

CONDITIONAL USE [DRAFT]

12-105-1. Purpose of Conditional Use Provisions

The purpose of the issuance of a conditional use permit is to allow the proper integration into Willard City of land uses which may be suitable only under special conditions and in specific locations in Willard City or a zoning district, or only if such uses are designed or conducted in a particular manner.

12-105-10. No Presumption of Approval

The listing of a conditional use in any district does not constitute an assurance that the conditional use shall be approved by the Planning Commission or Zoning Administrator. Each conditional use application shall be evaluated individually to determine compliance with the standards set forth in this chapter, the standards of the district where the proposed use shall be located, and any standards applicable to the conditional use.

12-105-11. Standards and Criteria for Conditional Use Permit

The Planning Commission shall review a conditional use request considering the following general standards and criteria:

1. The use applied for at the proposed location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the area and Willard City;
2. Compatibility of the proposed use with the interest, function and policies established in the Willard City General Plan;
3. Compatibility of the proposed use within the character of the site, neighboring properties and other existing and proposed development.
4. The availability of or ability to provide adequate services, drainage, parking, fire protection, and safe transportation access.
5. The proposed conditional use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or interests to property or improvements in the vicinity;
6. In the event the Planning Commission determines that the standards of this Chapter cannot be met and that adequate mitigation measures cannot be imposed to bring the use into conformity with the applicable standards and criteria, the Planning Commission may deny the request for a conditional use permit.
7. Within and adjoining the proposed site, the Planning Commission may impose reasonable conditions as deemed necessary for the protection of the site location and adjacent properties and the public interest.

CHAPTER 12-111 MULTIPLE USE, AGRICULTURAL OR RURAL, AND RESIDENTIAL DISTRICTS

12-111-4. Uses Not Listed

The Table in this Section provides a listing of permitted and conditionally permitted uses for multiple use, agricultural, and residential zones within the city. The Table in this section is not comprehensive. In the event a sought-after use is not listed, the Zoning Administrator is empowered to interpret the list and

determine if the unlisted use substantially similar in character, origin, and impact to a listed use. In making this determination, the Zoning Administrator may, at their sole discretion, ask the Planning Commission for its review and interpretation.

CHAPTER 12-112 COMMERCIAL AND MANUFACTURING ZONES, C-N, C-G AND M

12-112-2. Use Regulations

In the following Section of this Chapter, uses of land or buildings which are allowed in the various districts are shown as "permitted uses," indicated by a "P" in the appropriate column, or as "conditional uses," indicated by a "C" in the appropriate column. If a use is not listed then it is either not allowed in a given district or it is indicated in the appropriate column by a dash, "-." No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the Commercial or Manufacturing zones except as provided for in this ordinance.

12-112-3. Uses Not Listed

The Table in this Section provides a listing of permitted and conditionally permitted uses for Commercial and Manufacturing zones within the city. The Table in this section is not comprehensive. In the event a sought-after use is not listed, the Zoning Administrator is empowered to interpret the list and determine if the unlisted use is substantially similar in character, origin, and impact to a listed use. In making this determination, the Zoning Administrator may, at their sole discretion, ask the Planning Commission for its review and interpretation.

	M	C-N	C-G
Accessory uses and buildings customarily incidental to the permitted uses	P	C	P
Accessory uses and buildings customarily incidental to conditional uses	C	C	C
Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work	C	C	C
Agriculture. The tilling of soil, the raising of crops, horticulture, and gardening	P	P	P
Agricultural Industry/Food			
Manufactured/Modular Housing			
Parking lot incidental to a use conducted on the premises	P	P	P
Parking lot not incidental to a use conducted on the premises	C	C	C
2. AUTOMOBILE SALES AND SERVICES: Car Wash	C	C	C
Automobile Fuel or Service Station (no fuel)	C	C	C
Automobile or sale, lease, rental, or auto parts vendor (new or used)	C	-	C
Automobile Paint/Body Repair Shop; Tire service and recapping; motor vehicle; bicycle and recreation vehicle assembling; upholstery; and rebuilding	C	-	C

