

# Planning Commission Staff Report

## **File #9Z25 – DCA-000570-2025**

**Public Hearing and Recommendation to the City Council for a Zoning Text Amendment to Section 13.08.020(E) of the Taylorsville Municipal Code, Amending Bar Establishment Use in RC Zone from Prohibited to Require Nonadministrative Conditional Use Approval within 250 Feet of a Residential Zone.**



### Department of Community Development

<b>Staff Report Date:</b>	December 10, 2025
<b>Meeting Date:</b>	December 16, 2025
<b>Agenda Item:</b>	Public Hearing and Recommendation to the City Council for a Zoning Text Amendment to Sections 13.08.020(E) of the Taylorsville Municipal Code Related to a Permitted Use in the Regional Commercial (RC) Zone.
<b>Applicable Properties:</b>	Parcels zoned Regional Commercial (RC)
<b>Applicant:</b>	City of Taylorsville
<b>Author:</b>	Terryne Bergeson, Planner II
<b>Applicable Ordinances:</b>	Including but not limited to Chapter 13.05, Section 13.08.020(E)
<b>Agenda Item #:</b>	5

### **Attachments:**

**Exhibit A:** Proposed Zoning Text Amendment

**Exhibit B:** RC Parcels and Proximity Map (4015 W. 4700 S.)

**Exhibit C:** RC Parcels and Proximity Map (5400 S. Redwood Rd.)

**Exhibit D:** RC Parcels and Proximity Map (5400 S. Bangerter Highway)

**Exhibit E:** Bar Establishment Reference Guide (DABS)

## Summary

A property in Taylorsville (previously operating as Trolley Wing Company) was recently purchased by owners looking to continue the previous type of land use. During review of the previously issued business licenses, it was discovered that the previous business was issued an alcohol license type (bar establishment) that was inconsistent with the permitted uses based on that property's zone. Community Development staff reviewed the location, Land Development Code, and previous use and determined it is appropriate to initiate a request to amend the parcel's zoning designation to a zone that could allow for the use which motivated the new owners to bring their business to Taylorsville (file# 8Z25-DCA-000569-2025).

According to the Table of Permitted Uses for Commercial Districts in [§13.08.020\(E\)](#) a bar establishment license may be permitted in the Regional Commercial (RC) zone after issuance of applicable permits and licenses, including a nonadministrative conditional use permit approved by the Planning Commission. According to the table certain uses require higher level of review or are restricted based on proximity to a residential district. Under the current code, a bar establishment license is prohibited if the use will be within 250 feet of a residential district. Due to the circumstances described above, the attached draft (Exhibit A) is intended to enable licensing of a previously existing use with the approval of a nonadministrative conditional use permit. If approved, this would enable an interested owner to request that the Planning Commission consider a request to operate a bar establishment within 250 feet of a residential district. The request would trigger Planning Commission review to identify potential impacts to surrounding areas and authorize the Commission to impose conditions to mitigate such impacts, per Chapter 13.33 and further described below:

### **13.33.050: CONDITIONS:**

*In order to achieve compliance with the standards set forth herein, the city may impose conditions that address:*

- A. Size, configuration, and location of the site and the proposed site plan layout.*
- B. Proposed site ingress and egress to existing and proposed roads and streets.*
- C. The adequacy, provision, relocation, or protection of public facilities and amenities, including roads and streets, culinary water, secondary water, sanitary sewer, storm drainage, public safety and fire protections, and other utilities.*
- D. Design, location, and amount of off street parking, loading areas and solid waste disposal, and refuse collection areas.*
- E. Site circulation patterns for vehicular, pedestrian and other traffic.*
- F. Massing, size, number, location, design, exterior features, materials, and colors of buildings, structures, and other facilities.*
- G. The location and design of all site features, including proposed signage, lighting, and site furnishings.*
- H. The provision of usable open space, public features, and recreational amenities.*
- I. Fencing, screening and landscape treatments, and other features designed to increase the attractiveness and safety of the site and protect adjoining property owners from noise, visual, and other impacts.*
- J. Measures directed at minimizing or eliminating possible nuisance factors including, but not limited to, noise, vibrations, smoke, dust, dirt, debris, plant materials, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation.*
- K. Measures designed to protect the natural features of the site including wetlands and drainageways, groundwater protection, soils, wildlife, and plant life.*

