

Chapter 19.120**MIXED-USE ZONES (MU-N, MU-V, MU-U)**

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19.120.010 Purpose.**A. General**

The mixed-use zones are established with the following intents and purposes:

1. To encourage a mixture of compatible and synergistic land uses, such as residential with compatible non-residential uses including office, retail, personal services, public spaces and other community amenities. These uses are allowed as either:
 - a. singular, stand-alone uses that contribute to a mixture of uses within the zone; or
 - b. combined uses in one project as a mixed-use development.
2. To strengthen the interaction between residential, commercial and employment uses in order to reduce dependency on automobiles, improve air quality, decrease urban sprawl, facilitate use of transit and encourage conservation of land resources.
3. To provide opportunities for transit-oriented development.
4. To revitalize deteriorating commercial areas by integrating residential uses and public institutions into the commercial fabric to create an active street life and enhance the vitality of businesses.
5. To provide alternatives to new development of small shopping centers.
6. To foster pedestrian-oriented activity nodes by providing a mix of uses in compact, walkable areas.
7. To increase the area available for residential development and provide alternative types of housing.
8. To provide appropriate locations for a broad range of live/work activities to occur.

9. To encourage medium- and high-density residential development to occur in close proximity to employment and services.
10. To allow for a greater variety of land uses and structures, including adaptive reuse of existing structures and flexibility in site planning.

B. Zones Established

Three mixed-use zones are established to provide development opportunities for integrated, complementary residential and commercial development on the same parcel or a contiguous group of parcels. Singular, stand-alone uses are permitted when they foster an overall mixture of uses in the zone. A wide range of uses is permitted, and it is the intent of these zones to foster a mixture of product types. Development solely as commercial or residential districts is strongly discouraged. Design and development standards for all three zones are directed toward encouraging pedestrian activity and ensuring that mixed commercial and residential uses are designed to be compatible both within the development and with other surrounding areas.

1. Mixed Use - Neighborhood (MU-N)

The MU-N Zone provides opportunities for primarily neighborhood-serving commercial uses with limited, low-intensity residential uses in a mixed-use environment. It is intended to preserve the existing housing stock and residential character of neighborhoods, while allowing for development of new housing opportunities and encouraging pedestrian-oriented retail and service uses. The focus of the development and design standards is on ensuring that new and infill development are distributed and designed in a manner sensitive in scale and design to the street environment and adjacent single-family residential areas.

2. Mixed Use - Village (MU-V)

The MU-V Zone provides for medium to high-density residential development with retail, office and service uses primarily at the street level to facilitate a pedestrian environment. It is intended to encourage new housing opportunities, such as live/work units and residential over retail, that are nearby to commercial services. Plazas, courtyards, outdoor dining, transit stops and other public gathering spaces and community amenities, such as art in public spaces, are strongly encouraged. The focus of the development and design standards is on landscaping and buffering techniques to provide transitions from developed commercial areas to lower density residential neighborhoods.

3. Mixed Use - Urban (MU-U)

The MU-U Zone provides opportunities for primarily high-density residential development with commercial, office, institutional, and business uses emphasizing retail, entertainment and student-oriented activities. Such development is intended to facilitate the grouping of innovative housing options with employment uses, entertainment activities, and public gathering spaces, transit stations and other community amenities, such as art in public spaces. The focus of the development and design standards is on ensuring that large-

scale mixed-use projects are functionally integrated through the relationships between location and types of uses and structures, the efficient use of land, optimal site planning and design elements. (Ord. 6966 §1, 2007)

19.120.015 Design Review Required.

No new building, structure, outdoor dining area or sign exterior alteration or enlargement of an existing building, structure, outdoor dining area or sign shall be commenced in any mixed-use zone until Design Review approval has been granted pursuant to Chapter 19.710 (Design Review). (Ord. 6966 §1, 2007)

