



**Planning Commission Meeting
Thursday, July 27, 2023
City Hall Council Chambers
5249 S. South Pointe Dr. Washington Terrace City
801-393-8681**

1. **ROLL CALL** 6:00 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **WELCOME**
**ADMINISTER THE OATH OF OFFICE TO COMMISSIONERS HENDERSON,
LARSON, AND ROPER**

4. **RECURRING BUSINESS**
 - 4.1 **MOTION: APPROVAL OF AGENDA**
Any point of order or issue regarding items on the Agenda or the order of the agenda need to be addressed here prior to the approval of the agenda.

 - 4.2 **MOTION: APPROVAL OF MINUTES FOR JUNE 30, 2022**

5. **SPECIAL ORDER**
Special orders will proceed as follows: Chair introduction of item, staff/applicant presentation, questions by commission, Chair opens public hearing, citizen input; Chair closes public hearing, then commission final discussion.
 - 5.1 **PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND
OPPOSITION TO PROPOSED ORDINANCE AMENDING CHAPTER
17.28 OF THE WASHINGTON TERRACE MUNICIPAL CODE
“ZONING- USE REGULATIONS”**

6. **NEW BUSINESS**
 - 6.1 **MOTION: NOMINATION AND ELECTION OF PLANNING COMMISSION
CHAIR AND VICE CHAIR**

 - 6.2 **MOTION/ORDINANCE 23-09: RECOMMENDATION TO APPROVE
ORDINANCE AMENDING CHAPTER 17.28. “ COMMERCIAL ZONES” TO
ALLOW “GENERAL CONTRACTOR” TO BE ADDED AS A PERMITTED OR
CONDITIONAL USE WITHIN THE COMMERCIAL ZONES**

7. **MOTION: ADJOURN THE MEETING**

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 395-8283

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and faxed to the *Standard Examiner* at least 24 hours prior to the meeting.
Amy Rodriguez, Washington Terrace City Recorder

City of Washington Terrace

Minutes of the Planning Commission Meeting held on
Thursday, June 30, 2022
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

PLANNING COMMISSION AND STAFF MEMBERS PRESENT

Chairman Steve Jacobson
Vice- Chair Dwight Henderson
Commissioner Amy Morgan
Commissioner Scott Larsen
Commissioner Dan Johnson
Commissioner Morgan Wilkins
Commissioner Charles Allen
City Recorder Amy Rodriguez
City Attorney Bill Morris

Others Present

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

ADMINISTER THE OATH OF OFFICE TO COMMISSIONER JOHNSON

Rodriguez administered the oath of office to Commissioner Dan Johnson.

4. RECURRING BUSINESS

4.1 MOTION: APPROVAL OF AGENDA

Motion by Commissioner Henderson

Seconded by Commissioner Larson

to approve the agenda

approved unanimously (7-0)

4.2 MOTION: APPROVAL OF MINUTES FOR MAY 26, 2022

There was a spelling error correction for line 106. It will be corrected for the final minutes.

Motion by Commissioner Wilkins

Seconded by Commissioner Larson

to approve the minutes for May 26, 2022 as corrected

Approved unanimously (7-0)

48 **5. SPECIAL ORDER**

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50 **5.1 PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND**
51 **OPPOSITION ON PROPOSED TWO-LOT SUBDIVISION “AMENDMENT**
52 **TO LOT 8 BLOCK 1 PARCEL H SUBDIVISION”, LOCATED AT 486 WEST**
53 **4900 SOUTH**

54 Morris stated that the item is a subdivision amendment to divide two lots.

55 Morris stated that the applicant has requested to divide the property located at
56 486 West 4900 South into two single conforming lots. He stated that the current lot
57 zoning is R-16. He stated that the sizes of the subdivided lots will be 12,262 Sq. Ft. and
58 7356 Sq. Ft. He noted that both lots are conforming to the minimum lot size of 6000 Sq.
59 Ft.

60 Morris stated that the minimum lot size width is 60 feet, and the lots would fall within
61 that minimum requirement.

62 Morris stated that state law does not require public hearings for subdivisions, as it is an
63 administrative function, however, the City is choosing to have a public hearing as
64 procedure.