- L. The regulation of operating hours for activities affecting normal schedules and functions.*
- M. Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval.*
- N. Measures to ensure compliance with all conditions and requirements of approval, including, but not limited to, bonds, letters of credit, improvement agreements, agreements to conditions, road maintenance funds, and restrictive covenants.*
- O. Such other conditions determined reasonable and necessary by the city to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this code.*

If approved, the requested change to allow a bar establishment as a non-administrative conditional use within 250' of a residential district would apply only to the RC zone. An analysis determined that the restriction change would impact eleven properties citywide. The 250-foot distance requirement would be measured from the patron entrance, the same method outlined by Department of Alcohol and Beverage Services (DABS). Exhibits B-D illustrate the RC zones within Taylorsville as well as the residences within 250 feet of those zones. Staff notes that the existing buildings where this change would apply would require building permits and renovations to support a change of use (such as the Ace Standard in Exhibit B or AutoZone in Exhibit C) or would require nonadministrative site plan review for demolition and new construction (storage facility in Exhibit D). In cases of new construction, the Planning Commission could impose conditions to the site plan to mitigate negative impacts on a residential district within 250' such as sound proofing, orientation of patio and customer entrances, and buffer requirements. In cases of renovation to change the use, building improvements would be required and similar conditions could still be imposed.

In addition to requiring nonadministrative review and approval to operate a bar establishment, a bar establishment is required to obtain a license with DABS. This agency monitors compliance with state regulations for operations, sales, and employee training for each bar establishment. A reference guide providing an overview of bar requirements is attached (Exhibit X). More information about state requirements for such operations can be read on the [DABS website](#) and in [Utah Code §32B-6-4](#).

## **Public Comment**

A public notice was sent to all affected entities and property owners of residences located within 250 feet of an RC zone on December 5, 2025. A notice was posted at City Hall on December 5, 2025.

As of December 11, 2025, no comments have been received.

## **Findings**

1. Taylorsville Land Development Code permits the issuance of bar establishment license in the RC zone after approval of a nonadministrative conditional use permit.
2. Taylorsville Land Development Code currently prohibits the issuance of a bar establishment license in the RC zone if the operation is within 250 feet of a residential district.
3. New owners have acquired a property that is within 250 feet of a residential district to continue the operation of such a use.
4. During review it was found that a bar establishment license type issued to prior users was inconsistent with the standards outlined in §13.08.020(E).
5. Call history reports retrieved from Taylorsville Police Department indicate there were no complaints received from residents within 250' of a previously operating bar establishment operating at property adjacent to residential between June 2021- June 2025.
6. An application to amend the zoning text was initiated by the City of Taylorsville.

7. The proposed zoning text amendment would require approval of a nonadministrative conditional use permit prior to application for all other applicable state and city licenses to operate a bar establishment in the RC zone within 250 feet of a residential district.
8. The City Council is the final decision-making authority for a text amendment to the Taylorsville Municipal Code.

### **Staff Recommendation**

Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend the Taylorsville Municipal Code related to permitted use in the Regional Commercial zone, as specified in Exhibit A of this staff report.

### **Recommended Motion**

I move that we send a positive recommendation to the City Council for File #9Z25-DCA-000570-2025 to amend to Section 13.08.020(E) of the Taylorsville Municipal Code, amending “bar establishment” use in RC Zone from prohibited to “NC”, requiring a nonadministrative conditional use approval within 250 Feet of a residential zone, based on the findings outlined in this staff report.

