

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
JUNE 8, 2021

FINAL

Commission Vice Chair BreAnna Larson called the meeting to order at 6:32 p.m. and Ron Jorgensen led those present in the Pledge of Allegiance.

PRESENT: Commissioner Ron Jorgensen
Commissioner BreAnna Larson
Commissioner Katherine Maus
Commissioner Alisa Van Langeveld
Commissioner William Ward

EXCUSED: Commission Chair Ted Knowlton
Commissioner Brandon Tucker

STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Bennett, Planner; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Dee Lalliss, resident.

1. PUBLIC COMMENTS

There were no public comments.

2. WORK SESSION: CONDITIONAL USES & PERFORMANCE STANDARDS
REVIEW

Sherrie Pace reported that there were two ways to write the ordinance, which would be the current list format that was generic in nature or standards for each individual type of use. She reviewed a model ordinance with the examples of artisanal/light manufacturing uses, drive-through, duplex/townhome, group homes/assisted living, etc. with highlighted uses specific to those categories. Ms. Pace commented that temporary uses were lacking in the current code. She explained that temporary uses required a conditional use permit but there were no standards for a temporary use permit. The code did not address how long these temporary uses should last, the hours of operation, security/fencing, etc.

Sherrie Pace recommended structuring the ordinance in a more specific way with standards for each use. She suggested going through the list of uses and making changes including determining which ones should be permitted and putting those in categories with standards.

Commissioner Jorgensen asked how many uses would need to be reviewed. He commented that there were many conditional uses in the use table of the existing code. Sherrie Pace replied that the plan was to change most of the current conditional uses to permitted or not permitted. She estimated it was between 15-20 uses that would need review.

Commissioner Jorgensen questioned that in keeping the performance standards they would require extensive editing. Sherrie Pace responded that some of the standards would remain but needed to be edited and clarified. She suggested they could be pared down and grouped into sections. Ms. Pace clarified that the State code required that the standards were objective and measurable.

Sherrie Pace said that now was a good time to review the uses and determine what should be allowed or prohibited, due to the new State requirements. She explained that if an applicant came in with a new or prohibited use that they could apply for a code amendment with specific conditions for that use.

Commissioner Van Langeveld asked if prohibited items should only be removed from the code or if they must be specifically prohibited. Sherrie Pace responded that some specific uses would need to be expressly prohibited such as animal slaughter. She gave the example of short term rentals and said if the code did not specify that they were prohibited that meant they would be permitted.

Vice Chair Larson clarified that the goals for the meeting were to define what would be a conditional use, what would move from conditional to permitted use, decide what would be prohibited, and remove subjective language. Sherrie Pace responded that staff would remove the subjective language from the code. She said to consider that if a use was between permitted and conditional that they could be conditional with a review by the Development Review Committee (DRC).

Commissioner Maus asked if a use met all the standards, if it would be a permitted use and if the use did not meet the standards, then it would be a conditional use. Sherrie Pace replied that this would be establishing standards for whether it was a permitted or conditional use. Some of the uses would be listed as permitted with standards that City staff would review and some uses would be conditional with review by the Planning Commission.

Vice Chair Larson asked if dividing the uses into categories was the most efficient way for the code to be redone. Sherrie Pace responded that the best way would be to have the uses in individual categories. She said this would result in a review and the identification of specific requirements.

Commissioner Van Langeveld commented that the current code was lacking that level of detail. She said the revision would make the code more expansive but efficient.

Commissioner Ward said the goal was to write standards that provided clarity to applicants and would hopefully result in less review needed by the Planning Commission.

Mackenzie Bennett explained that with a conditional use permit there was a need to be uniform across the board.

Sherrie Pace presented a map of the City that showed the location of the zones. She pointed out the location of the zones found in the Use Table, which included Commercial Shopping (CS), General Commercial (CG), Manufacturing Distribution (MD), and General Industrial (M-G) zones. Ms. Pace suggested reviewing each use and determining whether it belonged in one of the aforementioned zones. She said the first use was crop production and recommended that this use be allowed in all four of the zones.

Commissioner Maus asked if there was any reason why crop production should not be allowed in the M-G zone as it was currently allowed as a conditional use.

