ATTACHMENT A

Chapter 15.12 - MCR/MIXED COMMERCIAL-RESIDENTIAL DISTRICT

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HISTORY
Adopted by Ord. 6398 on 9/9/2019

15.12.010 Statement Of Intent

The MCR district is intended to encourage an urban pattern of development characterized as "mixed-use" in order to promote human interaction, pleasing aesthetics, economic resiliency, efficient land use, and maximization of resources. The MCR district also supports and encourages a variety of transportation options for multiple modes of transportation. The MCR district is applicable to areas of the City where higher density residential and commercial uses are appropriate and where municipal utility infrastructure is readily available or can be extended by a project.

HISTORY
Adopted by Ord. 6398 on 9/9/2019

15.12.020 Principal Uses

The following principal uses shall be permitted in an MCR district:

A. Congregate housing, life care facility, or nursing home;
B. Community recreation services;
C. Dwelling, multifamily;
D. Dwellings, townhome (minimum four attached units);
E. Family home;
F. Group care home;
G. Mixed commercial/residential structure (containing one or more of the following uses);
    1. Business, professional office;
    2. Consumer service establishments (limited to the following):
        a. Accountants;
        b. Architects;
        c. Arts and crafts studio;
        d. Attorneys;
        e. Banks, savings and loans, and credit unions;
        f. Barber shops and beauty shops;
        g. Dress makers and tailors;
        h. Insurance agencies;
        i. Laundry and dry cleaning pick-up stations;
        j. Management consultants;
        k. Medical office or clinic for people;

l. Pet shops;
m. Photographers' studios;
n. Real estate office;
o. Travel agencies.

3. Retail Shopping Establishment (limited to the following):
    a. Antique stores
    b. Appliance, television and radio sales;
    c. Art galleries, commercial;
    d. Art supplies;
    e. Bakeries;
    f. Bicycle sales and repair shop;
    g. Bookstores;
    h. Candy and ice cream stores;
    i. Clothing, clothing accessories and dry goods;
    j. Department stores;
    k. Drug stores;
    l. Floor coverings;
    m. Florists;
    n. Furniture stores;
    o. Gift and card shop;
    p. Grocery, delicatessen, and specialty food store;
    q. Hardware, paint, and wallpaper stores;
    r. Jewelry, leather goods and luggage stores;
    s. Music stores;
    t. News and tobacco stores;
    u. Photographic equipment and supplies;
    v. Second hand store;
    w. Shoe stores;
    x. Sporting goods;
    y. Toy and hobby stores;
    z. Variety stores.
    aa. "Retail shopping establishment" shall not be construed or interpreted to include any adult entertainment activities.
4. Other
    a. Religious assembly;
    b. Restaurant (limited, general);
    c. Tattoo parlor.

H. Park and recreation services;
I. Private parking lot;
J. Public parking lot;
K. Public safety services;
L. Consumer fireworks sales.

HISTORY
Adopted by Ord. 6398 on 9/9/2019

15.12.030 Conditional Uses

The following conditional uses shall be permitted in an MCR district, when authorized in accordance with the requirements set forth in Chapter 15.21 :

A. Mixed commercial/residential structure (containing one or more of the following uses):
    1. Any land use proposed with a drive-thru window;
    2. College or universities;
    3. Day care services;
    4. School
    5. Small alcohol production facility;
    6. Tavern.
B. Garage (private, public);
C. Government maintenance facility;
D. Local utility services.

HISTORY
Adopted by Ord. 6398 on 9/9/2019

15.12.040 Accessory Uses

The following uses shall be permitted in an MCR district:

A. Uses of land or structures customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

HISTORY
Adopted by Ord. 6398 on 9/9/2019

15.12.050 Site Development Regulations

Lots or parcels of land zoned MCR after the effective date of this chapter shall submit a development plan for consideration by the Planning Commission and City Council concurrent with the rezoning application. The development plan review shall follow the procedure stated in this Chapter, and all components of an approved development plan shall prevail over conflicting standards or regulations elsewhere in this Title. All proposed development projects shall include, but not be limited to, the following standard regulations as part of the associated development plan:

