



OGDEN VALLEY TOWNSHIP PLANNING COMMISSION

WORKSESSION MEETING AGENDA

June 05, 2012

5:00 p.m.

1. Weber County Zoning Ordinance Chapter 18B (Commercial, Valley Zones CV-1 and CV-2) Discussion
2. Adjourn

*The meeting will be held in the County Commission Break-Out Room or as otherwise posted.
in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah.*



*In compliance with the American with Disabilities Act, persons needing auxiliary services for these meetings
should call the Weber County Planning Commission at 801-399-8791*



Weber County Planning Division

June 5, 2012

To: Ogden Valley Planning Commission

From: Ben Hatfield, Planner

Subject: Weber County Zoning Ordinance Chapter 18B (Commercial, Valley Zones CV-1 and CV-2)

Consistent with the Planning Division work program, planning staff is proposing several amendments to the Weber County Zoning Ordinance Chapter 18B (Commercial, Valley Zones CV-1 and CV-2). This chapter deals with the requirements for both general and neighborhood commercial areas and uses in the Ogden Valley. With this memo I have included a copy of the proposed ordinance as exhibit A.

In April 2012 The Ogden Valley Planning Commission met to discuss these proposed amendments to the ordinance. It was felt that a better understanding of what is intended as neighborhood commercial zones and general commercial zones was needed prior to any discussion on what types of uses should go in those zones. It was desired that some criteria be established to determine which commercial uses are meant to serve a small population of residents in a neighborhood, opposed to general commercial uses which serve a larger area. Some examples of criteria mentioned were gross floor area, traffic generation, total area of the zone and lots, and potential offensive and objectionable nuisances such as odor, dust, smoke, noise, heat, or vibration. In exhibit B I have provided three examples (Salt Lake County, Washington County, and Ogden City) of ordinances used having a difference between General and Neighborhood based commercial zoning.

Some additional comments were made about cars at a carwash waiting in a queue and combining the section on uses done in a building and objectionable nuisances. Below is a description of the amendment as presented at the April work session, sections 1-4 were discussed. Section 5 is the most significant portion of the ordinance to be amended. It was mentioned that not all of the commissioners wanted to go through the proposed changes here. Staff has met and reviewed this section before, but as there are decisions that are made in this area that will greatly affect both current and future business in the Ogden Valley, staff suggests that this area be reviewed by the Planning Commission. The intent in staff's review was to better organize and update some uses that seemed out of date and out of character for the Ogden Valley. Staff suggests that the Planning Commission's review of the amendment to the CV-1 and CV-2 zones not be a dramatic change, and still remain similar to what will be found in Weber County Zoning Ordinance for the C-1, C-2, and C-3 zones.

The proposed changes to Chapter 18B are as follows:

18B-1: Areas of the "Purpose and Intent" section language were corrected. Staff is proposing to write separate language to the purpose and intent section for each commercial zone (CV-1 and CV-2). Direction on if this will be beneficial and how to separate the purpose and intent for each zone is desired.

18B-2: A format change is suggested as nearly all requirements are the same for both the CV-1 and the CV-2 zones. A consolidation makes this area easier to read. It was unclear with the previous format as to which requirement applied. Language is included clarifying that setbacks also should apply to forest and agricultural zones as well as residential zone boundaries.

18B-3: Clarification to the proper name of chapter 32B is referenced, and not all sign types are permitted some are conditional.

18B-4: This section will replace 1.A. with a requirement that is in the C-1, C-2, and C-3 zones regarding manufacturing uses being in enclosed buildings. The standard regarding excessive odor, dust, smoke and noise is being removed because it is subjective and difficult to apply.



Weber County Planning Division

18B-5: Each use has been re-evaluated by staff with recommended changes to whether they should be not allowed, allowed as a permitted use, or allowed as a conditional use.

Please review these ordinance amendments and come prepared to discuss this proposal and any other changes that you feel need to be made or questions you may have.

CHAPTER 18-B

COMMERCIAL, VALLEY ZONES CV-1 and CV-2

- 18B-1. Purpose and Intent
- 18B-2. Site Development Standards
- 18B-3. Sign Regulations
- 18B-4. Special Regulations
- 18B-5. Uses

18B-1. Purpose and Intent

The purpose of the Commercial Valley, CV-1 (Neighborhood), and Commercial Valley, CV-2 (General) Zones is to provide suitable areas for the location of the various types of commercial activity needed to serve the people and commerce of the Ogden Valley in unincorporated Weber County. It is also to separate into two commercial zones, uses based upon the type of activity which are compatible and complementary, as well as the intensity of land utilization and accessory use needs.

