

LINDON CITY CODE

Chapter 17.48

COMMERCIAL ZONES

Sections:

17.48.010	General provisions.
17.48.020	Zone development standards.
17.48.030	Landscaping within the general commercial zone.
17.48.040	Fencing and screening.
17.48.050	Storage and merchandise.
17.48.060	Maintenance of premise.
17.48.070	Site lighting.
17.48.080	Architectural design.
17.48.090	Special provisions.
17.48.100	Planned commercial zone.

Section 17.48.010 General provisions.

The Commercial Ordinance is established to promote commercial and service uses for general community shopping. The objective in establishing commercial zones is to provide areas within the City where commercial and service uses may be located. These zones are the General Commercial (CG) Zone and the Planned Commercial (PC-1 and PC-2) Zones.

For a list of permitted uses in these zones, refer to the Standard Land Use Table in appendix A. (Ord. 98-6, Repealed and Replaced, 10/03/2000, Ord 2006-10 adopted 10/4/06)

Section 17.48.020 Zone development standards.

The following development standards apply, except as other wise approved by the Planning Commission for site designs in the CG zone that are consistent with the Lindon City Commercial Design Guidelines.

	CG	PC 1&2
Minimum lot area in square feet	20,000sq.ft.*	1 acre
Lot setback - front	20 feet	30 feet
Side yard when an adjoining property is in a:		
Nonresidential zone:	0 feet	0 feet
Residential zone or existing residential use :	40 feet	50 feet
Street Side Yard (Corner Lot Setbacks):	20 feet	30 feet

Minimum Structure height: 10 feet 14 feet
 Maximum Structure height: 48 feet 48 feet
 *20,000 sq. ft. parcels may require shared parking lots in accordance with LCC Chapter 17.18.
 (Ord. 2008-6, adopted 04/15/2008, Ord. 99-6, Amended, 10/04/2000; Ord. 98-6, Repealed and Replaced, 10/03/2000 Ord 2006-10 adopted 10/4/06)

Section 17.48.030 Landscaping within the general commercial zone.

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 view complimenting 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.
 - c. Minimize noise and glare.
 - d. Conserve energy.
 - e. Complement architecture by landscaping around buildings.
 - f. Screen areas of low visual interest.
2. Overall landscaping plan. With the application for site plan approval, an overall landscaping plan shall be submitted. Landscaping plans shall show details on specific types and locations of trees and shall also identify areas to be sod or other types of vegetation or ground cover. Additional 'interior parking lot landscaping' may be required per LCC 17.18.

LINDON CITY CODE

3. Open space. A minimum of twenty percent (20%) of each lot shall be maintained in permanent landscaped open space.
4. Landscaping Strip. Unless otherwise approved by the Planning Commission, a landscaped berm at least three (3) feet high and twenty (20) feet 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 to count sidewalk width as part of the twenty (20) feet in landscaping requirement.
 - b. Thirty percent (30%) of the landscaping 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.
 - c. Trees shall be planted thirty (30) feet on center, centered ten feet from the edges of the strip in all required landscaped and bermed areas.
 - d. Landscaping requirements concerning berming, 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 Commercial Design Guidelines may also be considered by the Planning Commission.
5. Trees. Recommended trees may be found in the list of tree species located in the Lindon City Tree Planting Guide and, unless otherwise specified, shall be at least two (2) inch caliper, measured one (1) foot above the

ground and shall be at least six (6) feet in height when planted.

6. Sprinkling and irrigation. All plantings shall be serviced by an acceptable underground automatic 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.
7. Concrete curbing shall be provided between landscaped areas and off-street parking areas that is as at least six inches (6") higher than the parking areas.

(Ord 2008-10, amended 09/02/2008, Ord. 99-6, Amended, 10/04/2000; Ord. 98-6, Repealed and Replaced, 10/03/2000, Ord 2006-10, adopted 10/4/2006)

Section 17.48.040 Fencing and screening.

1. A masonry or concrete fence seven feet (7') high, shall be constructed and maintained along any property line between a commercial development and a residential use or a residential zone. The fence shall be constructed and maintained by the owner of the commercial development. 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 seven feet (7') 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 commercial 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 commercial use that is incompatible with residential uses. 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

LINDON CITY CODE

can be mitigated in another appropriate manner.

