

### 19.01.1.1 Mixed Development Zone (MD)

A. Purpose.

1. The purpose of the Mixed Use (MD) development zone is to provide for the mixing of a variety of uses (limited commercial, office, residential and light industrial (within enclosed buildings) within a walkable, bikeable setting and to encourage such use mixes near transit stations in the Meadowbrook area, especially near the South Salt Lake and Murray stations. In addition to allowing a diverse mix of uses, the Meadowbrook area promotes increased density near transit stations with incentives to attract quality developments providing owner occupied and affordable housing.

B. Permitted And Conditional Uses

1. Uses in the Mixed Development (MD) Zone are as determined by Table 19.XX.1 permitted and Conditional Uses in the Mixed Development (MD) Zone. If a use is not specifically designated in the table, then it is prohibited.

Table 19.XX-1 Manufacturing Zoning District -Permitted and Conditional Uses		
<i>P = Permitted Use C = Conditional Use Review Required</i>		
<i>Use</i>	<i>MD</i>	<i>Specific Use Standards</i>
Multi-Household residential	C	Non-residential use or residential use that is convertible (built to commercial building code standards) to non-residential use is required for at least 50% of the ground floor facing a public street. 24 hour on-site management required for projects with 50 or more residential units. <b>Affordable Housing developments or individually owned units are permitted uses, subject to the design standards within this Chapter and exempt from including Non-residential use or residential use that is convertible (built to commercial building code standards) to non-residential use is required for at least 50% of the ground floor facing a public street when not located within 300' of a major intersection. *A minimum 50% of the multi household residential must be affordable to be deemed Affordable Housing.</b>

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Multi household residential Mixed-Income Housing.		<del>Mixed-Income Housing developments are permitted uses</del> , subject to the design standards within this Chapter. *A minimum 20% of the multi household residential must be affordable to be deemed Affordable Housing.
Group Homes	P	
Hotel, Motel, Bed & Breakfast	C	Subject to the design criteria in this Chapter
Public & quasi-public use includes public and private schools	P	
Transit Station	P	
Hospital and all other medical, dental facilities	P	
Neighborhood Retail	P	No commercial building over 20,000 square feet on the first floor is allowed
General Retail and Entertainment	C	No commercial building over 20,000 square feet on the first floor is allowed.
Light Industrial / warehousing	C	Operations within enclosed buildings only. Office or retail shop required in building. No light industrial/ware-housing building over 20,000 square feet.
Retail Food Trucks, Farmer's Market	C	See Temporary Uses and Structures in the Supplementary Chapter
Drive up uses with outside order windows or structures, such as restaurants, banks, etc.	C	No order window or structure is allowed within 150' of a residential use. Speakers to be oriented away from adjacent uses. No order or pick up windows in the front yard.
Neighborhood Service	P	
General Service	P	
Vehicle Service and repair	C	
Office	P	
Mixed Use (commercial, office and/or residential use within the same building or located	C or P	Non-residential use or residential use that is convertible (built to commercial building code standards) to non-residential use is required for at least 50% of the ground floor facing a

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Use	MD	Specific Use Standards
adjacent within a unified site plan)		public street. 24 hour on-site management required for projects with 50 or more residential units. <b>Affordable Housing developments or individually owned units are permitted uses, subject to the design standards within this Chapter and exempt from including Non-residential use or residential use that is convertible (built to commercial building code standards) to non-residential use is required for at least 50% of the ground floor facing a public street when not located within 300' of a major intersection. *A minimum 50% of the multi household residential must be affordable to be deemed Affordable Housing.</b>
<b>Mixed Use (commercial, office and/or Mixed-Income residential use within the same building or located adjacent within a unified site plan)</b>		Non-residential use or residential use that is convertible (built to commercial building code standards) to non-residential use is required for at least 50% of the ground floor facing a public street. 24 hour on-site management required for projects with 50 or more residential units. <b>Mixed Income Housing developments or individually owned units are permitted uses, subject to the design standards within this Chapter. *A minimum 20% of the multi household residential must be affordable to be deemed Mixed Income Housing.</b>
Commercial parking lot / garage	C	Non-residential use is required for at least 50% of the ground floor facing a public street.
Short term rentals	P	Provided a valid Millcreek business license has been issued and in good standing with respect to the property.

