

EXHIBIT A.4.

17.14 MIXED-USE DISTRICTS

17.14.010 Purpose.

- A. The purpose of this Chapter is to establish use regulations and development standards for mixed-use districts. Mixed-use districts are intended to provide suitable locations for a wide variety of interrelated and compatible commercial, office, residential, civic, and entertainment uses, often in a pedestrian-oriented environment. Uses will vary in composition and intensity based on location, accessibility, and surrounding development context. In addition, it is the intent of this Chapter to establish use regulations and development standards for the provision of adequate sites for the development of new and emerging housing types in compliance with the City's adopted Housing Element goals and policies.
- B. The specific purpose of each individual mixed-use district is as follows:
 1. MU-N (Mixed-Use Neighborhood). The district is intended to provide local- and neighborhood-supporting mixed-use activity centers with maximum residential densities of 15 dwelling units per acre and/or non-residential intensity with a maximum floor area ratio (FAR) of 1.0. Commercial retail uses are the primary uses allowed on the ground floor. Professional office and residential uses are also allowed, either integrated with a commercial use or as separate, free-standing use. Easy walkable access from residential neighborhoods and pedestrian orientation are key considerations in the location and site design of mixed-use developments in this zone.
 2. MU-C (Mixed-Use Corridor). The district is intended to provide higher-intensity, commercially oriented activity with maximum residential densities of 30 dwelling units per acre and/or maximum non-residential intensities of 1.50 FAR. This district provides for integrated commercial retail, professional office, residential, and civic uses. Commercial retail uses are the preferred uses allowed on the ground floor. Residential development is allowed, either as part of a mixed-use project or as a freestanding use and are encouraged to be developed at the highest allowable density. Convenient public transportation access, innovative housing options, and pedestrian-oriented design are key considerations in the location and site design of mixed-use developments in this zone.
 3. VS-M (Visitor-Serving Mixed). This district is intended to provide for areas appropriate for accommodations, goods, and services intended to serve primarily visitors to the City. Also allowed are detached and attached residential uses at a maximum density of 20 dwelling units per acre. Either commercial or residential development is allowed, but not concurrently on the same property.

17.14.020 Permitted uses.

A. Table 17.14.01 lists the uses permitted in each of the mixed-use districts utilizing the following key:

“P” Use is permitted by right.

“A” Use is accessory to an established primary use.

“AUP” Use requires an Administrative Conditional Use Permit.

“CUP” Use requires a Conditional Use Permit.

“T” Use requires a Temporary Use Permit.

“--” Use is prohibited.

B. Land uses listed in Table 17.14.01 use definitions from the North American Industry Classification System (NAICS) unless otherwise defined specifically by this Title. The individual land uses permitted in each of the mixed-use districts are grouped in Table 17.14.01 using broad land use categories.

**TABLE 17.14.01
PERMITTED USES – MIXED-USE DISTRICTS**

USE	MIXED-USE DISTRICTS			CODE SECTION
	MU-N	MU-C	VS-M	
BUSINESS, FINANCIAL, AND PROFESSIONAL OFFICE				
Automated Teller Machines (ATMs) - Drive up	A	A	--	
Business Support Services	P	P	--	
Check Cashing and/or Payday Loans	--	CUP	--	
Financial Institutions and Related Services (without drive-through facilities)	P	P	--	
Office, Business and Professional (excluding Medical and Dental Office)	P	P	--	
EATING AND DRINKING ESTABLISHMENTS				
Bars, Lounges, Nightclubs, and Tasting Rooms	--	CUP	--	17.12.050
Food Preparation/Catering (no on-site sales or service)	AUP	P	AUP	
Restaurant - Full or Limited Service, Serving Alcohol	CUP	CUP	CUP	17.12.050
Restaurant – Full or Limited Service, No Alcohol Sales	P	P	P	
Restaurant with Drive-through Facilities	CUP	CUP	CUP	17.12.100
Snack Bar	A	A	A	
LODGING				
Hotel or Motel (without spa)	--	CUP	CUP	
Spa Resort	--	CUP	CUP	