18B-2. Site Development Standards

CV-1 and CV-2

1.	Minimum Lot Area	none
2.	Minimum Lot Width	none
3.	Minimum Yard Setbacks	20 ft
	A. Front	unless the requirements listed in (B-4) Special Regulations number 3 <u>is are</u> met.
	B. Side	None, except 10 feet <u>where a building is adjacent to a forest, agricultural, or residential zone boundary</u>
	C. Side facing street on corner lot	20 feet, unless the requirements listed in (B-4) Special Regulations number 3 are met.
	D. Rear	None, except 10 feet where <u>a building rears on is adjacent to a forest, agricultural, or residential zone boundary</u>
4.	Building Height	one story
	A. Minimum	35 feet, <u>in the CV-2 zone heights over 35 feet may be allowed as a Conditional Use</u>
	B. Maximum	<u>Conditional Use required if over 35 feet</u>
5.	Maximum Lot Coverage	<u>Not over</u> 60% of lot area by buildings or accessory buildings

18B-3. Sign Regulations

The height, size, and location of the permitted signs types shall be in accordance with the regulations set forth in Chapter 32B, Ogden Valley Signs, of this Ordinance.

18B-4. Special Regulations

1. Hereinafter specified permitted and conditional uses shall be allowed only when the following conditions are complied with:
 - A. ~~All uses shall be free from excessive odor, dust, smoke, or noise.~~
 - A. All manufacturing uses shall be done within a completely enclosed building in effort to mitigate objectionable nuisances such as odor, dust, smoke, noise, heat, or vibration.
 - B. In the CV-1 (neighborhood) Commercial Zone no outdoor entertainment. ~~except recorded Music~~ shall be permitted in cafes, cafeterias, ice cream parlors, or restaurants.
2. A car wash shall be allowed ~~permitted~~ subject to the following restrictions:
 - A. Operation or use shall limited to the hours between 6:00 a.m. and 10:00 p.m. in CV-1 Zones only.
 - B. There shall not be more than four washing bays for a manual spray car wash in CV-1 Zones only.
 - C. Off-street vehicle space or queue ~~storage~~ required as follows:
 1. One bay car wash, four spaces in the approach lane
 2. Two bay car wash, three spaces in the approach lane for each wash bay
 3. Three or more bay car wash, two spaces in the approach lane for each wash bay
3. A Complete Street is a transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit vehicles, and motorists, appropriate to the function and context of the facility.
A complete street design is required when the front setback is less than 20 feet, and may include a 10 foot pathway, pedestrian lights, shade trees, clear view of intersection, and safe street crossings for pedestrians. The design is to be approved by the Planning Commission.

18B-5. Uses

In the following list of possible uses, those designated in any zone as "P" will be a permitted use. Uses designated as "C" will be allowed only when authorized by a conditional use permit obtained as provided in Chapter 22C of this Zoning Ordinance. Uses designated "N" shall not be allowed in that zone.

<u>CV-1</u>	<u>CV-2</u>	
P	P	Accessory buildings and uses customarily incidental to a permitted <u>or conditional</u> uses
P	P	Altering, pressing and repairing of wearing apparel
N	C	Ambulance Emergency Services Base Stations
N	C	Animal hospital, small animals only and provided it is conducted within completely an enclosed building
N	P	Antique, import or souvenir shop
N	P	Archery shop and range, provided it is conducted within completely an enclosed bldg- <u>building</u>
NP	P	Art and artists <u>gallery</u> or supply store
P	P	Assisted living facility including convalescent or rest home

