessory structures shall be located and constructed in accordance with the following requirements:

(1) *Nonresidential and vertically mixed-use buildings.*

Minimum lot area	5,000 sq. ft.
Minimum lot width	50 sq. ft.
Minimum lot depth	90 ft.
Minimum yard setbacks:	
Front	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Side (interior)	7.5 ft., or 25 ft. when abutting property designated single-family or residential low-density on the future land use map.
Side (street)	The average of the distance (up to a maximum of 20

	ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Rear	20 ft., or 25 ft. when abutting property designated single-family or residential low-density on the future land use map.
Maximum lot coverage	None

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- (2) *Single-family dwellings.* These structures shall be located on lots meeting the minimum dimensions as shown below. This section is specifically designed to allow for zero lot line housing and other unique single-family designs, as well as conventional single-family housing. It allows for smaller, relatively narrow lots, as compared to other districts permitting single-family use, and provides for flexibility in design concepts, which are compatible with existing uses in the area.
- Minimum lot area:* 3,600 square feet.
 - Minimum lot depth:* 90 feet.
 - Minimum yard setbacks:*
 - Side:* 5 feet (except that, where adjoining lots are developed at the same time under single ownership, one side of each lot may have no yard setback if the setback for the adjoining yard is at least ten feet).
 - Rear:* 20 feet.
 - Minimum yard setbacks for accessory structures:* 5 feet for rear; same as principal building for sides.

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(3) *Two-family dwellings and rowhouses.*

	Rowhouses	Two-Family Dwellings
1. Minimum lot depth	90 ft.	90 ft.
2. Minimum lot area	1,800 sq. ft. per unit	3, 150 sq. ft.
3. Minimum yard setbacks:		
i. Side	10 ft. on ends of row	
ii. Rear	15 ft.	20 ft.
4. Minimum yard setbacks for accessory structures	5 ft. for rear; same as principal building for sides	5 ft. for rear; same as principal building for sides

(4) *Multi-family dwellings.*

Allowable density	Up to 75 units per acre; an additional 25 units may be added by special use permit.
Minimum lot area	5,000 sq. ft.
Minimum lot width	50 sq. ft.
Minimum lot depth	90 ft.
Minimum yard setbacks:	
Front	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Side (interior)	7.5 ft., or 25 ft. when abutting property designated single-family or residential low-density on the future land use map.
Side (street)	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Rear	20 ft., or 25 ft. when abutting property designated single-family or residential low-density on the future land use map.
Maximum lot coverage	80%

Accessory Structures

Minimum setbacks (excluding walls and fences):	
Front	Same requirement as for principal structure
Side (interior)	5 ft., or 25 ft. when abutting property designated single-family or residential low-density on the future land use map.
Side (street)	5 ft.
Rear	5 ft., or 25 ft. when abutting property designated single-family or residential low-density on the future land use map.
Maximum building height	35 ft.

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- (5) *Building height.* A maximum building height of 78 feet, consisting of a minimum of two stories, and a maximum of six stories.
- (e) *Additional requirements.*
- (1) *General conditions.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and article IX.
- (2) *When the development is located in a special area plan overlay district.* If the provisions of the special area plan conflict with the underlying zoning, the provisions of the special area plan shall govern and prevail. The effect of the classification is that the special area plan is the applicable set of regulations. The underlying zoning and provisions of the land development code shall apply when the special area plan does not address a requirement.
- (3) *Projections over right-of-way.* Projections may project over any public right-of-way used for sidewalks or other pedestrian walkways when in conformance with the Florida Building Code and when permitted by the public entity responsible for the right-of-way by the granting of an easement or other appropriate property right.
- (f) *General requirements.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and article IX.
- (Ord. No. 041058, § 1, 11-28-05; Ord. No. 061124, § 1, 4-16-09)

Sec. 30-65.2. - Urban mixed-use district 2 (UMU-2).

