

ORDINANCE NO. 2020-10-54

AN ORDINANCE AMENDING SECTION 17.4.401 RELATING TO THE CC-1 CENTRAL COMMERCIAL ZONE RELATING TO THE INTENT, PERMITTED USES, AREA WIDTH AND LOCATION REQUIREMENTS, AND SPECIAL PROVISIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City is authorized to enact ordinances as are necessary and proper to promote the health, safety, morals, convenience, order, prosperity, and general welfare of American Fork; and

WHEREAS, the City is authorized by law to enact ordinances establishing regulations for development within the city; and

WHEREAS, American Fork City finds it is in the best interest of the citizens of American Fork to make these amendments.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF AMERICAN FORK as follows:

**PART I
TEXT OF ORDINANCE**

SECTION 1. Section 17.4.401 of the Municipal Code of American Fork City, relating to the CC-1 Central Commercial zone is hereby amended to read as follows:

Sec 17.4.401 CC-1 Central Commercial Zone

1. Intent. The intent in establishing the CC-1 central commercial zone is to provide a place where retail and service uses can be constructed and maintained which will serve the needs of the citizens of American Fork City and surrounding areas. It is the further intent in establishing this zone to maintain the central business district as the "heart of the city" allowing residential units to be located therein while maintaining street level commercial uses. The uses characteristic of this zone are retail stores, banks, office buildings, theaters, hotels, a wide variety of specialty shops, restaurants, and higher density residential uses. Conversely, uses which tend to create business dead spots, cause undue scattering of business and generally tend to thwart the use of the land for its primary purposes shall be excluded from the zone.
2. Permitted uses. The following buildings, structures, and uses of land shall be permitted upon compliance with the requirements set forth in this code.
 1. Multi-family residential dwellings when located above or adjacent to a permitted commercial/non-residential establishment. There shall be no maximum density for residential units within the zone. Ground or main level residential uses shall be

prohibited along Main Street. Provision of required off-street parking stalls shall determine the number and subsequent density of residential units.

2. Hotels and motels.
 3. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building.
 4. Office buildings, medical clinics.
 5. Restaurants and fast food with sit-down and/or take-out. Fast food with drive through service shall not be permitted along Main Street, with the exception of drive through only establishments.
 6. Personal service establishments, such as barber and beauty shops, photographic studios, shoe repair, laundries (commercial and self-service), reception centers, and similar establishments.
 7. Automotive service establishments, including gasoline stations, car washes, parking lots, and minor automotive repair establishments.
 8. Public parks and buildings.
 9. Establishments of the sale of hardware, lumber, plumbing and heating equipment and similar building products provided that there shall be no outside storage or display.
 10. Recreational enterprises including bowling alleys, recreation centers, motion picture theaters (indoor only), athletic clubs, private clubs, and fraternal lodges.
 11. Funeral homes.
 12. Accessory signs in accordance with the applicable provisions of Section 17.5.128.
 13. Check Cashing and similar businesses subject to the provisions of Section 17.6.114 of this code and Section 5.30 of the city code.
 14. Permitted accessory uses. Accessory uses and structures shall be permitted in the CC-1 zone provided they are incidental to, and do not substantially alter the character of the permitted principle use or structure. such permitted accessory uses and structures include, but are not limited to buildings such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principle use or structure permitted in the CC-1 zone.
 15. Ancillary commercial structures subject to the conditions set forth under Section 17.6.105.
 16. Pre-schools and day care nurseries, subject to approval of a site plan in accordance with the provisions of Section 17.6.101.
 17. Other uses similar to the foregoing which are determined by the planning commission to be similar to and in harmony with the intent of the zone, but not including self service storage facilities (mini-warehouse).
 18. Low power radio service antenna facilities, subject to the provisions of Section 17.6.112 of this code.
 19. Specialty schools, subject to the approval of a site plan in accordance with the provisions of Section 17.6.101.
3. Area, width, and location requirements. There shall be no area, width, and location requirements for buildings and structures constructed in accordance with the building code

except that an area sufficient to accommodate parking, loading, unloading and vehicular access shall be provided and maintained.

4. Special provisions.

1. All material, merchandise, and equipment (except vehicles in running order) shall be stored within an enclosed building.
2. All display, sales and repair activities shall be conducted within a fully enclosed building, except those activities that are customarily and appropriately conducted in the open, including but not limited to automobile sales lots and automobile service stations, temporary sales of Christmas trees, and nursery stock, shall be permitted outside a building unless otherwise prohibited under the terms of this code.
3. No dust, odor, smoke, vibration, or intermittent light, glare, or noise shall be permitted which is discernible beyond the premises except for normal traffic movement.
4. All off-street parking shall be hard-surfaced. Parking areas shall be located toward the interior of properties. Parking areas shall not front public streets and must be located in a project's interior.
5. All buildings abutting a street shall have at least one entrance facing onto said street, with a maximum building setback range of 10'-15' from said street, with the exception of gasoline service stations (see #7 below). At least fifty percent of any wall area that faces a street or other public space shall contain display areas, windows, or doorways. Windows must allow views into working areas or lobbies, pedestrian entrances or display areas. Walls facing side streets must contain at least twenty-five percent of the wall space in windows, display areas, or doors. Blank walls (i.e., walls without any doors or windows) are prohibited. A variety of compatible exterior materials (minimum 4), colors and design shall be used on all buildings. Architectural style shall consider historical precedent and material used within the downtown area and compliment that precedent.
6. All buildings and uses within this zone shall comply with all applicable supplementary development standards as set forth in this code.
7. All gasoline service station pumps shall be set back at least twenty feet from all property lines.
8. Prior to the issuance of a building permit for any development within the zone, a site plan shall be submitted to and approved by the planning commission. Said site plan shall be prepared and approved in accordance with the provisions of Section 17.6.101.
9. As a means of mitigating safety hazards or adverse visual impacts the city may require, as a condition of site plan approval, the installation of landscape features. Where landscaping is required, the site plan shall, in addition to all other plan elements, contain a landscape plan showing the location, type and initial size of all planting materials and other landscape features, and the location of the proposed sprinkler system.

PART II

PROVISIONS AND ADOPTION

SECTION 1. Severability

The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

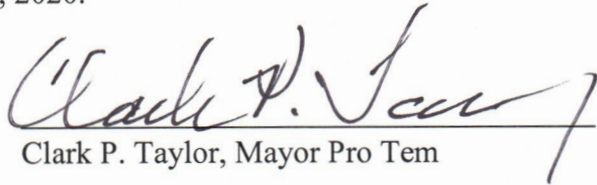
SECTION 2. Amendments to be added to the City Code.

The City Council hereby directs that the provisions enacted by this ordinance shall be made and placed in the City Code.

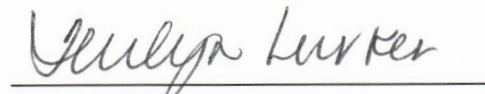
SECTION 3. Effective Date

This ordinance shall take effect immediately upon its passage and publication as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF AMERICAN FORK, STATE OF UTAH, ON THIS 13 DAY OF OCTOBER, 2020.


Clark P. Taylor, Mayor Pro Tem

ATTEST:


Terilyn Lurker, City Recorder

