

**MENDON CITY
ORDINANCE 2017-09**

ADOPTION OF A COMMERCIAL/LIGHT INDUSTRIAL PLAN SUBMITTAL CHECKLIST

WHEREAS, The Mendon City Zoning Code (MZC) outlines permitted uses of land and of the buildings thereon;

WHEREAS, MZC 6.8 Commercial Zone C-1 and MZC 6.9 Light Industrial LI-1 establish districts in which the primary use of the land is for commercial and industrial uses;

WHEREAS, Mendon City Council sees it necessary to implement a checklist to be submitted with the building permit application for a Commercial or Light Industrial building prior to the building permit review process;

NOW THEREFORE, be it ordained by the Mendon City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “6.8 COMMERCIAL ZONE C-1” of the Mendon City Municipal Code is hereby *amended* as follows:

A M E N D M E N T

6.8 COMMERCIAL ZONE C-1

A. **PURPOSE.** The C-1 Commercial Zone has been established as a district in which the primary use of the land is for retail and service uses. This zone is characterized by a mixture of dwellings, businesses, agriculture and livestock raising. The area contained within this zone is comparatively small and is usually traversed by a major street or highway or is located in the central part of a community which it is designed to serve. Inasmuch as the C-1 Zone includes dwellings and is usually located adjacent to a major road, it is intended that traffic congestion and traffic hazards be reduced to a minimum and that residential amenities in the surrounding area be preserved and protected insofar as possible. To this end certain requirements with regard to the maintenance of premises and location of buildings, structures, and off street parking facilities have been adopted.

The objectives in establishing this zone are:

1. To set aside appropriate areas within the city for the development of retail service establishments where they will best serve the needs of the surrounding community.
2. To prohibit industrial and commercial uses from scattering indiscriminately into the surrounding zones.
3. To prohibit the use of outdoor advertising signs and billboards separate from the commercial establishment to which they refer, except as noted in other sections of this ordinance.
4. To reduce the cost of providing fire and police protection and other governmental services.

B. PERMITTED USES

1. Art shop and artists' supplies; athletic goods store; art needlework shop
2. Bakery, in which manufacture is limited to goods retailed on the premises only; bank; baby formula service; barber shop; beauty parlor; bicycle shop; bird store; book store
3. Candy store, catering establishment; camera and photo supplies; clothes cleaning or dry

cleaning agency or pressing establishment, altering and repair of wearing apparel; confectionery, cafe or refreshment stand; cafeteria; Christmas tree sales; china and silver shop

4. Dairy products store; drug store; delicatessen; diaper service; dramatics school
5. Single family dwelling when located on the second floor of an allowed retail use.
6. Florist; fruit juice store, frozen food lockers, fruit and vegetable stand; fish stores, sidewalk cafe
7. Gift shop; grocery; greenhouse; glass and china store
8. Hardware store, not including sale of powered vehicles using motors greater than 5 horsepower; health food store; hobby supply store
9. Ice cream shop; ice store or vending station
10. Jewelry store, including repair of jewelry, watches and clocks
11. Laundry, customer self-service only; library, lunch service, commercial locksmith
12. Medical and dental clinics and laboratories; milk distributing stations and sale of dairy products, but not including processing or bottling; meat store; museum; music store
13. Newsstand notions; nurses' or baby sitter's agency
14. Office, business or professional; optometrist or optician
15. Paint and wallpaper store; photographer or sale of photographic supplies; photo studio; post office; plant materials; private schools; popcorn or nut shop
16. Radio and television sales and repair
17. Stationery and greeting card sales; shoeshine shop; shoe repair shop; studios for professional work or teaching any form of fine arts; soft water sales and service, excluding welding or tank repair
18. Taxi stand; tailor shop; toy store; tobacco shop
19. Variety store, limited to selling only items which may be sold by any other use by right in this chapter
20. Accessory uses and buildings, customarily incidental to, subordinate to the above uses and devoted exclusively to the main permitted use of the premises

C. CONDITIONAL USES

1. Automobile service station, including the repairing, painting or upholstering of motor vehicles
2. Coal and fuel sales establishment
3. Garden supplies store
4. Manufacture of goods to be sold at retail on the premises, provided such manufacture is conducted within a completely enclosed building and is clearly incidental to the operation in connection with a use permitted in this chapter.
5. Schools
6. Public Utilities
7. Similar Businesses as determined by the Planning and Zoning Commission
8. Tower or Antenna Structure

