



Planning Commission Meeting

Tuesday, April 19, 2022 at 6:30 pm

Attendees: Chairperson Lee Bennett, Commissioner Robert Christensen, Commissioner Mary Cokenour, Commissioner George Matocha, Commissioner Julie Bailey, City Manager Evan Bolt, City Recorder Shalena Black, Deputy City Recorder Melissa Gill

Meeting Location: 648 S Main

- 1. Call to Order**
- 2. Public Comment**
- 3. Public Hearing for Zoning Ordinance Revisions of §10-5: A-1 Residential-Agricultural, §10-10: Industrial, and §11-1-9: Residential Infilling**

The purpose of the hearing will be to receive comment from the public regarding the City's proposal to update and amend zoning ordinances.

Attachments:

- **10 Ch 10-11 v6** (10_Ch_10-11_v6.docx)
- **10 Ch 5-A1 v5** (10_Ch_5-A1_v5.docx)
- **11 Ch 1-9-Residential Infilling** (11_Ch_1-9-Residential_Infilling.docx)

- 4. Consider Recommendation of Adoption of Amendments to Zoning Ordinance Title 10 Chapter 8: C-1 Commercial (action)**

Attachments:

- **10 Ch 8-C1 v3** (10_Ch_8-C1_v3.docx)

- 5. Consider Recommendation of Adoption of Amendments to Zoning Ordinance Title 10 Chapter 9: C-2 Light Commercial (action)**

Attachments:

- **10 Ch 9-C2 v3** (10_Ch_9-C2_v3.docx)

- 6. Administrative Communications**
- 7. Next Meeting Agenda**
- 8. Adjournment (action)**

Audio File

Notice of Special Accommodations

THE PUBLIC IS INVITED TO ATTEND ALL CITY MEETINGS In accordance with the Americans with Disabilities Act, anyone needing special accommodations to attend a meeting may contact the City Office, 587-2271, at least three working days prior to the meeting. City Council may adjourn to closed session by majority vote, pursuant to Utah Code §52-4-4 & 5

Contact: Shalena Black (shalena@monticelloutah.org 435-587-2271) | Agenda published on
04/18/2022 at 9:06 AM

DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10 ZONING REGULATIONS

Blue = Reorganization & correction of existing code

CHAPTER 10 I-1 INDUSTRIAL ZONE

SECTION:

- 10-10-1: Regulations
- 10-10-2: Intent
- 10-10-3: Permitted Uses
- 10-10-4: Area, Frontage, Yard And Height Regulations
- 10-10-5: Yard Space For One Building Only
- 10-10-6: Sale Or Lease Of Required Space Prohibited
- 10-10-7: Accessory Buildings Prohibited As Living Quarters
- 10-10-8: Sewage Disposal
- 10-10-9: Water Connections
- 10-10-10: Drainage
- 10-10-11: Motor Vehicle Access
- 10-10-12: Pollution Prevention
- 10-10-13: Special Provisions

10-10-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-10-2: INTENT:

The intent in establishing the I-1 industrial zone is to provide a place for the operation of industry in a location where impacts on residential areas are minimized. (Ord. 2012-01, 7-10-2012)

10-10-3: PERMITTED USES:

A. The following uses shall be authorized by a conditional use permit issued by the city:

Accessory buildings shall be permitted in this zone and may include, but are not limited to, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in this zone.

Automobile and truck repair establishments, and auto body repair shops.

Automobile, motorcycle, ATV, snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure.

Automotive service establishments, including gasoline stations, bulk petroleum storage, car washes, parking lots and storage garages.

[Buildings exceeding thirty feet \(30'\) in height.](#)

[Buildings over twenty-thousand square feet \(20,000 sq ft\) on the ground floor.](#)

Care and keeping of livestock and fowl and the barns, corrals, pens and sheds for the care and keeping of permitted animals and fowl.

Communication towers.

Concrete mixing, gravel crushing, stonecutting, and rock, sand and gravel distribution.

Convenience goods stores (minimarkets) for the sale of food and variety products, provided such stores are part of gasoline stations.

