

Zoning Proposal: A softer Approach to Expansion and City Planning

By Sharee Jones

Dear Sirs and Madam's: I know that I am not a professional and leave the real work to your planning commission. I simply wanted to offer a few suggestions from my studies, talking to commercial real estate agents, the Utah property ombudsman and the directions they have guided me to research.

I think the citizens and the city are focused on the wrong thing. We're focused on the mapping, the boundary change, when I think we really should be focused on the ordinances (two separate proposed legislations, not the two mixed together). I believe the land use codes are too broad for a commercial residential district. As they currently stand, even without a zone expansion, the land uses need to be refined, more zones need to be added to create better, more thought-out delineations. Once the zoning is refined and updated, then mapping and expansion will seem less invasive to residents.

Here are a few problems with putting the mapping before the ordinance:

The Utah property rights ombudsman explained to me, Tuesday after the November 1st work meeting (I paraphrase): It is possible, if the zone expands and the ordinances are not what they want them to be, that a business can more likely come in, meet all the current provisions, and legally the city cannot deny the business.

Putting the mapping first and changing the ordinances second will increase the possibility of adding yet another step and having to change the mapping again, because you will more likely see a zoning need, as you write the new land use code for additional zone. This means the public will once again need to be notified of a zone change.

Current Broad zoning - clumping together various zoning doesn't protect residents from an undesirable commercial neighbor. Although I know it is the intention of the city to update the ordinances, it would be like two people dating, one turns to the other and say's "I know I have all these flaws, way, way more than you're willing to put up with, but if we get married, I promise, I will change." Now, it's possible, the person could change....but...

It makes more sense to first focus on creating better, more refined zones. Rather than mapping and expanding first with ordinances that are overly broad.

Examples of undesirable commercial not properly buffered from residents:

We would not want a new beautiful neighborhood to have a junky tire place next door. No one wants thumping music every night in a residential area.

Not having a written law - (where everyone follows the same rules) may create a climate of the "Good ol' Boy Club" a term that St. George citizens coined when the city played favorites with one group of people, while denying other groups. Written ordinances prevent the city being run by the whim of man (or woman), this is a basic Constitutional principle.

I request the city tables the mapping and first focus on creating the zone/code/ordinances/law that shows the permitted and conditional use. Show the change first, propose it to the citizens and THEN once that is in place, propose zoning expansion that reflects those more specific zones. Zones that will protect and buffer the residents. Zones that vary from light light residential commercial to a light historical/Main Street zone that savories a walking community. And then a variety of commercial zones that reflect our city master/general plan.

The following is NOT a comprehensive list of both permitted and conditional uses. These are simply ideas to help focus our community on planning - Dividing the city into functional quarters - Designating a central part of town for historical, unifying under agriculture heritage, family friendly tourism and civic needs of the community.

Minor zones buffer the heavier zones. (See Smiths in st. George as an example). Monroe, Utah could look forward to 5 or 6 new delineations that will help design our town:

A light-light (very low impact) CR-1 zone will buffer a rural residential CR-1 - Light with careful consideration - limited parking and traffic

- Financial, medical and professional services
- Office
- Religious facility
- Child care center
- Permanent cosmetics, a secondary use to an establishment employing cosmetologist(s)/barber(s), aesthetician(s), electrologist(s), or nail technician(s) licensed by the state under 58-11a-101 et seq., Utah Code Annotated, 1953, as amended, excluding tattoo establishments and home occupations
- Personal care service
- Personal instruction service
- temporary: lodging, primarily homestays for vacation rentals, and tourism activities
- Art's studio
- Home office
- Family Food production
- Conditional: Home occupations

A light C-1 historical zone will buffer the CR-1 zone - Encouraging walkability and pedestrian activity and comparable to CR-1, paying careful attention to residents - Home food production.

