

## Chapter 14.18 Mixed Use 12 (MU12) Zoning District

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### **14.18.010 Purpose.**

The purposes of the Mixed Use 12 (MU12) zoning district are to:

- A. Provide land for neighborhood oriented retail, service, business, office, and entertainment uses in mixed use developments which complement, enhance, and support residential and other land use provisions of the Comprehensive Plan;
- B. Provide economic, employment, and housing opportunities in mixed use developments that incorporate traditional pedestrian-oriented development patterns and elements, including building location, architectural design, construction materials, and site features that are harmonious with Duvall's character;
- C. Ensure that site requirements and amenities, including vehicle, pedestrian, and bicycle circulation and parking, landscaping, sensitive areas protection, lighting, public areas, utilities, and other necessary and desirable elements are integral parts of all mixed use projects.
- D. Ensure that the commercial and residential areas are planned concurrently and are complementary to each other.
- E. Provide for the development of housing types, forms and densities that are an alternative to conventional single-family detached development patterns, provide an alternative to traditional single-family detached and attached housing, and to promote attractive, high-quality residential development by allowing a greater degree of flexibility in design, development standards and practices.
- F. Provide for the integration of new development into the existing community while protecting and preserving the character of the surrounding neighborhood.
- G. Encourage innovative neighborhood design.
- H. Ensure that the commercial and residential portions of the site develop in a coordinated manner.
- I. Provide for the coordinated development of the properties at the intersection of 3<sup>rd</sup> Avenue NE and NE 143<sup>rd</sup> Place to create a neighborhood commercial district to serve future residential development.

### **14.18.020 Permitted uses.**

Each building in the MU12 zoning district shall be limited to 45,000 square feet unless a conditional use permit in accordance with DMC 14.68 has been granted.

Allowed uses in the MU12 zoning district are:

- A. Adult family home in the portion of the project designated for residential use

- B. Animal service facilities, including veterinary clinics, grooming services
- C. Auto parts stores
- D. Civic uses such as senior and youth centers, and libraries
- E. Cultural facilities including movie or production theaters, libraries, museums, arboretums, conference centers, community centers
- F. Day care facilities, including family day care in a residential unit
- G. Dwelling units on upper floors above ground floor commercial
- H. Dwelling units, attached or detached, at a maximum of 12 units per acre for the portion of the site not containing commercial development. A minimum of 60 percent of the units in the residential portion of a mixed use development shall be attached. Densities in excess of 12 units per acre are permitted in the commercial portion of a site if they are constructed as upper story units.
- I. Eating and drinking establishments without drive-thrus, including restaurants, pubs, wine bars, bars, coffee shops, bakeries
- J. Equipment rental (e.g., recreational), no outside storage
- K. General business and professional offices, including financial institutions, offices for off-site manufacturing uses, attorney, real estate, insurance, accounting, engineering, architectural, planning, science, management, public relations
- L. Grocery stores (up to 20,000 square feet)
- M. Indoor sports facilities including bowling centers, fitness centers, sports clubs, swimming pools
- N. Lodging facilities, including hotels, motels, bed & breakfasts
- O. Medical and dental facilities, including offices/patient clinics, hospitals, nursing and personal care facilities, medical/dental labs, medical supply stores
- P. Parks, public or private
- Q. Pea patch farms
- R. Recreational trails, non-motorized
- S. Personal services, including beauty salons, barber shops, tanning salons, dry cleaning, upholstery and rug cleaning, coin operated laundries, photography studios, tax preparation, copying, printing and mailing services, travel agencies
- T. Governmental services (court, police facility, fire facility, city hall or similar local government not including public works yards or sewer treatment plants)
- U. Religious institutions (not including K-12 schools); the commercial requirement is not required for religious institutions
- V. Repair shops, including bicycles, electronics, jewelry (no heavy machinery or auto repair)
- W. Retail sales, including of apparel and accessories, home furnishings and furniture, antiques and second hand goods, sporting goods, books, stationary, videos, art and frame supplies, jewelry, hobby, toys and games, photography and electronic equipment, tobacco, wine and liquor, florists, department, drug and variety stores; fabric, appliances
- X. Senior citizen assisted living facilities
- Y. Social service facilities, including social service offices, adult and child day care, residential care facilities
- Z. Specialized schools within an enclosed building, including the teaching of art, dance, music, cooking, yoga, driving, pet obedience training, massage, religion, vocational
- AA. Specialty light industrial / manufacturing < 7,500 square feet
- BB. Wireless facilities attached to an existing building or structure, camouflaged (see DMC 14.56).

