

County Council Zoning Meeting

Public Meeting Agenda

Tuesday, June 7, 2016 4:00 P.M.

LOCATION: SALT LAKE COUNTY GOVERNMENT CENTER

2001 SOUTH STATE STREET, ROOM N1-110

NORTH BUILDING, MAIN FLOOR

(385) 468-6700

UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707.

TTY USERS SHOULD CALL 711.

The County Council Public Meeting is a public forum where the Council receives comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Council's agenda. In addition, it is where the Council takes action on Zoning related items. Action may be taken by the Council on any item listed on the agenda which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

Rezone – 2nd Reading –

29853 – Jake Wood is requesting approval for a rezone from M-1 to C-2. **Location:** 27 West 3900 South. **Community Council:** Millcreek. **Planner:** Spencer Hymas

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File # 29853

Rezone Summary and Recommendation

Public Body: Salt Lake County Council

Parcel ID: 15-36-477-036

Property Address: 27 West 3900 South

Request: Rezone

Community Council: Millcreek

Planner: Spencer Hymas

Planning Commission Recommendation: Approval

Community Council Recommendation: Approval

Staff Recommendation to Planning Commission: Approval

Applicant Name: Jake Wood

Meeting Date: May 24, 2016

Current Zone: M-1 **Proposed Zone:** C-2

Township: Millcreek

PROJECT DESCRIPTION

The rezone proposal is to rezone 0.94 acres from M-1 (Manufacturing) to C-2 (Commercial). The rezone, if approved, will join two other parcels which front 3900 West that are zoned C-2 and open up the opportunity for a development application of a Mixed use development. This rezone proposal is in an area of focused change and the request is in line with the Millcreek General plan map.

SITE & VICINITY DESCRIPTION (see attached map)



There are various uses in the vicinity. To the North is a single family home (C-2 Zone). South Salt Lake City is North of 3900 South and the zoning appears to be commercial with office and retail uses. To the East is a used tire, auto sales and repair shop (M-1 Zone). To the South are the Bud Bailey Apartments (R-M Zone). To the West appears to be office uses (C-2 Zone).

GENERAL PLAN CONSIDERATIONS

The Millcreek General Plan map identifies this parcel as being in an area focused for change. This parcel is also addressed in the Meadowbrook Small Area Plan. The rezone is in harmony with the goals of the General Plans for this area.

ZONE CONSIDERATIONS

Requirement	Existing Zone (M-1)	Proposed Zone (C-2)
Height	None	75 feet
Front Yard Setback	20 feet	25 feet
Side Yard Setback	None	8 & 10 feet
Rear Yard Setback	None	30 feet
Lot Width	None	50 feet
Lot Area	None	5,000 square feet

Compliance with the General Plan.	Yes
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NEIGHBORHOOD RESPONSE

No negative responses have been received at the time of this report, April 4, 2016.

COMMUNITY COUNCIL RESPONSE

This proposal was heard by the Millcreek Community Council at their March 1st, 2016 meeting and received a favorable recommendation.

PLANNING COMMISSIONS' RESPONSE

The Millcreek Planning Commission recommended approval of this rezone at their meeting on April 13, 2016.