- Financial, medical and professional services
- Restaurant, Cafe, Theatre
- Retail business
- Hotel, Motel, Bed and Breakfast, lodging, vacation rentals, and tourism activities

- Office
- Religious facility
- Child care center
- Communication transmission facilities, including wireless, primary, height over 50'
- Permanent cosmetics, a secondary use to an establishment employing cosmetologist(s)/barber(s), aesthetician(s), electrologist(s), or nail technician(s) licensed by the state under 58-11a-101 et seq., Utah Code Annotated, 1953, as amended, excluding tattoo establishments and home occupations
- Personal care service
- Personal instruction service
- Gym
- Gallery, Art, Studio, Dance, Music, Theatre, History Center
- Farmer's market

A medium C-2 Administrative professional zone: will buffer the c-1 historical zone, Encouraging professional and educational business.

- Child care center, City facility
- Communication transmission facilities, including wireless
- Hospital
- Medical and biological laboratory/research
- Medical office
- Mortuary
- Nursing home
- Office, professional
- Pharmacy
- Personal care service
- Public utility facilities
- Religious facility
- School, private, public or charter
- Hotel, Motel, Motor-inns
- Retail Trade, Religious facility

A C-3 medium commercial will act as a buffer for the c-2, transitioning into an industrial zone.

- C-3 (light industrial)
- Parking lots and public garage
- Automobile Repair
- Hotel - Motel - Motor Inn - Bed and Breakfast
- Restaurant, Cafe, Theatre
- light manufacturing business
- General commercial business

- Industrial
- Nursery, greenhouse
- Automobile service stations
- Etc.

Specifying Public Land Use Zones, such as: will help delineate and minimize expansion overwhelm for the residents and show better planning and communication.

- Parks
- City
- South Sevier School District
- Government property
- public utilities
- cemetery
- libraries

Questions:

1. How long does the process of revising and adding land use ordinances take?
2. With the UDOT - Technical Planning Assistance Award - Where award granted the funding August 2021 - July 2021 is your deadline. Could this grant include ordinance additions and revisions?
3. If the ordinances take longer and you can indeed use the UDOT grant, can you appeal for an extension?

Thank you for your time. I know expansion is imminent and in the same breath, residents rightly want to protect their rural heritage. My hope is that this proposal could offer some ideas to be a softer approach to growth, that would also reflect the cities desire to protect our rural feel, and regain the residents' confidence. With just a little bit better city planning, taking first things first (defining the rules first), it will help us find a better mapping solution in a more calm and orderly manner. Thank you for your time.

Please feel free to reach out to me

Education Suggestions: The property ombudsman suggested we look at several smaller communities and glean city code and land use from towns you enjoy going to. So, I pulled from four towns: Manti, Ephriam, Richfield and St. George (See following maps).

The property Ombudsman offered and suggested the community do a zoning training. I feel education would help mitigate any concerns within the community. We would like the city to join us. We will be making the appointment soon and will send out another invite when we have a date.

Additional ideas for mapping and expansion:

- Extend North on Main Street: Allow only an Island at the south end of town - as to encourage businesses along the traffic outlets - Otherwise you risk scattering business up and down Main Street, rather than the main thoroughfare.
- Make a general mapping future plan - Plan for commercial intersections - where a street light would go
- See Ephraim's focus on education - Could we establish ourselves as an educational hub? - Zoning that favors education, tourism, the arts and agriculture
- See Brigham City's general future plan for ideas
- See St. George Buffering examples

Extra considerations:

- Please make careful consideration and zone accordingly as to not encourage a climate for the following businesses:
- Night Club, dancehall with alcohol
- Bar establishment
- Please encourage anything that would heal and encourage families and individuals to be more self-governing.

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Monroe, Utah
435-619-2044

10-8B-1: ALLOWED USES:

Any use not specifically permitted, permitted with standards, or conditionally permitted is prohibited. Only the following uses are allowed:

- A. Uses indicated by the letter "P" below are permitted in the designated zone.
- B. Uses indicated by the letters "PS" are permitted uses with required standards in this zone. Uses must comply with the standards and evaluation criteria established in chapter 17 of this title.
- C. Uses indicated by the letter "C" are conditional uses in the designated zone.

