

HERRIMAN, UTAH
ORDINANCE NO. 2024-14

**AMENDING TITLE 10 OF HERRIMAN CITY CODE TO LIMIT THE QUANTITY OF
SPECIFIC COMMERCIAL LAND USES BASED ON POPULATION OR PROXIMITY**

WHEREAS, the City of Herriman, pursuant to Utah State Code, may adopt an ordinance to establish land development regulations (“Zoning”), which includes the adoption or amendment of Zoning text or map; and

WHEREAS, pursuant to Utah State Code, the Planning Commission (the “Commission”) shall prepare and recommend any Zoning text amendments to the City Council (the “Council”); and

WHEREAS, pursuant to the City of Herriman Land Development Code, the Commission shall hold a public hearing and provide reasonable notice at least ten (10) days prior to the said public hearing to recommend any Zoning text amendments to the Council; and

WHEREAS, a notice of a Planning Commission public hearing on a Zoning text amendment was posted in three (3) public locations and mailed to affected entities on March 22, 2024, for a meeting to be held on April 3, 2024, at 7:00 p.m.; and

WHEREAS, the Commission voted 5-1 to recommend approval of the Zoning text amendment in a public meeting held on April 3, 2024, at 7:00 p.m. in the City Council Chamber; and

WHEREAS, pursuant to Herriman City Code, it is the responsibility of the Council to consider the Zoning text amendment and Commission’s recommendation in a public meeting; and

WHEREAS, a City Council public meeting was held on June 12, 2024, at 7:00 p.m. to discuss the Zoning text amendment; and

WHEREAS, the Council finds that it is in the best interest of the citizens of Herriman City to adopt the Zoning text amendment, which was recommended by the Planning Commission and documented in City File number Z2024-001;

NOW, THEREFORE, be it ordained by the Herriman City Council for approval to amend the Herriman City Land Development Code, Title 10, as described in Exhibit “A”.

This Ordinance assigned Ordinance No. 2024-14, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's recorder.

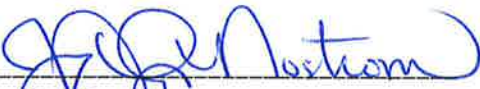
PASSED AND APPROVED this 12th day of June 2024.

HERRIMAN CITY



Mayor Lorin Palmer

ATTEST:



Jackie Nostrom, City Recorder



Herriman City

ORDINANCE NUMBER: **2024-14**

SHORT TITLE: ORDINANCE AMENDING TITLE 10 OF THE HERRIMAN CITY CODE
TO LIMIT THE QUANTITY OF SPECIFIC COMMERCIAL LAND USES BASED ON
POPULATION OR PROXIMITY

PASSAGE BY THE CITY COUNCIL OF HERRIMAN CITY ROLL CALL

NAME	MOTION	SECOND	FOR	AGAINST	OTHER
Lorin Palmer			X		
Jared Henderson		X	X		
Teddy Hodges			X		
Sherrie Ohrn					Absent
Steven Shields	X		X		
	TOTALS		4		1

This ordinance was passed by the City Council of Herriman City, Utah on the 12th day of June 2024, on a roll call vote as described above.

Exhibit "A"

The following text is comprised of excerpts from various sections of Herriman City Code to provide context for the ordinance. Only the text marked by an underline or strike-through shall be amended by the codifier.

Herriman City Code Title 10 Land Development Code

10-3-6: Definitions, Land Use Categories D. Commercial Uses

~~CAR WASH: An establishment primarily engaged in cleaning or detailing motor vehicles, whether self-service, automatic, or by hand.~~

CAR WASH, ACCESSORY: An automatic or self-serve car wash that is an accessory use to a primary use on the same parcel or lot.

CAR WASH, AUTOMATIC: An establishment primarily engaged in providing automatic or unassisted machinery for the cleaning of motor vehicles, with or without hand drying or vacuuming facilities for customer use.

CAR WASH, FULL SERVE: An establishment primarily engaged in providing cleaning or detailing services of motor vehicles, both exterior and interior surfaces, by one or more employees of the establishment. A full-serve car wash may or may not include the use of automatic or unassisted machinery in the cleaning or detailing process. A full-serve car wash may be allowed as a main use on a parcel or lot where permitted by the zoning district.

CAR WASH, SELF-SERVE: An establishment primarily engaged in providing self-serve facilities for the cleaning of motor vehicles in a wash bay with a pressurized water hose, with or without hand drying or vacuuming facilities, by a customer, subscriber, or user of the establishment.

CHAPTER 10-16 TABLE OF USES (EXCERPT)

10-16-1: Uses Any use showing an empty box for a particular zone or any use not shown on this table is not permitted. See footnotes for qualifying requirements or use limitations.

Prohibited uses include, but are not limited to:

- Bus terminal.
- Check cashing.
- Correctional facility.
- Garage, private.
- Group Living Arrangement(s) (unless a more specific type of Group Living Arrangement is expressly allowed as a conditional or permitted use in the table of uses below).
- Impound lot.
- Junkyard.
- Manufactured and mobile home park.
- Mineral extraction.
- Organic disposal site.
- Pawnshop.
- Retail tobacco specialty business.
- Sanitary landfill.

