



# Model Ordinance

## Mixed- Use Development

The model ordinance is intended to be used as a guide for cities and counties in the development of local ordinances for mixed use development. We expect that local governments will need to modify the ordinance to meet the unique circumstances found within their communities. **We encourage you to contact the ARC Community Choices team for assistance with this task.**

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The Concept of mixed use development is nothing new. It is a concept that combines different types of compatible land uses close together in appropriate locations. This typology with shops at street level, and apartments above, can be found in communities throughout history. Mixed-use development is a planning tool that fosters growth while providing an opportunity to preserve a community's unique characteristics.

Mixed-use development is appropriate in downtowns, neighborhood-oriented centers, transit nodes, main streets, and some community commercial centers. locating stores, offices, residences, public services, and recreation spaces within walking distance of each other in these locations promotes:

**Increases travel options-** Mixed-use areas, if well designed, can comfortably support pedestrian, bicycle, transit, and automobile traffic.

**Encourages use of activity centers during more hours of the day-** A mix of uses eliminates the problems of residential areas that are unpopulated during the day and commercial areas that are desolate after business hours. Mixed-use areas have populations and activities around the clock, making them more vibrant and safe.

**Reduces auto dependence-** Mixed-use areas provide a variety of services and activities within a walkable distance of housing, allowing residents to conduct more of their daily activities without depending on automobiles. Reduced auto dependence especially provides greater independence for seniors and children that are not of legal driving age.

**Creates a local sense of place-** Although difficult to quantify, mixed-use areas can create a vibrant sense of local place and community. They support pedestrian movement and, with more people on the street, provide increased opportunities for neighbors to meet and interact.

**Support for those who work at home, through nearby services and amenities**

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Depending on the individual community, all of the zone districts may not be needed, or variations on these districts may be appropriate. For example, very small communities with only one or two commercial zones (e.g., a downtown and highway-commercial zone), may not need the neighborhood center provisions. In larger cities or counties with many commercial centers, it may be necessary to distinguish between minor and major neighborhood centers, and determine how those areas relate to the downtown core.

Notes are given in *italics* to help guide the use of the model ordinance. In some places, the model ordinance does not prescribe specific standards. Rather, it provides blanks (“\_\_\_”) or placeholders for numerical standards (“x”). In other places, ranges (x – y) or options (x / y) are provided.

### Section 1 – Purpose

This chapter applies to all development in the *[name applicable zone district(s)]*. The purpose of the *[zone district(s)]* is to:

1. Allow a mixture of complementary land uses that *[may]* include*[s]* housing, retail, offices, commercial services, and civic uses, to create economic and social vitality and to encourage the linking of trips;
2. Develop commercial and mixed-use areas that are safe, comfortable and attractive to pedestrians;
3. Provide flexibility in the siting and design of new developments and redevelopment to anticipate changes in the marketplace;
4. Reinforce streets as public places that encourage pedestrian and bicycle travel;
5. Provide roadway and pedestrian connections to residential areas;
6. Provide transitions between high traffic streets and neighborhoods;
7. Encourage efficient land use by facilitating compact, high-density development and minimizing the amount of land that is needed for surface parking;
8. Facilitate development (land use mix, density and design) that supports public transit, where applicable;
9. Provide appropriate locations and design standards for automobile- and truck-dependent uses;
10. Maintain mobility along traffic corridors and state highways;
11. *[Other]*

*[Note: The above purpose statements may be used in any combination, and additional purpose statements can be added as needed.]*

### Section 2 – Applicability and Location

*[Note: This section describes where the zoning district applies, and it provides locational criteria for Zoning District Map changes. The section should be refined based on local characteristics and planning objectives.]*