65 Rodriguez stated that Chief Building Official Seaman told her to relay that there are not
66 any non-conforming issues with this subdivision and that it is a simple split lot that is
67 allowed by ordinance. She stated that he has told her that there are no gray areas and that
68 the developers have done everything they need to do, and staff recommends approval.

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70 **Chairman Jacobson opened the public hearing at 6:07 p.m.**

71 There were no public comments.

72 **Chairman Jacobson closed the public hearing at 6:08 p.m.**

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74 **6. NEW BUSINESS**

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76 **6.1 MOTION: PRELIMINARY AND FINAL APPROVAL OF SPLIT-LOT**
77 **“AMENDMENT TO LOT 8 BLOCK 1 PARCEL H SUBDIVISION”, LOCATED**
78 **AT 486 WEST 4900 SOUTH**

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80 Morris stated that the parcel was not on the “Infill lot” parcel list.

81 Morris stated that the City engineer will assign the address to be added to the plot and it
82 will be reviewed by the City engineer before it goes before Council for final approval.

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84 **Motion by Commissioner Allen**
85 **Seconded by Commissioner Henderson**
86 **To approve the preliminary and final approval**
87 **Of “Amendment to lot 8 Block Parcel H Subdivision”**
88 **Located at 486 West 4900 South**
89 **Subject to staff approval and any agency requirements**
90 **Approved unanimously (7-0)**

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93 **7. MOTION: ADJOURN THE MEETING**

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**Motion by Commissioner Johnson
Seconded by Commissioner Wilkins
To adjourn the meeting
Approved unanimously
Time 6:15 p.m.**

Date Approved

City Recorder

City Council Staff Report

Author: Tyler D. Seaman

Subject: Amendments to Chapter 17 Zoning-Use Regulations for “General Contractor”

Date: 7/27/2023

Type of Item: Motion/Ordinance

Summary Recommendation: Staff would recommend amendments to the zoning use regulations making “General Contractor” a conditional use permit which would allow it based on conditions imposed by the land-use authority which would fit into the standards: safety of people and/or property, environmental concerns and general plan/zoning conditions.

Description: The city has been approached by a few different applicants wanting to operate a general contracting operation. We as staff believe the initiative of the city is to allow for business and economic growth within our jurisdiction. In doing so, we think it would be beneficial at this time to allow for general contractor operations to exist within our commercial zoning under the imposed conditions set forth in the ordinance amendments to chapter 17.

- A. **Analysis:** Staff believes well thought out conditions to the standards imposed in the amendments will create a positive general contract environment while maintaining our common interest in our community. Protecting the safety of people and/or property, environmental concerns and general plan/zoning conditions.
- B. **Fiscal Impact:** These amendments will positively impact the finances of our community. It will generate some more business use occupancies and create jobs for local community members.
- C.
- D. **Department Review:** Staff has reviewed the proposed changes and believes it is in line with Council and Mayor recommendations. We are supportive of moving forward with these ordinance amendments to chapter 17.

**WASHINGTON TERRACE CITY
ORDINANCE NO. 23-09**

COMMERCIAL ZONES AMENDED

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH,
AMENDING CHAPTER 17.28 RELATING TO THE COMMERCIAL ZONE TO
INCLUDE GENERAL CONTRACTOR AS A PERMITTED USE; MAKING
TECHNICAL CHANGES; SEVERABILITY; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on July 27, 2023, to take public comment on this Ordinance, and subsequently gave its recommendation to _____ this Ordinance on _____;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on _____, and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Washington Terrace City as follows:

Section 1: **Repealer.** Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: **Amendment.** Chapter 17.28, sections 17.28.040 and 17.28.050 of the *Washington Terrace Municipal Code* is hereby amended to read as follows.

**Chapter 17.28
Commercial Zones**

Sections:

17.28.040 **Special Regulations.**

17.28.050. **Use Regulation.**

17.28.040. Special Regulations.

1. Generally. The following general special use regulations apply to all permitted and conditional uses in the city:
 - a. All manufacturing shall be performed within a completely enclosed building.
 - b. All uses shall be free from excessive odor, dust, smoke, and/or noise.
 - c. Conditional uses shall also comply with Chapter 17.68 entitled “Conditional Use” before such may be developed.
 - d. Any sexually oriented business shall comply with ordinance chapter 5.01 and 17.82
 - e. The use of alcohol at any commercial establishment shall conform to state and local law.
 - f. Where applicable, industry standards apply to commercial uses.
 - g. Landscaping shall comply with chapter 17.44.200
2. Car wash. The following special use regulations apply to car wash uses:
 - a. One bay car wash, four spaces in the approach lane.
 - b. Two bay car wash, three spaces in the approach lane for each wash bay.
 - c. Three or more bay car wash, two spaces in the approach lane for each wash bay.
 - d. Storm water pollution and prevents control measures to be installed and maintained in accordance with the governing state permit and applicable local regulations.
 - e. Warning devices, coin operating warning devices shall so be regulated as not to be a nuisance to neighboring properties.
 - f. Vacuum mechanical devices shall be placed or positioned as not to be a nuisance or noise violation to neighboring properties.
 - g. Lighting shall comply with chapter 17.54
3. Indoor Storage. All indoor self-storage facilities shall meet the following requirements:
 1. Location.
 - a. Indoor self-storage facilities shall be a permitted use in the C-1 and C-2 zones only.
 2. Design Requirements. The following design standards shall apply to indoor self-storage facilities permitted after the adoption of this ordinance:
 - a. The maximum building footprint shall be 33,000 square feet; and
 - b. At minimum, one main building entrance shall be provided at the ground floor level for customer access.
 - c. The main building entrance shall front a primary street; and
 - d. When fronting a primary street, the ground floor level shall contain a minimum of 25% building transparency. Each floor level above the ground floor level shall contain a minimum of 40% building transparency; and
 - e. Buildings shall be surfaced with at least two exterior material variations and two exterior color variations, with at least 25% of the second material and second color applied to building areas visible from public street(s); and
 - f. Twenty-four-hour security or camera surveillance shall be provided to customer accessible building interiors and exterior of facility; and
 - g. Indoor self-storage units shall not be used for residential/living purposes, and shall not be used to operate as the primary use of a business; and
 - h. Impervious surfacing (concrete, asphaltic concrete, or asphalt) shall be provided in all areas of established or anticipated traffic flows surrounding the building(s) and throughout the entire site, except where landscaping is required.

3. General Contractors. Any general contractor facility shall meet the following requirements:

- a. **Standards. The following standards apply:**
 - i. **Provide a safety and security plan that include the public, employees, and asset protection.**
 - ii. **Provide a traffic control plan that:**
 1. **Optimizes and directs traffic flow.**
 2. **Manages and implements appropriate storm water regulations and includes proper track outs. No dirt or other material is allowed off-site.**
 3. **Provide specific limits on certain types of vehicles and equipment on-site and off-site.**
 4. **Manages parking.**
 - iii. **Provide adequate solid fencing and screening from adjoining properties.**
 - iv. **Plan and implement proper material storage, including hazardous materials of any kind.**
 - v. **Identify acceptable materials and implement a plan for outdoor storage.**
 - vi. **Implement dark sky compliance lighting practices and fixtures.**
- b. **Set Backs. Additional setbacks of 20 feet from any residential use, and 10 feet for any other use.**
- c. **Health and Environment. The following apply.**
 - i. **Connection to the City sanitary sewer system.**
 - ii. **Plan and implement for proper disposal of waste, including hazardous waste.**
 - iii. **Plan for dust and air pollution controls within EPA requirements.**
 - iv. **Setback appropriate distance recommended by City Engineer for well source protection.**
 - v. **Plan and implement property runoff and erosion regulations consistent with applicable storm water regulations and policies.**
 - vi. **Provide and implement s SWPPP.**
- d. **General. The following land use regulations apply:**
 - i. **The operation shall not be consistent and non-detrimental to other commercial uses.**
 - ii. **Aesthetics. No metal buildings allowed, all structures shall be in approved earth-tone colors and provide a landscaping plan that includes a minimum 20% of the site.**
 - iii. **Provide a plan to limit noise.**
 - iv. **Buildings to be designed to be softened to fit other commercial uses, with pitch and rooflines that vary in design.**

1. In the following list of possible uses, those designated in any zone as “Permitted” will be a permitted use. Uses designated a “Conditional” will be allowed only when authorized by a conditional use permit obtained as provided in Chapter 17.68 of this Zoning Ordinance. Uses designated as “None” is not allowed in that zone. Additionally, any use or proposed used that is not identified or designated by this chapter as either Permitted or Conditional is not permitted in any commercial zone.

