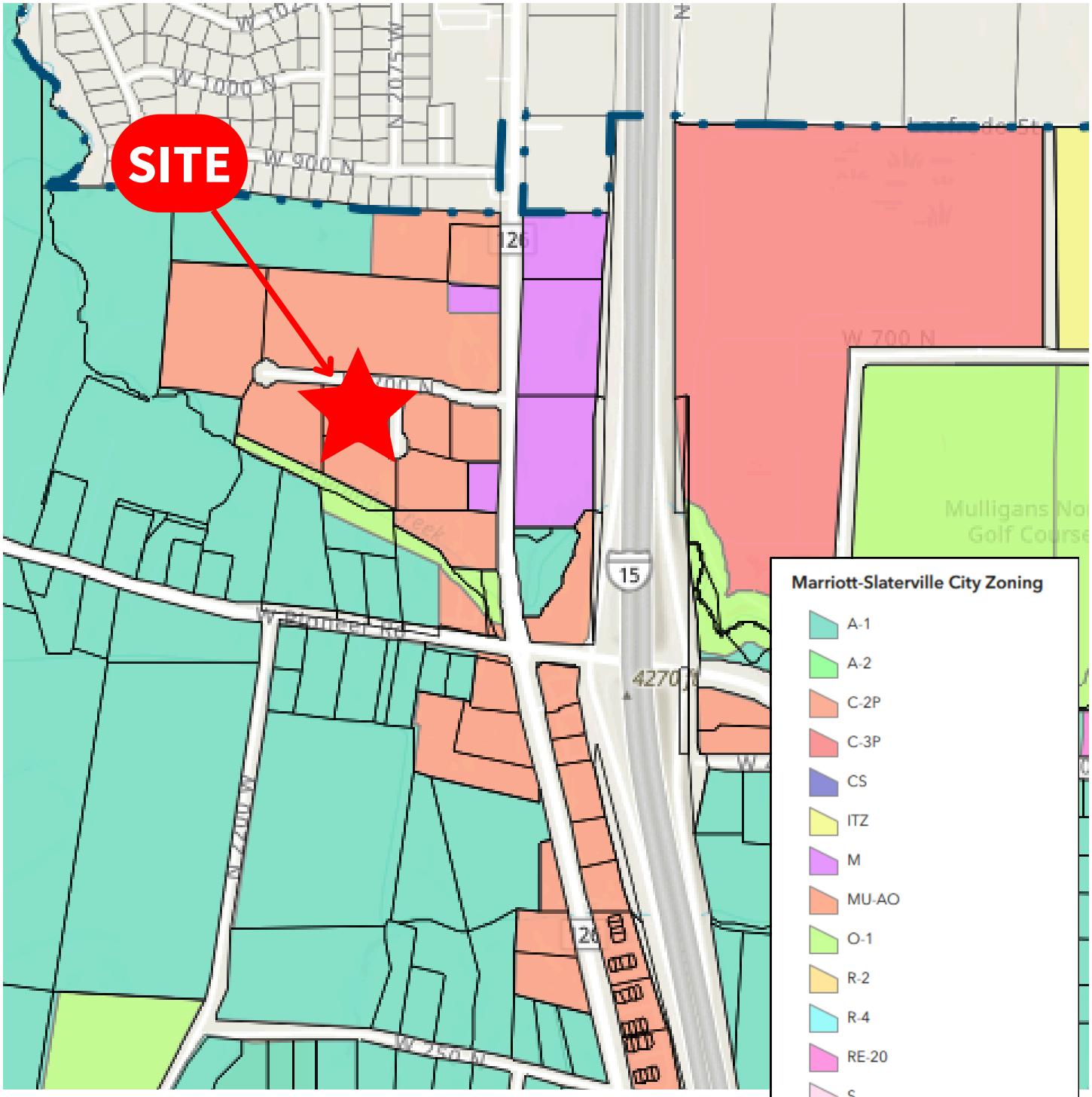
Marriott-Slaterville City Zoning



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13.10.010 Purpose And Intent

