



Planning & Development Services Division

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Kearns Township Planning Commission

Public Meeting Agenda

Monday, November 10, 2014 4:00 P.M.

THE MEETING WILL BE HELD AT SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, NORTH BUILDING, MAIN FLOOR, COUNCIL CHAMBERS,
ROOM N1100

ANY QUESTIONS, CALL (385) 468-6700

REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED UPON RECEIPT OF A REQUEST WITH 5 WORKING DAYS NOTICE. PLEASE CONTACT WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.

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

BUSINESS MEETING

- 1) Approval of Minutes from the March 10, 2014 and June 9, 2014 meeting
- 2) Planning Commission Appeals discussion
- 3) Other Business Items (as needed)

PUBLIC HEARINGS

29020 – Salt Lake County is considering amendments and other related changes to Chapter 19.04 and Sections 19.44.030, 19.56.040, 19.62.040, and 19.64.040 of Salt Lake County Ordinances to define a Reiki Business and to allow for that land use as a conditional use in the RM, C-1, C-2 and C-3 zones. **Community Council:** All – **Staff:** Brittany Allen

Conditional Use – Site Plan Amendment –

29063 – Marv Allen is requesting approval to amend the existing site plan. The location currently has 2 large water tanks. The amendment is to remove the two existing water tanks to build one new water tank. The parcel is 5.62 acres. **Location:** 5350 West 5400 South. **Zone:** R-1-6 (Single Family Residential). **Community Council:** Kearns. **Planner:** Spencer Hymas

ADJOURN



MEETING MINUTE SUMMARY
Kearns Township Planning Commission Meeting

Monday, March 10, 2014 4:00 p.m.

Approximate meeting length: 26 minutes
Number of public in attendance: 0
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Bartlett

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

| Commissioners | Public Mtg | Business Mtg | Absent | Planning Staff / DA | Public Mtg | Business Mtg |
|-----------------------|------------|--------------|--------|---------------------|------------|--------------|
| Ruby Martinez – Chair | NA | | x | Spencer Hymas | NA | x |
| Mike Frandsen | NA | x | | Wendy Gurr | NA | x |
| Alvin Britton | NA | x | | Max Johnson | NA | x |
| John A. Glines | NA | x | | Krissy Nielsen | NA | x |
| Debbie Wall | NA | | x | Spencer Brimley | NA | x |
| Reed Bartlett | NA | x | | Steve Szemerey | NA | x |
| | | | | Debora Riddle | NA | x |

BUSINESS MEETING

Meeting began at – 4:00 p.m.

- 1) Code Enforcement Data Presentation, Krissy Nielsen

Staff Krissy Nielsen gave a presentation regarding code enforcement and violations.

Commissioner Frandsen wanted to know why this was done initially. Staff Krissy Nielsen explained this is a pilot project. Commissioner Frandsen said from looking at this, everyone is in violation. She explained that is not the case and she wants to know what improvements the County can make. They have heard from the Community and are now asking the Planning Commission for feedback. Staff Steve Szemerey states Kearns Township community spoke and they didn't think code enforcement was getting anything resolved. Kearns Council wanted to know how they could bring the garbage down and are thinking maybe two dumpsters per year would help. Steve mentioned the offenders could potentially run through the Land Use Hearing Officer that would cut down on the repeat offenders. Commissioner Frandsen said if there are that many repeat offenders, then they just don't care about their neighborhood. We need to look at renters and rent to own properties or maybe have Kearns Township Pride more often. We need to have more Community outings. Possibly add more parks, as he feels existing parks have no resources. Residents need to show pride in Kearns Township and put more dumpsters out there. He said once they are put out, they are full in 20 minutes. The Commissioners agree on developing additional Kearns Township Pride programs. Commissioner Britton stated this code enforcement program is great and he stands by it. Last spring he was a blue dot, he had purchased items to work on his

summer home and the items were stored in the driveway. He stated code enforcement was great and professional. They have an understanding, that code enforcement didn't go into back yards, and acknowledged one corner house in Kearns Township where items are stacked up in the back and side yard. Staff Steve Szemerey confirmed if they can see the backyard from the side or if a neighbor allows them to use their yard they try to do something. Staff mentioned it could be a right issue. Commissioner Glines confirmed the dumpster for green waste was great. He called and had it there the same day. They were easy to work with and they explained what you could throw out.

Staff Krissy Nielsen advised they would appreciate any feedback from the Commission. Commissioner Frandsen confirmed they would need additional time to talk about it and get back to Staff.