Vice Chair Larson asked if cannabis applications would fall under this. Sherrie Pace replied that per the State code cannabis growing must be allowed in the agricultural and industrial zones. She recommended adding a separate line item for "cannabis".

Commissioner Jorgensen asked about water supply for agricultural/crop production, particularly as this was a drought year. Commissioner Van Langeveld suggested that requiring a water plan by the applicant could be added to the standards.

The Commission suggested a general performance standard related to water guidelines/use, particularly for those that may be more impactful.

Dee Lalliss stated that the Commission should also consider fertilizers, insecticides, waste products, and other facets related to agriculture.

Commission determined that crop production should be permitted in all four zones, a water standard be added, and that a line item be added for cannabis and hemp.

Sherrie Pace spoke on the next use, which was animal production, and suggested that it be a prohibited use.

Mackenzie Bennett mentioned dog breeding in a residence. Sherrie Pace replied that would be a home occupation. She said standards for kennel permits needed to be put in place. This would address the number of animals, square footage of running space per animal, kennel space, etc.

The Commission discussed and determined to add a separate section for animal grazing with standards and prohibiting animal production in all four zones.

Sherrie Pace suggested eliminating “crop production” and replacing it with “soil preparation, planting, cultivating, and crop harvesting” and allowing that use in all four zones.

Commissioner Jorgensen mentioned that soil preparation could include foul smelling manures. Mackenzie Bennett suggested some form of general standard should be added to address this.

The Commission agreed to remove the term “soil preparation” from the aforementioned use.

The Commission discussed “Mining” which included crude petroleum and natural gas extraction, mining, sand mining, support activities for mining and/or oil and gas operations, and drilling oil and gas wells. Sherrie Pace recommended that mining would not be permitted in these four zones.

Commissioner Ward suggested mining as a prohibited use and the other uses would fall into other categories such as industrial.

Dee Lalliss asked about the gravel pits. Sherrie Pace replied that the existing gravel pits were not located in any of the four discussed zones.

Sherrie Pace then spoke on the uses under “Utilities”. She said it was a general category and should relate more to utilities such as power lines, which should be a conditional use.

The Commission discussed standards to allow backup generators and that “fossil fuel electric power generation” would be prohibited in the four zones. The Commission then discussed other means of power generation including windmills, water, solar farms, fuel cells, etc.

Commissioner Ward commented that these types of uses should be reviewed by the Planning Commission due to the inherent complexity and the need for mitigation.

Sherrie Pace recommended prohibiting uses that the City would never want. She said it was impossible to determine conditions for every use and it would be more beneficial to focus on the businesses that the City wanted to attract.

The Commission determined that sewage treatment facilities was no longer permitted in the M-D zone. They also decided that steam and air conditioning supply was a prohibited use in all four zones. Under Building, Developing and General Contracting the use of construction and contracting services, office only would now be a permitted use in all four zones.

Sherrie Pace addressed construction and contractor services, outdoor storage and suggested a closer look at outdoor storage requirements with the potential for a standard that it would be a permitted use with standards such as that it would be allowed unless the storage yard was adjacent to residential.

Commissioner Ward was excused at 7:40 p.m.

The Commission discussed manufacturing uses. Sherrie Pace recommended removing “food manufacturing” from the M-G zone.

The Commission determined that “Animal Slaughtering” as well as “Leather and allied product manufacturing” would be prohibited uses.

The Commission reviewed wood product manufacturing, plastics and rubber products manufacturing, nonmetallic mineral product manufacturing, machinery manufacturing, transportation equipment manufacturing, and miscellaneous manufacturing. Staff recommended having these uses under one manufacturing category with standards related to items such as noise, time restrictions, waste products, etc. Sherrie Pace commented that these uses would require some research by staff to determine what was involved.

The Commission made the following changes under manufacturing: apparel manufacturing as a permitted use in the C-G zone, paper manufacturing not permitted in the M-G zone, printing and related support activities were permitted in all four zones, primary metal manufacturing a prohibited use in all four zones, fabricated metal product manufacturing as a permitted use in the manufacturing zones, computer and electronic product manufacturing not permitted in the C-G zone, electrical equipment, appliance and component manufacturing would not be permitted in the C-G zone, furniture and related product manufacturing would be replaced with Artisan/craftsman, and concrete service and batching plants would be prohibited.

