

MILLCREEK, UTAH
ORDINANCE NO. 26-52

AN ORDINANCE OF MILLCREEK AMENDING TITLE 18 OF THE MILLCREEK MUNICIPAL CODE FOR THE PURPOSE OF MAKING TECHNICAL CORRECTIONS

WHEREAS, the Millcreek Council ("*Council*") met in a regular session on July 27, 2026, to consider, among other things, amending Title 18 of the Millcreek Municipal Code for the purpose of making technical corrections to Title 18; and

WHEREAS, Utah Code Ann. § 10-20-503 provides that the Council may amend any provisions of a land use regulation; and

WHEREAS, Millcreek ("City") has adopted the Uniform Land Use Ordinance of Millcreek, Utah ("Land Use Ordinance"), and

WHEREAS, City staff has recommended that the Council amend the Land Use Ordinance for the purpose of making technical corrections to Title 18; and

WHEREAS, Utah Code Ann. § 10-20-502 provides the planning commission shall provide notice as required by Subsection 10-20-205(1)(a) and, if applicable, Subsection 10-20-205(4) and hold a public hearing on the proposed land use ordinances; and

WHEREAS, on April 3, 2026, the required notice informing the public of potential amendments to various provisions of Title 18 was published; and

WHEREAS, on April 15, 2026, the proposed amendments were submitted to the planning commission for recommendation; and

WHEREAS, on April 15, 2026, the planning commission held the required public hearing with respect to amending Title 18 of the Millcreek Municipal Code; and

WHEREAS, at the April 15, 2026 planning commission meeting, the planning commission recommended continuing the discussion on the proposed amendments to the subsequent meeting, and recommended further refinement of the proposed amendments; and

WHEREAS, at the May 20, 2026 planning commission meeting, the planning commission considered additional proposed amendments, pertaining to of establishing neighborhood compatibility requirements and regulating lot and parcel coverage in residential zones; and

WHEREAS, at the May 20, 2026 planning commission meeting, the planning commission unanimously recommended amending Title 18 of the Millcreek Municipal Code for the purpose of establishing neighborhood compatibility requirements and regulating lot and parcel coverage in residential zones; and

WHEREAS, the Millcreek Code of Ordinances provides among other things that before

finally adopting any such amendment, the Council shall consider the application during a public meeting which has been properly noticed in compliance with the provisions of Title 52, Chapter 4, of the Open and Public Meetings Act; and

WHEREAS, on July 27, 2026, the Council considered amending Title 18 of the Millcreek Code of Ordinances for the purpose of establishing neighborhood compatibility requirements and regulating lot and parcel coverage in residential zones.

NOW, THEREFORE, BE IT ORDAINED by the Council that Title 18 of the Millcreek Municipal Code be amended as attached (designated by interlineating the words to be deleted and underlining the words to be added)

18.12.030 Expirations And Extensions Of Land Use Approvals

- A. If applicable, the expiration time frames as set forth in [MKZ 18.15](#), Specific Procedures by Application Category and Type, may be extended one (1) time when each of the following conditions exist:
 - 1. The provisions of this Code expressly allow the extension;
 - 2. An extension request is filed in writing at least fifteen (15) days prior to the applicable expiration deadline;
 - 3. The extension request is in writing and must show good cause; and
 - 4. Unless otherwise noted, the authority to grant extensions of time shall rest with the Land Use Authority that granted the original approval being extended.
- B. The Planning Director may grant up to one (1) extension for a period of up to one (1) year for good cause unless otherwise noted in this Title.
 - 1. "Good cause" for purposes of this section shall mean justifiable and reasonable reasons why an application did not commence in a timely manner.
 - 2. Examples of good causes include delays in preparing construction documents due to new information not available at the time of approval, changes in site conditions, lack of materials, financing issues, labor supply problems or similar causes not solely the result of the applicant's failure to pursue the development with due diligence.
- C. Failure to make a written request for an extension request shall cause the application to automatically expire.

D. In no event may Millcreek grant more than one (1) extension for any stage or approval period. Any extension granted under this Section or any other applicable Section of the MKZ shall count toward this limit, regardless of the procedures used to obtain or grant the extension.

E. If a land use on a property changes, the land use approval for the prior use is deemed expired. Restoration of a prior land use on a property shall be reviewed as a new land use approval.

18.12.040 Post-Approval Modifications

D. Minor Modifications for a ~~SitePlan~~ Site Plan. If after an application has been approved, and needed modifications exceed those permitted in a minor modification, a ~~minor~~ site plan amendment application shall be submitted subject to the requirements as set forth in MKZ 18.15.030 (D). A new ~~siteplan~~ site plan shall be required if changes are not permissible under the ~~Minor~~ Site Plan Amendments criteria in this Section.

18.13.010 Application Categories And Land Use Authority Designations

Table 18.13-1 Land Use Authority Designations	
<i>Application Type</i>	<i>Land Use Authority Designation</i>
<i>Legislative Decisions</i>	
General Plan and Future Land Use Map Adoption and Amendment	City Council
Land Use Code Text Amendment	City Council
Zoning Map Amendment	City Council
Development Agreement	City Council
<i>Administrative Decisions – Subdivisions</i>	
Minor Subdivision	Planning Director
Major Subdivision Preliminary Approval	Planning Commission
Major Subdivision Final Approval	Planning Director

Subdivision Amendment for Minor Plat Adjustments	Planning Director
Boundary Line Adjustment	Planning Director
Vacating a Subdivision Plat – Minor Subdivision	Planning Director
Vacating a Subdivision Plat – Major Subdivision	Planning Commission
Vacating a Subdivision Plat – By Ordinance	City Council
Public Street or Municipal Utility Easement Vacation	City Council
<i>Administrative Decisions – Other Land Use Decisions</i>	
Conditional Use Permit	Planning Commission
Site Plan Approval for Permitted Uses	Planning Director
Change of Use Permit	Planning Director
~~Minor~~ Site Plan Amendment	Planning Director
Compliance Determination for an Accessory Dwelling Unit	Planning Director
Reasonable Accommodation for a Residential Facility for Persons With a Disability	Planning Director
Eligible Facility Request for a Wireless Telecommunications Facility	Planning Director
Sign Permit	Planning Director
Temporary Use Permit	Planning Director
Classification Request Determination	Planning Director
Classification Request Determination Review	City Council
<i>Administrative Decisions – Nonconformities and Variances</i>	
Nonconformities Determination	Planning Director

Expansion or Enlargement of a Noncomplying Structure	Land Use Hearing Officer
Variances	Land Use Hearing Officer

18.13.020 Designation Of Recommending Bodies And The Role Of Staff In Application Reviews

- A. Millcreek also establishes the roles of recommending bodies to make recommendations on certain land use application types, as set forth in Table 18.13-2, Roles of Recommending Bodies by Application Type. No recommendation is required for application types not listed in Table 18.13-2.
- B. Millcreek Staff shall review all applications for completeness and substantial compliance with relevant requirements and may provide recommendations on Land Use Applications before the applicable Land Use Authority.

Table 18.13-2 Roles of Recommending Bodies by Application Type	
<i>Application Type</i>	<i>Planning Commission</i>
<i>Legislative Decisions</i>	
General Plan and Future Land Use Map Adoption and Amendment	Recommendation
Land Use Code Text Amendment	Recommendation
Zoning Map Amendment	Recommendation
Development Agreement	Recommendation
Public Street or Municipal Utility Easement Vacation	Recommendation
<i>Administrative Decisions – Other Land Use Decisions</i>	
Conditional Use Permit	N/A
Classification Request Determination Review	Recommendation

18.15.020 Administrative Decisions

A. Minor Subdivision

Table 18.15-4 Minor Subdivision Meeting and Noticing Requirements		
<i>Application Procedure Steps</i>	<i>Requirement</i>	<i>Code Reference</i>
Pre-Application Consultation	Optional for Regular Residential Subdivisions. Required for all other Subdivisions.	MKZ 18.14.010
Concept Review	Optional for Regular Residential Subdivisions. Required for all other Subdivisions.	MKZ 18.14.020
Planning Director Public Meeting	Required	MKZ 18.13.050 MKZ 18.14.090
Mailed Noticing Requirement for Property Owners – Distance	300 feet	MKZ 18.13.060
Mailed Noticing Requirement – Time	~~217~~ days prior to Planning Director Public Meeting	MKZ 18.13.060

B. Major Subdivision

9. Development Improvement Completion Assurance. Before an applicant conducts any development activity on a ~~minor~~ major subdivision or records a plat, the applicant shall complete any required landscaping or infrastructure improvements or post an improvement competition assurance for any required public landscaping or infrastructure improvements as set forth in MKC 14.12.070.

Table 18.15-5 Major Subdivision Meeting and Noticing Requirements		
<i>Application Steps</i>	<i>Requirement</i>	<i>Code Reference</i>
<i>Preliminary Subdivision</i>		

Pre-Application Consultation	Optional for Regular Residential Subdivisions. Required for all other Subdivisions.	MKZ 18.14.010
Concept Review	Optional for Regular Residential Subdivisions. Required for all other Subdivisions.	MKZ 18.14.020
Neighborhood Meeting	Optional for Regular Residential Subdivisions. Required for all other Subdivisions.	MKZ 18.14.030
Planning Commission Public Meeting	Required	MKZ 18.13.050 MKZ 18.14.090
Mailed Noticing Requirement for Property Owners – Distance	300 feet	MKZ 18.13.060
Mailed Noticing Requirement – Time	~~7~~ 21 days prior to Planning ~~Director~~ Commission Public Meeting	MKZ 18.13.060
<i>Final Subdivision</i>		
Pre-Application Consultation	Optional	MKZ 18.14.010
Concept Review	Optional	MKZ 18.14.020

G. Public Street or Municipal Utility Easement Vacation

1. Purpose. The purpose of this Section is to provide standards for the vacation of public streets or municipal utility easements. Dedicated public streets and municipal utility easements may be vacated, in whole or in part, if Millcreek determines that all or a portion of the public street or municipal utility easement is unnecessary or infeasible for future public access or use. A summary of meeting and noticing requirements for applications for Land Use Code Text Amendments is set forth in Table 18.15-7.
2. Applicability. A public street or municipal utility easement may be vacated by filing an application for a minor subdivision, a major subdivision, or a subdivision amendment, or the City Council may approve a petition to vacate a public street or municipal utility easement by ordinance.
3. Procedure – Public Street or Municipal Utility Easement Vacation By Plat. A vacation of a public street or municipal utility easement may be accomplished through the filing of an application for a Minor Subdivision, a Major Subdivision, or a Subdivision Amendment, and shall follow the process for each application type, and the following additional steps:
 - a. After the Land Use Authority grants Preliminary Subdivision approval and before a Final Subdivision approval is issued, the City Council shall hold a public hearing to consider the vacation of a public street or municipal utility easement.
 - b. Public Notice shall follow the process as set forth in [MKZ 18.13.060, Public Notice Requirements](#).
 - c. A public hearing shall follow the process as set forth in [MKZ 18.13.050, Formal Public Engagement Requirements](#).
 - d. If the filing of a subdivision plat accompanies a vacation of a public street or municipal utility easement, the final decision on the plat shall be withheld until the City Council issues a decision regarding the vacation of a public street or municipal utility easement.
4. Procedure – Public Street or Municipal Utility Easement Vacation by Ordinance. In lieu of a Minor Subdivision, Major Subdivision, or Subdivision Amendment, a petition to vacate a public street or municipal utility easement may be filed following the procedure as set forth in [Utah Code Section 10-9a-609.5, Petition to vacate a public street](#), and shall follow the procedure as set forth below:

- a. Pre-Application Consultation
 - b. Concept Review
 - c. Neighborhood Meeting
 - d. Application Submittal
 - e. Application Completeness Review
 - f. Application Compliance Review. Upon completion of the review, the Planning Director shall make a recommendation.
 - g. Public Notice
 - h. Formal Public Engagement
 - 1. ~~The Planning Commission shall hold a public hearing and make a recommendation; and~~
 - 2. The City Council shall hold a public ~~meeting~~hearing and shall be the Land Use Authority for Public Street or Municipal Utility Easement Vacation applications.
 - i. Decision and Findings
5. Approval Criteria. Public streets or municipal utility easements may not be vacated unless the following criteria are met:
- a. The vacation does not deprive abutting properties of adequate legal access to existing or proposed public utilities or drainage installations;
 - b. The vacation is consistent with the General Plan and other adopted policies and plans, including any adopted transportation plan or streets/roadway plan;
 - c. The land to be vacated is no longer necessary for public use and convenience;
 - d. The right-of-way is no longer needed for public transportation purposes;
 - e. The vacation will not adversely impact the use of the right-of-way for public utility and/or drainage purposes;
 - f. Access to lots or properties surrounding the plat will not be adversely affected, and the vacation will not leave any land-locked properties or deprive abutting properties of adequate legal access;

- g. The vacation will not adversely impact the health, safety, and/or welfare of the general community, or reduce the quality of public facilities or services provided to any property, including but not limited to police/fire protection, access, and utility service;
 - h. The vacation satisfies the requirements of [MKC 14.52](#);
 - i. Good cause exists for the vacation; and
 - j. The public interest or any person will not be materially injured by the proposed vacation.
6. Submittal Requirements. Any person seeking a Public Street or Municipal Utility Easement Vacation shall submit a complete application, a completed Public Street or Municipal Utility Easement Checklist, and a fee as set forth in [MKZ 18.13.040, Submittal Requirements in General](#), a Title Report that correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than ninety (90) days before the proposed recordation of the subdivision, any other relevant supporting documentation, maps, studies and any other information that would inform Staff and the Planning Commission in making a recommendation, and allow the City Council to make a decision.
7. Final Approval and Recording. Approval of a plat or ordinance vacating a public street or municipal utility easement shall be deemed a certification of the vacation. With this certification, the Planning and Zoning Department shall forward a signed copy of the signed plat or ordinance to the Salt Lake County Recorder for recording. Failure of the applicant to submit any revised information or legal description that enables the ordinance to be processed as approved within three months following approval shall render the vacation void.