**CITY OF DESERT HOT SPRINGS
TITLE 17 – ZONING REGULATIONS**

USE	MIXED-USE DISTRICTS			CODE SECTION
	MU-N	MU-C	VS-M	
Homeless Shelters—up to 20 beds	--	--	--	
Homeless Shelters—more than 20 beds	--	--	--	
Low Barrier Navigation Center	P	P	P	
MARIJUANA USES				
Marijuana Delivery	--	--	--	
Marijuana Distribution	--	--	--	
Marijuana Cultivation	--	--	--	
Marijuana Manufacturing	--	--	--	
Marijuana Storefront Retail	--	CUP	--	17.180.040
Marijuana Testing Facilities	--	CUP	--	17.180.070
MEDICAL-RELATED AND CARE USES				
Ambulance Fleet	--	--	--	
Clinic and Urgent Care	--	CUP	--	
Day Care Center	CUP	CUP	CUP	
Health Facilities, Therapy and Rehabilitation	--	--	--	
Hospital	--	CUP	--	
Office, Medical and Dental Office	AUP	P	P	
Residential Care Facilities	AUP	AUP	CUP	
PUBLIC AND ASSEMBLY USES				
Cultural Institutions	P	P	P	
Public Assembly Facilities	--	CUP	--	
Religious Assembly Facilities	--	CUP	--	
Schools, Private	CUP	CUP	CUP	
Trade and Vocational Schools	CUP	CUP	CUP	
Tutoring and Education Centers	P	P	P	
RECREATION AND ENTERTAINMENT				
Arcade (Electronic Game Center)	CUP	AUP	--	
Art Gallery	P	P	CUP	
Commercial Recreation - Indoors	CUP	CUP	--	
Commercial Recreation - Outdoors	--	CUP	--	
Entertainment, Indoor	CUP	AUP	--	
Health/Fitness Facilities				
Health/Fitness Facilities – Small	AUP	P	A	
Health/Fitness Facilities - Large	CUP	CUP	--	
RESIDENTIAL				
Accessory Dwelling Unit	--	--	P	

**CITY OF DESERT HOT SPRINGS
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USE	MIXED-USE DISTRICTS			CODE SECTION
	MU-N	MU-C	VS-M	
Dwelling, Multifamily	P	P	P	17.12.140
Dwelling, Single-Family	--	--	P	17.12.190
Home Occupations	A	A	A	
Hotel/Motel to Residential Conversion	--	--	CUP	
Live/Work Unit	P	P		
Single Room Occupancy (SRO)	--	CUP	--	17.12.210
Supportive Housing	P	P	P	
Transitional Housing	P	P	P	
RETAIL USES				
Alcohol Beverage Sales				
Alcohol Sales, for Off-Site Consumption	CUP	CUP	--	17.12.050
Alcoholic beverage sales, for on-site or off-site consumption, in conjunction with an allowed use	--	CUP	CUP	17.12.050
Building Materials and Services, Indoor	--	P	--	
Building Materials and Services, Outdoor	--	--	--	
Convenience Store, No Alcohol Sales	AUP	P	--	17.12.080
Farmers' Market	TUP	TUP	TUP	
Grocery Store	P	P	CUP	
Nurseries and Garden Centers	--	P	--	
Outdoor Temporary and/or Seasonal Sales	TUP	TUP	TUP	
Recreational Equipment Rentals – Indoor Only	P	P	P	
Retail Sales – General	P	P	P	
Retail Sales – Restricted	--	CUP	--	
Vehicle Sales and Rental	--	--	--	17.12.060
Large Vehicle, Construction, and Heavy Equipment Sales, Service, and Rental	--	--	--	
SERVICE USES				
Animal Care, Services				
Animal Boarding/Kennels, Grooming	P	P	--	
Veterinary Services, Large Animal	CUP	CUP	--	
Veterinary Services, Small Animal	AUP	AUP	-	
Instructional Services	AUP	P		
Maintenance and Repair Services - Indoor	P	P	--	
Moving Companies, Storage Allowed	--	--	--	
Personal Services, General	P	P	CUP	
Personal Services, Restricted	CUP	CUP	CUP	