[Diagonal parking shall conform with section 10-2-13 of this title.](#)

Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products, and the storage of supplies and materials used in conjunction with such establishments.

[Fences shall conform with section 10-10-13A of this title.](#)

Growing of field crops and fruit and the machinery and equipment sheds used for storage of equipment in connection with agricultural activities performed on the premises.

[Impound yards](#), automobile wrecking yards.

Iron and steel fabrication, metalworking and welding shops.

Junkyards, collecting of rags, paper, iron or scrap materials.

[Landscaping businesses, plant nurseries and shops, including storage of equipment and materials.](#)

Lumber and planing mills, cabinetry, and taxidermy, and the equipment and materials storage used in conjunction with these businesses.

Machine shops.

Metal casting.

Ore reduction and processing.

[Portable Storage Containers shall conform with section 10-2-11 of this title.](#)

Public buildings for mechanical uses, [livestock impoundments](#), storage yards, and repair shops.

Sexually oriented business subject to Title 3 Chapter 11 of city code.

Signs shall conform with section 10-2-6 of this title.

[Slaughter houses, meat packaging, and wholesale distribution of meat products.](#)

[Temporary uses shall conform with section 10-2-10 of this title.](#)

Tire recycling and storage establishments.

Warehousing and storage.

[B. All permitted uses shall comply with the special provisions at 10-10-13 of this title.](#)

10-10-4: AREA, FRONTAGE, AND HEIGHT REGULATIONS:

There shall be no area, width, [height](#), and location requirements for buildings and structures constructed in accordance with the building code except that an area sufficient to accommodate parking, loading, unloading and vehicular access shall be provided and maintained. (Ord. 2012-01, 7-10-2012)

10-10-5: YARD SPACE FOR ONE BUILDING ONLY:

No required yard or other open space around an existing building, or which is hereafter provided around any building, which is needed to comply with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing the yard or open space on the lot whereon a building is to be erected or established. (Ord. 2012-01, 7-10-2012)

10-10-6: SALE OR LEASE OF REQUIRED SPACE PROHIBITED:

No space needed to meet the width, yard, area, coverage, parting or other requirements of this title for a lot or building may be sold or leased apart from such lot or building unless other space so complying is provided. (Ord. 2012-01, 7-10-2012)

10-10-7: BUILDINGS PROHIBITED AS LIVING QUARTERS:

Living and sleeping quarters in any building are prohibited. (Ord. 2012-01, 7-10-2012)

10-10-8: SEWAGE DISPOSAL:

[A. Sewer connections shall comply with Title 8 of city code.](#)

- B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-10-9: WATER CONNECTIONS:

- A. All potable water shall be provided by connections with the municipal water source where available and in accordance with Title 8 of city code.
- B. Where no public water is available, approval of such facilities shall be obtained from the state health department before a building permit or certificate of occupancy is issued.

10-10-10: DRAINAGE:

- A. Drainage corridors shall be protected in accordance with 10-12-2 of city code.

10-10-11: MOTOR VEHICLE ACCESS:

- A. Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:
 - 1. Access shall be by not more than two (2) driveways from any one street.
 - 2. Driveways shall be not closer to each other than twenty feet (20').
 - 3. On corner lots, no driveways shall be less than fifteen feet (15') to the point of intersection of the front property line with the side property line which abuts upon a street.
 - 4. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-10-12: POLLUTION PREVENTION:

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-10-13: SPECIAL PROVISIONS:

- A. All material, merchandise, and equipment (except vehicles in running order) shall be stored within an enclosed building or within an enclosure surrounded by a fence not less than six feet (6') in height.
- B. All display, sale and repair activities shall be conducted within a fully enclosed building, except those activities that are customarily and appropriately conducted in the open, including, but not limited to, automobile sales lots and automobile service stations.

