

Chapter 17.146

MIXED USE DEVELOPMENT DISTRICT M-U

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17.161.010 Purpose:

The purpose of a mixed use development district is to encourage pedestrian oriented design, promote development and protect the public health, safety and welfare. The district encourages compact, mixed use development. Carefully planned mixed uses, including neighborhood oriented commercial and restaurant space, provide increased opportunities for pedestrian activity. It is established to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities. The district is facilitated by site and community design standards that:

- A. Encourage high quality, compact development and increase the number of residents and workers within walking distance of transit opportunities;
- B. Encourage a mix of high quality residential, office, commercial, live-work, open space, entertainment, recreation, public and institutional land uses;
- C. Revitalize areas proximate to transit stations;
- D. Improve the urban design in the area;
- E. Encourage active community life within a framework of attractive and welcoming buildings and usable open spaces;
- F. Coordinate the urban design and streetscape elements in order to create a distinct visual quality for the area;
- G. Manage parking and access in a manner that enhances pedestrian safety, pedestrian mobility and quality urban design;
- H. Encourage structured parking, new roads and public open spaces to enhance the design and function of the built environment;
- I. Encourage a safe, attractive and comfortable environment for the pedestrian and bicyclist by providing public open spaces, public pedestrian walkways, wide sidewalks, bike lanes, street furniture, pedestrian scale lighting, street trees and other appropriate amenities.

J. Encourage conservation of resources and optimal use of public infrastructure towards a sustainable community.

K. Require property owners, developers, architects, and contractors to use a mix of high quality, durable, low maintenance building materials for projects in this zoning district.

17.161.020 Definitions:

1. Floor Area Ratio (FAR) - Shall be calculated as the gross floor area of all buildings on a lot or parcel, divided by the lot area.

2. Xeriscaping - An attractive, sustainable landscape based on sound horticultural practices, which shows evidence of care. This method is beneficial especially for arid and semiarid climates and utilizes water-conserving techniques (as the use of drought-tolerant plants, mulch, and efficient irrigation).

17.161.030 Permitted Uses:

A. A use not specifically designated is prohibited. The inclusion of a major heading includes all subcategories listed under the major heading unless otherwise excepted.

B. The following uses are permitted in the district (Where square foot limits are specified, they shall apply to individually operating businesses not to the entire property):

Use No. Use Classification

1100 Household units (except 1110, 1112, 1114, 1115, 1116, 1121, 1122; no density limit; condominiums by conditional use permit only).

1210 Residential facility for disabled persons.

1210 Residential facility for elderly persons (see chapter 17.32).

1240 Retirement homes.

1300 Residential hotels and apartment hotels.

1511 Hotels.

4100 Railroad, rapid rail transit, and street railway transportation.

4601 No fee parking lots and garages (except surface parking lots not associated with a permitted use).

4602 Commercial parking lots and garages on a fee basis (except surface parking lots not associated with a permitted use).

4710 Telephone communications (except 4712).

- 4730 Radio communications.
- 4740 Television communications.
- 4750 Radio and television communications, combined.
- 4760 Recording and sound studios.
- 4800 Utilities (offices, lines and right of way only; except 4812, 4813, 4822, 4823, 4832, 4842, 4843, 4845, 4850, 4861, and 4874).
- 4920 Transportation services and arrangements (with no more than 5 employees in no more than 2,500 square feet; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
- 5210 Building materials, tile (no outside storage) (Not to exceed 12,000 sq. ft.).
- 5220 Heating and plumbing equipment (no outside storage) (Not to exceed 12,000 sq. ft.).
- 5230 Paint, glass, and wallpaper (no outside storage) (Not to exceed 12,000 sq. ft.).
- 5240 Electrical supplies (no outside storage) (Not to exceed 12,000 sq. ft.).
- 5251 Hardware (no outside storage) (Not to exceed 12,000 sq. ft.).
- 5254 Janitorial supplies (no outside storage) (Not to exceed 12,000 sq. ft.).
- 5255 Building maintenance materials (no outside storage) (Not to exceed 12,000 sq. ft.).
- 5256 Swimming pool supplies (no outside storage) (Not to exceed 12,000 sq. ft.).
- 5310 Department stores (Not to exceed 40,000 sq. ft. unless FAR-floor area ratio of 1.0 is met).
- 5320 Mail order houses (deliveries and shipping only during normal business hours) (Not to exceed 12,000 sq. ft.).
- 5330 Variety stores (Not to exceed 40,000 sq. ft. unless FAR-floor area ratio of 1.0 is met).
- 5350 Direct selling organizations (deliveries and shipping only during normal business hours; no outside storage) (Not to exceed 20,000 sq. ft.).
- 5390 General merchandise (Not to exceed 40,000 sq. ft. unless FAR-floor area ratio of 1.0 is met).

