

Chapter 18.24 MIXED USE¹

18.24.010 Purpose.

- A. To encourage new development and business opportunities;
- B. To foster the development of mixed use areas that are arranged, scaled, and designed to be compatible with surrounding land uses;
- C. To promote a compact growth pattern to efficiently use the remaining developable land and to help sustain neighborhood businesses; and
- D. To promote new construction of multi-story structures with commercial uses on the ground floor and residential uses on the upper stories.
- E. To require design integration if the mixed use project is proposed and constructed in a horizontal, rather than vertical regime.
- F. To encourage vibrant, walkable neighborhoods that integrate a variety of land uses and foster economic vitality.

(Ord. No. 2545, § III, 5-4-2009; Ord. No. 2547, § I(Exh. A), 5-18-2009)

18.24.020 Applicability.

- A. All new development within the Mixed Use (MX) zone shall submit a site plan review application in accordance with CMC Chapter 18.18 Site Plan Review of this title unless otherwise exempt per this title.
- B. All new developments and uses shall be required to submit a design review application in accordance with CMC Chapter 18.19 Design Review of this title prior to applying for a building permit.
- C. Landscaping requirements shall be the same as landscaping standards in community commercial zones.

(Ord. No. 2545, § III, 5-4-2009; Ord. No. 2547, § I(Exh. A), 5-18-2009)

(Ord. No. 2612, § I(Exh. A), 2-7-2011)

18.24.030 Mix of Uses

- A. To ensure projects within the Mixed Use zone have a mix of commercial and residential uses, and no one use predominates the other, development proposals shall include a mix of nonresidential and residential uses through either vertical mixed use, horizontal mixed use, or a combination of both. The mix of uses shall be demonstrated through approval of a site plan.
- B. Vertical Mixed Use. Residential uses may be located above ground-floor commercial or nonresidential uses. A building with ground-floor commercial or nonresidential uses and residential uses above shall be considered consistent with the mixed-use intent of this chapter.

¹Editor's note(s)—Ord. No. 2547, § I, adopted May 18, 2009, amended Ch. 18.24, in its entirety, to read as herein set out. See also the Code Comparative Table and Disposition List.

C. Horizontal Mixed Use. Where commercial or nonresidential uses and residential uses are provided in separate buildings, separate portions of a site, or otherwise in a horizontal development pattern, the development shall consist of a maximum of fifty percent residential uses and a minimum of fifty percent commercial or nonresidential uses.

1. The required use mix may be measured using either site acreage, based on the portion of the site devoted primarily to each use; or gross floor area, based on the total floor area devoted to each use.

2. When the use mix is measured by site acreage, the area devoted to each use shall include buildings, outdoor use areas, service areas, loading areas, and parking areas primarily associated with that use. Shared parking areas, drive aisles, internal circulation, stormwater facilities, landscaping, open space, and other common improvements may be allocated proportionally between uses based on floor area, parking demand, or another reasonable method approved by the approval authority.

3. The development shall be designed as a cohesive mixed-use project. The site plan shall demonstrate integration of uses through building orientation, shared or coordinated parking, pedestrian connections, landscaping, open space, architectural compatibility, signage, lighting, and other design features that connect the commercial or nonresidential and residential components.

D. Commercial Frontages. Where a development site has frontage on an arterial, collector, or design overlay corridor, commercial or nonresidential uses shall be located and oriented towards the street frontage so as to maximize visibility and accessibility of these uses to the street.

E. Smaller lots. On lots smaller than 20,000 square feet, a development proposal may be allowed to be either 100% commercial or 100% residential.

F. Residential Flexibility. The approval authority may allow residential uses to exceed fifty percent of the site acreage, up to a maximum of seventy percent residential acreage, when the applicant demonstrates that the proposal will provide a superior mixed-use outcome by ensuring timely delivery of the commercial or nonresidential component. Approval of residential acreage above fifty percent may be conditioned on:

1. Concurrent construction of the commercial or nonresidential component with the residential component where building permits for the commercial or nonresidential components are issued and construction is started before or at the same time as the residential components; or
2. Execution of a development agreement with a phasing plan.

18.24.040 General Standards

A. Building height: Buildings shall be limited to four stories and 60 feet in height for vertical mixed use and 45 feet in height for horizontal mixed use.

B. Ground floor design standards: In vertical mixed-use developments, ground floors shall be designed to support adaptable uses and meet the following requirements:

1. A minimum floor-to-ceiling height of fifteen feet, unless the approval authority determines that a lesser height is appropriate due to building design or other site-specific conditions; and
2. A minimum façade transparency of sixty percent.
3. To support small business and flexible tenant occupancy, ground floors shall be designed to be capable of subdivision into a variety tenant spaces, demonstrated by location of walls, entrances, and mechanical systems. This requirement does not apply where the applicant demonstrates that a larger tenant space is needed for a specific tenant, anchor tenant, build-to-lease arrangement.

C. Shared parking requirements: Mixed-use developments are encouraged to make efficient use of parking through shared parking, reduced parking demand, pedestrian and bicycle access, and connections between

complementary uses. Required parking may be reduced by 20% with a shared parking plan when the mix of uses on a site have different peak parking demand periods or when parking can be effectively shared among uses, buildings, parcels, or phases of development as demonstrated by a parking study submitted by the applicant.

18.24.050 Development Standards

Lot Requirements.

- A. Lot size: 20,000 square feet (maximum).
- B. Lot width: 30 feet (minimum).
- C. Lot depth: 100 feet (minimum); 80 feet with provision of alley.
- D. Lot coverage: 80% (minimum, no maximum).
- E. Open or Common Spaces: Minimum square feet of usable, shared open or common space per dwelling unit: 50 SF/DU.

Setbacks.

- A. Primary Street Setback: Maximum distance of Ground Floor Facade from public ROW on Primary Street: 10' (maximum).
- B. Primary Street Upper-Level Setback: Not applicable.
- C. Side Street Setback: Maximum distance of Ground Floor Facade from public ROW on side street: 10' (maximum).
- D. Side Yard Setback (Lot Line): 5' maximum.
- E. Rear Yard (Lot Line) / Alley Setback: Not applicable.
- F. Parking Setback: 5' Minimum from primary street lot line; never in front of the primary street or side street facade line.

18.24.030 Incentives.

- A. Traffic Impact Fee (TIF) Reduction. A reduction of the TIF may be granted pursuant to § 18.22.100 CMC.
- B. Public Art. A five percent increase in lot coverage area may be granted ~~upon design review committee approval~~ for providing public art within proposed project.
- C. Sustainability. Up to a ten percent reduction in building and/or engineering review fees may be authorized at the discretion of the director in proportion to a proposed low-impact development method.
- D. To encourage affordable housing development, regulated affordable units may be exempted from the residential portion of the use percentage and counted towards the non-residential percentage minimum.

(Ord. No. 2545, § III, 5-4-2009; Ord. No. 2547, § I(Exh. A), 5-18-2009)

18.24.040 Exemptions.

Newly created lots, via short plats or subdivisions or combined lots, that are adjacent to existing single-family lots shall not be required to bevel to existing platted lots (Refer to §18.09.080-B).

(Ord. No. 2545, § III, 5-4-2009; Ord. No. 2547, § I(Exh. A), 5-18-2009)