**CITY OF DESERT HOT SPRINGS
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USE	MIXED-USE DISTRICTS			CODE SECTION
	MU-N	MU-C	VS-M	
Recording Studio	--	AUP	--	
Social Service Facilities	--	P	--	
Storage				
Storage - Personal	--	--	--	
Storage – Outdoor Recreational Vehicle Storage	--	--	--	
Vehicle Repair and Services				
Service/Fueling Station	--	CUP	--	17.12.170
Vehicle Washing/Detailing	--	--	--	
Vehicle Service, Minor	--	--	--	
Vehicle Service, Major	--	--	--	
TRANSPORTATION, COMMUNICATION, AND INFRASTRUCTURE USES				
Car Sharing – Parking	AUP	AUP	CUP	
Parking Facility - Temporary	TUP	TUP	TUP	
Utility Facilities - Staffed	--	CUP	--	
Utility Facility - Unstaffed	CUP	CUP		
Vehicle Charging Stations - Commercial	AUP	P	A	
Vehicle Storage	--	--	--	
Wireless Communication Facilities - Minor	AUP	AUP	AUP	
Wireless Communication Facilities - Major	CUP	CUP	--	
Wireless Telecommunication Facilities, Satellite Dish Antenna	P	P	P	
OTHER USES				
Caretaker Quarters	--	--	AUP	
Donation Boxes - Outdoors	--	--	--	
Drive-Through or Drive-Up Facilities	--	CUP	--	
Vending Machine	A	A	A	

17.14.030 Development standards.

A. Table 17.14.02 establishes the development standards applicable to mixed-use districts.

B. Design criteria as outlined Sections 17.14.040 through 17.14.070 applicable to the respective development type within the mixed-use districts shall apply and are in addition to the standards of Table 17.14.02.

TABLE 17.14.02
DEVELOPMENT STANDARDS – MIXED-USE DISTRICTS

DEVELOPMENT STANDARD	MIXED-USE DISTRICTS			ADDITIONAL REQUIREMENTS
	MU-N	MU-C	VS-M	
GENERAL PLAN DENSITY/FAR				
Maximum Density - Residential	15 du/1 ac	30 du/1 ac	15 du/1 ac	
Minimum Density – Residential	-	15 du/1 ac	-	
Maximum Floor Area Ratio (FAR) – Non-Residential	1.00	1.50	1.00	
LOT DIMENSIONS, SIZE AND COVERAGE				
Minimum Lot Size (net)				
Single Family	--	--	7,200 sf	
Multifamily	10,000 sf	20,000 sf	10,000 sf	
Minimum Lot Width	100 ft	100 ft	45 ft	
Minimum Lot Depth	-	-	90 ft	
Maximum Lot Coverage (Stand-Alone Residential)	60%	70%	50%	
SETBACKS AND BUILDING SEPARATIONS				
Maximum Front Yard Setback (From Public Right-of-way)	10 ft	5 ft	15 ft ¹	Garage front yard setback shall be a minimum of 20 ft.
Maximum Side Yard Setback				
Interior	5 ft	0 ft	5 ft	
Corner or Exterior	10 ft	10 ft	10 ft	
Minimum Rear Yard Setback				
Standard Lot	15 ft	15 ft	15 ft	
Adjacent to Alley	10 ft	10 ft	10 ft	
Minimum Building Separation Between Multiple Buildings on a Single Lot – Residential to Residential or Residential to Non-Residential				
Window to Window Walls	30 ft	25 ft	15 ft	
Window to Non-Window Walls				

DEVELOPMENT STANDARD	MIXED-USE DISTRICTS			ADDITIONAL REQUIREMENTS
	MU-N	MU-C	VS-M	
Non-Window to Non-Window Walls	25 ft 15 ft	20 ft 10 ft	10 ft 10 ft	
Minimum Building Separation Between Multiple Non-Residential Buildings on a Single Lot	-	-	-	
DWELLING UNIT SIZE AND LAND AREA				
Minimum Dwelling Unit Size	Per R-M District	Per R-H District	Per R-M District	
Maximum Dwelling Unit Size				
BUILDING HEIGHT AND STORIES				
Maximum Number of Stories	3	4	2	
Maximum Building/Structure Height	45 ft	60 ft	30 ft	
OTHER DEVELOPMENT STANDARDS				
Signs and Outdoor Displays	Chapters 17.44 and 17.45			
Off-Street Parking and Off-Street Loading	Chapters 17.48 and 17.52			
Landscaping	Chapter 17.56			