Use	C-1	C-2
Accessory buildings and uses customarily incidental to a permitted use.	Permitted	Permitted
Altering, pressing, and repairing of wearing apparel	Permitted	Permitted
Ambulance base stations	Permitted	Permitted
Amusement enterprises, including seasonal or transient amusement	Conditional	Conditional
Animal / Vet care hospital	Permitted	Permitted
Antique, import or souvenir shop	Permitted	Permitted
Arcade	Conditional	Permitted
Art and artists supply store	Permitted	Permitted
Athletic and sporting goods store, excluding sale or repair of motor vehicles, motor boats, or motors	Permitted	Permitted
Athletic club or gym	Permitted	Permitted
Automobile repair including paint, body and fender, brake, muffler, upholstery or transmission work, provided conducted within a completely enclosed building	None	Conditional
Automobile, new or used, sales and service and on-line sales	Conditional	Conditional
Bakery with retail shop	Permitted	Permitted
Bank or financial Institution	Permitted	Permitted
Barber shop	Permitted	Permitted
Beauty and cosmetic business or school	Permitted	Permitted
Bed and breakfast inn	Conditional	Conditional
Bicycle sales and service	Permitted	Permitted
Boat sales and service	None	Conditional
Book store, retail	Permitted	Permitted
Bowling alley	None	Conditional
Cafe or cafeteria	Permitted	Permitted
Camera store	Permitted	Permitted
Candy store	Permitted	Permitted
Car wash, automatic or manual	Conditional	Conditional
Carbonated beverage or non-alcoholic beverage sales	Permitted	Permitted
Carpet, rug, floor covering, and linoleum sales and service	Permitted	Permitted
Cash advance establishments	None	Conditional

Cash register sales and service	Permitted	Permitted
Catering establishment	Permitted	Permitted
China, crystal and silver shop	Permitted	Permitted
Christmas tree sales	Permitted	Permitted
Church	Permitted	Permitted
Clothing and accessory store	Permitted	Permitted
Coin shop	Permitted	Permitted
Communication equipment building	Permitted	Permitted
Computer service, printing, and supplies	Permitted	Permitted
Convenience store	Permitted	Permitted
Costume and clothing rental	Permitted	Permitted
Dairy products store	Permitted	Permitted
Data processing or office machine services, sales, and supplies	Permitted	Permitted
Daycare, nursery, or preschool, Montessori schools	Conditional	Conditional
Delicatessen	Permitted	Permitted
Department store	Permitted	Permitted
Detective/security agency	Permitted	Permitted
Drapery and curtain store	Permitted	Permitted
Drug store/Pharmacy	Permitted	Permitted
Dry cleaning establishment	Permitted	Permitted
Educational institution	Permitted	Permitted
Electrical and heating appliances, fixtures, sales, and service	Conditional	Permitted
Electronic equipment sales and service	Permitted	Permitted
Employment agency	Permitted	Permitted
Fabric and textile store	Permitted	Permitted
Florist shop	Permitted	Permitted
Food truck sales	Permitted	Permitted
Fraternal organization	Permitted	Permitted
Fruit or vegetable stand	Permitted	Permitted
Furniture sales and repair	Permitted	Permitted
Garden supplies and plant material sales	Permitted	Permitted
<u>General Contractor</u>	<u>Conditional</u>	<u>Conditional</u>
Gift store	Permitted	Permitted
Glass sales and service	Permitted	Permitted
Golf course/ driving range	Permitted	Permitted
Government buildings or uses, non-industrial	Permitted	Permitted
Greenhouse and nursery, soil and lawn service	Conditional	Conditional
Grocery store	Conditional	Permitted
Grooming for cats and dogs	Permitted	Permitted
Gymnasium	Permitted	Permitted