- 5400 Food stores (Not to exceed 40,000 sq. ft. unless FAR-floor area ratio of 1.0 is met).
- 5600 Apparel and accessories (Not to exceed 40,000 sq. ft. unless FAR-floor area ratio of 1.0 is met).
- 5700 Furniture, home furnishings, and equipment (Not to exceed 40,000 sq. ft. unless FAR-floor area ratio of 1.0 is met).
- 5810 Eating places (Drive-through sales to be allowed by conditional use permit) (Not to exceed 20,000 sq. ft.).
- 5910 Drug and proprietary (Not to exceed 12,000 sq. ft.).
- 5920 Liquor, package (state store).
- 5930 Antiques and secondhand merchandise (except 5935, 5938 and construction materials) (Not to exceed 20,000 sq. ft.).
- 5940 Books, stationery, art, and hobby supplies (Not to exceed 40,000 sq. ft. unless FAR-floor area ratio of 1.0 is met).
- 5950 Sporting goods, bicycles, and toys supplies (Not to exceed 40,000 sq. ft. unless FAR-floor area ratio of 1.0 is met).
- 5969 Garden supplies (Not to exceed 40,000 sq. ft. unless FAR-floor area ratio of 1.0 is met.).
- 5970 Jewelry (Not to exceed 12,000 sq. ft.).
- 5990 Miscellaneous retail trade (Not to exceed 12,000 sq. ft.).
- 6100 Finance, insurance, and real estate (except 6112, pay-day loan services, 6123, 6124, and 6141 surety bail bonding) (Not to exceed 40,000 sq. ft. unless FAR-floor area ratio of 1.0 is met).
- 6213 Dry cleaning (in no more than 7,500 square feet; no outside storage).
- 6216 Self-service laundries.
- 6218 Rug cleaning and repair (in no more than 7,500 square feet; no outside storage).
- 6220 Photographic services.
- 6230 Beauty and barber services.

6241 Funeral home.

6250 Apparel repair, alteration, and cleaning, shoe repair services (except 6256).

6290 Personal services (except 6293, 6294).

6310 Advertising services (office only; no outside storage).

6320 Consumer credit reporting services.

6330 Duplicating, mailing, stenographic, and office services.

6340 Dwelling and building services (office only, except 6342, 6345).

6350 News syndicate services (office only).

6360 Employment services.

6390 Business services (office only, except 6394 and 6397).

6420 Electrical appliance repair and service (except 6421 and 6426; in no more than 12,000 square feet; no outside storage).

6493 Watch, clock, jewelry repair, engraving.

6496 Locksmiths and key shops.

6498 Saw, knife, lawn mower and tool sharpening (in no more than 5,000 square feet; no outside storage).

6499 Miscellaneous small item repair (in no more than 5,000 square feet; no outside storage).

6500 Professional services (office only, except 6513 and 6516).

6600 Contract construction services (office only; no outside storage) (Not to exceed 12,000 sq. ft.).

6700 Governmental services (except 6714, 6740, 6750, and 6770).

6800 Educational services.

6900 Miscellaneous service organizations.

7100 Cultural activities and nature exhibitions (except 7124).

- 7210 Entertainment assembly (except 7213).
- 7220 Sports assembly (except 7223 and 7224).
- 7230 Public assembly.
- 7391 Penny arcades and other coin operated amusements.
- 7395 Card rooms.
- 7396 Dance halls, ballrooms (includes dance clubs).
- 7397 Billiard and pool halls.
- 7399 Other amusements (office only).
- 7413 Tennis courts.
- 7414 Ice skating.
- 7417 Bowling alleys.
- 7420 Playgrounds and athletic areas.
- 7425 Athletic clubs, body-building studios.
- 7432 Swimming pools and schools.
- 7451 Archery range (indoor only).
- 7492 Picnic areas.
- 7600 Parks (public and private).
- 8221 Veterinarian services (completely enclosed within a building).
- 8224 Pet grooming (completely enclosed within a building).