## EXHIBIT A

(13.08.020: PERMITTED LAND USE TABLE BY THE COMMERCIAL, OFFICE, INDUSTRIAL, MIXED USE, TRANSIT CORRIDOR, AND RESEARCH AND DEVELOPMENT DISTRICTS:

A. Table Explanation: The table below identifies permitting types within the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts:

P = Permitted  
AC = Administrative conditional  
NC = Nonadministrative conditional  
N = Not permitted  
PLC = Permitted with local consent

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<sup>1</sup>), refer to the notes following the table for explanation.

B. Categorizing: The land uses outlined in this title are intended to categorize uses and are not intended to be exhaustive or mutually exclusive descriptions of all possible land uses.

C. Uses Not Listed: Any land use type not listed or included in the table of uses is prohibited unless the Director determines that the use is of the same character and intensity as another permitted or conditional use so listed. The Director may allow the establishment of the said use subject to a determination of the following criteria:

1. The establishment of the use will be in accordance with the purposes of the district in which that use is proposed.
2. The use will be an appropriate addition to the zone because it has the same basic characteristics as the other uses permitted in the district.
3. The use will not be detrimental to the public health, safety, or welfare.

## EXHIBIT A

4. The use shall not adversely affect the character of that district in which it is proposed to be established.

5. The use will not create more traffic, odor, dust, dirt, smoke, noise, vibration, illumination, glare, unsightliness, or any other objectionable influence than the amount normally created by any of the uses listed as uses in that district.

D. Uses Not Similar: Where a use not listed is found by the Director to not be similar to any other permitted or conditional use, the use shall be permitted only following a text amendment to this title.

E. Table Of Uses: The table below classifies land uses, zoning districts and permitting types within the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts:

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
<b>Alcoholic beverage:</b>										
Bar establishment license	NC/ <del>N7</del> <u>NC7</u>	NC/N7	NC/N7	N	N	N	N	N	N	N
Hotel alcohol license	PLC7	PLC7	N	N	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7
Off premises beer retailer license	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7
On premises banquet and catering license	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7
On premises beer retailer/tavern	NC/N7	NC/N7	NC/N7	N	N	NC/N7	NC/N7	NC7	NC7	N

## EXHIBIT A

license										
Package agency license	P/AC7	AC/NC7	P/AC7	N	N	P/AC7	P/AC7	N	N	N
Reception center license	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7
Restaurant - beer only	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7
Restaurant - full service	P/AC7	P/AC7	P/AC7	AC/NC7	AC/NC7	P/AC7	P/AC7	AC7	AC7	AC7
Restaurant - limited service	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7
Single event permit	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7
Special use permit	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7
State liquor store	P7	P7	P7	N	N	P7	P7	P7	P7	P7
Temporary beer event permit	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7	PLC7

### Notes:

1. The use is not permitted if any part of the proposed/existing building containing the use is within 100 feet of a dwelling or probable location of a dwelling on existing residentially zoned property.
2. Drive-through facilities shall comply with the standards in Section 13.23.170.
3. Reserved.
4. This use is not permitted if any part of the proposed/existing building containing the use is within 1,000 feet of any school, public park, library, or religious or cultural activity; within 500 feet of any other sexually oriented business, escort

## EXHIBIT A

agency, outcall service agency, or seminude dancing agency; within 600 feet of an agricultural or residential use or residential zoning boundary, beginning at the property line of such use.

5. Facility storage may not be used to conduct commercial business on site. A ministorage facility may include a caretaker's residence and areas for the outdoor storage of recreational vehicles (RVs) within a ministorage building project according to the following restrictions and standards:

a. Outdoor storage areas are for recreational vehicle storage only, e.g., boats, campers, trailers, jet skis, snowmobiles, automobiles.

b. Outdoor vehicle storage areas shall be located only at the rear of the project where vehicles will not be visible from any public streets.

c. Outdoor vehicle storage areas shall be designed so as not to block any driveways, accessways, or parking aisles within the project.

d. Outdoor vehicle storage areas must be surrounded by a 6 foot high masonry wall on the exterior boundaries of the ministorage project.

