

21A.25 Form Based Mixed Use District

21A.25.010 General Provisions

A. Intent: The intent of this chapter is to create a scale of form based, mixed use district that can be used in different areas of the city based on the land use policies identified in the general plan. The regulations are intended to provide places for small and large businesses, increase the supply of a variety of housing types in the city, and promote the public health by increasing the opportunity for people to access daily needs by walking or biking. The regulations focus on the form of development, the manner in which buildings are oriented toward public spaces, the scale of development, and the interaction of uses within the city.

B. Allowed Uses: Land uses shall be allowed as a permitted or conditional use based on the land use tables for each listed district in Chapter 21A.33.

1. Accessory uses and structures: Accessory uses and structures shall be allowed subject to the requirements of 21A.36.020, 21A.36.030, and 21A.40 of this title and any other provisions that specifically applies to accessory uses and structures that may be found in this title.

2. Obnoxious or Offensive Uses: No use of land shall be permitted which creates a nuisance by reason of odor, dust, smoke, vapors, noise, light, vibration or refuse matter. Any nuisance shall be considered a violation of this title.

21A.25.020 Reserved

21A.25.030 Reserved

21A.25.040 Reserved

21A.25.050 Reserved

21A.25.060 MU-8 Form Based Mixed Use 8 District

21A.25.060 MU-8 Form Based Mixed Use 8 Subdistrict

A. Purpose: the purpose of the MU-8 Form Based Mixed Use 8 zoning subdistrict is to implement the city's general plan in areas that identify mid rise buildings, generally eight stories or less in height, that contain a mix of land uses that support people who choose to live in or near the subdistrict.

B. Building form standards for each allowed building form and other associated regulations for the MU-8 subdistrict are listed in the below tables of this section.

1. Row House Building Form Standards:

a. Prohibitions: This use is prohibited on the following streets:

- (i). 1300 South
- (ii). West Temple
- (iii). Main Street

TABLE 21A.25.060.B.1

Building Regulation		Regulation for Building Form: Row House
H	Height	Maximum of 40'. All heights measured from established grade. Rooftop decks and associated railing/parapet are allowed on any roof, including roofs at the maximum allowed height.
F	Front and Corner Side Yard Setback	Minimum 10'. Maximum 20', unless a greater setback is required due to existing utility easements in which case the maximum setback shall be at the edge of the easement. May be modified through Design Review (Chapter 21A.59).
S	Interior Side Yard	Minimum of 5' between row house building form and side property line, except when an interior side yard is abutting to a zoning district that has a maximum permitted building height of 30' or less, then the minimum shall be 10'. For the purpose of this regulation, an alley that is a minimum of 10' in width that separates a subject property from a different zoning district shall not be considered abutting. No setback required for common walls.
R	Rear Yard	Minimum of 20'
U	Uses Per Story	Residential on all stories; live/work units permitted on ground level.
E	Entry Feature	Each dwelling unit must include an allowed entry feature. See Table 21A.27.030B for allowed entry features. Dwelling units abutting to a street must include an entry feature on street facing façade. Pedestrian connections, as per Subsection 21A.37.050.D, with minimum 5' width are required for each required entry feature.
U	Upper Level Stepback	When abutting to a lot in a zoning district with a maximum building height of 30' or less, the first full floor of the building above 30' shall step back 10' from the building façade at finished grade along any side and rear yard that is abutting to the lot in the applicable zoning district. This regulation does not apply when a lot in a different zoning district is separated from the subject parcel by a street or alley.
OS	Open Space Area	Each dwelling unit shall include a minimum open space area that is equal to at least 25% of the footprint of the individual unit, subject to all other open space area requirements of Subsection 21A.25.060.C.1 "Open Space Area." A minimum of 20% of the required open space area shall include vegetation.
BF	Building Forms Per Lot	Multiple buildings may be built on a single lot provided all of the buildings have frontage on a street. All buildings shall comply with all applicable standards.
SO	Side/Interior Orientation	Dwelling units not located directly abutting to a street are permitted, provided the design standards for glass are complied with on the façade with the required entry feature. Lots for individual row house dwelling units without public street frontage are allowed subject to recording a final subdivision plat that: <ol style="list-style-type: none"> 1. Documents that new lots have adequate access to a public street by way of easements or a shared driveway; and 2. Includes a disclosure of private infrastructure costs for any shared infrastructure associated with the new lot(s) per Section 21A.55.110 of this title.
MW	Midblock Walkway	If a midblock walkway is shown in an adopted city plan on the subject property, a midblock walkway shall be provided. The midblock walkway must be a minimum of 10' wide and include a minimum 6' wide unobstructed path.

