

WASHINGTON TERRACE CITY
ORDINANCE 19-03

COMMERCIAL ZONES AMENDED

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH,
AMENDING CHAPTER 17.28 RELATING TO THE COMMERCIAL ZONES;
MAKING TECHNICAL CHANGES; SEVERABILITY; AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, Washington Terrace City (hereafter referred to as "City") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on May 30, 2019, to take public comment on this Ordinance, and subsequently gave its recommendation to approve this Ordinance on May 30, 2019;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on June 18, 2019, and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Washington Terrace City as follows:

Section 1: Repealer. Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. Chapter 17.28, section 17.28.050 of the *Washington Terrace Municipal Code* is hereby amended to read as follows. (highlighted and underlined)

NOW, THEREFORE, that the City of Washington Terrace Section 17.28.050 to amend and add following "Uses" as Automobile, new or used, sales and service(on-line sales), Food truck sales and Online office sales.

**Chapter 17.28
Commercial Zones**

**Sections:
17.28.050. Use Regulation.**

17.28.050. Use Regulation.

1. In the following list of possible uses, those designated in any zone as “Permitted” will be a permitted use. Uses designated a “Conditional” will be allowed only when authorized by a conditional use permit obtained as provided in Chapter 17.68 of this Zoning Ordinance. Uses designated as “None” is not allowed in that zone. Additionally, any use or proposed used that is not identified or designated by this chapter as either Permitted or Conditional is not permitted in any commercial zone.

Use	C-1	C-2
Accessory buildings and uses customarily incidental to a permitted use.	Permitted	Permitted
Altering, pressing, and repairing of wearing apparel	Permitted	Permitted
Ambulance base stations	Permitted	Permitted
Amusement enterprises, including seasonal or transient amusement	Conditional	Conditional
Animal / Vet care hospital	Permitted	Permitted
Antique, import or souvenir shop	Permitted	Permitted
Arcade	Conditional	Permitted
Art and artists supply store	Permitted	Permitted
Athletic and sporting goods store, excluding sale or repair of motor vehicles, motor boats, or motors	Permitted	Permitted
Athletic club or gym	Permitted	Permitted
Automobile repair including paint, body and fender, brake, muffler, upholstery or transmission work, provided conducted within a completely enclosed building	None	Conditional
Automobile, new or used, sales and service <u>and on-line sales</u>	<u>Conditional</u>	Conditional
Bakery with retail shop	Permitted	Permitted
Bank or financial Institution	Permitted	Permitted
Barber shop	Permitted	Permitted
Beauty and cosmetic business or school	Permitted	Permitted
Bed and breakfast inn	Conditional	Conditional
Bicycle sales and service	Permitted	Permitted
Boat sales and service	None	Conditional
Book store, retail	Permitted	Permitted
Bowling alley	None	Conditional
Cafe or cafeteria	Permitted	Permitted
Camera store	Permitted	Permitted
Candy store	Permitted	Permitted
Car wash, automatic or manual	Conditional	Conditional
Carbonated beverage or non-alcoholic beverage sales	Permitted	Permitted
Carpet, rug, floor covering, and linoleum sales and service	Permitted	Permitted
Cash advance establishments	None	Conditional

Cash register sales and service	Permitted	Permitted
Catering establishment	Permitted	Permitted
China, crystal and silver shop	Permitted	Permitted
Christmas tree sales	Permitted	Permitted
Church	Permitted	Permitted
Clothing and accessory store	Permitted	Permitted
Coin shop	Permitted	Permitted
Communication equipment building	Permitted	Permitted
Computer service, printing, and supplies	Permitted	Permitted
Convenience store	Permitted	Permitted
Costume and clothing rental	Permitted	Permitted
Dairy products store	Permitted	Permitted
Data processing or office machine services, sales, and supplies	Permitted	Permitted
Daycare, nursery, or preschool, Montessori schools	Conditional	Conditional
Delicatessen	Permitted	Permitted
Department store	Permitted	Permitted
Detective/security agency	Permitted	Permitted
Drapery and curtain store	Permitted	Permitted
Drug store/Pharmacy	Permitted	Permitted
Dry cleaning establishment	Permitted	Permitted
Educational institution	Permitted	Permitted
Electrical and heating appliances, fixtures, sales, and service	Conditional	Permitted
Electronic equipment sales and service	Permitted	Permitted
Employment agency	Permitted	Permitted
Fabric and textile store	Permitted	Permitted
Florist shop	Permitted	Permitted
<u>Food truck sales</u>	Permitted	Permitted
Fraternal organization	Permitted	Permitted
Fruit or vegetable stand	Permitted	Permitted
Furniture sales and repair	Permitted	Permitted
Garden supplies and plant material sales	Permitted	Permitted
Gift store	Permitted	Permitted
Glass sales and service	Permitted	Permitted
Golf course/ driving range	Permitted	Permitted
Government buildings or uses, non-industrial	Permitted	Permitted
Greenhouse and nursery, soil and lawn service	Conditional	Conditional
Grocery store	Conditional	Permitted
Grooming for cats and dogs	Permitted	Permitted
Gymnasium	Permitted	Permitted
Hardware store	Permitted	Permitted
Health club	Permitted	Permitted
Health food store	Permitted	Permitted
Hobby and crafts store	Permitted	Permitted
Hospital supplies	None	Permitted