17.14.040 Mixed Use Development.

A. General Requirements.

1. Mixed-use projects shall comply with the development criteria in this Section in addition to the standards in Table 17.14.02.
2. If a proposed mixed-use development is located in an area covered by a specific plan, the development standards of the specific plan shall take precedence over the standards in this Section unless otherwise stated to the contrary.

B. Design Criteria.

1. Development within a mixed-use district. All projects shall be designed to:
 - a. Provide direct pedestrian linkages to adjacent public sidewalks and trails.
 - b. Create enhanced pedestrian connections throughout the project between residential and nonresidential uses/structures and parking areas.
 - c. Provide enhanced pedestrian amenities throughout the project, including seating, pedestrian area lighting, special paving, public art, water features, common open space, directories, and similar items to create a pleasant pedestrian experience.
 - d. Incorporate architectural design elements and materials that relate to a pedestrian scale.
 - e. Locate uses in proximity to one another without large intervening parking lots so that it is convenient for people to walk between the various uses and park their vehicles only once.

- f. Create a pedestrian scale and character of development along the street by providing significant wall articulation and varying roof heights, incorporating pedestrian-scale elements (e.g., doors, windows, lighting, landscaping), and locating storefronts and common open space areas (e.g., plaza, courtyard, outdoor dining) near the public sidewalk to contribute to an active street environment.
 - g. Provide a transition to adjacent lower-density residential uses by reducing building height and increasing building setbacks.
- 2. Consistent use of architectural details and materials. Architectural style and use of quality materials shall be compatible and consistent throughout an entire mixed-use project. However, differences in architectural details and materials may occur to differentiate between the residential and nonresidential portions of the project. The overall project design and site layout shall be one that promotes an active pedestrian environment and street frontage. This can be accomplished by incorporating the following features into the project:
 - a. Street level features. Variations in the front building plane shall be incorporated through the use of varying building setbacks, variations in wall planes, and the inclusion of pedestrian amenities (e.g., plaza, courtyard, outdoor dining, landscaping). Long expanses of blank walls shall be prohibited.
 - b. Pedestrian-oriented features. At least 75 percent of the building frontage facing a public street, primary pedestrian way, or parking lot shall be devoted to pedestrian-oriented features (e.g., storefronts, pedestrian entrances to nonresidential uses; transparent display windows; landscaping).
 - c. Upper level features. Upper floor balconies, bays, and windows shall be provided to provide architectural accent and functional balcony space.
 - d. Entrances. When nonresidential and residential uses are located in a vertical mixed-use structure, separate pedestrian entrances shall be provided for each use. The entrances for nonresidential uses shall be designed to be visually distinct from the entrances for residential uses. Entrances to individual residential units in a vertical mixed-use project shall not be allowed along a street frontage. Instead, shared entrances to residential units located above the ground floor shall be from lobbies that serve multiple units.
 - e. Neighborhood interface. The design of new infill development shall be sensitive to the scale and design characteristics of established structures in abutting residential neighborhoods, with the objective of achieving a visually distinctive transition between the new development and existing neighborhood. Consideration shall be given to factors including, but not limited to, orientation of architectural features, building articulation, and exterior building treatments.
 - f. Lighting. Lighting shall be incorporated along sidewalks or other pedestrian walkways, plazas, paseos, courtyards, and other common open areas to enhance the pedestrian environment and increase public safety.
 - g. Security. Projects shall be designed to minimize security risks to residents and to minimize the opportunities for vandalism and theft.

C. Site Layout.

- 1. Location of nonresidential uses along street frontages.