REVIEWING AGENCIES RESPONSE

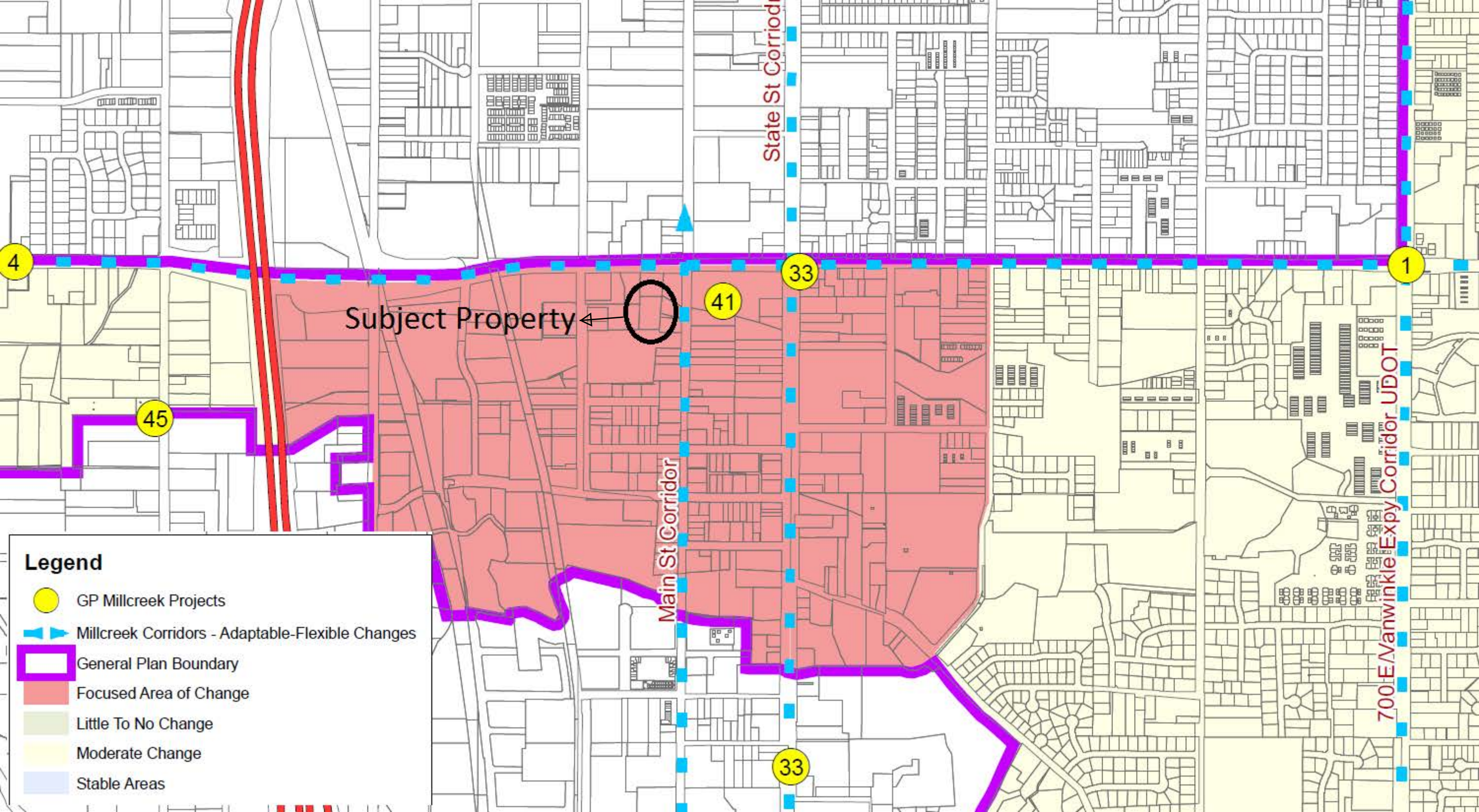
AGENCY: Planning

DATE: 4/4/16

RECOMMENDATION: Approval

This proposal will contribute to development opportunities in this area. It is consistent with the goals and objectives of the Millcreek General Plan and Meadowbrook Small Area Plan.

Compliance with current building, construction, engineering, fire, health, landscape and safety standards will be verified prior to final approval.



Legend

-  GP Millcreek Projects
-  Millcreek Corridors - Adaptable-Flexible Changes
-  General Plan Boundary
-  Focused Area of Change
-  Little To No Change
-  Moderate Change
-  Stable Areas

Trax Station

Substation

Call Center

Subject Property

Bud Bailey Apartments

19.62.030 - Permitted uses.

Permitted uses in the C-2 zone include:

- Accessory uses and buildings customarily incidental to permitted uses;
- Addressograph shop;
- Antique shop without outside display;
- Archery shop and range, providing the use is conducted within a completely enclosed building;
- Art needlework shop;
- Art shop and/or artist supply;
- Athletic goods store;
- Automobile service station;
- Awning sales and repair;
- Baby formula service; baby diaper service; babysitter agency;
- Bakery;
- Bank;
- Barbershop;
- Beauty shop;
- Bicycle shop;
- Blueprinting and/or photostating;
- Bookstore;
- Bowling alley, including billiard and/or pool tables;
- Bus terminal;
- Cafeteria; catering establishment;
- Candy store; confectionery;
- Carbonated water sales;
- Class A beer outlet;
- Class B beer outlet;
- Clothes cleaning, dyeing and pressing;
- Clothing store;
- Coal and fuel sales office;