Review May 30, 2012

CV-1

CV-2

N	P	Athletic and sporting goods store, excluding sale or repair of motor vehicles, motor boats or motors
N	P	Athletic Club
N	C	Auction establishment
N	C	Automobile repair including paint, body and fender, brake, muffler, upholstery or transmission work, provided it is conducted within completely <u>an</u> enclosed building
N	C	Automobile, new or used, sales/service
N	P	Awning sales and service
P	P	Baby formula service
P	P	Bakery manufacture limited to goods retailed on premises
P	P	Bank or financial institution <u>not to include payday loan services</u>
P	P	Barber shop
N	P	Bath and massage establishment
P	P	Beauty shop
N	P	Bed and Breakfast Inn
N	C	Bed and Breakfast Hotel
N	C	Beer parlor, sale of draft beer
<u>N</u>	<u>C</u>	<u>Brewery, micro in conjunction with a restaurant</u>
P	P	Bicycle sales and service
N	C	Billiard parlor
N	P	Blue printing or Photostatting
N	C	Boarding house
N	C	Boat sales and service
N	C	Boat and personal water craft rentals as an accessory use to Boat sales and service
N	C	Bookbinding
P	P	Book store, retail
N	C	Bowling alley
N	P	Bus Terminal
P	P	Business Office
P	P	Cafe or cafeteria
P	P	Camera store
P	P	Candy store, confectionery
N	P	Carpet, rug and linoleum service
N	P	Car rental agency
N	C	Car wash, laundry type <u>Automatic</u>
C	P	Car wash, manual spray
N	P	Cash register sales and service
N	P	Catering establishment
C	P	China, crystal and silver shop
P	P	Christmas tree sales
<u>P</u>	<u>P</u>	<u>Church</u>
N	C	Church, temporary revival
N	C	Cleaning and dyeing establishment
P	P	Clinics, medical or dental
N	P	Clothing and accessory store
N	P	Communication equipment building
C <u>P</u>	P	Convenience Store
N	P	Costume rental
P	P	Dairy products store
N	C	Dance hall
N	P	Data processing service and supplies
C	P	Day Care Center
P	P	Delicatessen
N	P	Department store
P	P	Detective agency
N	P	Diaper service, including cleaning
N	P	Drapery and curtain store

2001-6

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<u>CV-1</u>	<u>CV-2</u>	
P	P	Drug store
P	P	Dry cleaning pickup station
P	P	Dwelling unit as part of a commercial building for proprietor or employee who also serves as a night watchman provided that an additional 3,000 square feet of landscaped area is provided for the residential use. 2001-16
N	P	Educational institution
N	P	Electrical and heating appliances and fixtures sales and service
N	P	Electronic equipment sales and service
N	P	Employment agency
P	P	Fabric and textile store
N	C	Farm implement sales
<u>N</u>	<u>P</u>	<u>Feed and Seed store, retail</u>
P	P	Five and ten cent
<u>N</u>	<u>P</u>	<u>Flooring sales and service, carpet, rug and linoleum</u>
N	P	Florist shop
<u>N</u>	<u>P</u>	<u>Fitness, Athletic, Health, Recreation Center or Club or Gymnasium</u>
P	P	Frozen food lockers, incidental to a grocery store or food business
NP	P	Fruit <u>and vegetable</u> store or stand
N	P	Furniture sales and repair
N	P	Fur apparel sales, storage or repair
C	P	Garden supplies and plant materials sales
P	P	Gift store
N	P	Glass sales and service
<u>CP</u>	P	Government <u>office</u> buildings or uses, non-industrial
N	P	Greenhouse and nursery; soil and lawn service
NC	<u>CP</u>	Grocery store
NC	P	Grooming for dogs <u>small animals</u>
NP	P	Gunsmith
N	P	Gymnasium
N	P	Hardware stores
N	P	Health club
P	P	Health food store
P	P	Hobby and crafts store
N	P	Hospital supplies
N	C	Hotel
N	P	House cleaning and repair
N	P	House equipment display
N	C	Household appliance sales and incidental service
P	P	Ice cream parlor
N	P	Insulation sales
N	P	Insurance agency
N	P	Interior decorator and designing establishment
N	P	Janitor service and supply
P	P	Jewelry store sales and service
N	P	Laboratory, dental or medical
P	P	Laundry or dry cleaners, Laundromat type
P	P	Laundromat
N	P	Lawn mower sales and service
N	P	Leather goods, sales and service
N	P	Legal office
P	P	Library
N	P	Linen store
N	C	Liquor store
P	P	Locksmith
N	P	Lodge or social hall
N	P	Luggage store