2) Approval of Minutes from the November 4, 2013 meeting

Motion: to approve Minutes from the November 4, 2013 meeting.

Motion by: Commissioner Glines

2nd by: Commissioner Frandsen

Vote: unanimous in favor (of commissioners present)

3) Collection of Completed Documents

Those who were in attendance handed in completed documents. Commissioner Britton will mail his.

4) Election of Chair and Vice Chair for 2014

Elections continued to the next meeting.

5) Other Business Items (as needed)

No other business items to discuss.

MEETING ADJOURNED

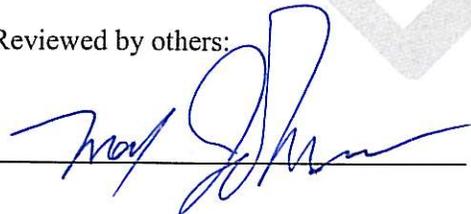
Time Adjourned – 4:26 p.m.

Minutes reviewed by:



3/11/14

Reviewed by others:



3-11-14



MEETING MINUTE SUMMARY
Kearns Township Planning Commission Meeting

Monday, June 9, 2014 4:00 p.m.

Approximate meeting length: 1 hour 17 minutes

Number of public in attendance: 1

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Martinez

**NOTE: Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.*

ATTENDANCE

Commissioners and Staff:

| Commissioners | Public Mtg | Business Mtg | Absent | Planning Staff / DA | Public Mtg | Business Mtg |
|-----------------------|------------|--------------|--------|---------------------|------------|--------------|
| Ruby Martinez – Chair | | x | | Spencer Hymas | | x |
| Mike Frandsen | | | x | Wendy Gurr | | |
| Alvin Britton | | | x | Max Johnson | | x |
| John A. Glines | | x | | Chris Preston (DA) | | x |
| Debbie Wall | | x | | Zach Shaw (DA) | | x |
| Reed Bartlett | | x | | | | |

BUSINESS MEETING

Meeting began at – 4:00 p.m.

1) Planning Commission Training by District Attorney’s Office

Counsel Zach Shaw opened the training and gave an overview of what they will be covering today regarding the Planning Commissioner Resource Manual. Counsel Zach Shaw advised that now they are trying to be consistent and ask that they do not participate. Counsel Chris Preston referred the Commissioners to sections 19.05 and 19.060. These chapters refer to Planning Commissioners and Township Planning Commissions Authority and responsibilities. Counsel Chris Preston also advised they should familiarize themselves with the following chapters, 19.84, 19.88, 19.90, 19.83, and 19.78.

Counsel Zach Shaw handed out an outline of additional information to be added to the Resource Manual. Counsel Zach Shaw advised that the Commissioners create a new section for training in their manual, as there would be a 30 page outline provided in the near future. Counsel Zach Shaw confirmed that next month they hope to have training on Conditional Uses.

Additional discussion among Counsel and the Commissioners was had on the following topics:

- Ethics
- Due-Process
- Ex-Parte Communication
- Site Visits

- Government Records Access and Management Act (GRAMA)
- Email Communications

Commissioner Martinez said if they step outside their boundaries, the Counsel will let them know and confirmed the Commissioners contact info on the County website has been removed.

2) Approval of Minutes from the March 10, 2014 meeting
To continue approval of March 10, 2014 meeting minutes until all Commissioners from the meeting are present.

3) Township Services Introduction, Patrick Leary
Continued to the next meeting.

4) Kearns Ballpark

Presentation of the ballpark by Andrea. Commissioner Martinez asked for timeline. They want to be out for bid in July and begin construction in August. The playground was a community build and will be kept, just moved.

5) Election of Chair and Vice Chair for 2014
To be continued until all Commissioners are present.

6) Other Business Items (as needed)
No other business items to be discussed.

MEETING ADJOURNED

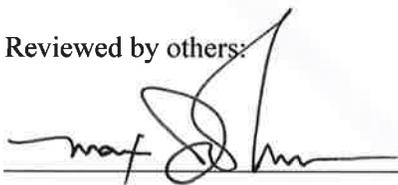
Time Adjourned – 5:17 p.m.

Minutes reviewed by:



11/3/14

Reviewed by others:



11-3-14



Ben McAdams
Salt Lake County Mayor

Patrick Leary
Township Executive

**PLANNING &
DEVELOPMENT
SERVICES**

Rolen Yoshinaga
Planning & Development
Services Director

July 14, 2014

Community Council Members:

Please schedule 15 minutes on an upcoming Community Council meeting agenda to discuss an ordinance adding regulation to Reiki businesses licensed in Salt Lake County. The proposed ordinance will define the term “Reiki business” and include them as a conditional use in R-M, C-1, C-2, and C-3 zones.

