



Millcreek Planning and Zoning Department

3330 South 1300 East
Millcreek, Utah 84106
Phone: (801) 214-2700

STAFF MEMORANDUM

From: Robert May, Long Range Planning Manager

To: Community Councils

RE: Text amendment of the commercial design standards Chapter 19.60.060 for mixed-use building and development requirements

Applicant: Nathan Anderson

File No: ZT-22-001

Summary of Request

The applicant wishes to petition City Council to approve a text amendment of the commercial design standards Chapter 19.60.060 for mixed-use building and development requirements. The text amendment is simply an addition to the standards allowing for the “depth” of commercial space to be measured parallel and along the street frontage or perpendicular to the street frontage.

Applicants proposed definition

[19.60.060 Special Regulations For Commercial Zones](#)

Additional Requirements for Vertically-Integrated Mixed Use Buildings and Mixed Use Developments in Unified Site Plans. Mixed use buildings and developments that contain residential uses must comply with the bulk and yard requirements and design standards listed in this chapter, and with the following standards:

1. **Mixed Use Configuration.** Mixed Use Buildings and Developments that Contain Residential Uses must be configured in one of the following manners:
 - a. **Vertically-Integrated** A vertically-integrated mixed use building shall consist of commercial uses on the ground story with residential uses on upper stories.
 - b. **Unified Site Plan.** A unified site plan shall consists of separate residential and commercial or vertically-integrated buildings in a site plan that features consistent approaches to lighting, landscaping, signage, building design, and materials use. Commercial buildings in a unified site plan must occupy at least 30 percent of the gross ground story floor area of the unified site plan, and must occupy at least 50 percent of the of the building frontages along a right-of way. Vertically-integrated mixed use buildings in a unified site plan shall meet the requirements of vertically-integrated mixed use buildings, and shall abut a public right-of-way. Residential buildings in a unified site plan shall comply with the requirements set forth in MKC 19.44.050 (E) (13), (14), or (15).
2. **Minimum Frontage Requirement.** In a mixed use building or development that includes residential uses, the mixed use site must have at least 100 feet of frontage along a major collector, minor arterial, or other principal arterial road as identified in the Roadway Functional Classification Map of the Millcreek Transportation Master Plan.
3. **Balconies or Patios.** At least 60 percent of residential units shall have a private outdoor space in the form of a balcony and/or patio with a minimum of 60 square feet with a minimum 5 foot depth. Each ground floor patio shall have a privacy fence at a depth and height sufficient to provide privacy from adjacent residents.



