

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
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The Planning Commission has requested a review of some minor permitted uses to be reviewed in order to speed up efficiency in the permitting process. These uses fall either in the hands of the Zoning Administrator or the Planning Commission, and some potential revisions could be made in order to streamline the process that could benefit both the Commission and the applicant.

These mostly fall into three categories: Temporary Uses, Home Occupations, and Site Plan reviews.

HOME OCCUPATIONS

Permitted Uses for Home Occupations:

1. Family child care facility;
2. Medical service;
3. Personal care service;
4. Personal instruction service; and
5. Office, general.

If the business is on this list, it can be approved by a **Zoning Administrator**.

Development standards – CZC 12.62.050

Development standards for home occupations includes a list that considers hours of operation, nuisance, employees, parking etc, and other factors that may affect the surrounding development and neighborhood.

Conditional Use Permits:

A use not listed above and then must go to the **Planning Commission**.

Development Standards for CUP Home Occupations – CZC 12.42.070

CUP Home Occupations also have to comply with 12.62.050 unless specifically modified within the CUP. This list of **exceptions** to modifications of this list are **employees, neighborhood disturbance, promotional meetings and utility demand**. [12.62.070]

Staff Response: Because the CUP for Home Occupations already has a list of development standards with a list of exceptions specifically outlined for CUP, the application is easy to assess from an administrative standpoint. These CUP Home Occupations could easily be reviewed by the Zoning Administrator under these parameters. If the applicant does not like the assessment and conditions the ZA places on the businesses, the applicant could *appeal* to the Planning

Commission, who would review these standards and perhaps come to a different conclusion and conditions.

Ex. Moon LLC was not on the pre-approved “permitted” use list, still follows the same development standards as other uses already Permitted without going to the Planning Commission.

TEMPORARY USES

The Following Uses are required to have a Temporary Use Permit:

1. Auction;
2. Christmas tree sales;
3. Farmers market;
4. Fireworks stand;
5. Model home;
6. Motor vehicle sales by a licensed dealer;
7. Produce stand, located on premises other than where the produce is grown;
8. Temporary construction office; and
9. Temporary retail sales, not exceeding 200 square feet, and not associated with retail sales activities of the owner or lessee of the property where the temporary retail sales are conducted.

This is set, definite list. No other uses may qualify for a Temporary Use Permit. If they follow the Development Standards below, they can be approved by the **Zoning Administrator**. But if these businesses would like to modify any of the following development standards, they need to ask for a Conditional Use Permit and therefore get bumped to the **Planning Commission**.

DEVELOPMENT STANDARDS FOR TEMPORARY USE PERMIT:

1. Access
2. Inspection
3. Insurance
4. Location Except as otherwise provided in this Subsection, a temporary use shall be allowed in **any zone**. The **following uses shall be located only in a public facility, commercial, or industrial zone** as set forth in CZC 12.30.010:
 1. Christmas tree sales;
 2. Festival, show, exhibit, circus, carnival, outdoor dance, community fair, concert, or other activity of a similar nature;
 3. Fireworks stand ; and
 4. Motor vehicle sales by a licensed dealer.
5. Owner Approval
6. Parking
7. Time Limit:
 - ◆ Auctions: Three days per event and not more than four events per year.
 - ◆ Christmas tree sales and motor vehicle sales by a licensed dealer: 45 days once per year.
 - ◆ Farmers market and produce stand: 90 days once per year.
 - ◆ Festival, show, exhibit, circus, carnival, outdoor dance, community fair, concert, or other enterprise of a similar nature: 10 days per event and not more than two events per year.

- ✦ Fireworks stand: 30 days once per year.
- ✦ Model home and temporary construction office: For the duration of construction activity so long as construction is diligently pursued and the office and/or model home are located on property under construction or development.
- ✦ Temporary retail sales: 10 days per event and not more than four events per year.

8. Trash Removal and Restoration

Staff Response: All of the above listed uses are reviewed on the basis of these standards. If they would like to modify any of these standards, it requires a Conditional Use Permit. Usually it is the time limits that businesses want to extend or adjust, which bumps them to a Conditional Use Permit. For example, the Snow Cone business is considered a “temporary retail sales”, and therefore does not allow more than 10 days per event/ four events per year = 40 days of sales per year without going to the Planning Commission. Having a Snow Cone stand for the summer then requires a CUP.

Also it should be noted there is no time limit for motor vehicles sales.

Alternative Scenario: The Planning Commission could consider extending the time limit for some or all of these uses in order to prevent some businesses from going to the Planning Commission for a CUP. This would eliminate the majority of the Temporary Use Permits that go to the Planning Commission.

Large festivals and events would still always have to go through the Planning Commission.

Fees are also increased when a temporary use is a Conditional Use Permit. For some of these smaller businesses, this fee makes an impact to their startup costs and profit margin that makes a financial difference to some of these smaller produce stands, snow-cone shops, etc. Planning Commission could consider readjusting the Temporary Use fee structure for Permitted and Conditional Use.

SITE PLANS 12.21.110

The Planning Commission is authorized to approve site plans.

Conceptual and final site plan review and approval shall be required for any of the following uses unless expressly exempted from such requirement by another provision of this Title:

1. Any multiple-family residential use;
2. Any public or civic use;
3. Any commercial use;
4. Any industrial use;
5. Any residential development outside a platted subdivision; or
6. Any planned development within a PDO zone.

Alternative Scenario: Allow residential development outside a platted subdivision to be approved by a Zoning Administrator, OR combine Conceptual + Final into a one step process for the Planning Commission. Usually these applications are *fairly* straightforward and could be accomplished through one meeting instead of two. Ex. Tullius Barn, Samuelson Barn.