Allowed Uses

	C-1	C-2	C-3	C-4
Alcohol establishments, including the following:				
Bar establishment		<u>C</u>	<u>C</u>	<u>C</u>
Off-premise beer retailer		P	P	P
Microbrewery or micro-winery (with restaurant or bar establishment)		P	P	P
Nightclub, dance hall (with alcohol)		<u>C</u>	<u>C</u>	<u>C</u>
Ambulance service		P	P	
Amusement centers, recreation and entertainment facilities (indoor):				
Indoor entertainment activities such as paintball, miniature golf, arcade		P	P	P
Indoor shooting range		<u>PS</u>	<u>PS</u>	
Nightclub, dance hall (without alcohol)		P	P	P
Amusement centers, recreation and entertainment facilities (outdoor)		<u>C</u>	<u>C</u>	<u>C</u>
Animal services, including the following:				
Animal boarding/care for small animals only and boarded for less than 30 days a year; provided, conducted completely within enclosed building		P	P	P
Animal hospital and veterinarian clinic, including overnight care of large animals (no boarding)		<u>PS</u>	<u>PS</u>	
Automobile and vehicle services, limited to the following uses:				
Automobiles and other similar vehicle sales lots		<u>PS</u>	<u>PS</u>	

Allowed Uses

	C-1	C-2	C-3	C-4
Automobile parts sales (new parts only); provided, conducted within completely enclosed building		P	P	P
Automobile rental (vehicles up to 26' in length)		P	P	
Automobile repair, storage, including paint, body and fender, brake, muffler, upholstery or transmission work; provided, conducted within completely enclosed building (GVW 14,000 lbs or less)		P	P	P
Tire sales and service; provided, conducted within completely enclosed building		P	P	P
Financial, medical and professional services	P	P	P	P
Food service establishments, including the following and similar uses:				
Catering establishment		P	P	P
Restaurant	P	P	P	P
Lodging, temporary, limited to the following uses:				
Bed and breakfast		P	P	P
Hotel/motel		P	P	P
RV parks, long and short term		<u>PS</u>		
Timeshare units		P	P	P
Hospitals			P	P
Counseling center, mental health, alcohol, drugs (nonresidential, less than 24 hours)		P	P	P
Mental health treatment center, with overnight stay		<u>C</u>	<u>C</u>	<u>C</u>
Nursing home		P	P	
Office	P	P	P	P
Religious facility	P	P	P	P
Residential, limited to the following use:				
Living quarters for manager or security personnel for business which requires 24-hour assistance or security – Up to 600 sf with occupancy limited to 4 people		<u>PS</u>	<u>PS</u>	<u>PS</u>
Large floor area building or site (20,000 sf or more ground floor aggregate)		<u>C</u>	<u>C</u>	<u>C</u>

Allowed Uses

	C-1	C-2	C-3	C-4
Retail shops:				
Antique store		P	P	P
Athletic and sporting goods store		P	P	P
Department store		P	P	P
Drive-through sales (pharmacy, dairy products, etc.)		P	P	P
Furniture and large appliances sales (used)		P	P	
Furniture sales (new) and repair		P	P	P
Household appliance sales and service		P	P	P
Office supply, office machines sales and service		P	P	P
Paint or wallpaper store		P	P	P
Pawnshop		P	P	
Seed and feed store, retail		P	P	
Supermarket/grocery store		P	P	P
Thrift shop/secondhand store/consignment store (no outside storage and no drop-off of items during the hours the business is closed)		P	P	P
Vegetable stand		P	P	P
Payday lending/title loans		P	P	
Retail sale of goods with some operations outdoors, limited to the following uses:				
Building materials sales			P	
Convenience markets with gas pumps/gas station		P	P	
Convenience markets with gas pumps located in the rear of the building				P
Farm implement sales (outdoor display)		P	P	
Fence, sales and service		P	P	
Garden supplies and plant material sales		P	P	
Greenhouse and nursery; soil and lawn service			P	
Landscape rock sales, ancillary to a permitted use			P	
Service businesses, limited to the following uses:				
Body piercing, ancillary to a permitted use		P	P	P