Table 18.15-7 Public Street and Municipal Utility Easement Vacation Meeting and Noticing Requirements		
<i>Application Procedure Steps</i>	<i>Requirement</i>	<i>Code Reference</i>
Pre-Application Consultation	Required	MKZ 18.14.010
Concept Review	Required	MKZ 18.14.020
Neighborhood Meeting	Required	MKZ 18.14.030

~~Planning Commission Public Hearing and Recommendation~~	Required	~~MKZ 18.13.050~~ ~~MKZ 18.14.090~~
City Council Public ~~Meeting~~ Hearing	Required	MKZ 18.13.050 MKZ 18.14.090
Mailed Notice to Affected Entities	Required	MKZ 18.14.060
Mailed Noticing Requirement for Property Owners – Distance	Each property that is accessed by the public street of municipal utility easement.	MKZ 18.13.060
Mailed Noticing Requirement – Time	10 days prior to ~~Planning Commission~~ ~~City Council~~ Public Hearing	MKZ 18.13.060

E. Boundary Adjustment

1. Purpose. The purpose of this Section is to provide standards for agreements between adjoining property owners to relocate a common boundary or to consolidate a property containing multiple lots or parcels that results in a conveyance of property between the adjoining lots, adjoining parcels, or adjoining lots and parcels.

18.15.30 Administrative Decisions - Other Land Use Decisions

A. Conditional Use Permit

3. Procedure. The following application steps, as set forth in [MKZ 18.14, Land Use Application Steps](#), are required.
 - a. Pre-Application Consultation
 - b. Concept Review
 - c. Application Submittal
 - d. Application Completeness Review
 - e. Application Compliance Review. As part of an application compliance review, the Planning Director may:

- a. Provide the application to other City departments for review and comment as may be required by this Code, as necessary for complete review of the application, or as necessary to identify and understand the potential detrimental effects of the proposed conditional use; and
 - b. require other information or studies to address potential detrimental effects of the proposed conditional use that have been reasonably anticipated by the City during its review of the application.
- f. Upon completion of the review, the Planning Director shall make a recommendation.
- g. Public Notice
- h. Formal Public Engagement, the Planning Commission shall hold a public meeting and shall be the Land Use Authority for Conditional Use Permit applications.
- i. Decision and Findings

B. Site Plan Approval

- 2. Applicability. A ~~Site Plan~~ Site Plan Approval is required under the following circumstances:
 - a. Property development, redevelopment, construction, reconstruction, or alteration of a building or structure, except for attached or detached single or two-household dwellings that are located in a recorded subdivision and that are not in a sensitive lands area.
 - b. Review of a permitted use approval, a conditional use permit that involves property development, redevelopment, construction, reconstruction, or alteration of a building or structure, or a request for reasonable accommodation for a group home or residential facility for Persons With a Disability, subject to the standards as set forth in [MKZ 18.74, Residential Facilities for Persons With a Disability](#).
 - c. Changes or alterations to an existing ~~siteplan~~ site plan or structure that does not otherwise qualify for a ~~Minor~~ Site Plan Amendment

E. Compliance Determination for an Existing Accessory Dwelling Unit.

- 1. Purpose. The purpose of this Section is to establish standards and a streamlined review process for a Compliance Determination for an existing Accessory Dwelling Unit, which allows a property owner to determine if an existing accessory dwelling unit complies with applicable standards.

2. Applicability. A property owner of a single-household dwelling with an existing Accessory Dwelling Unit on the property may apply for a Compliance Determination for an Accessory Dwelling Unit.
3. Procedure. The following application steps, as set forth in [MKZ 18.14, Land Use Application Steps](#), are required.
 - a. Application Submittal.
 - b. Application Completeness Review.
 - c. Application Compliance Review.
 - d. Decision and Findings. The Planning Director shall be the Land Use Authority for Compliance Determination for Accessory Dwelling Unit applications.
4. Approval Criteria. The Planning Director shall issue a Compliance Determination if the Accessory Dwelling Unit complies with all applicable provisions of this Code, particularly [MKZ 18.71, Accessory Dwelling Unit Standards](#), and other applicable Millcreek policies, including the following:
 - a. The Accessory Dwelling Unit is on a residential property that contains a single-household dwelling.
 - b. The Accessory Dwelling Unit is on a residential property that is owner-occupied.
5. Submittal Requirements. Any person seeking a Compliance Determination for an Accessory Dwelling Unit shall submit a complete application, a completed Compliance Determination for an Accessory Dwelling Unit Checklist, a fee as set forth in [MKZ 18.13.040, Submittal Requirements in General](#), proof of owner occupancy, any other relevant supporting documentation, maps, studies, and any other information that would inform Staff and allow the Land Use Authority to make a decision, and proof of owner occupancy in the form of ~~a the following~~:
 - a. ~~A current year property tax notice issued by Salt Lake County or a closing statement dated within the last calendar year, in which the financial information has been redacted showing fee title in an individual (s) or a trustor of a trust with at least 50% ownership interest in the property for which document from at least two of the following categories that show the applicant's name and the address of the property for which~~ a Compliance Determination for an ~~Existing~~ Accessory Dwelling Unit is being applied.

b. Proof of primary residency in the form of a government-issued identification card or license showing that the property address is the same as the owner's residence, and documents from at least two of the following categories that show the applicant's name and the address of the property for which a Compliance Determination for an Existing Accessory Dwelling Unit is being applied:

(1) Automobile registration document dated within the last calendar year;

(2) Voter registration card dated within the last calendar year;

(3) W-2 or 1099 from the most recent tax filing period, wherein the financial information has been redacted;

~~c.—Utility bill, dated within the last sixty (60) days;—~~

~~d.—Correspondence from any government agency that shows the home address, dated within the last sixty (60) days;—~~

~~e.—A voter registration card dated within the last calendar year;—~~

~~f.—A social security statement, dated within the last sixty (60) days;—~~

~~g.—A bank statement dated within the last sixty (60) days;—~~

~~h.—Automobile registration documentation dated within the last calendar year;~~

~~i.—Income tax forms dated from the most recent tax filing period;~~

~~j.—Insurance documentation or insurance bill dated within the last calendar year that shows home address;—~~

~~k.—Current active business license or permit issued by Millcreek or a state or federal agency that shows home address;—~~

~~t.—College or school correspondence that shows home address, dated within the last sixty (60) days;—~~

~~m.—W-2 from the most recent tax filing period;—~~

~~n.—Official payroll documentation that includes home address issued by an employer within the last sixty (60) days, such as a pay stub with home address, a form submitted for tax withholding purposes, or a payroll receipt;—~~

6. Discontinuance and Termination of Right. If a Compliance Determination for an Accessory Dwelling Unit is issued pursuant to this section is abandoned or

discontinued for a period of six (6) continuous months, or if the single-household dwelling ceases to be owner-occupied, the compliance review shall be considered expired. Prior to the expiration of the Compliance Determination for an Accessory Dwelling Unit due to discontinuation, the Planning Director may approve one, six (6) month extension of the Determination if no changes to the application are required. Upon expiration, the property affected shall be subject to all provisions and regulations of this Code applicable to the zoning district in which such property is classified.

7. Transferability. Compliance Determinations for an Accessory Dwelling Unit run with the land, provided that the single-household dwelling is owner-occupied.

18.15.030 Administrative Decisions - Other Land Use Decisions

D. ~~Minor~~ Site Plan Amendment

1. Purpose. The purpose of this Section is to establish standards and a streamlined review process for ~~Minor~~ Site Plan Amendments, which allow for minor changes to approved ~~siteplans~~ site plans for conditional and permitted uses.
2. Applicability. ~~An applicant who has obtained a siteplan that has been previously approved may apply for a Minor Site Plan Amendment approval for minor changes to the siteplan, subject to the approval criteria as set forth in this section:~~
 - a. An applicant who has obtained a site plan that has been previously approved may apply for a Site Plan Amendment approval for minor changes to the site plan, subject to the approval criteria as set forth in this section.
 - b. An applicant seeking approval to park a commercial vehicle in the front or side yard of a dwelling in an R-1 or R-2 zone, pursuant to MKZ 18.63.020 (B)(8) shall apply for a Site Plan Amendment approval, subject to the approval criteria as set forth in this section and in MKZ 18.63.020 (B)(8).
3. Procedure. The following application steps, as set forth in MKZ 18.14, Land Use Application Steps, are required.
 - a. Application Submittal.
 - b. Application Completeness Review.
 - c. Application Compliance Review.
 - d. Decision and Findings. The Planning Director shall be the Land Use Authority for Minor Site Plan Amendment applications.

4. Approval Criteria. The Planning Director shall approve the ~~siteplan~~ site plan if it complies with all applicable provisions of this Code and other applicable Millcreek policies, including the following:
 - a. The proposed change does not significantly alter the ~~siteplan's site~~ plan's approved access, circulation, or layout.
 - b. The proposed changes do not increase the number of residential units.
 - c. The proposed change does not expand the floor area of a building, structure, or oval site by more than ten percent (10%).
 - d. The proposed change complies with all applicable requirements of the Code and other relevant Millcreek and State regulations.
 - e. The proposed change does not affect any required mitigations or violate any conditions of approval for a Conditional Use Permit.
 - f. The amended ~~siteplan~~ site plan complies with all applicable development standards, including but not limited to landscaping standards, parking and mobility standards, minimum driveway and roadway widths, and any dedication or public improvement requirements.
5. Submittal Requirements. Any person seeking a ~~Minor~~ Site Plan Amendment shall submit a complete application, a completed ~~Minor~~ Site Plan Amendment Checklist, a fee as set forth in MKZ 18.13.040, Submittal Requirements in General, any other relevant supporting documentation, maps, studies, and any other information that would inform Staff and allow the Land Use Authority to make a decision.
6. Expiration. A ~~siteplan~~ site plan that is approved pursuant to this section shall expire within one (1) year from the date of final approval if action is not taken within that time. An applicant may apply for up to one extension by following the process as set forth in MKZ 18.12.030, Expirations and Extensions of Land Use Approvals. For purposes of this subsection, "action" means obtaining a building permit.
7. Discontinuance and Termination of Right. If a ~~siteplan~~ site plan that is approved pursuant to this section is abandoned or discontinued for a period of six (6) continuous months the ~~siteplan~~ site plan shall be considered expired. Prior to the expiration of the ~~siteplan~~ site plan due to discontinuation, the Planning Director may approve one six (6) month extension of the ~~siteplan~~ site plan if no changes to the site design are required. Upon expiration, the property affected shall be subject to all

provisions and regulations of this Code, applicable to the zoning district in which such property is classified.

8. Transferability. ~~site plans~~ site plans shall run with the land.

18.25.020 Development Standards

All private streets shall be constructed to City standards as set forth in MKC 14.20, and development on lots or parcels along private streets are subject to the development standards of the underlying zone, except as ~~follows: provided in below:~~

- ~~A. A new private street may not extend more than 400 feet in length. An existing private street may be extended up to a total length of 400 feet.~~
- ~~B. The minimum width of a private street shall be:~~
- ~~1. Existing Private Street: minimum pavement width is 20 feet, plus required curb, gutter, and sidewalk.~~
 - ~~2. New Private Street: minimum pavement width is 25 feet, plus required curb, gutter, and sidewalk.~~
- ~~C. Any lot or parcel fronting on a private street shall be the minimum lot or parcel width and area requirements of the underlying zone.~~
- ~~D. The minimum setback for buildings on lots or parcels on a private street shall be the minimum setbacks required of the underlying zone measured from edge of private street.~~
- A. Any lot or parcel fronting on a private street shall have the minimum lot or parcel width and area requirements of the underlying zone.
- B. The minimum setback for buildings on lots or parcels on a private street that are located in an R-1, R-2, or A zone shall be the minimum setbacks required of the underlying zone measured from edge of private street.