- a. For vertical mixed-use projects, only nonresidential uses shall be located on the ground floor along public/private street frontages. Residential uses may be located above the ground floor and in areas that do not have frontage on a street. Up to 20 percent of the ground floor frontage may be occupied by lobby entrances to multiple residential units and pedestrian amenities (e.g., plaza, paseo, or courtyard).
 - b. For horizontal mixed-use projects, the residential portion of the project may have frontage on a public/private street.
 - c. On corner parcels, the nonresidential space shall wrap around the corner for a distance of at least 30 feet along secondary/side streets.
 2. Primary building entrances shall be oriented to the major street on which the structure has frontage, street corner, courtyard, plaza, park, or other structures on the site, but not to interior blocks or parking lots/structures.
 3. Site planning shall integrate the street pedestrian environment with the nonresidential uses through the provision of pedestrian-oriented features (e.g., courtyard, plaza, paseo, street furniture, enhanced walkways, lighting, and landscaping).
- D. Lighting standards. Lighting for nonresidential uses shall be designed, located, and shielded to ensure that it does not impact the residential uses.
- E. Open space standards. Common and private open spaces shall be provided for projects with five units or more as follows:
1. In the MU-N district, a freestanding residential project within a horizontal mixed-use development shall provide common and private open space in compliance with standards for the R-M district. In the MU-C, district, the open space standards for the R-H district shall apply.
 2. Residential units that are part of a vertical mixed-use project (i.e., located above the ground floor and above nonresidential uses) shall provide open space as required below:
 - a. Up to 25 percent of the total open space requirement may be met by counting any private open space areas (patios and balconies) provided within the project.
 - b. The minimum area of any private open space may be in the form of patios or balconies accessible only to the abutting unit.
 - c. The minimum dimension (length and width) of eligible common open space areas shall be 20 feet. These may be located at grade or above grade and may include terraces, courtyards, rooftop gardens, or other similar areas.
 - d. Common open space areas shall include amenities for residents.
 - e. Sharing of common open space between residential and nonresidential uses may be allowed when it is clear that the open space will provide direct benefit to residents of the project and the public in general subject to the following limitations:
 - i. Up to 30 percent of the required open space for residential uses in a horizontal mixed-use project may be provided as quasi-public open space within the nonresidential component of the project.
 - ii. Up to 50 percent of the required open space for residential uses in a vertical mixed-use project may be provided as quasi-public open space within the nonresidential component of the project.

- iii. The minimum dimension (length and width) of shared common open space areas shall be 20 feet. These areas shall be located at grade and shall be accessible for use by the general public.
- iv. Quasi-public open space areas shall not include outdoor dining areas or other outdoor activity areas for exclusive use by an individual business.
- v. Quasi-public open space areas are areas located on private property and accessible to the general public. These areas shall include pedestrian oriented amenities, including enhanced seating, lighting, paving, landscaping, public art, water features, and other similar features.

F. Operational standards.

- 1. Outdoor nonresidential uses in a mixed-use project that includes residential uses shall be prohibited from operating between the hours of 10:00 p.m. and 6:00 a.m. Approval of a conditional use permit may modify these hours.
- 2. Loading and unloading activities, including refuse collection, shall not take place after 10:00 p.m. or before 7:00 a.m. on any day of the week.
- 3. Residents, whether owners or tenants, of a mixed-use development project shall be notified in writing before taking up residence that they will be living in an urban environment and that the noise levels may be higher than a typical residential area.
- 4. The location and design of recycling and refuse storage facilities shall mitigate nuisances from noise and odors when residential uses might be impacted.
- 5. Residential dwelling unit interiors and private open space areas shall be designed to be sound attenuated against present and future project noise. New vertical mixed-use projects shall provide an acoustical analysis report, by an acoustical engineer, describing the acoustical design features of the structure required to satisfy the exterior and interior noise standards.