Motorcycle or Scooter Sales (new or used)	C	-	C
Recreational Vehicles rental; lease; sales and service (outdoor)	-	-	C
Recreational Vehicles rental; lease; sales and service (indoor)	-	-	P
3. DWELLINGS AND LODGING ACCOMODATIONS	C	C	C
Assisted Living Facility			
Bed and Breakfast	-	P	-
Homeless Shelter	-	-	-
Hotel; Motel	C	-	C
Nursing Home	-	C	C
Protective Housing Facility	-	-	-
Residential Facility for Elderly Persons	-	-	-
Residential Facility for Persons with a Disability	-	-	-
Single or Multiple Family Dwellings (located in the same building and located above, behind, or beneath a principal commercial use)	-	-	-
Transitional Housing Facility	-	-	-
Vacation Rental (Air BNB)	-	-	-
4. PUBLIC FACILITIES	-	-	-
Childcare/Preschool			
Churches/Places of Worship	-	-	-
Educational Facilities (Trade or Vocational; Public or Private)	-	-	-
Parks	-	-	-
Public Facilities	-	-	-
Public Utility Installations	-	-	-
5. RECREATION AND ENTERTAINMENT	-	-	-
Art Gallery; Art Museum			
Archery Shop/Range, if conducted in enclosed building	P	C	P
Athletic Club; Health Club; Spa/Fitness Center	C	C	P
Bicycle Shop	C	C	P
Billiards or Pool Hall	C	C	C
Bowling Alley	C	-	P
Boxing Area	C	-	P
Campground	-	-	C
Dance Hall	C	C	C
Dance Studio	C	C	C

Golf Course/Miniature Golf Course	C	C	C
Gymnasium	-	-	-
Martial Arts Studio; Karate Studio	-	-	-
Nightclub/Social Club/Bar/Tavern	C	-	C
Recreation Center	P	C	P
Recreational Vehicle Parks	-	-	C
Sexually Oriented Businesses	C	-	-
Skating Rink	C	C	C
Swimming Pool	C	C	C
Theater (Indoor)	C	C	P
Theater (Outdoor); Providing (1) Solid fence or masonry wall with the minimum height of six feet be constructed on all sides; (2) Driveways and parking areas shall be provided with properly maintained dustless surfaces; (3) Automobiles off-street storage areas for automobiles awaiting entrance to the theater shall have capacity of at least fifteen percent of the number of auto parking spaces provided inside the theater; (4) Minimum area for single scree theater shall be ten acres. Minimum area for two-screen theater shall be twelve acres.	C	C	C
6. SALES AND RELATED SERVICES	P	C	P
HVAC (Heating, Ventilation, Air-Conditioning) equipment sales and repair	P	C	P
Appliance and Furniture Store (sales and/or repair)	P	C	P
Art Shop and/or Art Supply (including art needlework)	P	P	P
Awning sales and repair	P	P	P
Bakery; Candy Making; Confectionary; Delicatessen; Nut Shop; Popcorn	P	P	P
Beer Outlet (Class A & Class B)	C	C	C
Bookstore	P	P	P
Building Material (conducted within an enclosed building) Building material sales yard with sale of rock, sand, gravel and the like as an incidental part of the main business, but excluding concrete mixing, except as such concrete mixing is necessary in preparation and manufacture of any products specified in this section	C	-	C
Cafe, Cafeteria, Catering Establishment	P	P	P
Carbonated water sales	P	P	P

China and/or silver shop	C	P	P
Christmas Tree Sales			
Clothing Store	C	C	P
Coal/fuel sales office	P	C	P
Convenience Store			
Department Store	P	C	C
Drapery – Curtain Store	P	P	P
Drive-Ins; Refreshment Stand (eating and/or drinking)	C	C	C
Drugstore	C	-	P
Dry Goods Store	C	-	P
Fabrication/Welding			
Fast Food establishment with drive-in or drive-up window	-	-	-
Fast Food establishment without drive-in or drive-up window	-	-	-
Firework Stand			
Floor Covering Sales	C	C	P
Florist Shop	C	C	P
Footwear store, sales and/or repair	P	P	P
Fountain equipment supply	P	C	P
Fruit/fruit juice store; fruit and/or vegetable stand or store	C	C	p
Fur sales; storage and/or repair	P	C	P
Gift shop; hobby or crafts shop	P	P	P
Greenhouse; Nursery; Plant Materials; Soil Lawn Services	C	C	C
Grocery Store/ Health Food Store/ Meat Sales	P	P	P
Gunsmith	C	C	C
Hardware store (not including the sale of lumber)	P	C	P
Hardware store (including the sale of lumber)	P	C	C
Home Improvement; Lawn/Garden Store	-	-	-
Hospital supplies	P	C	P
Ice Cream/Candy Shop	P	P	P
Ice Manufacturer, storage, and retail/wholesale sales	P	-	P
Ice Vendor units and/or reach-in ice merchandise units; electric ice maker; ice storage, not more than five tons capacity	C	C	C

