CITY COUNCIL STAFF REPORT

MEETING DATE:	**January 13, 2015**
APPLICANT:	**Richard Tolbert**
PROJECT NUMBER:	**T-15-011**
REQUEST:	**Land Use Ordinance Amendments to the sections regarding definitions and commercial land use matrix**
PREPARED BY:	**Alexandra White, City Planner**

SYNOPSIS: The Land Use Matrix for residential and commercial uses was first passed by the Planning Commission and City Council in 2012 and 2013. The applicant is proposing an addition to the Commercial Land Use Matrix to conditionally allow temporary mobile commissary kitchens. Below is a summary of those changes. All changes are highlighted in the accompanying documents.

SUMMARY:

- The applicant is proposing Mobile Commissary Kitchen to be conditionally permitted in the Transit Oriented Development Overlay and the Transit Oriented Development Core Overlay.
- A temporary mobile commissary kitchen is a mobile structure that contains a commercial kitchen for the use of food production. A commissary kitchen does not have retail food sales and is not classified as a mobile vending cart/truck.
- Staff has analyzed the proposal and determined that the use will require specific conditions to regulate and mitigate potential concerns. This type of use would be subject to nine conditions. All conditions are listed in the staff analysis section of the staff report.
- This application is pending Health Department approval.

PLANNING COMMISSION RECOMMENDATION: At a public hearing on December 3, 2015, the Planning Commission forwarded a recommendation to the above proposed land use ordinance amendment to the Land Use Matrix.

<u>Staff Recommendation:</u>

Recommendation of Approval:
A recommendation to the City Council to approve the proposed land use ordinance amendment for the following reasons:

1. The proposed ordinance amendment is consistent with the General Plan goals of regulating land uses based on compatibility with surrounding uses.
2. The reasonable conditions proposed mitigate the reasonably anticipated detrimental effects of the proposed use.
3. All items of the staff report.

Recommendation of Denial:
A recommendation to the City Council to deny the proposed land use ordinance amendment for the following reasons:

1. The proposed ordinance amendments is not consistent with the General Plan goals of regulating land uses based on compatibility with surrounding uses.
2. The reasonable conditions imposed do not mitigate the reasonably anticipated detrimental effects of the proposed use.
3. All items of the staff report.

CITY COUNCIL STAFF REPORT

GENERAL PLAN CONSIDERATIONS:

Goal LU-1 – Regulate land uses based on compatibility with surrounding uses, residential areas, and economic feasibility. Maintain residential, business and industrial areas that are vibrant and where the health and safety of all are protected.

ORDINANCE REQUIREMENTS AND CONSIDERATIONS:

Land Use Amendment Procedure:

17.01.150 Amendments.

A. Amendments to the Zoning Map. Amendments to the zoning map shall be made in compliance with the provisions of this chapter and Utah State Code Annotated.

B. Initiating Amendments and Corrections. Any citizen, property owner, the planning commission, the city council, or the community development director may initiate proposals for change or amendment of the South Salt Lake General Plan or any chapter or regulation of this code or the official city zoning map.

C. Application. Any person seeking an amendment to the land use code or zoning map shall submit an application with the community development department indicating the change desired and how the change will further promote the goals and objectives of the general plan. Application will be processed and noticed to the public, when applicable, according to this code and Utah Code Annotated. Applications will be processed in an efficient manner in order to not cause the applicant unwarranted delays.

D. Planning Commission. The planning commission shall:

    1. Fulfill all duties outlined in state statute that are to be performed by the planning commission.

    2. Prepare and recommend to the city council the general plan or amendments to the general plan, any proposed land use ordinance or ordinances and a zoning map, and amendments thereto that represent the planning commission's recommendation for regulating the use and development of land within all or any part of the area of the municipality.

    3. Hold a public hearing on a proposed land use ordinance or zoning map amendment.

E. City Council. The city council:

    1. May adopt or amend:

a. The number, shape, boundaries, or area of any zoning district on the official city zoning map;
b. Any regulation of or within the zoning district; or
c. Any provision of the development code.

2. The municipal legislative body shall consider each proposed land use ordinance and zoning map recommended to it by the planning commission, and, after providing notice as indicated in this code and Utah State Code Annotated and holding a public meeting, the legislative body may adopt or reject the ordinance or map either as proposed by the planning commission or after making any revision the municipal legislative body considers appropriate. The city council is not bound by any recommendation from the planning commission.

17.05.110 Purpose of the land use code.

A. The purposes of this title are to provide for the health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the city of South Salt Lake and its present and future inhabitants and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster the city's agricultural and other industries, to protect both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to protect property values.

B. To accomplish the purposes of this chapter, the city may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that it considers necessary or appropriate for the use and development of land within the city, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, structures, buildings, energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements, public facilities, fundamental fairness in land use regulation, considerations of surrounding land uses and the balance of the foregoing purposes with a landowner's private property interests, height and location of vegetation, trees, and landscaping, unless expressly prohibited by law.