17.161.040 Conditional Uses:

The following uses and structures are permitted in the district only after a conditional use permit has been approved by the planning commission and subject to the terms and conditions thereof:

<u>Use No.</u>	<u>Use Classification</u>
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- 1140 Condominium, low-rise or garden type (no density limit).
- 1150 Condominium, high-rise (no density limit).
- 1210 Rooming and boarding houses (no density limit).
- 1515 Transient apartments rented by day or week (no density limit).
- 2000 Manufacturing industries (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
- 3220 Glass and glassware (pressed or blown; in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
- 3250 Pottery and related products (except 3251 and 3255; trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
- 3500 Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
- 3900 Miscellaneous manufacturing (trades only in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
- 5100 Wholesale trade (except 5110, 5120, 5150, 5162, 5169, 5170, 5181, 5182, 5185, 5191, 5192, 5193, 5198, 5199 firearms and ammunition, charcoal, livestock and poultry feed, farm supplies, hay; in no more than 12,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
- 5813 Short order eating places with no product specialty, auto oriented (drive-in or drive-through establishments, etc.).
- 5820 Drinking places—alcoholic beverages.
- 6516 Sanitariums, (does not include asylums).

17.161.050 Area, Width, Frontage And Yard Regulations:

A. All main buildings shall front on either a public or private street.

B. The front setback for main buildings, excepting courtyards and plazas, shall be between fifteen feet (15') and twenty five feet (25') from the back of curb and gutter. Up

to fifty percent (50%) of the front setback may be greater than twenty five feet (25') if the additional front setback is developed as a courtyard or plaza. Main buildings may have detached components within a courtyard or plaza if the uses in the detached component enhance activity on the courtyard or plaza.

C. The courtyard or plaza area shall be deemed to be a part of the front setback of the building.

D. Buildings located on a corner lot shall front on both streets.

E. Parking is not permitted in the front setback area of any building.

G. Residential use on the ground floor is limited to 25 (twenty-five) percent of the ground floor square footage in the project. The balance of the ground floor square footage must be used by the commercial or light industrial uses allowed in this zoning district. For projects which comprise multiple parcels, square footage shall be calculated based on total project square footage.

H. Maintenance buildings, trash collection and recycling areas, storage and service areas, mechanical equipment and loading docks shall not be permitted in the front setback of any building. Single or ganged utility meters or other service equipment may be located in the front set-back of any building, provided there are site constraints which preclude their access in a location elsewhere on site, and they are screened and approved by the City.

I The side lot area between non-adjoining buildings and the property line shall be developed as parking, plaza, landscaped open space, or a landscaped walkway with access to the sidewalk. Where parking is located in the side lot area a 10 foot width landscaping area will be required along all property lines not occupied by drive accesses. The remainder of the area between the required landscaping and parking shall be a combination of plazas, artwork, fountains, and pedestrian ways.

J. A parking structure fronting on a street shall have a front setback of between fifteen feet (15') and twenty five feet (25') from the back of curb and gutter. The parking structure front setback shall not be less than the setback of the main building. The face of the structure abutting the street shall have building materials compatible with the main buildings on the same or adjoining property. The area between the sidewalk and the parking structure shall have a minimum of ten feet (10') of landscaping or shall provide window treatment consistent with section 17.161.060 B.

K. Surface parking lots shall have a minimum setback of twenty five feet (25') from the curb. The area between the sidewalk and the parking lot shall have a minimum of ten feet (10') of landscaping.