D. SPECIAL PROVISIONS

1. Auto wrecking, junk yards or salvage yards, asphalt or concrete mixing plant, equipment storage yards, and building wrecking yards, shall not be permitted. The C-1 Zone allows any use permitted in the R-2 Zone, provided those R-2 uses meet the zoning requirements Set forth in that chapter.
2. There are no minimum area, width, and yard requirements for commercial buildings in the Commercial zone except that approval of any construction and plat layout must be obtained from the Planning and Zoning Commission and the City Council before construction is commenced.
3. [A Commercial/Light Industrial Plan Submittal Checklist is required to be submitted with the building permit application at least three \(3\) weeks prior to the Planning and Zoning Meeting where the checklist and building permit application can be reviewed.](#)
4. The required yards shall be kept free from refuse, debris and waste material. All such

- refuse, debris, garbage, and waste material shall be kept in approved containers.
5. Domestic sewage disposal and water supply shall comply with the requirements of the State Board of Health as evidenced by a letter or certificate of approval there from.
 6. Facilities for the storage and handling of flammable liquids shall be installed in accordance with the latest edition of the Uniform Fire Code.
 7. Business in the C-1 Zone shall be conducted wholly within an enclosed building except for the parking of automobiles and service to persons in automobiles.
 8. All products, whether primary or incidental, shall be sold at retail on the premises.
 9. All uses shall be free from objections because of odor, toxic fumes, dust, smoke, noise, vibration or other causes.

SECTION 2: AMENDMENT “6.9 LIGHT INDUSTRIAL LI-1” of the Mendon City Municipal Code is hereby *amended* as follows:

A M E N D M E N T

6.9 LIGHT INDUSTRIAL LI-1

A. PURPOSE. To provide areas where industries necessary and beneficial to the local economy may locate and operate. The regulations of the zone are designed to protect and preserve the environment of the zone, adjacent areas, and the entire community.

B. PERMITTED USES

1. Asphalt or concrete ready-mix plant
2. Auction establishment, outdoor
3. Automobile or recreational vehicle sales or service
4. Automobile, major repair
5. Composting facility, commercial
6. Contractor’s yard or shop
7. Explosive manufacturing or storage
8. Farm, garden, lumber, or building supply store
9. Flammable substance storage
10. Foundry
11. Freight or truck terminal
12. Gasoline or diesel fuel sales facility
13. Grain elevator
14. Heavy equipment sales or service
15. Junk yard or automobile wrecking yard
16. Laundry or linen supply
17. Manufacture of electronic or electrical products
18. Manufacture or processing of hazardous chemicals or gases
19. Manufactured home storage
20. Meat packing facility
21. Nursery, wholesale (only)
22. Office building
23. Outdoor storage
24. Pit, mine, or quarry
25. Power plant
26. Processing plant for agricultural or dairy products
27. Product fabrication, assembly, or packaging
28. Recycling center or plant
29. Research and development facility
30. Restaurant or eating place

31. Sawmill or planing mill
32. School, vocational or trade
33. Storage facility, self-service
34. Tannery
35. Transit facility
36. Vehicle impound yard
37. Warehouse

C. CONDITIONAL USES

1. Restaurants and service stations
2. Manufacture of any of the following products from raw materials: acids, asphalt, carbide, caustic soda, carbon or bone black, cellulose, charcoal, chlorine, creosote, fertilizer, hydrogen, industrial alcohol, nitrates of an explosive nature plastics, portland cement, potash, synthetic resins and fibers.
3. Any of the following processes: distillation of wood or bones; nitrating of cotton or other materials; reduction, refining, smelting and alloying of metals or metal ores; refining of petroleum and petroleum products; slaughtering and packing of animals larger than poultry or rabbits; tanning of raw, green or salted hides or skins.
4. Storage of fireworks or explosives except where incidental to a permitted use.
5. Tower or Antenna Structure.