C. This code is adopted to implement the city of South Salt Lake's general plan and to promote public health, safety, convenience, aesthetics, welfare, stable land values, efficient land use, sustainable land use and building practices, crime prevention, transportation and accessibility, and efficiency in land use review and administration.

D. The land use code is also established to facilitate orderly growth and development in the City of South Salt Lake and to enhance the lives of the citizens of the city.

E. The land use code intends to establish a fair and efficient process for development and land use applications, as accomplished through the delegation of powers among city officials and a transparent review process.

ANALYSIS:

The amendment would conditionally allow temporary mobile commissary kitchens to operate within the Transit Oriented Development Overlay (TOD) and the Transit Oriented Development Core Overlay (TOD-C). Staff has analyzed the proposal and determined that the use will require specific conditions to regulate and mitigate potential concerns. The following conditions would apply to every temporary mobile commissary kitchen:

1. Area. The area occupied by a mobile commissary kitchen, together with any operator, trash receptacle, cooler, or other accessory, shall not exceed 350 square feet.

2. Location. All Mobile Commissary Kitchens shall be located to the side or rear of the primary structure and must be parked on a hard surface of concrete or asphalt material as defined in 17.03.

3. Landscaping. Landscaping is required to buffer all temporary structures, accessory units and/or external equipment requirements of the Mobile Commissary Kitchen.

4. All Mobile Commissary Kitchens shall have functioning wheels and shall be capable of moving at all times.

5. All Mobile Commissary Kitchens require approval by the City Engineer or Public Utilities for water and sewer connections.

6. Mobile Commissary Kitchens and all persons employed to vend food items must be approved by the Salt Lake County Health Department and all operations must be in compliance with health department regulations.

7. All Mobile Commissary Kitchens are required to meet all applicable codes of the South Salt Lake Fire Marshal and the South Salt Lake Building Official.

8. Retail sales are not permitted from the Mobile Commissary Kitchen.

9. Mobile Commissary Kitchens are limited to one per parcel.

STAFF RECOMMENDATION:

Recommendation of Approval:
A recommendation to the City Council to approve the proposed land use ordinance amendment for the following reasons:

4. The proposed ordinance amendment is consistent with the General Plan goals of regulating land uses based on compatibility with surrounding uses.
5. The reasonable conditions proposed mitigate the reasonably anticipated detrimental effects of the proposed use.
6. All items of the staff report.

Recommendation of Denial:
A recommendation to the City Council to deny the proposed land use ordinance amendment for the following reasons:

4. The proposed ordinance amendments is not consistent with the General Plan goals of regulating land uses based on compatibility with surrounding uses.
5. The reasonable conditions imposed do not mitigate the reasonably anticipated detrimental effects of the proposed use.
6. All items of the staff report.

ATTACHMENTS:

1. Proposed change to the commercial land use matrix.
2. Planning Commission Minutes

Title 17.15 – Commercial and Residential Land Uses

Commercial, Business, Office and Industrial Land Uses in the Commercial, Transit Oriented Development, Mixed Use, Business Park, Professional Office, Light Industrial, Historic, Agriculture, Gateway Community Facility, Entertainment and Residential Zones.

17.15.010. Purpose and Applicability

A. Purpose. The Land use matrix and standards are intended to:

1. Allow a mixture of complimentary land uses that may include retail, offices, commercial services, civic uses and industrial uses to create economic and social vitality;
2. Encourage a diversity of businesses to expand and locate to the City;
3. Continue to support the business areas as regional employment centers;
4. Develop districts that encourage walking as an alternative to driving

B. Applicability. Uses permitted under this Chapter shall conform to the development standards provided elsewhere in this Code, and to the application procedures for development as applicable. Uses shall also conform to any overlay district requirements that are applicable. Uses designated as conditional uses shall also comply with the requirements for conditional uses. See Title 17.09.

17.15.020. Permitted Land Use Matrix by District

A. Matrix Explanation. The matrix below lists permitted, conditional, and prohibited uses within South Salt Lake Commercial, Transit Oriented Development, Mixed Use, Business Park, Professional Office, Light Industrial, Historic, Agriculture, Gateway Community Facility, Entertainment and Residential Zones. Residential Uses are found under Title 17.15.040. The letters "P", "C" shall mean "Permitted" and "Conditional." For those uses that have a "Shaded" box means that the use is prohibited within the designated zoning district. All uses not specifically shown as permitted or conditional uses in this matrix are also prohibited. All regulations related to specific uses are not noted here, and any business operated in the City must also comply with relevant licensing ordinances, building, fire, and health codes; and any other applicable regulations and ordinances.

B. Matrix Reference. For those land uses marked with a superscript number ([1]), refer to sub-section D following the table for explanation.

C. Applicability of Other Code Chapters. For each zoning district special regulations may apply. Special regulations will be found under each titled zoning district. Uses permitted under this chapter shall conform to the development standards provided elsewhere in this code and to the application procedures for development as applicable. Uses shall also conform to any overlay district requirements that are applicable. Uses permitted as conditional uses shall also comply with the requirements for conditional uses.