Allowed Uses

	C-1	C-2	C-3	C-4
Carpet and rug cleaning		P	P	P
Child care center	P	P	P	P
Communication transmission facilities, including wireless, primary		<u>PS</u>	<u>PS</u>	<u>PS</u>
Communication transmission facilities, including wireless, primary, height over 50'	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Construction trade services, plumbing shop, electrical shop, etc.			P	
Crematorium, independent human		P	P	
Educational institutions, schools, college, learning centers, trade schools (no residential or 24-hour facilities)		P	P	P
Gunsmith		P	P	P
Janitor service and supply		P	P	P
Locksmith		P	P	P
Mortuary		P	P	P
Permanent cosmetics, a secondary use to an establishment employing cosmetologist(s)/barber(s), aesthetician(s), electrologist(s), or nail technician(s) licensed by the state under <u>58-11a-101</u> et seq., Utah Code Annotated, 1953, as amended, excluding tattoo establishments and home occupations	P	P	P	P
Personal care service	P	P	P	P
Personal instruction service	P	P	P	P
Pest control and extermination		P	P	P
Pet grooming		P	P	P
Printing, lithographing, publishing or reproduction sales and service			P	P
Psychic, tarot card reader, fortune teller, occult art practitioners, hypnotist		P	P	P
RV storage		<u>PS</u>	<u>PS</u>	
Sign sales		P	P	P
Storage rental units		<u>PS</u>	<u>PS</u>	
Tattoo establishment		P	P	P
Taxidermist		<u>PS</u>	<u>PS</u>	

Allowed Uses

	C-1	C-2	C-3	C-4
Transportation, limited to the following uses:				
Bus terminal		P	P	P
Taxi/shuttle		P	P	P
Government, public services and facilities, limited to the following uses:				
City, all facilities	P	P	P	P
Public utility facilities, primary		<u>PS</u>	<u>PS</u>	<u>PS</u>

(Ord. 2019-10-002, 10-10-2019; amd. Ord. 2020-06-002, 6-4-2020; Ord. 2021-05-002, 5-6-2021)

The St. George City Code is current through Ordinance 2021-10-014, passed October 21, 2021.

