

ORDINANCE 19-07

AN ORDINANCE AMENDING TITLE 19, "ZONING", CHAPTER 19.04, SECTION 19.04.010, "ZONING DISTRICTS AND CLASSIFICATION ESTABLISHED" TO INCLUDE "MU MIXED-USE", AND "DO-1 MIXED-USE DESIGN OVERLAY DISTRICT"; AMENDING SECTION 19.04.020 "PURPOSE OF ZONING DISTRICTS" TO INCLUDE "MU MIXED-USE" AND "DO-1 MIXED-USE DESIGN OVERLAY"; AND AMENDING CHAPTER 19.25, "MIXED-USE (MU) ZONING DISTRICT"; PROVIDING FOR REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE

WHEREAS, Layton City recognizes the opportunity for walkable mixed use development that includes a variety of housing options near commercial services and transit options; and

WHEREAS, Layton City adopted a Proclamation on November 1, 2018 in recognition of the need for housing affordability to improve overall prosperity for the City, Region and State; and

WHEREAS, the City Council has reviewed the Planning Commission's recommendation and has received pertinent information in the public hearing regarding the proposal; and

WHEREAS, at the conclusion of the public hearing and upon making the necessary reviews, the City Council of Layton City finds it to be in the best interest of the health, safety, and welfare of its citizens to make the proposed amendments to Title 19 of the Layton Municipal Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment. Title 19, Chapter 19.04, Section 19.04.010 shall be amended to read as follows:

19.04.010 Zoning Districts And Classification Established

For the purposes of this Title, all of the land within the corporate limits of the City of Layton, Utah is hereby divided into zoning districts. The boundaries of the zoning districts are shown on the Official Zoning District Map of Layton. The classification of zoning districts is as follows:

- A Agriculture
- R-S Residential Suburban
- R-1 Single Family Residential
- R-2 Single and Two Family Residential
- R-MH Mobile Home Parks & Subdivisions
- R-M1 Low/Medium Density Residential
- R-M2 Medium Density Residential
- R-H High Density Residential
- B-RP Business and Research Park
- PB Professional Office
- CP-1 Planned Neighborhood Commercial
- CP-2 Planned Community Commercial
- CP-3 Planned Regional Commercial
- C-TH Condominium/Townhouse
- C-H Planned Highway Commercial
- M-1 Light Manufacturing/Industrial
- M-2 Heavy Manufacturing/Industrial
- MU Mixed-Use**

DO-1 Mixed-Use Design Overlay District
MU-TOD Mixed-Use – Transit Oriented Development

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SECTION III: Enactment. Title 19, Chapter 19.04, Section 19.04.020 shall be amended to read as follows:

19.04.020 Purpose Of Zoning Districts

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7. The “MU” (Mixed-Use) zoning district is intended to provide areas that may combine commercial or retail uses with multi-family residential uses within buildings, or within close proximity to other uses along a corridor or within a walkable district.
8. The “DO-1” (Mixed-Use Design Overlay) zoning district is intended to define specific areas within the MU zoning district where a height greater than three (3) stories and up to five (5) stories is desired. The DO-1 zoning district includes provisions for appropriate height transitions and buffers to ensure compatibility with off-site single family residential uses.
9. The “MU-TOD” (Mixed-Use – Transit Oriented Development) zoning district is intended to provide locations for mixed use developments with convenient pedestrian access to jobs, shopping, entertainment, and multiple-family residential housing within close proximity to public transportation facilities.

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SECTION IV: Enactment. Title 19, Chapter 19.25, Mixed-Use (MU) Zoning District, shall be amended to read as follows:

19.25 Mixed-Use (MU) Zoning District

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19.25.010 Purpose And Intent

The purpose of the Mixed-Use (MU) zoning district is to provide locations for developments that either combine commercial or retail uses, and with multiple-family residential uses in a building, or provide mixed uses in separate buildings within close proximity to other uses along a corridor or within a walkable district. By allowing a mix of uses, residential uses can be located within non-residential development can close proximity to create jobs, shopping, and entertainment opportunities for residents while development can generate twenty four (24) hour vitality in support of the non-residential uses to increase pedestrian activity and neighborhood vitality.