G. Parking, loading, and circulation.

- 1. The total number of parking spaces shall comply with the requirements of Chapter 17.48. A mixed-use project may be required to submit a parking study for review and approval by the City to allow a different requirement through a conditional use permit.
- 2. Parking facilities shall be separated for nonresidential uses and residential uses, except that guest parking for the residential use may be shared with nonresidential uses.
- 3. If enclosed parking, including parking garages and structures, is provided for residential and nonresidential portions of a mixed-use project, separate areas/levels shall be provided for each use and separate entrances shall be provided unless it can be demonstrated to the satisfaction of the Community Development Director that this requirement cannot be achieved.
- 4. Loading areas for nonresidential uses shall be located as far as possible from residential units and shall be completely screened from view from the residential portion of the project and public streets. Loading areas shall be compatible in architectural design and details with the overall project. The location and design of loading areas shall mitigate nuisances from noise when residential uses might be impacted.

5. Separate site access driveways shall be provided for nonresidential and residential uses unless it can be demonstrated to the satisfaction of the Community Development Director that this requirement cannot be achieved. Site access driveways shall incorporate distinctive design elements, landscape features, and signs to help differentiate access to nonresidential parking areas from access to residential parking areas.
6. Vehicular circulation shall be designed to direct traffic away from adjacent residential streets outside the mixed-use districts to the greatest extent feasible.

H. Trash and Recycling Enclosures.

1. Trash and recycling enclosures for nonresidential uses shall be located as far as possible from residential units and shall be completely screened from view from the residential portion of the project and public streets.
2. Trash and recycling storage facilities shall be integrated into and be compatible with the architectural design and details with the overall project.
3. The location and design of trash and recycling enclosures shall mitigate nuisances from noise and odors.

17.14.050 Residential Development.

- A. Design Criteria. The overall design of the project shall be one that promotes a pedestrian-friendly environment and that is oriented towards adjacent streets while still maintaining adequate security for residents.
- B. Open Space Design Criteria. Common and private open spaces provided for projects with five or more units shall incorporate the following in the design:
 1. Up to 25 percent of the total open space requirement may be met by counting any private exterior open space areas (patios and balconies) provided within the project.
 2. The private exterior open space shall be provided in the form of patios or balconies accessible only to the abutting unit.
 3. The minimum dimension (length and width) of common open space areas shall be 20 feet. Common open space areas may be located at grade or above grade and may include terraces, courtyards, rooftop gardens, or other similar areas. General open areas that provide access to buildings (e.g., walkways), and required setback areas shall not count towards the common open space requirement unless they meet the minimum dimension and contain amenities.
 4. Common open space areas shall include amenities for residents.
- D. Security. Projects shall be designed to minimize security risks to residents and to minimize the opportunities for vandalism and theft. This may be accomplished by:
 1. Maximizing visibility to common open space areas, internal walkways, and public sidewalks. Use opportunities for natural surveillance to increase visibility.

2. Using walkways, low fences, lighting, signage, and landscaping to clearly guide people and vehicles to and from the proper entrances.
3. Eliminating areas of concealment, hiding places, and dead spaces.
4. Using lighting to improve the visibility of common areas while enhancing the pedestrian environment. Lighting should not be overly bright and should provide a uniform level of light over the subject area to eliminate dark spaces.

17.14.060 Commercial Development.

- A. General Requirements. In addition to the development standards outlined within this Chapter, stand-alone commercial development shall comply with design criteria outlined in this Section.
- B. Design Criteria. The overall design of a stand-alone commercial development shall:
 1. Provide direct pedestrian linkages to adjacent public sidewalks.
 2. Provide enhanced pedestrian amenities throughout the project, including seating, pedestrian area lighting, special paving, public art, water features, common open space, directories, and similar items to create a pleasant pedestrian experience.
 3. Incorporate architectural design elements and materials that relate to a pedestrian scale.
 4. Locate uses in proximity to one another without large intervening parking lots so that it is convenient for people to walk between the various uses and their vehicles parking only once. Parking lots shall be located to the rear of buildings.
 5. Create a pedestrian scale and character of development along the street by providing significant wall articulation and varying roof heights, incorporating pedestrian scale elements (e.g., doors, windows, lighting, landscaping), and locating storefronts and common open space areas (e.g., plaza, courtyard, outdoor dining) near the public sidewalk to contribute to an active street environment.
 6. Incorporate variations in the front street level building plane through the use of building setbacks, variations in wall planes, and the inclusion of pedestrian amenities (e.g., plaza, courtyard, outdoor dining, landscaping). Long expanses of blank walls shall be prohibited.
 7. The design of new infill development shall be sensitive to the scale and design characteristics of established structures in abutting residential neighborhoods, with the objective of achieving visually distinctive transition between the new development and existing neighborhood. Consideration shall be given to factors including, but not limited to, orientation of architectural features, building articulation, and exterior building treatments.
 8. Lighting shall be incorporated along sidewalks or other pedestrian walkways, plazas, paseos, courtyards, and other common open areas to enhance the pedestrian environment and increase public safety.
 9. Projects shall be designed to minimize security risks to residents and to minimize the opportunities for vandalism and theft by maximizing visibility to common open space areas and internal walkways and minimizing areas of concealment and dead spaces.
 10. In the case of either a new single or new multiple building development, a minimum of 50 percent of the primary public street frontage shall be occupied by building