## Zone District Location and Characteristics

<b>Zone District</b>	<b>Location and Characteristics</b>
<b>Downtown/Main Street District</b>	Downtown and Main Street districts should be designated in the historic downtown, central business district, and/or main street area, and adjacent areas that have, or are planned to have, commercial and/or mixed-use development with a storefront character. Typically, downtowns and main streets are designed to give priority to pedestrians. Transit service, when available, is most frequent in downtowns and along main streets.
<b>Neighborhood Center District</b>	Neighborhood Centers should be adjacent and connected to the residential district(s) they are intended to serve. Small neighborhood center districts typically range from 1-3 acres and serve a population of approximately 1,000 to 3,000. Large centers may contain up to approximately 10 acres and serve a population between 3,000 and 40,000. Both types of centers should be oriented to existing or planned streets with pedestrian amenities, such as extra-wide sidewalks, street tree cut-outs, pedestrian-scale lighting, and street furnishings. These locations should also contain transit stops, where applicable. Individual land uses may range from less than 1,000 square feet of leasable floor area to over 50,000 square feet, but generally do not exceed 100,000 square feet.
<b>Community Commercial District</b>	Community Commercial zones should be centrally located to serve a community or regional market area, and provide access to transit where available. Districts are typically 10-30 acres for community commercial centers and over 30 acres for regional centers. The market area for either may be greater than 40,000 population. Individual land uses may exceed 100,000 square feet of gross leasable area.
<b>Corridor Commercial District</b>	The Corridor Commercial Zone is intended to support infill and redevelopment along existing commercial corridors. Market areas for uses in this district are highly variable, though emphasis should be given to automobile-dependent land uses – <i>e.g.</i> , automobile sales and repair; warehousing and distribution; storage, servicing or repair of heavy equipment; drive-up facilities; gas service stations; etc. People-intense uses, such as offices, houses of worship, schools, and housing, are not appropriate here. New corridor zones should not be designated unless circulation plan and/or local street plan are/is developed that protect(s) the transportation functions and safety along the corridor and ensure(s) appropriate secondary access and connections to adjacent neighborhoods and districts. <u>Note:</u> Neighborhood Center zoning may be appropriate at strategic intersections along corridors; i.e., intersections with frequent transit service or high-density housing nearby.

### Section 3 – Permitted Land Uses

*[Note: The following recommendations should be refined based on local characteristics and planning objectives.]*

<b>Table 3.1 - Permitted Land Uses</b>					
<b>Land Use</b>	<b>D/M S</b>	<b>NC1</b>	<b>NC2</b>	<b>CC</b>	<b>CORR</b>
<b>Residential</b>	S(1)	S(1)	S(2)	S(2)	[S(2)/N ]
<b>Commercial</b>					
Retail Sales and Service, except vehicles (3) - greater than [2,000-5,000] square feet GLA* - less than [2,000-5,000] square feet GLA	P P	[N/ C] P	P P	P P	[C/P] P
Restaurants - with drive-through (3) - without drive-through, fewer than [___] tables or less than [___] square feet - without drive-through, unlimited size	[N/C ] P P	[N/ C] P [N/ C]	[C/P ] P P	P P P	N P P
Office and Clinics <i>[Note: Offices are appropriate in CORR only if they are associated with an auto-dependent use, or if the corridor has transit service.]</i>	P	P	P	P	[N/C]
Lodging <i>[Note: Lodging in CORR should only be allowed in centers/nodes, or on a transit corridor, but not on a commercial strip.]</i>	P	[N/ C]	[C/P ]	P	[N/C]
Vehicle Sales and Service, including fuel sales (3) - enclosed in building - not enclosed in building	[C/P] [N/C ]	[N/ C] N	C C	P C	P P
Commercial and Public Parking (3)	P	N	P	P	P
Commercial Storage - enclosed in building and on an upper story - not enclosed in building	P N	C N	P [N/ C]	P P	P P
Entertainment - enclosed in building (e.g., theater) - not enclosed (e.g., amusement)	P C	C N	P C	P C	[N/C] [N/C]
Wholesale - greater than [20,000 - 60,000] square feet GLA - less than [20,000 – 60,000] square feet GLA	[C/N ] [C/P]	N C	[C/ N]P	P P	P P

