TAYLORSVILLE CITY COUNCIL
AGENDA ITEM SUMMARY

MEETING DATE August 3, 2016

AGENDA ITEM **Public Hearing -** Ordinance #16-11 concerning an amendment to Taylorsville City Code Section 13.08.020 "Permitted Land Use Matrix…" to allow End Stage Renal Disease Facility as an Administrative Conditional Use in the Professional Office, Mixed-Use, Transit Corridor, and Research and Development District zones, and as a non-permitted use in the Industrial zones.

PRESENTER Mark McGrath, AICP

AUTHOR Matthew Taylor, AICP

SUMMARY This staff-initiated item is a follow-up to Coaction Groups request to amend the General Plan and Zoning Map to a Mixed Use designation for properties located at 5319 S. Jordan Canal Rd., 5344 S. 2700 W., and 5360 S. 2700 W. Coaction Group desires to construct a medical facility to house medical and healthcare offices, and a dialysis center (defined in City code as an End Stage Renal Disease Facility).

The issue is what seems to be disparate treatment of nearly identical land uses:

> "MEDICAL AND HEALTHCARE OFFICE: A building used exclusively by physicians, dentists, and other healthcare personnel for the treatment and examination of patients on an outpatient basis."
>
> "END STAGE RENAL DISEASE FACILITY: A state licensed facility which furnishes staff assisted kidney dialysis services, self-dialysis services, or home dialysis services on an outpatient basis." (see Chapter 13.36 Taylorsville Code).

The Mixed Use zone permits the Medical and Healthcare Offices and not End Stage Renal Disease Facilities. Staff views the land uses nearly identical in nature and impact to any surrounding properties. Therefore, in the interest of assisting the Coaction Group applications (should the Council be inclined to approve them), staff has prepared an ordinance amendment to allow the dialysis center use as an administrative conditional use in the Professional Office, Mixed-Use, Transit Corridor, and Research and Development District zones, and as a non-permitted use in the Industrial zones (as it does not seem to be supportive of the end goals of the Industrial zone). (See attachment 'A' of the proposed ordinance).

PLANNING COMMISSION RECOMMENDATION

On July 26, 2016, with a vote of 6:0, the Planning Commission made a positive recommendation to the City Council that the proposed amendments are approved.

STAFF RECOMMENDATION

City staff recommends approval of the proposed amendment

RECOMMENDED MOTION

I move that we approve Ordinance #16-11 concerning an amendment to Taylorsville City Code Section 13.08.020 “Permitted Land Use Matrix…” to allow End Stage Renal Disease Facility as an Administrative Conditional Use in the Professional Office, Mixed-Use, Transit Corridor, and Research and Development District zones, and as a non-permitted use in the Industrial zones.

TAYLORSVILLE, UTAH
ORDINANCE NO. 16-11

AN ORDINANCE OF THE CITY OF TAYLORSVILLE TO AMEND SECTION 13.08.020 "PERMITTED LAND USE MATRIX…" TO ALLOW END STAGE RENAL DISEASE FACILITY AS AN ADMINISTRATIVE CONDITIONAL USE IN THE PROFESSIONAL OFFICE, MIXED-USE, TRANSIT CORRIDOR, AND RESEARCH AND DEVELOPMENT DISTRICT ZONES, AND AS A NON-PERMITTED USE IN THE INDUSTRIAL ZONES.

The City Council of Taylorsville ordains as follows:

WHEREAS, Coaction Group has applied to amend the General Plan and Zone Maps for properties generally located at 5319 South Jordan Canal Road; 5344 South Jordan Canal road; and 5360 South 2700 West to a Mixed Use (MU) designation; and

WHEREAS, Medical and Healthcare Offices are a permitted use within the MU zone designation, but End Stage Renal Disease Facilities are not permitted; and

WHEREAS, Medical and Healthcare Offices and End Stage Renal Disease Facilities are both defined by Taylorsville City Code to provide outpatient medical services, and planning staff has determined that the two uses are similar in nature and land use impact; and

WHEREAS, it is in the interest of the City of Taylorsville to be consistent inequitable in the treatment of like uses within the same zone and therefore Planning Staff has proposed to amend the various zones to allow End Stage Renal Disease facilities as an administrative conditional use in order to correct any disparity; and

WHEREAS, on July 26, 2016, the Taylorsville Planning Commission held a properly noticed public hearing and voted 6-0 to forward a positive recommendation to amend the City of Taylorsville Municipal Code as proposed by the Planning staff; and

WHEREAS, on July 7, 2016, a notice of public hearing regarding the proposed amendment was posted on the state public notice website; and

WHEREAS, on July 15, 2016, a notice of public hearing regarding the amendment was posted in the Deseret News and Salt Lake Tribune; and

WHEREAS, the Taylorsville City Council met in a regular session on August 3, 2016, to consider, among other things, the proposed City of Taylorsville Municipal Code amendment; and

WHEREAS, after careful consideration and review, the City Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of Taylorsville to amend the City of Taylorsville Municipal Code.

NOW, THEREFORE, **BE IT ORDAINED** by the Taylorsville City Council that this document is adopted to Section 13.08.020 "Permitted Land Use Matrix…" to allow End Stage Renal Disease Facility as an Administrative Conditional Use in the Professional Office, Mixed-Use, Transit Corridor, and Research and Development District zones, and as a non-permitted use in the Industrial zones according to the attached Exhibit A.

Exhibit A: Attached

This Ordinance, assigned Ordinance No. 16-11, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this _____ day of _____, 2016.

TAYLORSVILLE CITY COUNCIL

By:_____
Ernest Burgess, Chair

VOTING:

Daniel Armstrong	Yea ___ Nay ___
Dama Barbour	Yea ___ Nay ___
Ernest Burgess	Yea ___ Nay ___
Bradley W. Christopherson	Yea ___ Nay ___
Kristie S. Overson	Yea ___ Nay ___

PRESENTED to Mayor of Taylorsville for his approval this _____ day of _____, 2016.

APPROVED this _____ day of _____, 2016.

By:_____
Lawrence Johnson, Mayor

ATTEST:

_____
Cheryl Peacock Cottle, Recorder

DEPOSITED in the Recorder's office this _____ day of _____, 2016.

POSTED this _____ day of _____, 2016.

Exhibit ‘A’ – Proposed Ordinance Amendment

3.08.020: PERMITTED LAND USE MATRIX BY THE COMMERCIAL, OFFICE, INDUSTRIAL, MIXED USE, TRANSIT CORRIDOR, AND RESEARCH AND DEVELOPMENT DISTRICTS:

A. Matrix Explanation: The matrix below lists all uses permitted within the commercial, office, industrial, mixed use, transit corridor, and research and development districts:

P	= Permitted
AC	= Administrative conditional
NC	= Nonadministrative conditional
S	= Special use permit
N	= Not permitted

For those letters which are followed by a slash "/", the second letter shall indicate those location restrictions for uses located within two hundred fifty feet (250') of a residential district (unless bisected by a principal arterial road as determined by the city engineer or as identified in the transportation element of the city general plan).

For those land uses marked with a superscript number (i.e., AC[1]), refer to the notes following the table for explanation.

B. Table Of Uses:

Land Use Category	RC Regional Commercial	BC Boulevard Commercial	CC Community Commercial	NC Neighborhood Commercial	LC Limited Commercial	PO Professional Office	ID Industrial District	MU Mixed Use	TC Transit Corridor	RD Research And Development
….										
End stage renal disease facility	N	AC	AC	N	N	~~N~~ AC	~~P~~ N	~~N~~ AC	~~N~~ AC	~~N~~ AC
….										