



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: August 17, 2016

NAME OF APPLICANT: Midway City

AGENDA ITEM: Code Text Amendment of Title 16.5.2: Commercial C-2 and C-3 Zones

ITEM: 2

Midway City is considering a Code Text Amendment of Section 16.5: Commercial C-2 and C-3 zones. The Planning Commission will consider all permitted and conditional uses in the C-2 and C-3 zones and could possibly remove and add some uses. Furthermore, other regulations, such as setbacks, will be reviewed and may be amended.

BACKGROUND:

The purpose of this item is to review the permitted and conditional uses in the C-2 and C-3 zones along with the regulations included in this section such as setbacks. The City Council has directed staff and the Planning Commission to review the uses and to make a recommendation regarding if the listed uses comply with the vision of the City's General Plan. This discussion was initiated because of some of the issues that have arisen because of development in the commercial zones.

The chart on the following page has uses that are highlighted in red. The red highlighted uses, based on the last discussion with the Planning Commission, will be removed from the code. Text in yellow are potential additions to the code. On page four there is another chart that is specific to the proposed Tourism Overlay District.

USES	C-2	C-3
Retail, grocery, and service stores (up to 25,000 sq. ft.) Tobacco sales and e-cigarettes (no more than 5% of total retail)	P	P
Professional offices and clinics	P	P
Auto detailing, gas stations and car washes	C	N
Alcohol dispensing establishments	C	C
Residential Facilities for Elderly Persons	C	C
Rest Homes/Nursing/Convalescent Facilities	C	C
Day Care (*as a component of another permitted or conditional use in the C-3 zone)	C	C*
Photo, art, and craft galleries, retail show rooms	P	P
Engraving, publishing, and printing	P	P
Fraternity buildings, clubs, and lodges	C	C
Mortuaries and wedding chapels	P	C
New and used vehicle sales	C	N
Hospitals	P	P
Hotels/motels, bed and breakfast establishments	C	P
Cafes and restaurants	P	P
Public and quasi-public buildings (police/fire stations)	P	P
Recreational activity businesses	P	C
RV, ATV, motorcycle, side by side UTV, OHV sales	C	N
Barber, beauty shops, massage therapy and day spas)	P	P
Vehicle parking	P	P
Repair shops (other than auto)	C	C
Veterinarian and pet grooming services	C	C
Walk-in theaters and outdoor theaters	C	C
R-1-7 Residential	P	P
Mixed Use (20% minimum commercial, up to 20 residential units per acre)	C	C
Commercial PUDs and commercial condominium projects	C	C
Private academies/studios (education, art, dance, sports, etc.)	C	C
Carpentry and woodworking shops (no outside storage)	C	C
Electrician shops (no outside storage)	C	C
Plumbing shops (no outside storage)	C	C

Section 16.5.2 Site Development Standards

Site Development Standards

A. Minimum lot area: none

B. Minimum building setback from property line for all commercial structures:

1. Front. 10' minimum and 30' maximum from the property line; however, an accessory or secondary building may be allowed by the City Council to be set back further provided all provision of this Title are met.
2. Side. None
3. Rear. None
4. Fuel pumps. 20 feet from any street
5. Setback from residential zones or existing residential uses. 15 feet
6. The City Council, upon an applicant's request, may approve a setback different than listed in this section based on specific circumstances of the site and building orientation or specific use of a proposal.

C. Building Heights

1. Minimum: 8 feet (see Section 16.13.110)
2. Maximum: 35 feet (see Section 16.13.100)

D. All building sizes and setbacks are also subject to the requirements of the building code adopted by the City Council. Building heights shall be subject to this Title.

E. All parking shall be located at the side or rear of the main building on each commercial zoning lot. The City Council, upon an applicant's request, may approve a parking plan different than listed in this section based on specific circumstances of the site and building orientation or specific use of a proposal.

