

Sec. 18-193. MSMU, Main Street Mixed Use.

(a) *Purpose.* The purpose of the Main Street Mixed Use zoning district is to enhance and retain the urban development pattern and context where intact commercial or mixed use areas exist outside of the Central Business District (CBD); to ensure that infill development and redevelopment do not adversely affect the physical character and context of such intact areas; and to encourage private investment to improve and stimulate the economic vitality and social character of these areas.

(b) *Uses permitted by right.* The following nonresidential uses are permitted by right in the MSMU district, provided that they meet all requirements of this section and all other applicable requirements established in these regulations:

- (1) Artists, commercial including silk screening.
- (2) Banking, no drive-up windows.
- (3) Business services.
- (4) Fruit and vegetable market, wholesale with incidental retail.
- (5) Janitor services, commercial.
- (6) Libraries.
- (7) Offices, medical.
- (8) Offices, professional.
- (9) Personal services.
- (10) Post office, no drive-up windows.
- (11) Restaurants, no drive-up windows.
- (12) Retail sales establishments.
- (13) Schools: trade, correspondence, and vocational.
- (14) Spas and health clubs.

(c) *Uses permitted under prescribed conditions.* The following uses are permitted provided that they meet all requirements of this section, Article 6, and all other applicable requirements established in these regulations.

(1) *Residential:*

- a. Reserved.
- b. Reserved.
- c. Group home supportive, small.
- d. Group home supportive, medium.
- e. Group home supportive, large.
- f. Multifamily (except may not be permitted on ground level fronting any street).

(2) *Nonresidential:*

- a. Assembly halls.
- b. Day care, adult or child.
- c. Convenience food stores.
- d. Cultural arts centers.
- e. Governmental uses outside public rights-of-way, except offices.
- f. Historic mixed-use buildings.
- g. Motion picture production and distribution.
- h. Parks and recreation areas, municipal.
- i. Religious institutions.
- j. Reserved.
- k. Upholstery and furniture repair.

(d) *Permitted by special use permit.*

(1) Group home residential.

(2) Guest lodging.

(3) Nursing and personal care.

(e) *Development standards.* All uses and structures permitted in the MSMU district shall meet the applicable development standards established in this section and all other applicable requirements of these regulations:

(1) *Dimensional requirements.*

a. Maximum residential density: 6 units per lot.

b. Maximum commercial density: None.

c. Lot coverage: None.

d. Minimum lot area: None.

e. Minimum lot width: None.

f. Maximum lot width: 66 feet.

g. Front setbacks: New construction shall be constructed to align with the predominant existing setback of the block face, or if no predominant setback exists, then construction shall align with the street right-of-way.

h. Side and rear setbacks: None, except where adjacent to residential zoning, in which case the setback shall be five (5) feet.

i. Maximum building height: 40 feet.

(2) *Site design standards.*

a. *Buffer yards.* See Article 8, Division VII, section 18-503.

b. *Parking and access.* Off-street parking for nonresidential uses is not required in the MSMU district. One (1) off-street parking space per unit is required for new residential uses. For developments with a gross total of four (4) or fewer residential units, off-street parking may be reduced to one-half (0.5) of a space per unit.

c. *Off-street parking design.* For all construction on corner or double frontage lots, curb cuts to parking lots shall be placed on side streets, and/or to the rear of buildings, except where no other access is available. New parking lots shall be located to the interior sides or rear of buildings. Parking shall be screened from any adjacent street frontage by either masonry walls, shrubbery or hedges no more than forty-two (42) inches in height. Chain link fences are not permitted. Landscaped islands with trees shall be interspersed throughout the lots, so that a tree will be located within fifty (50) feet of any space. Through-lots may have access from residential streets at the rear of the development.

d. *Street trees.* For new commercial development, street tree-plantings in below-grade planters on the public right-of-way shall be included at the rate of one (1) tree for each thirty (30) feet of frontage. If the city manager determines there is no plaza or other space available for tree-plantings in the right-of-way, then a payment in lieu, equal to the cost for required trees, shall be paid by the developer into the City of Wilmington Tree Improvement Fund. All plans for street tree plantings must be reviewed and approved by the city manager and must be a minimum of three (3) inches in caliper.