17.15.030. Commercial Land Use Matrix Table of Uses

Land Use Categories	Commercial Corridor	Commercial Neighborhood	Commercial General	Transit Oriented Development	Mixed Use	Business Park	Professional Office	Light Industrial	Historic	Agriculture	Gateway West	Community Facility	Entertainment Overlay	Open Space	R1-6,000	R1- 5000	Residential Multiple	Planned Unit Development
Accessory Structure	P	P	P	P	P	P	P	P	C	P	C	P	C	C	P	P	P	P
Agriculture/Horticulture, Urban or Community	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Alcoholic Beverage Class A License – off premise	P[1]	P[1]	P[1]	P[1]	P[1]			P[1]			C[1]							
Alcoholic Beverage, Class B License – on premise	P[1]	P[1]	P[1]	P[1]	P[1]	C[1]		P[1]			C[1]							
Alcoholic Beverage, Class C Tavern	C[1]			C[1]	C[1]													
Alcoholic Beverage Package Agency	C[1]		C[1]	C[1]	C[1]	C[1]		P[1]										
Alcoholic Beverage State Liquor Store	P		P	C	C	P		P										
All-Terrain Vehicles (ATV), Motorcycle, Wave Runners, Snow Mobile Sales & Service	C[2]	C[2]	P[2]	C[2]	C[2]			P[2]										
Animal Hospital / Veterinary Office (small animal)	C		C	C	C			P			C							
Animal Boarding / Raising (Farm)										P[3]								
Animal, Family Food Production										P[4]								
Animal Kennel / Day Care, Commercial	C[5]		C[5]	C[5]	C[5]			P[5]			C[5]							
Animal / Reptile Rescue										C[6]								
Apiary										P[7]					P[7]	P[7]		P[7]
Aviary										P[8]								
Art Gallery	P	P	P	P	P		C	P	C		C	P	P					
Art Studio	C	C	P	C	C			P	C		P	P	P					
ATM, Kiosk, Vending Machine - Self Service, Interactive, Outdoors	P[9]	P[9]	P[9]	P[9]	P[9]	P[9]	P[9]	P[9]			P[9]	P[9]						
Auction House			C[10]	C[10]				C[10]										
Auto, Light Trucks, RV, Boat and Trailer Dealerships (new and used)-Sales and Service	C[11]		C[11]	C[11]				P[11]										
Auto, Light Trucks, RV Rental and Leasing Agencies	C		C	C				P										
Auto Body Repair			C[12]					P										
Automotive Service and Repair	C[13]		C[13]	C[13]				P[13]										
Automotive Service Station, Non-mechanical	C		P	C		C		P										
Bakery, Commercial			P	C				P										
Bakery, Neighborhood	P	P	P	P	P						P							
Bail Bonds								P[14]			C[14]							
Barber Shop, Beauty Salon	P	P	P	P	P						P							
Blood/ Plasma Donation Centers, Commercial and not Accessory to a Medical Clinic	C																	
Bowling Alley	C	C	C	C	C								C					
Car Wash	C	C	C	C				P										
Church, Religious or Ecclesiastical Building	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Commercial Repair Services	C	C	P	C		C		P										

Land Use Category	Commercial corridor	Commercial Neighborhood	Commercial General	Transit Oriented Development	Mixed Use	Business Park	Professional Office	Light Industrial	Historic	Agriculture	Gateway West	Community Facility	Entertainment Overlay	Open Space	R1-6,000	R1-5,000	Residential Multiple	Planned Unit Development
Convenience Store	P	P	P	P	C			P			C							
Convenience Store with Fuel Pumps	C[15]	C[15]	C[15]	C[15]				P[15]										
Convenience Store and Car Wash	C	C	C	C				P										
Craftsman Industrial		C	C	C				P										
Crematory, Embalming Facility								C										
Cultural Buildings/Uses	P	C	P	P	C				C			P		C				
Dance Studio	P	P	P	P	P				P		P	P						
Day Care, Adult Commercial, non-residential	C[16]		C[16]	C[16]	C[16]													
Day Care, Child Commercial	P	P	P	P	P	C					P							
Day Spa	P	P	P	P	P						P							
Drive-Up Window (non-food), Banks, ATM's, Dry Cleaners, Pharmacy, etc.	P	C	P	C	C	P	C	P			C							
Day Treatment Center			C[17]	C[17]			C[17]											
Distribution Facilities			P	C		P		P										
Dry Cleaning and Laundromat	P	P	P	P	P			P			P							
Education, After School Programs, Adult and Children	C	C	C	C	C		C		C		C	P						
Education, Higher, Public and Private	C	C	C	C	C		C		C		C	P						
Education, Public, Private, Charter or Quasi Public School	C	C	C	C	C		C		C		C	P			C	C	C	
Education, Trade, Vocational, Training	C	C	C	C	C		C	C	C		C	P						
Employment Agency, Temporary	C[18]		C[18]	C[18]				C[18]										
Equestrian Facilities										C								
Equipment Sales, Service, Rental, Heavy Equipment and Farm								P										
Escort / Outcall agencies																		
Farmers Market	C	C	C	C	C				C	C	C	P		C				
Financial Institution	P	P	P	P	P	P	P	P			P							
Fitness, exercise Center	C	C	C	C	C			C	C			C	C					
Food Carts and Trucks, on Private Property			C[19]	C[19]				C[19]										
Food Processing Establishments, Large Scale			C					P										
Food Processing Establishments, Small Scale	C[20]	C[20]	C[20]	C[20]		C[20]		C[20]										
Funeral / Mortuary Home, Stand Alone Building	C	C	C	C				C										
Garage/Yard Sales (residential)										P[21]		P[21]			P[21]	P[21]		
Golf Course	C											C		C				