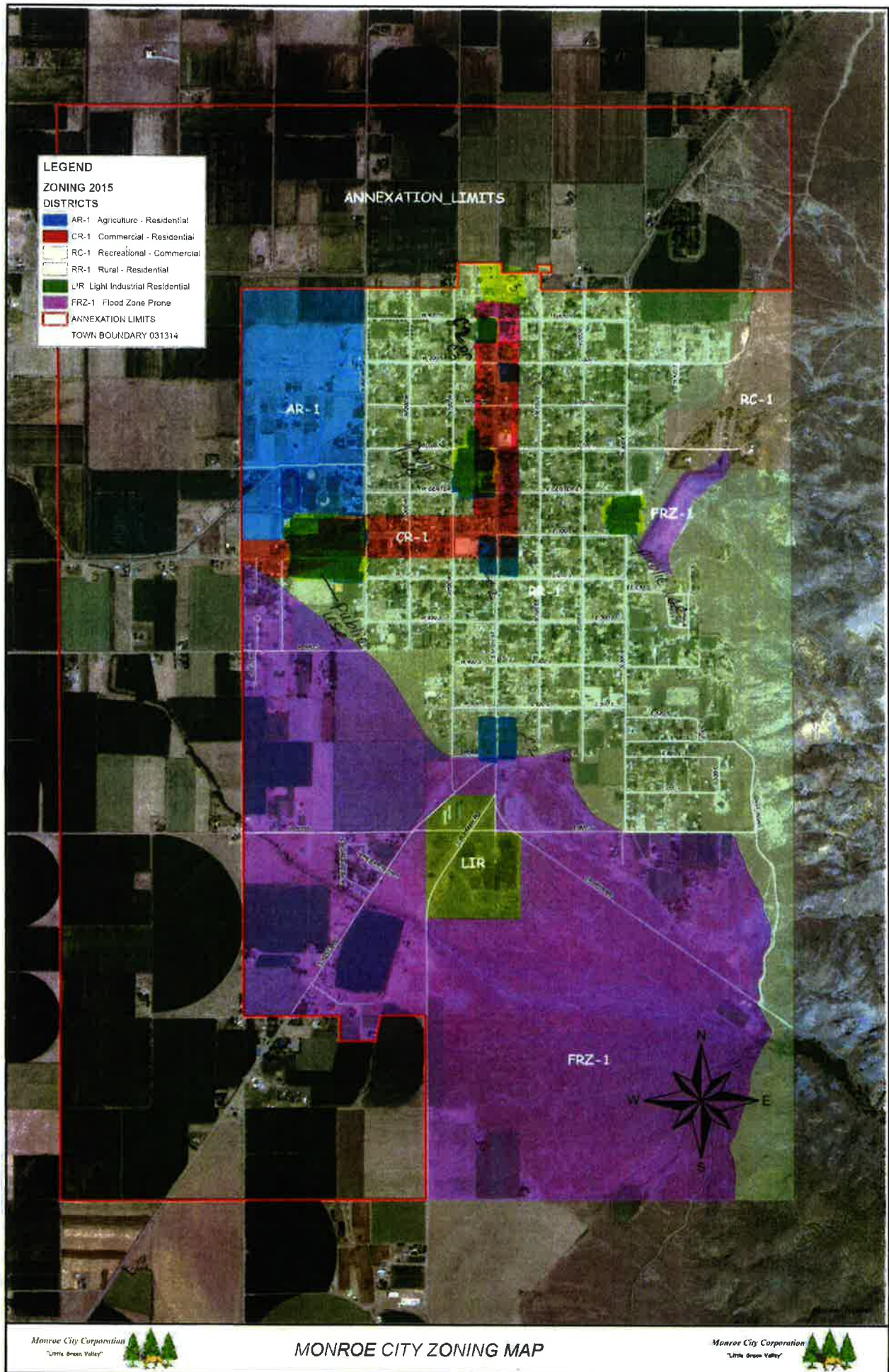
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