

Chapter 14.608 Mixed-Use Zone

14.608.100 Purpose and Intent

The intent of the mixed-use zone classification is to implement the Mixed-use Area, Community Center and Urban Activity Center categories of the Comprehensive Plan. These mixed-use categories encourage development that fosters pedestrian activity, supports transit, and provides for a mix of diverse land uses. The Mixed-use zone supports many activities of daily life that can occur within easy walking distance, giving independence to those who do not drive. Mixed-use areas support higher intensity development, but compatibility of uses is ensured through special design standards. Mixed-use areas often provide a central focus point with transportation linkages to the broader community.

14.608.210 Types of Uses

Uses for the mixed-use zone shall be as permitted under table 608-1, Mixed-Use Zones Matrix. Accessory uses and structures ordinarily associated with a permitted use shall be allowed. Multiple uses are allowed per lot, except that only one residential use is allowed per lot unless otherwise specified. The uses are categorized as follows:

1. **Permitted Uses:** Permitted uses are illustrated in table 608-1 with the letter “P”. These uses are allowed if they comply with the development standards of the zone.
2. **Limited Uses:** Limited uses are illustrated in table 608-1 with the letter “L”. These uses are allowed if they comply with the development standards of the zone and specific performance standards in section 14.608.230.
3. **Conditional Uses:** Conditional uses are illustrated in table 608-1 with the letters “CU”. These uses require a public hearing and approval of a conditional use permit as set forth in chapter 14.404, Conditional Use Permits. Conditional uses are also subject to specific standards and criteria as may be required in this chapter under section 14.608.240.
4. **Not Permitted:** Uses designated in table 608-1 with the letter “N” are not permitted. All uses not specifically authorized by this Code are prohibited.
5. **Essential Public Facilities (EPF):** Facilities that may have statewide or regional/countywide significance are designated in table 608-1 with the letters “EPF”. These uses shall be evaluated to determine applicability with the “Essential Public Facility Siting Process,” as amended.
6. **Use Determinations:** It is recognized that all possible uses and variations of uses cannot be reasonably listed in a use matrix. The Director may classify uses not specifically addressed in the matrix consistent with section 14.604.300. Classifications shall be consistent with Comprehensive Plan policies.

14.608.220 Mixed-Use Zone Matrix**Table 608-1, Mixed-Use Zone Matrix**

Mixed-Use Zone	Mixed-Use
Adult entertainment establishment	N
Adult retail use establishment	N
Billboard/Videoboard	N
Child day-care center	P
Eating and drinking establishments	P
Education and research facilities	P
Entertainment, recreation, and cultural facilities	P
Halfway house (EPF)	CU
Convenience store with gas pumps	P
Government and social services (EPF)	P
High impact uses	N
Hotel/motel, including bed and breakfast	P
Kennel	L
Manufacturing and production	L
Manufactured home/recreational vehicle/boat sales	N
Motor vehicle sales	N
Motor vehicle rental	P
Parking lot/structure	P
Parks and open space	P
Prison, correctional facility (EPF)	N
Professional and medical offices, including hospital	P
Public utilities (EPF)	P
Religious institutions	P
Residential, single-family through multiple-family	P
Retail, financial and personal services	P
Secure community transition facility (EPF)	N
Self-service storage facility	P
Stormwater treatment/disposal	P
Top soil removal	CU
Tower	N
Warehouse	N
Wireless communication antenna array	L
Wireless communication support tower	L

14.608.230 Uses with Specific Standards

Uses that are categorized with an “L” in table 608-1, Mixed-Use Zones Matrix, are subject to the corresponding standards of this section. In the case of inconsistencies between section 14.608.220 (Mixed Use Zone Matrix) and section 14.608.230, section 14.608.230 shall govern.

1. *Kenel*
 - a. Outside runs or areas are prohibited.
 - b. The structure(s) housing animals shall be adequately soundproofed to meet WAC 173-60.
2. *Manufacturing and production*
 - a. The use shall be within a totally enclosed building.
 - b. Outside storage of materials or equipment is prohibited.
 - c. Permitted uses within the Light Industrial zone may be allowed except that high impact uses are prohibited.
 - d. The maximum building floor area shall not exceed 50,000 square feet.
3. *Wireless communication antenna array*
 - a. The use shall comply with the requirements of chapter 14.822, Wireless Communication Facilities.
4. *Wireless communication support tower*
 - a. The tower shall comply with the requirements of chapter 14.822, Wireless Communication Facilities.

