PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: July 20, 2016

NAME OF APPLICANT: Midway City

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

ITEM: 8

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. Staff feels these items should be discussed with the Planning Commission. Uses in yellow are added commentary from the planning staff also that should be discussed.

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) **Above or below commercial**	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.

ones.