Land Use Category	Commercial Corridor	Commercial Neighborhood	Commercial General	Transit Oriented Development	Mixed Use	Business Park	Professional Office	Light Industrial	Historic	Agriculture	Gateway West	Community Facility	Entertainment Overlay	Open Space	R1-6,000	R1-5,000	Residential Multiple	Planned Unit Development
Grooming Services	P	P	P	P	P			P			P							
Haunted House												C						
Home Occupation, Category I	P[22]	P[22]	P[22]	P[22]	P[22]		P[22]			P[22]	P[22]				P[22]	P[22]	P[22]	P[22]
Home Occupation, Category II	C[22]	C[22]		C[22]	C[22]		C[22]			C[22]	C[22]				C[22]	C[22]	C[22]	C[22]
Horticulture / Produce Sales	C[23]	C[23]	C[23]	C[23]	C[23]			C[23]	C[23]	C[23]	C[23]	P[23]						
Hospital	C		C	C	C							C						
Hospital, Specialty				C														
Hotel	C	C	C	C	C						C							
Hotel, Residential Lease, Extended Stay																		
Impound and Tow Lot																		
Industry, Light								P										
Jail																		
Juvenile Detention Facility																		
Laboratory, Industrial			P	C		P		P										
Laundry, Industrial								P										
Library	P										P	P						
Maintenance Facilities, Vehicle and Transit								P										
Manufacturing, Fabrication, Assembly, Processing, Packaging,			C	C		C		P										
Manufactured Homes															P	P	P	P
Martial Arts Studio, and training	P[24]	P[24]	P[24]	P[24]	P[24]			P[24]	P[24]		P[24]	P[24]	P[24]					
Massage Therapy	P[25]						C											
Medical, Dental and Health Care Offices, On-site	P	P	P	P	P	P	P	P			P	P						
Medical, dental Research Facilities/Laboratory	P	P	P	P		C	P	P										
Model Home		P		P	P					P	P				P	P	P	P
Mobile Commissary Kitchen				C[26]														
Mobile Home Park																		
Movie Studio and Sound Stage												C						
Neighborhood Gardens		C		C	C				P	P	C	P		C	C	C	C	C
Non-Depository Institutions, check cashing, title loan, deferred deposit loans																		
Nursery or Greenhouse, Commercial	C	C	C	C				P		P								
Office, General / Professional	P	P	P	P	P	P	P	P	P		P	P						
Outdoor Sales and Display	P[27]	P[27]	P[27]	P[27]	P[27]			P[27]			P[27]							
Park and Ride Facilities				C				C										
Parking, Private, Ground Level, Commercial	C	C	C	C	C	C	C	P					C					
Parking, Structure/Terrace,	C		C	C	C		C	C			C		C				C	

Land Use Category	Commercial Corridor	Commercial Neighborhood	Commercial general	Transit Oriented Development	Mixed Use	Business Park	Professional Office	Light Industrial	Historic	Agriculture	Gateway West	Community Facility	Entertainment	Open Space	R1-6,000	R1- 5,000	Residential Multiple	Planned Unit Development
Parks, Public and Private		P		P	P				P	P	P	P	P	P	P	P	P	P
Pawn Shop	C[28]		C[28]	C[28]														
Pedestrian Pathways, Trails and Greenways	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Permanent Make-Up not including a Tattoo Shop/Parlor	P	P	P	P	P		P	P			P							
Pharmacy	C	C	C	C	C	C	C	C			C							
Planned Unit Development, Commercial Condominium	P	P	P	P	P	P	P	P			P		P					
Portable Shipping Container, Temporary Storage	P[29]	P[29]	P[29]	P[29]	P[29]	P[29]		P[29]		P[29]	P[29]	P[29]			P[29]	P[29]	P[29]	P[29]
Poultry, Urban										P[30]					P[30]		P[30]	P[30]
Precious Metal Purchase/Recycling			C															
Printing, Copy Stores	P	P	P	P	P	P	P	P			P							
Printing, General				C		C		P										
Protective Housing Facility		C		C	C													
Public/Government Service and Accessory Buildings	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Public Utility Station	C	C	C	C	C	C		P		C		C		C				
Recreation Center	C	C	C	C	C	C		C	C			P	C	C				
Recycling Materials Collection/Drop-Off Facility, Indoor								C										
Rehabilitation and Treatment Facilities	C	C	C	C	C													
Research & Development Facility			P	C	C	P	C	P										
Restaurant, Sit Down	P	P	P	P	P						P	C	P					
Restaurant, Drive-Up Window	P	C	P	C				P					P					
Retail Merchandise, Stores, Accessory	P	P	P	P	P	P		P	C		P	P	P					
Retail or Wholesale Merchandise Stores, General	P	C	P	P	P	P		P			P	C	P					
Retail or Wholesale Merchandise Stores, Neighborhood	P	P	P	P	P	P		P	C		P	C	P					
Secondhand merchandise dealer	P[31]	P[31]		P[31]	P[31]													
Sexually Oriented Business								P[32]										
Slaughterhouses, Animal Rendering, Tanneries, Animal By Products Plant																		
Smoking Parlor/ Lounge, Head Shop or smoking paraphernalia specialty store																		
Solar Utilities	P[33]	P[33]	P[33]	P[33]	P[33]	P[33]	P[33]	P[33]	P[33]	P[33]	P[33]	P[33]	P[33]	P[33]	P[33]	P[33]	P[33]	P[33]

