

Chapter 17.50 MIXED COMMERCIAL

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Section 17.50.010 General Provisions

1. The objective in establishing the Mixed Commercial (MC) zone is to provide areas within the City where low intensity light industrial, research and development, professional and business services, retail and other commercial related uses may be located.
2. For permitted uses and uses which require a conditional use permit, refer to the Standard Land Use Table in Appendix A.
3. Refer to the following Chapters and subsections for additional regulations:
 - A. 17.04 General and Supplemental Provisions
 - B. 17.20 Conditional Uses Generally
 - C. 17.16 Nonconforming buildings and uses
 - D. 17.18 Off-Street Parking
 - E. Chapter 18, Lindon City Sign Ordinance

Section 17.50.020 MC - Mixed Commercial - Purpose

It shall be the purpose of the MC District to provide areas in appropriate locations where low intensity light industrial (contained entirely within a building), research and development, professional and business services, retail and other commercial related uses not producing objectionable effects may be established, maintained and protected. The regulations of this district are designed to protect environmental quality, compatibility, competitiveness, and aesthetics of the district and adjacent areas.

Section 17.50.030 Uses

No building, structure or land shall be used or developed and no building or structure shall be erected, structurally altered, enlarged or maintained in the industrial zones except as provided as a permitted or conditional use by the Standard Land Use Table in Appendix A. Any site which contains a legal nonconforming use must meet all applicable Lindon City ordinance requirements when the use is changed.

Section 17.50.040 Height

The maximum average height for all buildings and structures regulated by this chapter shall be 48 feet above finished grade. (See Section 17.02.010(26))

Section 17.50.050 Fencing

1. A masonry or concrete fence seven feet (7') high, shall be constructed and maintained along any property line between a non-residential development and a residential use or

a residential zone. The fence shall be constructed and maintained by the owner of the non-residential development. Perimeter fencing shall not exceed eight (8) feet in height without approval by the Planning Commission. In all commercial zones the Planning Commission may approve a landscaping screen in lieu of a fence, a fence other than a masonry fence or approve a fence height greater than eight feet (8') if it makes the following findings:

- a. The proposed fence/landscape screen provides an adequate buffer for the adjoining residential use;
- b. The appearance of the fence/landscape screen will not detract from the residential use and/or non-residential use of the property;
- c. The proposed fence/landscape screen will shield the residential use from noise, storage, traffic or any other characteristic of the non-residential use that is incompatible with residential uses.
- d. The Planning Commission may waive or adjust this fence/screening requirement upon findings that the fence is not needed to protect adjacent residential uses from adverse impacts and that such impacts can be mitigated in another appropriate manner.(amended Ord. 2012-12, 9/18/12)

Section 17.50.060 Landscaping and Screening

1. Landscaping Objectives. Landscaping plans shall be prepared with a view toward accomplishing the following design objectives (plans will be approved or denied based on how well these objectives are satisfied):
 - A. Enhance the visual environment by:
 - i. Adding visual interest through texture, color, size, shape, etc., and
 - ii. Enhancing perspective by framing views, complementing architecture, screening, and creating points of interest and activity.
 - B. Ensure Public Safety by:
 - i. Guiding the circulation of cars and people,
 - ii. Controlling access to parking lots,
 - iii. Making traffic diverters prominent, and
 - iv. Creating Street Identification by varying the species, height, and location of landscaping.
 - v. Minimizing noise and glare.
 - vi. Conserving energy.
 - vii. Complementing architecture by landscaping around buildings.
 - viii. Screening areas of low visual interest.
2. Overall Landscaping Plan. With the application for site plan approval, an overall landscaping plan shall be submitted.
3. Open Space. A minimum of fifteen percent (15%) of each lot shall be maintained in permanent landscaped open space.
4. Landscaping Strip. Unless otherwise approved by the Planning Commission, a landscaped strip twenty (20) feet in width shall be planted with grass and maintained in a living, growing condition along all public street frontages.
 - A. The measurement of the twenty (20) feet in landscaping will be measured from the back of walk, or back curb if no sidewalk exists. Areas with meandering sidewalks will have the twenty (20) feet measured from back of curb but may not count sidewalk width as part of the twenty (20) feet landscaping requirement.
 - B. Thirty percent (30%) of the landscape strip may consist of decorative rock, bark, mulch, and/or other ground covers other than grass. A planting/landscaping plan detailing types of ground covers, weed barriers, sprinklers, etc., in the non-grass areas shall be submitted and approved by the Planning Director.