DS	Design Standards	See Section 21A.27.030 and Chapter 21A.37 for other applicable building configuration and design standards.
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2. Multi-Family Residential, Storefront, and Vertical Mixed-Use Building Form Standards:

- (a). Ground floor residential uses are prohibited on the following streets:
- (i). 1300 South
 - (ii). West Temple
 - (iii). Main Street

TABLE 21A.25.060.B.2

Building Regulation		Regulation for Building Forms: Multi-family Residential/Storefront/Vertical Mixed Use
H	Height	Maximum height of 90'. All heights measured from established grade. Buildings in excess of 50' require design review in accordance with Chapter 21A.59. Rooftop decks and associated railing/parapet are allowed on any roof, including roofs at the maximum allowed height.
GH	Ground Floor Height	Minimum ground floor height 14'. This requirement shall precede the ground floor height requirements established in Subsection 21A.37.050.A.1.
a	Front and Corner Side Yard Setback	Minimum: 10'. Maximum 20' but may be increased if the additional setback is used for plazas, courtyards, or outdoor dining areas unless a greater setback is required due to existing utility easements in which case the maximum setback shall be at the edge of the easement. May be modified through Design Review process (Chapter 21A.59).
B	Required Build-To	Minimum of 50% of street facing facade shall be built within 10' of the front or corner side property line. May be modified through Design Review process (Chapter 21A.59).
S	Interior Side Yard	No minimum required, except when an interior side yard is abutting to a zoning district that has a maximum permitted building height of 45' or less, then the minimum shall be 10'. For the purpose of this regulation, an alley that is a minimum of 10' in width that separates a subject property from a different zoning district shall not be considered abutting.
R	Rear Yard	No minimum required, except when rear yard is abutting to a zoning district with a maximum permitted building height of 45' or less, then the minimum is 20'. For the purpose of this regulation, an alley that is a minimum of 10' in width that separates a subject property from a different zoning district shall not be considered abutting.
GU	Ground Floor Use	The required ground floor use space facing the street shall be limited to the following uses: retail goods establishments, retail service establishments, public service portions of businesses, restaurants, taverns/brewpubs, bar establishments, art galleries, theaters, or performing art facilities. This applies to all streets with a right of way that is wider than 66'. This may be modified through the design review process.
E	Ground Floor Dwelling Entrances	Ground floor dwelling units abutting to a street must have an allowed entry feature. See Table 21A.27.030B for allowed entry features. Pedestrian connections, as per Subsection 21A.27.030.C.5, are required to each required entry feature.

U	Upper Level Stepback	When abutting to a lot in a zoning district with a maximum building height of 30' or less, the first full floor of the building above 30' shall step back 10' from the building facade at finished grade along the side or rear yard that is abutting to the lot in the applicable zoning district. This regulation does not apply when a lot in a different zoning district is separated from the subject parcel by a street or alley.
MW	Midblock Walkway	If a midblock walkway is shown in an adopted city plan on the subject property, a midblock walkway shall be provided. The midblock walkway must be a minimum of 10' wide and include a minimum 6' wide unobstructed path.
BF	Building Forms Per Lot	Multiple buildings may be built on a single lot provided all of the buildings have frontage on a street. All buildings shall comply with all applicable standards.
OS	Open Space Area	A minimum of 20% of the lot area shall be open space area subject to all other open space area requirements of Subsection 21A.25.060.C.1 "Open Space Area." A minimum of 20% of the required open space area shall include vegetation.
DS	Design Standards	See Section 21A.27.030 and Chapter 21A.37 for other applicable building configuration and design standards.

C. Open Space Area Requirements: When the building forms allowed in this subdistrict require an open space area, the open space area shall comply with the following standards:

1. Open Space Area: Open space area may include landscaped yards, patio, dining areas, common balconies, rooftop gardens, and other similar outdoor living spaces. Private balconies shall not be counted toward the minimum open space area requirement. Required parking lot landscaping or perimeter parking lot landscaping shall also not count toward the minimum open space area requirement.

2. At least one open space area shall include a minimum dimension of at least 15' by 15'.

3. Trees shall be included at a rate where the mature spread of the tree will cover at least 50% of the open space area.

3. Open space areas that are greater than 500 square feet must contain at least one useable element, accessible to all building occupants, from the following list.