18.34.050 Building Height And Building Envelopes

- A. Minimum Height. All dwelling structures shall be a minimum of one story in height.
- B. Maximum Height. Maximum building height is as set forth in Table 18.34-3 Building Height and Building Envelope for the Agricultural Zone.
- C. Building Envelope. The height of structures may be further limited by the building envelope. The building envelope is formed by a box defined by the perimeter of the property line extended vertically perpendicular to the property line to a height and subsequent angle as set forth in Table 18.34-3. The entire building shall fit under this

envelope except as described in the projections section below. See figures 18.34.3 and 18.34.4 for building envelope illustrations.

D. Lots or parcels located in the AG zone determined by staff to be a Lot or Parcel of Record and are nonconforming due to minimum lot or parcel width and minimum lot or parcel area can qualify to use the sixty degree (60°) Building Envelope Angle and 12-foot Building Envelope Wall Height.

E. For buildings located in planned unit developments, the building envelope is formed by a box defined by the perimeter of the property line of the planned unit development.

18.34.060 Projections

Dormers, Gables, and non-habitable architectural elements may project beyond the building height envelope if they meet the following criteria, as illustrated in Figure 18.34.5, and as follows:

A. Dormers

1. The width of the dormer shall not exceed 14 feet;
2. Multiple dormers shall be spaced such that the distance to the edges of the roof is at least one-half the distance between dormers; and
3. The dormer shall be no higher than the ridge of the roof.

B. Gables

1. The height of the gable is less than 1.75 times higher than the point where the graduated building height envelope intersects the gable;
2. The height of the gable is less than the maximum building height; and
3. The length of the gable comprises no more than 25 percent of the length of the building façade.

C. Non-Habitable Architectural Elements:

1. Parapets and railings shall not exceed 30 inches in height above the intersection of the roof surface and the wall.
2. Chimneys and vents may project beyond the building envelope by 30 inches, if required by the building code.

3. Towers, spires, cupolas, elevator penthouses, mechanical appurtenances, or similar non-habitable architectural elements may not project beyond the building envelope.

18.35.030 Permitted And Conditional Uses

Uses in the Forestry Recreation Estate (FRE) Zone are as determined by the Table 18.35-1 Permitted and Conditional Uses in the Forestry Recreation Estate (FRE) Zone. If a use is not explicitly designated in the table, then the use is prohibited. An applicant seeking a Millcreek Business License may submit a Classification Request by following the procedure as set forth in [MKZ 18.15.030 \(J\)](#), to determine whether a proposed land use aligns with an existing land use listed in Table 18.35-1.

Table 18.35-1 Permitted and Conditional Uses in the Forestry Recreation Estate Zone		
<i>Land Use</i>	<i>FRE</i>	<i>Limitations/references</i>
<i>P= Permitted C= Conditional Use Review Required</i>		
<i>Residential Uses</i>		
~~Dwelling, Accessory~~ ~~Accessory Dwelling Unit~~	P	Limitations set forth in MKZ 18.71, Accessory Dwelling Unit Standards .
Dwelling, Single Household - Detached	P	
Home Business	P	Subject to MKZ 18.76, Special Business Land Use Regulations
Residential Facility for Elderly Persons or Person with a Disability	P	Limitations as set forth in MKZ 18.74, Residential Facilities for Persons With a Disability .
Short-Term Rental	P	Provided a valid Millcreek business license has been issued and is in good standing with respect to the

		property. Further limitations are as set forth in MKC 5.19, Short-Term Rentals
<i>Civic and Institutional Uses</i>		
Public Use	C	
Quasi-Public Use	C	
Religious Assembly	P	
Schools, Public and Private	P	
<i>Miscellaneous Uses</i>		
Accessory Uses, Accessory Buildings and Structures	P	As set forth in MKZ 18.59, Accessory Structures
Temporary Uses	P	As set forth in MKZ 18.58, Temporary Uses and Structures

18.36.050 Building Height And Building Envelopes

- A. Minimum height. All dwelling structures shall be a minimum of one story in height.
- B. Maximum Height. Maximum building height is set forth in Table 18.36-3 Building Height and Building Envelope for R-1 Zones.
- C. Building Envelope. The height of structures may be further limited by the building envelope. The building envelope is formed by a box defined by the perimeter of the property line extended vertically perpendicular to the property line to a height and subsequent angle as set forth in Table 18.36-3 and as illustrated in Figures 18.36.3, 18.36.4, 18.36.5, and 18.36.6. The entire building shall fit under this envelope except as described in the projections section below.
- D. Lots or parcels located in the R-1-8 zone determined by staff to be a Lot or Parcel of Record and are nonconforming due to minimum lot or parcel width and minimum

lot or parcel area can qualify to use the 60 degree (60°) Building Envelope Angle and 12-foot Building Envelope Wall Height.

- E. For buildings located in planned unit developments, the building envelope is formed by a box defined by the perimeter of the property line of the planned unit development.

18.36.040 Spatial Requirements

Table 18.36-2 Spatial Requirements for the Single-Household Residential (R-1) Zones								
Zone	Min. Lot or Parcel area (A)	Min. Lot or Parcel width (B)	Min. Front Setback (C)	Residential Use Min. Side Setbacks on interior Lots or Parcels (D)	Residential Use Min. Side Setbacks on corner (E)	Civic/Institutional and Non-Residential Use Min. Side Setback	Min. Rear Setback (F)	Max. Lot or Parcel Coverage
R-1-3	3,000 sq ft	~~25'~~ <u>30'</u>	20'	~~5'~~ <u>3'</u> (unless attached to a dwelling on an abutting lot or parcel)	~~10'~~ <u>20'</u>	20'	15'	~~50%~~ <u>40%</u>
R-1-4	4,000 sq ft	~~25'~~ <u>40'</u>	20'	~~5'~~ <u>4'</u> (unless attached to a dwelling on an abutting lot or parcel)	~~15'~~ <u>20'</u>	20'	15'	~~45%~~ <u>40%</u>
R-1-5	5,000 sq ft	~~25'~~ <u>50'</u>	20'	5' (unless attached to a dwelling on an abutting lot or parcel)	20'	20'	15'	~~40%~~ <u>35%</u>

R-1-6	6, 000 sq ft	60'	25'	8'	20'	20'	15'	35%
R-1-8	8,000 sq ft	65'	25'	8'	20'	20'	15'	33%
R-1-10	10, 000 sq ft	80'	30'	10'	20'	20'	15'	31%
R-1-15	15,000 sq ft	80'	30'	10'	20'	20'	15'	25%
R-1-21	21,000 sq ft	100'	30'	10'	20'	20'	15'	25%

18.36.060 Projections

Dormers, Gables, and non-habitable architectural elements may project beyond the building height envelope if they meet the following criteria, as illustrated in Figure 18.36.7, and as follows:

A. Dormers

1. The width of the dormer shall not exceed 14 feet;
2. Multiple dormers shall be spaced such that the distance to the edges of the roof is at least one-half the distance between dormers; and
3. The dormer shall be no higher than the ridge of the roof.

B. Gables

1. The height of the gable is less than 1.75 times higher than the point where the graduated building height envelope intersects the gable; and
2. The height of the gable is less than the maximum building height.

C. Non-Habitable Architectural Elements:

1. Parapets and railings shall not exceed 30 inches in height above the intersection of the roof surface and the wall.

2. Chimneys and vents may project beyond the building envelope by 30 inches, if required by the building code.
3. Towers, spires, cupolas, elevator penthouses, mechanical appurtenances, or similar non-habitable architectural elements may not project beyond the building envelope.

18.37.030 Permitted Uses And Conditional Uses

Uses in the Medium Density Residential (R-2) Zones are allowed, either as permitted or conditional, and may include certain limitations as set forth in Table 18.37-1 Permitted and Conditional Uses in Medium Density Residential Zone. If a use is not explicitly designated in the table, then the use is prohibited. An applicant seeking a Millcreek Business License may submit a Classification Request by following the procedure as set forth in [MKZ 18.15.030 \(J\)](#), to determine whether a proposed land use aligns with an existing land use listed in Table 18-38.1.

Table 18.37-1 Permitted and Conditional Uses in Two-Household Residential (R-2) Zones		
<i>Land Use</i>	<i>R-2 (All Zones)</i>	<i>Limitations/References</i>
<i>P = Permitted Use, C = Conditional Use Review Required</i>		
<i>Residential Uses</i>		
<u>Accessory Dwelling Unit</u>	P	<u>Permitted in Legally-Established Single Household Dwellings. Limitations set forth in MKZ 18.71, Accessory Dwelling Unit Standards.</u>
Dwelling, Single Household - Detached	P	
Dwelling, Two Household	P	
Home Business	P	Subject to MKZ 18.76, Special Business Land Use Regulations

Home Daycare or Preschool – up to 6 children	P	Subject to MKZ 18.76, Special Business Land Use Regulations
Home Daycare or Preschool – 7 to 12 children	C	Subject to MKZ 18.76, Special Business Land Use Regulations
Residential Facilities for Elderly Persons or Persons With a Disability	P	Limitation as set forth in MKZ 18.74, Residential Facilities for Persons With a Disability
Short-Term Rental	P	Provided a valid Millcreek business license has been issued and is in good standing with respect to the property. Further limitations are as set forth in MKC 5.19, Short Term Rentals .
<i>Non-Residential Uses</i>		
Noncommercial Agriculture	P	
<i>Civic and Institutional Uses</i>		
Public Use	P	
Quasi-Public Use	P	
Religious Assembly	P	
Schools, Public and Private	P	
<i>Miscellaneous Uses</i>		
Accessory uses, Buildings and Structures	P	Limitation as set forth in MKZ 18.59, Accessory Structures

Temporary Uses	P	As set forth in MKZ 18.58, Temporary Uses and Structures
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18.37.040 Spatial Requirements

Zone	~~Minimum~~ Minimum Lot or Parcel Area (A)	Minimum Lot or Parcel width (B)	Minimum Front Setback (C)	~~Garage Opening (Front or Street Side)(1)~~	Residential Use Min. Side Setbacks on interior lots or parcels (D)	Residential Use Minimum Side Setbacks on corner (E)	Civic / Institutional and Non-Residential Use Minimum Side Setback	Minimum Rear Setback (F)	Maximum lot or parcel Coverage
R-2-6.5	6,500 sq ft (8,000 sq ft for non-residential)	60'	~~25'~~ <u>20'</u>	<u>25'</u>	8'	20'	20'	15'	40%
R-2-8	8,000 sq ft	65'	~~30'~~ <u>20'</u>	<u>25'</u>	8'	20'	20'	15'	38%
R-2-10	10,000 square feet	65'	~~30'~~ <u>20'</u>	<u>25'</u>	8'	20'	20'	15'	35%

E. Table Notes

1. The garage opening minimum yard area requirement shall apply to garages when the vehicular garage opening faces the street to which it is accessed from, otherwise the front yard minimum yard area shall apply.

18.37.050 Building Height And Envelopes

- A. Minimum height. All dwellings shall be a minimum of one-story in height measured from original ground surface.
- B. Maximum Height. Maximum building height is as set forth in Table 18.37-3 Building Height and Building Envelope for R-2 Zones.
- C. Building Envelope. The height of structures may be further limited by the building envelope. The building envelope is formed by a box defined by the perimeter of the property line extended vertically perpendicular to the property line to a height and subsequent angle as set forth in Table 18.37-3 and as illustrated in Figures 18.37.3, 18.37.4, and 18.37.5. The entire building shall fit under this envelope except as described in the projections section below.
- D. For buildings located in planned unit developments, the building envelope is formed by a box defined by the perimeter of the property line of the planned unit development.

18.37.060 Projections

~~A. Building Height Envelope Projections:~~ Dormers, gables, and non-habitable architectural elements may project beyond the building height envelope if they meet the following criteria, as illustrated in Figure 18.37.6, and as follows:

~~1. A.~~ Dormers:

- ~~a. 1.~~ The width of the dormer shall not exceed 14 feet.
- ~~b. 2.~~ Multiple dormers shall be spaced such that the distance to the edges of the roof is at least one-half the distance between dormers; and
- ~~c. 3.~~ The dormer shall be no higher than the ridge of the roof.

~~2. B.~~ Gables:

- ~~a. 1.~~ The height of the gable is less than 1.75 times higher than the point where the graduated building height envelope intersects the gable.

- ~~b.~~ **2.** The height of the gable is less than the maximum building height;
and
- ~~c.~~ **3.** The length of the gable comprises no more than 25 percent of the
length of the building façade.