C. Prohibited Uses, Limitations

1. Notwithstanding the permitted and conditional uses in Table 19.55-1, the following specific prohibitions and/or limitations apply:

<b>Table 19.55-2 Prohibited Uses and Limitations</b>	
<i>Use</i>	<i>Specific Use Limitations</i>
Detention facility/jail as a principal use	Not allowed
Indoor/outdoor gun/archery range	Not allowed
Outside storage	Only allowed if not located within view of the street or in any front or side yard facing a street. Such storage requires a minimum 6' opaque fence. Storage is not considered "display" items. Includes storage containers.
Displays over five feet in horizontal distance from the main building.	Not allowed
Equipment, car or truck rental	Not allowed
Non-stealth commercial wireless communication facilities	Only stealth type towers allowed
Sexually oriented businesses	Not allowed subject to MKZ 19.91.11
Pawnshop	Not allowed within 500' of an arterial/major* intersection or within 1,000' of an established pawn shop or substantially similar business.
Sale or lease of new or used vehicles of all types, watercraft, mobile homes, travel trailers, campers, motorcycles and other recreational vehicles	Not allowed
Secondhand stores including general merchandise, precious metal dealer/processor and/or precious gem dealer, military surplus	Not allowed if greater than 5,000 square feet
Self-storage facility of all types, including mini- storage units, neighborhood storage and temperature controlled storage facilities	Only allowed if such uses are located in a mixed use building with residential, general retail, or office uses on 100% of the first floor facing a public street and if located further than 300' from an arterial/major* intersection but not within 1,000' of an established substantially similar business.
Taxicab, limousine business	Not allowed
Sororities and fraternities	Not allowed
Short term ("payday", "car" title and similar) loan service	Not allowed within 300' of any arterial/major* intersection and not within 1,000' of other established

**Table 19.55-2 Prohibited Uses and Limitations**

<i>Use</i>	<i>Specific Use Limitations</i>
	"payday", "car title" and other short term loan businesses.
Flea markets, swap meets	Not allowed
Outdoor commercial recreation, amusement, or entertainment business	Not allowed
Recreational vehicle campgrounds	Not allowed

\*Arterial/major intersections are defined as the major streets that cross with 3900 S, and Central Avenue, including West Temple, Main St. and State Street. Each distance is measured as a radius from the applicant's nearest property line to the intersection ROW line and/or to the property line of the nearest substantially similar business. Any overlap of the radius onto the applicant's property excludes the entire property.

D. Accessory Uses

1. Accessory uses and structures shall be subordinate/incidental to the main use and structure. Other than food trucks such uses shall not be allowed in the front or side yards facing a street.

E. Spatial Requirements

**Table 19.55-3 Spatial Requirements for Mixed Use (MD) Zones**

<i>Spatial Requirements</i>	<i>MD</i>
Minimum Lot Area*	20,000 square feet
Minimum Lot Width*	100 feet
Maximum Building Height	85 feet
Maximum Lot Coverage	80 percent
Minimum Building Height	2 story
<i>Yard Requirements</i>	<i>MD</i>
Minimum Front Yard	10 feet
Minimum Rear Yard	20 feet – except when adjacent to a defined creek, then 30 feet
Minimum Interior Side Yard	20 feet
Minimum Corner Side Yard	20 feet
Accessory Structures: Rear And Interior Side Yard	10 feet
Accessory Structures: Rear And Interior Side Yard When Abutting Residential Use	20 feet
<i>Residential Density</i>	<i>MD</i>

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Residential Use	Subject to the standards of this chapter. No maximum density required

Table 19.55-3 Notes:

1. \*For mixed use buildings containing Mixed-Income Housing residential dwellings, no minimum lot area is required.
2. \*For mixed use buildings containing Mixed-Income Housing residential dwellings, no minimum lot width is required.
3. \*For mixed use buildings containing Mixed-Income residential dwellings, no maximum lot coverage is required.
4. \*For mixed use buildings containing Affordable Housing or Mixed-Income Housing residential dwellings, maximum building height is 100'.

5. For buildings adjacent to single family residential uses, the side and rear yards abutting such uses shall be increased by one foot for every two feet that the structure exceeds twenty-five feet in height.

6. For "automobile service station" uses, gasoline pumps shall be set back not less than twenty-four feet from any street property line, and not less than thirty feet from any residential zone boundary line. If the pump island is set at an angle on the property, it shall be so located that automobiles stopped for service will not extend over the property line. In addition, canopies constructed to provide a weather shield over gasoline pump islands shall be set back not less than 4' feet from any required setback.

7. Notwithstanding contrary definitions found in MKZ 19, building height is measured from the natural grade to the highest point of the roof.

