

**ORDINANCE 25-04**

**AN ORDINANCE AMENDING TITLE 10 ZONING REGULATIONS, PROVIDING FOR CONSISTENCY IN THE LAND USE APPLICATIONS FOR MIXED-USE BUILDINGS, PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS**, Morgan City is proposing to allow Mixed-use Buildings in the Central Commercial Zone; and

**WHEREAS**, Morgan City is proposing to further implement the City's General Plan recommendations for the Downtown area and Downtown Plan in progress; and

**WHEREAS**, the City Council has reviewed the Planning Commission's recommendations and has received pertinent information in the public hearing regarding the proposal; and

**WHEREAS**, the Planning Commission has determined that the recommendations are rationally based and has recommended that the City Council approve the amendments;

**WHEREAS**, Upon making the necessary review, the City Council has determined that these amendments are rationally based, reasonable, and consistent with the intent of the City's General Plan, which is in furtherance of the general health, safety, and welfare of the citizens of Morgan City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MORGAN, UTAH:**

**SECTION 1. REPEALER.** If any provisions of the Morgan City Code heretofore adopted, that are inconsistent with these amendments are hereby repealed.

**SECTION 2. ENACTMENT.** THAT TITLE 10, CHAPTER 10.04, SECTIONS 10.04.010 – DEFINITIONS, 10.14.050 PROFESSIONAL BUSINESS, COMMERCIAL AND MANUFACTURING ZONES; DEVELOPMENT REGULATIONS, 10.14.080 COMMERCIAL/MANUFACTURING ZONES, 10.16.160 COMMERCIAL/MANUFACTURING LAND USE CLASSIFICATIONS; TABLE 4-2, 10.30.050 PARKING REQUIREMENTS BY USE, 10.30.070 PARKING SPACE REDUCTION OR COMBINATION, HEREBY BE ENACTED AS FOLLOWS:

**10.04.010 DEFINITIONS**

Architectural Metal: High-quality, aesthetically refined metal elements incorporated into building facades and overall architectural design. Elements may include decorative

metal panels, laser-cut screens, ornamental railings, metal cladding, and artistic installations, all selected to complement the architectural style. Architectural metal should be compatible with building design, other materials, and windows.

**Building Step Back** - A building step back is an architectural and urban planning design feature where upper floors of a building are set back further from the facade of lower floors. This creates a tiered or stepped appearance as the building rises in height.

**Mixed-Use Building** - A Mixed-Use Building is a development type that integrates multiple complementary uses within a single structure, typically combining residential (above main floor), commercial, and sometimes office or institutional spaces.

#### **10.14.050 PROFESSIONAL BUSINESS, COMMERCIAL AND MANUFACTURING ZONES; DEVELOPMENT REGULATIONS**

- a. **Private Access To Nonresidential Uses:** Private roads providing access to professional, commercial or industrial properties shall not be permitted to be constructed through properties zoned primarily for residential use. (Ord. 040202, 4-2-2002)
- b. **Gasoline Pump Islands:** Gasoline pump islands, where permitted, except those under roofs or canopies, shall comply with the following setback requirements: (Ord. 040202, 4-2-2002; amd. 2003 Code)
  1. Those parallel to property line, twelve foot (12') setback;
  2. Those set at an angle with respect to the property line shall be set back the distance required to provide one parking space ten feet (10') wide and twenty feet (20') long on each side of the pump island between property line and the closest pump to property line in the normal service position along a line lying parallel to the pump island.
- c. **Canopies Or Overhead Structures:** On commercial or industrial uses, canopies or other overhead structures, whether freestanding or extending from a structure, may extend no closer than fifteen feet (15') from any lot line.
- d. **Reduction Of Commercial Setbacks Adjacent To Residential Districts:** The planning commission may reduce or waive the building setbacks for commercial uses adjacent to residential zoning districts with consideration to the following stipulations:
  1. The building setback requirements may be waived or modified where the adjacent land is designated on the zoning map or in the general plan for a use similar to that of the parcel under site plan consideration.
  2. The building setback requirements may be waived or modified where the adjoining property is used for any public purpose other than a school or hospital.