**Table 3.1 - Permitted Land Uses**

<i>Land Use</i>	<i>D/M S</i>	<i>NC1</i>	<i>NC2</i>	<i>CC</i>	<i>CORR</i>
<b>Mixed Use (residential with commercial/civic/industrial)</b> Mixed-use developments shall be subject to the use limitations prescribed for the respective individual uses. <i>[Note: Mixed-use should only be allowed in centers/nodes, or on a transit corridor, but not on a commercial strip.]</i>	S(1)	S(1)	S(2)	S(2)	[S(2)/N]
<b>Civic</b>	<b>D/M S</b>	<b>NC1</b>	<b>NC2</b>	<b>CC</b>	<b>CORR</b>
Government - point of service (e.g., library)	P	[P/C]	P	P	N
Government – no point of service; no central offices dealing directly with the public (e.g., public works yards, etc.)	[C/N]	N	[C/N]	[C/N]	P
Parks and Open Space	P	P	P	P	P
Schools - pre-school, daycare, and primary - secondary, colleges, and vocational	[P/C] [P/C]	[P/C] [C/N]	P P	P P	[C/N] [C/N]
Clubs and Religious Institutions	C	[C/N]	C	C	[C/N]
<b>Industrial</b>					
Manufacturing and Production - greater than [5,000 – 10,000] sq. ft. - less than [5,000 – 10,000] sq. ft., or with retail outlet	N [P/C]	N [C/N]	[C/N] P	[C/N] [P/C]	P P
Warehouse	N	N	[C/N]	[P/C]	P
Transportation, Freight and Distribution	N	N	N	[C/N]	P
Industrial Service (e.g., cleaning, repair)	C	C	C	[C/N]	P
Processing of Raw Materials <i>[define uses]</i>	N/C	N	N/C	N	[C/N]

**Key to Districts**

**D/MS** = Downtown/Main Street;

**NC1** = Minor Neighborhood Center (as designated to serve small neighborhood areas);

**NC2** = Major Neighborhood Center (as designated to serve larger neighborhood areas);

**CC** = Community Commercial;

**CORR** = Corridor Commercial.

**Key to Permitted Uses**

**P** = Permitted;

**N** = Not Permitted;

**S** = Special Use (see conditions below);  
**C** = Conditional Use (without sunset provision).  
**\*GLA** = Gross Leasable Area

### Conditions for Special Uses

- (1) Residential uses are permitted on upper stories or on ground floors when they do not use storefront space.
- (2) Residential uses shall not exceed 50 percent of the ground floor building space per parcel.
- (3) Fueling islands, vehicle drives, surface parking areas, and drive-up/through facilities shall not be within [20-40] feet of a street intersection, as measured from the property line(s). *[Note: This standard should be tailored based on local conditions and landscaping standards.]*

\*Each community determines appropriate conditions.

*[Note: This table is intentionally incomplete. The use of “[x]” indicates items that should be completed based on local characteristics and planning objectives. For example, maximum building heights along a main street with existing buildings of two or three stories, should be approximately 30-40 feet to allow for high ground-floor ceilings. However, a downtown with five story or taller buildings, will may need to allow buildings up to 60 feet in height.]*

*Minimum floor area standards are typically used in areas where higher density development is planned that will support existing or future transit service. A minimum floor area ratio of 0.4:1 or greater typically requires multi-story buildings. At higher floor area ratios, structured parking is often required. The maximum allowable lot coverage in a downtown or main street should be 100 percent because natural open space is typically provided in public parks rather than on individual building sites. Lot coverage standards in other districts should be reviewed based on the local character, and surface water management objectives, to determine whether they are impediments to compact development.]*

## Section 4 – Development Standards

Table 4.1 – Development Standards				
<b>Standards</b>	<b>D/MS</b>	<b>NC (1 and 2)</b>	<b>CCC</b>	<b>CORR</b>
<b>Building Height – maximum (feet)</b>	[x]	[x]	[x]	[x]
- cornice alignment (1)	Yes	Yes	[Yes/No]	No
- height transition or step-down required adjacent to residential development, where applicable (2)	Yes	Yes	Yes	Yes
<b>Floor Area Ratio (floor space-to-land area)</b>				
- minimum (3)	[.4-1 to 1]	[.25]	[none/x]	[none/x]
- maximum	none	none	none	none

<p><i>Yard Setbacks (feet)</i></p> <p>- front setback – minimum</p> <p>- front setback – maximum (4)</p> <p><i>[Note: Yard setbacks in the CORR zone will vary depending on whether the site is located in a center/node, in which case the NC standards should apply; or along a commercial strip, in which case there may be buffering requirements along major streets.]</i></p>	<p>0</p> <p>[0-10]</p>	<p>0</p> <p>[10-20]</p>	<p>0 ft.</p> <p>[20/none]</p>	<p>[x]</p> <p>[x]</p>
<p><i>Lot Coverage – performance standard</i></p> <p>The area covered by impervious surfaces (i.e., area covered by buildings and pavement) shall be minimized to the greatest extent practicable; best practices for surface water management shall be required.</p>	<p>Does Not Apply</p>	<p>Applies</p>	<p>Applies</p>	<p>Applies</p>

