

ORDINANCE No. 364

AN ORDINANCE OF THE HARRISVILLE CITY COUNCIL AMENDING THE HARRISVILLE CITY ZONING ORDINANCE TABLE OF USES FOR THE PLANNED COMMERCIAL DISTRICT (CP-2) AND PROVIDING FOR WHOLESALE DISTRIBUTION WITH LIMITED RETAIL SALES BE IDENTIFIED AS A CONDITIONAL USE IN THE PLANNED COMMERCIAL (CP-2) ZONING DISTRICT, PROVIDING A DEFINITION, PROVIDING AN EFFECTIVE DATE, PROVIDING SEVERABILITY

WHEREAS, Harrisville City maintains a Zoning Ordinance identifying the requirements and regulations applicable to all land uses allowed within the City; and

WHEREAS, the Harrisville City Zoning Ordinance is utilized by Harrisville City to implement the Harrisville City General Plan; and

WHEREAS, to effectively implement the Harrisville City General Plan, the City Council may amend the Harrisville City Zoning Ordinance, from time to time, after the receipt of a Planning Commission recommendation by following the requirements of §10-9 *et. seq.* Utah Code Annotated (U.C.A.) to effectively implement the Harrisville City General Plan; and

WHEREAS, it is the goal of Harrisville City Council to balance the needs and goals of the community with the desires of all property owners within the City; and

WHEREAS, prior to amending the Harrisville City Zoning Ordinance Harrisville City is required to follow the procedures as identified by the laws of the State of Utah, as contained in §10-9 *et. seq.* U.C.A.; and

WHEREAS, to effectively implement the Harrisville City General Plan the City has considered the need to amend the Table of Uses for the Planned Commercial (CP-2) District to allow the establishment of Wholesale Distribution with Limited Retail Sales as a Conditional Use in the Planned Commercial (CP-2) District; and

WHEREAS, the Harrisville City Planning Commission conducted a Public Hearing to receive comment and consider amending the Harrisville City Zoning Ordinance to allow the establishment of Wholesale Distribution with Limited Retail Sales as a Conditional Use in the Planned Commercial (CP-2) District; and

WHEREAS, the Harrisville City Planning Commission, after thorough and deliberate consideration has forwarded a recommendation to the City Council for an amendment to the Harrisville City Zoning Ordinance to allow the establishment of Wholesale Distribution with Limited Retail Sales, as a Conditional Use in the Planned Commercial (CP-2) District; and

WHEREAS, the Harrisville City Council has now held a public hearing to receive comment and input on the recommendation of the Planning Commission; and

WHEREAS, following all necessary public hearings and after thorough and deliberate consideration, the Harrisville City Council has determined that to protect the health, safety and general welfare of the citizens of Harrisville City that the Harrisville City Zoning Ordinance now be amended to allow Wholesale Distribution with Limited Retail Sales, as a Conditional Use in the Planned Commercial (CP-2) District.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HARRISVILLE, STATE OF UTAH AS FOLLOWS:

Section 1 - Table of Uses. The Harrisville City Zoning Ordinance, Table of Uses Planned Commercial (CP-2) District is amended to allow Wholesale Distribution with Limited Retail Sales, as a Conditional Use within the Planned Commercial (CP-2) District, as identified on Exhibit 1, attached hereto.

Section 2 - Definition. The Harrisville City Zoning Ordinance, is amended to provide a definition for Wholesale Distribution with Limited Retail Sales as follows; “An establishment engaged in the sale of goods to others for future resale, with direct retail sales to customers for final use limited to not more than ten percent (10%) of total sales receipts.”

Section 3 - Effective Date. This ordinance shall take effect upon its passage by the City Council and subsequent publication and posting as required by law.

IN WITNESS THEREOF, this Ordinance is passed and adopted by the Harrisville City Council this 8th day of February 2005.