C. Non-Habitable Architectural Elements:

1. Parapets and railings shall not exceed 30 inches in height above the intersection of the roof surface and the wall.
2. Chimneys and vents may project beyond the building envelope by 30 inches, if required by the building code.
3. Towers, spires, cupolas, elevator penthouses, mechanical appurtenances, or similar non-habitable architectural elements may not project beyond the building envelope.

18.38.030 Permitted Uses And Conditional Uses

Uses in the Medium Density Residential (R-4) Zones are allowed, either as permitted or conditional, and may include certain limitations as set forth in Table 18.38-1 Permitted and Conditional Uses in Medium Density Residential Zone. If a use is not explicitly designated in the table, then the use is prohibited. Use prohibitions or use limitations listed in Table 18.38-1 apply in addition to the general provision that uses not explicitly designated in the table are prohibited. An applicant seeking a Millcreek Business License may submit a Classification Request by following the procedure as set forth in [MKZ 18.15.030 \(J\)](#), to determine whether a proposed land use aligns with an existing land use listed in Table 18.38-1.

Table 18.38-1 Permitted and Conditional Uses in Medium Density Residential (R-4) Zones		
Land Use	R-4	Limitations/References
<i>P = Permitted Use, C = Conditional Use Review Required</i>		
<i>Residential Uses</i>		

<u>Accessory Dwelling Unit</u>	<u>P</u>	<u>Permitted in Legally-Established Single Household Dwellings. Limitations set forth in MKZ 18.71, Accessory Dwelling Unit Standards.</u>
Dwelling, Single-Household - Detached	P	
Dwelling, Two household	P	
Dwelling, Three or Four-Household	P	
Home Business	P	Subject to <u>MKZ 18.76, Special Business Land Use Regulations</u>
Home Daycare or Preschool – Up to 6 children	P	Subject to <u>MKZ 18.76, Special Business Land Use Regulations</u>
Home Daycare or Preschool – 7 to 12 children	C	Subject to <u>MKZ 18.76, Special Business Land Use Regulations</u>
Mobile Home and Tiny Home Park	C	Subject to the requirements as set forth in <u>MKZ 18.40.030 through MKZ 18.40.080</u>
Mobile Home and Tiny Home	P	Only allowed as part of a Mobile Home or Tiny Home Park
Nursing Home or Assisted Living	C	
Residential Facilities for Elderly Persons or Persons With a Disability	P	Limitations as set forth in <u>MKZ 18.74, Residential Facilities for Persons With a Disability</u>
Short-term rental	P	Provided a valid Millcreek business license has been issued and is in good standing with respect to

		the property. Further limitations are as set forth in MKC 5.19, Short Term Rentals .
<i>Non-Residential Uses</i>		
Noncommercial Agriculture	P	
Commercial Daycare or Preschool	C	Subject to MKZ 18.76, Special Business Land Use Regulations
Medical or Dental Clinic	C	
Greenhouse or Plant Nursery	P	
<i>Civic and Institutional Uses</i>		
Public Use	P	
Quasi-Public Use	P	
Religious Assembly	P	
Schools, Public and Private	P	
<i>Miscellaneous Uses</i>		
Accessory uses, Buildings and Structures	P	Limitation as set forth in MKZ 18.59, Accessory Structures
Temporary Uses	P	As set forth in MKZ 18.58, Temporary Uses and Structures

Table 18.38-2 Spatial Regulations for the Medium Density Residential (R-4) Zone					
	Single-Household Dwellings	Two - Household Dwellings	Three-Household Dwellings	Four-Household Dwellings	Civic/Institutional and Non-Residential Uses

Minimum Gross Land Area (A)	6,000 sf per dwelling unit	3,250 sf per dwelling	2,500 sq ft per dwelling unit, except affordable units and individually owned units require 2,000 sq ft per dwelling unit	2,125 sq ft per dwelling unit, except affordable units and individually owned units require 2,000 sq ft per unit	20,000 sf
Minimum Lot or Parcel Width (B)	60'	60'	60'	60'	60'
Minimum Front Yard Setback (C)	~~25~~ 20 feet	~~25~~ 20 feet	~~25~~ 20 feet	~~25~~ 20 feet	~~25~~ 20 feet
<u>Garage Opening Setback (Front or Street Side Yard)</u> (1)	~~25 feet~~	~~25 feet~~	~~25 feet~~	~~25 feet~~	~~25 feet~~
Minimum Interior Side Yard Setback (D)	8 feet	8 feet	8 feet	8 feet	20 feet
Minimum Corner Side Yard Setback (E)	20 feet	20 feet	20 feet	20 feet	20 feet

Minimum Rear Yard Setback (F)	20 feet	20 feet	20 feet	20 feet	20 feet
Maximum Lot or Parcel Coverage	40 percent	40 percent	40 percent	40 percent	40 percent

E. Table Notes.

1. The garage opening minimum yard area requirement shall apply to garages when the vehicular garage opening faces the street to which it is accessed from, otherwise the front yard minimum yard area shall apply.

18.38.050 Building Height And Envelopes

- A. Minimum Height. All dwellings shall be a minimum of one-story in height measured from original ground surface.
- B. Maximum Height. Maximum building height is set forth in Table 18.38-3 Building Height and Building Envelope for the R-4 Zone.
- C. Building Envelope. The height of structures may be further limited by the building envelope. The building envelope is formed by a box defined by the perimeter of the property line extended vertically perpendicular to the property line to a height and subsequent angle as set forth in Table 18.38-3. The entire building shall fit under this envelope except as described in the projections section below, and as illustrated in Figure 18.38.2.
- D. For buildings located in planned unit developments, the building envelope is formed by a box defined by the perimeter of the property line of the planned unit development.

18.38.060 Projections

Building Height Envelope Projections. Dormers, gables, and non-habitable architectural elements may project beyond the building height envelope if they meet the following criteria, as illustrated in Figure 18.38.3, and as follows:

- A. Dormers:

1. The width of the dormer shall not exceed 14 feet;
2. Multiple dormers shall be spaced such that the distance to the edges of the roof is at least one-half the distance between dormers; and
3. The dormer shall be no higher than the ridge of the roof.

B. Gables:

1. The height of the gable is less than 1.75 times higher than the point where the graduated building height envelope intersects the gable;
2. The height of the gable is less than the maximum building height; and
3. The length of the gable comprises no more than 25 percent of the length of the building façade.

C. Non-Habitable Architectural Elements:

1. Parapets and railings shall not exceed 30 inches in height above the intersection of the roof surface and the wall.
2. Chimneys and vents may project beyond the building envelope by 30 inches, if required by the building code.
3. Towers, spires, cupolas, elevator penthouses, mechanical appurtenances, or similar non-habitable architectural elements may not project beyond the building envelope.

18.39.030 Permitted Uses And Conditional Uses

Uses in the Residential Mixed (RM) Zone is as set forth in Table 18.39-1, Permitted and Conditional Uses in the Residential Mixed (RM) Zone. If a use is not explicitly designated in the table, then the use is prohibited. Certain use prohibitions or use limitations are listed in Table 18.39-1. Such use prohibitions or use limitations apply in addition to the general provision that uses not explicitly designated in the table are prohibited. An applicant seeking a Millcreek Business License may submit a Classification Request by following the procedure as set forth in [MKZ 18.15.030 \(J\)](#), to determine whether a proposed land use aligns with an existing land use listed in Table 18.39-1.

Table 18.39-1 Permitted and Conditional Uses in the Residential Mixed (RM) Zone

<i>Land Use</i>	<i>RM</i>	<i>Limitations/References</i>
<i>P= Permitted, C= Conditional Use Review Required</i>		
<i>Residential Uses</i>		
<u>Accessory Dwelling Unit</u>	P	<u>Permitted in Legally-Established Single Household Dwellings. Limitations set forth in MKZ 18.71, Accessory Dwelling Unit Standards.</u>
Dwelling, Single-Household	P	
Dwelling, Two-Household	P	
Dwellings, Three- or Four-Household	P	
Dwellings, Multiple-Household up to 32' building height and up to 25 units	P	Mixed-use shall be required for developments located within 500' of specified intersections. See additional standards below.
Dwellings, Multiple-Household over 32' building height or more than 25 units	C	Mixed-use shall be required for developments located within 500' of specified intersections. At least three units shall have primary façade and primary entrance facing the street in developments with more than six units
Affordable Housing	P	Subject to MKZ 18.78, Affordable Housing Incentives
Home Business	P	Subject to MKZ 18.76, Special Business Land Use Regulations
Home Daycare or Preschool – up to 6 children	P	Subject to MKZ 18.76, Special Business Land Use Regulations

Home Daycare or Preschool – 7 to 12 children	C	Subject to MKZ 18.76, Special Business Land Use Regulations
Live/Work Unit	P	Only permitted in association with requirements for mixed use developments as set forth in MKZ 18.43.090 .
Residential Facilities for Elderly Persons or Persons With a Disability	P	Limitations as set forth in MKZ 18.74, Residential Facilities for Persons With a Disability
Nursing Home or Assisted Living	C	
Short-Term Rental	P	Provided a valid Millcreek business license has been issued and is in good standing with respect to the property. Further limitations are as set forth in MKC 5.19, Short Term Rentals .
<i>Commercial Uses</i>		
Depository Financial Institution	<u>P</u> or C	~~Allowed-Permitted Use~~ within legally-established commercial buildings. ~~Conditional Use when located~~ or within mixed use. Drive-up Windows are prohibited.
Mixed Use	C	
Commercial Daycare or Preschool	C	Allowed within legally-established commercial buildings or within mixed use.
Gym / Fitness Studio	C	Allowed within legally-established commercial buildings or within mixed use.
Medical or Dental Clinic	<u>P</u> or C	~~Allowed-Permitted Use~~ within legally-established commercial buildings. ~~Conditional Use when located~~

		~~or~~ within mixed use. Drive-up Windows are prohibited.
Office	<u>P</u> ~~or~~ C	~~Allowed~~ <u>Permitted Use</u> within legally-established commercial buildings. <u>Conditional Use when located</u> ~~or~~ within mixed use. Drive-up Windows are prohibited.
Personal Service	<u>P</u> ~~or~~ C	~~Allowed~~ <u>Permitted Use</u> within legally-established commercial buildings. <u>Conditional Use when located</u> ~~or~~ within mixed use. Drive-up Windows are prohibited.
Eating or Drinking Establishments, Dine-In	C	Allowed within legally-established commercial buildings or within mixed use. Drive-up Windows are prohibited.
Neighborhood Retail or General Retail	<u>P</u> ~~or~~ C	~~Allowed~~ <u>Permitted Use</u> within legally-established commercial buildings. <u>Conditional Use when located</u> ~~or~~ within mixed use. Drive-up Windows are prohibited.
<i>Civic and Institutional Uses</i>		
Public Use	C	
Quasi-Public Use	C	
Religious Assembly	P	
Schools, Public and Private	P	
<i>Miscellaneous Uses</i>		
Accessory Uses, Buildings and Structures	P	As set forth in MKZ 18.59, Accessory Structures

Temporary Uses	P	As set forth in MKZ 18.58, Temporary Uses and Structures
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18.39.050 Site Design Standards

D. Interior Streets and Driveways. The design of public and private streets within a development shall follow Millcreek standards for road widths as established by the Millcreek Transportation Master Plan and the development standards identified in [MKC Title 14](#).

~~1.—The City shall be granted a utility easement for the entire interior street system in a development project.—~~

~~2.—Where garages or carports face each other, a minimum of 25 square feet of landscaping shall be required at the sides of each driveway, or between each dwelling unit.—~~

18.41.070 Site Design Standards

Open space shall be provided for residential uses in the amount of ~~the lesser of 20 percent of the property or~~ at least 250 square feet per dwelling unit. One hundred (100) square feet per dwelling unit may be private open space, and 150 square feet per dwelling unit must be common open space. The required common open space shall be usable land areas ~~that may include rooftop balconies and terraces but~~ are not ~~otherwise~~ occupied by buildings, dwellings, structures, parking areas, streets, public park strips, curbs, gutters, sidewalks, walking paths, driveways, or alleys and shall be accessible by all residents of the mixed use development.