frontages that incorporate any of the following: storefront entrances, display windows that provide views into the interior commercial space, plazas, courtyards, outdoor dining areas, or similar features. In the case of a secondary public street frontage, a minimum of 30 percent of the street frontage shall be occupied by building frontages that provide the same amenities as described above.

17.14.070 Live/Work Development.

- A. General Requirements. Live/work units are structures or spaces within structures that are used jointly for commercial and residential purposes. The development of live/work units and the reuse of existing nonresidential structures to accommodate live/work opportunities shall comply with the development standards in this Chapter and the use limitations and design criteria of this Section.
- B. Specific Requirements for Allowed Uses.
 - 1. The nonresidential component of a live/work unit shall only be a nonresidential use allowed within the applicable mixed-use district, except that certain uses are determined to be incompatible within a shared residential environment and are therefore prohibited as provided in subsection C., below.
 - 2. The residential component of a live/work unit shall only be a residential use allowed within a mixed-use district.
- C. Prohibited Uses. A live/work unit shall not be used for any of the following activities:
 - 1. Adult-oriented businesses.
 - 2. Animal care or boarding.
 - 3. Classroom instruction (e.g., art/music lessons, tutoring, and similar uses) involving five or more students at any one time.
 - 4. Commercial food preparation activities.
 - 5. Industrial uses.
 - 6. Vehicle maintenance or repair (e.g., body or mechanical work, including boats and recreational vehicles), vehicle detailing and painting, upholstery, etc.
 - 7. Storage of flammable liquids or hazardous materials beyond that normally associated with a residential use.
 - 8. Medical and dental offices, clinics, and laboratories (not including chiropractors or counselors/psychotherapists).
 - 9. Activities or uses that are incompatible with residential activities that would clearly conflict with other live/work activities or the character of the surrounding neighborhood.
 - 10. Activities or uses that would adversely affect the health or safety of live/work unit residents, because of dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or that would be hazardous because of materials, processes, products, or wastes.

D. Design Standards.

1. Each live/work unit fronting a public street shall have a pedestrian-oriented frontage that allows views into the interior of the nonresidential areas of the unit.
2. Each live/work unit shall have a clearly identified, separate access from other live/work units within the structure or development. Access to individual units shall be from common access areas, parking lots, or walkways. Access to each unit shall be clearly identified to provide for emergency services.
3. The living space within the live/work unit shall be contiguous with the working space, with direct access between the two areas.

E. Operating Standards.

1. No portion of a live/work unit shall be separately sold or rented.
2. The owner or developer of a structure containing live/work units shall provide written notice to all occupants, tenants, and users that the surrounding area may be subject to higher impacts associated with nonresidential uses (e.g., noise) than exist in more predominantly residential areas.
3. All activities related to the "work" component of a live/work unit shall be conducted within a completely enclosed building.
4. Up to two additional persons who do not reside in the live/work unit may work in the unit.
5. Client and customer visits to live/work units are allowed.
6. A live/work unit shall not be converted to either entirely residential use or entirely nonresidential use.
7. A live/work use may display a window or building-mounted sign to a maximum of four-square feet. Signs shall not be illuminated, including neon signs.