**14.18.030 Accessory uses.**

Accessory on-site uses in the MU12 zoning district are:

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- A. Antennae or satellite dish for private telecommunication services
- B. Drive thrus for banks, pharmacies, and dry cleaners, except that such use shall not be permitted between a building and street.
- C. Employee recreation facility and play area
- D. Employee daycare facility
- E. Employee café or cafeteria operated in conjunction with a principally permitted use
- F. Family day care
- G. Food and/or espresso cart as an accessory to a permitted use, must be directly affiliated with an existing use and not located in public right-of-way
- H. Home occupation/industry in a residential unit (See 14.54)
- I. Pea-patch farms,
- J. Sidewalk café (See 14.64.230)
- K. Other accessory use or structure which is subordinate and incidental to a principally permitted use, as determined by the Director.

**14.18.040 Conditional uses.**

Uses permitted in the MU12 zoning district subject to conditional use permit are:

- A. Buildings greater than 45,000 square feet
- B. Eating and drinking establishments with drive-thrus, including restaurants, coffee shops,
- C. Grocery stores up to 30,000; square feet
- D. Public or private K-12 schools
- E. Public works yard
- F. Retail sales of building, hardware and garden
- G. Specialty light industrial/manufacturing > 7,500 square feet
- H. Subregional utility
- I. Transit park and ride lot

**14.18.050 R-12 to R4-R6 Transition.**

To provide for the integration of new development into the existing community and to protect the character of surrounding R-4 and R-6 neighborhoods, new developments in the MU12 zone shall provide the following:

- A. A 25 foot building setback adjacent to developed R-4 and R-6 properties; and
- B. Access from an internal road network; and
- C. Transition of densities from existing R4 and R-6 neighborhoods.

**14.18.060 Timing of Commercial Development.**

The commercial and residential portions of a mixed use site shall be constructed concurrently unless the developer establishes a phasing plan through a development agreement as follows: construction shall commence within five years of entitlement of the residential portion and completed within ten years unless the applicant demonstrates that market conditions warrant an extended time period to ensure successful commercial development. If the commercial portion of the site is deferred, the applicant shall grade and landscape the site in accordance with the City's landscape standards.

**14.18.070 Master Development Plan.**

All development within the MU 12 zone shall be developed in accordance with a master development plan through the site plan review process established in DMC 14.08. The plan must demonstrate that the site is being developed in an integrated and cohesive manner, and include elements such as alley loaded residential units, pedestrian connections, and usable open space in the residential portion, and pedestrian scaled buildings, plazas, and outdoor seating in the commercial portion of the site.

**14.18.080 Development Standards.**

**A. General Provisions**

1. On MU12 lots, a minimum of 25 percent of the usable lot area shall be developed as ground floor commercial. The ground floor commercial shall be developed at a minimum floor area ratio of .20 based on the gross lot area of the commercial portion of a mixed use site.
2. A minimum of 50 percent of the street frontage of a mixed use site shall be dedicated to ground floor commercial uses.

**Table 14.18.080.A Minimum Lot Area and Site Requirements.**

Minimum density	8 units per gross usable acre for the non-commercial portion of the property
Maximum density	12 units per gross usable acre for the non-commercial portion of the property
Unit Type Requirement	A minimum of 20% of the non-commercial portion of the property shall be attached residential units
Minimum lot area in square feet	2,500 square feet commercial; 0 for Multi-family units; 2,500 square feet average for detached units
Minimum street setback	10 feet for residential portion of property <sup>(1)(5)</sup> 0-20 feet for commercial portion of property (see DMC 14.34, Design Guidelines)
Minimum interior setback	0/5 feet if attached; 5/5 feet if detached; see 14.38 for landscape perimeter requirements <sup>(5)</sup>
Rear yard setback (Residential)	15 feet <sup>(5)(6)</sup>
Minimum setback between residential and commercial portion of site	10 feet
MU12 to R4-R6 Transition building setback	25 feet <sup>(2)(5)</sup>
Minimum lot width	– 20 feet for attached units and 30 feet for detached units
Maximum impervious surface	75% for residential area <sup>(7)</sup> ; 85% for commercial area <sup>(7)</sup>
Maximum impervious coverage – Binding Site Plan <sup>(*)</sup>	75% for residential area; 85% for commercial area
Maximum building coverage	60% for residential area
Maximum height	35 feet for residential <sup>(3)(4)</sup> 45 feet for commercial, retail and upper story residential <sup>(3)(4)</sup>

- (1) Porches on non-habitable entry features may project up to 2 feet into the required front yard setback. This provision provides incentives for porches without taking up building envelope space for the dwelling unit.
- (2) See DMC 14.18.050
- (3) Three floors allowed
- (4) See DMC 14.64
- (5) Projects using the binding site plan process for residential units shall meet the same setbacks.
- (6) Rear yard setback does not apply to alley loaded lots.
- (7) Maximum impervious surface (Gross area minus sensitive areas)
- (\*) Subtract right-of-way and sensitive areas. Example: 100,000 square feet – 20,000 square feet of ROW = 80,000 square feet X 75% = 60,000 square feet of impervious coverage allowed.

**B. See additional development standards in accordance with DMC Chapter 14.**