#### **Special Standards in Table 4.1**

- (1) Where applicable, cornices (e.g., building tops or first-story cornices) shall be aligned to generally match the height(s) of those on adjacent buildings.
- (2) Building height “transitions” or step-downs shall be provided.
- (3) “Floor area ratio” is the ratio of leasable floor space to land area. A “shadow plan” for future development, as defined under Section 5 of this ordinance, may be used to demonstrate compliance with the minimum floor area ratio standard.
- (4) The maximum front setback standard shall be met when at least 50 percent of the “site frontage,” as defined under Section 5, has building façade(s) placed within the minimum and maximum setback. Exceptions to this standard may be approved for developments with “pedestrian amenities,” as defined under Section 5, placed between the building façade and street sidewalk. Exceptions may also be approved for sites with multiple, detached buildings, when those buildings are oriented to an internal “shopping street,” as defined under Section 5.

**Table 4.1 – Development Standards (continued)**

<b>Standards</b>	<b>D/MS</b>	<b>NC (1 and 2)</b>	<b>CCC</b>	<b>CORR</b>
<p><i>Landscaping – Per Chapter X [in local code]. (5)</i></p> <p>-street trees required (6)</p> <p>- landscape buffer between parking lot and adjacent pathways and streets</p> <p><i>Standard is: 6’ wide planter with 3’ minimum vertical growth; or 4’ average height masonry or living wall with 3’ wide planter and 2’ minimum vertical growth. May be modified through design review.</i></p> <p>- parking lot minimum interior landscape. <i>Does not apply to structured parking (underground or multi-story).</i></p> <p>- buffer between abutting commercial/civic/industrial and residential sites, as determined through design review; exceptions may be granted through site/design review, as appropriate for mixed-use projects.</p>	<p>Yes</p> <p>Yes, with exceptions permitted for parking courts designed to double as plazas</p> <p>5%, for lots with more than 10 parking spaces</p> <p>Yes</p>	<p>Yes</p> <p>Yes, with exceptions permitted for parking courts designed to double as plazas</p> <p>10%, for lots with more than 10 parking spaces</p> <p>Yes</p>	<p>Yes</p> <p>Yes</p> <p>10%, for lots with more than 10 parking spaces</p> <p>Yes</p>	<p>Yes</p> <p>Yes</p> <p>10%, for lots with more than 10 parking spaces</p> <p>Yes</p>
<p>Lighting(7)</p> <p>- building entrances</p> <p>- parking areas and pathways</p>	<p>Yes</p> <p>Yes</p>	<p>Yes</p> <p>Yes</p>	<p>Yes</p> <p>Yes</p>	<p>Yes</p> <p>Yes</p>
<p><i>Building Design – Per Chapter [x]</i></p> <p>- historic/conservation standards</p> <p>- [other standards, as applicable]</p>	<p>[x]</p> <p>[x]</p>	<p>[x]</p> <p>[x]</p>	<p>[x]</p> <p>[x]</p>	<p>[x]</p> <p>[x]</p>

**Special Standards in Table 4.1**



(5) *Required landscape treatments shall be determined through site/design review.*

(6) Street trees shall be planted in sidewalk cut-outs where on-street parking is provided, and in landscape parkway strips where on-street parking is not provided. Street tree standards may be modified where the development provides pedestrian amenities, in conformance with Section 5.

(7) All building entrances, pathways and other pedestrian areas shall be lit to two-foot candles with pedestrian-scale lighting (e.g., wall mounted, sidewalk lamps, bollards, landscape uplighting, etc.). Alternative lighting meeting the intent of the design guidelines in Section 5, Criteria 3 and 5, may be approved through site/design review.

### ***Section 5 – Design Guidelines and Standards***

This section articulates the community’s design goals and objectives for new development and redevelopment. The following guidelines and standards are intended to implement the purposes of this district, as described in Section 1. As discretionary approval criteria, Sections 1-8, below, are meant to be flexible, recognizing the wide range of commercial needs in the community and the creativity of the market.