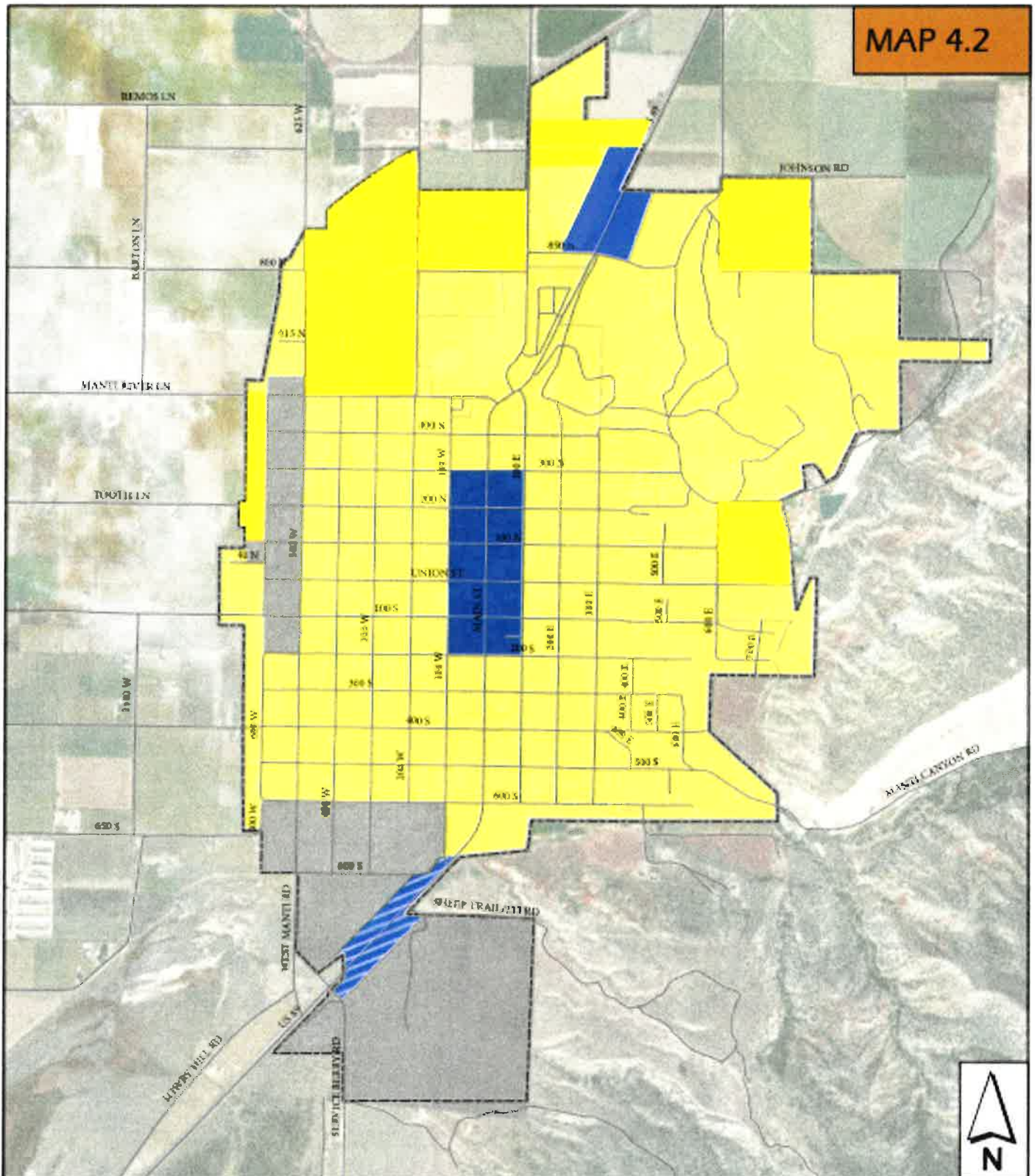
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MAP 4.2