19.120.020 Permitted Land Uses.

Table 19.150.020 A (Permitted Uses Table), Table 19.150.020 B (Incidental Uses Table and Table 19.150.020 C (Temporary Uses Table) in Chapter 19.150 (Base Zones Permitted Land Uses) identify permitted uses, permitted accessory uses, permitted temporary uses, and uses permitted subject to the approval of a minor conditional use permit (Chapter 19.730 – Minor Conditional Use Permit), uses requiring approval of a conditional use permit (Chapter 19.760 – Conditional Use Permit), or uses requiring some other permit. Table 19.150.020 A also identifies those uses that are specifically prohibited. Uses not listed in the Tables are prohibited unless the Zoning Administrator, pursuant to Chapter 19.060 (Interpretation of Code), determines that the use is similar to and no more detrimental than a listed permitted or conditional use. Any use which is prohibited by state and/or federal law is also strictly prohibited. (Ord 7064 §3, 2010)

19.120.030 Site Plan Review Permit and Required Findings.

A. New development in the Mixed Use - Village (MU-V) and Mixed Use - Urban (MU-U)

Zones is subject to a Site Plan Review Permit in accordance with Chapter 19.770 (Site Plan Review Permit) of the Zoning Code. Prior to submittal of a Site Plan Review Permit application, a pre-application conference with the Planning Division staff is encouraged.

B. The Planning Commission may approve a Site Plan Review Permit for new development in the MU-V and MU-U Zones upon making the following findings:

1. The proposed development is consistent with the General Plan, any applicable specific plans and the intent and purpose of the mixed-use zones (Section 19.120.010 - Purpose).
2. The proposed development, as conditioned, will not have substantial adverse effects on the surrounding property or uses, and will be compatible with the existing and planned land use character of the surrounding area.
3. The proposed development is appropriate for the site and location by fostering a mixture and variety of land uses within the zone and the general vicinity and contributing to a synergistic relationship between uses. (Note: Mixed-use zones that develop solely as commercial or residential uses do not meet the intent or purpose of their establishment at designated locations throughout the City.)
4. The proposed development is harmonious with its surrounding environment. Buildings within a mixed-use development project must also be compatible with each other and be designed as an integrated, unified project. All proposed

development must meet the design standards and guidelines in Section 19.120.070 (Design Standards and Guidelines). (Ord. 6966 §1, 2007)

19.120.040 Phasing.

- A. For any mixed-use development that is proposed to be constructed in phases, the applicant shall submit a development phasing plan, to be reviewed in conjunction with the Site Plan Review Permit where required, that specifies the chronology of development, including structures, public facilities and infrastructure. The project shall be phased so that supporting public facilities and infrastructure are provided concurrent with their need and are completed before the occupancy of structures. Project phasing may be reviewed independently subsequent to initial approval of the Site Plan Review Permit.
- B. If the initial phase of development does not include a mix of uses, the conditions may be applied to the development phasing plan so that a mix of component uses is provided before the completion of the project. (Ord. 6966 §1, 2007)

19.120.050 Use Regulations.

- A. Table 19.150.020 (Mixed-Use Zones Development Standards) identifies the permitted uses in the MU-N, MU-V and MU-U Zones as singular, stand-alone uses or combined uses in a mixed-use development, provided such uses are consistent with the objectives and policies of the General Plan and adhere to the definitions, development and design standards set forth herein.
- B. Certain uses, although permitted, may be inappropriate at specific sites in order to meet the intent of the zone. The Site Plan Review process is used to determine whether a proposed use is appropriate at a specific location in any MU-V or MU-U zones.
- C. Certain uses may be subject to special conditions regarding the location, operation or design of the use. References to these provisions are made in Table 19.150.020 (Mixed-Use Zones Development Standards).
- D. When a use is not specifically listed in Table 19.150.020 (Mixed-Use Zones Development Standards), the Zoning Administrator, pursuant to the provisions in Chapter 19.060 (Interpretation of Code), shall have the authority to determine whether the proposed use is permitted based on the finding that the use is similar to and no more detrimental than those permitted in the zone. Uses not listed, or otherwise determined by the Zoning Administrator to be permitted, are prohibited. (Ord. 6966 §1, 2007)