Land Use Category	Commercial Corridor	Commercial Neighborhood	Commercial General	Transit Oriented Development	Mixed Use	Business Park	Professional Office	Light Industrial	Historic	Agriculture	Gateway West	Community Facility	Entertainment	Open Space	R1-6,000	R1- 5,000	Residential Multiple	Planned Unit Development
Storage, Vehicles, Outdoors including automobile impound lots															P[34]	P[34]	P[34]	P[34]
Storage Facilities, Indoor Climate Controlled Units	C	C	C	C	C	C		P										
Storage Facilities, Warehouse, indoor			P	C				P										
Storage and Equipment Yards, Outside				P[35]				P[35]										
Tailoring Shop, Commercial	P	P	P	P	P			P			P							
Tattoo Shop / Parlor																		
Temporary Uses, Firework Stands, Christmas Tree Lots, Refreshment Stands,	C[36]	C[36]	C[36]	C[36]														
Tire Service	C	C	C	C				P										
Tobacco, Smoke, cigarette, Specialty Store																		
Transitional Care and Rehabilitation				C[37]														
Theater, Movie	C[38]			C[38]	C[38]						C[38]		C[38]					
Theater, Live Performance	C[39]			C[39]	C[39]						C[39]	C	C[39]	C				
Upholstery Shop	P	P	P	P	P			P										
Zero Lot Line Development	P	C	P	P	P	P		P				C		C				

F. Table Reference Requirements.

1. **Alcohol Beverage Classes.** See Title 5. Class C Taverns are subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be located any closer to residential zones than six hundred (600) feet as measured at the closest property lines, except that where State Street intercedes between the tavern use and a residential zone, a reduction in the distance separation may be considered in the conditional use approval process by the designated land use authority.

2. **All-Terrain Vehicles (ATV), Motorcycle, Wave Runners, Snow Mobile Sales & Service.** In all zones except the Light Industrial zone all outdoor storage of vehicles, motorcycles, wave runners and snowmobiles and crates shall be enclosed within a main or accessory building.

3. **Animal Boarding and Raising.** See Title 17.13 for minimum lot area requirements for raising and boarding animals in the Agricultural Residential A1 zone

4. **Animals for Food Production.** See Title 17.13 Agricultural Residential A1 zone

5. **Animal Kennel or Day Care.** See Title 6 Animals

6. **Animal or Reptile Rescue.** All animal or rescue uses are subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be located any closer to a residential use than three hundred (300) feet as measured at the closest property lines

7. **Apiary.** See Title 6.08 Animals

8. **Aviary.** See Title 17.13 Agricultural Residential A1 zone

9. **ATM, Kiosk, Vending Machine.** Any ATM, kiosk or vending machine must not interfere with or cause difficulty in the safe movement of pedestrians. Machines must be located next to a main building on the property and located in a manner such that when customers are lined up to use the service they will not have to wait in vehicle drive isles or parking areas. Machines shall not be located in landscaped areas, create a public nuisance or be a hazard to public safety

10. **Auction House.** See Title 5.26 for Business Licensing requirements

11. **Auto, Light Trucks, RV, Boat and Trailer Dealerships (new and used).** See Title 17.06 for specific requirements regarding dealership regulations

12. **Auto Body Repair.** In the Commercial General District the following requirements must be met for auto body repair uses:

    a. All wrecked or inoperable vehicles must be stored within the main or accessory building. Only operable vehicles used by the business, customers and employees vehicles may be parked outdoors
    b. To ensure higher environmental standards an auto body repair use located in the Commercial General zone must use high volume low pressure spray guns in painting operations
    c. Hours of operation for auto body repair uses located within two hundred (200) feet of the boundary of a property located within a residential zone are limited to the hours between 7:00 a.m. to 8:00 p.m.