Required Yards	**Principal Structure** The base of a principal structure shall be constructed within 10 feet of a property line that abuts a public right-of-way or a private street. The base of a principal structure may be as much as 20 feet from a public right-of-way or private street if the additional setback area is developed with active outdoor space (e.g. dining, courtyard, patios, etc.) between the building and public right-of-way and/or private street. Maximum interior and rear yards shall	**Accessory Structure** Minimum five (5) feet from rear or side property line and cannot be located between a building facade and any abutting public or private street.

	be determined as part of the adoption of a development plan.	
Maximum Height	**Principal Structure** 100 feet	**Accessory Structure** 24 feet
Lot Coverage: All Structures	80% maximum	
Minimum Residential Density	40 units per acre	

A. Adopted master plans.
    1. All properties in the MCR District that are located within an area of the City that has an adopted master plan by City Council shall be developed in accordance with said adopted master plan(s).

B. Architectural details.
    1. Building facades shall be constructed with architectural details such as color changes, material changes, minor wall offsets, height variations, wall setbacks, accent lines, and upper floor step backs to articulate building elevations. Building facades that are blank and/or void of architectural detailing shall not be permitted. An exception to these standards may be granted by the Community Development Director for those areas of a building facade that are not visible from a public/private street, or a residential use, and shall be identified prior to development plan approval.
    2. Building facade walls shall be constructed primarily out of high quality, durable materials such as natural/cast stone (1.5" thick or greater), fire-clay brick, burnished or split face CMU block, transparent glass (non-mirrored/non-tinted), architectural grade metal panels, or architectural grade precast concrete with an approved finished treatment. Complementary materials such as fiber cement board, EIFS/stucco, or wood siding may be used on less prominent areas of a building facade in a manner that complements the primary building material. Complimentary materials shall comprise no more than 40% of the total gross square footage of all building elevations, and no single complimentary material shall comprise more than 50% of the gross square footage of a single building facade. Complimentary materials may only be used when located a minimum of four feet above the base of a building. For the purpose of this Chapter, a 'building elevation' is defined as the perimeter surface of a building set approximately parallel to a lot line; and a 'building facade' is defined as that portion of any exterior elevation on a building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation.
    3. Roofs shall be designed to be generally flat and shall be concealed from view by use of parapet walls or other architectural methods. Portions of roofs that are curved or pitched may be allowed as architectural accents but shall not be used as the primary roof design. Roof-mounted mechanical

equipment shall be located below the highest vertical element of a building, and shall be screened from view with parapet walls, equipment wells, architectural screens, or similar features that are compatible to the overall design of the building to which they are attached to.

4. Buildings shall be constructed to front at least one street or public rights-of-way. All street-facing facades within 10 feet of a street or public rights-of-way shall include an accentuated entrance that is clearly distinguished using covered walkways, awnings, canopies, porches, and/or projected or recessed building mass.
5. Attached signage, balconies, canopies, decks, eaves, overhangs, and/or other architectural features that are not integral to the structural support of a building may project into public rights-of-way subject to issuance of a permit from the Public Works Department.

C. Landscaping.
   1. All areas on a site that are not covered by buildings, structures, paving or impervious surface are considered landscape areas and shall be landscaped in accordance with an adopted development plan.

D. Exterior lighting.
   1. Light pole materials on private property shall be painted or finished aluminum or steel. Wood poles shall not be accepted.
   2. Light poles on private property that are used to illuminate vehicular access and parking areas shall not exceed twenty five (25) feet in height from existing grade.
   3. Sidewalks and walkways on private property shall be illuminated with pedestrian scale lighting that does not exceed 15 feet in height from existing grade.
   4. Low-scale, decorative lighting may be used to illuminate accent architectural details, building entries, or signs.
   5. Building facade accent lighting shall be limited to an upward angle of 45 degrees and shall be focused on the building to minimize light spillover onto adjacent properties and right-of-ways.
   6. All lighting on private property shall comply with the standards stated in § 15.24.050, Lighting controls, of this Title.