19.120.060 Development Standards.

- A. General

Table 19.120.050 (Mixed-Use Zones Development Standards) identifies the development standards applicable to all development in the mixed-use zones. Certain development standards may be subject to special conditions. These standards are provided here or as otherwise referenced. Under Site Plan Review, more restrictive development standards may be applied by the Planning Commission. (Ord. 6966 §1, 2007)

Table 19.120.050

Mixed-Use Zones Development Standards

Development Standards	Zones			Notes, Exceptions & Special Provisions
	MU-N	MU-V	MU-U	
Lot Area - Minimum	7,000 sq. ft	20,000 sq. ft	20,000 sq. ft	
Lot Depth - Minimum	100 ft.	100 ft.	100 ft.	
Lot Width - Minimum	60 ft.	75 ft.	80 ft.	
Front Yard Setback - Minimum	15 ft.	0 ft.	0 ft.	See Note 1
Side Yard Setback - Minimum	0 ft.	0 ft.	0 ft.	See Note 2
Rear Yard Setback Minimum	15 ft.	15 ft.	15 ft.	See Note 3
Building Height - Maximum	35 ft.	45 ft.	60 ft.	See Note 4
Front Building Facade Length - Maximum	60 ft.	125 ft.	125 ft.	
FAR - Maximum	1.0	2.5	4.0	See Note 5
Residential Density - Maximum	10 du/ac	30 du/ac	40 du/ac	See Note 6
Open Space Requirements - Stand Alone	See Note	See Note	See Note	See Table 19.100.060 (Additional Requirements for the R-3 and R-4 Zones)
Open Space Requirements - Mixed Use Development				
A. Minimum Private Open Space	50 sq. ft./du	50 sq. ft./du	50 sq. ft./du for at least 50% of the units	See Note 7
B. Minimum Common Open Space	50 sq. ft./du	50 sq. ft./du	50 sq. ft./du	See Note 8

Table 19.120.050**Notes, Exceptions and Special Provisions**

1. Additional setback may be required depending on existing street frontage.
2. The minimum side yard setback in the MU-N Zone shall be 10 feet when adjacent to a residential zone. The minimum side yard setback in the MU-V and MU-U Zones shall be 15 feet when adjacent to a residential zone, or if the project contains a residential component.
3. The minimum rear yard setback for any mixed-use zone shall be 25 feet when adjacent to a residential zone or if the project contains a residential component. Where a development abuts an alley to the rear, the rear setback shall be measured from the centerline of the alley.
4. The maximum building height in the MU-N Zone shall be 35 feet, or 2 stories, whichever is less.
5. The maximum floor-area ratio (FAR) applies to all development on the site, excluding parking structures.
6. Higher residential densities are permissible for projects in the MU-V and MU-U Zones that have the potential to serve as transit-oriented developments. Proposed projects within one-half of a mile of: (1) a transit stop along Magnolia or University Avenues or (2) any transit station may have a residential density of up to 40 dwelling units per acre in the MU-V Zone with a maximum total permissible FAR of 2.5 and up to 60 dwelling units per acre in the MU-U Zone with a maximum total permissible FAR of 4.0. This provision is permissible, not mandatory, and subject to discretion as part of the Site Plan Review process.
7. Private useable open space shall have a minimum dimension on any side of 5 feet. Private useable open space can also be met through equivalent design features as approved by the Planning Commission.
8. Common useable open space may be divided into more than one area; however, each area shall be a minimum of 625 square feet, with no dimension on any side of less than 25 feet.
9. Acronyms used in Table 19.120.050 (Mixed-Use Zones Development Standards) are as follows:
 - sq. ft. = square feet
 - du = dwelling unit
 - ac = acre
 - ft = feet

B. Parking Requirements

1. Parking for uses in the mixed-use zones shall be provided as required in Chapter 19.580 (Parking and Loading). A reduction in the number of required parking spaces may be permitted for mixed-use development and/or stand-alone uses in mixed-use zones subject to the approval of a shared parking arrangement.
2. Parking spaces shall be specifically designated for non-residential and residential uses by the use of posting, pavement markings and/or physical separation. There should be separate entrances and exits, or a designated lane for residents in order to minimize waiting times for residents.
3. Parking structures shall be architecturally integrated with the project design and their visual impact minimized through proper siting and design. Parking structures shall include architectural detailing, façade treatment, artwork, landscaping or similar features to enhance the street façade.

