

MX-1, Neighborhood Commercial, Mixed-Use Overlay District

Purpose

The purposes of the MX-1, Neighborhood Commercial, Mixed-Use Overlay District are to:

- (1) Accommodate mixed-use buildings with neighborhood-serving retail, service, and other uses on the ground floor and residential units above the nonresidential space;
- (2) Encourage development that exhibits the physical design characteristics of pedestrian-oriented, storefront-style shopping streets; and
- (3) Promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction.

Definitions

As used in this ordinance, the following words and terms shall have the meanings specified herein:

“Floor Area Ratio” means the ratio of a building’s gross floor area to the area of the lot on which the building is located.

“Gross Floor Area” is the sum of the gross horizontal areas of all floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. Gross floor area does not include basements when at least one-half the floor-to-ceiling height is below grade, accessory parking (i.e., parking that is available on or off-site that is not part of the use’s minimum parking standard), attic space having a floor-to-ceiling height less than seven feet, exterior balconies, uncovered steps, or inner courts.

“Mixed-use Building” means a building that contains at least one floor devoted to allowed nonresidential uses and at least one devoted to allowed residential uses.

Allowed Uses

Uses are allowed in “MX-1” zoning districts in accordance with the use table of this section.

USE GROUP

Zoning District

Use Category

MX-1

- Specific Use Type =

P = permitted by-right C = conditional use N = Not allowed

RESIDENTIAL

Household Living

- Artist Live/Work Space located above the ground floor = P
- Artist Live/Work Space, ground floor = C
- Dwelling Units located above the ground floor = P
- Detached House = C
- Multiunit (3+ units) Residential = C
- Single-Room Occupancy = C
- Townhouse = C
- Two-Flat = C

Group Living

- Assisted Living = C
- Group Home = P
- Nursing Home = C
- Temporary Overnight Shelter = C
- Transitional Residences = C
- Transitional Shelters = C

PUBLIC AND CIVIC

- Colleges and Universities = P
- Cultural Exhibits and Libraries = P
- Day Care = P
- Hospital = N
- Lodge or Private Club = N
- Parks and Recreation = P
- Postal Service = P
- Public Safety Services = P
- Religious Assembly = P
- School = C
- Utilities and Services, Minor = P
- Utilities and Services, Major = C

COMMERCIAL

- Adult Use = N
- Animal Services
 - Shelter/Boarding Kennel = N
 - Sales and Grooming = P
 - Veterinary = P

- Artist Work or Sales Space = P
- Drive-Through Facility
- Eating and Drinking Establishments
 - Restaurant = P
 - Tavern = C
- Entertainment and Spectator Sports
 - Small (1-149 seats) = P
 - Medium (150-999 seats) = N
 - Large (1,000+ seats) = N
- Financial Services = P
- Food and Beverage Retail Sales = P
- Gas Stations = N
- Lodging
 - Small (1-16 guest rooms) = P
 - Large (17+ guest rooms) = C
- Medical Service = P
- Office = P
- Parking, Commercial (Non-accessory) = C
- Personal Service, including health clubs and gyms = P
- Repair Service, Consumer, including bicycles = P
- Residential Storage Warehouse = N
- Retail Sales, General = P
- Vehicle Sales, Service, and Repair = N

INDUSTRIAL

Manufacturing, Production and Industrial Services

- Artisan (hand tools only; e.g. jewelry or ceramics) = C

OTHER

Wireless Communication Facilities

- Co-located = P
- Freestanding = C

Commercial Establishment Size Limits

The gross floor area of commercial establishments in the MS-1 district shall not exceed 15,000 square feet.

Indoor/Outdoor Operations

All permitted uses in the MX-1 district must be conducted within completely enclosed buildings unless otherwise expressly authorized. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas.

Floor-to-Floor Heights and Floor Area of Ground-floor Space

(1) All commercial floor space provided on the ground floor of a mixed-use building must have a minimum floor-to-ceiling height of [11] feet.

(2) All commercial floor space provided on the ground floor of a mixed-use building must contain the following minimum floor area:

(a) At least [800] square feet or [25] percent of the lot area (whichever is greater) on lots with street frontage of less than [50] feet; or

(b) at least 20 percent of the lot area on lots with [50] feet of street frontage or more.

Lot Area per Unit (Density)

The minimum lot area per dwelling unit shall be 750 square feet for mixed-use buildings and 1,000 square feet for all other buildings.

Floor Area Ratio

The maximum FAR shall be 2.0 for mixed-use buildings and 1.25 for all other buildings.

Setbacks

(1) The entire building façade must abut front and street side property lines or be located with 10 feet of such property lines.

(2) There is no minimum rear setback except when MX-1 zoned property abuts R-zoned property, in which case the minimum rear setback required in the MX-1 zone shall be the same as required for a residential use on the abutting R-zoned lot.

(3) No interior side setbacks are required in the MX-1 district, except when MX-1-zoned property abuts R-zoned property, in which case the minimum side setback required in the MX-1 district shall be the same as required for a residential use on the abutting R-zoned lot.

Building Height

The maximum building height shall be 50 feet for mixed-use buildings and 47 feet for all other buildings.

Off-Street Parking

(1) Off-street parking requirements for residential uses shall be the same as the underlying, non-mixed-use zoning.

(2) No off-street parking is required for non-residential uses in MX-1 districts unless such uses exceed 3,000 square feet of gross floor area, in which case off-street parking must be provided for the floor area in excess of 3,00 square feet.

(3) Off-street parking spaces must be located to the rear of the principal building or otherwise screened so as to not be visible from public right-of-way or residential zoning districts.

Transparency

(1) A minimum of 60 percent of the street-facing building façade between two feet and eight feet in height must be comprised of clear windows that allow views of indoor space or product display areas.

(2) The bottom of any window or product display window used to satisfy the transparency standard of paragraph (1) above may not be more than 4 feet above the adjacent sidewalk.

(3) Product display windows used to satisfy these requirements must have a minimum height of 4 feet and be internally lighted.

Doors and Entrances

(1) Buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.

(2) Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

Vehicle and Driveway Access

No curb cuts are allowed for lots that abut alleys.