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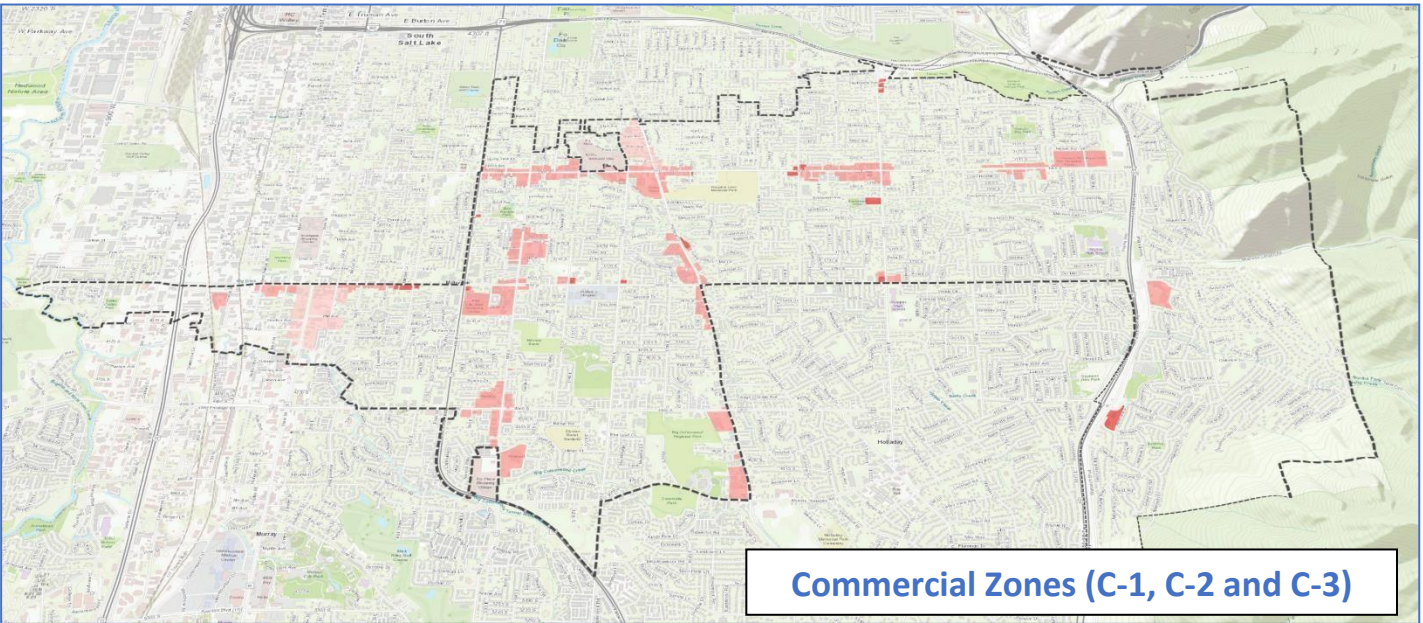
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4. Rooftop Gardens and Rooftop Patios. For any development adjacent to an R-1, R-2, R-4, A-1, or A-2 zone (“residential zone”), rooftop gardens or rooftop patios are prohibited within 100 feet of a residential zone boundary, unless the rooftop garden, patio or amenity space is not located above the highest occupied floor of a building or is obstructed from view from the zone boundary by at least 20 feet of occupied floor space.
 5. Ground Story Use Requirements. The ground floor of a mixed use shall comply with the following requirements.
 - a. Minimum Commercial Floor Area Required. A mixed use development shall have at least 1,500 square feet of commercial floor area.
 - b. Commercial Frontage and Minimum Depth of Ground Story Commercial Space.
 - (1) Vertically-Integrated Mixed Use Buildings. For vertically-integrated mixed use buildings with frontage along a roadway identified in the Roadway Functional Classification Map in the Millcreek Transportation Master Plan as a Major Collector, a Minor Arterial or an Other Principal Arterial, no less than 50 percent of the building’s front façade shall be occupied by commercial uses, in one of the following configurations:
 - (A) Commercial spaces with a minimum depth of 30 feet shall occupy at least 80 percent of a building’s ground floor front façade.
 - (B) Commercial spaces with a minimum depth of 40 feet shall occupy at least 50 percent of a building’s ground floor front façade.
 - (C) Commercial spaces that occupy a minimum of two stories and shall have a minimum depth of 30 feet and shall occupy at least 30 percent of a building’s ground floor front façade. In no event shall the minimum required commercial square footage be less than 3,000 square feet.
 - (2) Mixed Use in a Unified Site Plan. For a unified site plan with frontage along a roadway identified in the Roadway Functional Classification Map in the Millcreek Transportation Master Plan as a Major Collector, a Minor Arterial, or an Other Principal Arterial, commercial uses shall occupy one of the following configurations:
 - (A) Single-story commercial spaces of at least 1,500 square feet in ground floor area must occupy at least 50 percent of the building frontages along a public street.
 - (B) Commercial spaces of at least 2,000 square feet in ground floor area or commercial spaces that are a minimum of two stories shall occupy at least 30 percent of the building frontages along a public street.
 6. Depth of Commercial Space: Depth of commercial space may be measured parallel and along the street frontage or perpendicular to the street frontage.
 - (1) Depth measured parallel and along the street frontage or perpendicular to the street frontage shall meet all standards and requirements for vertical and unified site plan for mixed use development Chapter 19.60.060 (1-5).
 - (2) Depth measured parallel and along the street frontage must have a minimum perpendicular depth to the street frontage of 12’ feet.

Pursuant to **§19.05.030** of the Millcreek Code, the Planning Commission shall make a recommendation to the Millcreek Council for land use ordinances, zoning maps, official maps, and amendments.



