

ARTICLE XXII. MU Mixed Use District

§ 205-121. Purpose.

The MU Mixed Use District is intended to accommodate projects that combine several compatible land uses into an integrated development. The MU District may also be used to predesignate parts of the city that are appropriate for a mixture of residential, commercial, office, or industrial uses. The district permits mixing residential areas with workplaces and services. Development in the MU District must accommodate diverse transportation systems, including pedestrian and bicycle movement, and integrate them with surrounding environments. All projects developed in an MU District are subject to a special use permit process.

§ 205-122. Permitted Uses.

- A. A Change of Zone ordinance establishing an MU District shall define the use types permitted within its boundaries. Reference to a Mixed Use Development Agreement is acceptable to meet this requirement so long as the Change of Zone Ordinance and the Mixed Use Development Agreement are approved contingent upon each other.
- B. Each MU District should contain use types within at least two use categories. Use categories include residential, civic, office, commercial, transportation, and industrial uses. No single use category should account for more than 80% of the building area or net developable land area of an MU District. Net developable land area includes the land area of a development excluding dedicated public streets, private streets, or other dedicated public land.

§ 205-123. Site development regulations.

- A. Prior to the issuance of any building permits or other authorization, all projects in the MU District shall receive approval by the City Council through the adoption of a Mixed Use Development Agreement. At the discretion of the Planning Director, individual projects within an MU District may be approved through the issuance of Special Use Permit prior to the adoption of a Mixed Use Development Agreement. The adoption of a Mixed Use Development Agreement shall be by resolution.
- B. Applications for a Mixed Use Development Agreement or a Special Use Permit in an MU District must contain at a minimum the following information:
 - (1) A detailed site map, including:
 - (a) A boundary survey.
 - (b) Site dimensions.
 - (c) Contour lines at no greater than five-foot intervals.
 - (d) Adjacent public rights-of-way, transportation routes and pedestrian or bicycle systems.

- (e) Description of adjacent land uses.
 - (f) Utility service to the site and easements through the site.
 - (g) Description of other site features, including drainage, soils or other considerations that may affect development.
- (2) A development plan, including:
- (a) A site layout, including the location of proposed buildings, parking, open space and other facilities.
 - (b) Location, capacity and conceptual design of parking facilities.
 - (c) Description of the use of individual buildings.
 - (d) Description of all use types to be included in the project or area, and maximum floor area devoted to each general use.
 - (e) Maximum height of buildings.
 - (f) Schematic location and design of open space on the site, including a landscaping plan.
 - (g) Vehicular and pedestrian circulation plan, including relationship to external transportation systems.
 - (h) Schematic building elevations and sections if required to describe the project.
 - (i) Grading plans.
 - (j) Proposed sewer and utility improvements.
 - (k) Location, size and type of all proposed signage; and a sign budget.
- (3) Specific proposed development regulations for the project, including:
- (a) The specific use types permitted within the proposed district.
 - (b) Maximum floor area ratios.
 - (c) Front, side and rear yard setbacks.
 - (d) Maximum height.
 - (e) Maximum building and impervious coverage.
 - (f) Design standards applicable to the project.

(4) A traffic impact analysis, if required by the city.

- C. An application for a Mixed Use Development Agreement shall include an editable draft agreement (in Microsoft Word format, unless otherwise approved by the Planning Director). Attachments, such as maps and illustrations, may be provided as separate files in any digitally reproducible format approved by the Planning Director.

§ 205-124. Adoption of MU District.

- A. The Planning Commission and City Council shall review and evaluate each proposal or application for an MU Mixed Use District. The city may impose reasonable conditions as deemed necessary to ensure that projects within an MU District are compatible with adjacent land uses, will not overburden public services and facilities and will not be detrimental to public health, safety and welfare of the community.
- B. The Planning Commission, after proper notice, shall hold a public hearing and act upon each application.
- C. The Planning Commission may recommend amendments to MU District applications.
- D. The recommendation of the Planning Commission shall be transmitted to the City Council for final action.
- E. The City Council, after proper notice, shall hold a public hearing and act upon any ordinance establishing an MU Mixed Use District. Proper notice shall mean the same notice established for any other zoning amendment.
- F. An ordinance adopting an MU District shall require a favorable simple majority of the City Council for approval.
- G. Any approval of an MU District shall be contingent upon the approval by City Council of a Mixed Use Development Agreement. In lieu of an approved Mixed Use Development Agreement, the City Council may consider the approval of a special use permit for individual projects within an MU District.
- H. Building permits. The city shall not issue a building permit, certificate of occupancy or other permit for a building, structure or use within an MU District unless it is in compliance with the approved Mixed Use Development Agreement, including any approved amendments or an approved Special Use Permit.

§ 205-125. Amendment procedure.

- A. The Planning Director is authorized at his/her discretion to approve minor amendments to an approved development plan within a Mixed Use Development Agreement, provided that:
- (1) A written request, amendment application, and fee are filed with the Planning Director, along with information specifying the exact nature of the proposed amendment.

- (2) The amendment is consistent with the provisions of this article.
- (3) The amendment does not alter the approved site regulations of the development plan and does not materially alter other aspects of the plan, including traffic circulation, mixture of use types and physical design.
- (4) Any amendment not conforming to these provisions shall be submitted to the Planning Commission and City Council for action.

§ 205-126. (Reserved)

§ 205-127. (Reserved)