

**ORDINANCE NO. 2023-14**

**AN ORDINANCE ADDING CARWASHES AS A PERMITTED USE IN THE C-2 COMMERCIAL ZONE.**

BE IT ORDAINED by the City Council of Heber City, Utah, **Section 18.28.030** is hereby **AMENDED** to read as follows.

**18.28.030 Permitted and Conditional Uses**

The following chart describes the uses that are appropriate in each commercial zone:

- A. Symbol definitions: **P** = PERMITTED USE (P) A site plan application is required with staff processing. Site plan applications are approved, when and if they meet the ordinance standards. **C** = PLANNING COMMISSION CONDITIONAL USE REVIEW (C). A site plan application with Planning Commission review is required. Blank means prohibited.
- B. If a use is not specifically designated below, then it is prohibited.
- C. All uses listed in the use table and that require a building permit shall also require a site plan application.

**Commercial Zones Permitted Use Table**

<b>LAND USE</b>	<b>C-2</b>	<b>C-3</b>	<b>C-4</b>	<b>Limitations</b>
Caretaker dwelling	P		P	
Kennels, if located more than 400' from a residential zone	C			
Home Occupations	P	P	P	
In-Home Daycare/Pre-School	P	P	P	
Mixed uses within a building	C	C	C	<i>50% of the street-facing ground floor required to be commercial, service, or office uses</i>
Bed and Breakfast Inns	P	P	P	As regulated by Section 18.108.034
Religious institutions, schools (public and private) and other public buildings	P	P	P	
Commercial Day Care Center and/or Pre-School	C	C	C	
Group Homes	P	P	P	
Fraternity/non-profit buildings, clubs, lodges	P	P	P	
Funeral establishments, mortuaries and wedding chapels;	P	P	P	
New and Used car lots	C			No car lots permitted north of 600 South

<b>LAND USE</b>	<b>C-2</b>	<b>C-3</b>	<b>C-4</b>	<b>Limitations</b>
Gymnasium/physical fitness /Spa establishments (may include massage)	P	P	P	
Pawn shops, tattoo, massage, smoke and vape shops, cash stores				Prohibited in all commercial zones
Recreation vehicle courts	C		C	As regulated by Section 18.96
Utility buildings, transmission lines, and structures, Electric substations	C	C	C	
Small Cell Installations	C	C	C	
Telecommunication towers	C		C	See Telecommunication ordinance 18.110. Towers shall incorporate stealth design
Public Utilities, Shops and Storage Yards, and Public Buildings	P	P	P	
Public Water Reservoir/ Public Storage Tank	P	P	P	
Gas/convenience store with or w/o car wash	C		C	
Car wash	C			
Retail Shops/Services	P	P	P	
Big Box Retail (60,000 square feet and larger)	C			
Financial Institutions	P	P	P	Excludes check cashing and loan stores
Sit Down Restaurants	P	P	P	
Restaurants with drive-thru facilities	P		P	No drive-thru windows facing the street
Professional offices, Business Medical/Dental/Optical Office/Clinics and Laboratories	P	P	P	
Private Instructional Studio - Artist, Photography, Dance, Music, Drama, Health, Exercise	P	P	P	May include retail sales
Commercial Complex	C		C	
Hotels	C		C	See section 18.28.040 for additional standards
Commercial parking lots and/or parking structures as a singular use	C	C	C	
Craftsman Industrial style Light Manufacturing	C	C	C	<i>Within an enclosed building and including a retail component</i>
Manufacturing and processing	C			<i>Within an enclosed building</i>
Indoor and outdoor welding and sheet metal shops	C		C	Only allowed south of 1200 South in the C-2 zone. Only

LAND USE	C-2	C-3	C-4	Limitations
				artistic welding in the C-4 zone (no sheet metal shops).
Warehouses, trucking and associated storage buildings	C			<i>Truck parking and outside storage not allowed within 60 feet of any public street</i>
Hospitals	C	C	C	
Enclosed Temperature Controlled Storage Units	C			Shall include commercial uses unrelated to the storage function on the street facing facade
Wholesale establishments with stock on premises and a retail/office component/store but not a storage warehouse	C			

This Ordinance shall take effect immediately upon approval.

PASSED, APPROVED and ORDERED TO BE PUBLISHED BY THE HEBER CITY COUNCIL this 7<sup>th</sup> day of March 2023.

	AYE	NAY	ABSENT	ABSTAIN
Michael Johnston	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
Rachel Kahler	<u>      </u>	<u>X</u>	<u>      </u>	<u>      </u>
Ryan Stack	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
D. Scott Phillips	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
Yvonne Barney	<u>      </u>	<u>X</u>	<u>      </u>	<u>      </u>

APPROVED:

Heidi Franco  
Mayor Heidi Franco



ATTEST:

Trina N. Lott Date: 3/7/2023  
RECORDER