- C. Temporary sales of Christmas trees and nursery stock shall be permitted outside of a building unless otherwise prohibited under the terms of this title.
- D. All off street parking shall be hard surfaced.
- E. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title.
- F. All gasoline service station pumps shall be set back at least twenty feet (20') from all property lines.
- G. For lots or parcels one (1) acre and less applicant shall provide the following information on a preliminary sketch:
 - 1. General topography and drainage direction arrows for the property.
 - 2. Drainage channels.
 - 3. All utility easements, both recorded and marked in the field by flagging.
 - 4. Marked up zoning map of area where the property is located and the location of any residential areas within fifty feet (50') of the property.
- H. For lots or parcels greater than one (1) acre applicant shall provide the following information on a preliminary civil engineering plan prepared by a civil engineer:
 - 1. Contour plan at a scale not greater than fifty feet (50') to the inch and at vertical intervals of not more than two feet (2').
 - 2. Drainage channels and direction arrows for the property.
 - 3. Layout of the building(s) with all setbacks
 - 4. Driveway access from a city street and internal traffic flow design.
 - 5. All utility easements, both recorded and marked in the field by flagging.
 - 6. Sewer and water from the building to their point of connection.

DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10 ZONING REGULATIONS

Red = Changes required by Utah law

Blue = Changes to be discussed by Planning Commission

CHAPTER 5 A-1 AGRICULTURAL ZONE

SECTION:

- 10-5-1: Regulations
- 10-5-2: Intent
- 10-5-3: Permitted Uses
- 10-5-4: Area And Frontage Requirements
- 10-5-5: Location Requirements
- 10-5-6: Height Of Buildings
- 10-5-7: Size Of Dwelling
- 10-5-8: Width Of Buildings
- 10-5-9: Yard Space For One **Main** Building Only
- 10-5-10: Every Dwelling To Be On A **Lot or Parcel**
- 10-5-11: Sale Or Lease Of Required Space Prohibited
- 10-5-12: Yards To Be Unobstructed; Exceptions
- 10-5-13: Accessory Buildings Prohibited As Living Quarters
- 10-5-14: Storage Of Junk, Debris, Or Unlicensed Inoperable Vehicles Prohibited
- 10-5-15: Sewage Disposal
- 10-5-16: **Water Connections**
- 10-5-17: Drainage
- 10-5-18: Clear View Of Intersecting Streets
- 10-5-19: Effect Of Street Plan
- 10-5-20: Motor Vehicle Access
- 10-5-21: Landscaping Required
- 10-5-22: Pollution Prevention
- 10-5-23: Special Provisions

10-5-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-5-2: INTENT:

A-1 agricultural zone covers certain fringe areas of the city where residential areas may be integrated with the raising of livestock for family food production and for the pleasure of the people who reside on the premises. (Ord. 2012-01, 7-10-2012)

10-5-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with requirements set forth in this title:

Accessory buildings.

~~Accessory uses and structures shall be permitted in the C-2 zone, provided they are incidental to and do not substantially alter the character of the permitted principal use or structure.~~

Bunkhouses used by workers and staff.

Churches, not including temporary revival tents or buildings.

Fences, walls and hedges.

Foster care homes.

Grain bins and silos.

Household pets.

Landscape businesses, exclusive of gravel crushing and which do not violate dust, noise, or nuisance ordinances.

Machinery and equipment sheds used for storage of equipment in connection with agricultural activities performed on the premises.

Mobile home parks meeting the requirements of chapter 13 of this title.

Plant nursery.

Public agency arenas such as rodeo grounds, equestrian sports facilities, fairgrounds.

Public agency parks and playgrounds.

Public buildings and grounds, not including storage yards or repair shops.

Public, private and parochial schools and grounds.

Single- and two-family dwellings of conventional construction and manufactured homes.

The care and keeping of livestock and fowl. Also barns, corrals, pens and sheds for the care and keeping of the permitted animals and fowl.

The growing of field crops and fruit.

Veterinary clinics and animal boarding facilities. (Ord. 2012-01, 7-10-2012)

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:

All signs shall conform with section 10-2-6 of this title.

Conditional uses shall conform with section 10-2-8 of this title.

Temporary uses shall conform with section 10-2-10 of this title.

Portable Storage Containers shall conform with section 10-2-11 of this title

Fences shall conform with section 10-2-15 of this title.