1. The intent of the planned commercial zones is to permit the establishment of a well designed complex of retail commercial facilities for the community that will provide goods and services for the people to be served. The intent is to minimize traffic congestion on thoroughfares and public streets in their vicinity and which shall best fit the general environment and land use patterns of the community.
2. The purpose of the C-1P C-2P and C-3P Commercial Zones is to provide suitable areas for location of the various types of commercial activity needed to serve the people and commerce.
3. The protective standards for site use and development contained in this chapter are intended to minimize any adverse effects of the Planned Commercial Zone itself. Submission of a market analysis is intended to serve as a guide to the Planning Commission in the evaluation of an application in terms of need or desirability to change the comprehensive Zoning plan in the public interest, and the amount of land included in the rezoning application which could be realistically supported in commercial uses. Such information is further intended to substantiate finding that the proposed development will promote the general welfare of the city.
4. The three (3) types of planned commercial zones provided for in this chapter are:
    a. Planned Neighborhood Commercial C-P-1, provides for the sale and supply of daily living needs of the people living in the neighborhood.
    b. Planned Community Commercial C-2P, provides in addition to convenience goods a wider range of facilities for the sale of retail goods and personal services for the community.
    c. Planned Regional Commercial C-3P, provides for the sale and supply of the complete range of retail and wholesale goods and personal services for the metropolitan area as well as a center for recreational, entertainment, and cultural activities.

13.10.020 Site Development Standards

1. Minimum lot area:

a. The minimum area for a C-1P use shall sufficient to provide for the use, adequate parking, landscaping and other code requirements.

b. The minimum area for a C-2P lot shall be one (1) acre, unless permitted in a C-1P Zone, where

C-1P lot size applies.

c. The minimum area for a C-3P lot shall be five (5) acres, unless permitted in a C-1P or C-2P Zone, where C-1P or C-2P lot size applies.

2. Minimum lot width (street frontage) – None.

3. Minimum yard setbacks:

a. Front – see Section 15.27.040. 25 feet with possibility of special consideration based on facts and circumstances to promote streetscape in accordance with 15.27.040.

b. Side – 15 feet, unless adjacent to an agriculture or residential use then 30 feet. Side yard where there is traffic circulation shall also accommodate minimum 12 foot travel lanes,

or minimum 20 foot firelanes.

c. Side facing street on corner lot – 20 feet.

d. Rear – 15 feet, unless adjacent to an agriculture or residential use then 30 feet.

4. Building height:

a. Minimum – one (one) story.

b. Maximum – forty-five (45) feet, unless adjacent to an agriculture or residential use then 35 feet.

5. Setback Consideration.

When considering setbacks for a specific site plan the Planning Commission may also consider setback deviation based upon future uses only as set forth in the General Plan Map.

6. Maximum lot coverage.

Not over 35% of lot area by any building accessory buildings, and/or other structures of any kind.

7. Design and Landscaping.

Architecture, screening, and landscaping shall comply with the site development standards of the municipal code. At least 20% of the overall site being landscaped as provided in the

municipal code.

8. Storm Water.

An approved storm was pollution prevention plan is required to be implemented for all applicable development

9. Signs.

All signs shall be in accordance with the regulations set forth in the municipal code.

HISTORY
Amended by Ord. 2009-03 on 1/1/2009
Adopted by Ord. 2020-06 on 6/18/2020
Amended by Ord. 2023-06 on 6/22/2023

13.10.030 Special Regulations

The following special use regulations apply to all uses in any Commercial Zone:

1. Generally.

Generally each separate use shall be required to have the minimum lot size under 13.10.020 for the use specified by zone in 13.10.050.
a. Similar retail uses under the same business operation may be combined, for example an appliance store may be combined with a furniture store.
b. Where specified building size limits apply to any zone where said use is sought.

2. Accessory Uses.

Accessory uses and buildings are allowed that are customarily associated with or incidental to the primary permitted or conditional use.

3. Automotive.

Oil separators shall be required as a pollution prevention measure on all uses involving automotive or equipment related fluids.

4. Outdoor.

All uses shall generally be within a completely enclosed building. However, outdoor display and sales may constitute a maximum of 20% of the area used for indoor retail space. Plants, produce,

and agriculture sales may be entirely outdoors.