F. Each new construction commercial building must have a door facing Main Street if the lot fronts Main Street.

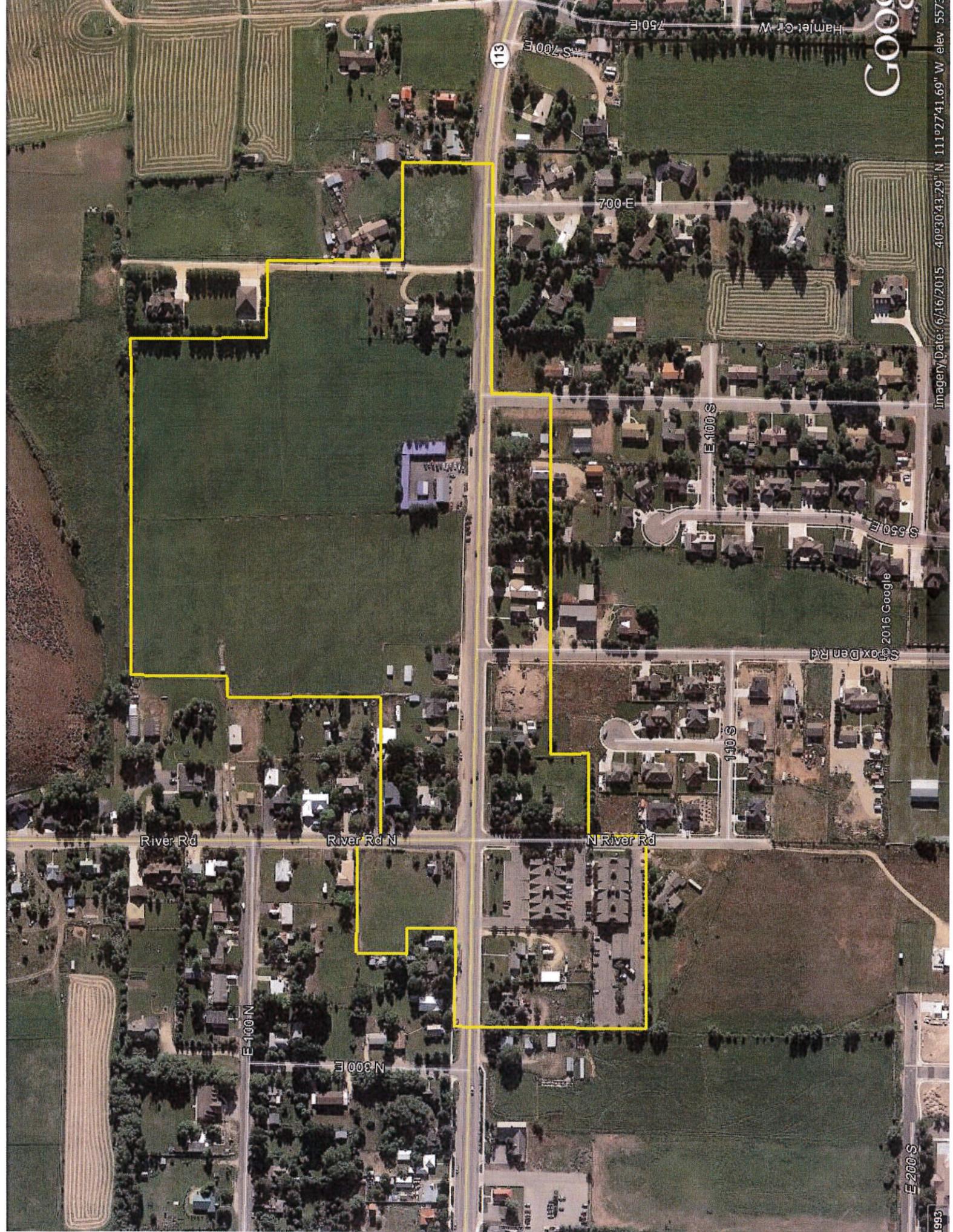
G. Notwithstanding any other provision contained herein, structures and setbacks must comply with Section 16.13.15: Clear View Triangle of Intersecting Streets.

H. A landscaping plan is required for all permitted and conditional uses in the commercial zones. The plan will be reviewed by the Visual and Architectural Committee during the approval process and must meet the requirements found in Section 16.13.22.

TOURISM OVERLAY DISTRICT:

Below is the list of uses for the newly proposed Tourism Overlay District. The purpose of this district is to create a community gathering area that is focused on tourism and retail. This district will be walkable and is envisioned to have central plazas with surrounding commercial and arts related businesses and activities on the street level and residential on the upper floor. The Tourism Overlay District would cover the area found on the map on the following page. The uses found on this chart are all uses already found in the C-2 zone.

USES	C-2	C-3
Retail, grocery, and service stores (up to 15,000 sq. ft.) Tobacco sales and e-cigarettes (no more than 5% of total retail)	P	P
Professional offices and clinics	P	P
Alcohol dispensing establishments	C	C
Day Care (*as a component of another permitted or conditional use in the C-3 zone)	C	C*
Photo, art, and craft galleries, retail show rooms	P	P
Fraternity buildings, clubs, and lodges	C	C
Hotels/motels, bed and breakfast establishments	C	P
Cafes and restaurants	P	P
Public and quasi-public buildings (police/fire stations)	P	P
Recreational activity businesses	P	C
Barber, beauty shops, massage therapy and day spas)	P	P
Vehicle parking	P	P
Walk-in theaters and outdoor theaters	C	C
Mixed Use (50% minimum commercial, up to 20 residential units per acre, above or below commercial)	C	C
Commercial PUDs and commercial condominium projects	C	C
Private academies/studios (education, art, dance, sports, etc.)	C	C



Google

Imagery Date: 6/16/2015 40°30'43.29" N 111°27'41.69" W elev 5573

113

E-750 E Hamlet Ct W

E-700 E

E-700 E

E-100 S

E-550 E

Stox Den Rd

E-110 S

River Rd

River Rd N

N River Rd

E-100 N

E-300 E

E-200 S

1993