- (a) *Purpose.* The UMU-2 district is created to promote and encourage redevelopment of urban corridors and neighborhoods in the core of the city and to reflect the character and scale of the existing developments in the neighborhoods. The UMU-2 district is intended to encourage pedestrian access and the combining of trips and is established to allow uses compatible with each other and with surrounding residential areas which are consistent with the land use policies of the comprehensive plan. This district will also allow for establishments engaged in conducting research and experimental development in the physical, engineering or life sciences, in order to facilitate technology transfer from institutions of higher learning to the market place.
- (b) *Objectives.* The objectives of this district are to:
- (1) Provide a mixture of residential, commercial and office/research uses that are complementary to the residential and mixed-use character of the district;
- (2) Encourage the renovation of existing structures;
- (3) Promote the integration of pedestrian traffic and vehicular traffic;
- (4) Promote retail and office uses that serve the surrounding neighborhoods; and
- (5) Promote office/research uses that serve the needs of the University and the community.
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- (c) *Permitted uses.*
- (1) Uses by right are as follows:

Sic	Uses	Conditions
	Single-family dwellings	
	Row houses	
	Multi-family dwellings (up to 100 units per acre).	
	Incidental residential accessory uses, including storage rooms, management offices, club or game rooms, and recreational and laundry facilities intended for use solely by the residents of the developments and their guests.	
	Dormitory	Must not abut property designated single-family on the future land use map

	Rooming houses and boarding houses	In accordance with article VI
	Consolidated apartment management offices	In accordance with article II
	Bed and breakfast establishment	In accordance with article VI
	Community residential homes with 14 or fewer residents	When part of a permitted single-family or multi-family residential component and in accordance with article VI
	Community residential homes with more than 14 residents	In accordance with article VI
	Adult day care homes	In accordance with article VI
	Family day care homes	In accordance with article VI
	Day care center	In accordance with article VI
	Places of religious assembly	In accordance with article VI
	Public service vehicles	In accordance with article VI
	Outdoor cafes	As defined in article II and in accordance with article VI
	Eating places	
	Repair services for household needs	As defined in article II
	Specialty T-shirt production	As defined in article II
	Limited automotive services	In accordance with article VI
	Rehabilitation centers	In accordance with article VI
	Research and Development in the Physical, Engineering and Life Sciences	Research and Development in the Physical, Engineering and Life Sciences, defined as establishments primarily engaged in conducting research and experimental development in the physical, engineering, or life sciences, such as agriculture, electronics, environmental, biology, botany, biotechnology, computers, chemistry, food, fisheries, forest, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary and other allied subjects (NAICS 1997-541710).
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
GN-078	Landscape and horticultural services	
MG-43	U.S. Postal Service	
GN-471	Arrangement of passenger transportation	Offices only, with no operation of passenger tours on site.
GN-483	Radio and television broadcasting stations	Accessory transmission, retransmission, and microwave towers up to and including 100 feet in height in accordance with article VI, excluding cellular telephone services.
GN-523	Paint, glass, and wallpaper stores	
GN-525	Hardware stores	
GN-526	Retail nurseries, lawn and garden supply.	
MG-53	General merchandise stores	
MG-54	Food stores	
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishing, and equipment stores	
MG-	Miscellaneous retail	Excluding GN598 Fuel Dealers

59		
Div. H	Finance, insurance and real estate	Excluding cemetery subdividers and developer (IN-6553)
MG-72	Personal services	Including funeral services and crematories in accordance with article VI and excluding industrial laundries (IN-7218)
MG-73	Business services	Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment rental and leasing (IN-7353), and equipment rental and leasing, not elsewhere classified (IN-7359)
GN-701	Hotels and motels	
GN-752	Automobile parking	Structured parking only, and not within 100 feet of property designated for single-family use
MG-78	Motion picture	
MG-79	Amusement and recreation service	Only within enclosed structures, and excluding go-cart rental and raceway operations and also excluding commercial sports
MG-80	Health services	
MG-81	Legal services	
MG-82	Educational services	
MG-83	Social services	
MG-84	Museums, art galleries, and botanical and zoological gardens	
MG-86	Membership organization	
MG-87	Engineering, accounting, research, management, and related services	

(2) Use by special use permit:

	Alcoholic beverage establishments in accordance with article VI.	
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- (d) *Dimensional requirements.* All principal and accessory structures shall be located and constructed in accordance with the following requirements:

(1) *Nonresidential and vertically mixed-use buildings.*

Minimum lot area	5,000 sq. ft.
Minimum lot width	50 sq. ft.
Minimum lot depth	90 ft.
Minimum yard setbacks:	
Front	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Side (interior)	7.5 ft., or 25 ft. when abutting property designated single-family or residential low-density on the future land use map.
Side (street)	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Rear	20 ft., or 25 ft. when abutting property designated

	single-family or residential low-density on the future land use map.
Maximum lot coverage	N/A

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- (2) *Single-family dwellings.* These structures shall be located on lots meeting the minimum dimensions as shown below. This section is specifically designed to allow for zero lot line housing and other unique single-family designs, as well as conventional single-family housing. It allows for smaller, relatively narrow lots, as compared to other districts permitting single-family use, and provides for flexibility in design concepts, which are compatible with existing uses in the area.

- a. Minimum lot area: 3,600 square feet.
- b. Minimum lot depth: 90 feet.
- c. Minimum yard setbacks
 1. Side: 5 feet (except that, where adjoining lots are developed at the same time under single ownership, one side of each lot may have no yard setback if the setback for the adjoining yard is at least ten feet).
 2. Rear: 20 feet.
- d. Minimum yard setbacks for accessory structures: 5 feet for rear; same as principal building for sides.

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- (3) *Two-family dwellings and rowhouses.*

	Rowhouses	Two-Family Dwellings
1. Minimum lot depth	90 ft.	90 ft.
2. Minimum lot area	1,800 sq. ft. per unit	3,150 sq. ft.
3. Minimum yard setbacks:		
i. Side	10 ft. on ends of row	
ii. Rear	15 ft.	20 ft.
4. Minimum yard setbacks for accessory structures	5 ft. for rear; same as principal building for sides	5 ft. for rear; same as principal building for sides

- (4) *Multi-family dwellings.*

Allowable density	Up to 100 units per acre; an additional 25 units per acre may be added by special use permit
Maximum density by right	100 du/acre; an additional 25 units may be added by special use permit.
Minimum lot area	5,000 sq. ft.
Minimum lot width	50 sq. ft.
Minimum lot depth	90 ft.
Minimum yard setbacks:	
Front	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Side (interior)	7.5 ft., or 25 ft. when abutting property designated single-family or residential low-density on the future land use map.
Side (street)	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Rear	20 ft., or 25 ft. when abutting property designated single-family or residential low-density on the future land use map.
Maximum lot coverage	80%
Building height	Minimum: 2 stories. Maximum: 6 stories; up to 8 stories by special use permit.

Accessory Structures

Minimum setbacks (excluding walls and fences):	
Front	Same requirement as for principal structure
Side (interior)	5 ft., or 25 ft. when abutting property designated single-family or residential low-density on the future land use map.
Side (street)	5 ft.
Rear	5 ft., or 25 ft. when abutting property designated single-family or residential low-density on the future land use map.
Maximum building height	35 ft.

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- (5) *Building height.* A minimum of two stories. A maximum of eight stories; however, the height of buildings located within 50 feet of property designated single-family or residential low-density on the future land use map shall not exceed six stories. A special use permit is required for any height over six stories. In addition to the criteria listed at section 30-233, a special use permit for buildings over six stories shall meet the following criteria:
- No more than 150 feet of horizontal first story facade will be allowed without an entrance, which is defined to be an operable door;
 - Sidewalks along the street edge shall be at least ten feet wide;
 - There is at least 80 percent building lot frontage;
 - The first story is at least ten feet in floor to ceiling height; and
 - The first story contains only retail, service, and/or restaurant uses when the first story fronts an "A" street or other primary street or streets as determined by the city manager or designee or appropriate reviewing board.
- (e) *Additional requirements.*
- (1) *General conditions.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and article IX.
 - (2) *When the development is located in a special area plan overlay district.* If the provisions of the special area plan conflict with the underlying zoning, the provisions of the special area plan shall govern and prevail. The effect of the classification is that the special area plan is the applicable set of regulations. The underlying zoning and provisions of the land development code shall apply when the special area plan does not address a requirement.
 - (3) *Projections over right-of-way.* Projections may project over any public right-of-way used for sidewalks or other pedestrian walkways when in conformance with the Florida Building Code and, when permitted by the public entity responsible for the right-of-way by the granting of an easement or other appropriate property right.
- (f) *General requirements.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and article IX.
- (Ord. No. 041058, § 2, 11-28-05)