4. Shared driveways and parking arrangements between commercial uses are strongly encouraged.
5. Parking between the sidewalk and buildings shall be prohibited.

C. Special Provisions for Live/Work Units

1. The following provisions apply to live/work units:

- a. Floor area requirements

The minimum floor area of a live/work unit shall be 750-square-feet.

- b. Access to units

Access to individual units shall be from common access areas, corridors or hallways.

- c. Internal layout

All living space within the live/work unit shall be contiguous with, and an integral part of, the working space, with direct access between the two areas.

- d. Occupancy and employees

At least one of the full-time workers of the live/work unit shall reside in the unit. The residential area shall not be rented separately from the working space. The business activity occupying the live/work unit may utilize employees in addition to residents as necessary.

- e. Retail sales

Retail space may be integrated with working space.

- f. Business Tax Certificate

A business tax certificate shall be obtained in compliance with the Municipal Code, Title 5, for business activities conducted within the live/work unit. (Ord. 6966 §1, 2007)

19.120.070 Design Standards and Guidelines.

The purpose of this Section is to facilitate high quality development within mixed-use zones. Innovative project design, particularly involving infill development and reuse of existing structures, is required. These standards and guidelines address site planning and building design, and are in addition to the development standards in Section 19.120.060 (Development Standards) of this Chapter, and the Citywide Design Guidelines.

A. Setbacks

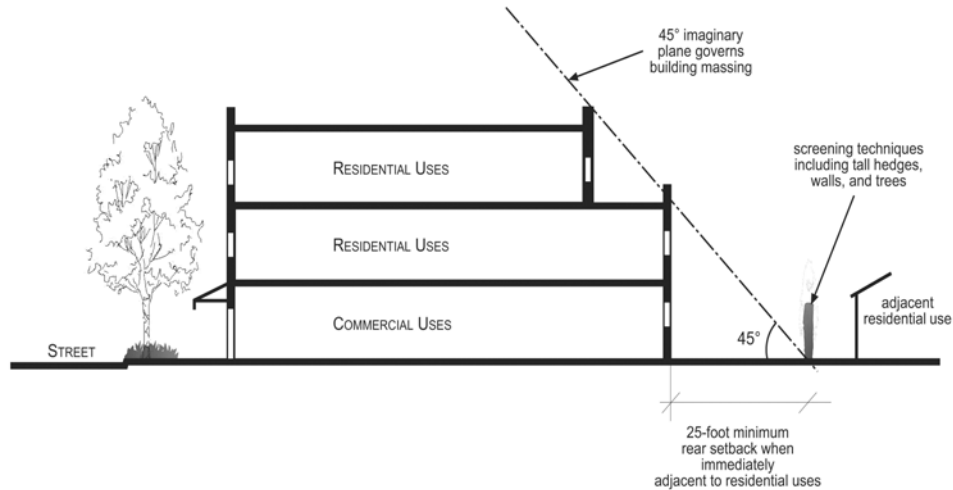
1. The front setback area shall include landscaping and/or a hard-surface expansion of the sidewalk. Walkway connections to building entrances shall include special paving treatment or materials. The use of awnings, canopies and arcades shall be provided as appropriate to provide visual interest and shade.
2. In pedestrian areas along street frontages in the MU-U Zone, where there is no front building setback (0-foot setback), a portion of the front building elevation may be set back to allow for outdoor use, such as outdoor patio dining, display, public art, entry forecourts, or other amenity appropriate to an urban development.