#### **Design Review Procedures**

*[Note: It is presumed that a jurisdiction will want to use a site plan review or design review process for reviewing applications. The procedure could be administered by staff, or include a public hearing/meeting with a design review board or commission. In either situation, it will be necessary to provide proper public notice, and an opportunity for local appeal. It is recommended that applicants attend a pre-application conference or meeting with city staff, and, for large projects, be required to meet with the affected neighborhood(s) to identify issues of design context and neighborhood interest.]*

The applicant must demonstrate how his/her proposal conforms to all of the “guidelines” numbered 1-8, below. The guidelines under each criterion must be used to satisfy the criterion, or the applicant may propose an alternative approach, as approved by the decision-making body, that better achieves the intent of the guidelines. Before a development may be approved, the decision-making body must make findings that the proposal satisfies the guidelines.

#### **Criteria**

##### **Criterion 1: Compact Development**

The site layout is compact, and enables future intensification of development and changes in land use over time.

##### **Guidelines:**

- A. If in a Downtown/Main Street Zone, the development achieves a floor area ratio consistent with that provided in Table 4.1, or a shadow plan is provided that demonstrates how development may be intensified over time for more efficient use of land [*and to meet the required FAR*]; and

- B. Opportunities for shared parking are utilized in the proposal; and
- C. If the site contains more than one use, the site layout clusters buildings on the site to promote linked trips. A cluster is a group of buildings that are attached, oriented on adjacent street corners, or are close together such that a pedestrian need not walk across more than 64 lineal feet of parking and driveway area, or one double-loaded row of parking (not inclusive of sidewalks, pathways, landscaping, plazas, and other pedestrian facilities), whichever is less, between building entrances; and
- D. The provisions of Section 6, Parking, are met; and/or
- E. The proposal contains an equally good or superior way to achieve the above criterion.

## **Criterion 2: Mixed Land Use**

Where appropriate, land uses are mixed on-site or are mixed in combination with adjacent uses (existing or planned); the combining of land uses should promote easy access among stores and services by pedestrians.

### **Guidelines:**

- A. The proposal is a “mixed-use” development or contributes to a mixed-use district. For the purposes of this ordinance, “mixed-use” means a combination of residential and commercial/industrial/civic uses, arranged vertically (in multiple stories of buildings) or horizontally (adjacent to one another); or
- B. The proposal is designed in such a way that it is well integrated with adjacent land uses. “Integrated” means that uses are within a comfortable walking distance (1/8 mile) and are connected to each other with direct, convenient and attractive sidewalks and/or pathways; or
- C. The existing and planned land uses on, or in the vicinity of, the site make it impracticable to meet Guideline A or B; or
- D. The proposal contains an equally good or superior way to achieve the above criterion.

## **Criterion 3: Pedestrian Access, Safety and Comfort**

All portions of the development are accessible by a direct, convenient, attractive, safe, and comfortable system of pedestrian facilities, and the development provides appropriate pedestrian amenities. The design of buildings supports a safe and attractive pedestrian environment.

### **Guidelines:**

- A. If in the *[name of zone(s)]*, the building(s) shall have at least one primary entrance facing *[a / every abutting]* street, or is/are directly accessed by a sidewalk or plaza within *[10-20]* feet of the primary entrance; and
- B. Building entrances in the *[name of zone(s)]* open directly to the outside; every building has at least one entrance that does not require passage through a parking lot or garage to gain access; corner buildings have corner entrances whenever possible; and
- C. If in the *[name of zone(s)]*, at least *[20-60]* percent of the building’s front façade (measured horizontally in linear feet) is located within *[10-20]* feet of the front property line; and windows or window displays are provided along at least *[30-60]* percent of the building’s façade; and
- D. In any zone, pedestrian facilities as defined in Criterion 4(D) connect the development to adjacent land uses and provide connections through the development to the public street right-of-way;

- E. Sidewalks and/or plazas are provided with weather protection (e.g., awnings/canopies), and a street furnishing zone on both sides of every public and private street. Appropriate pedestrian amenities (e.g., street tree well cut-outs, and space for outdoor seating, bus waiting areas, trash cans, newspaper vending machines, mail boxes, sidewalk displays, public art, etc.), are provided in the street furnishing zone; and
- F. Parking and vehicle drives are located away from building entrances, and not between a building entrance and the street, except as may be allowed when a direct pedestrian connection is provided from the sidewalk to the building entrance, consistent with Section 4(D), below;
- G. Surface parking is oriented behind or to the side of a building when possible; parking shall be accessed from an alley when possible; and parking shall not be located on street corners if in the [name of zone(s)];
- H. Landscape buffering per Table 4.1 is provided between parking lots and all adjacent sidewalks; and/or
- I. The proposal contains an equally good or superior way to achieve the above criterion.