14.608.240 Conditional Uses – Specific Standards

Conditional uses are illustrated in table 608-1 with the letters “CU”. Conditional uses shall require approval of a conditional use permit as set forth in chapter 14.404, Conditional Use Permits. Conditional uses identified in table 608-1 are subject to the corresponding specific standards as follows. In the case of inconsistencies between section 14.608.220 (Mixed Use Zone Matrix) and section 14.608.240, section 14.608.240 shall govern.

1. *Halfway house*
 - a. There shall be no more than 20 residents.
 - b. The applicant shall provide additional public notice to the following uses located within 1/4 of a mile from the proposed halfway house, as measured from the nearest property line between the two uses.
 - i. Public library.
 - ii. Public playground or park.
 - iii. Public or private school and its grounds of kindergarten to 12th grade.
 - iv. Child day-care center.
 - v. Place of worship such as a church, mosque, synagogue or temple.
 - vi. Another halfway house.
 - c. The applicant shall demonstrate that the halfway house does not constitute a significant adverse impact to the health, safety and welfare of the uses identified in 1b above.
 - d. The halfway house shall meet any applicable state, federal and local licensing for a facility housing inmates in transition from a correctional facility to the community.
 - e. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional and local mandates.
 - f. The use shall be subject to restrictions and conditions, as may be imposed by the Hearing Examiner under chapter 14.404.

2. *Top soil removal and land leveling*
 - a. The use shall comply with the requirements of chapter 14.824, Top Soil Removal and Land Leveling.
 - b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under chapter 14.404.

14.608.250 Floor Area Ratios

Floor area ratios determine a building size relative to the total area of the lot. Floor area ratios shall be determined by the following standards.

1. Floor Area Ratio = Interior floor area (inside walls) divided by site area.

To determine the allowed gross floor area of all buildings or structures allowed on a site, the floor area ratio in table 608-2 is multiplied by the area of the lot.

Table 608-2, Floor Area Ratio

Basic Allowable Floor Area Ratio by Use			Maximum Floor Area Ratio by Use with Public Amenities*		
Non-Residential	Residential	Combined Residential and Non-residential	Non-Residential	Residential	Combined Residential and Non-residential
0.2	0.5	0.7	0.8	1.5	2.3

* Note: Except as allowed by Super Bonus

2. Hotels and motels (including bed and breakfast inns) are considered residential uses for the purpose of floor area ratios.
3. The following areas are excluded from internal floor area calculations.
 - a. Floor area dedicated to parking.
 - b. Elevators, staircases, escalators and mechanical spaces.
 - c. Exterior decks, porches and arcades open to the air.
 - d. Floor area dedicated to public amenities.
4. The basic allowable floor area ratio is permitted providing the design of the proposed development is consistent with the development standards contained in this chapter, and the urban design standards contained in chapter 14.900.
5. If development projects incorporate public amenities, as defined in Section 14.608.260, the floor area ratio may be increased up to the maximum, provided the following criteria are met.
 - a. The public amenity satisfies its design criteria and serves a public purpose in the proposed location.
 - b. The public amenity is directly associated with the use for which the floor area ratio increase is sought.
 - c. The public amenity has a public benefit that is appropriate considering the floor area ratio increase being achieved.

14.608.260 Public Amenities Allowing Bonus Floor Area Ratio

1. Minor Amenities

Each public amenity from the following list may allow an increase in the floor area ratio of .2 above the basic allowable floor area ratio up to the maximum floor area ratio.

- a. Additional Streetscape Features
Seating, trees, pedestrian-scaled lighting, and special paving, in addition to any that are required by the design standards and guidelines in chapter 14.900.
- b. Canopy over the Public Sidewalk
A canopy structure erected along the entire building frontage that is adjacent to the sidewalk. A canopy is a permanent architectural element projecting out from a building facade over a sidewalk or walkway. A canopy shall be at least 5 feet in horizontal width and be no less than 8 feet and no more than 12 feet above grade.
- c. Materials on Building
The use of brick or stone on street facing building facades.
- d. An amenity specifically identified and described in an adopted subarea plan.

2. Major Amenities

Each public amenity from the following list may allow an increase in the floor area ratio of .5 above the basic allowable floor area ratio up to the maximum floor area ratio.