Reiki businesses are primarily devoted to a client’s healing with the practitioner trained to access and serve as a channel for a sacred life force, by placing his or her hands on or above the client’s body to activate healing energy. Historically, Reiki businesses were not defined in the zoning ordinance and therefore were treated as largely similar to licensed massage therapy (LMT) businesses. LMT businesses are a conditional use in RM, C-1, C-2, and C-3 zones. In locations where LMT had previously been approved, Reiki businesses were allowed to move in or share space with LMT activities.

Recently, however, criminal elements have been licensing Reiki businesses and therefore the use of the property can no longer be considered as similar in nature to LMT. It has now become necessary to include the term “Reiki business” and requirements for such businesses in the ordinance to help prevent the criminal element from licensing and operating Reiki businesses and to allow legitimate Reiki practitioners to continue to practice.

Sincerely,

Brittany Allen
Permitting and Licensing Supervisor

SALT LAKE COUNTY ORDINANCE

Ordinance No. _____

Date _____, 2014

CONDITIONAL USE FOR REIKI BUSINESS

AN ORDINANCE AMENDING CHAPTER 19.04 AND SECTIONS 19.44.030, 19.56.040, 19.62.040 AND 19.64.040 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, TO DEFINE A REIKI BUSINESS, AND TO PROVIDE FOR A CONDITIONAL USE IN THE R-M, C-1, C-2, AND C-3 ZONES FOR A REIKI BUSINESS; AND MAKING OTHER RELATED CHANGES.

The County legislative body of Salt Lake County ordains as follows:

SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

SECTION II. Chapter 19.04 of the Salt Lake County Code of Ordinances, 2001, entitled “Definitions,” is hereby amended to amend and add the following sections as follows:

~~[19.04.450]~~ **19.04.448** **Recreation, commercial.**

“Commercial recreation” means recreational facilities operated as a business and open to the general public for a fee, such as golf driving ranges and baseball batting ranges.

19.04.449 **Reiki business**

“Reiki business” means a business devoted primarily to Reiki healing, or any other system that has elements of the following. The practitioner, trained to access and serve as a channel for a sacred life force, places his or her hands on or just above the client’s body in order to activate healing energy within receptive points on the body. The practitioner’s hands move progressively with a passive touch through various positions on the body, remaining in each position for a period of time. As a harmonic flow of energy is strengthened, within the client and practitioner, healing

occurs through the return of physical, mental, and spiritual balance. For purposes of this Title, a Reiki business shall not include Reiki healing, or similar system, which are performed in a hospital or medical clinic.

SECTION III. Section 19.44.030 of the Salt Lake County Code of Ordinances, 2001, is hereby amended to read as follows:

19.44.030 Conditional uses.

Conditional uses in the R-M zone include:

- Airport;
- Apartments;
- Apartments for elderly persons;
- Banks;
- Bed and breakfast homestay (provided it is located on a lot which has a minimum area of ten thousand square feet);
- Bed and breakfast inn, which may include conference meeting rooms;
- Boardinghouse;
- Cemetery, mortuary, etc.;
- Day care/preschool center;
- Dwelling group.

A. The development shall comply with the maximum allowable density for the R-M zone.

B. The distance between the principal buildings shall be equal to the total side yards required in the zone; provided, however, that at the option of the developer the distance between the principal structures may be reduced to ten feet, provided that the difference between ten feet and the required side yards is maintained as permanently landscaped open space elsewhere on the site. The distance between principal buildings and the nearest perimeter lot line shall not be less than fifteen

feet unless demonstrated by the development plan that the yard required for a principal building in the district in which it is located is more appropriate. The distance between the building and a public street shall be not less than the front yard required in the zoning district, except for corner lots the side yard which faces on a public street shall be not less than twenty feet.

C. Access shall be provided by a private street or right-of-way from a public street; such private street or right-of-way shall not be less than twenty feet wide for one or two rear dwelling units, and not less than thirty feet wide for three or more dwelling units.

D. A minimum of two parking spaces shall be provided for each dwelling unit. Parking spaces and vehicular maneuvering areas shall be designed to comply with county standards.

E. Every dwelling in the dwelling group shall be within sixty feet of an access roadway or drive.

F. The development plan shall provide landscaping as specified in Chapter 19.77 of this title. Solid visual barrier fences shall be provided along all property lines unless the planning commission approves otherwise by deleting or modifying the fence requirement.