*[Note: The building entrance, setback and window standards above should be tailored to address local characteristics and the intent of the zone. For example, along a main street with shops set right up to the sidewalk, it may be appropriate to require 60 percent window glazing. However, in a corridor commercial zone, where there is less pedestrian activity, it may not be practical or reasonable to set such a high standard.]*

#### **Criterion 4: Street Connections**

The development is part of a connected street system that serves vehicles, pedestrians and bicycles.

##### **Guidelines:**

- A. Public or private streets connect the development to adjacent neighborhoods and zoning districts; and
- B. Public streets are preferred over private streets to accommodate through traffic; and
- C. The proposal implements all planned street connections, as designated by the City's [Transportation System Plan/Local Street Plan/Other]<sup>1</sup>; and
- D. When street connection(s) is/are not practicable, pedestrian connection(s), as conceptually shown in the accompanying graphic, are made to and through the development in lieu of planned street connection(s). Pedestrian connections should equal what would be available if they were on a street [(i.e., distinct from vehicle lane, minimum clear space, Americans With Disabilities Act accessible, direct route with minimum interruption, shade by day and light by night, connects to a destination that attracts pedestrian activity (front door of commercial use, public plaza/park, residence, transit stop, true street, etc.)); and/or
- E. The proposal contains an equally good or superior way to achieve the above criterion.

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<sup>1</sup> Street requirements, and other exactions, must meet constitutional requirements under the US Supreme Court decision, *Dolan versus City of Tigard*, and similar State court opinions that require a "rough proportionality" between the impacts of development and required public dedications and improvements.

### **Criterion 5: Crime Prevention and Security**

The site design, buildings, signs, landscaping, parking, and other elements provide a safe environment for customers, employees, occupants, and adjacent properties.

**Guidelines:** Crime prevention shall be considered in the site design through application of all of the following guidelines:

- A. *Territoriality* – All proposed building entrances, parking areas, pathways and other elements are defined with appropriate features that express ownership. (Generally, people protect and maintain territory that they feel is their own and have a certain respect for the territory of others.) For example, landscaping, fences, pavement treatments, art and signs are some physical ways to express ownership through design. Such features should not conflict with the need for natural surveillance, as described in B; and
- B. *Natural Surveillance* – The proposed site layout, building and landscape design promote natural surveillance. Physical features and activities should be oriented and designed in ways that maximize the ability to see throughout the site. For example, window placement, the use of front porches or stoops, use of low or see-through walls, and appropriate use of landscaping and lighting can promote natural surveillance. Sight-obscuring shrubs and walls should be avoided, except as necessary for buffering between commercial uses and lower density residential districts, and then shall be minimized; and
- C. *Activity Support* – The proposed site layout and building design encourage legitimate activity in public spaces. For example, locating outdoor seating in areas that are visible from inside a restaurant helps to discourage crime and supports the activity of dining; and
- D. *Access Control* – By properly siting and designing entrances and exits (i.e., in clear view from the store), and through the appropriate use of lighting, signs and/or other features, the proposed plan controls access in ways that discourage crime; and/or
- E. The proposal contains an equally good or superior way to achieve the above criterion and guideline(s).

*Discussion: The text in Section 2.5 can be used to create definitions for local zoning ordinances. For a complete Crime Prevention Through Environmental Design ordinance, see the City of Tempe, Arizona's web site at <http://www.tempe.gov/tdsi/Planning/CPTED/>.*

### **Criterion 6: Parking and Land Use Efficiency**

All of the following methods are used whenever possible to minimize the amount of land developed as surface parking.

