



## ORDINANCE NO. 20-1148

### Amend Chapter 40 Zoning Article IX, Mixed use Commercial-Residential

- (u) *Mixed use commercial-residential.* The purpose of the mixed use commercial-residential use development is to accommodate ~~mixed use buildings that preserve and limit the ground floor or first habitable floor to commercial uses with either~~ commercial and/or residential uses within a building and/or development allowed above. ~~Development is encouraged that exhibits physical design characteristics that include storefronts oriented to pedestrian movement with a decreased reliance on vehicles.~~
- (1) The first habitable floor shall have 50 percent of the building footprint being dedicated to a commercial use.
- (2) In a VE flood zone the commercial use may be reduced to 25% of the building footprint.
- a. ~~A commercial building and use.~~
- i. ~~In a VE flood zone the commercial use shall occupy at least 25 percent of the building footprint.~~
- ii. ~~In AE or X zones the commercial use shall occupy at least 50 percent of the building footprint.~~
- (3) For each lot that is 10 acres or greater, subsections (1) and (2) above shall not apply, and cumulative commercial uses shall occupy a minimum of ~~1,500~~ 3,000 square feet per acre. Stand-alone residential buildings shall not be located any closer than three times the setback distance to a major thoroughfare (Lake Park and Dow).
- (4) There shall be pedestrian connectivity between all commercial uses.
- (5) Mixed use commercial-residential developments located in the CBD shall have ~~the a~~ a building's front facade and at least one ingress/egress located adjacent to a public right-of-way or town property.
- (6) A conditional zoning shall be required if the mixed use commercial-residential development meets any of the following:
- a. Mixed use buildings that are cumulatively more than 25,000 square feet of gross floor area.
- b. Building height that exceeds 50 feet.

#### DEFINITION:

*Mixed use commercial-residential* means a building development that contains both commercial and residential uses. ~~contains at least one floor devoted to allowed commercial use and at least one devoted to allowed residential use.~~

Adopted this 14<sup>th</sup> day of September, 2021.

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LeAnn Pierce, Mayor

Attest: \_\_\_\_\_

Kimberlee Ward, Town Clerk