2. All required landscaping that abuts frontage on a dedicated street in the CG, PC-1 and PC-2 zones shall contain a continuous white vinyl ranch style two (2) rail fence. The fence shall be three (3) feet tall with post dimensions of five (5) inches by five (5) inches with rail dimensions of two (2) inches by six (6) inches. The posts shall be installed eight (8) feet on center with two (2) rails between posts. The fence shall be placed adjacent to State Street and any other dedicated streets in the CG zone and PC-1 and PC-2 zones in a continuous fashion. Placement of the fence shall typically be two (2) feet behind the sidewalk within the required landscaping strip. Any variation to the location of this fence requirement, 17.48.040 (2), may be granted by the Planning Commission.

(Ord. 2000-3, Amended, 10/04/2000; Ord. 99-6, Amended, 10/04/2000; Ord. 98-6, Repealed and Replaced, 10/03/2000 Ord 2006-10, adopted 10/4/2006)

Section 17.48.050 Storage and merchandise.

The storage of merchandise outside an approved building shall be in an area approved as a part of the site plan and shall be within an area enclosed with a sight obscuring masonry or vinyl fence of at least six (6) feet in height. However, promotional displays, vehicle sales lots, and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed adjacent to a building wherein the business displays the bulk of its goods for sale. For outdoor storage areas that are visually obscured, the Planning Commission may consider other types of site obscuring fencing. This subsection shall not apply to temporary site plans under 17.12. Landscaped areas and parking lots shall not be used for the displaying of merchandise. 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. No

outdoor storage can be placed without the site obscuring fence first being installed.

(Ord. 98-6, Repealed and Replaced, 10/03/2000, Ord 2006-10, adopted 10/4/2006).

Section 17.48.060 Maintenance of premise.

1. No excessive or offensive noise, dust, odor, smoke, or light, shall be emitted which is discernable 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.
2. No person shall store junk, unlicensed and/or inoperable vehicles, partially or completely dismantled vehicles, or salvaged materials in any commercial zone outside a building.
3. All solid waste storage facilities shall be enclosed with a masonry wall and constructed as per adopted City standards. The minimum access width to a solid waste storage facility shall be fifteen (15) feet.
4. No trash, rubbish, or weeds shall be allowed to accumulate on any lot in the CG, PC-1 or PC-2 zones. The space around buildings and structures in these zones 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 all commercial zones shall be maintained to reasonable upkeep and maintenance standards.

(Ord. 98-6, Repealed and Replaced, 10/03/2000, Ord 2006-10, adopted 10/4/2006).

Section 17.48.070 Site lighting.

1. On-site 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. Street lights shall be installed on all public

LINDON CITY CODE

roads according to standards established in the Land Development Policies, Standard Specification and Drawings manual. (Ord. 98-6, Repealed and Replaced, 10/03/2000, Ord 2006-10, adopted 10/4/2006)

Section 17.48.080 Architectural design.

1. Architectural character, street scape, site design and other amenities in the CG zone shall be consistent with the Lindon City Commercial Design Guidelines as presently constituted and as may be amended from time to time.
2. All sides of the buildings shall receive design consideration consistent with the Commercial Design Guidelines, particularly where exposed to vehicular traffic or adjoining properties.

(Ord. 98-6, Repealed and Replaced, 10/03/2000; Ord. 97-7, Amended, 08/17/2000, Ord 2006-10, adopted 10/4/2006).

Section 17.48.090 Special provisions.