L. There shall be a minimum fifty foot (50') setback from the top of the bank of Little Cottonwood Creek, Big Cottonwood Creek and the Jordan River.

M. Floor Area Ratio (FAR) shall be calculated as the gross floor area of all buildings on a lot or parcel, divided by the lot area.

17.161.060 Height Regulations:

A. There are no height restrictions in the district except as provided herein. The height of a structure located within one hundred feet (100') of the nearest boundary of a residential zone district may not exceed thirty five feet (35'). Beyond one hundred feet (100'), the building height may increase one foot (1') of height for each additional four feet (4') of setback from the residential zone district.

B. Measurement of Distances:

1. For purposes of this section, the width of public or private roadways shall be included in computing setback distances. For example, if a roadway is located on the boundary of a residential zoning district, the measurements required under this section shall be made from the property line of that roadway which is nearest the residential use or zone. Otherwise, the measurement shall be made from the residential zoning district boundary.

2. Setback distances to structures located pursuant to this section shall be measured from the nearest residential zoning district boundary, except as otherwise provided in this section, to the nearest exterior wall of the structure.

3. Where residential zoning is separated from the mixed use zone by a Federal Interstate highway the height restrictions of this chapter shall not apply.

C. Authority: Nothing in this section shall be construed to limit the authority of the planning commission or community and economic development staff to review building materials, design elements and other aesthetic considerations as it deems proper to mitigate or modify the visual impact of the height of buildings upon surrounding land uses.

17.161.070 Building Requirements.

- A. Walls, partitions and floor/ceiling assemblies separating dwelling units from each other or from public or service areas shall have a sound transmission class (STC) of not less than 50 for air-borne noise.
- B. Blank walls shall not occupy over 50% of a principle frontage. Non-residential buildings and structures shall not have a section of blank wall exceeding 30 linear feet without being interrupted by a window, entry, pilaster, or similar element. All development shall provide ground floor windows on the building facade and adjacent to a public or private street, including private pedestrian-only streets, parks, paths, or courts. Darkly tinted windows and mirrored windows which block two way visibility are prohibited as ground floor windows.

- C. All buildings fronting on a street shall have at least one (1) public entrance per use or business which fronts on the street.
- D. All buildings and structures shall be maintained in good condition.
- E. Water conserving plumbing fixtures shall be used. Such fixtures shall include, but are limited to, dual flush toilets and low volume showers and lavatories which cannot be adjusted or modified.

17.161.080 Parking Regulations:

- A. When the office uses or net usable square footage is unknown, off street parking will be calculated at one parking stall for each two hundred (200) square feet of net office area or retail floor area.
- B. All medical, dental and related office uses will require one off street parking stall for each two hundred (200) square feet of net usable office area.
- C. All other office uses will be calculated at the ratio of four (4) off street parking stalls for each one thousand (1,000) square feet of net usable floor area or as determined by the planning commission.
- D. Retail use parking shall be calculated at the rate of one parking space for each two hundred (200) square feet of net floor area.
- E. Off street parking will not be permitted in any fire lane, aisle space or front yard setback areas except as allowed by this chapter.
- F. Comply with off-street parking standards as found in Chapter 17.72.
- G. Dwellings, multiple family. Parking shall be calculated at two and one half (2 1/2) spaces per dwelling unit. Two (2) parking spaces shall be designated stalls for each dwelling unit. The additional one half (1/2) parking space requirement shall be combined for all units and used for visitor parking. Visitor parking shall be clearly marked. At least one of the parking spaces per dwelling unit, as required above, shall be in a parking structure.
- H. Shared parking is permitted and encouraged in the mixed use zone. Parking spaces shall be located within 1000 feet of the property served by the spaces.
- I. For properties within ¼ mile of an existing transit stop, minimum required parking shall be reduced by 10 percent.

17.161.090 Landscaping Regulations:

- A. Water conserving landscape designs shall be used. All landscaping must be irrigated and planted with substantial live plant material or appropriate xeriscape for the purpose of buffering, screening and beautifying the site and comply with applicable landscape requirements found in chapter 17.68., except lawn shall not be required as stated in section 040 A. 1. a. At plant maturity the landscaping should represent, as a minimum standard, compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.
- B. Landscaping adjacent to a residential zoning boundary line will require a minimum landscaping buffer of ten feet in width from the boundary line on the commercial side of the property excluding the fence, and curb wall if located adjacent to off-street parking.