B. Building Siting, Orientation and Entrances

1. Buildings should be sited to avoid random and irregular building relationships, and shall be arranged to create a sense of unity and overall harmony. To the maximum extent possible, new structures shall be clustered to create plazas and pedestrian malls and avoid the creation of “barrack-like” rows of structures. Where clustering is impractical, a visual link between separate structures should be established. This link can be accomplished through the use of an arcade system, trellis or other open structure (See Figure 19.120.070 I - Open Space).
2. The main entrance or entrances shall be oriented to the street or major plazas or open space. Main entries to buildings should be clearly demarcated, visible and accessible from the street and/or pedestrian walkways. Secondary entries may be from parking areas.
3. Commercial facilities in mixed-use projects should be oriented to the street, with parking generally located in the rear or side of buildings. The perimeter of parking areas and driveways adjacent to streets and sidewalks shall be screened with an attractive low wall, berm, fence or landscaping.

C. Scale and Mass

1. The scale and mass of a new mixed-use development should be consistent with neighboring developments and not overwhelm them with disproportionate size or incompatible design. Buildings shall step down to lower-profile buildings on adjacent properties.
2. At residential edges, buildings should maintain low profiles to provide a transition between urban and residential areas (Figure 19.120.070 C – Scale and Mass). Taller elements of the building shall increasingly step back from adjacent single-family residential zones. No portion of the building, excluding parapets, shall be above an imaginary plane drawn at the rear property line, that is adjacent to a residential zone, and extended at an angle of 45 degrees toward the center of the property.



Setbacks and massing for buildings adjacent to residential uses.

Figure 19.120.070 C
Scale and Mass

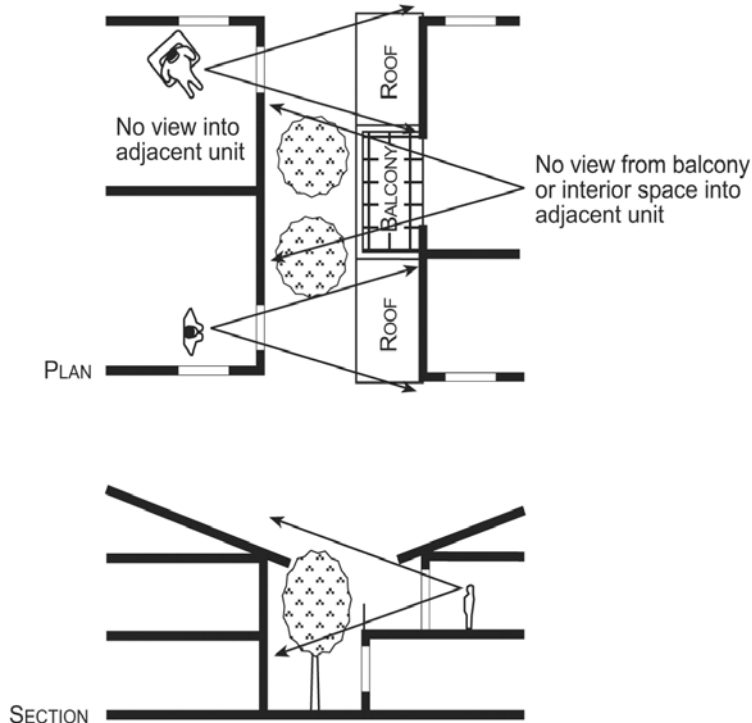
D. Building Modulation and Articulation

1. Building design shall avoid large monotonous facades, long straight-line building fronts, plain box shapes, and barren exterior treatment. All building elevations visible from a public way, including freeways, shall be highly articulated and incorporate the chosen design theme in a consistent manner.
2. Commercial facades of mixed-use projects should be modulated at least every 50 feet by changes in building mass or facade treatment, such as projected entrance windows, roof form or other architectural features.
3. Building facades shall be designed so as to give individual identity to each vertical module of residential units, using techniques such as providing a deep notch between the modules; varying architectural elements between units (e.g., window color, roof shape, window shape, stoop detail, railing type); providing porches and balconies; varying color or materials of each individual module within a harmonious palette of colors and materials, etc.