E. Parking.
   1. All off-street parking in the MCR District shall conform with Chapter 15.23 of this Title, except when determining the total amount of required off-street parking for a multi-family residential use or mixed commercial/residential use, which shall be based upon the following:

Land Use	
Multi-Family Residential & Townhomes	Minimum of 1 parking stall per dwelling unit. Additional parking may be provided but shall not exceed 25% of the total number of required off-street parking stalls for any development.

Mixed Commercial/Residential	Minimum of 1 stall per dwelling unit + 1 space per every 250 square feet of gross floor area of commercial space. Additional parking may be provided but shall not exceed 25% of the total number of required off-street parking stall for any development.

2. Off-street parking in this District is encouraged to be designed as an integral component of a principal structure when feasible; however, surface parking lots shall be allowed when designed to comply with the following standards:
    a. Surface parking areas, vehicular drive aisles, and loading/unloading area shall be located behind and/or to the side of a principal building, and shall not be permitted between a principal building and a primary street frontage. The primary street frontage for a development shall be determined by the Community Development Department at the time of plan review. Surface parking areas visible from a public right-of-way shall be screened with a maximum four-foot tall masonry wall in combination with landscaping, or a maximum six-foot tall wrought iron fence in combination with landscaping.
    b. Large, non-ornamental, deciduous shade trees shall be installed in parking lots in excess of fifteen (15) spaces. The trees shall be located in planting areas of not less than fifty (50) square feet of unpaved surface per tree and at least one tree shall be planted for each three thousand (3,000) square feet of paving on-site.
3. The total number of required off-street parking spaces may be reduced by an amount to be determined through a parking demand study establishing that sufficient parking is or can be met by the subject use(s) through shared parking with an adjacent property, or nearby on-street parking. The parking demand study shall provide information about the anticipated parking demand at peak times during the day and the distance relationship between available on-street parking or shared parking spaces and the specific use(s) served.
4. Direct vehicular access to all off-street parking, drive aisles, and loading/unloading areas shall come from an alley, a non-arterial street, and/or via shared parking facilities with an adjacent property owner. Direct vehicular access shall not be allowed to any arterial street, or to any rights-of-way with a designated pedestrian walking trail or bicycle lane, unless approved by City Council as part of an adopted development plan.
5. On-street parking shall be constructed as a component of new developments, whenever adequate right-of-way is available, in accordance with adopted Public Works standards.
6. Bicycle parking shall be provided with all residential developments at a minimum rate of one-half space per dwelling unit. Bicycle parking may be provided indoors, outdoors, or combination thereof. Outdoor bicycle parking must be on a hard-surface and connected to the pedestrian/bicycle network.

F. Pedestrian facilities.

1. A minimum five foot-wide accessible, pedestrian route shall be installed to connect each building entrance with a public sidewalk. Exception: Service entrances that do not provide the general public access to a building are not required to provide any pedestrian facilities.
2. Construction or reconstruction of adjacent sidewalks and/or street improvements shall be in accordance with adopted Public Works Standards, and shall be included in a project's adopted development plan.

G. Screening and utilities.
1. All exterior dumpsters, garbage/recycling storage, loading/unloading areas, ground-mounted HV AC units, and other utility apparatuses/appurtenances shall be completely screened from view using architectural design features, landscaping, fencing, or a combination thereof. Wall mount air conditioning units shall be integrated into the design of the building in order to be screened from view.
2. Deciduous, non-ornamental street canopy trees shall be planted between sidewalks and streets. A minimum of 50 square feet shall be provided for planting space with no less than six feet of width. Spacing of trees shall be no greater than 50 feet. Initial tree plantings shall be no less than two inches in diameter.
3. Utility services shall be installed underground, unless determined unpractical by the Community Development Director.
4. Required stormwater detention shall be contained underground in accordance with all adopted Public Works standards. Best Management Practices for stormwater are encouraged. Surface stormwater features may be considered only if designed as a site amenity.

H. Signs.
1. Signage shall be approved as part of the adopted development plan, and shall comply with Chapter 15.33 of this Title.

