



## PLANNING COMMISSION MEETING STAFF REPORT

**DATE OF MEETING:** June 15, 2016

**NAME OF APPLICANT:** Midway City

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

### **ITEM: 6**

**Midway City is considering a Code Text Amendment of Section 16.5: Commercial C-2 and C-3 Zones. The City Council will consider all permitted and conditional uses in the C-2 zone and possibly remove and add some uses. Furthermore, regulations for uses in these zone 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.

It is the City's vision, as described in the General Plan, that Main Street, and the entire commercial district, is family-oriented, aesthetically pleasing, safe, walkable and visitor friendly. It is important that the following uses that are currently allowed are reviewed and analyzed so it can be determined if they are in harmony with that vision:

<b>USES</b>	<b>C-2</b>	<b>C-3</b>
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	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

## Midway's Vision and General Plan

The uses on the preceding list should all be in harmony with the City's General Plan. Some of those uses might not create the atmosphere that is described in the General Plan. Aesthetics should be considered and the General Plan emphasizes the importance of the look and feel of Main Street but community economic health and tax revenue generation should also be considered. For example, new and used car sales will be difficult to make look old European because it will mostly be a parking lot but this type of business is a tax generator for a community and that should be considered. A mortuary is another business that should be considered on all merits. For example, it does not create much foot traffic so it does not add to the vibrant and active Main Street as described in the General Plan but it does provide an important service for the residents of Midway.

Below I will review some of the vision of Main Street from the General Plan so that the current allowed and permitted uses can better be evaluated.

The City's Vision Statement is as follows:

*Our vision for the City of Midway is to be a place where citizens, businesses and civic leaders are partners in building a city that is family-oriented, aesthetically pleasing, safe, walkable and visitor friendly. A community that proudly enhances its small town Swiss character and natural environment, as well as remaining fiscally responsible.*

Some of the previously mentioned uses may be difficult to make "aesthetically pleasing". The General Plan also describes Main Street as an area that should be vibrant and full of activity. Certain businesses such as restaurants and retail create the activity that is described in the General Plan and other businesses detract from activity because they are visited infrequently. Some uses on the list may fall into this category. The General Plan states the following:

*Main Street is the economic, architectural, and historical heart of the community. The most powerful and lasting image associated with Midway is Main Street. This commercial core should be developed as a distinctive shopping and business area emphasizing it as an attractive meeting place and staging area for festivals, special events, celebrations and a variety of community activities which will produce a vibrant and healthy community centerpiece.*

Some of the uses on the list may work in the commercial zones but should have a setback so they can fill in some of the deep lots that are common along Main Street. By doing this other more aesthetically pleasing and activity generating business will fill in the visible areas along our Main Street and Center Street.

## ANALYSIS:

This proposed amendment allows the City to control the appearance of Main Street in a manner that helps promote the City's Vision statement which states in part, "building a city that is family-oriented, aesthetically pleasing, safe, walkable, and visitor friendly." Again it is important to consider aesthetics, community economic health and along with tax revenue generation when considering the uses allowed in the City's commercial zones.

## POSSIBLE FINDINGS:

- The proposal will better comply with the vision of Midway as described in the General Plan.
- The addition of the proposed ordinance will better promote the City's Vision Statement.

## ALTERNATIVE ACTIONS:

1. Recommendation for approval. This action can be taken if the Planning Commission feels that the proposed language is an acceptable addition to the City's Municipal Code.
  - a. Accept staff report
  - b. List accepted findings
2. Continuance. This action can be taken if the Planning Commission feels that there are unresolved issues.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for continuance
    - i. Unresolved issues that must be addressed
  - d. Date when the item will be heard again
3. Recommendation of denial. This action can be taken if the Planning Commission feels that the proposed language is not an acceptable addition to the City's Municipal Code.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for denial