Mackenzie Bennett commented that the “S” shown in the table was for staff review. She said in these circumstances staff would deflect to a conditional use permit and suggested that for the purpose of this discussion, the Commissioners treat anything marked with an “S” as if it was a “C”.

The Commission reviewed the “Wholesale and Retail Trade” category. Staff recommended the category be changed to “Wholesale Trade” and that multiple uses in this category could be grouped into one.

The Commission made the following changes to the new “Wholesale Trade” use category: automobile and other motor vehicle wholesalers would not be permitted in all four zones, wholesalers would not be permitted in the C-G zone, all staff “S” designations replaced with conditional “C”, coal and other mineral and ore wholesalers would not be permitted in the four zones, and motor vehicle part (used) wholesalers would not be permitted,

Sherrie Pace commented that all wholesalers should be in the industrial zone.

Commissioner Van Langeveld asked about wholesalers who had a retail component. Sherrie Pace replied that this would most likely be considered retail. Mackenzie Bennett suggested that under “general wholesale” in the code that there should be a note explicitly stating this. Vice Chair Larson asked if there were any uses that were problematic in the wholesale trade category. Mackenzie Bennett commented that staff review should mitigate any potential hazards including those related to indoor and outdoor storage, parking, sensitive lands, drinking water, etc.

Mackenzie Bennett recommended a note related to “fuel storage” specifically for this category.

The Commission reviewed “Motor Vehicle and Parts Dealers” and determined: car dealers, recreational vehicle, motorcycle, and boat dealers, and all other motor vehicle dealers not permitted in C-S and C-G. Automotive parts and accessories stores as well as tire dealers would be permitted in C-G.

Sherrie Pace commented that there was a need for new standards relating to car dealers and whether they were permitted or conditional. This would include the number of vehicles allowed based on display square footage, no parking on street, etc.

Sherrie Pace suggested that retail establishments in the C-S zone would need to be smaller than 10,000 square feet in size.

The Commission also recommended that Outdoor Power Equipment not be permitted in the C-S zone, Nursery and Garden Centers permitted in C-S smaller than 10,000 square feet, beer, wine and liquor stores permitted in C-G zone, gas stations and convenience stores would be combined, and department stores not permitted in C-S.

Sherrie Pace commented that liquor stores were operated by the State and could be placed in any zone. She said the City would receive some point of sale from a State operated liquor store.

Sherrie Pace commented on used merchandise stores and recommended thorough standards as this could be pawn stores. Mackenzie Bennett suggested prohibiting pawn shops and limiting the size of used merchandise stores. She also recommended permitting these uses in C-S but not in C-G.

The Commission determined to prohibit all other transit and ground passenger transportation, prohibit electronic shopping and mail order houses in the C-G zone, other fuel dealers not permitted, liquefied petroleum gas dealers prohibited, air and rail transportation would be removed, combine freight trucking local and long distance, redefine used household and office goods moving and allow as a permitted use, remove interurban and rural bus transportation, taxi and limousine service permitted, removal of pipeline transportation, removal of scenic and

sightseeing transportation, uses related to air traffic control would be revised and moved to another category, and removal of freight transportation arrangement.

Mackenzie Bennett said that there needed to be more regulations, including the number of vehicles allowed onsite, if motor vehicle towing and impound lots were permitted in M-D. She suggested that staff could review the use table and present the changes to the Commission at a later date.

Commissioner Van Langeveld commented that the Commission had a preference for preserving the C-G zone for smaller commercial and not warehousing or auto.

3. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY
PLANNING COMMISSION

Sherrie Pace reported that the City Council approved the plat amendment for Village Station.

4. APPROVAL OF MINUTES

The Planning Commission meeting minutes of May 25, 2021 were reviewed and approved.

Commissioner Jorgensen moved to approve the May 25, 2021 Planning Commission minutes. Commissioner Maus seconded the motion. The motion was approved by Commissioners Jorgensen, Larson, Maus, Van Langeveld and Ward. Commissioners Knowlton and Tucker were excused.

5. ADJOURN

Vice Chair Larson adjourned the meeting at 8:54 p.m.

The foregoing was approved by the Planning Commission of the City of North Salt Lake on Tuesday June 22, 2021 by unanimous vote of all members present.



Linda Horrocks, City Recorder