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- C. Tree shall be planted thirty (30) feet on center, centered ten (10) feet from the edges of the strip in all required landscaped and bermed areas.
 - D. Landscaping requirements concerning trees and landscape materials can be changed and/or altered (with regard to location and design) upon approval of the Planning Commission at the site plan review stage of an application. No net loss of landscaping should occur with any approved alterations. Other landscaping layouts consistent with the Lindon City Commercial Design Guidelines may also be considered by the Planning Commission.
5. Landscaped Berms. Where possible, landscaped berms shall be constructed within required landscaped strips along public street frontages according to the following standards:
- A. Berms shall vary in height and shall be sculptured with enclaves, protrusion, etc. Berms shall be at least from two and one-half (2½) to four (4) feet in height with an average of three and one-half (3½) feet.
 - B. The slope of the berm shall be such as to be mowable with a standard rider mower.
 - C. Berms are not required where slopes within the required landscaped strip are excessive and would not reasonably accommodate berms.
6. Trees.
- A. Along perimeter public street frontages and along I-15, trees shall be a minimum of two inches (2") in caliper planted thirty feet (30') on center and planted at least seven feet (7') from any impermeable surface. Tree placement and location may be modified by the Planning Commission.
 - B. The recommended species are Sycamore, Shademaster Honey Locust, Sunburst Honey Locust, Little Leaf Linden, Norway Maple, and all flowering tree types.
7. Sprinkling and Irrigation. All plantings shall be serviced by an acceptable irrigation or sprinkler system, and maintained in a healthful living condition. Dead plant materials shall be replaced as necessary within the first year of planting.
8. Landscaping Around Buildings. A perimeter landscape strip at least five feet (5') wide shall be placed around all buildings.
9. A landscape strip with a fifteen foot (15') minimum width running the length of frontage along Interstate 15 shall be installed and maintained in the T zone. Trees shall be planted thirty feet (30') on center in the landscape strip. The location of the trees can be altered by the Planning Commission.

Section 17.50.070 Architectural Design

- 1. All structures in the MC zone shall be aesthetically pleasing, well-proportioned buildings that blend with the surrounding property and structures. All structures in the MC zone shall have finishes of brick, decorative block, stucco, wood, concrete tilt-up, or other materials and designs approved within the Lindon City Commercial Design Guidelines, or as otherwise approved by the Planning Commission.
 - 2. Concrete tilt-up buildings shall comply with the following standards:
 - a. Painted or colored concrete exteriors are permitted. The shade of each color must be consistent.
 - b. Bare concrete exteriors are not permitted.
 - c. The exterior of a concrete tilt-up building shall be finished with additional architectural details such as entrance canopies, wrought iron railings and finishes, shutters, multi-level porches, metal shades, and metal awnings.
- (Ord. 2015-6, amended 02/17/2015; Ord. 2012-8 amended 6/19/12)

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Section 17.50.080 Development Standards The minimum depth and/or length in feet for yards in districts regulated by this chapter shall be as follows, provided however, all of the provisions of the Uniform Building Code, the Uniform Fire Code, and other applicable Ordinances and Requirements must also be complied with:

Minimum Lot Area: 1 Ac
Minimum Frontage: 100 Ft

Lot Setbacks (Minimum)

Front: 20 Ft
Side: 0 Ft
Side when adjacent to a street: 20 Ft
Side without one hour firewall: 20 Ft
Rear: 0 Ft
Rear when adjoining a parcel
in a residential zone: 40 Ft
Maximum structure height: 48 Ft

