

SEC. 15-1102. USE REGULATIONS.

- A. Table 15-1102 prescribes the proposed land use regulations for Mixed-Use Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.
 "P" designates permitted uses.
 "C" designates uses that are permitted after review and approval of a Conditional Use Permit.
 "(#)" numbers in parentheses refer to specific limitations listed at the end of the table.
 "-" designates uses that are not permitted.
 Uses listed as "P" or "C" may be restricted in certain locations by Section 15-1104-A.
- B. Land uses are defined in Article 67, Use Classifications.
- C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director's Determination.
- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.
- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.
- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS				
Use Classifications	NMX	CMX	RMX	Additional Regulations
Residential Use Classifications				
Residential Housing Types				
Single-Unit Dwelling, Attached	P(1)	P(1)	P(1)	§ 15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
Multi-Unit Residential	P(1)	P(1)	P(1)	
Adult Family Day Care				
Small (6 clients or less)	P(1)	P(1)	-	
Large (7 to 12 clients)	P(1)	-	-	
Caretaker Residence	P(1)	P(1)	P(1)	
Domestic Violence Shelter				
Small (6 persons or less)	P(1)	P(1)	P(1)	
Large (7 persons or more)	P(1)	P(1)	P(1)	
Elderly and Long-Term Care	P(1)	P(1)	P(1)	
Family Day Care				
Small (8 or fewer children)	P(1)	P(1)	P(1)	§ 15-2725, Day Care Centers and Family Child Care Homes
Large (9 to 14 children)	P(1)	P(1)	P(1)	
Group Residential				
Small (6 persons or less)	P(1)	P(1)	P(1)	

Large (7 persons or more)	P(1)	P(1)	P(1)	
Lodging-to-Dwelling Conversion	C	C	C	§ 15-2737.5 Lodging-to-Dwelling Conversion Requirements
Residential Care Facilities				
Residential Care, Limited	P(1)	P(1)	P(1)	
Residential Care, Senior	P(1)	P(1)	P(1)	
Single Room Occupancy	C	C	C	
Public and Semi-Public Use Classifications				
Colleges and Trade Schools, Public or Private	C	C	C (3)	
Community and Religious Assembly (less than 2,000 square feet)	P	P	P	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	P	P	P	
Community Garden	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Conference/Convention Facility	C	C	C	
Cultural Institutions	P	P	P	
Day Care Centers	P	P	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	-	-	P	§ 15-2729, Emergency Shelters
Government Offices	P(1)	P(1)	P(1)	
Hospitals and Clinics				
Hospital	-	C(11)	C(11)	
Clinic	P	P	P	
Substance Abuse Treatment Clinic	C(14)	C(14)	C(14)	
Instructional Services	P	P	P	
Park and Recreation Facilities, Public	P	P	P	
Parking, Public or Private	-	C(6)	C(6)	
Public Safety Facilities	C	C	C	
Schools, Public or Private	P	P	P	
Social Service Facilities	P(1)	P(1)	P(1)	
Commercial Use Classifications				
Animal Care, Sales and Services				
Grooming and Pet Stores	P	P	P	
Veterinary Services	-	C(7)	C(7)	
Artist's Studio	P	P	P	
Automobile/Vehicle Sales and Services				
Automobile/Vehicle Sales and Leasing	C(18)	C(13)	C(13)	§ 15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile Rentals	C(12)(19)	C(12)	C(12)	
Automobile/Vehicle Repair, Major	C(12)(19)	C(12)	C(12)	

Automobile/Vehicle Service and Repair, Minor	C(12)(19)	C(12)	C(12)	
Automobile Washing	C(12)(19)	C(12)	C(12)	
Service Station	C	C	C	§ 15-2755, Service Stations
Banks and Financial Institutions				
Banks and Credit Unions	P	P	P	
Check Cashing Businesses and Payday Lenders	-	-	-	§ 15-2715, Check Cashing Businesses, Payday Lenders, and Similar Financial Services
Banquet Hall	C	C	C	§ 15-2712, Banquet Hall
Business Services	P	P	P	
Eating and Drinking Establishments				
Bars/Nightclubs/Lounges	C	C	C	§ 15-2743, Outdoor Cooking for Commercial Purposes; § 15-2744, Outdoor Dining and Patio Areas; § 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges
Restaurant with Alcohol Sales	C	C	C	
Restaurant without Alcohol Sales	P	P	P	
Entertainment and Recreation				
Cinema/Theaters	P	P	P	
Cyber/Internet Cafe	C	C	C	§ 15-2724, Cyber/Internet Cafes
Small-Scale	P	P	P	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms
Food and Beverage Sales				
Farmer's Markets	P	P	P	§ 15-2730, Farmer's Markets
General Market	P	P	P	§ 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Healthy Food Grocer	P	P	P	
Liquor Stores	C(12)	C(12)	C(12)	§ 15-2707, Alcohol Sales; § 15-2745, Outdoor Retail Sales
Food Preparation	P(1)	P(1)	P(1)	
Funeral Parlors and Internment Services	P(1)	P(1)	P(1)	§ 15-2714, Body Preparation and Funeral Services
Live/Work	P	P	P	
Lodging				
Bed and Breakfast	P	P	P	
Hotels and Motels	P(8)	P(8)	P	
Maintenance and Repair Services	P	P	P	
Offices				
Business and Professional	P	P	P	