C. Landscaping adjacent to off street parking within the yard area will require a minimum landscaped area of five feet (5') providing it does not abut residential zoning. If it abuts residential zoning or a street frontage the minimum landscaped area will be ten (10) feet.

D. Sustainable landscaping including xeriscape species and innovative water recycling or irrigation systems is encouraged. All landscape plans must be approved by the city's Urban Forester.

17.161.100 Loading And Service Areas:

A. Trash collection and recycling areas, service and storage areas, mechanical equipment and loading docks shall be screened on all sides so that no portion of such areas is visible from the adjacent public streets or alleys and adjacent properties. Screening shall have a minimum height of eight feet (8') and may include accessory buildings, shrubbery and plantings, decorative walls, solid fences, screen panels, doors, topographic changes, buildings or any combination of the above.

B. No more than two loading docks per individual use; loading docks are not to be located in building frontage.

17.161.110 Open Space:

A. Fifteen percent (15%) of the land area of each development shall be developed as landscaping, courtyards, plazas, or walkways, except any areas used for drainage retention with a slope greater than 3:1 will not qualify as open space.

B. Each development shall have a system of pedestrian walkways and sidewalks that provide easy connections between the building entrances, neighboring building entrances, sidewalks, parking areas, open space and public trails.

17.161.120 Access Improvements:

A. Construction of new buildings or renovations of existing buildings shall include construction and installation of the adjacent sidewalks, park strips and other landscaping, curbs, gutters, lighting, and street furniture as required in this chapter.

B. The improvements within the rights of way for public streets shall include but not be limited to the following:

1. Seven foot (7') wide paved sidewalks with an eight foot (8') landscaped park strip adjacent to the curb and gutter or fifteen (15) feet paved sidewalk with 5 foot tree wells adjacent to the curb as approved by the City Engineer and the Planning Commission.
2. Street trees shall be spaced between 30' and 40' on center as approved by the City Forester. Landscaping and tree grates to be approved by the City.
3. Street lighting shall be spaced between 30' and 50' on center as approved by the City.
4. Benches shall be provided and spaced as approved by the City.
5. Bicycle racks shall be placed on every development as follows:
 - a. The minimum number of bicycle parking spaces for any use shall be five percent (5%) of the vehicular parking spaces required for such use, up to a

- maximum of twelve (12) spaces;
- b. In all cases where bicycle parking is required, no fewer than two (2) shall be provided;
 - c. All proposed bicycle racks shall be clearly shown on the site plan indicating location.
 - d. Bicycle parking spaces shall be:
 - (1) At least two (2) feet x six (6) feet per bicycle;
 - (2) Designed to have sufficient space, to be a minimum of 24 inches, beside each parked bicycle to allow access. This access may be shared by adjacent bicycles. Racks shall be installed a minimum of 24 inches from any wall or other obstruction;
 - (3) Located to prevent damage to bicycles by vehicles, etc.
 - (4) In a convenient, visible, lighted area;
 - (5) Located so as not to interfere with pedestrian movements;
 - (6) As near the principle entrance(s) of the building as practical;
 - (7) Located to provide safe access to and from the street;
 - (8) Designed to allow each bicycle to be supported by its frame;
 - (9) Designed to allow the frame and wheels of each bicycle to be secured against theft;
 - (10) Anchored to resist rust or corrosion, or removal by vandalism;
 - (11) Designed to accommodate a range of bicycle shapes and sizes and facilitate easy locking without interfering with adjacent bicycles.

17.161.120 Storage of Commercial Vehicles:

No trucks, motor vehicles or commercial trailers having a gross vehicle weight rating of more than twelve thousand (12,000) pounds shall be stored or parked outdoors on any lot or parcel within the M-U zone, nor shall any contracting and/or earthmoving equipment be stored or parked outdoors on any lot or parcel within the M-U zone.