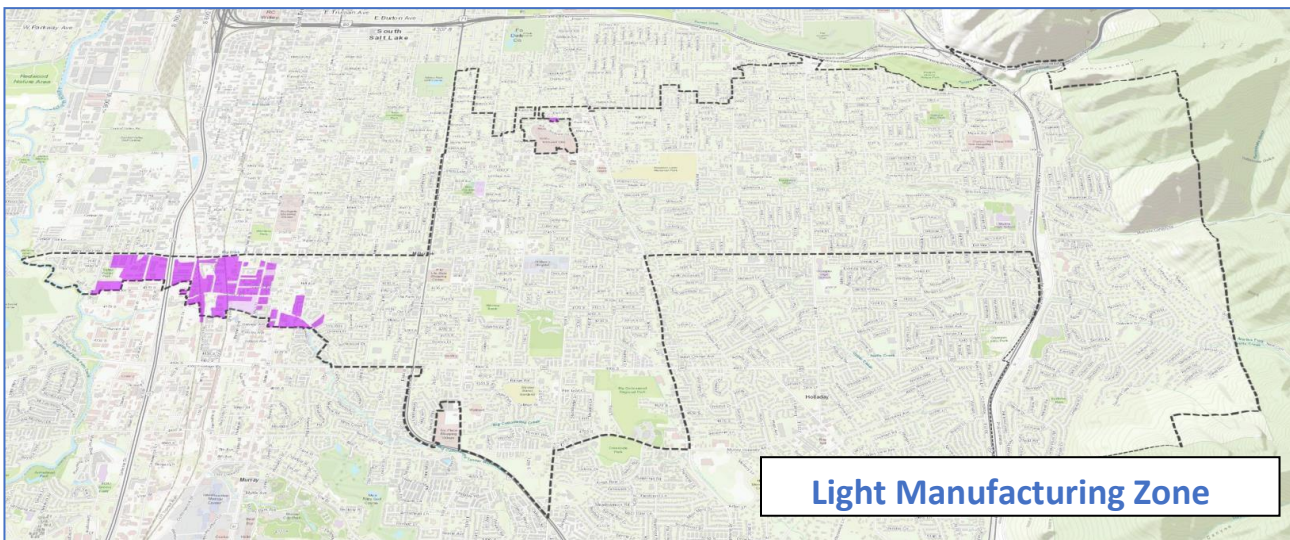
Affected Zones



Click [here](#) to view the Commercial Zones

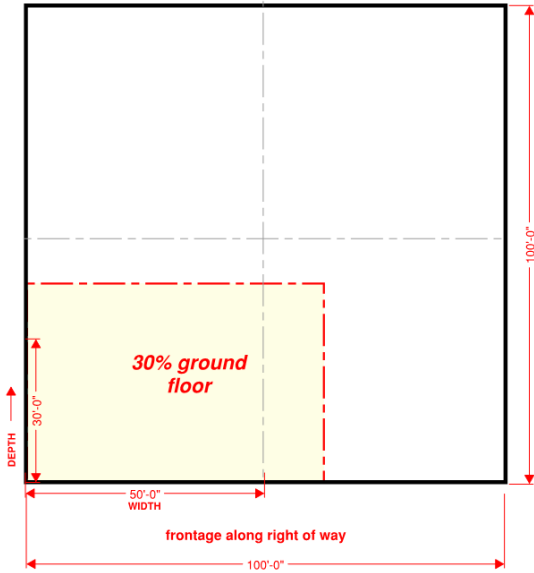
Currently, located in the Light Manufacturing Zone “M”, those permitted and conditional uses in the C-3 Zone are allowed and subject to all prohibitions, limitations, standards and/or conditions in the C-3 zone, Chapter MKZ 19.60 and specifically the prohibitions and limitations of table 19.60-2.

Click [here](#) to view the Light Manufacturing Zone

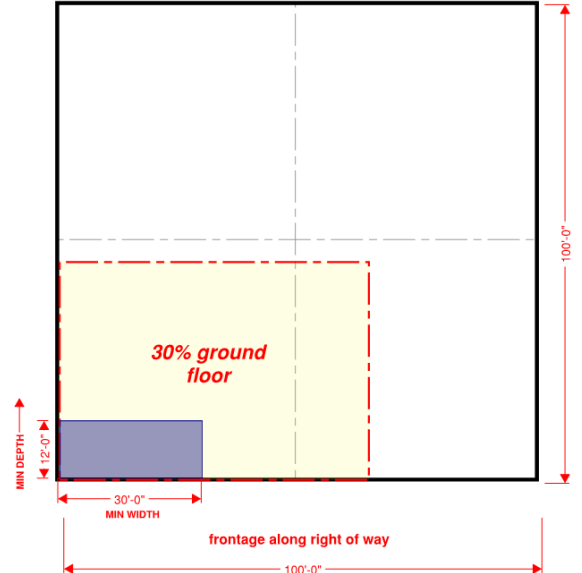




CURRENTLY WRITTEN



ADDITION OF PROPOSED LANGUAGE



6. Depth of Commercial Space: Depth of commercial space may be measured parallel and along the street frontage or perpendicular to the street frontage.

(1) Depth measured parallel and along the street frontage or perpendicular to the street frontage shall meet all standards and requirements for vertical and unified site plan for mixed use development Chapter 19.60.060 (1-5).

(2) Depth measured perpendicular to the street frontage must have a minimum depth of 12' feet.

Staff is not opposed to the proposed text amendment of the commercial design standards Chapter 19.60.060 for mixed-use building and development requirements. Staff finds that the proposed text amendment essentially provides clarity for how “depth” is measured while securing the main intent of the first floor commercial standards.

While depth may be measured parallel to the street frontage along the right-of-way with a minimum perpendicular depth of 12 feet, requiring that all other standards and requirements shall be met prevents a loophole from providing a first floor commercial space that does not meet the intent of the code.

Community Council Action

As per Chapter 2.56.100 of the Millcreek City Code, staff is seeking Community Council input on the proposed text amendment to the Zoning Ordinance as described. These will go to the Planning Commission for their review and recommendation.



Example Renderings Provided by Applicant