ZONING

Mantí

0 1,400 2,800 5,600 Feet

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Current Zoning

- C-1 (Historic Commercial)
- C-2 (N Gateway Comm)
- C-3 (S Gateway Comm)
- I-1 (Industrial)
- R-1 (Single Family Res)



BRIGHAM CITY GENERAL PLAN 2017 FUTURE LAND USE

ROAD CLASSIFICATION

- Freeway
- Principal Arterial
- Minor Arterial
- Collector
- Local Collector
- Roadway

BRIGHAM CITY INCORPORATED BOUNDARY

- Brigham City Limits

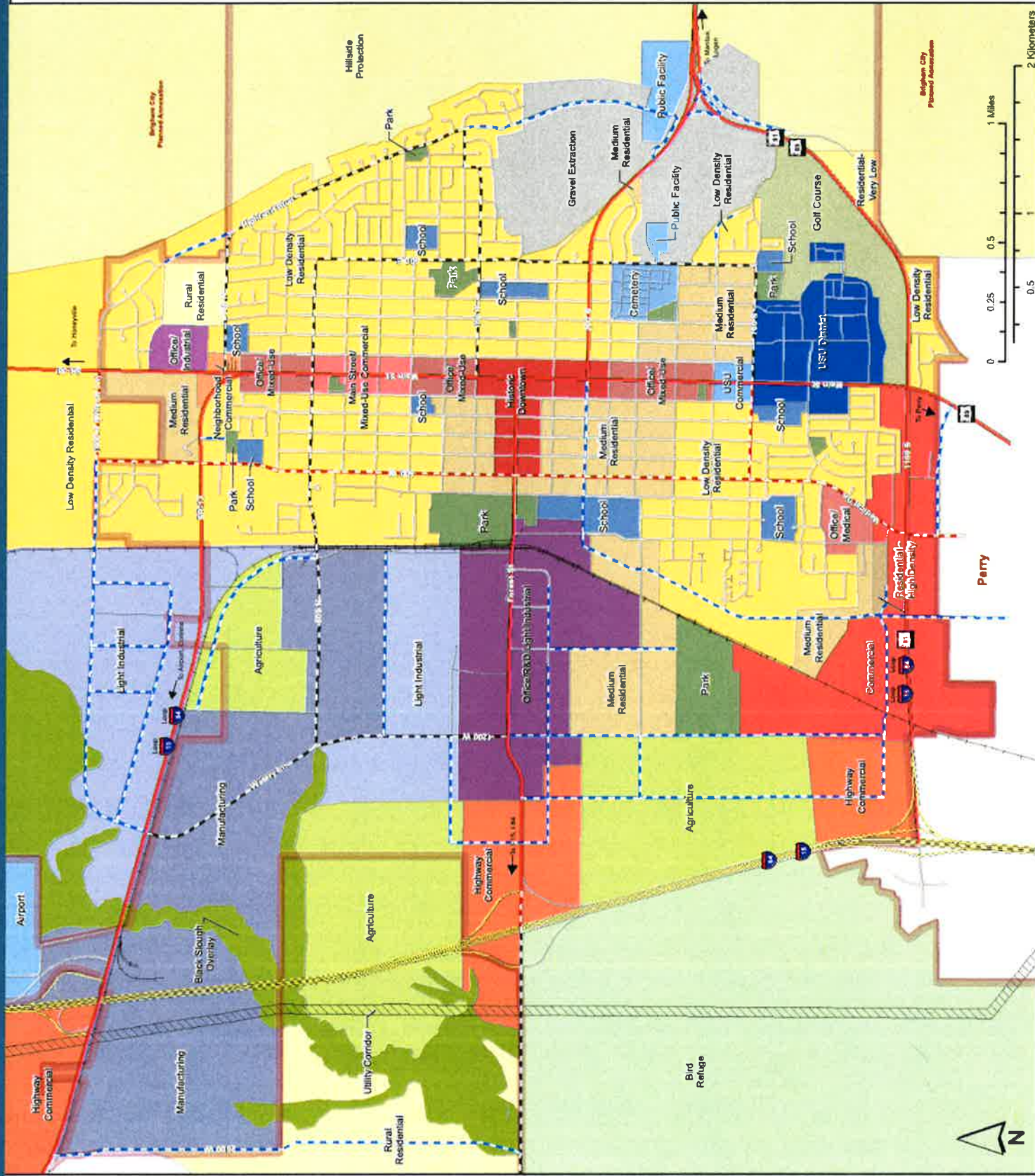
GENERAL LAND USE

- Commercial
- Heavy Commercial
- Medium Commercial
- Office/Mixed-Use
- Office/Medical
- Neighborhood Commercial
- Highway Commercial
- USU District
- Utility Corridor
- Gravel Extraction
- Manufacturing
- Light Industrial
- Office/Industrial
- Office/Industrial/Residential
- Black Slough Overlay
- Agriculture
- Sanitary
- Head Protection
- Residential - High Density
- Medium Residential
- Low Density Residential
- Residential - Very Low
- Rural Residential
- Golf Course
- Park
- School
- Airport
- Sanitary
- Public Facility

PUBLIC LAND USE

- Golf Course
- Park
- School
- Airport
- Sanitary
- Public Facility

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NW St. George