G. The development shall be approved by the development services director and the county fire chief before final approval is given by the planning commission.

- Electrolysis of hair;
- Golf course;
- Gymnastics, dance, dramatic, cosmetic, modeling and art studios for instructional purposes only;
- Home day care/preschool, subject to Section 19.04.293;
- Hospital;
- Hotel;
- Lodginghouse;

- Massage (every massage technician shall be licensed by the state);
- Medical, optical and dental laboratories, but not to include the manufacture of pharmaceutical or other products for general sale or distribution, and also not to include the use of animals;
- Mobile home park;
- Nursery and greenhouse, excluding retail sales;
- Nursing home;
- Office, business and/or professional;
- Parking lot;
- Pigeons, subject to health department regulations;
- Planned unit development;
- Private educational institutions having an academic curriculum similar to that ordinarily given in public schools;
- Private nonprofit recreational grounds and facilities;
- Public and quasi-public uses;
- 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. Office uses shall be allowed on the first and second floor of buildings fronting on a public street.
 - E. Parking is not allowed between the building and the public street.

F. 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.

G. 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.

H. 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."

I. 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;

— 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 Ordinance, and

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

— Residential development with any number of dwelling units per structure per lot, pursuant to Section 19.44.040;

— Shared parking;

— Short-term rental provided:

A. A full-time manager lives on the property. The full-time manager may be the owner of the property; and

B. Except for the manager's dwelling unit, all of the dwelling units on the property, lot, planned unit development, or dwelling group shall be rental units, short-term or long-term.

— Sportsman's kennel (minimum lot area one acre);

— Tanning studio;

— Temporary buildings for uses incidental to construction work, which buildings must be removed upon the completion or abandonment of the construction work. If such buildings are not removed within ninety days upon completion of construction and thirty days after notice, the buildings will be removed by the county at the expense of the owner;

— Veterinary; provided, that:

A. The operation is completely enclosed within an air-conditioned soundproofed building. The noise from the animals shall not be audible at the property line,

B. There is no sale of merchandise on the premises, and

C. There is no overnight boarding of animals.

SECTION IV. Section 19.56.040 of the Salt Lake County Code of Ordinances, 2001, is hereby amended to read as follows:

19.56.040 Conditional uses.

Conditional uses in the C-1 zone include:

- Ambulance service;
- An apartment attached to and on the same parcel as an automobile service station and occupied by a manager or other employee;
- Antique shop without outside display;
- Automobile service center which is limited to tune-ups, lubrication and oil change, front-end alignment and brake repair, providing there is not outside storage of parts or material;
- Automobile service station, excluding the repairing, painting or upholstering of motor vehicles; automatic automobile carwash, not to exceed four wash bays;
- Baking, ice cream making and/or candy making incidental to retail sales serving not more than three outlets in the county and employing not more than three persons;
- Bed and breakfast inn, which may include a restaurant and conference meeting rooms;
- Class C fireworks store;
- Copy service;
- Day care/preschool center;
- Delicatessen;
- Dog and cat groomery, excluding overnight boarding;
- Drugstore;
- Frozen food locker incidental to a main grocery store or food business;
- Grocery;
- Home occupation;
- Massage (every massage technician shall be licensed by the state);
- Milk distributing station and sales of dairy products, excluding processing or bottling;
- 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;

— Parking lot;

— Planned unit development;

— Private school;

— Public and quasi-public use;

— Reception center and/or wedding chapel;

— 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 Ordinance, and

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

— 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;

— Shared parking;

— 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. If such buildings are not removed within ninety days upon completion of construction, and thirty days after notice, the buildings will be removed by the county at the expense of the owner.

SECTION V. Section 19.62.040 of the Salt Lake County Code of Ordinances, 2001, is hereby amended to read as follows:

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 upholstering 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 grooming, 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 Ordinance, and

D. The premises shall not be used for any conduct that violates Section 58-47b-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.