Section 17.50.090 Parking Requirements

1. Parking spaces shall be required as per chapter 17.18. - Off-Street Parking. Off street parking shall also be subject to the following standards in the MC zone:
 - A. All parking spaces, parking areas and driveways shall be constructed in accordance with standards established in 17.18 and the Lindon Land Development Policies, Standard Specifications, & Drawings Handbook.
 - B. Parking Setbacks. All parking areas shall be set back a minimum of twenty feet (20') from all dedicated public streets and ten feet (10') from exterior boundaries of the zone.
 - C. Screening of Parking Areas. Where topography permits, required parking setbacks shall be landscaped with lawn and shall be planted with trees of sufficient height to screen and buffer parking and loading areas from adjoining public access streets.
 - D. All off street parking areas in the MC zone shall provide landscaped end islands at the end of each row of parking to delineate all on-site driveways. Each island shall have one (1) deciduous tree, unless the end island is within seventy- five feet (75') of a dedicated street right- of-way or within fifty feet (50') of a store front.
 - E. Structured Parking. Any parking structure above the finished ground elevation shall have the same setback requirements as outlined for buildings, and shall be architecturally integrated through use of the same or similar materials, colors, landscaping, etc.
2. Parking Structure Height. Freestanding parking structures shall comply with the same height requirements as main buildings.
3. Lindon City right-of-ways shall not be used for employee parking.

Section 17.50.100 Maintenance of Premise

1. No excessive or offensive noise, dust , odor, smoke, or light, shall be emitted which is discernible beyond the site or parcel boundary lines in question, except that which emanates from the movement of motor vehicles. Premises shall be maintained in such a manner so as to avoid unreasonable interference with adjacent uses and to avoid public nuisances.

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2. No person shall store junk, unlicensed and/or inoperable vehicles, partially or completely dismantled vehicles, or salvaged materials in the MC zone outside a building.
3. All solid waste storage facilities shall be enclosed with a block wall. The minimum access width to a solid waste storage facility shall be fifteen feet (15').
4. No trash, rubbish, or weeds shall be allowed to accumulate on any lot in the MC zone. The space around buildings and structures shall be kept free from refuse, debris, and weeds. All waste shall be concealed from view from adjacent property.
5. The architecture, appearance, and aesthetics of all buildings, structures, and edifices in the MC zone shall be maintained to reasonable upkeep and maintenance standards.

Section 17.50.110 Storage of Merchandise

1. The storage of merchandise outside an approved building shall be in an area approved as part of the site plan and shall be within an area enclosed with a sight obscuring fence of at least six feet (6') in height; provided, however, that promotional displays, new car vehicle sales lots, and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale.
2. This subsection shall not apply to temporary site plans under 17.17.
3. Landscaped areas and parking lots shall not be used for the displaying of merchandise.
4. Stacking of merchandise or materials of any kind shall not be allowed to protrude above required walls or fence lines unless approved by a temporary use permit.
5. No outdoor storage can be placed without any required fencing first being installed.
6. For outdoor storage areas required to be visually obscured, the Planning Commission may approve a landscaping screen in lieu of a fence, a fence other than a site obscuring fence or approve a fence height greater than six feet (6') if it makes the following findings:
 - a. The proposed fence/landscape screen provides an adequate buffer for the adjoining uses;
 - b. The appearance of the fence/landscape screen will not detract from adjoining uses and/or use of the property;
 - c. The proposed fence/landscape screen will shield the adjoining uses from noise, storage, traffic or any other characteristic of the storage use that is incompatible with adjoining uses.
 - d. The Planning Commission may waive or adjust this fence/screening requirement upon findings that the fence is not needed to protect adjacent uses from adverse impacts and that such impacts can be mitigated in another appropriate manner. (amended Ord. 2012-12, 9/18/12)

Section 17.50.120 Special Provisions

1. Lighting. Freestanding lighting fixtures of at least eight feet (8') in height and not to exceed twenty feet (20') in height and producing at least one (1) candle foot of illumination shall be installed and maintained along the street right-of-way lines and designed to shine away from residential developments. The lighting shall be designed to discourage the occurrence of graffiti and enhance a crime prevention environment and shall not glare into adjacent residential areas. Lighting in parking areas shall not glare into adjacent residential areas.
2. Every site shall conform to the approved conditional use permit, site plan, or amended site plan. No structures or improvements may be added to a site that are not included on the approved site plan, original or amended. All improvements shown on the approved site plan or amended site plan shall be maintained in a neat and attractive manner. Failure to complete or maintain a site in accordance with this Chapter and with the

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approved site plan shall be a violation of this section. The City may initiate criminal and/or civil legal proceedings against any person, firm or corporation, whether acting as principal, agent, property owner, lessee, employee or otherwise, for failure to complete or maintain a site in accordance with this Chapter and with the approved site plan. Any violation of this chapter or any division thereof is punishable by a Class B misdemeanor. (Ord. 2001-9) (Ord. 2012-12, amended 11/20/12)