**Guidelines:**

- A. *Shared Parking*. “Shared parking” means that multiple uses share one or more parking facilities. Parking demands must “peak” during different times of the day. Shared parking shall comply with Chapter [X], *Shared Parking Agreements*;<sup>2</sup>

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<sup>2</sup> For a sample shared parking ordinance, please refer to “Shared Parking in the Portland Metropolitan Area: Model Shared Parking Ordinance; Model Shared Use Agreement for Parking Facilities”, Metro (1997). Contact Metro Growth Management Services at (503)797-1562.

- B. *Credit for on-street parking.* The amount of required off-street parking shall be reduced by one off-street parking space for every on-street parking space adjacent to the development. On-street parking shall follow the established configuration of existing on-street parking, subject to City standards, except that angled parking may be allowed for some streets, as approved by the City. The configuration of the on-street parking and allowable credit toward off-street parking requirements shall be addressed during site/design review. The City shall maintain a written record of credits granted per each use;
- C. *Reduce or waive minimum off-street parking standards.* The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; availability of transit service, and likelihood of car pool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the City;
- D. *Maximum parking ratio.* Surface parking shall not exceed 110% of the minimum parking requirement for the subject land use(s). Exemptions to the standard can be approved through site/design review for developments that provide parking structures, shared parking, valet parking spaces, market rate parking, or similarly managed parking facilities;

*Note: Maximum parking ratios are recommended whether or not there is public parking and transit service, although where those exist, there is a more compelling reason for maximum ratios.*

- E. *In-lieu fee for off-street parking.* The applicant may pay an in-lieu fee for required off-street parking. The in-lieu fee shall pay for public parking facilities, as provided in the City's [Parking District Ordinance]. [Note: this is applicable only where a parking district has been established];
- F. *Structured parking incentive.* A density or floor area bonus of one building story shall be granted for every story of structured parking provided in a building, subject to building height limitations for the zoning district;
- G. *Valet parking.* Valet parking is permitted where a valet parking plan is approved by the City with the site/design review application. Valet parking allows stacking of smaller parking spaces with less space devoted to drive aisles.

## **Criterion 7: Creating and Protecting Public Spaces**

The proposal provides usable public space, and recognizes and responds appropriately to existing or planned public spaces (e.g., parks, civic buildings and spaces, transit stops, sidewalks, plazas, and similar spaces). Public spaces are “public” when they are within view of a street or other public space, accessible by pedestrians, and can be occupied by people. All developments shall meet or exceed the following guidelines. A development proposal may be required to mitigate impacts to a public space when it is likely to degrade public safety, or the function, comfort, or attractiveness of a public space.

### **Guidelines:**

- A. The development provides at least [10-20] square feet of public space, in addition to required sidewalk(s), for every 10 off-street surface parking spaces or 1,000 square feet of floor space, whichever is greater.
- B. The development does not diminish the safety, function, comfort or attraction of an existing public space, as described in 1-4, below. A superior design may enhance an existing public space and/or create a superior public space(s).
  - 1. “Safety” means both pedestrian safety near vehicles, and safety related to crime prevention (see Criterion #5); and
  - 2. The “function” of a public space may include transportation, in the case of the sidewalk; recreation and socialization, in the case of a plaza or park; and
  - 3. “Comfort” means the ability of a public space to reasonably accommodate expected uses; and
  - 4. “Attraction” relates to the reason people use the public space; and/or
- C. The proposal contains an equally good or superior way to achieve the above criterion.

## **Criterion 8: Human Scaled Building Design**

*[Note: Building design standards should be tailored to fit the local design context and character. A framework is provided below for developing your own contextually-based building design guidelines.]*

Building facades are designed to a human-scale, for aesthetic appeal, pedestrian comfort, and compatibility with the design character of the district or neighborhood.

*[Note: Community acceptance of compact mixed-use development requires that the design reflects the context of its surroundings or create its own distinct look and identity. This does not mean that it needs to copy or mirror the architectural style of the surrounding buildings (unless that is critical to the historic character of an area). The key elements to consider are outlined below.]*

### **Guidelines:**

- A. Existing architectural character of the neighborhood/district, which may or may not be an appropriate guide for new development or redevelopment;
- B. The continuity of the building sizes;
- C. How the street-level and upper-level architectural detailing is treated;
- D. Roof forms;
- E. Rhythm of windows and doors; and
- F. General relationship of buildings to public spaces such as streets, plazas, other open space, and public parking.