SECTION VI. Section 19.64.040 of the Salt Lake County Code of Ordinances, 2001, is hereby amended to read as follows:

19.64.040 Conditional uses.

Conditional uses in the C-3 zone include:

— Agency for the sale or rental of new or used motor vehicles, trailers or campers;

— Ambulance service;

— Animal hospital;

— 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;

- Assembly of medical supplies;
- Athletic club and/or health club;
- Automobile repair shop, including body and fender work, tire recapping and/or

vulcanizing; automatic automobile wash;

- Baking, ice cream making and/or candymaking;
- 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;
- Bottling works, soft drinks;
- Boxing arena;
- Building material sales;
- Carpenter shop; cabinet shop;
- 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 beer outlet;
- Class C fireworks store;
- Construction of buildings to be sold and moved off the premises;
- Day care/preschool center;
- Electronic instruments assembling;
- Golf course;
- Hatchery;

- Home day care/preschool, subject to Section 19.04.293;
- Home occupation;
- Hospital;
- Hotel and apartment hotel;
- Impound lot, providing:

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

B. No dismantling or demolition of automobiles or other vehicles shall be conducted on the premises;

- Indoor firearms and/or archery range;
- Knitting mill;
- Liquor store;
- Lumberyard;
- Machinery installation and servicing;
- 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;

— Monument works;

— Motel;

— Multiple dwelling; group dwelling;

— Nightclub or social club;

— Outdoor chemical toilet rental;

— Package agency;

— Parking lot;

— Planned unit development;

— 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 only occupy the first floor of buildings fronting 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 Ordinance, and

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

— Rent-all stores;

— 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;

— Sexually oriented business;

— Shared parking;

— State store;

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

— 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. If such buildings are not removed within ninety days upon completion of construction and thirty days after notice, the buildings will be removed by the county at the expense of the owner;

— 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;

— Used car lot.

SECTION VII. This ordinance shall become effective fifteen (15) days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

APPROVED and ADOPTED this _____ day of _____, 2014.

SALT LAKE COUNTY COUNCIL

By: _____
Michael Jensen, Chair

ATTEST:

Sherrie Swensen
County Clerk

Approved as to form and legality:

Deputy District Attorney
Date: _____

Voting:

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

Vetoed and dated this _____ day of _____, 2014.

By: _____
Mayor Ben McAdams or Designee

(Complete As Applicable)

Veto override: Yes__ No__ Date _____

Ordinance published in newspaper: Date _____

Effective date of ordinance: _____

SUMMARY OF

SALT LAKE COUNTY ORDINANCE NO. _____

On the _____ day of _____, 2014, the County Council of Salt Lake County adopted Ordinance No. _____, amending chapter 19.04 and sections 19.44.030, 19.56.040, 19.62.040, and 19.64.040 of the Salt Lake County Code of Ordinances, 2001, to define a Reiki business, and to provide for a conditional use in the R-M, C-1, C-2 and C-3 zones for Reiki businesses; and making other related changes.

SALT LAKE COUNTY COUNCIL:

By _____
MICHAEL JENSEN, Chair

ATTEST:

Sherrie Swensen, County Clerk

Approved as to Form:

Voting:

| | |
|----------------------|-------|
| Councilman Bradley | _____ |
| Councilman Bradshaw | _____ |
| Councilman Burdick | _____ |
| Councilman DeBry | _____ |
| Councilman Horiuchi | _____ |
| Councilman Granato | _____ |
| Councilman Jensen | _____ |
| Councilman Snelgrove | _____ |
| Councilman Newton | _____ |

A complete copy of Ordinance No. _____ is available in the office of the Salt Lake County Clerk, 2001 South State Street, N2100A, Salt Lake City, Utah.



STAFF REPORT

| Executive Summary | | | | | | | | | |
|-------------------------------|--|-------------------------------|------------------------------|-----------------------------|---|---|---|---|--|
| Hearing Body: | Kearns Community Council | | | | | | | | |
| Meeting Date and Time: | Monday, November 10, 2014 | 03:30 PM | File No: | 2 | 9 | 0 | 6 | 3 | |
| Applicant Name: | Marv Allen | Request: | Conditional Use | | | | | | |
| Description: | Kearns Improvement District is Upgrading Their Water Tanks | | | | | | | | |
| Location: | 5350 West 5400 South | | | | | | | | |
| Zone: | R-1-6 Residential Single-Family | Any Zoning Conditions? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | | | | | |
| Community Council Rec: | Approval | | | | | | | | |
| Staff Recommendation: | Approval with Conditions | | | | | | | | |
| Planner: | Spencer Hymas | | | | | | | | |

1.0 BACKGROUND

1.1 Summary

Marv Allen is requesting approval to amend the existing site plan. The property is located at 5350 West 5400 South and currently has 2 large water tanks (1 Million Gallon & 3 Million Gallon). The amendment is to remove the two existing water tanks to build one new large water tank (5 Million Gallon). The parcel is 5.62 acres and zoned R-1-6 (Single Family Residential).

1.2 Hearing Body Action

19.84.050 - Approval/denial authority.

