



May 10, 2012

Notice of Public Hearing

Riverdale City Planning Commission

Tuesday, May 22, 2012
Which begins at 6:30 p.m.

Riverdale Civic Center
4600 South Weber River Drive
Riverdale, Utah

The Riverdale City Planning Commission will hold a public hearing to receive and consider public comment concerning amending RCC 10-13A-1-5 Sexually-Oriented and Smoke Shop Businesses Overlay Zone (CP-4) ordinance. The proposed language can be viewed below.

- The public is invited to attend all public meetings.
- In compliance with the Americans with Disabilities Act, persons who have need of special accommodations should contact the City Recorder at 394-5541.

ARTICLE A. SEXUALLY-ORIENTED AND SMOKE SHOP BUSINESSES OVERLAY ZONE (CP-4)

10-13A-1: PURPOSE:

10-13A-2: DEFINITIONS:

10-13A-3: PERMITTED LOCATIONS AND RESTRICTIONS:

10-13A-4: DISTANCE FROM OTHER SIMILAR BUSINESSES:

10-13A-5: SIGN RESTRICTIONS:

10-13A-1: PURPOSE:

The purpose and object of this article is to establish uniform and reasonable regulations to prevent the concentration of sexually-oriented and smoke shop businesses or their locations in areas deleterious to the community, to regulate the signs of such businesses, to control the adverse effects of such signs, and to prevent inappropriate exposure to the community. This article by its terms is designed to prevent crime, protect the city's retail trade, maintain property values and generally protect and preserve the quality of urban life. This article is not designed to suppress the expression of unpopular views. This article is to be construed as a regulation of time, place and manner of the operation of these businesses consistent with the limitations provided by the United States and Utah Constitutions. (1985 Code § 19-32-1)

10-13A-2: DEFINITIONS:

For purposes of this article, the following terms shall have the meanings defined in this section:

GATEWAY: Those areas identified as city gateways on the Riverdale general plan, land use planning map, as adopted and as may be amended.

HISTORIC BUILDINGS OR SITES: Those buildings or sites found on either the national or state historic registers, or the city register of cultural and historic resources.

PUBLIC PARK: A park, playground, swimming pool, golf course or athletic field within the city which is under the control, operation or management of the city's public works or recreation department.

RELIGIOUS INSTITUTION: A building which is used primarily for religious worship and related religious activities.

SCHOOL: An institution of learning or instruction primarily catering to minors, whether public or private, which is licensed as such a facility either by the city or the state. This definition shall include nursery schools, kindergartens, elementary schools, junior high schools, senior high schools or any special institution of learning under the jurisdiction of the State Department of Education, but not including trade schools, charm schools, dancing schools, music schools or similar limited schools, nor public or private universities or colleges.

SEXUALLY-ORIENTED BUSINESS: Any business for which a sexually-oriented business license is required pursuant to the sexually-oriented business license ordinance set out in title 3, chapter 5 of this code. (1985 Code § 19-32-3)

10-13A-3: PERMITTED LOCATIONS AND RESTRICTIONS:

Sexually-oriented and smoke shop businesses shall only be permitted in areas designated as CP-4 overlay areas as set forth on the overlay map attached to the ordinance codified herein and on file in the city office. Sexually-oriented and smoke shop business zones are conditional use zones (requiring a conditional use permit as provided in chapter 19 of this title), and are subject to the following additional restrictions:

A. No sexually-oriented or smoke shop business shall be located within a one thousand foot (1,000') radius of any church, park, school, residential zone or residential dwelling in a nonresidential zone, as measured by a straight line without regard to intervening structures. The distance is measured from the property line of the church, park, school or residential zone nearest the sexually-oriented or smoke shop business and the property line of the sexually-oriented or smoke shop business nearest the church, park, school or residential zone. (1985 Code § 19-32-3)

B. No sexually-oriented or smoke shop business shall be permitted within three hundred feet (300') of any gateway. (1985 Code § 19-32-3; amd. 2001 Code)

C. No sexually-oriented or smoke shop business shall be permitted within three hundred feet (300') of any historic building or site. The distance shall be measured from the property line of the historic building or site nearest the sexually-oriented or smoke shop business and the property line of the sexually-oriented business nearest the historic building or site. (1985 Code § 19-32-3)

10-13A-4: DISTANCE FROM OTHER SIMILAR BUSINESSES:

No sexually-oriented or smoke shop business shall be allowed within one thousand feet (1,000') of any other sexually-oriented or smoke shop business, measuring a straight distance from the nearest property line of one business to the nearest property line of the other business. (1985 Code § 19-32-4)

10-13A-5: SIGN RESTRICTIONS:

Notwithstanding any contrary provision contained in chapter 16 of this title, sexually-oriented and smoke shop business signs shall be limited as follows:

A. Number: No more than one sign promoting or identifying the sexually-oriented or smoke shop business shall be allowed on any sexually-oriented business premises.

B. Off-Premises Signs: Off-premises signs are prohibited.

C. Size: No sign on the sexually-oriented or smoke shop business premises promoting or identifying the sexually-oriented or smoke shop business shall be allowed to exceed eighteen (18) square feet.

D. Animation: No animation shall be permitted on or around any sexually-oriented or smoke shop business sign or on the exterior walls or roof of the premises.

E. Descriptive Art Or Designs: No descriptive art or designs depicting any activity related to or inferring the nature of the business shall be allowed on any sexually-oriented business sign. The sign shall contain alpha-numeric copy only.

F. Type; Projection: Signage is limited to one flat wall sign and shall not project more than twelve inches (12") from the wall to which it is attached.

G. Painted Wall Advertising: Painted wall advertising shall not be allowed.

H. Other Signs Prohibited: Other than the flat wall sign specifically allowed by this section, sexually-oriented and smoke shop businesses shall not construct or allow to be constructed any other type of sign, including those types of signs listed in chapter 16 of this title, or use any light or other device designed to draw attention to the business location. (1985 Code § 19-32-5)