- Costume rental;
- Dancing;
- Department store;
- Delicatessen;
- Dog training, provided all training is within a completely enclosed building;
- Dramatics school;
- Drapery and/or curtain store;
- Dressmaking;
- Drive-in refreshment stand;
- Drugstore;
- Dry goods store;
- Electrical and heating appliances and fixture sales and repair;
- Egg candling and sales;
- Employment agency;
- Film exchange;
- Five-and-ten cent store;
- Fix-it shop;
- Flooring or floor repair shop;
- Florist shop;
- Fountain equipment supply;
- Frozen food lockers;
- Fruit or fruit juice store; fruit and/or vegetable stand;
- Fur sales, storage and/or repair;
- Furniture sales and/or repair;
- Gift shop;
- Greenhouse and nursery; plant materials; soil and lawn service;
- Grocery;
- Gunsmith;

- Gymnasium;
- Hardware store, not including the sale of lumber;
- Health food store;
- Hobby and/or crafts shop;
- Home day care/preschool, subject to Section 19.04.293;
- Hospital supplies;
- House cleaning and repair; house equipment display;
- Ice cream shop;
- Ice vendor units and/or reach-in ice merchandiser units; electrical icemaker units; ice storage of not more than five tons' capacity;
- Insulation sales;
- Interior decorating store;
- Jewelry store;
- Janitorial service;
- Key and lock service;
- Laundry, automatic self-help type; laundry agency;
- Leather goods sales;
- Linen shop;
- Luggage shop;
- Machine tools sales;
- Manicuring, pedicuring and electrolysis of hair;
- Medical and dental clinic and laboratory;
- Milk distributing station and sale of dairy products, excluding processing or bottling;
- Military store;
- Mobile lunch agency;
- Monument sales, retail;
- Motorboat sales;
- Music store;

- Newsstand;
- Notions;
- Novelty shop;
- Numismatic shop; gold, silver and platinum dealer;
- Nurses' agency;
- Office, business or professional; office supply; office machines sales and repair;
- Oil burner shop;
- Optometrist and/or oculist;
- Ornamental iron, sales only;
- Painter and/or paint store;
- Pest extermination and control office;
- Pet shop;
- Photographer and/or sale of photographic supplies;
- Popcorn and/or nut shop;
- Radio and television sales and repair and/or station;
- Residential facility for elderly persons;
- Restaurant;
- Roofing sales;
- Safe sales;
- Secondhand shop;
- Shoe shop; shoeshine shop; shoe repair shop;
- Sewing machine shop;
- Stationery and greeting card sales;
- Swimming pool;
- Tailor shop;
- Taxidermist;
- Taxi stand;
- Tire shop, sales only;

- Theater, indoor;
- Tobacco shop;
- Towel and linen supply service;
- Travel bureau;
- Upholstery shop;
- Variety store;
- Wallpaper store;
- Weather-stripping shop.

(Ord. 1323 § 2 (part), 1995; Ord. 1200 § 5 (part), 1992; Ord. 1179 § 5 (part), 1992; Ord. 978 § 3, 1986: 1986 Recodification: §§ 1 (part) and 2 (part) of Ord. passed 3/20/85: § 1 (part) of Ord. passed 2/1/84; (part) of Ord. passed 4/22/82; prior code § 22-27-3)

19.62.040 - Conditional uses.

Conditional uses in the C-2 zone include:

- Agency for the sale of new motor vehicles, trailers and campers, including the incidental sale of used motor vehicles, trailers and campers, provided this use is incidental and located on the same property as the primary use of new motor vehicle sales; agency for the rental of motor vehicles, trailers or campers;
- Ambulance service;
- Apartments for elderly persons;
- Arcade, not to be located within a one thousand foot distance, via the most direct pedestrian route, of the property line of any school or private educational institution having an academic curriculum similar to that ordinarily given in public schools. For purposes of measuring distance, a pedestrian route shall not include a route which requires crossing a physical barrier such as a fence, canal or freeway, or include trespassing across private property.
- Athletic club and/or health club;
- Automobile repair, including incidental body and fender work, painting and upholstery and/or welding; automatic automobile wash;
- Automobile service center, which is limited to tune-ups, lubrication and oil change, front-end alignment, brake repair, and muffler repair, providing there is not outside storage of parts or materials;
- Baking, ice cream making and/or candy making;
- Bath and massage (every massage technician shall be licensed by the state);
- Bed and breakfast inn, which may include a restaurant and conference meeting rooms;
- Cat and dog groomery, excluding overnight boarding;
- Cemetery, mortuary, etc.;

