

Whitewater/Mesa County Mixed Use Zoning District

1. Purpose. The purpose of the Whitewater Mixed Use District (MU) is to encourage the development of a mix of commercial and residential uses within the Whitewater Community Plan Boundary. The Mixed Use District accommodates mixed use buildings with local retail, service and other uses on the ground floor and residential uses in the upper stories. The Mixed Use District also permits a mix of residential and retail/service uses in close proximity to each other. Within Mesa County, the Mixed Use District also promotes the health and well being of residents by ensuring availability of adequate and concurrent urban infrastructure, utilities, and services while encouraging physical activity, alternative transportation, and greater social interaction. The Mixed Use District implements the MUC and MUR in the Whitewater Area Plan.

The design of a mixed use development shall conform to the Mesa County Design Standards adopted as Appendix D in the Land Development Code 2000, as amended. In general, these standards require compact development built at a neighborhood scale. Rather than designing structured specifically for individual tenants, buildings within the mixed use district should be designed to function over the life of multiple tenants in a manner similar to a main street or community core. In the review of mixed use districts, the County shall consider the following:

- ability of the residential development to provide for a variety of housing types;
- inclusion of mixed use buildings with non-residential uses on the ground floor and residential units on the second floor;
- ability of the commercial development, either as proposed or in conjunction with surrounding development, to serve daily or frequent needs of the surrounding neighborhood;
- creation within the overall mixed use area of the Whitewater Plan area of a commercial core with supporting nodes supported by an adequate supply of residential development;
- provision of a variety of building sizes compatible with character of mixed use district and the potential for the long-term function of those buildings;
- encouraging an orderly, phased pattern of development supported by adequate public facilities; and
- specific issues of the functioning of the development, including access, parking, drainage, landscaping, and design.

2. Description. The application of the Mixed Use District is grouped based on the predominant use of the proposed development. Two districts are available as Mixed Use, either Mixed Use Residential (MUR) or Mixed Use Commercial (MUC). In a Mixed Use Residential district, between 60 and 75 percent of the uses in the district are residential. In a Mixed Use

Commercial district, between 60 and 75 percent of the uses in the district are commercial. Minimum lot sizes are established by use category and a mix of lot sizes and uses is encouraged. The goal of this approach is to permit buildings and uses for all property owners without mandating a specific mix, while recognizing that each lot must fit into the overall whole of the development pattern.

3. **Uses.** Permitted uses are divided based on the type of district, either Mixed Use Residential or Mixed Use Commercial.

Table 1 Mixed Use District Permitted Uses

Use Category	Specific Use Type	MUR	MUC
A = Allowed Use C = Conditional Use			
Household Living	Business Residence (live/work space)	A	A
	Rooming/Boarding House	C	C
	Single Family Attached	A	A
	Single Family Detached	A	A
	Accessory Dwelling Unit	A	A
	Duplex	A	A
	Multifamily	A	A
	Agricultural Labor Housing		
	Townhouse/Rowhouse	A	A
	Manufactured Housing Park		
	All Other Household Living	C	C
Group Living	Assisted Living Facility	C	C
	Treatment Facility		C
	Small Group Living Facility	C	C
	Large Group Living Facility	C	C
Institutional and Civic (see Section 12.4)			
Colleges and Vocational Schools	Colleges and Universities		A
	Vocational/Technical/Trade Schools		A
	All Other Educational Institutions		C
Community Service	Community Activity Building	A	A
	All Other Community Service	C	C
Cultural	Museums, Art Galleries, Opera Houses, Libraries	A	A
Day Care	Home-based Day Care	C	C
	Limited Day Care	C	C
	General Day Care	C	C
Detention Facilities	Jails, Honor Camps, Reformatories		
	Law Enforcement Rehabilitation Centers		
Hospital/Clinic	Medical and Dental Clinics	C	A
	Counseling Centers (non-residential)	C	A
	Hospital/Mental Hospital	C	C
	Physical and Mental Rehabilitation (residential)		C
	All Other		C
Parks and Open Space	Cemetery		C
	Golf Course	A	A

