

## CHAPTER 17.80

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## CHAPTER 17.80

### REQUIREMENTS FOR CREATION OF A HISTORIC MIXED USE DISTRICT

#### **17.80.010 DESCRIPTION AND PURPOSE**

Due to historical development patterns, certain areas of the City are characterized by a mixture of uses such as residential and commercial uses, or residential and industrial uses, which are normally segregated under standard zoning districts. In some instances, provisions for a continuation of a mixture of uses will serve both the public interest and allow a more equitable balancing of private interests than would the utilization of a standard zoning district. Because of the variety of circumstances which exist in different areas of the City, and the different treatment accorded those areas in the Growth Policy, it is not possible to establish a zoning district with uniform listing of uses and standards which is applicable to all such areas. Therefore, the historic mixed use (HMU) district is intended to provide procedures and criteria for recognition of such areas and for the standards governing each application of the district to a particular area. It is further intended that the HMU district shall not be used as a mechanism to discourage development of any permitted use within the district.

Enc Ord 433 December 5, 2012

#### **17.80.020 CRITERIA FOR ESTABLISHMENT OF THE HISTORIC MIXED USE DISTRICT**

- A. Before any area is designated as a HMU district, the City Council shall make affirmative findings that:
1. The area to be classified as a HMU district includes the approximate equivalent of at least one standard City block of 300 feet by 300 feet, not held in single ownership unless developed over time while held in multiple ownership;
  2. A special study of the area has been completed showing how the proposed historic mixed use district would be integrated with the surrounding area consistent with the objectives of the Growth Policy and other applicable policies adopted by the City;
  3. At least 50 percent of the lots to be classified as an historic mixed use district are already developed with structures;
  4. The existing development has occurred over a period of years and is characterized by a mixture of uses in the immediate area;
  5. None of the standard zoning districts are capable of, or suitable for, promoting the objectives of the Growth Policy applicable to preexisting nonconforming uses;
  6. The uses to be permitted within the HMU district will be compatible with one another and will provide a functional and healthful environment; and the uses to

be permitted and the development standards to be applied in the proposed district will promote the objectives of the Growth Policy and other applicable policies adopted by the City of Dillon.

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**17.80.030 HISTORIC MIXED USE DISTRICT**

Because the HMU district is designed to be applied to diverse situations, the specific mixture of uses permitted and the development standards required will have to be specified for each application of the district to a particular area. Therefore, the ordinance applying the HMU district to a specific area shall contain the following elements:

- A. A description and purpose section setting forth the specific purposes the district is intended to accomplish in the particular situation;
- B. A use section setting forth the activities or categories of activities to be permitted, or the performance standards to be used in evaluating specific factors which are either different than or supplemental to the normal standards of this title; and
- C. A standards section setting forth general development standards governing parking, lot coverage, setbacks, height limitations and other factors which are either different than or supplemental to the normal standards of this title.
- D. Exemption. When an area has been classified as an HMU district, the general building and development standards set forth in this title shall govern. However, if the special development standards set forth in this chapter are more restrictive than the general development standards, the special development standards control.

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**17.80.040 INITIATION, PROCEDURES AND NOTICE**

Application for HMU district designation shall be administered under the provisions established in Chapters 17.24, Amendments to Ordinances and 17.28, Zoning Map Amendments.

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