The planning commission has the authority to approve, deny, or approve with conditions conditional use applications.

A. Planning Commission Approval.

1. The planning commission shall review and approve or deny each application during a public meeting.
2. The planning commission's decision shall be based on information presented through the public meeting process, including: the materials submitted by the applicant, the recommendation of the director or director's designee, and input from interested parties and affected entities.
3. If conditions are specified, the director or director's designee shall issue a final approval letter upon satisfaction of the planning commission's conditions of approval.
4. If the applicant fails to meet all conditions of approval within twelve months of the planning commission's decision, the application is deemed denied. A twelve-month extension may be granted upon the payment of an additional filing fee equal to the original filing fee.

5. A planning commission decision shall be made on a complete conditional use application within a reasonable time frame, not to exceed ninety days. The planning commission is authorized to review and take action on an application as outlined in Section 19.84.040 after having notified the applicant of the meeting date.

6. Failure by the applicant to provide information that has been requested by the planning commission, the director or director's designee to resolve conflicts with the standards in Section 19.84.060 (above) may result in an application being denied.

B. Decision. Each conditional use application shall be:

1. Approved if the proposed use, including the manner and design in which a property is proposed for development, complies with the standards for approval outlined in Section 19.84.060; or
2. Approved with conditions if the anticipated detrimental effects of the use, including the manner and design in which the property is proposed for development, can be mitigated with the imposition of reasonable conditions to bring about compliance with the standards outlined in Section 19.84.060; or
3. Denied if the anticipated detrimental effects of the proposed use cannot be mitigated with the imposition of reasonable conditions of approval to bring about compliance with the standards outlined in Section 19.84.060

1.3 Neighborhood Response

No negative responses have been received at the time of the report

1.4 Community Council Response

The Community Council gave a favorable recommendation at its October 21st 2014 meeting.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

| Criteria Met | | Conditional Use Criteria and Evaluation |
|--|--------------------------------|--|
| YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | <u>Standard `A`:</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i> |
| | | The proposed site plan appears to meet all requirements of the zoning ordinance. |
| YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | <u>Standard `B`:</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i> |
| | | The plan as proposed complies with all applicable provisions in the Zoning Ordinance. Compliance with all other applicable laws and ordinances will be established through the technical review process before final approval. |
| YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | <u>Standard `C`:</u> <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i> |

| | | |
|--|--------------------------------|---|
| | | Additional site traffic is not anticipated with the water tank size upgrade. |
| YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | <u>Standard `D':</u> <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i> |
| | | These issues will be addressed during the technical review with staff and at the time of the building permit. The upgraded tank will be a safer alternative than status quo. No perceived threats to safety are anticipated. |
| YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | <u>Standard `E':</u> <i>The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i> |
| | | The proposed water tank will be built underground, and the use has already been established in this area. No additional adverse impacts are perceived with the upgrade. |

2.2 Zoning Requirements

19.14.060 - Building height.

Except as otherwise specifically provided in this title no building or structure shall exceed the following height (see Section 19.04.095 (A) for definition of "height"):

A. Main Buildings.

1. Thirty feet on property where the slope of the original ground surface exceeds fifteen percent or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. Said box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet.
2. Thirty-five feet on properties other than those listed in number one of this subsection.
3. No dwelling shall contain less than one story.

B. Accessory Buildings.

1. No building which is accessory to a single-family dwelling shall exceed twenty feet in height. For each foot of height over fourteen feet, accessory buildings shall be set back from property lines an additional foot to allow a maximum height of twenty feet.
(Ord. 1509 § 3, 2003; Ord. 1285 § 2 (part), 1994)

2.3 Other Agency Recommendations or Requirements

Complete the technical review process.

2.4 Other Issues

Within the next 2 years, Kearns Improvement would like to expand its building facilities. This application has not addressed the future expansion in depth. Due to the intentions of future redevelopment, the applicant is proposing a temporary landscaping plan that is an alternative to what is required by ordinance. The alternative landscaping plan will be to re-vegetate the area with sod until they are able to build the additional buildings.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

- 1) The temporary alternative landscaping plan may be approved if the applicant provides a landscaping plan that meets ordinance and bonds for associated landscaping improvements.