Use Category	Specific Use Type	MUR	MUC
A = Allowed Use C = Conditional Use			
	Campground, Primitive		
	Golf Driving Ranges	C	C
	Parks/Lakes/Reservoirs	A	A
	All Other	C	C
Religious Assembly	All	A	A
Safety Services	All	C	A
Schools	Boarding School	C	C
	Elementary Schools	A	A
	Secondary Schools	A	A
Utility, Basic	Utility Service Facilities	A	A
	All Other Utility, Basic	C	A
Utility Corridors	Transmission Lines (above ground)	C	C
	Transmission Lines (under ground)	A	A
	Utility Treatment, Production or Service Facility	C	C
	All Other	C	C
Commercial (See Section 12.5)			
Entertainment Event, Major	Indoor Facilities		C
	Outdoor Facilities		C
Lodging	Hotels and Motels	C	A
	Bed and Breakfast (1-3 guest rooms)	A	A
	Bed and Breakfast (4-5 guest rooms)	A	A
Offices	General Offices	A	A
	Office with Drive-Through	C	A
Parking, Commercial		A	A
Recreation and Entertainment, Outdoor	Campgrounds and Camps (non-primitive)		C
	Resort Cabins and Lodges	A	A
	Swimming Pools, Community	A	A
	Shooting Ranges (indoor)		C
	Amusement Park		C
	Drive-In Theater		C
	Miniature Golf		A
	Riding Academy, Roping, or Equestrian Area		
	Zoo		C
	All Other Outdoor Recreation	C	C
Retail Sales and Service	Adult Entertainment		
	Alcohol Sales, retail	A	A
	Alcohol Sales, by the drink	A	A
	Animal Care/Boarding/Sales, Indoor		A
	Animal Care/Boarding/Sales, Outdoor		
	Contractors and Trade Shops, Indoor operations and storage		C
	Contractors and Trade Shops, Indoor operations and outdoor storage		

Use Category	Specific Use Type	MUR	MUC
A = Allowed Use C = Conditional Use			
	(including heavy vehicles)		
	Contractors and Trade Shops, outdoor storage and operations		
	Delivery and Dispatch Services (vehicles on site)		C
	Drive-through uses		C
	Food Service, Catering	C	A
	Food Service, Restaurant (including alcohol sales)	A	A
	Food Service, Restaurant with Drive-Through	C	C
	Farm Implement/Equipment Sales/Service		
	Farmer's Market	C	C
	Flea Market		A
	Feed Store		
	Fuel sales, automotive/ appliance	C	A
	Fuel sales, heavy vehicle		C
	General Retail Sales, Indoor operations, display and storage	A	A
	General Retail Sales, outdoor operations, display and storage		C
	Landscaping materials sale		A
	Manufactured Building Sales, Service, and Storage		C
	Rental Service, Indoor display/ storage	C	A
	Rental Service, outdoor display/ storage		C
	Repair, small appliance	C	A
	Repair, large appliance		A
	Personal Services	A	A
	All Other Retail Sales and Services	C	C
Self-Service Storage	Mini-Warehouse		
Vehicle Repair	Auto and Light Truck Mechanical Repair		C
	Body Shop		C
	Truck Stop/Travel Plaza		
	Tire Recapping and Storage		
	All Other Vehicle Repair	C	C
Vehicle Service, Limited	Car Wash	C	A
	Gasoline Service Station	A	A
	Quick Lubrication	A	A
	All Other Vehicle Service	C	C
Industrial (see Section 12.6)			
Manufacturing and Production, Junk Yard	Indoor Operations and Storage		
	Assembly	C See 5.3.____	C See 5.3.____
	Food Products		