E. Privacy for Residential Units

1. Buildings shall be oriented to promote privacy to the greatest extent possible. In mixed-use projects, residential windows should face away from loading areas and docks. To the extent residential windows face the windows of an adjacent unit, the windows should be offset to maximize privacy.
2. Windows, balconies or similar openings should be oriented so as not to have a direct line-of-sight into adjacent units within the development (Figure 19.120.070 E - Privacy for Residential Units). In addition, units above the first story should be designed so that they do not look directly onto private patios or backyards of adjoining residential property or units.

3. Landscaping may be used to aid in privacy screening and as a buffer from commercial development.



Plant appropriate trees and offset windows and balconies (or patios) to maintain privacy between residential units.

Figure 19.120.070 E
Privacy for Residential Units

F. Vehicle Circulation and Access

1. Site access and internal circulation shall promote safety, efficiency and convenience. Vehicular traffic shall be adequately separated from pedestrian circulation. Vehicular entrances shall be clearly identified and easily accessible to minimize pedestrian/vehicle conflict.
2. The number of site access points or driveway aprons shall be minimized for aesthetic purposes, to achieve efficient and productive use of paved access ways and to eliminate traffic and pedestrian hazards. They should be located as far as possible from street intersections, and should be coordinated with existing or planned median openings and driveways on the opposite side of the roadway. Common driveways that provide vehicular access to more than one site are encouraged.

G. Pedestrian Circulation

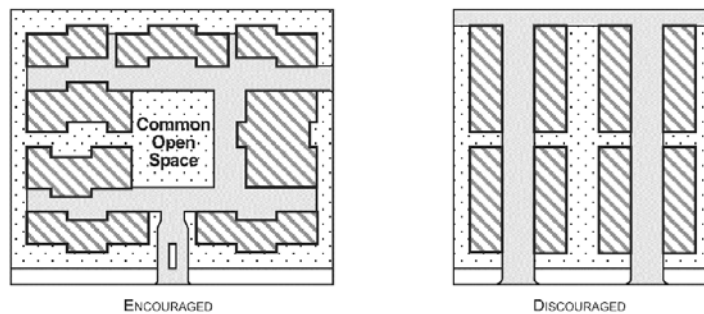
1. All new uses shall be oriented and designed to enhance pedestrian movement to and between adjacent uses.
2. New development shall include pedestrian walkways, that shall be separated from vehicular traffic to the extent possible. Pedestrian entrances and walkways shall be clearly identified and easily accessible to minimize pedestrian/vehicle conflict.
3. Pedestrian walkways shall link dwelling units with commercial facilities in the project, common open space, plazas and courtyards, parking areas and public sidewalks.
4. Decorative paving or some other method shall be used to delineate crossings at circulation drives and parking aisles.

H. Plazas and Courtyards

New development shall incorporate outdoor plazas and courtyards into their design. Buildings may be clustered to create usable pedestrian areas.

I. Open Space

1. Common open space areas shall be convenient to the majority of dwellings, and shall contain amenities appropriate to the project's size (Figure 19.120.070 I - Open Space).
2. Private useable open space shall be contiguous to the unit served and screened from public view for privacy. All balconies and patios that front a public street shall be substantially enclosed for screening and privacy.



Orient buildings to create useable open space in a convenient location.

Figure 19.120.070 I
Open Space

3. In the MU-V and MU-U Zones, rooftop open space may be used as common useable open space or private useable open space, when directly accessible to the unit(s) it serves.
- J. Outdoor Display and Storage

Commercial outdoor display and storage shall not be permitted except as specified in Chapters 19.500 (Outdoor Display of Incidental Plant Materials), 19.505 (Outdoor Display and Sales) and 19.510 (Outdoor Storage).

K. Trash Receptacles and Enclosures

1. The residential units shall maintain a trash storage container area that is separate from that used by the commercial uses. It shall be clearly marked for residential use only.
2. All trash storage areas for commercial uses shall be located so as to be convenient to the commercial users and where associated odors and noise will not adversely impact the residential uses.
3. The provisions of Chapter 19.554 (Trash/Recyclable Materials Collection Area Enclosures) regarding requirements for the screening of trash receptacles shall apply.

