

CHAPTER 16a. CSD Commercial Special Districts.

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7-16a-1. Commercial Special Districts and Suffix.

The establishment of a Commercial Special District (CSD) shall be the establishment of a new zoning district applicable specifically to the geographic area identified within the CSD. Each approved CSD shall act independently from other approved CSDs. Each CSD shall be titled appropriate to the development planned within the CSD and include the suffix "-CSD" (i.e. Name-CSD) to identify the zoning of the subject properties as a CSD. Each CSD shall be established as its own chapter in this Title, in sequence following this Chapter, the chapter titled according to the name of the CSD, and identified on the official Zoning Map according to the approved name of the CSD. (Ord. 2021-27, 07-21-2021)

7-16a-2. Adoption and Implementation.

The approval and adoption of an application for a CSD shall require both an amendment to the text of this Title, to establish the CSD and its terms, and an amendment to the official Zoning Map. The approval and adoption of a CSD, shall be done through a single combined process including all documentation and noticing procedures required for the standard review and consideration procedures for a City Code text amendment and Zoning Map Amendment when considered independently. Following the approval and adoption of a CSD, the terms adopted within the CSD shall act as the development standards for properties assigned the CSD designation. (Ord. 2021-27, 07-21-2021)

7-16a-3. Commercial Special Districts Eligibility and Size.

(1) Land Use. Properties identified within an application for a Commercial Special District shall first be identified on the Land Use Map of the General Plan and assigned to a commercial land use designation. Mixed-use, special use, and industrial land uses shall

not be considered a commercial land use for the purpose of considering eligibility for an CSD.

(2) Size. The minimum size for any application for a Commercial Special District shall be 50 acres. All acreage identified for inclusion in an CSD shall be contiguous and developable. Land identified as having any of the following conditions may be included within an CSD but shall not be included in the calculation of minimum acreage for CSD eligibility:

- (a) slopes prohibiting development;
- (b) environmentally sensitive conditions, such as but not limited to drainage channels, lakes, or ponds;
- (c) preservation designations, such as conservation easements;
- (d) publicly owned lands; or
- (e) properties previously approved for development under a land use application or building permit.

(3) Eligibility. Any application for a Commercial Special District that does not fully comply with the requirements of this section shall be considered ineligible for consideration as an CSD and denied. (Ord. 2021-27, 07-21-2021)

7-16a-4. Development Standards.

Each application for a CSD shall establish a complete set of non-residential development standards for implementation on properties assigned the CSD zoning designation. Development standards for a CSD shall only be applicable towards standards addressed in Title 7. Such standards may refer to generally applicable standards established elsewhere in this Title. Each application for a CSD shall address and establish provisions for at least the following:

- (1) The name proposed for the CSD;
- (2) The geographic boundaries of the CSD;
- (3) The purpose and intent of the CSD including a written description of the CSD proposal with the expected outcome and benefit the CSD will provide to the community;
- (4) Identification of all permitted, conditional, and not permitted uses and use types, as defined within this Title;
- (5) Development standards for all identified allowable uses, which may be the same or differ by area or use type, including at least:
 - (a) Minimum and/or Maximum Lot Sizes;
 - (b) Minimum Lot Frontage;
 - (c) Minimum Lot Width, Interior & Corner Lots;
 - (d) Minimum Front Setbacks;
 - (e) Minimum Side Setbacks, Interior & Corner Street Side;