- a. A bench for every 250 square feet of open space area;
- b. A table for outdoor eating for every 500 square feet of open space area;
- c. An outdoor amenity. This is defined as an amenity that intends to provide outdoor recreation and leisure opportunities including, but not limited to, walking paths, playgrounds, seating areas, gardens, sport court or similar amenity intended to promote outdoor activity; and/or
- e. landscaping that equals at least 33% of the landscaped area.

D. Parking Regulations: Specific parking standards applicable to this district are listed below in Table 21A.25.060.C of this section. These are in addition to any other applicable parking standards in Chapter 21A.44

TABLE 21A.25.060.C

Parking Regulation		Applicability: Applies to all properties in the zone
SP	Surface Parking Location	Surface parking shall be located behind or to the side of a principal building provided: <ol style="list-style-type: none"> 1. The parking is set back a minimum of 25' from the front or corner side property line; and 2. The setback area shall be considered a landscaped yard and comply with the landscape yard planting requirements in Chapter 21A.46 and include: <ol style="list-style-type: none"> a. Trees with a minimum mature spread of 20' planted at one tree for every 20' of street frontage; and b. A 3' tall solid wall or fence at the property line along the street. A hedge or other similar landscaped screen may be used in place of a wall or fence provided the plants are spaced no further than 18 inches on center across the entire frontage.
GE	Garage Entrances	Street facing parking garage entrance doors shall have a minimum 20' setback from the front property line and shall not exceed 50% of the first floor building width. One-way garage entry may not exceed 14' in width; multiway garage entry may not exceed 26' in width. Driveways for row house building forms must be located along an alley or accessed at the rear of the building.
LS	Loading and Service Areas	Allowed behind or to the side of a principal building only, except where specifically allowed by the applicable form based zoning subdistrict for the applicable building form. All service areas shall be screened or located within the building.
EB	Existing Buildings	The reuse of existing buildings is exempt from the requirements of this table unless new parking area(s) are being added. New parking areas are subject to compliance with this subsection.

E. Streetscape Regulations: Specific streetscape regulations applicable to the MU-8 subdistrict are listed below in Table 21A.27.050.D.4 of this section. These regulations are in addition to any other applicable streetscape standards in Title 21A.

TABLE 21A.25.060.D

Streetscape Regulation		Applicability: Applies to all properties in the zone
ST	Street Trees	Street trees are required and shall be provided as per Subsection 21A.48.060.D.
SW	Sidewalk Width	Sidewalks shall have a minimum width of 10'. Additional sidewalk width shall be installed by the developer so there is a minimum width sidewalk of 10'. This applies to new buildings and to additions that increase the gross building square footage by more than 50%. This standard does not require removal of existing buildings or portions thereof. For purposes of this section, sidewalk width is measured from the back of the

		park strip or required street tree if no park strip is provided, toward the abutting property line.
SL	Street Lights	Street lights are required and shall be installed in compliance with the city's Street Lighting Master Plan and Policy or its successor.

F. Uses Not Associated with Building Form: Allowed uses that do not involve construction of a building, such as parks and open space, are not required to comply with any specific building form regulation.

G. Additional Regulations. The following regulations apply to properties located in this zoning subdistrict.

1. 21A.33 Land Use Tables
2. 21A.36 General Provisions
3. 21A.37 Design Standards
4. 21A.38 Nonconforming Uses and Noncomplying Structures
5. 21A.40 Accessory Uses, Buildings, and Structures
6. 21A.42 Temporary Uses
7. 21A.44 Off Street Parking, Mobility, and Loading
8. 21A.46 Signs
9. 21A.48 Landscaping and Buffers

21A.33.025 Table of Permitted and Conditional Uses for Mixed Use Districts

Legend:	C =	Conditional	P =	Permitted
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<u>Use</u>	<u>District</u>
	<u>MU-8</u>
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P
Alcohol:	
Bar establishment (indoor)	P
Bar establishment (outdoor)	P
Brewpub (indoor)	P ⁶
Brewpub (outdoor)	P ⁶
Tavern (indoor)	P
Tavern (outdoor)	C ⁶
Animal, veterinary office	P
Antenna, communication tower	P