C. The following uses are permitted as conditional uses.

Daycare, nursery, preschool.

Rest homes, nursing homes, convalescent homes, assisted living homes.

10-5-4: AREA AND FRONTAGE REQUIREMENTS:

A. Area and width requirements for all uses shall be a minimum of one acre.

B. Frontage at setback line shall be a minimum of one hundred twenty five feet (125'). (Ord. 2012-01, 7-10-2012)

10-5-5: LOCATION REQUIREMENTS:

A. Front Setback:

1. Main Setback: All dwellings and other structures shall be set back according to the special conditions noted below:

a. Where the legal property line of the lot or parcel is located at the back of street curb or back of pavement and there is no curb, the front setback shall be fifty feet (50') from the front lot or parcel line.

b. Where the legal property line of the lot or parcel is located within the street pavement or gravel area, the front setback shall be forty feet (40') from the front lot or parcel line.

c. Where the legal property line of the lot or parcel is located more than ten feet (10') from the street pavement or gravel area, the front setback shall be twenty feet (20') from the front lot or parcel line.

d. Where the legal property line of the lot or parcel line is angular to the roadway and there is less than twenty feet (20') between the legal property line and the street pavement or gravel area, then the front setback shall be a minimum of twenty feet (20') from the nearest point of the street pavement or gravel area.

2. Accessory Buildings: All accessory buildings shall be set back not less than twenty feet (20') to the rear of the closest rear wall line of the main building and not less than twelve feet (12') from any side wall of the main building. Accessory buildings which are located twelve feet (12') or closer to a main building shall be considered as part of the main building. Where no main building exists on a lot or parcel, a detached accessory building shall be set back not less than sixty feet (60') from the front lot line.

B. Side Setback; Interior Lot or Parcel:

1. Main Buildings: All dwellings and other main buildings shall be set back at least twenty feet (20') from the side lot or parcel line.

2. Accessory Buildings: All accessory buildings shall be set back at least twenty feet (20') from the lot or parcel line.

C. Side Setback; Corner Lot or Parcel:

1. Side Abutting Street: All dwellings and other main and accessory buildings shall be set back at least fifty feet (50') from the side lot or parcel line which abuts on a street.

2. Interior Side: Same as required for interior lots or parcels.

D. Rear Setback; Interior Lot **or Parcel**:

1. Main Buildings: All dwellings or other main buildings shall be set back at least **twenty feet (20')** from the rear lot **or parcel** line.
2. Accessory Building: Same as required under side setbacks for interior lots.

E. Rear Setback; Corner Lot:

1. Main Buildings: All dwellings and other main buildings shall be set back at least thirty feet (30') from the rear lot **or parcel** line, except
 - a. Where a carport or garage is attached to the rear of the dwelling, the required rear setback for said carport or garage may be reduced to twenty feet (20') or more as measured from the rear lot **or parcel** line to the closest part of the building.
2. Accessory Building: All accessory buildings shall be set back at least **thirty feet (30')** from the rear lot **or parcel** line

10-5-6: HEIGHT OF BUILDINGS:

The maximum height of **any building shall be measured from finished grade at the front of the building to the highest wall plate.**

A. The maximum height of a dwelling building shall be as noted below:

1. Level lot **or parcel**: Thirty feet (30').
2. Uneven lot **or parcel**: Where the ground is uneven in height and the ground slopes downward from the front of the dwelling by more than ten feet (10') to the back of the dwelling the maximum height shall be thirty-three (33').

B. Minimum height of a dwelling building shall not be less than the height required by the applicable building code.

C. The maximum height of accessory buildings shall be no greater than forty-five feet (45') or two stories, whichever is the higher.