5. Performance.

All uses shall be free from dust, dumping, hazardous materials, potentially nuisance by-products, obnoxious odors, milling, smoke, and any other nuisance of any kind.

6. Noise.

Each use shall evaluate and determine the average ambient noise level at the site before construction and shall not exceed that level.

7. Prohibited Uses.

No sexually oriented uses are allowed in any Commercial Zone. No commercial truck stop or fueling of commercial vehicles is allowed in any Commercial Zone. No trade shops or warehousing

is allowed in any Commercial Zone.

HISTORY
Amended by Ord. 2020-08 Zoning Map Amendment on 10/22/2020
Amended by Ord. 2023-06 on 6/22/2023

13.10.040 Use Regulation

In the following is a list of uses, designated in any zone as Permitted or Conditional. Uses designated as Conditional require a conditional use permit as provided in Chapter 13.23 of the municipal code. Uses that are not listed or designated are not allowed in the designated zone. Uses allowed in the C1-P Zone are permitted uses in the C2-P Zone and C3-P Zone. Uses in the C2-P Zone are permitted in the C3-P Zone.

1. C1-P Zone:

a. Permitted Uses:

i. Food service limited to: agriculture or plant sales, bakery, beverages, café, convenience store (no fuel), neighborhood market, or produce sales. Max building size: 5,000 square feet

ii. Medical office space. Max building size: 5,000 square feet.

iii. Personal services such as: barber, fitness, salon, spa. Max building size: 5,000 square feet.

iv. Professional office space. Max building size: 5,000 square feet.

b. Conditional Uses:

i. Lodging limited to bed and breakfast. Max building size: 5,000 square feet.

ii. Recreation limited to park or playground.

2. C2-P Zone:

a. Permitted Uses:

i. Automotive limited to: automobile or trailer sales, service, repair, carwash, convenience store with fuel. Subject to Section 13.10.030.

ii. Retail beverage and alcohol sales.

iii. Food service limited to: convenience store with fuel, grocery store, or restaurant. Maximum building size is 15,000 square feet.

iv. Medical office space. Max building size: 10,000 square feet.

v. Personal services such as: barber, fitness, salon, spa. Max building size: 10,000 square feet.

vi. Professional office space. Max building size: 10,000 square feet.

vii. Retail sales such as: arts and crafts store, appliance store, books or media store, clothing store, floor or wall covering store, furniture store, hardware store, home and garden store,

merchandise, parts store, rental establishment, or variety store. Maximum building size: 25,000 square feet.

b. Conditional Uses:

i. Automotive limited to: automobile and recreational vehicle sales, service, repair, carwash, convenience store with fuel. If frontage on S.R. 126 or S.R. 39, automobile body shop, heavy trucks

or equipment sales and services, and commercial vehicle sales and service. Subject to Section 13.10.030.

ii. Events or recreation limited to: arcade, bar, club, dance studio, entertainment, event venue, golf, gym, music venue, recreation center, wedding center. Maximum building size is

25,000 square feet.

iii. Food service limited to: food preparation, food distribution, food processing, food research and development, commercial kitchen, grocery store, or restaurant. Maximum building

size is 25,000 square feet.

iv. Lodging that includes hotel or motel.

v. Services such as: clinic, child care, financial institutions, laboratory, laundry, veterinarian with animal boarding.

3. C3-P Zone:

a. Permitted Uses:

i. Events or recreation limited to: swimming, skating, theater, or recreational facility.

ii. Utilities including substations, transmission lines, and communication.

b. Conditional Uses:

i. School or university.

ii. Hospital or medical services.

iii. Lodging that includes hotel or motel with convention or event center.