Hotel	Conditional	Conditional
House cleaning	Permitted	Permitted
Ice cream parlor or ice sales	Permitted	Permitted
Insurance agency, stock broker, or investments	Permitted	Permitted
Interior decorating and design establishment	Permitted	Permitted
Janitor service and supply	Permitted	Permitted
Jewelry store sales and services	Permitted	Permitted
Laboratory, dental or medical	Permitted	Permitted
Laundromat	Permitted	Permitted
Lawn mower and small engine equipment sales and service	Conditional	Permitted
Leather goods sales and service	Permitted	Permitted
Legal office	Permitted	Permitted
Library	Permitted	Permitted
Linen store	Permitted	Permitted
Liquor store,--	Permitted	Permitted
Locksmith	Permitted	Permitted
Luggage store	Permitted	Permitted
Lumber yard and building material sales, retail only	None	Conditional
Manufacture of goods retailed on premises	Conditional	Conditional
Meat, fish, and seafood retail store	Permitted	Permitted
Miniature golf	Conditional	Conditional
Mortuary	None	Conditional
Motel	None	Conditional
Movie theater, indoor only	Conditional	Permitted
Museum	Permitted	Permitted
Music store	Permitted	Permitted
Needlework, embroidery, quilting, or knitting store	Permitted	Permitted
Newsstand	Permitted	Permitted
Novelty store, except adult novelties as per definition per sexual oriented businesses	Conditional	Permitted
Office where no goods are created, exchanged, or sold	Permitted	Permitted
Office supply store	Permitted	Permitted
<u>Online office sales</u>	<u>Permitted</u>	<u>Permitted</u>
Optometrist or optician office	Permitted	Permitted
Ornamental iron sales or repair	Conditional	Permitted
Paint or wallpaper store	Permitted	Permitted
Park and playground	Permitted	Permitted
Pet supply store, Grooming and Boarding	Conditional	Permitted
Photo studio and photo supplies	Permitted	Permitted
Physician or surgeon	Permitted	Permitted

Plumbing shop	Conditional	Permitted
Popcorn or nut shop	Permitted	Permitted
Post office	Permitted	Permitted
Printing, publishing, or reproductions sales and services	Permitted	Permitted
Public Building	Permitted	Permitted
Public utilities substation	Conditional	Conditional
Radio and television sales and service	Permitted	Permitted
Radio or television broadcasting station	Conditional	Conditional
Real estate agency	Permitted	Permitted
Reception center or wedding chapel	Conditional	Conditional
Recreation center	Conditional	Conditional
Rental equipment	Permitted	Conditional
Restaurant, no alcohol	Permitted	Permitted
Restaurant with alcohol	Conditional	Conditional
Restaurant, drive-in or drive-thru	Conditional	Permitted
Service station automobile, excluding painting, body, fender, and upholstery work.	Conditional	Permitted
Service station, automobile with car wash as accessory use	Conditional	Conditional
Sewing machine sales and repair	Permitted	Permitted
Shoe repair or shoe shine shop	Permitted	Permitted
Shoe Store	Permitted	Permitted
Spa and massage establishment	Permitted	Permitted
Supermarket	Permitted	Permitted
Tailor shop	Permitted	Permitted
Taxidermist	Permitted	Permitted
Telecommunication office	Permitted	Permitted
Television or satellite array store	Permitted	Permitted
Temporary building for uses incidental to construction work, such buildings shall be removed upon the completion of the construction work.	Permitted	Permitted
Thrift store	Conditional	Conditional
Tire sales and service	None	Conditional
Tobacco sales, smoke shop, or vapor shop	Conditional	Conditional
Toy store, retail	Permitted	Permitted
Trailer sales and service	None	Conditional
Travel agency	Permitted	Permitted
Upholstery shop	Permitted	Permitted
Vehicle rental	Conditional	Permitted
Vending booth	Permitted	Permitted
Window washing establishment	Permitted	Permitted

Section 3: **Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: Effective date. This Ordinance shall be effective immediately upon posting or publication after final passage.

ADOPTED AND APPROVED on this 18 day of June, 2019.

Mark C. Allen

MARK C. ALLEN, Mayor,
Washington Terrace City

ATTEST:

Amy Rodriguez
AMY RODRIGUEZ, City Recorder

RECORDED this 18 day of June, 2019.

PUBLISHED OR POSTED this 19 day of June, 2019.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of the City of Washington Terrace, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted at 1) website, 2) city hall, and 3) Seherah on the above referenced dates.

Amy Rodriguez
AMY RODRIGUEZ, City Recorder

DATE: 6-19-19