18.44.030 Permitted Uses And Conditional Uses

Table 18-44-1 Permitted and Conditional Uses in the Commercial (C) Zone		
<i>Land Use</i>	<i>C</i>	<i>Limitations / References</i>
<i>P= Permitted, C= Conditional Use Review Required</i>		
<i>Residential Uses</i>		
Affordable Housing	P	Subject to the requirements and incentives for affordable housing as set

		forth in <u>MKZ 18.78, Affordable Housing Incentives.</u>
Dwelling, Multiple Household	C	Only permitted as part of a mixed use development, subject to the development standards as set forth in <u>MKZ 18.44.090 (H).</u>
Nursing Home or Assisted Living	P	
Home Business	P	Permitted in legally-established dwellings in the C Zone. Subject to <u>MKZ 18.76, Special Business Land Use Regulations.</u>
Residential Facility For Elderly Persons or Persons With a Disability	P	Limitations as set forth in <u>MKZ 18.74, Residential Facilities for Persons With a Disability.</u>
Caretaker Dwelling	P	Additional use standards apply as set forth in <u>MKZ 18.44.090</u>
<i>Commercial Uses</i>		
Kennel, Indoor or Outdoor	P	Outdoor kennels or animal play areas prohibited within 300' of a Residential Zone Boundary or a legally established residential use.
Automobile, Equipment, or Recreational Vehicle Sales or Rental	C	Only allowed when located on arterial roadways 100' or greater in width. Prohibited within 300' of a residential use or a residential zone. Additional use standards apply as set forth in <u>MKZ 18.44.090.</u>
Automobile Service and Repair	C	Prohibited within 150' of a residential use or a residential zone and within 1,320' (1/4 mile) of an established substantially

		similar business. Additional use standards apply as set forth in <u>MKZ 18.44.090</u> .
Car Wash	C	Prohibited within 150' of a residential use or a residential zone and within 300' of a major intersection and within 1,320' (1/4 mile) of an established substantially similar business.
Medical or Dental Clinic	P	
Mixed Use	C	Additional use standards apply as set forth in <u>MKZ 18.44.090</u>
Commercial Daycare or Preschool	P	
Commercial Entertainment under 25,000 square feet	P	Outdoor entertainment uses are prohibited within 300' of legally established dwelling or a Residential Zone Boundary. Indoor or Outdoor Gun or Archery Ranges are prohibited.
Commercial Entertainment, 25,000 square feet or more	C	Outdoor entertainment uses are prohibited within 300' of a legally established dwelling or a Residential Zone Boundary. Indoor or Outdoor Gun or Archery Ranges are prohibited.
Commercial Kitchen / Ghost Kitchen	P	
Commercial Parking Lot or Commercial Parking Garage	C	Parking garages shall include non-residential uses for at least 75% of the ground story facing a public street.
Community Garden	P	
Depository Financial Institution	P	

Drive-up Window	C	Drive up windows prohibited within mixed use developments. Additional development standards apply as set forth in <u>MKZ 18.44.090 (D)</u>
Eating and Drinking Establishment	P	
Flex Space	P	Maximum square footage of 10,000 square feet per building, a minimum of 20% of story area must be office and or retail uses.
Fuel Station	C	Prohibited within 1,320' (1/4 mile) of an existing fuel station and within 150' of a residential use or a residential zone. See additional development standards as set forth in <u>MKZ 18.44.090 (G)</u>
Funeral Home or Mortuary	P	
Greenhouse or Plant Nursery	P	
Gym or Fitness Studio under 5,000 square feet	P	
Gym or Fitness Studio - 5,000 square feet or more	C	
Hospital	C	
Light Service and Repair	P	Maximum square footage of 10,000 square feet.
Live/Work Unit	P	Only permitted in association with mixed use set forth in the development standards as set forth in <u>MKZ 18.44.090 (H)</u> .
Lodging	P	

Non-Depository Financial Institution	P	Prohibited within 300' of a major intersection and within 2,640' (1/2 mile) of an established substantially similar business.
Office	P	
Pawn Shop	P	Prohibited within 300' of a major intersection and within 2,640' (1/2 mile) of an established substantially similar business.
Personal Service	P	
Reception or Event Center	P	Outdoor uses prohibited within 300' of a residential use or a Residential Zone Boundary.
Neighborhood or General Service	P	
Neighborhood or General Retail	P	
Retail Sales	P	Retail Tobacco Specialty Businesses are prohibited within 1,320' (1/4 mile) of an established substantially similar business.
Retail Food Trucks, Pop-Up Markets, and/or Farmer's Market	P	Subject to Temporary Use Standards as set forth in <u>MKZ 18.58, Temporary Uses and Structures.</u>
Self-Storage facility	C	Prohibited within 300' of a major intersection and within 1,320' (1/4 mile) of an established substantially similar business. Additional location restrictions apply as set forth in <u>MKZ 18.44.090.</u>
Temporary Uses	P	As set forth in <u>MKZ 18.58, Temporary Uses and Structures</u>

<i>Institutional Uses</i>		
Wireless Telecommunication Facility	P	Must be a Stealth Facility, subject to the standards as set forth in <u>MKZ 18.75</u> , Wireless Telecommunications Facilities.
Public Use	P	Detention Facilities or Jails are not permitted
Religious Assembly	P	
Schools, Public and Private	P	
Quasi-Public Use	P	

18.44.060 Site Layout Standards

Enclosures shall be constructed of a solid masonry material and shall include ~~solid~~ solid steel gates.

18.44.090 Design And Use Standards For Specific Uses

The following standards are applicable to the uses specified in addition to the development standards in this Chapter. In the event there is language elsewhere in MKZ Title 18 that conflicts with language in this chapter, the more restrictive standard prevails.

A. Automobile, Equipment, or Recreational Vehicle Sales or Rental uses shall meet the following site requirements:

1. The minimum lot size for such use is 20,000 square feet.
2. The site must contain an office of at least 2,000 square feet.
3. Inventory lot parking shall not be included in the minimum parking requirements.
4. Any service or repair associated with automobile, equipment, or recreational vehicle sales or rental shall meet the site standards for automobile service and repair uses found in this section.

B. Automobile Service and Repair uses shall meet the following site standards:

1. Bay doors shall not be located on facades facing residential uses or zones.

2. Vehicles awaiting repair or service shall be screened by Landscape Buffer C as set forth in [MKZ 18.64, Landscape Standards](#).
3. Vehicle storage areas shall not count toward parking minimum requirements.
4. All vehicle parts or accessories must be stored indoors.
5. All wrecked or inoperable vehicles must be stored within a main or accessory structure.

18.46.030 Permitted Uses And Conditional Uses

- A. Uses in the Light Manufacturing (M) Zone are as determined by the Table 18.46-1 Permitted and Conditional Uses in Light Manufacturing (M) Zone. If a use is not explicitly designated in the table, then the use is prohibited. An applicant seeking a Millcreek Business License may submit a Classification Request by following the procedure as set forth in [MKZ 18.15.030 \(J\)](#), to determine whether a proposed land use aligns with an existing land use listed in Table 18.46-1.

Table 18.46-1 Permitted and Conditional Uses in the Light Manufacturing (M) Zone		
<i>Land Use</i>	<i>M Zone</i>	<i>Limitations / References</i>
<i>P= Permitted, C= Conditional Use Review Required</i>		
<i>Commercial Uses</i>		
Depository Financial Institution	P	Prohibited within 300' of a major intersection (1)
Kennel, Indoor or Outdoor	P	Prohibited within 300' of a Residential Zone Boundary or a legally established <u>dwelling</u> <u>residential use</u>
Automobile, Equipment, or Recreational Vehicle Sales or Rental	C	Only allowed when located on arterial roadways 80' or greater in width. Prohibited within 150' of a Residential Zone Boundary or a legally established <u>dwelling</u> <u>residential use</u> . (1)

		Additional use standards apply as set forth in MKZ 18.46.090
Automobile Service and Repair	C	Prohibited within 300' of a Residential Zone Boundary or a legally established ~~dwelling~~ ~~residential use~~ and within 1,320' (1/4 mile) of an established substantially similar business. (1) Additional use standards apply as set forth in MKZ 18.46.090 .
Car Wash	C	Prohibited within 150' of a Residential Zone Boundary or a legally established ~~dwelling~~ ~~residential use~~ and within 300' of a major intersection and within 1,320' (1/4 mile) of an established substantially similar business. (1)
Medical or Dental Clinic	P	
Commercial Daycare or Preschool	P	
Indoor Commercial Entertainment under 25,000 square feet	P	
Indoor Commercial Entertainment, 25,000 square feet or more	C	
Outdoor Commercial Entertainment	C	Outdoor entertainment uses prohibited within 300' of a Residential Zone Boundary or a legally-established dwelling. (1)
Commercial Kitchen / Ghost Kitchen	P	
Commercial Parking Lot or Commercial Garage	C	Parking garages shall include non-residential uses for at least 75% of the ground story facing a public street. Subject to Landscaping standards.

Community Garden	P	Limited to one acre or less with no onsite retail allowed.
Drive-up Window	C	
Eating and drinking establishment	P	
Flex Space	P	Maximum square footage of 10,000 square feet per building, a minimum of 20% of story area must be office and or retail uses.
Fuel Station	C	Prohibited within 1,320' (1/4 mile) of an existing fuel station and within 300' of a major intersection. (1)
Funeral Home or Mortuary	P	
Greenhouse or Plant Nursery	P	
Gym or Fitness Studio under 5,000 square feet	P	
Gym or Fitness Studio 5,000 square feet or more	C	
Light Manufacturing	P or C	Developments that abut a Residential Zone Boundary or a legally-established dwelling are a conditional use. (1)
General Retail	P	
Office	P	

Pawn Shop	P	Prohibited within 300' of a major intersection and within 1,320' (1/4 mile) of an established substantially similar business. (1)
<u>Personal Transportation Service</u>	<u>P</u>	<u>Prohibited within 150' of a Residential Zone Boundary or a legally established dwelling</u>
Reception or Event Center	P	Outdoor uses prohibited within 300' of a Residential Zone Boundary or legally-established dwelling. (1)
Self-Storage facility	C	Prohibited within 300' of a major intersection and within 1,320' (1/4 mile) of an established substantially similar business. Additional location restrictions apply as set forth in MKZ 18.46.090 . (1)
Sexually Oriented Business	C	
Truck Transfer Facility	C	Temporary outside storage of trucks and trailers allowed as defined by MKZ 18.46.080
Warehouse	P or C	Developments that abut a Residential Zone Boundary or a legally-established dwelling are a conditional use.
Temporary Uses	P	As set forth in MKZ 18.58, Temporary Uses and Structures
<i>Institutional Uses</i>		
Wireless Telecommunication Facility	P	Must be a Stealth Facility, subject to the standards as set forth in MKZ 18.75, Wireless Telecommunication Facilities .
Public Use	P	
Religious Assembly	P	

Schools, Public and Private	P	
Quasi-Public Use	C	
<i>Residential Uses</i>		
Home Business	P	Permitted in legally-established dwellings in the M Zone. Subject to MKZ 18.76, Special Business Land Use Regulations
Residential Facility for Elderly Persons or Persons With a Disability	P	Limitations as set forth in MKZ 18.74, Residential Facilities for Persons With a Disability .
Caretaker Dwelling	P	Property owner shall record an affidavit stating the caretaker dwelling will not be leased, rented, or sold separately. Caretaker dwelling shall consist of a minimum habitable floor area of 600 square feet and not to exceed a maximum habitable floor area of 1,200 square feet. Shall be subject to the off- street parking requirements of MKZ 18.63, Parking and Mobility Standards . Parking spaces for caretaker dwelling cannot be included in any parking reduction request including shared parking. -Home businesses with a customer base visiting the caretaker dwelling shall be prohibited.

B. Table 18.46-1 Notes:

1. Distances are measured from property line or nearest point of the right-of-way at an intersection to the subject property line at the nearest point.

18.46.050 Accessory Uses and Structures

Accessory uses and structures shall be subordinate to the main use and structure or building. Accessory use may include outside repair, fabrication, and cleaning of equipment, vehicles, and/or stored products. **Accessory structures serving legally-**

established dwellings shall follow the general requirements for accessory structures as set forth in MKZ 18.59.030.

18.46.060 Spatial Requirements

- A. The requirements for lot or parcel size, building setbacks, lot coverage and other spatial requirements are as set forth in Table 18.46-3 Spatial Requirements for the Manufacturing (M) Zone.

Table 18.46-3 Spatial Requirements for the Manufacturing (M) Zone	
<i>Spatial Requirement</i>	<i>M Zone</i>
Minimum Lot or Parcel Area	20,000 square feet
Minimum Lot or Parcel Width	100 feet
Maximum Building Height	45 feet
Maximum Lot or Parcel Coverage	80 percent
Minimum Building Height	1 story
Minimum Front Yard Setback	20 feet
Minimum Rear and/or Side Yard Setback	If located abutting a Residential Zone Boundary, 20 feet, otherwise 10 feet.
Minimum Interior Side Yard Setback	10 feet (1)
Minimum Corner Side Yard Setback	20 feet (1)
Accessory Structures: Rear And Interior Side Yard Setback	2 feet ~~(2)~~
Accessory Structures: Rear And Interior Side Yard Setback When Abutting Residential Use	10 feet ~~(2)~~

B. Table 18.46-3 Notes:

1. For buildings that abut a legally-established dwelling or a Residential Zone Boundary, the side and rear yards abutting the residential use or Residential Zone Boundary shall be increased by one foot for every two feet that the structure exceeds 25 feet in height.
2. Accessory structures serving legally-established dwellings shall follow the general requirements for accessory structures as set forth in MKZ 18.59.030.