1. The requirements of this Section shall run with the land and be binding on successors, owners and tenants so long as the buildings are occupied or the use exists.
2. The owners of a commercial development which contains more than one parcel of record or which has more than one owner may be required by the approving authority to submit documents to the City for approval which assure unified control of the development.
3. Any person who desires to occupy vacant floor space, or to change the use of the floor space shall be required to first obtain a certificate of occupancy from the City. Any person constructing or altering a building in the commercial zones shall first obtain a building permit from the City for such construction or alteration and then shall obtain a certificate of occupancy from the City before the building being constructed or altered is occupied.
4. If the City determines that the developer, tenant, manager, owner or any other interested

person, firm or corporation has failed to maintain the premises consistent with all applicable zoning, health, safety, and building codes and ordinances, the City shall so notify said persons, firms or corporation by written notice specifying the deficiency complained of, and unless such failure is corrected to the satisfaction of the City within thirty (30) days, such failure or deficiency shall be deemed to constitute a "public nuisance" which may be abated in any lawful manner including but not limited to the manner set forth in Chapter 8 of Title 10 Utah Code Annotated 1953, as amended.

(Ord. 98-6, Repealed and Replaced, 10/03/2000)

Section 17.48.100 Planned commercial zone.

Approximately between 600 South and 200 South, and 400 West and I-15.

1. Purpose. The purposes of the PC zones are:
 - a. To provide for development of regional commercial centers that can accommodate retail, office, and service uses in areas that are convenient to the traveling public while protecting the character and quality of adjacent residential areas and the overall community of Lindon.
 - b. To provide aesthetic controls for building architecture and site development.
 - c. To provide development guidelines to ensure effective and safe traffic control and movement while creating an aesthetically pleasing traffic environment.
2. Uses within the PC-1 and PC-2 zones shall be allowed as outlined in Appendix A, Standard Land Use Table of the Lindon City Code as presently constituted and as may be amended from time to time.
3. Site development standards.
 - a. Building and Fence setback: The building setback and fence setback from any dedicated street shall be thirty feet (30').
 - b. Building Heights: No building or structure shall be higher than forty eight feet (48') including mechanical

LINDON CITY CODE

- appurtenances, which shall be properly screened, above the average grade of the street sidewalks adjacent to the property within the PC-1 Zone.
- c. Building design and materials. The architecture, design theme, and construction materials of the building's front elevation shall be applied to all exterior walls of the building. The rear of the building and any portion of the building that traditionally gets less attention to aesthetics shall be enhanced by the same architecture and design theme as those portions of the building that get high visibility from the public, except exterior building striping or similar decor shall not be installed on the rear or side exterior building walls directly adjacent to residential areas. Building exterior materials shall be eighty five percent (85%) brick, decorative stone, fluted block, colored textured block, concrete tilt-up that meets the specific architectural theme for the development, glass and wood. Sheet metal and corrugated metal shall be prohibited, except for trim, soffits, fascia, mansards and similar architectural features. Other materials may be used if approved by the Planning Commission.
- d. Building orientation. No building front shall face toward an adjacent residential zone. The only building accesses permitted with orientation toward adjacent residential zones shall be emergency accesses only as required by the currently adopted building and fire codes.
4. Landscaping:
- a. 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):
- i. Enhance the visual environment by:
- Adding visual interest through texture, color, size, shape, etc., and
 - Enhancing perspective by framing views, complimenting architecture, screening and creating points of interest and activity.
- ii. Ensure public safety by;
- Guiding the circulation of cars and people,
 - Controlling access to parking lots,
 - Making traffic diverters prominent, and
 - creating street identification by varying the species, height, and location of landscaping.
- iii. Minimize noise and glare.
- iv. Conserve energy.
- v. Complement architecture by landscaping around buildings.
- vi. Screen areas of low visual interest.
- b. Overall landscaping plan. With the application for site plan approval, an overall landscaping plan shall be submitted. Landscaping plans shall show details on specific types and location of trees and shall also identify areas to be sod or other types of vegetation or ground cover. Additional 'interior parking lot landscaping' may be required per LCC 17.18.
- c. Open Space. A minimum of twenty percent (20%) of each lot shall be maintained in permanent landscaped open space.
- d. Landscaping Strip. Unless otherwise approved by the Planning Commission, a landscaped berm at least three (3) feet high and twenty (20) feet in width shall be planted with grass and maintained in a living, growing condition along all public street frontages.
- i. 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 in landscaping requirement.