6. May require staff or Planning Commission review and approval. (See wireless telecommunication facilities section of this Code.)

7. This use is not permitted if it does not meet the required distances from public or private schools, churches, public libraries, public playgrounds, or public parks as set forth in section 13.23.160 of this title. This land use must meet the provisions as outlined in the Utah Alcoholic Beverage Control Act and the provisions as set forth in section 13.23.160.

8. Reserved.

9. The use is permitted only on properties comprising at least 4 contiguous acres and having access off a collector or arterial roadway. The use is not permitted if any part of the proposed/existing building is within 75 feet of any residential zoning boundary.

10. The use is not permitted if any opening (door, window, etc.) of the proposed/existing building containing the use is within 100 feet of a dwelling or probable location of a dwelling on existing residentially zoned property.

## EXHIBIT A

11. The use is permitted when constructed in conjunction with an approved master plan by the Planning and Zoning Commission. Master plan shall identify permitted residential densities and establish strategies to assure harmonious integration into the surrounding community.

12. Reference regulatory standards in the special use standards section of this Code.

13. Permitted in Historic Resources Overlay Zone.

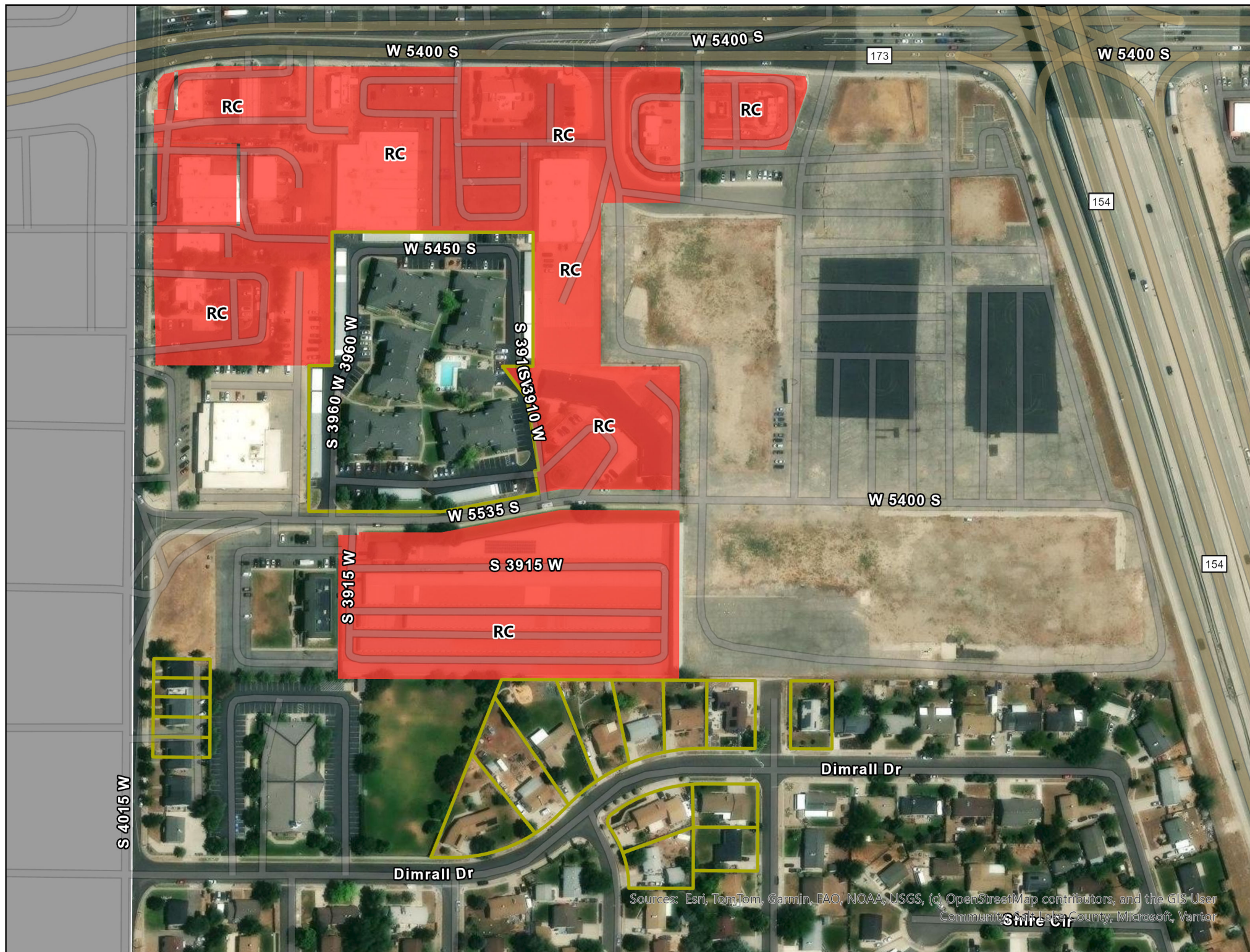
14. Commercial land uses in a mixed-use structure shall only be allowed as permitted otherwise in the zone. Residential density shall be permitted as determined by the Planning Commission in the non-administrative conditional use process.