- (f) Minimum Rear Setbacks;
- (g) Minimum and Maximum Building Heights;
- (h) Maximum Lot Coverage;
- (i) Location, arrangement configuration, and bulk standards for buildings;
- (j) Minimum Landscaping Coverage;
- (k) Fencing;
- (l) Lighting; and,
- (m) Parking;
- (6) Architectural Design Standards for buildings and features within the CSD;
- (7) Amenities and features including but not limited to:
 - (a) Private amenities within the proposed CSD for the benefit of businesses and employees within the CSD;
 - (b) Public amenities within the proposed CSD for the benefit of the entire community;
 - (c) Relationship and connections to existing & proposed public amenities (trails, open spaces, etc.); and,
 - (d) Environmentally sensitive features and preservation areas;
- (8) Methods by which the CSD will integrate with or separate from neighboring uses and developments, both residential and non-residential;
- (9) Transportation elements including:
 - (a) Identification of public and private roadways within the CSD area (location, layout, classifications of roadways, etc.);
 - (b) Roadway design standards (cross sections) for each identified classification of private roadway;
 - (c) Identification of truck routes and routes for use by heavy vehicles; and,
 - (d) Pedestrian paths, accesses, and connections with design (layout, cross sections, purpose, etc.);
- (10) Signage, including development signage and signage for individual or groups of uses within the proposed CSD;
- (11) Codes, Covenants & Restrictions (CC&Rs), as applicable, including:
 - (a) Provisions establishing and governing a master association (MA); and,
 - (b) Maintenance of amenities and facilities by the master association (MA);
- (12) Storm water facilities and maintenance, including:
 - (a) Detention and retention areas, including conceptual design layout, features of basins, etc.; and,
 - (b) Drainage channels;
- (13) Graphic illustrations, as needed;

- (14) Conceptual and layout mapping for the proposed CSD including:
 - (a) Properties included;
 - (b) Description of boundaries (not necessarily legal description);
 - (c) Identified existing natural and developed features;
 - (d) Conceptual development plans;
 - (e) Data tables including at least:
 - (i) Total project acreage;
 - (ii) Acreage of each use type, area, etc.;
 - (iii) Public and private streets;
 - (iv) Public dedications;
 - (v) Private properties, uses, and features;
- and,
- (vi) Identification of unbuildable or preservation areas; and,
- (15) The manner in which all other aspects of development within the boundaries of the CSD not otherwise addressed by the CSD will be handled (i.e. all other aspects of development not otherwise addressed by the CSD shall default to the base tenets of Title 7 of the Tooele City Code).
(Ord. 2021-27, 07-21-2021)

7-16a-5. Standard of Review.

(1) Standard of Review. The Planning Commission and City Council shall be under no obligation to approve an application for a Commercial Special District. The Planning Commission and City Council shall be under no obligation to approve any single feature, element, or provision proposed within an application for a CSD. Every application for a CSD shall be considered independently of all other CSD applications according to its own merits, benefit to the City, and its compliance with the terms of this Chapter. The consideration, approval, or denial of an application for a CSD shall not be based on the process, decision, features, or aspects of any other application for a CSD. Each respective CSD shall be non-binding upon any other CSD both during the application and review process and through development and land use.

(2) Findings Required. The approval or denial of an application for a Commercial Special District shall be based on at least the following findings:

- (a) the proposed Commercial Special District will result in the development of properties in a manner that is not reasonably feasible under the terms of zoning districts identified in Table 1 of Chapter 7-16;
- (b) the proposed Commercial Special District will result in the development of properties in a manner that will provide a substantial benefit to the City; and,
- (c) the proposed Commercial Special District

will result in the development of properties in a manner that provides uses, configuration, and/or product types that are unique to the community or address a documented deficiency in the market.
(Ord. 2021-27, 07-21-2021)

7-16a-6. Processes and Procedures.

The approval and adoption of a CSD shall not alter or change the approval processes to be employed for land use applications within the CSD. Proposals for establishment of an CSD shall not contain alterations to any approval processes or procedures identified in the Utah State Code or Tooele City Code. A CSD shall not change or affect any aspect of permitting for construction of structures and uses within the CSD.
(Ord. 2021-27, 07-21-2021)

7-16a-7. Requirements and Exemptions.

The approval and adoption of a CSD shall not alter or change any requirement for approval identified for same land use application outside of the CSD. Proposals for establishment of a CSD shall not contain alterations to or exemptions from any requirement for processing, review, approval, or permitting identified in the Utah State Code or Tooele City Code.
(Ord. 2021-27, 07-21-2021)