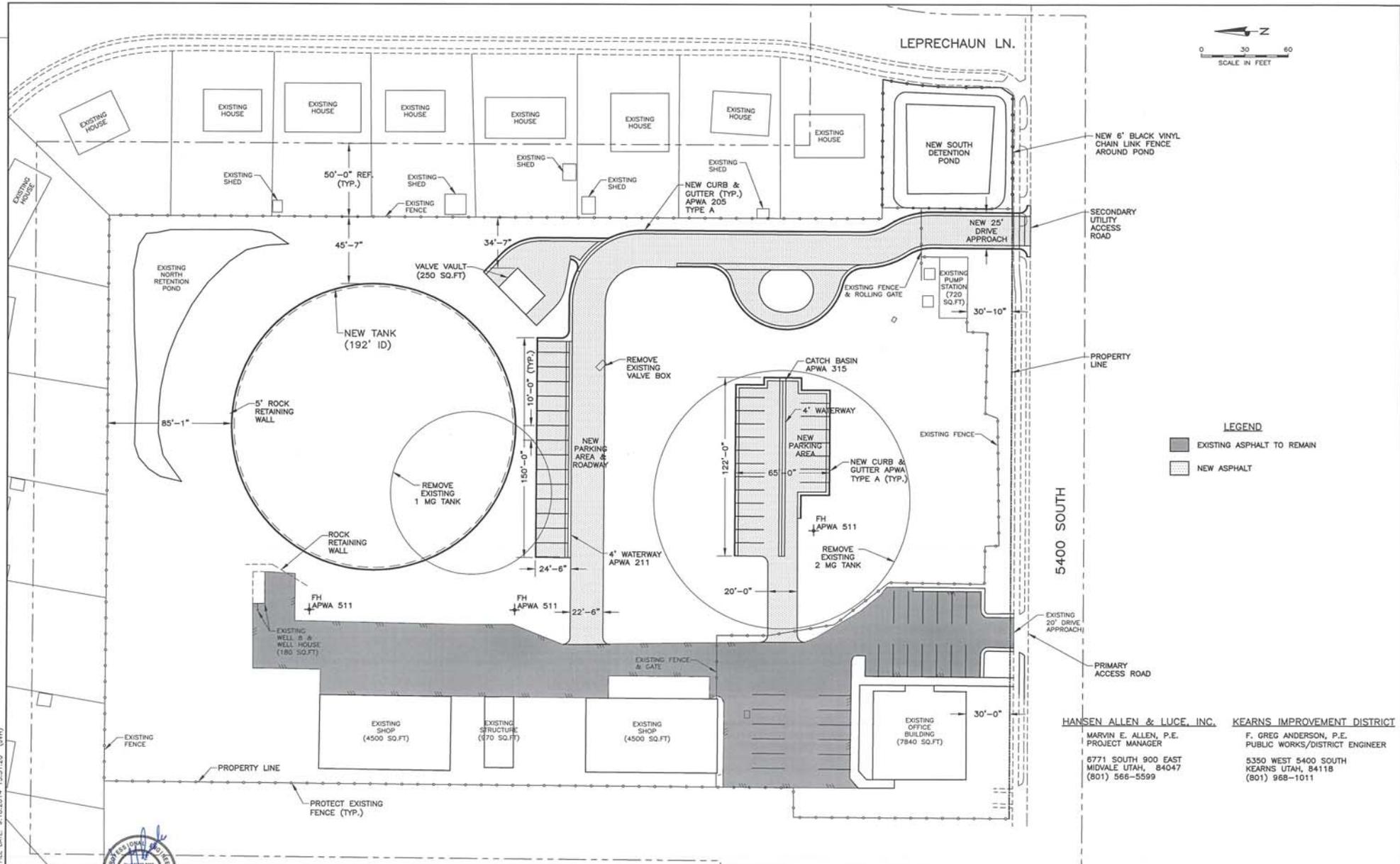
3.2 Reasons for Recommendation

- 1) The proposal will meet all the standards of the ordinance before final land use is granted.





FILE NAME: PROJECTA 138 - KEARNS 16.100-5MG TANK\CGA\WORKING\C-2A PHASE I PLANNING
 FILE DATE: 9/18/2014 10:31:20 (JAH)