D. Additional Height Allowed For Public Buildings:

Public buildings and churches may be erected to any height, provided the building is set back from required building setback lines a distance of at least one foot (1') for each additional foot of building height above the maximum height otherwise permitted in the zone in which the building is located. (Ord. 2012-01, 7-10-2012)

10-5-7: SIZE OF DWELLING:

The ground floor area of any single-family dwelling shall be at least nine hundred (900) square feet of living area exclusive of open porches, carports, garages and similar add ons. (Ord. 2012-01, 7-10-2012)

10-5-8: WIDTH OF BUILDINGS:

The total length or total width of any dwelling or church shall be at least fourteen feet (14'), as measured from outside wall to outside wall, exclusive of any carport, garage, shed or similar addition. (Ord. 2012-01, 7-10-2012)

10-5-9: YARD SPACE FOR ONE MAIN BUILDING ONLY:

No required yard or other open space around an existing building, or which is hereafter provided around any building, which is needed to comply with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot or parcel be considered as providing the yard or open space on the lot or parcel whereon a building is to be erected or established. (Ord. 2012-01, 7-10-2012)

10-5-10: EVERY DWELLING TO BE ON A LOT OR PARCEL:

Only one building which contains a dwelling shall be located and maintained on a "zoning lot" lot or parcel as defined in this title, except bunkhouses and dwellings within a mobile home park or other large scale development. (Ord. 2012-01, 7-10-2012)

10-5-11: SALE OR LEASE OF REQUIRED SPACE PROHIBITED:

No space needed to meet the width, yard, area, coverage, parking, or other requirements of this title for a lot, parcel, or building may be sold or leased apart from such lot, parcel, or building unless other space so complying is provided. (Ord. 2012-01, 7-10-2012)

10-5-12: YARDS TO BE UNOBSTRUCTED; EXCEPTIONS:

Every part of a required yard shall be open to the sky and unobstructed except:

- A. Permitted accessory buildings, and
- B. Ordinary and customary projection of sills, belt courses, cornices and other ornamental features and unenclosed steps and unwallled stoops, porches and carports which may project up to three feet (3') into a required yard.

10-5-13: ACCESSORY BUILDINGS PROHIBITED AS LIVING QUARTERS:

Living and sleeping quarters in any building or structure other than the main residential building and bunkhouse are prohibited. (Ord. 2012-01, 7-10-2012)

10-5-14: STORAGE OF JUNK, DEBRIS, OR UNLICENSED INOPERABLE VEHICLES PROHIBITED:

- A. No yard or other open space surrounding an existing building, or which is hereafter provided around any building in any zone, shall be used for the storage of junk, debris, or inoperable vehicles;

- B. No land shall be used for such purposes, except as specifically provided by this title.
- C. Storage of one restorable vehicle may be permitted in the backyard for a period of six (6) months, on a case by case basis, at the discretion of the zoning administrator. Restoration work shall comply with applicable noise and nuisance ordinances.

10-5-15: SEWAGE DISPOSAL:

- A. Sewer connections shall comply with Title 8 of city code.
- B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-5-16: WATER CONNECTIONS:

- A. Where municipal water is available all dwellings shall be connected in accordance with Title 8 of city code.
- B. Where no municipal water is available, approval of such facilities shall be obtained from the state health department before a building permit or certificate of occupancy shall be issued therefore.

10-5-17: DRAINAGE:

- A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.
- B. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)
- C. Drainage corridors shall be protected in accordance with 10-12-2.

10-5-18: CLEAR VIEW OF INTERSECTING STREETS:

No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of forty five feet (45') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-5-19: EFFECT OF STREET PLAN:

- A. Wherever a front or side yard is required for a building that abuts on a proposed street which has not been constructed, but which has been designated by the planning commission as a future street, the depth of such front or side yard shall be measured from the planned street lines. (Ord. 2012-01, 7-10-2012)

- B. Before a building permit shall be issued for the building that abuts on a proposed street, the property owner shall
1. Grant an easement for the proposed street to the city.
 2. Construct the street and underground utilities to the standards required by the city.
 3. Post a bond guaranteeing that all street and underground utility improvements will be completed to standards required by the city.