Hardware store	Permitted	Permitted
Health club	Permitted	Permitted
Health food store	Permitted	Permitted
Hobby and crafts store	Permitted	Permitted
Hospital supplies	None	Permitted
Hotel	Conditional	Conditional
House cleaning	Permitted	Permitted
Ice cream parlor or ice sales	Permitted	Permitted
Indoor self-storage facility	Permitted	Permitted
Insurance agency, stock broker, or investments	Permitted	Permitted
Interior decorating and design establishment	Permitted	Permitted
Janitor service and supply	Permitted	Permitted
Jewelry store sales and services	Permitted	Permitted
Laboratory, dental or medical	Permitted	Permitted
Laundromat	Permitted	Permitted
Lawn mower and small engine equipment sales and service	Conditional	Permitted
Leather goods sales and service	Permitted	Permitted
Legal office	Permitted	Permitted
Library	Permitted	Permitted
Linen store	Permitted	Permitted
Liquor store;	Permitted	Permitted
Locksmith	Permitted	Permitted
Luggage store	Permitted	Permitted
Lumber yard and building material sales, retail only	None	Conditional
Manufacture of goods retailed on premises	Conditional	Conditional
Meat, fish, and seafood retail store	Permitted	Permitted
Miniature golf	Conditional	Conditional
Mortuary	None	Conditional
Motel	None	Conditional
Movie theater, indoor only	Conditional	Permitted
Museum	Permitted	Permitted
Music store	Permitted	Permitted
Needlework, embroidery, quilting, or knitting store	Permitted	Permitted
Newsstand	Permitted	Permitted
Novelty store, except adult novelties as per definition per sexual oriented businesses	Conditional	Permitted
Office where no goods are created, exchanged, or sold	Permitted	Permitted
Office supply store	Permitted	Permitted
Online office sales	Permitted	Permitted
Optometrist or optician office	Permitted	Permitted

Ornamental iron sales or repair	Conditional	Permitted
Paint or wallpaper store	Permitted	Permitted
Park and playground	Permitted	Permitted
Pet supply store, Grooming and Boarding	Conditional	Permitted
Photo studio and photo supplies	Permitted	Permitted
Physician or surgeon	Permitted	Permitted
Plumbing shop	Conditional	Permitted
Popcorn or nut shop	Permitted	Permitted
Post office	Permitted	Permitted
Printing, publishing, or reproductions sales and services	Permitted	Permitted
Public Building	Permitted	Permitted
Public utilities substation	Conditional	Conditional
Radio and television sales and service	Permitted	Permitted
Radio or television broadcasting station	Conditional	Conditional
Real estate agency	Permitted	Permitted
Reception center or wedding chapel	Conditional	Conditional
Recreation center	Conditional	Conditional
Rental equipment	Permitted	Conditional
Restaurant, no alcohol	Permitted	Permitted
Restaurant with alcohol	Conditional	Conditional
Restaurant, drive-in or drive-thru	Conditional	Permitted
Service station automobile, excluding painting, body, fender, and upholstery work.	Conditional	Permitted
Service station, automobile with car wash as accessory use	Conditional	Conditional
Sewing machine sales and repair	Permitted	Permitted
Shoe repair or shoe shine shop	Permitted	Permitted
Shoe Store	Permitted	Permitted
Spa and massage establishment	Permitted	Permitted
Supermarket	Permitted	Permitted
Tailor shop	Permitted	Permitted
Taxidermist	Permitted	Permitted
Telecommunication office	Permitted	Permitted
Television or satellite array store	Permitted	Permitted
Temporary building for uses incidental to construction work, such buildings shall be removed upon the completion of the construction work.	Permitted	Permitted
Thrift store	Conditional	Conditional
Tire sales and service	None	Conditional

Tobacco sales, smoke shop, or vapor shop	Conditional	Conditional
Toy store, retail	Permitted	Permitted
Trailer sales and service	None	Conditional
Travel agency	Permitted	Permitted
Upholstery shop	Permitted	Permitted
Vehicle rental	Conditional	Permitted
Vending booth	Permitted	Permitted
Window washing establishment	Permitted	Permitted

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: Effective date. This Ordinance shall be effective immediately upon posting or publication after final passage.

ADOPTED AND APPROVED on this ____ day of _____, 2023.

MARK C. ALLEN, Mayor,
Washington Terrace City

ATTEST:

AMY RODRIGUEZ, City Recorder

RECORDED this ___ day of _____, 2023.
PUBLISHED OR POSTED this ___ day of _____, 2023.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of the City of Washington Terrace, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted at 1) _____, 2) _____, and 3) _____ on the above referenced dates.

AMY RODRIGUEZ, City Recorder

DATE: _____