18.47.060 Design Standards

Table 18.47-8 Neighborhood Streetscape Requirements	
<i>Streetscape Element</i>	<i>Requirement</i>
<i>Vehicle Zone</i>	
ROW Width	61 feet to 80 feet
Travel Lanes	2
Center Turn Lane	None
Lane Width	12 feet
Center Median	Not permitted
Parking Lanes	8.5 feet on-street parallel, 18 feet for angled head in, or head out on each side, depending on ROW
Bicycle Lane	Shared with travel lanes
<i>Pedestrian Zone</i>	
Walkways	5-foot minimum attached sidewalk on each side
Street Buffer	6-foot minimum landscape area with trees
Furnishings	Bike racks, seating, lighting, planters
Outdoor Dining	<u>Outdoor dining & seating areas may include pergolas and/or shade structures that are no taller than 12' and are permanently installed with footing/foundations.</u>

18.60.040 Nonconforming Use

- A. Continuation. A nonconforming use ~~or noncomplying structure~~ legally existing when such use became prohibited, may be continued. A vacant structure may be occupied by a use for which the structure was originally designed and intended if occupied within period of one year after the use becomes nonconforming.
- B. Expansion within a Complying Structure. A nonconforming use existing within a portion of a conforming structure may be expanded to include the entire floor area of such building provided the expansion:
1. Does not include any structural alteration; and
 2. Otherwise conforms to the requirements of this title, and
 3. Additional parking space is supplied to meet the requirements of this title for such expansion.
- C. A nonconforming use of a lot or parcel where the principal use is not enclosed within a building, such as a salvage yard or a motor vehicle sales lot, shall not be expanded or modified except in conformity with the requirements of this title or as may be required by law.
- D. Change of Use. Whenever any Nonconforming Use is changed to a conforming use, the Nonconforming Use shall be deemed terminated. Nonconforming uses shall not be changed to another Nonconforming Use.
- E. Deterioration or Destruction of a Structure with a Nonconforming Use: Restoration of a deteriorated, damaged or destroyed structure and continuance of a nonconforming use shall be subject to the following:
1. A nonconforming use status will cease to be legal, if the structure that contains a nonconforming use is allowed to deteriorate to a condition that the structure is rendered uninhabitable and is not repaired or restored within six (6) months after written notice to the property owner stating the following:
 - a. The structure is uninhabitable, and
 - b. If the structure is not repaired or restored within six (6) months, the nonconforming use status will cease to be legal.
 2. If a structure that contains a nonconforming use is voluntarily demolished, or is required by law to be demolished, the nonconforming use shall not be resumed.
 3. If a structure that contains a nonconforming use is damaged by fire, wind, earthquake, or other calamity or act of God or the public enemy and the

structure or use has not been abandoned, the nonconforming use may be resumed and the structure may be restored to the condition prior to the destruction, so long as a building permit is obtained within six months and a certificate of occupancy is issued or a final inspection completed within two years of receipt of a building permit.

18.60.050 Noncomplying Structures

- A. Continuation. A noncomplying structure may be continued so long as no additions or enlargements are made thereto, except as permitted by this chapter or as may be required by law. If a noncomplying structure is removed from the lot or parcel where it was located, each future structure on such lot or parcel shall conform to the provisions of this title.
- B. Expansion and Enlargement.
 - 1. Compliant Expansions and Enlargements. A noncomplying structure may be expanded or enlarged if the expansion or enlargement complies with the standards of the zone district and the applicable requirements of this title. The cumulative expansion since the structure became nonconforming does not exceed 50% of the structure's height, footprint, lot or parcel coverage, and/or area when it became nonconforming.
 - 2. Noncompliant Expansions and Enlargements. A noncomplying structure may be expanded or enlarged only if the structure has received a determination status as set forth in MKZ 18.60.090 and a ~~upon a~~ permit authorized by the land use hearing officer, provided that the land use hearing officer shall find the following:
 - a. The expansion or enlargement of the structure is compatible with existing development within a reasonable distance in terms of height, mass, applicable building envelope requirements, and lot or parcel coverage; and
 - b. The expansion or enlargement of the structure is not detrimental to the health, safety and general welfare of persons residing within a reasonable distance of the subject property.
 - c. ~~The cumulative expansion since the structure became nonconforming does not exceed 50% of the structure's height, footprint, lot or parcel coverage, and/or area when it became nonconforming.~~

c. The Noncomplying Structure, depending on the nature of the nonconformity, meets the following criteria:

(1) Noncomplying as to Building Height Envelope: A structure that does not meet the requirements of the building height or building envelope may be expanded provided that the height of the expansion does not exceed the existing height of the structure and complies with all other underlying zone spatial requirements or does not further reduce any existing noncomplying spatial requirement. Such expansion shall be permitted one time only.

(2) Noncomplying as to Setbacks:

(A) A structure that does not meet the setback requirements of the underlying zone district may be expanded provided the existing setback is not further reduced and the expansion complies with all other spatial requirements of the underlying zone.

(B) The expansion may extend the noncomplying exterior wall of the structure up to 50% of the length of the existing wall. Such expansion shall be permitted one time only.

(3) Noncomplying as to Lot or Parcel Coverage: A structure on a lot or parcel that exceeds the lot or parcel coverage limit requirements of the underlying zone district may be expanded provided the expansion does not increase the existing lot or parcel coverage by more than 20% and in no case can the total lot or parcel coverage exceed 50%. Such expansion shall be permitted one time only.

B. Maintenance and Repair. A noncomplying structure may be maintained or repaired provided no structural alterations are made and the degree of nonconformity is not increased. ~~Repairs may be made to a noncomplying structure provided the degree of nonconformity is not increased.~~

- C. Relocation. A noncomplying structure may not be relocated within Millcreek unless the structure is placed in a location that conforms with the applicable requirements of this title.
- D. Enlargement Where Parking Insufficient. A complying structure housing a use with insufficient parking, as required by this title, may be enlarged provided additional parking is supplied to meet the requirements of this title for the noncomplying portion of the structure and the enlargement.
- E. Restoration. A noncomplying structure damaged by fire, wind, earthquake, or other calamity or act of God or the public enemy may be restored as it existed previously, except for structural changes required by the building code or fire code, and its use may be continued so long as a building permit is obtained within six months and a certificate of occupancy is issued or a final inspection completed within two years of receipt of a building permit.
- F. Deterioration. A noncomplying structure status will be lost and require either complete demolition or compliance with the standards of the underlying zone district, if the noncomplying structure is allowed to deteriorate to a condition that the structure is rendered uninhabitable and is not repaired or restored within six (6) months after written notice is provided to the property owner stating the following:
1. The structure is uninhabitable, and
 2. The noncomplying structure will be lost if the structure is not repaired or restored within six months, or
 3. The property owner has voluntarily demolished a majority of the noncomplying structure.

~~—A noncomplying structure may not be reconstructed or restored if:~~

- ~~1.—The structure is allowed to deteriorate to a condition that the structure is rendered uninhabitable and is not repaired or restored within six months after written notice to the property owner that:~~

~~c.—The structure is uninhabitable, and~~

~~d.—The noncomplying structure will be lost if the structure is not repaired or restored within six months, or~~

- ~~2.—The property owner has voluntarily demolished a majority of the noncomplying structure.~~

- G. If the property owner or authorized representative voluntarily demolishes a noncomplying structure or is required by law to demolish the noncomplying structure, the structure shall not be reconstructed or restored unless it is reconstructed or restored to comply with all applicable requirements of this title. Demolition of a noncomplying structure includes any act or process that destroys or removes 50 percent or more of the nonconformity.

18.63.020 Vehicle Parking Requirements

B. Design Specifications for Residential Uses with Four or Fewer Units.

8. Commercial vehicles. Commercial vehicles shall not be parked or stored on residential property, except in the following circumstances:
- a. Commercial vehicles may be parked on a property in conjunction with lawfully permitted construction, maintenance, or site development activities so long as said activities are diligently pursued.
 - b. One commercial vehicle may be parked behind the front line of the dwelling and screened from view from public streets or neighboring properties, as well as an opaque fence or opaque gate that is at least six feet (6') tall.
 - c. One commercial vehicle may be parked in the front yard or side yard of a dwelling, in any R-1 or R-2 zone upon approval of a site plan amendment application, filed by the applicant pursuant to MKZ 18.15.030 (D), ~~issuance of a permit by the City,~~ provided that all of the following criteria are met:
 - (1) No other commercial vehicle is parked or stored on the property.
 - (2) The operator of the vehicle is required to be on call twenty-four (24) hours a day to use the vehicle in response to an emergency;
 - (3) The commercial vehicle is parked on a paved surface in compliance with this Chapter;
 - (4) The commercial vehicle is parked entirely on private property, not parked on or over the street or sidewalk; and
 - (5) The commercial vehicle does not exceed Class 5 (two-axle, six-tire single-unit trucks) in the Federal Highway Administration vehicle classification.

C. Minimum Parking Requirements

Table 18.63-2 Minimum Vehicle Parking Requirements		
<i>Use</i>	<i>Minimum Requirement</i>	<i>Notes</i>
<i>RESIDENTIAL USES</i>		
Residential Facility for the Elderly or for Persons With a Disability	A minimum of 4 parking spaces plus 1 parking space for every 5 residents.	If the number of residents who own or operate a motor vehicle exceeds the number of parking spaces required for Residential Facilities for Persons With a Disability, additional parking shall be provided to ensure that every resident who owns or operates a motor vehicle has a lawfully located off-street parking space.
Mobile Home Park	2 spaces per unit	
Single-Household Dwelling, Two-Household Dwelling, Three-Household Dwelling and Four-Household Dwelling	2 spaces per unit	One space must be covered parking, except for single-household dwellings and two-household dwellings developed as affordable housing. Existing dwellings that lack one covered space as of March 12, 2018 are exempt from a

		covered parking requirement.
Accessory Dwelling Units	1 stall per unit	
Multiple-Household Dwelling in the CCOZ or MD zones, <u>including senior (55+) housing</u> (5 or more units) (2)(3)	1.0 spaces per studio unit 1.0 space per one bedroom unit 1.5 spaces per two-bedroom unit 2 spaces per unit for units with three or more bedrooms 0.25 spaces per unit for visitor parking	
Multi-Household Dwelling in all other zones, <u>including senior (55+) housing</u> (5 or more units) (2)(3)	1.0 spaces per studio unit 1.25 space per one bedroom unit 1.5 spaces per two-bedroom unit 2 spaces per unit for units with three or more bedrooms 0.25 spaces per unit for visitor parking	
Affordable Housing (1)(2)(3)	0.50 spaces per studio unit 0.75 space per one bedroom unit 1 space per unit with two or more bedrooms 0.25	The application must demonstrate that units are allocated as permanent affordable housing, either through deed restriction, covenant, or other

	spaces per unit for visitor parking	means of legal documentation deemed acceptable by the City Attorney.
~~Senior (55+) Housing~~	~~0.5 spaces per unit~~	

18.63.040 Bicycle Parking Requirements

~~A. Bicycle Parking Design Standards~~

~~A. 1.~~ Bicycle parking spaces shall be:

- ~~1. a.~~** Located on the same lot as the principal use;
- ~~2. b.~~** Located and designed to prevent damage to bicycles by cars;
- ~~3. c.~~** Located so as not to interfere with pedestrian movements;
- ~~4. d.~~** Located in a highly visible, well-lighted area that is located near the entrance(s) to the building;
- ~~5. e.~~** Located to provide safe access from the spaces to the public right-of-way or bicycle lane;
- ~~6. f.~~** Designed with racks to accommodate a range of bicycle shapes and sizes, and to allow the frame and wheel(s) of each bicycle to be supported and secured against theft without interfering with adjacent bicycles;
- ~~7. g.~~** Racks shall be anchored to resist removal by vandalism and resistant to rust or corrosion.
- ~~8. h.~~** Bicycle parking spaces that meet the above requirements may be located within the building.
- ~~9. i.~~** The proposed bicycle parking spaces shall be clearly shown on the site plan indicating location and type.
- ~~10. j.~~** Multiple-Household residential uses with more than eight (8) units shall provide an on-site enclosed and secured bicycle storage room with racks for the use of the residents.

B. 2. Bicycle Parking Requirements. Bicycle parking facilities shall be provided for any new commercial, office, manufacturing, industrial, Multiple-Household residential, recreational, public and/or quasi-public use for which automobile parking is required; or for modification or change of any use listed above that results in the need for additional automobile parking facilities and is required for all principal uses as outlined in Table 18.63-5 Bicycle Parking Requirements.