LEGEND
 [Hatched Box] EXISTING ASPHALT TO REMAIN
 [Dotted Box] NEW ASPHALT

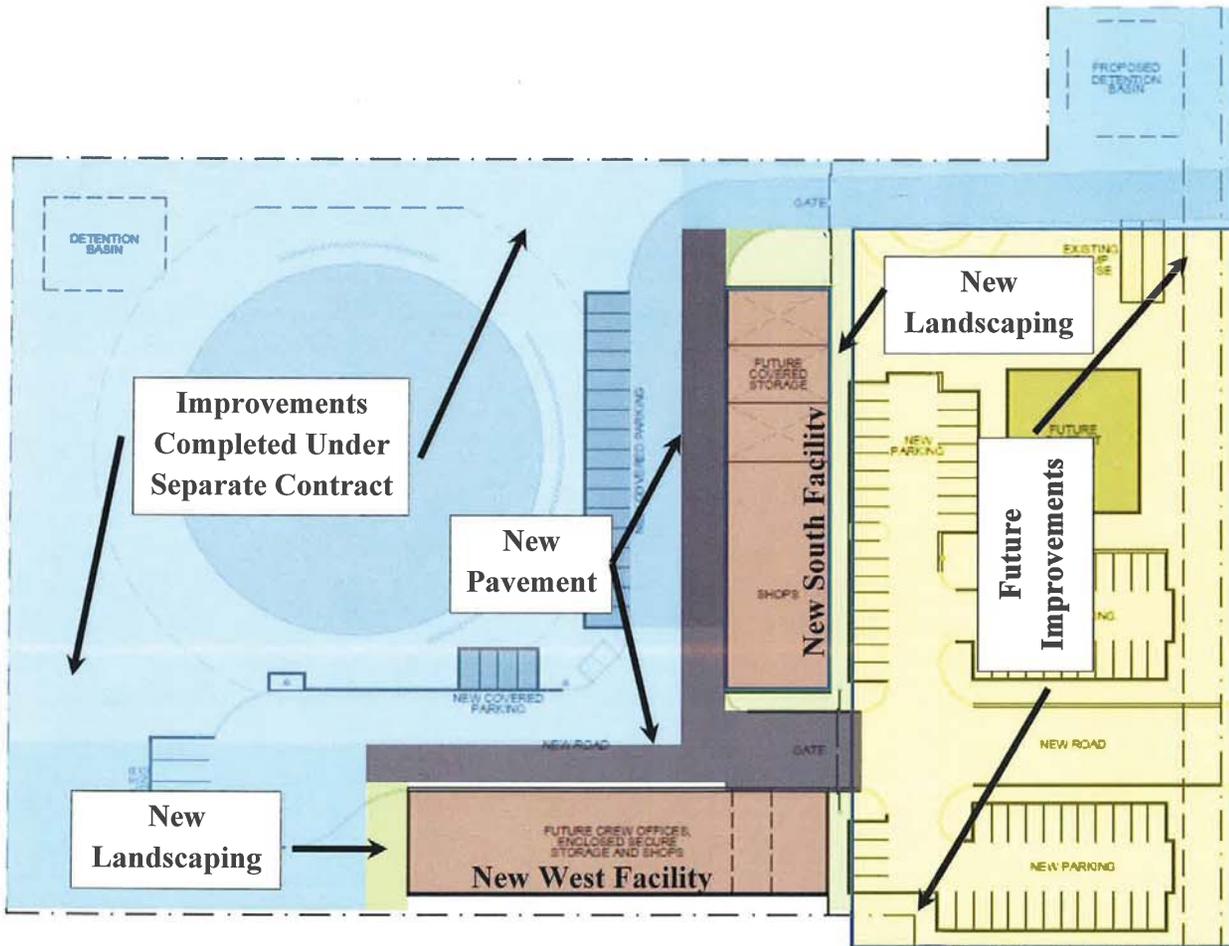
HANSEN ALLEN & LUCE, INC. KEARNS IMPROVEMENT DISTRICT
 MARVIN E. ALLEN, P.E. PROJECT MANAGER
 6771 SOUTH 900 EAST MIDVALE UTAH, 84047 (801) 566-5599
 F. GREG ANDERSON, P.E. PUBLIC WORKS/DISTRICT ENGINEER
 5350 WEST 5400 SOUTH KEARNS UTAH, 84118 (801) 968-1011



| | | | | | |
|----------|----------------|-----|--|------|--|
| DESIGNED | VGC | 3 | | | |
| DRAFTED | JVH | 2 | | | |
| CHECKED | MEA | 1 | | | |
| DATE | SEPTEMBER 2014 | NO. | | DATE | |

SCALE AS SHOWN
 KEARNS IMPROVEMENT DISTRICT
 5350 WEST 5400 SOUTH
 KEARNS UTAH, 84118

5 MG TANK CIVIL PHASE I PLAN
 SHEET C-2A
 138.16.100



**KEARNS IMPROVEMENT DISTRICT
PLANT EXPANSION**

1" = 400'



ACCESS ROAD AND
TANK BY OTHERS

RECEIVED
SEP 22 2014
SALT LAKE COUNTY
PLANNING