3. The building setbacks may be waived or modified where the adjacent residential property is used for any conditional use. (Ord. 040202, 4-2-2002)
- e. Exterior Finish Of Buildings In Commercial Zones: All buildings constructed or remodeled within the commercial zoning districts of the city shall have an approved finished surface. Architectural renderings and elevations of a proposed structure or remodel shall be submitted to the planning commission for its approval before a permit may be issued. A metal finished surface is not allowed in commercial zoning districts; however Architectural Metal (see definitions) is allowed per City Planning. Approved finished surfaces include a decorative block, brick, rock, stucco, or other cementitious material, and hardy board, and similar products. An applicant desiring to utilize another material may present said application to the planning commission for approval. The commission may approve the alternate material upon finding it meets the objectives of durability, consistency with existing building finishes, and that it preserves the aesthetics of the area. (Ord. 13-03, 4-9-2013)
- f. Mixed-Use building. The Mixed-Use Building requires commercial related uses on 80% of the main floor. Buildings must front the street and be located within 20 feet of the front setback. Off-street parking is located in the rear and side lots. Materials must conform to the requirements in item E. (see above). Street facing facades shall have a minimum transparency/glass on 40% of ground floors and 20% of 2<sup>nd</sup> floors and above. One or more entrance must be on the street. One or more main entrances must be covered.

Table 10.14.080 is recommended to have the following changes to accommodate mixed-use buildings and a more walkable downtown.

Morgan City – Central Commercial Code Changes 2025

10.14.080 COMMERCIAL/MANUFACTURING ZONES: TABLE 3-2

TABLE 3-2

COMMERCIAL/MANUFACTURING ZONE REGULATION CHART

	C-C	C-G	C-H	M-D
<b>Lot size:</b>				
Minimum lot area (square feet)	10,000	10,000	20,000	0
<b>Setbacks, lots:</b>				
<b>Principal uses:</b>				
Minimum front yard	0' (previous 20')	20'	0'	30'
Minimum side yard (internal)	0'	0'	0'	0'
Minimum side yard (street)	20' 1	20'	0'	20'
Minimum rear yard	0'	0'	0'	0'
Distance between structures on same lot	0'	0'	0'	0'
<b>Accessory uses:</b>				
Minimum front yard	25'	25'	25'	25'
Minimum side yard (internal)	1'	1'	1'	1'
Minimum side yard (street)	0'	0'	0'	0'
Rear yard	1'	1'	1'	1'
<b>Adjacent to residential zones:</b>				
Rear*	35'+**	35'+**	35'+**	35'+*
Side*	20'+*	20'+*	20'+*	20'+*
<b>Height:</b>				
Principal uses (maximum)	40' 2	40'	60'	60'
Accessory uses (maximum)	40'	40'	40'	60'
Minimum uses (maximum)	10'	10'	10'	10'
<b>Lot coverage:</b>				
Maximum for all buildings	40%	50%	60%	60%
Minimum landscaping	10%	10%	10%	

1. Mixed-use buildings street sideyard setback may be reduced if corner clear sight triangles and visibility is approved by the City Engineer

2. Mixed-use buildings height may be increased by 7' if the top floor has one or more setbacks of 5 feet or more and open balconies/patios on 50% of the street frontage.

Doors must not open into the sidewalk or public ROW.

City Engineering/Planning and utilities standards must be met.