10-5-20: MOTOR VEHICLE ACCESS:

Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:

- A. ~~Access shall be by not~~ No lot or parcel shall have more than two (2) driveways ~~from any one street.~~
- B. Driveways shall not be closer to each other than twenty feet (20'). Where one driveway is shared by adjacent lots or parcels, a conditional use permit is required prior to constructing the driveway.
- C. On corner lots or parcels, no driveways shall be closer than fifteen feet (15') twenty feet (20') to the point of intersection of the front property line with the side property line which abuts upon a street.
- D. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-5-21: LANDSCAPING REQUIRED:

Front yards and side yards of all dwellings and bunkhouses which front on city streets must be landscaped. (Ord. 2012-01, 7-10-2012)

10-5-22: POLLUTION PREVENTION:

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-5-23: SPECIAL PROVISIONS:

Special provisions shall apply in order to protect the intent of the zone.

- A. All buildings used for human occupancy shall be furnished with a water supply in accordance with 10-5-15 of this title.

- B. All buildings used for human occupancy shall be constructed in accordance with the adopted building, plumbing, electrical, fire prevention and similar codes.
- C. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title. (Ord. 2012-01, 7-10-2012)

11-1-9: RESIDENTIAL INFILLING:

All subdivision codes must be adhered to and followed whenever a property owner splits one parcel of property into two (2) or more parcels.

A Exception to subdivision requirements, all requirements must be met in order to be considered residential infilling.

1 All created parcels must front an existing city street and have at least eighty feet (60') of frontage on said street.

2 All created parcels must meet the minimum square footage requirements of ten thousand (5,445) square feet.

B If the creation of multiple parcels requires the creation of a new street or private drive to access any of the parcels, residential infilling will not be allowed and the subdivision code must be followed.

C If no utilities are present on the existing city street on which the proposed infill would occur then the residential infilling will not be allowed and the subdivision code must be followed.
(Ord. 2012-01, 7-10-2012)

DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10 ZONING REGULATIONS

Blue = Changes discussed by Planning Commission

CHAPTER 8 C-1 COMMERCIAL ZONE

SECTION:

- 10-8-1: Regulations
- 10-8-2: Intent
- 10-8-3: Permitted Uses
- 10-8-4: Area, Width And Location Requirements
- 10-8-5: Location Of Gasoline Pumps
- 10-8-6: Motor Vehicle Access
- 10-8-7: Pollution Prevention
- 10-8-8: Special Provisions

10-8-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-8-2: INTENT:

The intent of the C-1 commercial zone is to provide a **centralized** place where retail and service uses can be constructed and maintained which will serve the needs of the citizens of the city and surrounding areas. It is the further intent in establishing this zone to maintain the central business district as the "heart of the city" and, to these ends, to promote its development in step with the increase in population within the trading area. ~~The uses characteristic of this zone are retail stores, banks, office buildings, theaters, motels and a wide variety of specialty shops.~~ Conversely, **Uses** which tend to create business dead spots, cause undue scattering of business, and generally tend to thwart the use of the land for its primary purpose have been excluded from this zone. (Ord. 2012-01, 7-10-2012)

10-8-3: PERMITTED USES:

A. The following buildings, structures, and uses of land shall be permitted upon compliance with the requirements set forth in this title:

Accessory buildings and structures such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in this zone.

Automobile and truck repair establishments, provided all repair activities will be conducted within an enclosed structure and that there will be no outside storage of parts or nonoperative vehicles.

Automobile, motorcycle, ATV, and snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure and that there will be no outside storage of parts or nonoperative vehicles.

Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages, and minor automotive repair establishments.

Cabinet, taxidermy, and welding and metalsmithing shops.

Convenience goods stores (minimarkets) for the sale of food and variety products.

Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products. All storage activities shall be within a building or within an enclosure surrounded by a fence not less than six feet (6') in height.

General retail stores and shops providing goods and services for sale at retail in the customary manner.

Hotels and motels.

Laundries and dry cleaning establishments, and laundromats.

Live-work units.

Office buildings, medical clinics, banks, insurance, and financial services.

Personal service establishments, such as barber and beauty shops, reception centers, and similar establishments.

Public parks and buildings, not including storage yards or repair shops.

Recreational enterprises including bowling alleys, recreation centers, motion picture theaters (indoor only), athletic clubs, private clubs, sororities, and fraternal lodges.