HISTORY
Adopted by Ord. 6398 on 9/9/2019

15.12.060 Additional Regulations

A. All residential developments shall include an active outdoor site amenity such as playgrounds, plazas, decks, roof-top patios, swimming pools, and recreation areas. Passive areas such as landscape setbacks, bicycle parking, tree plantings, berms, and basic stormwater features do not qualify. A minimum of 50 square feet of site amenity space is required per dwelling unit.
B. Property owners shall maintain all buildings, landscaping, and other site features in accordance with the adopted development plan.
C. Consumer fireworks sales from a temporary structure shall not be located within three hundred (300) feet of a residential structure.

HISTORY
Adopted by Ord. 6398 on 9/9/2019

15.12.070 Development Plan Review Procedure

A. Application. A completed application form, ten (10) copies of the development plan, along with the required fee, shall be submitted to the Community Development Department. The development plan shall be reviewed in accordance with the procedures outlined below. The following information shall be submitted to the Community Development Department:
    1. A letter of intent stating the proposed uses, improvements necessary to serve the development, construction time frame, and phasing;
    2. The development name and legal description of the boundary;
    3. A north arrow, scale, bar scale, and date;
    4. The names and addresses of the owner, and the architect or engineer preparing the plan;
    5. A location map showing the proposed development and its relationship to existing abutting subdivisions and community facilities such as streets, schools, parks, and commercial areas;
    6. All established floodway or floodway fringe encroachment limits;
    7. A soils and drainage report prepared by the engineer. The report shall show the general soil and drainage conditions and include preliminary recommendations as to the adaptability of the property proposed for development;
    8. Location and size of any sites to be considered for dedication to public use;
    9. Layout, numbers, and dimensions of proposed lots;
    10. The location, width, name, grade, and typical cross-sections of all proposed streets within the development and the width and name of any platted street located within two hundred (200) feet of the site;
    11. The location and width of other public ways, railroad rights-of-way, utility, and all other easements existing or proposed within the development and within two hundred (200) feet;
    12. Existing and proposed contour intervals of not more than five feet;
    13. All existing and proposed underground installations within the proposed development or adjacent thereto or the location of the nearest available facilities;
    14. The location of all existing and proposed structures, proposed parking areas, pedestrian ways, private and public streets, and landscaping;
    15. Proposed signage plan;
    16. Architectural drawings, renderings, or other visual documents which illustrate proposed building design.

    The Community Development Director shall determine the adequacy and completeness of the development plan application. The Community Development Director may require additional information prior to scheduling review by the City Planning Commission.

B. Review by City Planning Commission. The City Planning Commission, in reviewing the development plan, shall take into consideration conformance with the comprehensive plan, recognized principles of land use planning, landscape, architecture, the conservation and stabilization of the value of property, adequate open space for light and air, congestion of public streets, the promotion of public

safety, health, convenience and comfort and the general welfare of persons using the facility. In addition to the proposed use meeting the general requirements herein set forth, the commission, in recommending approval of the proposed development plan, may recommend certain conditions to be attached to such use which the commission deems necessary in order to carry out the intent and purpose of this title. Such conditions may include, but are not limited to, an increase in the required lot or yard area, control of the location and number of vehicular access points to the property, limitations to the number of signs, limitations to coverage or height of buildings situated on the property because of obstruction to view and reduction of light and air to adjacent property, required screening and landscaping where necessary reduce noise and glare, and designation of responsibility for maintenance of the property.

C. Review by City Council. After review of the development plan by the City Planning Commission, it shall be forwarded to the City Council, with its written recommendations, whether for approval or denial, whereupon the City Council may take action on the plan. Approval of the development plan shall be by City Council resolution.
D. Building Permit Review. The Community Development Director shall review all building and Public Works construction permits for compliance with the approved development plan. No building or Public Works construction permit shall be issued if determined by the Community Development Director to be inconsistent with the approved development plan. If the Community Development Director determines that major changes are requested, review and approval by the City Planning Commission and City Council shall be required.
E. Amendment to Development Plan .. Proposed amendments to an approved development plan shall be subject to the same review and approval procedure as an initial application. Minor amendments to an adopted development plan may be administratively approved at the discretion of the Community Development Director.

HISTORY
Adopted by Ord. 6398 on 9/9/2019