Table 18.63-5: Bicycle Parking Requirements	
<i>Use</i>	<i>Minimum Requirement</i>
Residential, Multi-Household with 3-8 units	2 spaces per 4 dwelling units
Residential, Multi-Household with ~~3-8 units~~ <u>more than 8 units</u>	2 spaces per 4 dwelling units, 50% of which must be in an enclosed and secured bicycle storage room <u>or</u> <u>in private garages</u>
Office	2 publicly available spaces per establishment or 1 space per 15,000 square feet, whichever is greater
Restaurant	4 publicly available spaces per establishment
Retail	2 publicly available spaces per establishment
School	1 space per classroom

18.64.040 Tree Preservation Standards

- A.** Purpose. To maintain the environmental integrity of trees for shade, evapotranspiration, and habitat along with preserving the aesthetic of mature, and healthy vegetation for Millcreek's streetscapes.
- B.** Applicability. All healthy trees having a ~~caliper~~ **DBH** of ~~four six~~ inches (~~46~~") in size or larger shall be preserved to the maximum extent feasible. Species identified as noxious or invasive as declared by the Millcreek Plant Species List or the Utah Department of Agriculture and Food are exempt from this requirement.

C. Design Standards

1. Preserved trees shall be credited toward the satisfaction of the tree planting requirements of this chapter at a rate of 1:1 based on caliper size, except for the replacement of large caliper trees as set forth in Table 18.64-4, Tree Replacement Table. For example, a six-inch (6") caliper tree preserved shall count toward three (3) two-inch (2") caliper trees.
2. Where existing trees are to be protected during site development or construction activity, the following standards shall apply:
 - a. A fenced tree protection zone shall be established around the dripline of each tree or cluster of trees to be retained with high-visibility materials at a minimum height of four feet (4').
 - b. The storage or movement of equipment, material, debris, or fill is prohibited within the tree protection zone to minimize soil compaction.
 - c. The cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil or any other material harmful to the life of a tree is prohibited within the tree protection zone.
3. No cut or fill is permitted within the tree protection zone unless Landscape Architect licensed to practice in the State of Utah or an ISA Certified Arborist has evaluated and approved the disturbance.
4. All protected existing trees shall be pruned as specified by an ISA Certified Arborist.
5. No damaging attachment, wires, signs, or permits may be fastened to any protected tree.
6. Trees being preserved that are located further than 50 feet from the primary area being disturbed by construction may be ribboned off in lieu of erecting protective fencing. This may be accomplished by placing metal t-post stakes a maximum of 50 feet apart and tying ribbon or rope from stake-to-stake along the outside perimeters of such areas being cleared.
7. Trees that are killed or damaged beyond healthy restoration during construction shall be replaced at the rate outlined in table 18.64-4.

8. The removal of trees is allowed under the following circumstances ~~by way of a tree removal permit as set forth in MKZ 18.64, Landscape Standards~~:
- a. Where trees have naturally fallen or are determined by an ISA Certified Arborist to be dead or dying.
 - b. Where trees have been diagnosed by an ISA Certified Arborist as unhealthy beyond reasonable rehabilitation.
 - c. Where trees are determined to be potentially harmful to the public health, safety, or welfare.
 - d. Where it has been determined by the City that tree removal is necessary to restore clear visibility at driveways and intersections.
9. Plants considered noxious or invasive species as identified in the Millcreek Plant Species List or the Utah Department of Agriculture and Food are not required to meet these requirements.
10. Trees having a ~~caliper-DBH~~ of ~~six four~~ inches (~~64~~") in size or greater which are removed shall be replaced on the development site at the following rate, except that street trees are to be replaced at a rate of one new tree per tree removed.

Table 18.64-4 Tree Replacement Table	
<i>Tree Replacement Table</i>	
Tree to be removed	Replace with
6" to 12" DBH tree	Three trees as 1" to 2" caliper size
13" to 24" DBH tree	Six trees at 1" to 2" caliper size
25" to 36" DBH tree	Eight trees at 1" to 2" caliper size
37" or larger DBH tree	Twelve trees at 1" to 2" caliper size

11. ~~The Planning Director may approve a reduced replacement mitigation plan. To receive a reduced mitigation plan, an applicant must submit a letter from a licensed Utah arborist or landscape architect outlining the specific site and why a reduced replacement rate is required. The following circumstances~~

may warrant a reduced tree mitigation plan:

- a. Placing the required number of replacement trees on site is not conducive to a sustainable landscape plan for the property in question; or
- b. Unique soil types, topography, or unusual characteristics of the site will limit the likelihood of successful tree establishment and growth.

12. Off-Site replacement. An applicant may request a fee-in-lieu to the Planning Director to meet the tree mitigation standards.

- a. The applicant may pay a fee in lieu to the Millcreek tree fund that covers the cost to purchase and plant each tree requested,
- b. The applicant may request to the Planning Director an off site tree replacement transfer to another property. The 'receiving' property must submit a signed approval of the transfer and the trees must be planted in accordance with the standards found in MKZ 18.64 Landscape Standards. Trees must be planted prior to the issuance of occupancy for the 'sending' property.

13. Tree removal prior to land use development. Trees over 6" DBH removed within 12 months prior to the filing a land use application with the city shall count as trees removed and must be replaced in accordance with the standards found in MKZ 18.64.040(C)(9).

- a. The applicant shall provide documentation of the size, species, and health of the trees removed.
- b. The city shall use satellite imagery and site inspections to verify the size, species, and health of the trees removed. The city may also use a license arborist to verify the size, species, and health of the removed trees.
- c. Any fees associated with the verification shall be paid by the applicant.

D. Tree Preservation Site Plan Submittal

1. Applicants seeking to remove trees as part of a land use application shall ~~seek a tree removal permit and shall~~ submit a tree preservation plan as part of their application, to include the following:

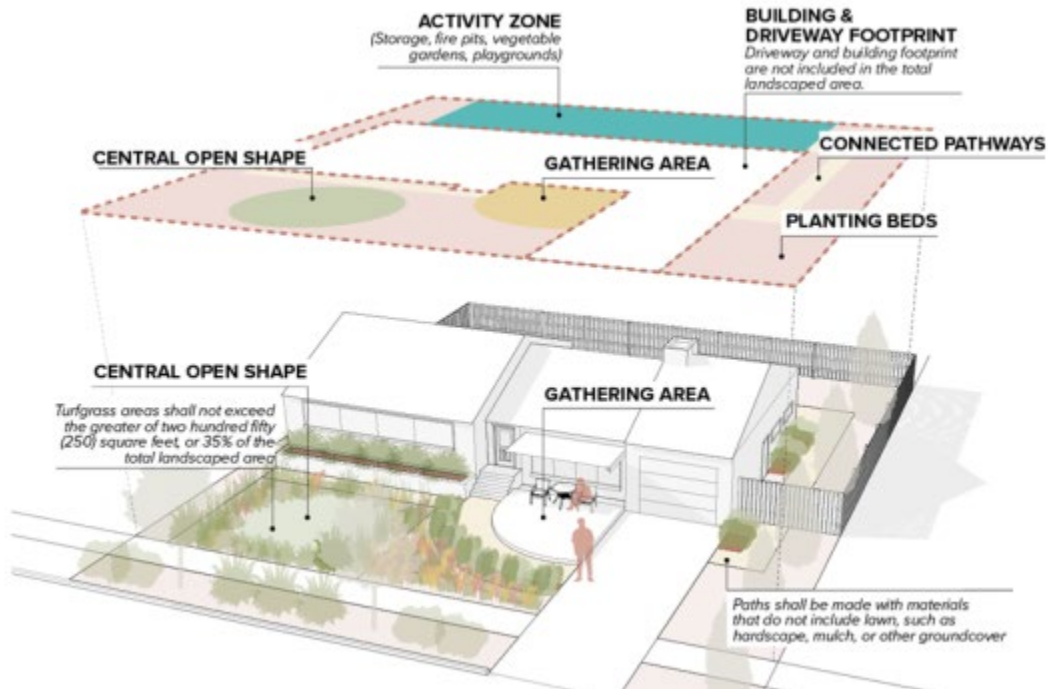
- ~~a.—Purpose of the requested tree removal permit~~

- b. Plan showing existing and proposed land uses, buildings, parking, utilities, and light poles;
- c. Plan showing existing trees ~~over four (4) inch diameter at breast height~~ to be preserved; ~~and any other pertinent development elements.~~ any trees that will be removed, and health, species, and diameter at breast height of all trees on the property;
- d. Plan showing location of all required replacement trees on property along with their species and mature size;
- e. A boundary survey which shall include the location of all easements, building setback lines, nearby zoning district boundaries; and
- f. A location map showing the location of the property within the City.

~~2.—If a permit is denied, the reason for denial shall be furnished to the applicant in writing, either electronically or by mail. The applicant or any person adversely affected by a final decision on a tree removal permit shall have the right to appeal the decision to the land use hearing officer, as set forth in MKZ 18.04, Appeals.—~~

18.64.080 Single-Household, Two-Household, Three-Household, & Four-Household Residential Landscaping Standards

Figure 18.64.6 LocalScape Design Standards



- A. Purpose. To provide the opportunity for property owners to apply for Landscaping Rebate Programs as outlined by the Central Utah Water Conservancy District.
- B. Applicability. The standards illustrated in Figure 18.64.6 and set forth in this section apply to all new single-household, two-household, **three-household, and four-household** residential development and any redevelopment of single-household, **two-household, three-household, and four-household** residential properties in addition to the General Landscaping Requirements outlined in this Chapter.
- C. Maximum Impervious Surfaces for Single-Household, Two-Household, **Three-Household, and Four-Household** Dwellings.
 1. Except as provided below, no more than 50 percent of the area of a front or corner side yard may be covered with impervious surfaces such as driveways.
 2. For lots or parcels with less than 60 feet of frontage as measured at the right-of-way line, impervious surfaces used for driveways and permitted parking may exceed the 50 percent limitation if necessary to meet the minimum driveway standards set forth in MKC 14.20.110.
- D. LocalScape Design Standards. LocalScapes consist of up to five (5) types of landscape elements:
 1. Central Open Shape. If size permits, the landscaped areas of the front and back yards may include a designed central open shape created by using turfgrass, hardscape, groundcover, gravel, or mulch. The central open shape minimizes angles and extensions that make watering less efficient.

- a. Turfgrass areas shall not exceed the greater of two 250 square feet, or 35 percent of the property's total landscaped area.
 - b. A turfgrass central open shape may not be less than 10 feet in width.
 - c. Small residential lots in which the total landscaped area is less than 250 square feet are exempt from the 10 feet minimum width requirement for turfgrass.
2. Gathering Areas. Gathering areas shall be constructed of hardscape and placed outside the central open shape. The gathering area may function as the central open shape in a landscape without a turfgrass lawn.
3. Activity Zones. Activity zones shall be located outside the central open shape and shall be surfaced with materials other than turfgrass lawn. Vegetable gardens, playground areas, and sport courts are examples of potential activity zones.
4. Connecting Pathways. Paths and walkways shall be made of materials other than lawn, such as hardscape, mulch, or other durable materials.
5. Planting Beds. Planting beds shall be located outside of the central open shape and may not utilize turfgrass. They shall be surfaced by mulch, rock, gravel, or other similar material where not covered by plantings. A minimum of 75 percent of the planting bed shall be comprised of live plant material.

18.64.140 Landscape Plan Submittal Requirements

A. General Provisions

1. All applications for a Conditional Use Permit, a ~~SitePlan~~ **Site Plan** Approval, or a ~~Minor~~ Site Plan Amendment must be accompanied by a landscape plan package prepared in accordance with the requirements of this chapter.

18.65.110 Sign Allowance By Zoning Districts

Table 18.65-3 Signs in Nonresidential Zones: (C-1, C, M, MD, MD-3, IF and CCOZ)					
<i>Type</i>	<i>Maximum Size</i>	<i>Maximum Height</i>	<i>Location Requirements</i>	<i>Maximum Quantity</i>	<i>Other</i>
District sign	288 square feet	• 26.5 feet for signs located on 3300 South or	• Must be located on City Property	Two within the City Center Overlay Zone	• Only allowed in CCOZ.

		Highland Drive. • 30 feet for a sign located on 1300 East.			
Pole sign	48 square feet plus 1 square foot for each 4 feet of street frontage over 30 feet, not to exceed 150 square feet	15' in C-1 zone, 20' in C, M, MD, MD-3, and IF Zones	• 15' from any property line • At least 100' from any other pole or monument sign.	One per street frontage.	• Illumination may be built into or attached to signs. • No upward illumination is permitted. • If a pole sign is located within 100 feet of an existing legally-established dwelling or a residential zone boundary, the pole sign will be subject to a sign illumination curfew as set forth in MKZ 18.65.120 . • Prohibited in CCOZ.

