

§ 152.032 NMU NEIGHBORHOOD MIXED USE.

The Neighborhood Mixed Use Zoning District Classification is primarily intended to provide suitable locations for limited, neighborhood-oriented, commercial, business and service activities in close proximity to major residential neighborhoods. The district is designed to allow for a mix of residential, commercial, business and service uses in limited areas along major traffic arteries and at key intersections leading to residential neighborhoods in order to provide services to the residents of that particular neighborhood. The types of uses allowed and the standards established for development in this district should be compatible with the residential character of the area, and the uses should not cause traffic congestion, cause obnoxious noise, dust, odors, fire hazards or lighting objectionable to surrounding residences, nor visually detract from the overall appearance of the neighborhood.

(A) *Dimensional requirements.*

Minimum lot/parcel size (sq. ft.): 8,000

Minimum lot size, two-family (sq. ft.): 12,000

Minimum setbacks (feet): front: 10

side: 10

rear: 10

Maximum building height (feet): 25

Maximum footprint (sq. ft.): 5,000

Minimum open space (% of site): 20 (not applicable to single-family and two-family residences.)

(B) *Permitted uses.* The following uses are permitted by right in the NMU Neighborhood Mixed Use Zoning District Classification provided they meet all requirements of this section and all other requirements established in this chapter. A use followed by the notation (SR) is permitted subject to special requirements contained in §§ 152.120 - 152.123, below.

(1) All permitted uses listed in the R-1 Residential Zoning District Classification, subject to special requirements if noted.

(2) Grocery and convenience stores without petroleum dispensing, subject to the requirement that such stores shall not operate prior to 7:00 a.m. nor later than 9:00 p.m.

(3) Music and art studios and galleries.

(4) Newspaper offices and printing establishments.

(5) Offices, financial, governmental, medical, and professional.

(6) Restaurants, limited (SR).

(7) Retail sales, limited.

(8) Services, personal.

(9) Tasting room.

(C) *Prohibited uses.* No non-residential development or redevelopment exceeding 30,000 square feet in gross floor area shall be permitted in the NMU Neighborhood Mixed Use Zoning District Classification.

(D) *Design and appearance standards.* All development regulated by this chapter within the Neighborhood Mixed Use District shall conform to the following design and appearance standards.

(1) *Outdoor lighting.* Outdoor lighting fixtures shall be designed and located so as to prevent light from shining directly on vehicular traffic or adjoining property.

(2) *Landscaping.* A minimum of 20% of the lot area, excluding paved or unpaved parking areas, shall be reserved and developed only for landscaping. The landscaping may include existing vegetation. The property owner shall be responsible for the maintenance of the landscaping and the replacement of all dead plant material. Street trees shall be incorporated in the landscaping for property abutting public rights-of-way. The trees shall be deciduous and be maintained, and all dead materials shall be replaced by the next growing season.

(3) *Design.* All new construction and renovation within an NMU Neighborhood Mixed Use District is encouraged to conform to the following standards:

(a) Where possible, the project should use indigenous materials of the region, including stone and wood;

(b) Buildings, structures and grounds shall be designed using materials, finishes and proportions in a manner which will produce a coordinated appearance with adjacent properties.

(4) *Off-street parking.* Adequate off-street parking in accordance with § 152.095, herein, shall be provided.

(5) *Signage.* Signs shall be in compliance with the Residential District sign regulations contained in the Town of Franklin Sign Regulations.

(6) *Storage.* Any establishment operating in this district shall maintain and/or store all equipment or goods related to the business within principal buildings.

(7) Drive-through service. No development shall provide drive-in or drive-through service.

(Ord. passed 10-1-07; Am. Ord. passed 10-20-08; Am. Ord. 2019-001, passed 2-4-19)