13. **Auto Service and Repair.** For temporary outside vehicle storage in the Commercial Corridor, Commercial General and Light Industrial districts, all storage facilities shall install an 8-foot solid wall along the frontage of any public street. Facilities shall install, at a minimum, an 8-foot chain link privacy fence along property lines shared with other private property owners. Acceptable construction materials for walls shall be brick, ceramic tile, stone, precast concrete panel, concrete block, or other masonry materials deemed appropriate by the land use authority. All outside vehicle storage areas shall provide hard surface cover for the entire storage and maneuvering areas with concrete or asphalt. Storage sites shall meet the following minimum requirements:

    a. Storage areas are prohibited within the front setback area of any auto service or repair use.
    b. Vehicle parts or accessories must be stored indoors and may not be stored in the vehicle storage areas
    c. Vehicles may not be stored outdoors longer than seventy-two (72) hours
    d. Walls along public rights-of-way may be subject to higher design standards if deemed appropriate by the land use authority. The land use authority may impose increased or enhanced standards of style, height or durability of walls to comply with the goals and objectives of this title by the land use authority.
    e. The style, height or durability of walls may be enhanced or increased if deemed necessary to comply with the goals and objectives of this title by the land use authority.
    f. Notwithstanding the above requirements, parking areas for customers and employees are not required to be behind a wall.
    g. All outside storage facilities shall be located on a properly drained site that is graded to ensure rapid drainage and to ensure that the site remains free from stagnant pools of

water.

h. A site drainage and grading plan shall be provided with adequate facilities to dispose of any runoff and any contaminants by a method that is approved by the South Salt Lake Public Works Department.
i. Storage materials may not exceed the height of the eight foot wall
j. All grounds and buildings shall be maintained free of insect and rodent harborage and infestation. Vehicle storage areas shall be maintained free of organic waste, or inappropriately stored flammable materials. Materials that are customary to the business shall be stored in accordance with applicable laws.
k. Stored vehicles shall be stored in a unified organized manner.
l. Storage areas shall not add to the contamination of the soil, alter ground water flow, create additional drainage runoff or alter topography in such a way that create hazards to the proposed site, adjoining properties, or the City.
m. As part of the application for a conditional use permit for an automobile service and repair use, the applicant shall provide the City with a drainage collection and disposal plan for vehicle fluids that complies with all federal, state and local standards.

14. **Bail bonds.** Bail bond uses shall not be located any closer to residential zones than three hundred (300) feet as measured at the closest property lines. Such uses in the Gateway West Overlay District shall be located only along 900 West and at least one hundred fifty (150) feet from the edge of the right or way for 3300 South.

15. **Convenience stores with fuel pumps.**

    a. The pump islands of the convenience store may be erected in the front yard area provided the pumps are set back not less than twenty-four (24) feet from the right of way any street
    b. Hard-surfaced driveways leading to and from a pump island and other properly located service facilities permitted on the property shall be allowed in the front yard area provided that the driveways shall be defined by the construction of a concrete curb on the side adjoining the sidewalk. The area between the curb and the sidewalk shall be landscaped to comply with Title 17.25.
    c. A ten (10) foot distance shall be maintained between a driveway and the property line with which it is parallel or approximately parallel.
    d. All parking areas on the convenience store lot shall maintain the required landscaped front yard as provided in Title 17.25 and shall be bordered by concrete curbing.

16. **Day Care - Adult.** An adult daycare use shall be a commercial use and shall not include any overnight residential use. See definition of Human Service Programs as found in 17.47

17. **Day Treatment Center.** Such uses shall be for outpatient use only with no inpatient residential use. Subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be located any closer to residential zone, park or school than six hundred (600) feet as measured at the closest property. The distance shall be measured from the front door of the establishment to the nearest residential zoning boundary or property line of a school or park. See definition of Human Service Programs under 17.47.

18. **Employment Agency and Temporary Staffing**. Employment and temporary staffing agencies which are limited to office only functions and the placement of employees are considered an office classification. Where temporary staffing and employment agencies involve uses where applicants and potential employees are required to come to the business location daily to view job opportunities and/or receive wages, the following additional requirements apply.

a. Such facilities may not be located any closer to residential zones than three hundred (300) feet as measured at the closest property lines.
b. An indoor waiting area must be provided for patrons of the service.
c. The designated land use authority may impose such design conditions, use restraints and other requirements involving parking, landscaping, signage, hours of operation, etc., to mitigate any impacts caused by the service.

19. **Mobile vending carts and trucks on private property.** See Title 17.17

20. **Food Production Establishments, Small Scale.** Such establishments are intended for on-site food preparation with off-premise consumption and sales. However, such uses shall include a minor retail component for on-site sales. Facilities may be shared among various food processors or preparers but facilities are limited in size to 3,000 square feet or less.

21. **Garage and Yard Sales.** See Title 5.04.030 for Business Licensing regulations

22. **Category 1 and 2 Home Occupation Uses.** See Title 17.07.040 and 17.03 (Definitions)

23. **Horticulture and Produce Sales.** See Title 17.17

24. **Martial Arts Studio.** When tournaments are associated with the martial arts use and the use is promoted as an event open to the general public then the martial arts studio and tournament uses are required to be located within the Entertainment Overlay District.

25. **Massage Therapy.** Uses must meet all State, County and local business and licensing regulations. Massage therapy uses may be allowed as a permitted use in the Commercial Corridor district when the use is associated with or connected to a medical, physical therapy, chiropractor, day spa or similar use as determined by the Community and Economic Development Director.