Insulation Sales	P	-	C
Jewelry Store	C	C	P
Laundromat and/or Laundry Service	P	P	P
Leather Goods/Shop	C	C	P
Linen shop	C	C	P
Luggage sales	C	C	P
Lumber Yard	P	-	C
Mail Service; Private Postal Service	-	-	-
Military Store	C	-	C
Milk Distributing station; sale of dairy products (excluding processing and bottling)	P	P	P
Monument Sales	P	-	P
Music and/or Movie Store	P	P	P
Newsstand; magazine shop; book store	P	C	C
Novelty Shop	C	-	C
Office supply; office machines; sales and repair	P	P	P
Oil burner shop	P	C	P
Ornamental iron (sales only)	P	C	P
Package agency	P	C	C
Painter/Paint Store	P	C	P
Pawn Shop	-	-	-
Pet Shop	C	C	P
Pharmacy			
Photographer or Photography Shop	P	P	P
Plumbing Shop	P	-	P
Radio and/or Television sales and repair	C	C	P
Radio and/or television station	C	C	C
Refineries			
Restaurant	P	P	P
Retail; Big Box Store			
Retail; General			
Roofing Sales	P	-	P
Secondhand shop, antiques, conducted within a building or enclosure	P	P	P
Seed/feed store	P	P	P

Sewing Machine Shop	P	P	P
Shopping Center	-	-	-
Slaughterhouse			
Sporting Goods	-	-	-
Stationary and greeting card sales	P	P	P
State Liquor Store	-	-	-
Tattooing/Body Art			
Tobacco/Alcohol Specialty Stores	C	-	C
Towing/Impound Yards			
Tire Store (Sales)	P	C	P
Variety Store	C	C	P
Wholesale Business	C	C	P
Woodworking Shop	-	-	-
6. SERVICE ACTIVITIES	C	C	C
Animal Hospital			
Baby diaper; baby formula service; sitter agency	P	c	P
Bank/Credit Union/Lending Institution	p	C	p
Barber/Beauty Shop/Tanning/Nail Salon	p	P	P
Bath and Massage	C	C	P
Carpet and/or rug cleaning	P	P	P
Clothes Cleaning	P	P	P
Costume Rental	C	C	P
Dressmaking	C	C	C
Electric appliances and/or electronic instruments service	C	C	C
Employment Agency or Office	C	-	C
Fix-it shop; repair shop, household items	C	C	C
Flooring, floor repair shop	P	-	P
Frozen food lockers	C	-	C
Frozen food locker incidental to a main grocery store or food business	P	-	P
Hospital	-	-	-
Household cleaning/repair; house equipment displays	P	P	P
Interior decorating store	C	C	P
Kennel			
Lithographing, including engraving, photo engraving	P	C	P

Locksmith	-	-	-
Medical or Dental Clinic	-	-	-
Medical or Dental Laboratory	-	-	-
Mortuary	C	-	C
Office; business or professional	C	C	C
Optometrist; and/or oculist	-	-	P
Performing Arts School	-	-	P
Pest extermination business	P	C	C
Pet grooming	P	P	P
Print Shop	C	C	P
Physical Therapy; Sports Therapy	-	-	-
Reception Center and/or wedding chapel	C	C	C
Rehabilitation/Treatment Facility	-	-	-
Rental Equipment	C	-	C
Sign Painting Shop	P	C	P
Tailor Shop	P	C	P
Taxidermist	P	C	P
Towel and Linen Supply Service	P	C	C
Travel Bureau	P	-	P
Upholstery shop	C	C	C
Veterinary—providing operations are completely enclosed within an air-conditioned and sound-proof building	C	C	C
Weather-Stripping shop	P	C	C
7. STORAGE AND WAREHOUSING	C	-	C
Coal, fuel and wood yards			
Contractors; equipment storage yard or plant	C	-	C
Garage, public; storage units	C	-	C
Junk yard	-	-	-
Railroad yards, shop and/or roundhouse for railroads	C	-	-
8. TRANSPORTATION			
Bus Stops	-	-	-
Park and Ride Facilities	-	-	-
Taxi Hub	-	-	-
Taxi Service	-	-	-
Taxi stand	C	C	C

Terminal, parking and maintenance facilities	C	-	C
Transfer company, provided trucks no larger than two tons capacity are used	C	-	C
Truck Stop and Service Facilities	C	-	C