D. SPECIAL PROVISIONS

1. Manufacture of fireworks or explosives shall not be permitted. Automobile salvage and wrecking operations, and industrial metal, rag, glass or paper salvage operations shall not be permitted.
2. There are no minimum area, width, and yard requirements for industrial buildings in the industrial zone except that approval of any construction and plat layout must be obtained from the Planning and Zoning Commission and the City Council before construction is commenced.
3. [A Commercial/Light Industrial Plan Submittal Checklist is required to be submitted with the building permit application at least three \(3\) weeks prior to the Planning and Zoning Meeting where the checklist and building permit application can be reviewed.](#)
4. The required yards shall be kept free from refuse, debris and waste material. All such refuse, debris, garbage, and waste material shall be kept in approved containers.
5. Domestic sewage disposal and water supply shall comply with the requirements of the State Board of Health as evidenced by a letter or certificate of approval there from.
6. Facilities for the storage and handling of flammable liquids shall be installed in accordance with the latest edition of the Uniform Fire Code.
7. All uses shall be free from objections because of odor, toxic fumes, dust, smoke, noise, vibration or other causes.
8. HEIGHT REQUIREMENTS. None, except that within 100 feet of the boundary of any adjoining zone, no building shall exceed the height limit established for main buildings in such adjoining zone.
9. AREA, WIDTH, AND YARD REGULATIONS. None, except that for any parcel in the M-1 zone having a lot line in common with a lot in an adjoining zone or lying across the street or alley from such adjoining zone, the front, side and rear yards as prescribed for such adjoining zone shall be maintained in the M-1 zone.

SECTION 3: AMENDMENT "1.6 BUILDING PERMIT REQUIRED" of the Mendon City Municipal Code is hereby *amended* as follows:

A M E N D M E N T

1.6 BUILDING PERMIT REQUIRED

The construction, alteration, repair, removal or occupancy of any structure or any part thereof, as provided or as restricted in this ordinance, shall not be commenced, or proceeded with, except after the issuance of a written permit for the same by the planning and zoning commission. Structures that are less than 120 square feet in gross area do not require a building permit.

All applications for building permits for ~~commercial~~Commercial/Light Industrial land uses shall be accompanied by a site plan, drawn to scale, showing the actual dimensions of the lot to be built upon, the size and location of the existing buildings, buildings to be erected, and the buildings existing on adjacent property. In addition the application shall be accompanied by a septic tank permit (if applicable), proof of property ownership, ~~a detailed copy of the building plans~~completed Commercial/Light Industrial Plan Submittal Checklist, and such other information as may be necessary to provide for the enforcement of this ordinance.

A careful record of such application and site plans shall be kept by the City Councilman in charge of building permits or other officer charged with administration and enforcement. A fee shall be charged for each building permit as determined by the cost of the building. No yard or other open space provided about any building for the purpose of complying with the provisions of these regulations shall be used as a yard or open space for another building.


REPEALER CLAUSE: All Mendon City ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SEVERABILITY CLAUSE: Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from 10/12/2017 and after the required approval and publication according to law.

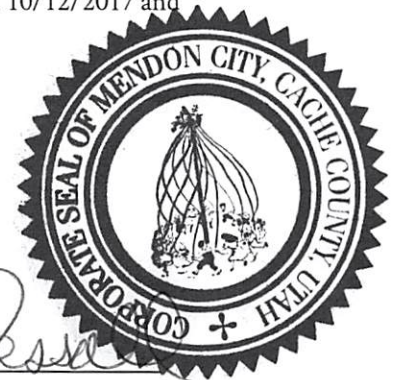
PASSED AND ADOPTED BY THE MENDON CITY COUNCIL 10/12/2017

Leading Authority


Edwin D. Buist, Mayor, Mendon City

Attest


Paul Cressall, Recorder, Mendon City



	AYE	NAY	ABSENT	ABSTAIN
Council Member Jon Hardman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Greg Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Karole Sorensen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Bob Jepsen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Kelly Barrett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RECORDED 13th of Oct, 2017.

PUBLISHED OR POSTED this 13th of Oct, 2017.


CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §362-92-174 as amended, I, the Mayor of Mendon City, Utah hereby certifies that the foregoing Ordinance was duly passed and published or posted at:

- 1) *Mendon City Hall*
- 2) *Mendon Post Office*
- 3) *mendoncity.org*

on the above referenced dates.

Certificate Of Passage Signee



Paul Cressall, Recorder, Mendon City