26. **Mobile Commissary Kitchen.** All Mobile Commissary Kitchens are temporary structures. Mobile Commissary Kitchens shall meet the following requirements:

a) Area. The area occupied by a mobile commissary kitchen, together with any operator, trash receptacle, cooler, or other accessory, shall not exceed 350 square feet.

b) Location. All Mobile Commissary Kitchens shall be located to the side or rear of the primary structure and must be parked on a hard surface of concrete or asphalt material as defined in 17.03.

c) Landscaping. Landscaping is required to buffer all accessory units and/or external equipment requirements of the Mobile Commissary Kitchen.

d) All Mobile Commissary Kitchens shall have functioning wheels and shall be capable of moving at all times.

e) All Mobile Commissary Kitchens require approval by the City Engineer for water and sewer connections.

f) Mobile Commissary Kitchens and all persons employed to vend food items must be approved by the Salt Lake County Health Department and all operations must be in compliance with health department regulations.

g) Retail sales are not permitted from the Mobile Commissary Kitchen.

h) Mobile Commissary Kitchens are limited to one per parcel.

27. **Outdoor Sales and Display.** Except as specifically approved by the city or as allowed otherwise in this title, in all districts of the City all business of such uses (including the display of merchandise) is to be conducted wholly within a completely enclosed building with the exception of motor vehicle, boat, trailer or camper sales or rental, or the sales of horticulture products which shall meet the requirements as specified elsewhere in this title. The Community Development Director may approve outside display of merchandise or other outside business activities provided the following minimum standards are met:

    a. Any display or activity must not interfere with or cause difficulty in the safe movement of pedestrians.
    b. No display or activity shall take place in designated required parking or access areas or create any unsafe or difficult traffic movement.
    c. No display or activity shall create a public nuisance or be a hazard to public safety.
    d. Nothing herein shall be construed to prohibit otherwise allowed occasional and temporary sidewalk sale events that are in keeping with the intent of this section and the regulations of the city.

28. **Pawn Shop.** Uses are subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be located any closer to residential zones than three hundred (300) feet as measured at the closest property lines. The number of pawn shop uses may not exceed one per every six thousand (6,000), or portion thereof, of the population of the city; See also Title 5.48

29. **Temporary Portable Shipping Container.** See Title 17.17

30. **Urban Poultry.** See Title 6.08

31. **Secondhand Dealers.** See Title 5.26 for Business Licensing regulations

32. **Sexually Oriented Business.** A Sexually Oriented Business must comply with the locational requirements as found in Title 5.56

33. **Solar Utilities. See 17.17.020.** Standards deviating from 17.17.020 may be approved by the Community Development Director as a Conditional Use Permit following the standards as found in 17.09

34. **Outside Vehicle Storage.** For residential districts, outside vehicles storage shall follow the regulations as found in Title 10.10.

35. **Outside Storage and Equipment Yards.** For temporary outside storage in the Transit Oriented Development Overlay District see Title 17.13.130. For outside storage in the Light Industrial zone, all storage facilities shall install an 8-foot solid wall along the frontage of any public street. Facilities

shall install, at a minimum, an 8-foot chain link privacy fence along property lines shared with other private property owners. Acceptable construction materials for walls shall be brick, ceramic tile, stone, precast concrete panel, concrete block, or other masonry materials deemed appropriate by the land use authority. All outside storage facilities shall provide hard surface cover for the entire storage and maneuvering areas with concrete, asphalt or other approved engineered dustless surface. Storage sites shall meet the following minimum requirements:

a. Walls along public rights-of-way shall be set back from the property line a minimum of seven feet.
b. Walls along public rights-of-way may be subject to higher design standards if deemed appropriate by the land use authority. The land use authority may impose increased or enhanced standards of style, height or durability of walls to comply with the goals and objectives of this title by the land use authority.
c. The style, height or durability of walls may be enhanced or increased if deemed necessary to comply with the goals and objectives of this title by the land use authority.
d. Notwithstanding the above requirements, parking areas for customers and employees are not required to be behind a wall.
e. All outside storage facilities shall be located on a properly drained site that is graded to ensure rapid drainage and to ensure that the site remains free from stagnant pools of water.
f. A site drainage and grading plan shall be provided with adequate facilities to dispose of any runoff and any contaminants by a method that is approved by the South Salt Lake Public Works Department.
g. All grounds and buildings shall be maintained free of insect and rodent harborage and infestation. Outside automobile storage facilities shall be maintained free of organic waste, or inappropriately stored flammable materials. Materials that are customary to the business shall be stored in accordance with applicable laws.
h. Storage may only exceed the height of the wall or fence when additional setbacks are provided. For every one foot above the allowed height of the wall or fence the applicant shall provide an additional five feet of setback from the property line.
i. If storage exceeds the eight-foot height and is within one hundred fifty feet of a public street, additional screening shall include Two (2”) inch caliper trees spaced no more than twenty-five feet apart and maintained with an adequate watering system.
j. Materials shall be stored in a unified and organized manner.
k. Storage areas shall not add to the contamination of the soil, alter ground water flow, create additional drainage runoff or alter topography in such a way that create hazards to the proposed site, adjoining properties, or the City
l. Any area outside of a building used for any activity other than off-street parking and loading shall be completely enclosed within a light-tight visual barrier of a height sufficient to completely screen such activity from the street or from adjoining parcels. Such screening shall meet fencing and design review requirements of the city.