15. Prohibited within 660 feet of a sexually-oriented business (measured in a straight line, without regard to intervening structures, from the nearest property line of each use), unless a waiver is provided in accordance with Utah Code.

(Ord. 18-26, 10-17-2018; amd. Ord. 20-15, 7-1-2020; Ord. 21-10, 5-19-2021; Ord. 21-13, 9-15-2021; Ord. 23-02, 2-15-2023; Ord. 24-05, 8-21-2024; Ord. 24-12, 12-4-2024)







## DABS BAR ESTABLISHMENT

A bar establishment license allows the storage, sale, service, and consumption of alcoholic beverages on the premises of a bar (a social drinking establishment), an equity (such as a country club), or a fraternal (such as a mutual benefit or patriotic association that is organized under a lodge system). Food must be available for customers the entire time the bar is open, but there is no required percentage of food sales. Liquor, wine, heavy beer, and beer may be sold from 10:00 a.m. until 1:00 a.m. every day.

Social drinking bars are usually open to the public, though the licensee may choose to be private and restrict access to only those who are on a list and/or pay a fee. No one under the age of 21 is allowed in social bars, and they are required to verify proof of age of persons who appear to be 35 years of age or younger by a scanner or electronic age verification device.

Equity and fraternal licensees must have membership requirements. Qualifications for membership are set in their bylaws or house rules, however, a member must be an individual who is 21 years of age or older. Equity and fraternal licensees are not required to have the electronic age verification device, and minors may be on the premises - but may not be in the bar area.

Bar licenses run from July 1 to June 30 and must be renewed annually during the month of May.

- Application fee - \$300 non-refundable
- Initial licensing fee - \$2,750
- Renewal fee - \$2,000

### BAR SIGNS:

All bars are required to have signs at the entrance to their premises to let patrons know they are entering an adult only business and to help prevent minors from accidentally entering the premises of a place they are not allowed to enter. The bar sign must measure at least 8 ½" long by 11" wide (landscape orientation) and must be posted in a conspicuous place at the bar entrance. The sign does not otherwise have a certain template or font type requirement, but it should be in a font and style large enough to be understood by the reader. The sign must identify that the premises is "a bar" and that no one under 21 is allowed. The example below uses both of those requirements as stated. The most

## EXHIBIT E



# Department of Alcoholic Beverage Services

P.O. Box 30408

Salt Lake City, UT 84130-0408

Telephone: 801-977-6800

Website: [www.abs.utah.gov](http://www.abs.utah.gov)

### BAR ESTABLISHMENT LICENSE SPECIFICS<sup>1</sup>

Utah Code, Title 32B, Chapter 5, Retail License Act, and Chapter 6, Part 4, Bar Establishment License allows the storage, sale, service, and consumption of alcoholic beverages on the premises of a bar establishment.