F. Design Standards for the MD zone.

1. Entrances to the first floor of commercial and mixed use buildings shall front on the street. Functional transparent(at least 90%) windows shall make up at least 50% of first floor street-facing facades. Interior lighting is required. Living screens may replace up to 35% of this window requirement. Top floors shall have architectural differentiation from the other floors in the building.
2. No parking is allowed between the building(s) and the street.
3. Corner lots are deemed to have two front yards. Any façade parallel to or within 60 degrees of the property frontage along a street as defined in MKZ 19.04 is deemed to front the street.
4. The front yard setback is the build-to-line within 300' of any major intersection. At least 50 percent of the front elevation of the building(s) must be built within 10 feet of the build-to-line. A build-to-line is defined as the line at which construction of a building façade is to occur on a lot, running parallel to the front property line, and ensuring a uniform (or more or less even) building façade line on the street.
5. Landscaping along the street shall comply with this chapter and MKZ 19.77.
6. Garbage and Recycling. The development shall be designed to accommodate and efficiently manage the collection, storage, and removal of garbage in harmony with the neighborhood so as to minimize detrimental effects of the collection, storage, and removal on any use within the development or abutting uses. Dumpster enclosures are required. No refuse dumpster or dumpster enclosure structure shall be located closer than 10 feet to any perimeter property line. Enclosure structures must have a minimum of three sides that reflect or emulate the materials, design, and quality of the overall development. All developments shall provide recycling services.
7. Parking for multi-family and mixed uses is subject to MKZ 19.80
8. All uses shall be free from unsafe, unhealthy, objectionable and or unreasonable odor, dust, smoke, emissions, noise, vibration, or similar problems, nor be in violation of any federal, state or local law.
9. Building Materials. Exterior materials of a durable or resilient nature such as brick, stone, stucco, prefinished panel, composite materials, or other materials of similar quality, hardness, and low maintenance characteristics shall be used. No single material is allowed to exceed 50 percent of street-facing facades. Other materials may be considered for soffits, or as an accent or architectural feature. Twenty-five year guarantee, architectural shingles and/or other longer lasting roof materials are required.
10. Landscaping on Public Right-of-Way. See Landscape Chapter

11. Perimeter Fencing. Fencing is required adjacent to residential uses. Acceptable fencing materials include architecturally designed brick, stone, or block, or pre-cast concrete. Fencing with materials using composite products, wrought iron, wood, or vinyl is allowed with a minimum two foot wide, six foot tall brick or stone pillars spaced every ten feet on center. Unless otherwise allowed by the Planning Commission, exterior fencing along a public right of way shall be limited to brick, stone, or block, or pre-cast concrete and be setback a minimum of 5 feet from the property line to allow for a landscaping buffer designed in accordance with MKZ 19.77 to soften long expanses of walls. Interior fencing shall comply with MKZ 19.95.

12. Interior Street Lights. Street and pedestrian lighting for streets on the interior of the development is required. All lighting fixtures shall be directed downward with mechanisms to prevent dark sky illumination. The applicant shall submit a plan which indicates the type and location of lights in relation to the development and designed for pedestrian safety. Minimum Average Foot-Candles for interior streets shall be shall be 0.3 and the fixture height shall not exceed 25 feet. Such fixtures shall be located at least 10' from the public right-of-way.

13. Access between uses. Vehicular and pedestrian access between uses that does not force vehicles out to the adjacent street is required.

G. Special Design Regulations for The MD Zone

1. Residential uses shall include some commercial uses along the public street or be constructed in a manner to allow for future commercial uses on the first floor (convertible space).

2. Uses adjacent to Big Cottonwood Creek shall include a usable open space buffer area next to that creek, defined as the high water mark or flood plain setback plus 30' (alt 50') as a minimum. Such areas are recommended for a trail system.

3. Signs are limited to signs located on the building, low profile signs not exceeding 5' in height, and temporary A-frame signs. Size, locations, and number limitations are defined in MKZ 19.82.

H. Related Provisions. For additional information refer to the zoning ordinance and in particular the following sections:

Related Provisions	
Reference Section	Topic
MKZ 19.76.020	Occupancy permit
MKZ 19.76.070	Division of a two-family dwelling
MKZ 19.76.100	Sale of space needed to meet requirements



MKZ 19.76.140	Private garage or carport—Reduced yards
MKZ 19.76.190	Height limitations—Exceptions
MKZ 19.76.200	Additional height allowed when
MKZ 19.76.020	Occupancy permit
MKZ 19.76.070	Division of a two-family dwelling
MKZ 19.76.100	Sale of space needed to meet requirements
MKZ 19.76.140	Private garage or carport—Reduced yards
MKZ 19.76.190	Height limitations—Exceptions
MKZ 19.76.200	Additional height allowed when
MKZ 19.76.210	Off-site improvements
MKZ 19.80.040	Number of spaces required

1. In the event there is language elsewhere in MKZ 19 that conflicts with language in this chapter, the more restrictive standard prevails.
2. In any rezoning process for a mixed use or multi-household development larger than a four-plex, a development agreement shall be required at the sole discretion of the City. "Development Agreement" means an agreement negotiated and entered into by the City with a property owner and/or developer, pursuant to a proposed development within the City, see Utah Code 10-9a-532 and 10-9a-502 Development agreements.
3. The Agreement must: (1) specify and describe the proposed development through text including any requests for modifications of the ordinance requirements, site plans, materials, and elevations (2) detail the amenities and other benefits being provided to the City and its residents (3) utilize a development agreement form approved by the City. The Development Agreement shall run with the land and be binding on all successors and assigns of the property owner or developer; however, each Development Agreement shall include a clause that allows the City to re-zone the property and withdraw from the Development Agreement if the Development Agreement is not recorded within two (2) years of execution of the Agreement.