e. *Drive-up facilities and service islands.* Prohibited.

f. *Outdoor storage of materials.* Prohibited.

g. *Site lighting.* All site lighting shall be located, angled, shielded, and limited in intensity so as to cast no direct light upon adjacent streets or properties. All new lighting shall be restricted to the following heights:

- i. Unrestricted lighting--Maximum of ten (10) feet above ground or pavement
- ii. Ninety (90) degree cut-off lighting--Maximum of fifteen (15) feet above ground or pavement.
- h. *Additional treatments.* HVAC equipment, air conditioning window units, and other electrical equipment shall not be located on facades with street frontage. All such equipment shall be placed in the interior yards or on the roof of the building and screened from the right-of-way. Through-wall mechanical units are permitted on any facade if they are incorporated into the design of the building, flush with the facade on which they are located, concealed by a vent cover and have an internal drip system for condensation. Utility meters, transformers and fixed trash disposal receptacles which cannot be located out of sight shall be screened by fencing and/or landscaping. Chain link fences are prohibited in any capacity.

(3) *Building design standards.*

- a. *Building orientation.* All buildings shall be oriented towards primary streets. For new buildings on corner properties, both street elevations are considered to be front facades and must be designed to address the street at least by incorporating windows and, if desired, doors. For new buildings on corner lots, a transitional facade, in accordance with subsection 18-193(e)(3)f. below, is permitted.
- b. *Massing and development scale.* Facades shall be designed to eliminate blank walls and create compatible massing and scale with the block face. For buildings greater than thirty-three (33) feet in width, facades shall incorporate periodic transitions no further apart than two-thirds ( $2/3$ ) of the building height in order to create a vertical orientation. This transition may be achieved by utilizing methods including but not limited to: facade offsets, pilasters or change in materials. For buildings greater than fifty (50) feet in width, facades shall be expressed as two (2) separate building facades utilizing methods including but not limited to the aforementioned methods. The predominant orientation of fenestration (window arrangement) within the facade shall also be vertical.
- c. *Roofs.* All roofs for new construction shall be a flat roof (with slight slope for drainage) with a parapet walls or utilize a pitch matching that of the majority of the block face on the subject side of the street. Prefabricated standing seam metal roofs are prohibited on new or existing construction.
- d. *Height relationships.* The exterior expression of any building facade that is twenty (20) feet or more in height must be distinguished at a point not less than thirteen (13) feet, four (4) inches above the ground level at the front facade. This distinction may be accomplished by incorporating features that include but are not limited to a horizontal architectural member such as molding or a change in materials or fenestration.
- e. *Building entries and pedestrian-scale design.* Facades fronting rights-of-way shall be detailed to create a pedestrian scale. Methods to create pedestrian scale include, but are not limited to: transition of facade materials, definition of entryways with architectural elements such as transoms, moldings, offsets, or recesses. Entrances shall be recessed from the property line allowing a pedestrian space between the sidewalk and the front door. For buildings located on street corners, a corner entrance is permissible.
- f. *Street-level facades.* Window glazing shall be the predominant material in the street-level facade. Such glazing shall be transparent under all lighting conditions; however, spandrel or colored glass may be used above the height of the door head. Glazing shall extend from a base of contrasting material to at least the height of the door head. For new buildings on corner lots adjacent to single-family residential zoning, glazing area may be reduced. Glazing shall extend

from the corner of the front facade for a depth equal to at least fifty (50) percent of the length of building along the side street building facade. Exterior burglar bars, fixed riot shutters, or similar visible security devices shall not be installed in any new or existing commercial storefront.

Residential uses are not permitted on the ground level fronting any facade.

g. *Facade materials.* Vinyl or aluminum siding, fieldstone, unparged concrete block, masonite, and corrugated metal are not permitted.

(4) *Signage.* See section 18-573 and section 18-575; however, that freestanding signs are not permitted in the MSMU District. Additionally, section 18-576 does not apply to the MSMU District.

(Ord. No. 0-2006-49, 6-6-06; Ord. No. 0-2007-57, §§ 1--3, 7-10-07; Ord. No. 0-2008-25, 4-8-08)