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19.25.020 Permitted And Conditional Uses

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2. The following land uses may not be located on individual pad sites or parcels. They must be part of a larger building or physically connected and integrated into the complex or project.
 1. General retail/commercial – forty thousand (40,000) square feet per tenant or floor.
 2. Grocery store.
 3. Indoor amusement.
 4. Fast food.
 5. Theater – indoor.
 6. Residential dwelling – multiple unit.

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19.25.040 Density And Intensity

1. Residential: The appropriate density and intensity of a Mixed-Use site shall be defined by the uses contained within the building(s) on a site, based on the following bulk plane (building height and setback) limitations:

1. Minimum density—One (1) unit per five thousand five hundred (5,500) square feet of lot area (+ 8 units per acre). The maximum building height shall be three (3) stories and thirty-five feet (35'), except where the zoning map identifies the Mixed-Use Design Overlay District (DO-1) where, the maximum building height shall be five (5) stories and sixty feet (60').

i. A maximum building height of two (2) stories and twenty-eight feet (28') shall apply to buildings within forty feet (40') of any adjacent off-site single family residential use. A minimum building setback of twenty feet (20') from the shared property boundary shall also apply.

ii. The following maximum building height limitations shall apply to buildings within the DO-1 when adjacent to off-site single family residential uses:

1. Three (3) stories and thirty-five (35') within eighty-five feet (85') of the shared property boundary; and

2. Four (4) stories and forty-eight feet (48') within three hundred feet (300') of the shared property boundary.

2. Maximum density—Maximum residential density allowed shall be one (1) unit per one thousand seven hundred fifty (1,750) square feet of lot area (+ 25 units per acre).

2. To buffer potential sound impacts from the Mixed-Use site onto an adjacent single family residential use, either of the following buffer options shall apply:

1. A minimum eight-foot (8') high solid masonry fence shall be installed and maintained along the property boundary shared with off-site single family residential uses. A 10 foot (10') landscape buffer shall be installed along the fence, and shall include trees spaced every twenty-five feet (25'), with shrubs that provide coverage of at least sixty percent (60%) of the landscape surface area at mature growth, or

2. A minimum six-foot high solid fence shall be installed and maintained along the property boundary shared with off-site single family residential uses; garages containing a solid roof and rear wall, or covered parking canopies with a solid canopy and slatted rear walls shall be installed no closer than two feet from the fence. Access to the area between the garage/carport wall and the fence shall be gated and locked to restrict access for maintenance purposes only.

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19.25.060 Specific Design Standards

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3. First floor requirements. Multi-story buildings with non-residential uses on the ground floor shall have ~~the a~~ first floors with a minimum ceiling height of twelve feet (12') to the second floor. ~~Multi-story buildings designed for n~~Non-residential uses on the first floor shall have walls, partitions, and floor/ceiling assemblies separating dwelling units from other spaces with a sound transmission classification (STC) of at least fifty (50) for airborne noise.

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19.25.070 Pedestrian And Vehicle Circulation

The following site design standards shall apply to all development within the Mixed-Use zoning district:

1. Public right-of-way shall be wide enough to incorporate bike lanes and sidewalks at least eight feet (8') in width along buildings containing non-residential uses.

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19.25.090 Parking

Parking shall be provided in accordance with Chapter 19.12 of this ordinance. In addition, the following provisions shall apply:

1. Parking areas shall be located behind or ~~at one~~ on either side of the building(s). Parking may not be located between a building and the street.
2. Where feasible, pedestrian walkways shall be incorporated into parking lots of any size. Parking lots with more than one hundred (100) spaces shall be divided by landscaped areas including a walkway at least ten feet (10') in width.
3. Parking requirements may be reduced if it can be shown that shared parking is a viable alternative or a professional study is submitted that evaluates market need at the specific location ~~with the development plan~~. The City reserves the right to dictate the amount of parking and/or the location of parking spaces within a project to achieve the objectives of this ordinance.

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SECTION V: Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VI: Effective Date. This ordinance being necessary for the peace, health, and safety of the City, shall become effective immediately upon posting.

PASSED AND ADOPTED by the City Council of Layton, Utah, this 17th day of January, 2019.




SCOTT FREITAG, Mayor

ATTEST:


KIMBERLY S READ, City Recorder

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