**Cap:** Limited to a quota, formulated by the population of the state<sup>[1]</sup>

**Effective Dates:** July 1 to June 30

**Application Fee:** \$300 (non-refundable)

**Licensing Fee:** \$2,750 (prorated based on application date)<sup>[2]</sup>

**Renewal Period:** May 1 to May 31

**Renewal Fee:** \$2,000

**Bond:** \$10,000

**Dramshop (Liquor Liability) Insurance:** \$1,000,000 per occurrence and \$2,000,000 in the aggregate

- Utah Code specifically defines "**Bar Establishment**" as a license issued in accordance with Chapter 5, Retail License Act, and Chapter 6, Part 4, Bar Establishment License. "Bar establishment license" includes: an equity license; a fraternal license; or a bar license.

### BAR LICENSES<sup>2</sup>

There are three types of bar licenses. The bar, the equity, and the fraternal. However, this reference guide pertains only to the bar establishment.

Bar licenses are issued to drinking establishments that are open to the public. However, the bar may choose to be private and restrict access to only those who are on a list or pay a fee if they choose.

### SALES AND CONSUMPTION HOURS<sup>3</sup>

Alcoholic beverages may be sold on any day from 10:00 a.m. until 1:00 a.m. Bars must remain open an extra hour after alcohol sales and service have ended to allow a patron to finish consuming. Consumption of alcohol in bars is prohibited between the hours of 2 a.m. and 10 a.m.

- a single drink containing spirituous liquor
- a single serving of wine not exceeding 5 ounces
- a single serving of heavy beer
- a single serving of beer not exceeding 26 ounces
- a single serving of a flavored malt beverage
- a single serving of hard cider not exceeding 16 ounces

Bars do not have to remain open after all patrons have vacated the premises, or during an emergency.

### SIGNAGE<sup>4</sup>

A Bar licensee must display:

## EXHIBIT E

- The DABS License
- The Local Business License
- Alcoholic Beverage Warning Sign
- **NO ONE UNDER 21** - Bars must also display a sign 8-1/2 inches long and 11 inches wide indicating that the premises is “A BAR” and that “NO ONE UNDER 21 IS ALLOWED”. It must be posted in a conspicuous place at the entrance of the premises. Templates can be found on the DABS website [here](#), or you may make your own.

**The warning sign:** The warning sign contains two messages, each of which must be in a different font. It may be used as-is or custom-made, but the size of the sign and the size of the fonts may not be any smaller than the template. The color of the print does not have to be red, and the sign does not have to be white, but it has to be easily readable and posted in a prominent place (obviously, not behind the pickle jar or in the office) on each sublicensed premises. [GO HERE](#) to download a warning sign template from the DABS website.

### ELECTRONIC AGE VERIFICATION - ID SCANNERS<sup>5</sup>

The ID scanner requirement applies to bars (except equity and fraternal) whether or not they choose to restrict access by way of membership.

Bars must electronically verify age before anyone who appears to be 35 years of age or younger may gain admittance.

Bars must be able to keep, read, print, or download 7 days worth of data from the ID scanners and no more. Owners/managers should have the knowledge and capability to produce the data upon request of a law enforcement officer or an authorized representative of the DABS.

The DABS does not provide a list of approved scanners, but they are available from multiple manufacturers and vendors. Any ID scanner selected must meet legal requirements in Utah Code Section [32B-1-407](#) and Administrative Rule [R82-4-101](#).