HISTORY
Amended by Ord. 2023-06 on 6/22/2023

13.10.050 General Regulation

1. Development Agreement. The city may require a development agreement, that may include restrictive covenants, as part of a commercial zoning map amendment.
2. Zoning Amendment. Any zoning map amendment may include adjoining parcels consistent with the General Plan.
3. Non-conformities. All non-conforming uses and strictures shall be eliminated as part of any zoning map amendment or site plan approval, unless otherwise provided by code.
4. The location of the CP Zone shall have an acceptable relationship to the Master Street Plan for the City as determined by the Planning Commission.
5. Traffic Improvements. The applicant shall submit to the Planning Commission with any zoning map amendment organized arrangement and proposed use of buildings off street parking, internal traffic circulation, service facilities, and other facilities. The applicant shall be required to pay the cost of the construction and/or installation of the following facilities on the streets providing access to the commercial center that may be necessary to control traffic generated by the commercial center.
    a. Street Widening.
    b. Ingress and Egress.
    c. Acceleration and Deceleration lanes.
    d. Traffic control Devices and signs, including channelization.
6. State. The applicant shall comply with any state agency requirements, specifically UDOT. The city may defer approval of any zoning map amendment or application until state agency approval is granted first.
7. The petitioner shall submit to the Planning Commission with the rezoning petition a

preliminary development plan for the commercial center showing a unified and organized arrangement and proposed use of buildings off street parking, internal traffic circulation and service facilities, etc.

8. Market Analysis. If required, the applicant shall submit an independent market analysis and/or traffic analysis acceptable to the Planning Commission to guide to the Planning Commission for the evaluation of the application or part thereof in terms of:
    a. The need or desirability to change the zoning map.
    b. The amount of land included in the application that can be realistically supported in commercial use.
    c. The finding how the proposed development will promote the general welfare of the public. For purposes of this section, a market and/or traffic analysis shall contain all or part of the following elements:
        i. The market area of the proposed development.
        ii. Market area population, present and potential.
        iii. Effective buying power in the area.
        iv. Net potential customer buying power for stores in the proposed development areas serving the market area.
        v. The residue of buying power to be expended in existing shopping centers or commercial areas serving the market area.

9. Conformance. Development shall comply with all land use regulations and the site plan approved by the Planning Commission.
10. Prior to the submission of the proposed ordinance rezoning an area to a CP Zone the developer shall submit all evidence deemed necessary by the City Council and/or Planning Commission of his/her ability to undertake the proposed project.
11. No building or land use permits shall be issued for any use of structure in a CP Zone until a final site development plan for the entire district or for the initial phase of the stage development plan is proposed and has been submitted to and approved by the Planning Commission as complying with the regulations and requirements of this Chapter and all other applicable provisions of this Ordinance. The final site development plan shall show in detail the proposed use, area and location of buildings, off-street parking, internal traffic circulation, landscaping, and service facilities indicated more generally on the approved preliminary development plan.
12. No changes shall be made in the final site development plan during the course of construction pursuant thereto without first obtaining the prior approval of the Planning Commission. Copies of the approved final site development plan shall be kept on file in the office of the Planning Commission or City Offices and Building Inspectors Department and any changes that may be approved shall be noted thereon.
13. The Planning Commission may specify at the time of zoning approval conditions of approval of the final site development plan including the sequence and may require that initial building permits include the major facilities of a proposal.

13.10.060 Review

1. Commencement Time Limits. A building permit shall be secured and construction begun in accordance with the approved final site development plan within eighteen (18) months of site plant approval.
2. Expiration. In the event that construction is not started within the eighteen (18) month specified time limits, the approval is expired and any zoning change is reverted if such is specified in the ordinance for a zoning map amendment relating for a project.
3. Construction Time Limits. All construction authorized in the approved final site development plan shall be completed within three (3) years of the date that the building permit was issued. A plan for stage development which will require more time than the limits contained herein may be approved by the Planning Commission at site plan approval.
4. Expiration. In the event the construction is not completed within the three (3) year time limit specified herein or otherwise, the Planning Commission shall review the zoning and development which has taken place and, if necessary initiate proceedings to reclassify the property or part thereof in a manner consistent with the comprehensive planning practices and general area growth.

13.16.070 Parking Requirements

The parking requirement of Chapter 13.27 apply. The number of stalls required per use shall be determined by the city engineer based upon the typical industry standards for each use along with any supporting economic or traffic estimate data provided with an application.

13.10.080 Protection Of Adjoining Residential Properties

Where a planned commercial development adjoins any lot in any residential Zone, the Planning Commission may require an appropriate ornamental or a decorative concrete fence of an appropriate height not to exceed twelve (12) feet.