Exhibit A-4

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<u>CV-1</u>	<u>CV-2</u>		
N	C	Manufacture of goods retailed on premises	
N	C	Meat Custom cutting and wrapping excluding slaughtering	
P	P	Meat, fish and seafood store	
P	P	Medical office	
N	P	Medical supplies	
N	C	Miniature golf	
N	C	Mobile Home Sales	10-83
N	P	Monument works and sales	
N	C	Mortuary	
N	C	Motel	
N	C	Motorboat sales and service	
N	C	Motorcycle and motor scooters sales and service	
C	P	Museum	
N	P	Music Store	
P	P	Needlework, embroidery or knitting store	
P	P	Newsstand	
P	P	Notion store	
N	P	Novelty store	
N	P	Office in which goods or merchandise are not commercially created, exchanged or sold	
N	P	Office supply	
N	P	Office machines sales and service	
P	P	Optometrist, optician or oculist	
N	C	Ornamental iron sales or repair	
N	P	Paint or wallpaper store	
N	P	Paperhanger shop	
P	P	Park and playground	
C	C	Parking lot or garage for passenger automobiles	
N	P	Pest control and extermination	
N	P	Pet and pet supply store	
P	P	Pharmacy	
P	P	Photographic supplies	
P	P	Photo studio	
P	P	Physician or surgeon	
N	P	Pie manufacture	
N	P	Plumbing shop	
P	P	Popcorn or nut shop	
C	P	Post office	
N	CP	Printing, copy lithographing publishing or reproductions sales and services	
N	C	Private Liquor Club	
N	P	Professional office	
C	C	Public Utilities Substation	
P	P	Public Building	
C	P	Radio and television sales and service	
N	P	Radio, <u>or</u> television of FM broadcasting station	
N	P	Real estate agency	
N	C	Reception center or wedding chapel	
N	C	Recreation Center	
N	C	Recreational vehicle storage	
N	P	Rental, agency for home and garden equipment	
P	P	Restaurant	
N	PC	Restaurant, drive-in	
N	C	Restaurant, drive-through	
N	C	Roller skating rink	
N	P	Roofing sales or shop	
N	P	Second-hand store	
N	P	Seed and feed store, retail	

Exhibit A-5

Review May 30, 2012

<u>CV-1</u>	<u>CV-2</u>	
P	P	Service station, automobile excluding, body and fender and upholstery work
C	P	Service station automobile with 1 bay automatic car wash as accessory use
N	P	Sewing machine sale and service
P	P	Shoe repair or shoe shine shop
N	P	Shoe store
<u>N</u>	<u>C</u>	<u>Snow plow and removal service</u>
<u>N</u>	<u>C</u>	<u>Snowmobile, ATV sales and repair</u>
<u>N</u>	<u>P</u>	<u>Spa</u>
N	C	Supermarket
N	P	Tailor shop
N	C	Tavern, Beer Pub
P	P	Taxi cab stand
N	P	Taxidermist
P	P	Temporary building for uses incidental to construction work. Such buildings shall be removed upon the completion of the construction work
N	P	Theater indoor
P	P	Tobacco shop
P	P	Toy store, retail
N	C	Trade or industrial school
P	P	Travel agency
C	P	Upholstery shop
N	P	Vegetable store or stand
NP	CP	Vendor, Short Term (see definition under 1-6)
N	C	Ventilating equipment sales and service
P	P	Video sales and rental
N	P	Window washing establishment

Exhibit A-6

Chapter 19.56 - C-1 COMMERCIAL ZONE

Sections:

19.56.010 - Purpose of provisions.

19.56.020 - Commercial developments over twenty-one thousand square feet.

19.56.030 - Permitted uses.

19.56.040 - Conditional uses.

19.56.050 - Businesses and retail shops—Conditions.

19.56.060 - Front yard.

19.56.070 - Side yard.

19.56.080 - Rear yard.

19.56.090 - Building height.

19.56.100 - Coverage restrictions.

19.56.010 - Purpose of provisions.

The purpose of the C-1 zone is to provide areas in the county for neighborhood commercial development.

(Prior code § 22-25-1)

Exhibit B-1

Washington County

10-10-1: PURPOSE:

A. C-1 Convenience Commercial Zone:

1. The C-1 convenience commercial zone has been established for the purpose of providing shopping facilities within the various neighborhoods of the county, primarily for the convenience of people living in the neighborhood. The types of goods and services which may be offered for sale have been limited to "convenience goods" such as groceries, drugs, personal services such as hair cutting and hair dressing, distinguished by the fact that the principal patronage of the establishments originates within the surrounding neighborhood. Consequently, automobiles, furniture, appliances and other stores, the principal patronage of which originates outside the surrounding neighborhood, have been excluded from the C-1 zone. The maximum size of a C-1 zone shall not exceed five (5) acres.