- a. Exterior Public Spaces
A plaza or courtyard, with a minimum area of 400 square feet or 2% of the total interior floor space of the development, whichever is greater. A plaza or a courtyard is a level space accessible to the public, at least 10 feet in width, with a building façade on at least one side. The elevation of the courtyard or plaza shall be within 30" of the grade of the sidewalk that provides access. At least 60% of the courtyard shall be planted with trees, ground cover, and other vegetation. For plazas, at least 15%, but no more than 60% of the space shall be planted with trees, ground cover, and other vegetation. Courtyards and plazas shall also include seating, pedestrian-scale lighting, decorative paving, and other pedestrian furnishings. The use of artists to create fixtures and furnishings is strongly encouraged.
- b. Public Art
Public art includes sculptures, murals, inlays, mosaics, and other two-dimensional or three-dimensional works, as well as elements integrated into the design of a project (e.g. fountain) that are designed and crafted by one or more artists. Such artists must be listed on a registry of either the Washington State Arts Commission or the Spokane Arts Commission. To receive the floor area ratio bonus, public art must be documented at a value that is at least 1% of the value of construction.
- c. Through-Block Pedestrian Connection
A through-block pedestrian connection is a continuous walkway accessible to the public that provides access through a development to a street or other pedestrian facility that would not otherwise be connected. The walkway shall be at least 10 feet in width, paved with decorative paving, and lighted for nighttime use. It may be covered or open to the sky.
- d. Residential Units
Residential units shall comprise at least 25% of the total floor area.
- e. Structured Parking for 50% or more of the required spaces.

3. Super Bonuses

Any development that receives super bonuses shall also provide at least two of the major or minor amenities listed above. In return for providing either of the following amenities, the maximum floor area ratios may be increased by 50%.

a. Underground Parking

All of the required parking is provided within a structure that is entirely below grade.

b. Affordable Housing

At least 20% of the units are set aside for households making less than 80% of the median income for the County as defined by Housing and Urban Development (HUD).

14.608.270 Design Review

All new development within the Mixed Use, Community Center, or Urban Activity Center, except as exempted in chapter 14.900, shall comply with the Spokane County Urban Design Standards and Guidelines, and shall be approved according to the design review process contained in chapter 14.900.

14.608.300 Development Standards

Prior to the issuance of a building permit, evidence of compliance with provisions of this section shall be provided. If any of the development standards contained in this section conflict with the design standards contained in chapter 14.900, the design standards shall apply.

1. Maximum Building Height:

a. The maximum building height is 50 feet. The maximum height may be increased by 10 feet, if structured parking is provided either underneath the building or within the first floor. Pitched roofs and accessible decks may extend above the height limit, provided that there is no enclosed, habitable space above the height limit.

b. Transition requirements for adjacent single-family residential zones are as follows:

- i. Any building, or portion, thereof, located within 60 feet of a Low Density Residential zone shall be no higher than 35 feet above grade.
- ii. Beyond the limit described in "i" above, additional building height may be added at a ratio of 1 foot of additional building height for every 3 feet of additional horizontal distance from the closest single-family residential zone, until the maximum building height for the zone is reached.

2. Setbacks from adjacent residential areas: Any multiple family, commercial or mixed use building adjacent to a single family residential zone or an existing single family residence shall be set back from the shared property line by 20 feet. No other setbacks are required, except as mandated by the building codes adopted by Spokane County.

3. Parking shall be provided in accordance with chapter 14.802, except that the following additional requirements shall apply.

a. Off street parking shall not exceed the following minimum and maximum ratios.

- i. Minimum Ratio: 1 stall /1000 gross square feet of floor area
- ii. Maximum Ratio: 4 stalls /1000 gross square feet of floor area

b. The Director may approve ratios that are higher or lower than the maximum if sufficient factual data is provided to indicate that a different amount is appropriate. The applicant assumes the burden of proof. Approval of parking above the maximum shall be conditioned upon increasing the amount of required landscaping by 30%.

4. Signage: Signage shall be as provided in chapter 14.804 Signage Standards.

5. Landscaping: Landscaping shall be as provided in chapter 14.806, Landscaping/Screening Standards, except that frontage landscaping may be modified to allow the reduced setbacks provided in this chapter.
6. Storage Standards: All storage shall be within an enclosed building, provided that retail products, which are for sale or rental, may be displayed outdoors during business hours only. Junked vehicles or remnants thereof shall not be stored or displayed out of doors. Tarps shall not be used to store or screen junked vehicles.
7. Refuse Storage: All outdoor trash, garbage and refuse storage areas shall be screened on all sides from public view and, at a minimum, be enclosed on three sides with a five and one-half (5-1/2)-foot-high concrete block or masonry wall with a sight-obscuring gate for access.
8. Mechanical Equipment: All rooftop mechanical equipment shall be placed behind a permanent screen, restricted from view.