

APPENDIX C

Mixed Use (MU) Zoning District

MIXED USE (MU) DISTRICT

49-101 Intent

The purpose of the **Mixed Use (MU)** land use classification is to provide for a long-term mixture of residential and non-residential uses in portions of the community adjacent to major transportation routes. This purpose is intended to be carried out through: (1) the reliance on a market-driven approach to the appropriate uses in the various **MU** locations; and (2) a flexible zoning technique that permits a market-driven approach but requires a master plan for each **MU** project site or location.

It is envisioned that **MU** land use areas target relatively large, contiguous land areas that can be developed according to a unified plan in a high-quality, master-planned setting rather than on a lot-by-lot basis. The uses and standards in this category are intended to promote flexibility and innovation in site design and enhance the environmental quality and attractiveness of the area, enhance the natural or scenic qualities of the environment and protect the public health and safety.

49-102 Uses and Structures

Within the Mixed Use District, as shown on the Athens Zoning Map and as delineated below and as described in Article _____, Chapter _____, the following activities are permitted:

Activity

(1) Residential Activities

- Dwelling Attached
- Dwelling Multi-Family

(2) Institutional Uses

- Parks
- Church
- College, University
- Hospital
- Museum
- Public Building
- Any other use identified in Chart I of the Zoning Ordinance

(3) Commercial Activities

- Financial, Consulting, and Administrative Office
- Research Service
- General Residential Sales and Service
- Convenience Retail Sales and Service
- Medical Office/Service
- Food Service, Restaurants

49-102.2 Permitted Accessory Uses and Standards

49-102.201 Accessory off-street parking and loading facilities as required in Chapter _____ of this Article;

49-102.202 Private swimming pools, tennis courts, and other recreational facilities exclusively for the use of the occupants of a residential activity;

49-102.203 Accessory facilities and buildings customarily incidental and appurtenant to a permitted use provided that such are carried out on the same zone lot and are not otherwise prohibited.

49-102.3 Conditional Uses

(1) Residential Activities

- Dwelling One Family Detached

(2) Community Facilities

- See original text of the RM-16 zoning district.

(3) Commercial Activities

- Restaurants/Food Service (if incidental to permitted use)
- Drug Store (if incidental to permitted use)

49-103 Site Development Regulations

49-103.1 Residential Site Development Regulations. Permitted residential activities and developments in the MU District shall be designed and developed in accordance with the regulations of Article _____, Chapter _____.

49-103.2 Non-Residential Site Development Regulations

<u>Regulator</u>	<u>Requirement</u>
Minimum site size (entire development)	10.0 acres
Minimum lot area (within development)	1.0 acre
Minimum lot width (measured at front property line)	100 feet
Maximum floor area ratio	0.35
Maximum building height	35 feet
Off-street parking	See Article ____ Chapter ____
Minimum Building Setbacks:	
- Front yard (Arterial Street)	100 feet
- Front yard (Collector Street)	75 feet
- Side yard (along intervening street)	60 feet
- Side yard (abutting commercial district)	25 feet
- Interior side yard (within site)	15 feet*
- Rear yard (abutting residential "planned" or zoned district)	60 feet
- Rear yard (abutting commercial "planned" or zoned district)	15 feet

*NOTE: Minimum distance between any two buildings within a site 30 feet

49-103.3 Additional Site Development Regulations

49-103.301 Master Development Plan Required: The "MU" Mixed Use District shall be established only upon application, after public hearing as specified in the Athens Zoning Ordinance.

49-103.302 Minimum size of MU Development: The minimum overall size of any development proposed for a MU district shall be 10 acres.

49-103.303 Additional Site Design Standards: All developments occurring within a MU district shall be designed and developed to comply with the policies included in Chapter 4 of the Comprehensive Plan.

49-104 Adoption of a MU District

49-104.1 Procedures to Amend a Mixed Use District. Major amendments to the master development plan must be submitted to the Planning Commission for review and recommendations and approved by the City Council. Major amendments shall include, but not be limited to:

- (1) An increase in the density of the development;
- (2) Substantial changes in circulation or access;
- (3) Substantial changes in the mix of dwelling unit types included in the project;
- (4) Substantial changes in grading or utility provision;
- (5) Substantial changes in the mixture of land uses;
- (6) Reduction in approved open space, landscaping, and bufferyards;
- (7) Substantial changes in architectural or site design features of the development; and
- (8) Any other change that the planning director finds is a major divergence from the approved master development plan.

All other changes in the site development plan shall be considered revisions to the approved plan and may be approved in accordance with the provisions of Section 49-104.1(3) of this Chapter.