10.30.050 PARKING REQUIREMENTS BY USE

Land Use
Auditorium, stadium, public assembly, private clubs, health clubs, theaters
Auto repair
Auto sales
Banks, financial institutions
Barbershop or beauty shop
Childcare center
Churches
Cocktail lounge
Community use
Home furnishings, major appliances
Hospitals
Indoor recreation facility, amusement center, arcades, bowling alley
Manufacturing, assembly, wholesale, warehouse
Mixed uses or unlisted items
Motels, hotels
Banquet, meeting rooms
Restaurant, cocktail lounge
Office: general, professional or medical, dental
Residential:
Single-family
Duplex or twin home
Multi-family:
Studio
2 or more bedrooms
Guest parking (cannot include garage, carport, or driveway parking spaces)
Restaurant, tavern, club, etc.
Retail, shopping center
Retirement, senior housing, nursing home
Schools:
Elementary
Middle or junior high
High school
Storage building, space
All other uses not listed above

The proposed changes to the 10.16.160

(Ord. 070202, 4-2-2002, and Ord. 08-05, 4-27-2005)

**1. Guest parking may include street parking directly in front of the buildings. Stalls must be painted.**

Commercial/Manufacturing Land Use Classification include adding a Mixed-Used Building and allowing Multiple Family Buildings to be placed behind Mixed-Use Buildings. The Multiple -family residential footnote will require that in the CC zone multi-

family buildings are located behind other buildings and not directly fronting public streets.

**10.16.160 COMMERCIAL/MANUFACTURING LAND USE CLASSIFICATIONS;  
TABLE 4-2**

**10.16.160 COMMERCIAL/MANUFACTURING LAND USE CLASSIFICATIONS; TABLE 4-2**

P Permitted use, C Condition use permit  Use not permitted	Table 4-2 Commercial/Manufacturing Land Use Classifications			
Land Use	Commercial/Manufacturing Zoning District			
	C-G	C-C	C-H	M-D
Home occupation				
Household pets				
Live-work unit	C			
Mobile home park				
Multiple-family residential unit		P <sub>2</sub>		
Mixed-use building (commercial/residential)		P		

2 In the Central Commercial (C-C) Zone Multiple-family residential shall be permitted only when located behind other commercial buildings which are fronting public streets.

### **10.30.070 PARKING SPACE REDUCTION OR COMBINATION**

The planning commission may authorize the reduction of off street parking spaces as follows:

1. Reduction: Reduction in parking spaces requirements of this chapter may be authorized by the planning commission if it finds that in the particular case, the peculiar nature of the buildings or premises, or an exceptional situation or condition would mitigate the need for the parking spaces specified in this chapter. Situations or conditions to be considered in the request include:
  1. Community Need: There shall be a community need for the proposed use at this location, and approval of the use would not result in a detrimental impact on the city, the surrounding area or the site.
  2. Effect On Surrounding Property: The use will not result in undue adverse effects on adjacent properties from noise, traffic, light, etc.
  3. Historic Significance: The use, building or site is associated with a historical event or activity in the community and as a result has historical significance.
  4. Economic Significance: The use provides substantial benefit to the community because of either the employment of a large number of people in the community, or the generation of considerable business tax revenues to the city.
  5. City Engineering and Planning may approve shared parking in place of guest parking requirements based on the review of a parking study, land use parking requirements, and professional standards.
2. Combined Use: When two (2) dissimilar uses are located adjacent to each other, or are part of the same complex, and the demand for parking in conjunction with those uses would not conflict, the planning commission may authorize the use of such combined facilities, requiring the maximum number of parking spaces for

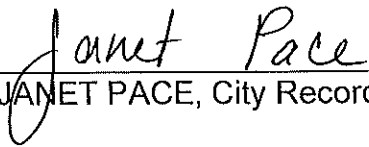
**SECTION 3. Severability.** If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

**SECTION 4. Effective Date.** This ordinance shall become effective immediately upon posting.

**PASSED AND ADOPTED** by the City Council of Morgan, Utah, this 25<sup>th</sup> day of March 2025.

  
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STEVE GALE, Mayor

ATTEST:

  
\_\_\_\_\_  
JANET PACE, City Recorder

**CITY COUNCIL VOTE AS RECORDED:**

	Aye	Nay	Excused
Council Member London	___	___	___
Council Member Wardell	___	___	___
Council Member Turner	___	___	___
Council Member Richins	___	___	___
Council Member Alexander	___	___	___

**(In the event of a tie vote of the Council):**

Mayor Gale                    \_\_\_    \_\_\_