Monument sign	32 square feet plus 1 square foot for every 4' of frontage over 30', not to exceed 64 square feet	6' in C, M, MD, MD-3, and IF Zones 4' in C-1 Zone and CCOZ	• On private property • Minimum of 5' from any property line. • At least 50' from any other pole or monument sign.	One per every 150' of street frontage or part thereof.	If a monument sign is located within 100 feet of an existing legally-established dwelling or a residential zone boundary, the pole sign will be subject to a sign illumination curfew as set forth in MKZ 18.65.120 .
Flat/Wall sign	20% of a wall area, up to a maximum of 300 square feet in the C-1 zone, or up to a maximum 600 square feet in the C, M, MD-3, and IF zones.		• Must be attached to a building.		• Only permitted if an awning sign is not used. • Illumination permitted if the downlit or built into the letters. • No upward illumination permitted.

Awning sign	• 25% coverage of a first story wall area • 50% of an awning may be covered with graphics	May not extend above the top of the wall it is attached to.	• Must be attached to a building. • 6' maximum projection from building. • 8' minimum clearance from the ground to the bottom of the awning.		• An awning sign may only be used if a flat or wall sign is not used. • Primary graphics must be on street side or primary face of structure. • No internal illumination permitted.
Projecting / Blade sign	• 12 sq. ft. • Maximum 42" width	May not extend above the top of the wall it is attached to.	• Must be attached to a building. • 6' maximum projection from building. • 8' minimum clearance from ground to bottom of sign	One per entrance along frontage	• Primary graphics must be on street side or primary face of structure. • No illumination permitted
<u>District Blade Sign</u>	<u>120 square feet</u> <u>Maximum 60" width</u>	<u>May not extend above the top of the wall it is attached to.</u>	• <u>Must be attached to a building.</u> • <u>6' maximum projection from building.</u> • <u>12' minimum clearance</u>	<u>One within the City Center Overlay Zone</u>	<u>Only allowed in CCOZ.</u>

			<u>from ground to bottom of sign</u>		
Window sign	12 sq. ft. per use			One per business per street frontage	

18.66.090 Fence Height Measurement

A. Fence height shall be measured from the finished existing grade to the highest point of the fence. Grade shall not be modified as part of a permit to increase fence height. The height of a berm, retaining wall, or other means to modify grade that existed prior to the construction of a fence is considered as contributing to the height of a fence.

~~B. Berms, retaining walls, or other means to raise the elevation of the ground upon, or within four feet of a fence, shall be included in the measurement of fence height.~~

~~C. B.~~ When a difference in grade exists on either side of a fence or wall, the height of the fence or wall shall be measured as follows:

1. Height is measured at the property line from the lower property grade.
2. The higher property grade may not exceed 12 feet of elevation gain at any point within four feet (4') of the property line.

18.66.100 Neighborhood Compatibility Modification (NCM) For Fence Height

The Neighborhood Compatibility Modification (NCM) allows for modified standards for the height of fences in A, R-1, R-2, R-4, RM, and FRE based upon the compatibility of the proposed residential development application with other lots and parcels in the proximate neighborhood. The Planning Director may approve an NCM request at time of site plan submittal provided the following conditions are met:

1. Evidence. Compliance with the corresponding neighborhood conditions must be established by a survey of the proximate neighborhood. The survey must be completed by a surveyor licensed to practice in the State of Utah.

2. Submittal. NCM requests shall be submitted on a separate land use application and shall include an additional review fee as set forth in the Millcreek Consolidated Fee Schedule.
3. Permissible Modifications. ~~NCM Standards:~~ The fence height shall be the average height of existing fences that are on all lots or parcels within the proximate neighborhood. Fence height modifications may be accommodated if the request does not exceed a fence height of twelve feet (12’).
4. Like-for-Like Comparison Required. Fence height modifications approved through the NCM shall be based only on fences of the same type and location as the proposed fence. The average fence height used to establish an NCM shall be calculated using only fences within the proximate neighborhood that are located in the same yard as the proposed fence. Fences in different yards shall not be included in the analysis.
5. Non-Permissible Modifications. Modification of fence heights in clear vision areas as set forth in [MKZ 18.67, Clear View Areas](#), do not qualify under the NCM.

18.67.030 General Requirements

- A. A clear view area is a 10-foot triangular area formed by the edge of any driveway or automobile access and the street right-of-way line or within a 30-foot triangular area formed by intersecting street right-of-way lines. In instances where the right-of-way lines are not readily visible or established, the triangular area shall be formed by following the edge of pavement and a line connecting the lines at points 50 feet from the point of intersection. A lesser or greater clear view triangular area may be approved or required by the City Engineer based upon traffic speeds, flows, volumes, and other traffic related variables. Clear View Areas for Driveways and intersecting streets are depicted in Figure 18.67.1 and Figure 18.67.2. No view-obscuring object(s) shall be placed within the clear view area, including walls or opaque fencing that exceeds three feet (3’) in height.

18.68.020 Applicability

All development in Millcreek shall comply with the standards in this chapter. All outdoor lighting installed after the effective date of this section shall comply with the requirements herein. This includes but is not limited to new lighting in parking areas, new residential, commercial, and manufacturing developments, including any site plan approval or change of use permit, and any new lighting installed as part of a ~~minor~~ site plan amendment.

Lighting upgrades to existing single-household or two-household dwellings are not required to follow the requirements of this chapter, unless as part of a site plan approval or site plan amendment.

18.68.050 Prohibited Lighting

The following are prohibited:

1. Uplighting of any type including but not limited to lighting used to illuminate buildings and other structures, except as otherwise stated in this Chapter,
2. Laser source lights, searchlights, or similar high-intensity lights,
3. ~~Strip LED lights~~ Any lighting that ~~do~~ does not meet the provisions of this Chapter.

18.71.010 Purpose

Accessory Dwelling Units (ADUs) ~~in single-household residential zones~~ are an important tool in the overall housing goals and needs of the City and allow for alternative and flexible housing options in owner-occupied single-household dwellings, in zones where single household dwellings are permitted uses. The purposes of the ADU standards of this code are to:

- A. Create new housing units while respecting the appearance, neighborhood character, and scale of single-household residential development.
- B. Provide more housing choices in residential zones.
- C. Allow more efficient use of existing housing and large yards.
- D. Provide housing options for family caregivers, adult children, aging parents, and families seeking smaller households.
- E. Offer a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services.
- F. Broaden the range of affordable housing options throughout the City.

18.71.030 Applicability

Properties are eligible for an accessory dwelling unit if:

- A. The property is owner occupied,

- B. The use of the property at the time of application and at any time thereafter is single-household residential, and
- C. The property is located in a zone where single-household dwellings are permitted ~~uses in an R-1 or A zone.~~

18.71.050 Request For Compliance Determination

A property owner may request a review to determine the compliance of an existing accessory dwelling unit. This request shall be conducted following the procedure as set forth in MKZ 18.15.030 (E). The Planning Director shall issue a Compliance Determination in writing. If the Planning Director determines that an Accessory Dwelling Unit complies with the standards of this chapter, then a notice of compliance shall be recorded on the property at the Salt Lake County Recorder's Office. Notices that demonstrate compliance with the City's land use regulations and state statute shall include, at a minimum, the following:

1. A description of the primary dwelling;
2. A statement that the primary dwelling or property contains an ADU;
3. A statement that the primary dwelling or property is owner-occupied; and
4. A statement that the ADU may only be used in accordance with the City's land use regulations.

18.72.040 Height Projection Allowances

- A. For multiple-household dwellings, mixed use buildings, and any building housing a non-residential use located in an RM, MD, MD-3, C-1, C, M, CCOZ, or VCSD Zone, the following height projections are allowed:
 1. Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, ~~and fire or parapet walls~~, skylights, towers, steeples, flagpoles, chimneys, smokestacks, water tanks, wireless or television masts, theater lofts, silos, or similar structures, may be erected above the height limits prescribed in this title, but no space above the height limit shall be allowed for the purpose of providing additional floor space. Maximum additional height for projections is as follows:

1. RM, MD, MD-3, C, M, CCOZ, VCSD Zones: 14 feet
 2. C-1 Zone: 10 feet
 3. IF Zone: Maximum height is as set forth in [MKZ 18.45.070 \(C\)](#).
2. Fire or parapet walls may be erected above the height limits prescribed in this title. Maximum additional height for fire or parapet walls is as follows:
1. RM, MD, MD-3, C, C-1, M, CCOZ and VCSD Zones: 5 feet
 2. IF Zone: Maximum height is as set forth in [MKZ 18.45.070 \(C\)](#).
3. No structures identified above except towers, stairways and elevators, fire or parapet walls, and solar panels, may be located nearer than 10 feet to the edge of the building.

C. Height projection allowances for single-household dwellings, two-household dwellings, three-household dwellings, and four-household dwellings located in the RM, MD, MD-3, C, C-1, M, CCOZ, and VCSD Zone are as follows:

1. Parapets and railings shall not exceed 30 inches in height above the intersection of the roof surface and the wall.
2. Chimneys and vents may project beyond the maximum height of the building by 30 inches, if required by the building code.
3. Towers, spires, cupolas, elevator penthouses, mechanical appurtenances, or similar non-habitable architectural elements may not project beyond the maximum building height in the zone.

18.76.040 Home Business

- B. Home businesses shall include the following business activities, and those substantially similar. If a use is not explicitly designated below, then the use is prohibited. An applicant seeking a Millcreek Business License may submit a Classification Request by following the procedure as set forth in [MKZ 18.15.030 \(J\)](#), to determine whether a proposed land use aligns with an existing business activity listed below.

3. Dance studio, aerobic exercise, music lessons, tutoring and general educational instruction, provided the number of students is limited to ~~two (2)~~ six (6) at a time;

18.97.030 Alphabetized Definitions

Boundary Adjustment, Full means a boundary adjustment, including a consolidation of lots or parcels, that is not a simple boundary adjustment and that does not result in a lot or parcel that crosses a zone district boundary.

Boundary Adjustment, Simple means a boundary adjustment, including a consolidation of lots or parcels, that does not affect a public right-of-way, municipal utility easement, or other public property; an existing easement, onsite wastewater system, or an internal lot restriction; or result in a lot or parcel out of conformity with land use regulations, including a lot or parcel that crosses a zone district boundary.

Chimney means a primary vertical structure containing one or more flues, for the purpose of carrying gaseous products of combustion and air from a fuel-burning appliance to the outside atmosphere.

Commercial Vehicle means any motorized vehicle or trailer used for or intended for business use - including but not limited to the transportation of commercial equipment, merchandise, produce, freight, commodities, passengers, or animals - and which is characterized by any of the following:

1. Heavy equipment, such as earth movers, backhoes, cranes, forklifts, bulldozers, and the like, which are commonly used for construction, excavation, demolition, or lifting; vehicles used to haul equipment or materials, such as dump trucks, tanker trucks, semi-tractors, semi-trailers, cement trucks, or other similar vehicle.
2. Pickup trucks over one ton with a commercial modification, such as a flat bed, a dumping mechanism, mechanical lifts or arms for loading and unloading materials/equipment, aerial buckets or platforms, or other similar feature.
3. Vehicles with more than two axles.
4. Vehicles that exceed eight feet in height.

DBH means diameter at breast height, which is 4.5 feet from the ground surface.

Owner-occupied means a dwelling in which the individual who owns the dwelling, solely or jointly, lives as the individual's primary residence ~~for no less than five years.~~

Parapet means an exterior wall or molding that continuously extends above a roofline.

Personal Transportation Services means a transportation facility in which general transportation by car, van, bus, or limousine for a fee is provided. Such uses generally include dispatching offices and facilities for vehicle storage and maintenance.

Planned Unit Development means a subdivision plat that was approved by Salt Lake County or Millcreek pursuant to the standards for planned unit developments in effect at the time of approval.

Primary Residence means the single property where the owner of record's habitation is fixed, and for which the owner of record resides at the property for a minimum of one hundred eighty-three (183) consecutive calendar days during the calendar year.

Setback means an area where the construction of structures or critical facilities is not permitted-, except as otherwise provided in this title.

Sign, District Blade means a projecting/blade sign located in the City Center that is intended to serve primarily as a placemaking element.

Structural Alteration means any change to either the supporting members of a building, such as bearing walls, foundations, footings, columns, beams, and girders, or configurations of the roof or exterior walls.

This Ordinance, assigned Ordinance No. 26-52, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this 27th day of July, 2026.



ATTEST:



Elyse Sullivan, City Recorder

MILLCREEK

By: 

Cheri Jackson, Mayor

Roll Call Vote:

Jackson	<u>Yes</u>	No
Catten	<u>Yes</u>	No
DeSirant	<u>Yes</u>	No
Handy	<u>Yes</u>	No
Uipi	<u>Yes</u>	No

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:
ORDINANCE 26-52: AN ORDINANCE OF MILLCREEK AMENDING TITLE 18 OF THE MILLCREEK MUNICIPAL CODE FOR THE PURPOSE OF MAKING TECHNICAL CORRECTIONS was adopted the 27th day of July, 2026 and that a copy of the foregoing Ordinance 26-52 was posted in accordance with Utah Code 10-3-711 this 28 day of July, 2026.



Alex Wendt, Deputy Recorder