Medical and Dental	P	P	P	
Walk-in Clientele	P	P	P	
Personal Services				
General Personal Services	P(5)	P	P	
Tattoo or Body Modification Parlor	P(5)(12)	P(12)	P(12)	§ 15-2758, Tattoo or Body Modification Parlor
Retail Sales				
Building Materials and Services	-	-	C	§ 15-2745, Outdoor Retail Sales
Convenience Retail	P	P	P	§ 15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Shops
General Retail	P	P	P	§ 15-2733, Hobby Stores; § 15-2745, Outdoor Retail Sales
Large-Format Retail	P	P	P	§ 15-2737, Large-Format Retail; § 15-2745, Outdoor Retail Sales
Nurseries and Garden Centers	P	P	P	§ 15-2745, Outdoor Retail Sales
Second Hand/Thrift Stores	P	P	P	
Swap Meet/Flea Market	C	C	C	§ 15-2730, Flea Markets
Industrial Use Classifications				
Custom Manufacturing	P(12)(19)	P(12)	P(12)	
Limited Industrial	C(13)(18)(19)	C(13)	C(13)	
Recycling Facility				
Reverse Vending Machine	P	P	P	§ 15-2750, Recycling Facilities
Warehousing, Storage, and Distribution				
Personal Storage	C	C	C	§ 15-2747, Personal (Mini) Storage
Transportation, Communication, and Utilities Use Classifications				
Airports and Heliports	-	-	C(10)	
Communication Facilities				
Antenna and Transmission Towers	See Section 15-2759, Telecommunications and Wireless Facilities			
Transportation Passenger Terminals	-	-	C	
Utilities, Minor	P	P	P	
Agricultural and Extractive Use Classifications				
Produce Stand	P	P	P	§ 15-2752, Roadside Fruit Stands/Grower Stands
Tasting Room	C	C	C	
Urban Farm	P	-	-	§ 15-2719, Community Gardens/Urban Farms
Other Applicable Types				
Accessory Uses and Structures	§ 15-2703, Accessory Uses			
Home Gardens	§ 15-2734, Home Gardens and Edible Landscaping			
Home Occupations	§ 15-2735, Home Occupations			

Animal Keeping	§ 15-2707, Animal Keeping		
Drive-In and Drive-Through Facilities	C(15)	C(15)	C(15) § 15-2728, Drive-In and Drive-Through Facilities
Walk-Up Facilities	§ 15-2766, Walk-Up Facilities		
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots		
Temporary Use	§ 15-2760, Temporary Uses		
Transitional and Supportive Housing	§ 15-2762, Transitional and Supportive Housing		
<p>Specific Limitations:</p> <ol style="list-style-type: none"> 1. Not allowed on the ground floor of portions of the site which abut a major street, but allowed in the interior of all sites. Projects with frontage on more than one major street may be excepted from this restriction on one of the major streets at the discretion of the Review Authority. 2. Reserved. 3. Not to include industrial training such as welding or automotive repair involving the use of tools and materials appropriate to an industrial use area. 4. Must be located along a major street. 5. Limited to establishments with a gross floor area of 5,000 square feet or less. 6. Shall be below grade or in structures faced with active uses along the street. 7. Provided that such use shall be completely enclosed in a building of soundproof construction. 8. Limited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use. 9. Reserved. 10. Limited to heliports used as accessory to a hospital. 11. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals. 12. Not allowed within 500 feet of an existing or planned Bus Rapid Transit stop. 13. Must take place entirely within a building. 14. Must include an indoor waiting area. 15. Not allowed within 100 feet of a planned or existing Bus Rapid Transit station and not allowed between a building and a sidewalk. 16. Reserved. 17. Reserved. 18. Permitted only after review and approval of a Conditional Use permit, and only in the following areas: a) NMX-zoned parcels which are located south of State Route 180 and east of State Route 41 and which are not within 500 feet of a Bus Rapid Transit route; or b) NMX-zoned parcels which are located north of State Route 180 and west of the Union Pacific Railroad. 19. Prohibited in the following areas: Parcels which are located south of State Route 180 and west of the Union Pacific Railroad. 			

(Added Ord. 2015-39, § 1, eff. 1-9-16; Am. Ord. 2015-43, § 1, eff. 1-22-16; Am. Ord. 2016-32, § 10, eff. 10-21-16; Am. Ord. 2017-33, § 6, eff. 7-30-17; Am. Ord. 2018-25, § 8, eff. 6-11-18; Am. Ord. 2018-66, § 8, eff. 1-18-19; Am. Ord. 2020-031, § 2, 9-1-20).