2. Inasmuch as this zone is usually surrounded by dwellings, it is intended that residential amenities be maintained insofar as possible. Stores, shops or businesses shall be retail establishments only and shall be permitted only under the following conditions:

- a. Such businesses shall be conducted wholly within an enclosed building except for the parking of automobiles and service to persons in automobiles, unless otherwise permitted.
- b. No entertainment except music shall be permitted in any C-1 zone.
- c. All uses shall be free from objections because of odor, dust, smoke, noise, vibration or other similar offensive nuisances to adjacent neighborhood areas.

B. C-2 Highway Commercial Zone:

1. The principal objective in establishing the C-2 highway commercial zone is to provide area within the county where facilities that serve the traveling public can be most appropriately located. (Ord. 2001-815-O, 12-17-2001, eff. 12-17-2001)

2. Other purposes for establishing the C-2 highway commercial zone are to promote safety on the highways, to promote the convenience of the traveling public, to promote beauty in the appearance of intersections and interchanges in the county and to prohibit uses which will tend to be contrary to the use of the land for its primary purposes or which would be unsightly to the traveling public. In general, this zone is located close to freeway interchanges and at the intersections of important transportation routes. (Ord. 2001-815-O, 12-17-2001, eff. 12-17-2001; amd. 2004 Code)

C. C-3 General Commercial Zone:

1. The objective of the C-3 general commercial zone is to provide space within the county where nearly all types of commercial goods and services may be provided. Since the zone permits such a wide variety of uses, the protective features which zoning normally affords to adjacent properties are mostly nonexistent. Owners should develop and maintain their property in recognition thereof.

2. The C-3 general commercial zone should be located principally in existing communities and not along major highways. To maximize traffic safety, property owners should provide access in a manner that will minimize the hazard of traffic leaving and entering roadways. (Ord. 2001-815-O, 12-17-2001, eff. 12-17-2001)

Exhibit B-2

Ogden City

Chapter 38

COMMERCIAL ZONES C-1/CP-1, C-2/CP-2, C-3/CP-3

15-38-1: PURPOSE:

The purpose of each zoning category within the commercial district is described below:

A. Neighborhood Commercial (C-1, CP-1):

1. District Characteristics: The neighborhood commercial zone (C-1 and CP-1) is intended to be located on corner properties of areas, which are generally residential in character. The site area is large enough to contain all the parking and other needs of the commercial without impacting the surrounding residential areas.

2. Purpose Of District: The neighborhood commercial zone provides for the sale and supply of daily living needs for the people in the neighborhood. It also provides areas for small development which is compatible to the surrounding residential neighborhood.

B. Community Commercial (C-2, CP-2):

1. District Characteristics: The community commercial zone may be established in those areas that are appropriate for general retail sales. This district should be created in areas having access to major streets and a low likelihood of conflict with other uses as generally it will be an edge to residential development. The properties are large enough to have a low potential for adverse impacts on the overall visual image of key areas such as major streets and including entryways into the community.

2. Purpose Of District: The community commercial zone provides, in addition to the sale of goods for neighborhoods, a wider range of facilities for the sale of retail goods and personal services for the major segments of the community.

C. Regional Commercial (C-3, CP-3):

1. District Characteristics: The regional commercial zone is established on larger parcels of property which have access to major roads. The zone would be located along streets which are capable of handling traffic generated by these types of uses.

2. Purpose Of District: The regional commercial zone provides for the sale and supply of the complete range of retail and wholesale goods, entertainment and personal services for the metropolitan area and, also, a center for recreational entertainment and cultural activities for the entire region.

(Ord. 72-13, 7-6-1972; amd. Ord. 99-38, 10-19-1999; Ord. 2000-56, 11-7-2000; Ord. 2001-56, 9-25-2001, eff. 10-18-2001)

15-38-2: SITE DEVELOPMENT STANDARDS:

A. Dimensional Requirements: The following dimensional requirements shall apply in each commercial zone to building and parking setbacks:

	C-1 And CP-1	C-2 And CP-2	C-3 And CP-3
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Exhibit B-3