Antenna, communication tower, exceeding the maximum building height	C
Art gallery	P
Artisan food production	P ¹⁸
Bed and breakfast	P
Bed and breakfast inn	P
Bed and breakfast manor	P
Bio-medical facility	P ^{17,18}
Bus line station/terminal	P ⁷
Clinic (medical, dental)	P
Commercial food preparation	P ¹⁸
Community garden	P
Crematorium	P
Daycare center, adult	P
Daycare center, child	P
Daycare, nonregistered home daycare	P ¹²
Daycare, registered home daycare or preschool	P ¹²
Dwelling:	
Artists' loft/studio	P
Assisted living facility (large)	P
Assisted living facility (limited capacity)	P
Assisted living facility (small)	P
Congregate care facility (large)	P
Congregate care facility (small)	P
Group home (large)	P
Group home (small)	P
Multi-family	P
Residential support (large)	P
Residential support (small)	P
Shared Housing	P
Exhibition hall	

Farmers' market	P
Financial institution	P
Funeral home	P
Gas station	
Government facility	C
Government facility requiring special design features for security purposes	P ⁷
Heliport, accessory	
Home occupation	P ¹³
Hotel/motel	P
Industrial assembly	C ¹⁸
Laboratory, medical related	P ¹⁸
Library	P
Mixed use development	P
Mobile food business (operation in the public right of way)	P
Mobile food business (operation on private property)	P
Mobile food court	P
Municipal services uses including city utility uses and police and fire stations	P
Museum	P
Office	P
Office, publishing company	P
Open space on lots less than 4 acres in size	P ⁷
Park	P
Parking, commercial	C ¹⁹
Parking, off site	P ¹⁹
Performing arts production facility	P
Place of worship	P ¹¹
Radio, television station	P
Railroad, passenger station	P
Reception center	P

Recreation (indoor)	P
Recreation (outdoor)	P
Research and development facility	P ¹⁸
Restaurant	P
Restaurant with drive-through facility	
Retail goods establishment	P
Retail service establishment	P
Retail service establishment, upholstery shop	P
Sales and display (outdoor)	P
School:	
College or university	P
K - 12 private	P
K - 12 public	P
Music conservatory	P
Professional and vocational	P
Seminary and religious institute	P
Small brewery	P
Social service mission and charity dining hall	C
Stadium	
Storage, self	
Store:	
Studio, art	P
Technology facility	P ¹⁸
Theater, live performance	P
Theater, movie	P
Utility, buildings or structure	P ¹
Utility, transmission wire, line, pipe or pole	P ¹
Vending cart, private property	P
Vending cart, public property	P

Warehouse	
Warehouse, accessory	P
Wireless telecommunications facility (see Section 21A.40.090, Table 21A.40.090.E of this title)	

21A.37.060 H Design Standards

<u>Standard (Code Section)</u>	<u>District</u>
	<u>MU-8</u>
<u>Ground floor use (%) (21A.37.050.A.1)</u>	<u>80</u>
<u>Ground floor use + visual interest (%) (21A.37.050.A.2)</u>	
<u>Building materials: ground floor (%) (21A.37.050.B.3)</u>	<u>70</u>
<u>Building materials: upper floors (%) (21A.37.050.B.4)</u>	<u>50</u>
<u>Glass: ground floor (%) (21A.37.050.C.1)</u>	<u>60¹</u>
<u>Glass: upper floors (%) (21A.37.050.C.2)</u>	<u>15</u>
<u>Reflective Glass: ground floor (%) (21A.37.050.C.1)</u>	<u>0</u>
<u>Reflective Glass: upper floors (%) (21A.37.050.C.2)</u>	<u>0</u>
<u>Building entrances (feet) (21A.37.050.D)</u>	<u>40</u>
<u>Blank wall: maximum length (feet) (21A.37.050.E)</u>	<u>30</u>
<u>Street facing facade: maximum length (feet) (21A.37.050.F)</u>	<u>200</u>
<u>Upper floor setback (feet) (21A.37.050.G.4)</u>	