### PRICE LISTS<sup>6</sup>

A bar must have readily available for its patrons, a printed alcoholic beverage price list (including shot prices), or a menu containing current prices of all alcoholic beverages.

### NO BROWN-BAGGING (WINE EXCEPTION)<sup>7</sup>

## EXHIBIT E

Patrons may not bring in or store spirituous liquor, heavy beer, or beer on the premises of the bar. However, at the licensee's discretion, a patron may bring in bottled wine for consumption on the premises.

- Wine brought in must be immediately delivered to a server or an employee of the bar..
- A wine service may then be performed, and patrons may serve themselves or others at the table.
- A patron may leave with their unfinished bottle of wine as long as it has been re-corked by the server.

### FOOD AVAILABILITY<sup>8</sup>

Bars shall have a variety of food prepared on the premises, available at all times when an alcoholic product is sold, offered for sale, furnished, or consumed on the licensed premises.

### RECORDKEEPING<sup>9</sup>

A bar establishment is required to keep current, detailed quarterly records for expenses and sales of alcohol.

Dispensing liquor through an approved dispensing system is required for any licensee selling spirituous liquor. Dispensing records must also be kept and matched daily to the sales records of all primary liquor beverages sold. Spills, miss-clicks, returned beverages, etc. must all be accounted for on a dispensing record. Your DABS Compliance Specialist can help you with questions and formulating an appropriate form. Licensees shall maintain records for at least three years. ***Remember, falsifying records is illegal.***

### ALCOHOL STORAGE<sup>10</sup>

Alcohol may be stored only in a lockable designated place approved by the DABS on the initial application floor plan. ***Any changes to the storage area(s) must first be approved by the DABS.*** Storage or dispensing systems located at a patron's table are prohibited.

NOTE: Liquor, wine, and heavy beer storage must remain locked at all times when alcohol sales are not permitted. However, the licensee may open the storage area during hours otherwise prohibited for the limited purpose of inventory, restocking, repair, and cleaning.

### EMPLOYEES<sup>11</sup>

A person's willingness to serve alcoholic beverages may not be made a condition of employment. Any employee who sells, serves, dispenses, or handles alcohol must be

twenty-one years of age or older. Servers of alcohol must wear a unique identification badge showing the employee's first name, initials, or a number assigned by the employer and must be worn above the waist. Employees may not consume or be under the influence of alcoholic beverages while on duty.

***Employees can be FINED or suspended from alcohol sales for violations.*** The Alcoholic Beverage Services Commission is authorized to assess an administrative fine against an officer, employee, or agent of a licensee for a violation of the alcoholic beverage laws.

#### **NO MINOR EMPLOYEES ARE ALLOWED**

- Minors may not be employed on the premises of a bar. This includes band members, construction workers, etc.
- Minors may not be admitted into, use, or be on the premises of a bar EVER – even if closed.

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<sup>1</sup> [32B-1-201](#); [32B-6-403](#); [32B-6-405](#); [32B-5-201](#); [32B-1-102\(10\)](#)

<sup>2</sup> [32B-6-403](#)

<sup>3</sup> [32B-6-406](#)

<sup>4</sup> [32B-6-406\(2\)](#); [32B-5-301\(3\)](#)

<sup>5</sup> [32B-1-407](#);

<sup>6</sup> [32B-6-406\(8\)](#); [32B-5-304](#)

<sup>7</sup> [32B-5-307](#)

<sup>8</sup> [32B-6-406\(6\)](#)

<sup>9</sup> [32B-5-302](#); [R82-5-104](#)

<sup>10</sup> [32B-5-201](#); [32B-5-301\(9\)\(b\)](#)

<sup>11</sup> [32B-6-406\(5\)](#); [R82-5-107](#); [32B-5-308](#)

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[1]Reference to Utah Code Section [32B-6-403\(3\)\(a\)\(i\)\(ii\)](#)

[2]Reference to Utah Code Section [32B-6-405\(4\)\(b\)\(ii\)](#)