L. Mechanical Equipment Screening

The provisions of Chapter 19.555 (Outdoor Equipment Screening) regarding required screening of mechanical equipment shall apply. (Ord. 6966 §1, 2007)

19.120.080 Performance Standards.

The purpose of this Section is to ensure that residential uses in mixed-use zones are not adversely impacted by adjacent commercial uses, including but not limited to traffic, noise, light and safety impacts. In the interests of both the residents and the businesses, no Site Plan Review Permit shall be approved for a project unless the project is designed to meet the following performance standards, in addition to performance standards set forth in Chapter 19.590 (Performance Standards).

A. Noise

1. Residential units shall be constructed and designed to meet the performance standards in Title 7 (Noise Control) and Title 16 (Buildings and Construction). Proper design may include, but shall not be limited to, building orientation, double windows, wall and ceiling insulation and orientation of vents.
2. Commercial uses shall be designed and operated, and hours of operation limited where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic, routine deliveries or late-night activity. No amplified sound, including music, shall be audible to neighboring residents.
3. Common walls between residential and non-residential uses shall be constructed to minimize the transmission of noise and vibration.

B. Security

1. The residential units shall be designed to ensure the security of residents through the provision of separate and secured entrances and exits that are directly accessible to secured parking areas. Where residential units are in the same structure as a commercial use, access to residential units shall be from a secured area located on the first floor at the ground level.
2. Nonresidential and residential uses located on the same floor shall not have common entrance hallways or common balconies.
3. Any multi-family residential development or group home shall participate in the City's Crime Free Multi-Housing Program, or successor equivalent program.

C. Light and Glare

1. All outdoor lighting associated with commercial uses adjacent to or within the immediate vicinity of residential uses shall be designated with fixtures and poles that illuminate commercial uses, while minimizing light trespass into residential areas.
2. The candlepower of outdoor lighting shall be the minimum required for safety purposes.
3. The provisions of Section 19.590.070 (Light and Glare) shall apply.
4. The provisions of Chapter 19.556 (Lighting) shall apply. (Ord. 6966 §1, 2007)

19.120.090 Other Regulations Applicable to Mixed-Use Zones.

In addition to the requirements contained in this Chapter, regulations contained in the following Titles of the Riverside Municipal Code and other Chapters of the Zoning Code may apply.

Title 5: Business Taxes, Licenses and Regulations

Chapter 5.04: Taxes, Licenses and Regulations

Chapter 5.16: Close-Out Sales

Chapter 5.24: Dance Halls and Public Dances

Chapter 5.28: Poolrooms

Chapter 5.32: Transient Occupancy Tax

Chapter 5.38: Pedestrian Food Vendors

Chapter 5.49: Garage Sales

Chapter 5.52: Massage

Chapter 5.60: Bingo

Chapter 5.64: Motor Vehicle Fuel Price Posting

Chapter 5.49: Garage Sales

Title 6: Health and Sanitation

Chapter 6.08: Regulation of Food Establishments and Food Facilities

Chapter 6.09: Regulation of Food Handlers

Chapter 6.13: Exterior Structure Maintenance

Chapter 6.14: Landscape Maintenance

Chapter 6.15: Abatement of Public Nuisances

Chapter 6.16: Fly-Producing Conditions

Title 7: Noise Control

Title 8: Animals

Chapter 8.04: Animals

Chapter 8.10: Noisy Animals

Chapter 8.18: Commercial Kennels

Chapter 8.19: Pot-Bellied Pigs

Title 9: Peace, Safety and Morals

Chapter 9.07: Charge for Police Response to Loud or Large Parties

Chapter 9.09: Public Pay Telephone Regulations

Chapter 9.16: Litter and Littering

Chapter 9.42: Fortune telling and Occult Arts

Chapter 9.48: Disclosure of Hazardous Materials

Title 16: Buildings and Construction

Title 17: Grading

Title 18: Subdivision

Title 20: Cultural Resources (Ord. 6966 §1, 2007)