<u>Lighting: exterior</u> (21A.37.050.H)	<u>X</u>
<u>Lighting: parking lot</u> (21A.37.050.I)	<u>X</u>
<u>Screening of mechanical equipment</u> (21A.37.050.J)	<u>X</u>
<u>Screening of service areas</u> (21A.37.050.K.1)	<u>X</u>
<u>Ground floor residential entrances for dwellings with individual unit entries</u> (21A.37.050.L)	<u>X</u>
<u>Parking garages or structures</u> (21A.37.050.M)	<u>X</u>
<u>Tree canopy coverage (%)</u> (21A.37.050.P.1)	<u>66%</u>
<u>Minimum vegetation standards</u> (21A.37.050.P.2)	<u>X</u>
<u>Street trees</u> (21A.37.050.P.3)	<u>X</u>
<u>Soil volume</u> (21A.37.050.P.4)	
<u>Minimize curb cuts</u> (21A.37.050.P.5)	<u>X</u>
<u>Overhead cover</u> (21A.37.050.P.6)	<u>X</u>
<u>Streetscape landscaping</u> (21A.37.050.P.7)	<u>X</u>
<u>Height transitions: angular plane for adjacent zone districts</u> (21A.37.050.Q)	<u>X</u>
<u>Horizontal articulation</u> (21A.37.050.R)	

1. This may be reduced to twenty percent (20%) if the ground floor is within one of the following building types: urban house, two-family, cottage, and row house; subject to the building type being allowed in the zone.
2. Except where specifically authorized by the zone.

3. For buildings with street facing facades over 100' in length, a minimum of 30% of the façade length shall be an “active use” as defined in Subsection 21A.37.050.A.1. Except for the rowhouse building form, residential units shall not count as an “active use” toward the 30% minimum.

***Proposed text amendments are underlined.**

21A.34.090: SSSC SOUTH STATE STREET CORRIDOR OVERLAY DISTRICT:

A. Purpose: The purpose of the SSSC South State Street Corridor Overlay District is to acknowledge and reinforce the historical land development patterns along South State Street between 900 South and 2100 South.

B. Maximum Building Height Exemption: Buildings located within the BP Business Park Base Zoning District within the SSSC South State Street Corridor Overlay District may exceed the height of the base zoning district to a height not to exceed ninety feet (90').

C. Minimum Yard Requirement Exemption:

1. Front Yard: Structures located within the CC Corridor Commercial Base Zoning District and the SSSC South State Street Corridor Overlay District are exempted from the minimum front yard setback requirement. The required fifteen foot (15') landscaped setback applies to all other uses, including open storage and vacant land.
2. Maximum Setback: A maximum setback is required for at least thirty five percent (35%) of the building facade. The maximum setback is twenty five feet (25'). Exceptions to this requirement may be authorized through the design review process, subject to the requirements of [chapter 21A.59](#) of this title, and the review and approval of the Planning Commission. The Planning Director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the Planning Director finds the following:
 - a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
 - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the Planning Commission.

3. Parking Setback: Surface parking lots within an interior side yard shall maintain a twenty five foot (25') landscape setback from the front property line or be located behind the primary structure. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line or be located behind the primary structure. There are no minimum or maximum setback restrictions on underground parking. The Planning Director may modify or waive this requirement if the Planning Director finds the following:
 - a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
 - b. The parking is not part of a series of incremental additions intended to subvert the intent of the ordinance.
 - c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.
 - d. The landscaped setback is consistent with the surrounding neighborhood character.
 - e. The overall project is consistent with section [21A.59.050](#) of this title.

Appeal of administrative decision is to the Planning Commission.

D. District Location: The South State Street Corridor Overlay District is the area generally aligned with the State/Main Street corridor from 900 South to 2100 South, within the following approximate boundaries referenced on the zoning map:

Commencing 165 feet east of the east right-of-way line at the intersection of 2100 South and State Street, thence north to a point 165 feet east of the right-of-way line at the intersection of 900 South and State Street, thence west to a point 165 feet west of the right-of-way line at the intersection of 900 South and Main Street, thence south to the right-of-way line at 1300 South, thence east to the east right-of-way line at the intersection of 1300 South and Main Street, thence south to the intersection of 2100 South and Main Street, thence east along the north right-of-way line on 2100 South to the point of beginning.

E. Entrance And Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized through the design review process, subject to the requirements of [chapter 21A.59](#) of this title, and the review and approval of the Planning Commission. The Planning Director may approve a modification to this requirement if the Planning Director finds:
 - a. The requirement would negatively impact the historic character of the building,
 - b. The requirement would negatively impact the structural stability of the building, or
 - c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the Planning Commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection E1 of this section.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right-of-way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

F. Parking Lot/Structure Lighting: If a parking lot/structure is adjacent to a Residential Zoning District or land use, the poles for the parking lot/structure security lighting are limited to sixteen feet (16') in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

G. Exemptions: The MU-8 Form Based Mixed Use District 8, and FB-UN2 Form Based Urban Neighborhood 2 Zoning Districts are exempt from the requirements in this subsection.