Legend:

- P = Permitted use
- C = Conditional use
- Blank = Not permitted

Uses ¹	Zones																			
	A-1-10	A-1-21	A-1-43	R-1-10	R-1-15	R-1-21	R-1-43	R-2-10	R-2-15	R-20-43	FR ²	RC	OP	C-1	C-2	M-1	T-M	M-2	MU	MU-2
Commercial:																				
Bank or financial institution ⁵²										C			C	P	P	C	C		P	P
Car wash															C	C	C	C	C	
<u>Car wash, automatic²⁴</u>															C	C	C	C	C	
<u>Car wash, full service</u>															C	C	C	C	C	
<u>Car wash, self-serve²⁴</u>															C	C	C	C	C	

Notes:

- ¹ Accessory uses are allowed in all zones, but only if incidental to a permitted or conditional use and as provided in section 10-29-5 of this title.
- ²⁴ Automatic or self-serve car washes shall only be allowed as an accessory use where permitted by the zoning district, and self-serve car washes shall have a maximum of 4 car wash bays.
- ⁵² The total number of credit unions in the City shall not exceed one per 20,000 residents based on the latest population estimate provided by the Governor's Office of Planning and Budget. A credit union located inside the main building of a principal use that is permitted by the zoning district, such as a grocery store or motor vehicle dealer, may be allowed as an accessory use and shall not be considered when calculating the total number credit unions in the city for the purposes of this title.

Chapter 10-24 Parking

10-24-8: Number and Type of Parking Spaces

- A. **Parking Required:** All required parking shall be provided in accordance with this section for every land use regulated by this title except as otherwise expressly allowed by this title. The total number of parking spaces required by this section shall be determined by adding together the parking required by each of the subsections in this section. On-street parking shall not be included in any required parking calculation.
- B. **Standard Parking Spaces:** Standard parking spaces shall be provided as set forth in section 10-24-12, chart 10-24, "Off-Street Parking Schedule", of this chapter.

- C. Handicapped Parking Spaces: Parking spaces for handicapped persons shall be provided as required by the applicable provision of the Building Code and the Uniform Federal Accessibility Standards Manual.
- D. Stacked Parking Spaces: Stacked or queue spaces shall be provided as follows:
 - 1. Bank drive-thru including automatic teller machines: Three (3) per lane.
 - 2. Car wash:
 - a. Self-serve car wash: Three (3) per bay.
 - b. Automatic car wash accessory use: Four (4) per bay.
 - c. Full-serve Automatic car wash primary use: Four (4) per bay.
 - 3. Gasoline pump island: One per pump.
 - 4. Fast-food restaurant drive-thru: Five (5) per lane.

Chapter 10-29 SUPPLEMENTARY AND QUALIFYING REGULATIONS
10-29-5: Car Wash, Specific Standards

To preserve the limited water resources within the City, all new and renovated car washes that replace of 50% or more of the car wash equipment shall meet the following additional standards:

- A. In addition to the applicable landscaping requirements of this title, landscaping for all car washes shall double the number of plantings required in areas adjacent to the stacking and drive-through areas to mitigate reasonably anticipated detrimental impacts associated with the land use.
- B. Car washes shall use façade materials that produce texture. Such materials include but are not limited to, split-face block, brick, or other approved exterior building materials allowed within the zoning district or development agreement, and more than one such material shall be utilized. All colors shall be muted. Bright or reflective colors shall not be allowed except as an accent, up to ten percent (10%) of each façade. No long, continuous rooflines without a horizontal break shall be permitted.
- C. Sides of car wash bays or tunnels facing a residential use or neighborhood zoning district shall be completely enclosed by a wall. Solid windows that do not open, glass blocks, or other closed material may be used for the wall.
- D. Vacuum stations and related equipment shall comply with the setbacks for the principal structure.
- E. Vacuum stations and related equipment are prohibited along any side of a building facing a residential use or residential zoning district.
- F. The site shall provide sufficient space to accommodate the minimum number of stacked or queue spaces specified in Chapter 24 of this title for vehicles waiting to access the car wash prior to reaching the payment area. All stacking shall be maintained on-site and shall not back onto any public right-of-way.
- G. Recycling of all water used in a car wash is encouraged to reduce the amount of fresh culinary water used. All car washes must be plumbed at the time of construction to provide water recycling systems for both wash water and reverse osmosis rinse water systems, whether installed or not.
 - 1. All car washes must install systems and equipment sufficient to limit the amount of fresh culinary water used on a per-vehicle basis. No car wash shall be permitted unless it can be demonstrated that the system shall not use more than an average of thirty-five (35) gallons of culinary water per car.
 - 2. Systems that recycle water used for vehicle washing and recycle reverse osmosis reject water must be used in perpetuity following installation.
 - 3. The use of secondary irrigation water in the wash cycle may be permitted in lieu of one or more of the water recycling requirements of this title if approved by the Herriman City Public Works Director or authorized designee. The use of recycling water systems and the disposal of water fluids and solids shall comply with applicable state and federal laws, guidelines, and standards. Larger storage tanks may be permitted on site to capture and reuse water.
 - 4. Car wash operator shall provide an annual report to the Herriman City Public Works Director that details the operational history and status of the water recycling system and the rate of culinary water consumption per car. To ensure compliance with the requirements of this title, the city shall be permitted to inspect the recycling system during normal business hours.