Restaurants, food drive-ins bars, taverns, pubs.

Shopping centers, supermarkets, clothing stores.

Veterinary clinics for the treatment of household pets and the enclosed temporary boarding of same while receiving care.

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:

All signs shall conform with section 10-2-6 of this title.

Conditional uses shall conform with section 10-2-8 of this title.

Temporary uses shall conform with section 10-2-10 of this title.

Portable Storage Containers shall conform with section 10-2-11 of this title.

Diagonal parking shall conform with section 10-2-13 of this title.

Fences shall conform with section 10-2-15 of this title.

Recreational vehicle (RV) parks that conform to Title 10 Chapter 15 of city code

C. The following uses are permitted as conditional uses (see section 10-2-8).

All R-1 uses that conform to section 10-6-3 of this title, except rest homes, nursing homes, convalescent homes, and assisted living homes.

All R-2 uses that conform to section 10-703 of this title, except rest homes, nursing homes, convalescent homes, assisted living homes, growing of field crops, growing of

garden produce and fruit for sale or trade and machinery sheds used for storage of agricultural equipment.

10-8-4: AREA, WIDTH AND LOCATION REQUIREMENTS:

- A. There shall be no area, width and location requirements for commercial buildings and structures constructed, provided
 - 1. All buildings and structures conform with the building code adopted by the city; and
 - 2. An area sufficient to accommodate parking, loading, unloading, and vehicular access shall be provided and maintained.
- B. No space needed to meet the parking or other requirements of this title may be sold or leased apart from such lot or parcel or building unless other space is provided to comply with section 10-8-4A.

10-8-5: LOCATION OF GASOLINE PUMPS:

- A. Gasoline pump islands shall be set back not less than twenty feet (20') from any property line.
- B. Lots from which gasoline is dispensed to customers at retail shall be not less than seventy five by one hundred feet (75 x 100') in size.
- C. Canopies over pump islands may extend to within five feet (5') of the property lines. (Ord. 2012-01, 7-10-2012)

10-8-6: MOTOR VEHICLE ACCESS:

- A. Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:
 - 1. Access shall be by not more than two (2) driveways from any one street.
 - 2. Driveways shall be not closer to each other than twenty feet (20').
 - 3. On corner lots, no driveways shall be less than fifteen feet (15') to the point of intersection of the front property line with the side property line which abuts upon a street.
 - 4. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-8-7: POLLUTION PREVENTION:

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-8-8: SEWAGE DISPOSAL:

- A. Sewer connections shall comply with Title 8-4-2 of city code.
- B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-8-9: WATER CONNECTION:

All users shall be connected to the municipal water supply.

10-8-10: DRAINAGE:

- A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.
- B. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)
- C. Drainage corridors shall be protected in accordance with 10-12-2.

10-8-11: CLEAR VIEW OF INTERSECTING STREETS:

No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of ~~forty five feet (45')~~ forty feet (40') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-8-12: SPECIAL PROVISIONS:

- A. All material, merchandise and equipment (except vehicles in running order) shall be stored within an enclosed building or surrounded by a fence not less than six feet (6') in height.
- B. All display, sale and repair activities shall be conducted within a fully enclosed building, except those activities that are customarily and appropriately conducted in the open, including, but not limited to, automobile sales lots and automobile service stations.
- C. Temporary sales of Christmas trees and nursery stock shall be permitted outside a building unless otherwise prohibited under the terms of this title.
- D. No dust, odor, smoke, vibration or intermittent light, glare or noise shall be emitted which is discernible beyond the premises except for normal traffic movements.
- E. All off street parking shall be hard surfaced. See section 10-2-1, "Off Street Parking Requirements", of this title.
- F. All buildings located adjacent to a major street shall have at least one entranceway facing onto said street. (Ord. 2012-01, 7-10-2012)
- G. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title.
- H. No accessory structures shall be used as living quarters.

DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10 ZONING REGULATIONS

Blue = Changes to be discussed by Planning Commission

CHAPTER 9 C-2 LIGHT COMMERCIAL ZONE

SECTION:

- 10-9-1: Regulations
- 10-9-2: Intent
- 10-9-3: Permitted Uses
- 10-9-4: Area, Width And Location Requirements
- 10-9-5: Location of Gasoline Pumps
- 10-9-6: Motor Vehicle Access
- 10-9-7: Pollution Prevention
- 10-9-8: Sewage Disposal
- 10-9-9: Water Connection
- 10-9-10: Drainage
- 10-9-11: Clear View Of Intersecting Streets
- 10-9-12: Special Provisions

10-9-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-9-2: INTENT:

The intent of the C-2 light commercial zone is to provide a place where small-scale fabrication, repair services, offices, and limited commercial uses can be constructed and maintained which will serve the needs of the citizens of the city and surrounding areas. It is the further intent in establishing this zone to maintain a buffer zone between C-1 and R-1 and R-2 zones to promote its development in step with the increase in population within the trading area.

10-9-3: PERMITTED USES:

- A. The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title:

Accessory uses and structures provided they are incidental to and do not substantially alter the character of the permitted principal use or structure.

Automobile and truck repair establishments, provided all repair activities will be conducted within an enclosed structure and [any outside storage of parts or nonoperative vehicles will be surrounded by a view-obscuring fence.](#)

Automobile, motorcycle, ATV, and snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure [and that any outside storage of parts or nonoperative vehicles will be surrounded by a view-obscuring fence.](#)

Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages.

Communications towers.

Convenience goods stores (minimarkets) for the sale of food and variety products.

Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products. All storage activities shall be within a building or within an enclosure surrounded by a view-obscuring fence.

Funeral homes.

General retail stores and shops providing goods and services for sale at retail in the customary manner.

Hospitals

Hotels and motels.

Laundries and dry cleaning establishments, and laundromats.

Live-work units.

Office buildings, medical clinics, banks, insurance, and financial services.

Personal service establishments, such as barber and beauty shops, reception centers and similar establishments.

Public buildings and grounds, including shops and storage

Public parks and buildings.

Restaurants, food drive-ins, bars, taverns, pubs.

Shopping centers, supermarkets, clothing stores.

Veterinary clinics for the treatment of household pets and the enclosed temporary boarding of same while receiving care.

B. [The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:](#)

[All signs shall conform with section 10-2-6 of this title.](#)

[Conditional uses shall conform with section 10-2-8 of this title.](#)

[Temporary uses shall conform with section 10-2-10 of this title.](#)

[Portable Storage Containers shall conform with section 10-2-11 of this title](#)

[Diagonal parking shall conform with section 10-2-13 of this title.](#)

[Fences shall conform with section 10-2-15 of this title.](#)

C. [The following uses are permitted as conditional uses \(see section 10-2-8\).](#)

[All R-1 uses that conform to section 10-6-3 of this title.](#)

[All R-2 uses that conform to section 10-7-3 of this title.](#)

[Daycare, nursery, preschool.](#)

[Rest homes, nursing homes, convalescent homes, assisted living homes.](#)

10-9-4: AREA, WIDTH AND LOCATION REQUIREMENTS:

- A. There shall be no area, width and location requirements for commercial buildings and structures, provided
 1. All buildings and structures conform with the building code adopted by the city; and
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- B. No space needed to meet the parking or other requirements of this title may be sold or leased apart from such lot or parcel or building unless other space so complying is provided.

10-9-5: LOCATION OF GASOLINE PUMPS:

- A. Gasoline pump islands shall be set back not less than twenty feet (20') from any property line.
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- C. Temporary sales of Christmas trees and nursery stock shall be permitted outside a building unless otherwise prohibited under the terms of this title.
- D. No dust, odor, smoke, vibration or intermittent light, glare or noise shall be emitted which is discernible beyond the premises except for normal traffic movements.
- E. All off street parking shall be hard surfaced. See section 10-2-5, "Off Street Parking Requirements", of this title.
- F. All buildings located adjacent to a major street shall have at least one entranceway facing onto said street. (Ord. 2012-01, 7-10-2012)
- G. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title.
- H. No accessory structures shall be used for living quarters