HARRISVILLE CITY COUNCIL:

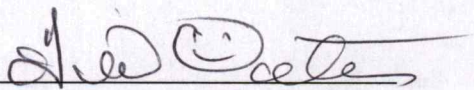
Voting For:

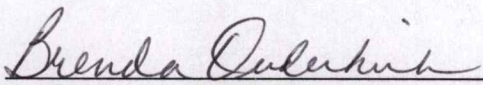
Councilman Richins, Councilman

Hendrix, Councilman Robinson,

Councilwoman Anderson

ATTEST:


Fred W. Oates, Mayor


Brenda Ouderkerk, Harrisville City Clerk/Recorder

SEAL:



**ORDINANCE No. 364
EXHIBIT 1**

**HARRISVILLE CITY ZONING ORDINANCE
TABLE OF USES
PLANNED COMMERCIAL DISTRICT (CP-2)**

USE	PLANNED COMMERCIAL (CP-2)
COMMERCIAL RESIDENTIAL USES	
Bed and Breakfast Inn	P
Accessory Dwelling Unit for caretaker (must be located within the primary structure)	C
Hotels and Motels	C
CIVIC USES	
Church (places of worship)	C
Cultural and artistic uses, such as museums, galleries, performing arts studios.	P
Open Space, Trails and Greenways	P
Parks and playgrounds	P
Public Facilities and Public Utility Buildings	C
Sporting Facilities, Arenas	C
Sports Field	C
OFFICES & BUSINESS SERVICES	
Financial Institutions and Services	P
Financial Institutions and Services with drive through facilities	C
Laboratory, medical, dental, optical	C
Medical Research Facility	C
Medical and Dental Clinics	C
Offices; professional and business	P
Research and development facilities.	C
Veterinary Office, operating entirely within an enclosed building and keeping animals overnight only for treatment purposes	C
GENERAL COMMERCIAL SERVICES	
Small Animal Hospital	C
Automobile service and repair	C
Automobile sales/rental	C
Building maintenance services	C
Hardware Store with no outside storage	P
Hardware Store with outside storage	C
Car Wash	C
Commercial Recreational Facility	C
Conference Center, Convention Center	P
Convenience store, with or without gasoline sales	C
Commercial Child Day-care Center	C
Equipment Sales and Rental	
Funeral Home	C
Service Station	C
Health Care Facility	C

Health Club (all activities conducted within Building)	P
Laundromat	C
Manufactured home sales and service	C
Mini-storage	
Indoor Entertainment and Theater	C
Moving and storage	
Outdoor sales, display	C
Outdoor storage of materials, products, and equipment incidental to an allowed use.	C
Personal services	P
Photofinishing lab.	C
Plant Nursery, Greenhouse	C
Recreational vehicle sales and service	C
Restaurant	P
Restaurant, with drive up window(s)	C
Retail facilities and services accessory to a principal use.	P
Retail sales, general and goods establishments including general retail, department store, grocery store, furniture store, appliance store, drug store, variety store.	P
Temporary Construction buildings & yards (12 months maximum)	P
Temporary sales office (12 months maximum)	P
Wholesale Distribution, with Limited Retail Sales	C
TRANSPORTATION, COMMUNICATION & UTILITIES	
Communication facilities and towers	
Electrical substations, transmission lines	C
Oil & gas transmission lines	C
Utility lines, and structures	C
MANUFACTURING	
Brick and concrete manufacture	
Building materials storage and wholesaling	
Cabinet and woodworking shop	
Commercial storage or distribution (excluding junkyards and salvage yards.)	
Contractor's storage yard;	
Gasoline and oil storage, (wholesale)	
Light manufacturing and assembly which are not obnoxious or offensive by reason of emission of odor, dust, smoke, noxious gases, noise, vibration, glare, heat or other impacts, nor hazardous by way of materials, process, product, or waste, and which: a. do not process animal, vegetable or fish products or the rendering and refining of fats and oils; b. Encloses all equipment, compressors, generators and other ancillary equipment.	
Manufacture, processing or packaging of food and beverage products, personal hygiene products and cosmetics, drugs and pharmaceuticals and which are not obnoxious or offensive by reason of emission of odor, dust, smoke, noxious gases, noise, vibration, glare, heat or other impacts, nor hazardous by way of materials, process, product, or waste and where all activities are conducted within a completely enclosed building and where all equipment, compressors, and other ancillary equipment is enclosed.	
Printing and publishing facilities	C
Repair shop, with no outside storage	C
Recycling center	
Tradesmen shops with no outside storage such as construction contractors, sub-contractors and suppliers.	C
Truck and large equipment sales and rental	

Truck and large equipment repair	
Truck freight terminal	
Warehousing and wholesale distribution, wholesale trade	
Welding shop	
RESOURCE PRODUCTION	
Agriculture	P