

Sec. 18-257. - Commercial District Mixed Use (CDMU) within the O&I-1, CB, and RB Districts.

Multiple-family housing including townhouse development is permitted in the O&I-1, CB and RB Districts under the following conditions:

(a) *Uses.*

1. Multiple-family housing and townhouse development shall be permitted. Detached dwelling units shall not be permitted.
2. Commercial uses assigned to the zoning district shall make up not less than twenty (20) percent of the total building square footage of the development, except as may be reduced under paragraph (b) below.

(b) *Reduction to commercial square footage requirement.*

1. For properties with less than or equal to twenty-five (25) percent of their perimeter fronting on an arterial street, the minimum commercial building square footage of the development may be reduced to ten (10) percent of the total.
2. The building square footage of amenities that are commercial in nature (such as a spa or health club open and advertised to the public for a fee) may be counted toward the minimum commercial building square footage.
3. In no case shall amenities for the exclusive use of residents, on-site leasing offices, or other nonresidential uses not otherwise open to the general public, count towards the minimum commercial building square footage.
4. A site located within one-quarter (¼) mile (1,320 feet) walking distance of a full-service grocery store entrance may reduce the commercial square footage requirement by up to twenty (20) percent. The walking route(s) must be along improved, safe pedestrian facilities such as sidewalks, multi-use paths, and crosswalks.

(c) *Residential development density and density bonus for workforce housing.*

1. CDMUs shall have a base density cap of seventeen (17) residential units per acre.
2. There shall be no cap on residential density if ten (10) percent of the total number of residential units are designated for workforce housing, as defined under HUD's High HOME rent census data, for a period of not less than fifteen (15) years.

(d) *Open space shall be provided on a sliding scale as follows:*

1. For CDMU developments with fifty (50) percent or less square footage in residential use, there shall be no open space requirement.
2. For CDMU developments with greater than fifty (50) percent building square footage in residential use, twenty (20) percent open space shall be required as applied by code.
3. Land designated for an open space set-aside shall have a minimum unobstructed a horizontal dimension of ten (10) feet.
4. Areas identified as natural open space on an approved plan shall be left undisturbed in

5. The following areas shall not be credited towards any open space requirements:
 - a. Private yards;
 - b. Street rights-of-way, including plazas;
 - c. Parking areas and driveways for dwellings or other uses;
 - d. Stormwater management features not configured as a site amenity;
 - e. Designated outdoor storage areas;
 - f. Fountains, or other similar water features;
 - g. Parking lot islands or landscaping;
 - h. Paved plazas or courtyards;
 - i. Buildings, structures, or other impervious surface areas; and
 - j. Areas obstructed by heating, ventilation, air conditioning (HVAC) equipment, electrical boxes, and other similar equipment.
 6. An open space set-aside may be active or passive and may contain objects such as play equipment, benches, boardwalks, picnic tables, and trails.
 7. Environmentally protected areas within the property such as wetlands, natural ponds, and streams may be credited for up to fifty (50) percent of the required open space.
 8. Tidal marshes may not be counted to satisfy open space requirements.
- (e) *Parking shall be provided on a sliding scale as follows:*
1. For CDMU developments with forty-nine (49) percent or less square footage in residential building square footage, parking shall be provided at one (1) dedicated space per one-bedroom unit, one and a half (1½) spaces per two-bedroom unit, and two (2) spaces per three-bedroom unit.
 2. For CDMU developments with fifty (50) to seventy-five (75) percent square footage in residential building square footage, parking shall be provided at one and a quarter (1¼) dedicated spaces per one-bedroom unit, one and three-quarter (1¾) spaces per two (2) bedroom unit, and two and a quarter (2¼) spaces per three (3) bedroom unit.
 3. For CDMU developments with greater than seventy-five (75) percent square footage in residential building square footage, parking shall be provided at one and a half-dedicated spaces per one (1) bedroom unit, two (2) spaces per two (2) bedroom unit, and two and a half (2½) spaces per three (3) bedroom unit.
 4. Additional parking shall be provided for all commercial uses in accordance with parking standards for such uses. Shared use of commercial parking spaces by residential uses shall be permitted.
- (f) *Building and design standards.*
1. A conceptual elevation indicating proposed architecture style shall be provided.
 - 2.

All buildings internal to the site shall be connected via pedestrian ways. Sidewalks shall connect all buildings, parking areas, community facilities/open space, bicycle parking, and any adjacent commercial uses.

3. Drive-through customer speaker window service for banking and saving and loan associations shall only be permitted to operate between the hours of 8:30 a.m. to 6:00 p.m. Monday through Friday.
4. A conceptual lighting plan shall be provided.

(g) *Other standards.*

1. Residential uses shall not cause any increased setbacks or buffers on adjacent lots.
2. Any accessory uses, including outdoor seating, if permitted in the district, shall meet the applicable accessory use standards.

(Ord. No. O-2008-25, 4-8-08; Ord. No. O-2012-85, Exh. A, § 11, 12-4-12; Ord. No. O-2018-73, § 1, 12-4-18; Ord. No. O-2020-27, § 4, 6-9-20; Ord. No. O-2020-65, § 1, 11-4-20)