36. **Temporary Uses.** See Title 17.17

37. **Transitional Care and Rehabilitation.** Subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be located any closer to residential zone, park or school than six hundred (600) feet as measured at the closest property. The distance shall be measured from the front door of the establishment to the nearest residential zoning boundary or property line of a school or park.

38. **Movie theaters**. Subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be

located any closer to residential zones than three hundred (300) feet as measured at the closest property lines, except that where State Street intercedes between the theater use and a residential zone, a reduction in the distance separation may be considered in the conditional use approval process by the designated land use authority.

39. **Live Performance Theaters.** Subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be located any closer to residential zones than three hundred (300) feet as measured at the closest property lines, except that where State Street intercedes between the theater use and a residential zone, a reduction in the distance separation may be considered in the conditional use approval process by the designated land use authority.

17.03 – Definitions

<u>Adding</u>

“Temporary Mobile Commissary Kitchen” - Any temporary mobile vehicle or trailer that contains a commercial kitchen for the use or production of food. Food Trucks and Mobile Vending Carts are not included in this definition.

Planning Commission Work Meeting Minutes
Thursday, December 3, 2015
City Council Chambers
220 East Morris Avenue
Time 6:20 p.m.

Commission Members Present:	Rachel Lauritzen, Presiding Mark Kindred Brandon Dalton Jeremy Carter Holly Carson Portia Mila Jonathan Meakin
Staff Members Present:	Michael Florence, Community Development Director Francis Lilly, Deputy Director/Housing Administrator Alexandra White, City Planner

T-15-011.

City Planner, Alexandra White, presented the second item on the agenda for an amendment to the Land Use Ordinance. The applicant proposed to add "mobile commissary kitchen" as a conditional use to the TOD Overlay and TOD Core Overlay Zones. Ms. White stated that a mobile commissary kitchen differs from a food truck, but would be described in more detail during the Regular Meeting.

There were no questions for staff.

Planning Commission Regular Meeting Minutes
Thursday, December 3, 2015
City Council Chambers
220 East Morris Avenue
Time 7:00 p.m.

Commission Members Present: Rachel Lauritzen, Presiding
Mark Kindred
Brandon Dalton
Jeremy Carter
Holly Carson
Portia Mila
Jonathan Meakin

Staff Members Present: Michael Florence, Community Development Director
Francis Lilly, Deputy Director/Housing Administrator
Alexandra White, City Planner

New Business

- **T-15-011**

1. A Recommendation to the City Council to amend Chapters 17.03 and 17.15 of the South Salt Lake Municipal Code to Establish Mobile Food Kitchens and Commissaries as Allowed Uses in the TOD and TOD-Core Overlay Zones.

Action Item

Applicant Robert Tolbert

City Planner, Alexandra White, presented the staff report regarding the proposed Land Use Ordinance Amendment to add Mobile Food Kitchen and Commissaries as a Conditional Use in the Transit-Oriented Development (TOD) and TOD Core Overlay Zones. Ms. White explained that a Mobile Food Kitchen differs from a Food Truck in that it does not have a retail component and has no access window. She presented photographs of the applicant's food trailer. Staff recommended approval with the eight recommendations outlined in the staff report.

Chair Lauritzen asked for clarification on the purpose of a Mobile Kitchen if food is not being sold from the trailer. Ms. White stated that the applicant intends to use the trailer off-site similar to catering at a movie set.

Commissioner Carter asked why the application limited the zoning to the TOD and TOD Core Overlay areas. Mr. Florence responded that this was all that the applicant requested. He admitted that this could be expended to include other zones.

The applicant, Richard Tolbert, gave his address as 1917 Michigan Avenue and informed the Commission that there are several movie sites in Utah. There is even a film set for a popular television show right in Salt Lake City. A Mobile Kitchen would allow the food to be prepared on-site rather then transported from the business.

Chair Lauritzen opened the public hearing at 9:20 p.m. There were no public comments. Chair Lauritzen closed the public hearing.

Commissioner Kindred suggested that they allow the proposed use in more zones than the ones requested. Commissioner Carter was not opposed to opening it up in Light Industrial areas. Ms. White added that staff discussed an additional condition not included in the staff report that would limit the number of Mobile Kitchens to one per property.

Motion to recommend that the City Council approve the amendment to Chapters 17.03 and 17.15 of the South Salt Lake Municipal Code to establish Mobile Food Kitchens and Commissaries as allowed uses in the TOD and TOD Core Overlay and Light Industrial Zones with the conditions outlined by staff and the addition of a condition limiting the number of Mobile Kitchens to one per property.

	Commissioner Kindred
Second:	**Commissioner Meakin**
Vote:	**Unanimous**