Use Category	Specific Use Type	MUR	MUC
A = Allowed Use C = Conditional Use			
	Manufacturing/Processing	C See 5.3.____	C See 5.3.____
	Indoor Operations with Outdoor Storage		
	Assembly		
	Food Products		
	Manufacturing/Processing		
	Outdoor Operations and Storage		
	Assembly		
	Food Products		
	Manufacturing/Processing		
	All Other Industrial Service		
	Junk Yard		
Warehouse and Freight Movement	Indoor Operations Storage and Loading		
	Indoor Storage w/Outdoor Loading Docks		
	Outdoor Storage or Loading		
	Gas or Petroleum Storage		
	Sand or Gravel Storage		
	All Other		
Waste-Related Use	Non-hazardous Waste Transfer		
	Medical/Hazardous Waste Transfer Station		
	Solid Waste Disposal Sites		
	Recycling Collection		A
	All Other Waste-Related		
Wholesale Sales	Wholesale Business (No Highly Flammable Materials/Liquids)		
	Agricultural Products		
	All Other Wholesale Uses		
Other (see Section 12.7)			
Agricultural	Animal Confinement		
	Dairy		
	Confined Animal Feeding Operation, Feedlot		
	Forestry, Commercial		
	Pasture		
	Winery	C	A
	All Other Agriculture		
Aviation or Surface Passenger Terminal	Airports/Heliports		
	Bus/Commuter Stops	A	A
	Bus/Railroad Depot		
	Helipads		
	All Other Aviation or Surface Passenger Terminal		
Mining	Oil or Gas Drilling		
	Sand or Gravel Extraction or Processing		

Use Category	Specific Use Type	MUR	MUC
A = Allowed Use C = Conditional Use			
	All Other Mining		
Telecom. Facilities	Telecommunication Support Structures	C	C
	Telecommunications Facilities	C	C

4. Required Mix Of Uses.

A. Mix of Uses. In the Mixed Use District, a mix of uses – either within a single building or on a development site – shall be provided unless it can be demonstrated that adjacent properties provide or will provide a complimentary diversity of uses. The uses of adjacent properties can be established through one of the following: (1) existing uses, (2) approved site plan for development, or (3) approved Comprehensive or Area Plan.

B. Residential. Residential uses are encouraged in the development, but are not permitted on the ground floor of mixed use structure.

5. Layout, Dimensions and Size Requirements.

A. Minimum Lot Size. The minimum lot size of uses shall be as follows:

Use	Minimum Lot Size Mixed Use	Minimum Lot Size Traditional Use
Detached Single Family	4,000 sf	4,000 sf
Duplex	4,000 sf	4,000 sf
Attached Single Family	2,000 sf	2,000 sf
Commercial up to 10,000 sf	5,000 sf	8,000 sf
Commercial up to 25,000 sf	12,500 sf	20,000 sf
Commercial up to 50,000 sf	25,000 sf	40,000 sf
	note: maximum FAR 2.0	note: maximum FAR 1.25

B. Floor to Floor Heights and Floor Area of Ground Floor Space.

1. All commercial floor space provided on a ground floor of a mixed-use building must have a minimum floor-to-ceiling height of 11 feet.

2. All commercial floor space provided on the ground floor of a mixed-use building must contain the following minimum floor area:

(a) At least 800 sq. ft. or 25% of the buildable lot area, whichever is greater, on lots with street frontage of less than 50 feet; or

(b) At least 20% of the buildable lot area on lots with 50 feet or more of street frontage.

D. Setbacks.

1. Front and Side Street. Where possible, and in keeping with sight line requirements, the entire building façade shall abut front and side street property lines or be located within 15 feet of such property lines. Exceptions may be made for corner lots or commercial structures where outdoor seating may be provided.
2. Rear. Where there is an alley, street, or public right of way behind the building, no rear setback is required. Where the MU district abuts a residential use or district, the rear setback shall be 20 feet.
3. Interior Side. No interior side setbacks are required in the MU district unless the interior side abuts a residential use or district. Where an MU district does abut a residential use or district, the MU interior setback shall be identical to that of the residential district.

E. Building Height. The maximum building height shall be 38 feet for mixed use buildings and 35 feet for all other buildings.

6. Parking.

A. On Street. On-street parking within three hundred feet of the proposed use may be counted to meet the parking requirements for non-residential uses. Assignment of on-street parking shall be allocated at the time of site plan approval. On street parking shall not be allocated to more than one use.

B. Off Street.

1. No off-street parking shall be required for nonresidential uses in the MX district unless such uses exceed 2,500 square feet of gross floor area, in which case off street parking must be provided for the floor area in excess of 2,500 square feet.
2. Off street parking shall be provided as described in Section 7.1: Off-Street Parking.