— Check cashing, provided that each check cashing business shall be located a minimum distance of six hundred feet from any other similarly licensed facility;

— Class C fireworks store;

— Copy service;

— Day care/preschool center;

— Golf course;

— Hardware store, including the sale of lumber, providing all storage of lumber is within a completely enclosed building;

— Home day care/preschool, subject to Section 19.04.293;

— Home occupation;

— Hospital;

— Hotel and apartment hotel;

— Indoor firearms and/or archery range;

— Mini-storage units, secondary to the main use of the parcel;

— Mobile home park;

— Mobile store provided it meets the following requirements:

A.

A location on improved property including a main building with paved parking, and landscaping, curb, gutter and sidewalk if required by the county.

B.

A maximum display area of one hundred square feet outside the portable structure, a minimum of ten feet behind the property line, not on landscaped areas, and not obstructing access to the property.

C.

Compliance with the sign ordinance.

D.

The structures comply with the yard requirements of the zone.

E.

The mobile store including display area shall not be located within the clear view of intersecting streets.

F.

Written approval from the property owner to locate on the site.

— Motel;

— Multiple dwellings; group dwellings;

— Neighborhood storage;

— Open storage for recreational vehicles only (campers, snowmobiles, etc.), but not to include the storage, keeping or abandonment of junk, including scrap metals or other scrap material, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery, or parts thereof, as in an impound lot or junkyard, etc.; and such use will be required to install a six-foot solid visual barrier fence or masonry wall around the entire storage area (chain-link with slats is acceptable) as a conditional use in the commercial C-2 zone, and as an accessory use

only to a main use, such as a service station, carwash or similar use. Gravel or grass surfacing will be allowed for the storage area;

- Package agency;
- Parking lot;
- Planned unit development;
- Plumbing shop;
- Printing shops;
- Private nonprofit locker club;
- Private post office box service;
- Private school;
- Public and quasi-public use;
- Rail transit mixed-use, provided it meets the following requirements:

A.

The planning commission shall determine the density based on the specific development proposal, site location and surrounding land uses.

B.

The property is located within one-quarter mile of a rail station.

C.

Buildings and impervious areas shall not cover more than eighty percent of the site.

D.

Commercial uses shall be allowed on the first floor of buildings fronting on a public street.

E.

Office uses shall be allowed on the first and second floor of buildings fronting on a public street.

F.

Parking is not allowed between the building and the public street.

G.

The front yard setback shall be fifteen feet and the side and rear yards shall be twenty feet minimum. Corner lots are deemed to have two front yards.

H.

The front yard setback is the build-to-line. At least fifty percent of the front elevation of the building must be built within ten feet of the build-to-line or as approved by the planning commission.

I.

The planning commission shall determine the amount of parking required based on projected transit usage and other guidelines found in Section 19.80.090, "Planning Commission Exceptions."

J.

All development in the rail transit mixed-use area shall conform to the Rail Transit Mixed-Use Development Guidelines adopted by the planning commission. The planning commission has the authority to modify or waive guidelines as necessary during development review.

— Reception center and/or wedding chapel;

— Recreation, commercial;

— Reiki business provided it meets the following requirements:

A.

Hours of operation shall be between 7:00 a.m. and 10:00 p.m.

B.

Each practitioner that is not an employee of the business licensee shall have a Salt Lake County business license.

C.

Neither clients nor practitioners shall appear on the premises in a state of nudity or semi-nudity, as defined in the Sexually Oriented Business Chapter of Title 5 of this Code; and

D.

The premises shall not be used for any conduct that violates Section 58-47h-501 of the Utah Massage Therapy Practice Act (2013) or sexual conduct that violates Title 76 of the Utah Criminal Code.

— Rent-all store, provided that there is not outside storage;

— Resource recycling collection point provided it meets the following requirements:

A.

A location on improved property including a main building with paved parking, and landscaping, curb, gutter and sidewalk if required by the county.

B.

All material shall be contained within an enclosed container.

C.