LINDON CITY CODE

- ii. Thirty percent (30%) of the landscaping 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.
 - iii. Trees 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.
 - iv. Landscaping requirements concerning berming, 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.
 - e. Trees. Recommended trees may be found in the list of tree species located in the Lindon City Tree Planting Guide and, unless otherwise specified, must be at least two (2) inch caliper, measured one (1) foot above the ground and shall be at least six (6) feet in height when planted.
 - f. Sprinkling and irrigation. All plantings shall be serviced by an acceptable underground automatic 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.
 - g. Concrete curbing shall be provided between landscaped areas and off-street parking areas that is at least six inches (6") higher than the parking areas.
 - h. All required landscaping that abuts frontage on a dedicated street in the PC-1 and PC-2 zones shall contain a continuous white vinyl ranch style two (2) rail fence. The fence shall be three (3) feet tall with post dimensions of five (5) inches by five (5) inches with rail dimensions of two (2) inches by six (6) inches. The posts shall be installed eight (8) feet on center with two (2) rails between posts. The fence shall be placed adjacent to any dedicated streets so as to generally appear in a continuous fashion. Placement of the fence shall typically be two (2) feet behind the sidewalk within the required landscaping strip. Any variation to the location of this fence requirement may be granted by the Planning Commission.
5. Screening and lighting.
- a. Screening: There shall be installed and maintained a seven foot (7') high fence adjacent to a residential zone. The fence shall be constructed of masonry and treated on both sides with anti-graffiti sealant. When a receiving area is within one hundred fifty feet (150') of a residential zone, there shall be installed and maintained a ten foot (10') high fence which shall screen and buffer adjacent residential developments. The fence then shall be constructed from the building to all other areas where a fence is required by this Section. The fence shall be maintained by the owner of the development. In the event a screening method other than a fence is desired see section 17.48.040(1).
 - b. 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) foot candle 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

LINDON CITY CODE

not glare into adjacent residential areas. Lighting in parking areas shall not glare into adjacent residential areas.

6. Special provisions:

- a. Outside storage and display areas: The storage of merchandise or other material outside an approved building is prohibited. Outside display areas shall be approved as a part of the site plan. Landscaped areas shall not be used for the display of merchandise nor storage of materials unless approved by a temporary use permit.
- b. Receiving areas (docks): Receiving areas located within one hundred fifty feet (150') of a residential zone shall be located inside an approved building or in an area enclosed on three (3) sides and covered with a roof. Access to receiving docks shall be from the front of the building or from the side of the building, provided the side of the building is not oriented toward an adjacent residential zone. Receiving areas shall be signed to indicate the hours the receiving area is operational and shall be signed to prohibit engine idling when the receiving area is closed. Receiving areas adjacent to a residential zone shall not operate between the hours of 10:00 PM and 6:00 AM unless provisions can be made to bring merchandise into the store through the front or side of the store not oriented toward a residential area. Materials, such as pallets, store fixtures, and other similar items shall not be stored in the receiving area. Any and all venting of the receiving areas shall be to the interior.
- c. Solid waste areas: Solid waste dumpsters located within one hundred fifty feet (150') from any adjacent residential zone shall be located in an enclosure, the materials of which shall be approved by the City as a part of the site plan. Pick up of solid waste shall not occur between the hours of 10:00 PM and 6:00 AM.
- d. Site maintenance. Except for snow

removal, all common area maintenance of the site shall be between the hours of 6:00 AM and 10:00 PM. Snow removal may be conducted on the site any time as necessary.

- e. Certificate of Occupancy: No certificate of occupancy shall be issued for any building on any portion of a development until the landscaping is in place or a bond, cash deposit, or equivalent, is deposited with the City conditioned on and guaranteeing the installation of all landscaping shown on the approved site plan. All landscaped areas shall be maintained in a neat, clean, orderly and slightly condition. This shall include proper pruning, lawn mowing, weeding, removal of litter, fertilizing, replacing of dead plants and the regular watering of all plants. Failure to maintain the landscaping as provided herein shall be a violation of this chapter and enforceable as provided by law.

(Ord 2008-10, amended 09/02/2008, Ord 2008-4, amended 2/19/2008, Ord. 2000-3, Amended, 10/04/2000; Ord. 98-6, Repealed and Replaced, 10/03/2000, Ord 2006-6, adopted 3/22/2006).

LINDON CITY CODE