The structures or bins comply with the yard requirements of the zone.

D.

Written approval from the property owner to locate on the site.

E.

Maintenance of the site in a clean, neat and orderly manner.

— Restaurant liquor license;

— Seed and feed store;

— Shared parking;

— Sign-painting shop;

— Single-family dwelling in conjunction with a service station;

— State store;

— Swap meets and flea markets within drive-in theaters or enclosed buildings;

— Tanning studio;

— Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work;

— Theaters, outdoor, providing:

A.

A solid fence or masonry wall with a minimum height of six feet shall be constructed on all sides.

B.

Driveways and parking areas shall be provided with properly maintained dustless surfaces.

C.

Automobile off-street storage areas for automobiles awaiting entrance to the theater shall have a capacity of at least fifteen percent of the number of automobile parking spaces provided inside the theater.

D.

Minimum area for a single-screen theater shall be ten acres; minimum area for a two-screen theater shall be twelve acres.

— Transfer company, provided trucks no larger than two tons' capacity are used;

- Unoccupied model buildings for display, accessory to a sales office;
- Veterinary, providing operation is completely enclosed within an air-conditioned building.

19.62.130 - Density.

The allowable density for planned unit developments, multiple dwellings and dwelling groups shall be determined by the planning commission on a case by case basis, taking into account the following factors: recommendations of county and non-county agencies; site constraints; compatibility with nearby land uses; and the provisions of the applicable general plan. Notwithstanding the above, the planning commission shall not approve a planned unit development with density higher than the following:

Single-family dwellings	7.0 units per acre
Two-family dwellings	12.0 units per acre
Three-family dwellings	15.0 units per acre
Four-family dwellings	18.0 units per acre
Multi-family dwellings	25.0 units per acre*
Rail transit mixed-use	No maximum density

**SALT LAKE COUNTY
ORDINANCE**

ORDINANCE NO. _____, 2016

AN ORDINANCE, AMENDING TITLE 19, ENTITLED "ZONING" OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, BY RECLASSIFYING CERTAIN PROPERTY LOCATED IN SALT LAKE COUNTY FROM THE M-1 (MANUFACTURING) ZONE TO THE C-2 (COMMERCIAL) ZONE

The Salt Lake County Council of Salt Lake County, State of Utah, ordains as follows:

Section 1: Section, 19.06.020, The Zoning Map of Salt Lake County, Salt Lake County Code of Ordinances 2001, is hereby amended as follows:

The property described in **Application #29853** filed by JAKE WOOD, and located at **27 WEST 3900 SOUTH** within Salt Lake County, is hereby reclassified from the M-1 (Manufacturing) Zone to the C-2 (Commercial) Zone, said property being described as follows:

PARCEL NO: 15-36-477-036

LEGAL DESCRIPTION:

BEG N 569.25 FT & W 212.70 FT & N 05°00'00" E 666.95 FT FR SE COR SEC 36, T1S, R1W, SLB & M; S 89°30'00" W 154.64 FT; N 01°12'52" E 255.59 FT; N 89°46'15" E 167.04 FT; S 04°00'00" W 255.47 FT TO BEG. 0.94 AC M OR L.

Section 2: The map showing such change shall be filed with the Salt Lake County Planning Commission in accordance with Section 19.06.020 of the Salt Lake County Code of Ordinances, 2001.

Section 3: This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Salt Lake County, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

Application No. 29853

IN WITNESS WHEREOF, the Salt Lake County Council has approved, passed and adopted this ordinance this _____ day of _____, 2016.

SALT LAKE COUNTY COUNCIL

Max Burdick, Chair

ATTESTED:

Sherrie Swensen, County Clerk

Approved as to Form:

R. Christopher Preston
Deputy District Attorney
Date: _____

ORDINANCE HISTORY

Council Member Bradley voting _____
Council Member Bradshaw voting _____
Council Member Burdick voting _____
Council Member DeBry voting _____
Council Member Granato voting _____
Council Member Jensen voting _____
Council Member Newton voting _____
Council Member Snelgrove voting _____
Council Member Wilson voting _____

Vetoed and dated this _____ day of _____, 2016.

Mayor Ben McAdams or Designee

(Complete as Applicable)

Veto override: Yes ___ No ___ Date: _____

Ordinance published in newspaper: Date: _____

Effective date of ordinance: _____