

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
AUGUST 27, 2024

FINAL

Commission Chair Larson called the meeting to order at 6:30 p.m.

PRESENT: Commission Chair BreAnna Larson
Commissioner Ryan Holbrook
Commissioner Ron Jorgensen
Commissioner Johnathan Marsh
Commissioner Irene Stone
Commissioner Brandon Tucker
Commissioner William Ward

STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Johnson, Planner; Caden Baines, Planning Intern.

OTHERS PRESENT: Dee Lalliss, resident.

1. WELCOME AND INTRODUCTION

Chair Larson introduced the new Planning Commissioner, Johnathan Marsh.

Commissioner Marsh commented that he had lived in the recently annexed area for 14 years. He mentioned his wife was a senior planner for another city. He shared that he was a computer engineer for a defense contractor and owned several rental properties that provided housing for individuals with disabilities.

2. PUBLIC COMMENTS

There were no public comments.

3. WORK SESSION: PENDING CODE AMENDMENTS

Sherrie Pace explained that the conditional use standards and land use table code amendment was warranted by a potential application for a homeless shelter near the Foxboro neighborhood. She said that the City Attorney had reviewed the existing conditional use ordinance and noted that it was missing key elements related to the ability to impose conditions related to safety. She shared that if there was a pending ordinance amendment, the City could postpone an application

for any use that would be affected by the pending ordinance for up to 180 days or until the ordinance is adopted, whichever is first. She explained that on August 15th the City Council directed staff to update the conditional use ordinance including the land use table and sign ordinance. She clarified that the County had pulled their funding for services at the proposed location in the City. She said the Homeless Services Board would be reviewing this item on September 12th to determine State funding for the property purchase, but she was unsure what would happen. She also said the sign code was outdated, and the City Attorney would present at the City Council work session on September 3rd to review the changes that were required.

a. CONDITIONAL USE STANDARDS AND LAND USE TABLE

Sherrie Pace reported that State code 10-9a-507 governed conditional use permits and required objective standards. She said State code also required that conditions must: be reasonably related to mitigate anticipated detrimental effects, did not require elimination of those detrimental effects, and allowed for denial if detrimental effects could not be substantially mitigated. She stated that conditional use permits were administrative, and all uses had to be either permitted or conditional.

Sherrie Pace requested the Planning Commission review the existing land use table (conditional, permitted, prohibited) and provide feedback at the next meeting. She shared a current copy of the land use table for the CS, CG, MD, and MG zones. She reviewed the general uses in the CH zone including general office, general retail, restaurants, and auto sales (permitted), retail larger than 20,000 square feet, special events (conditional), and auto body, bowling alleys, car wash, gas station, manufacturing, and pawn shops (prohibited).

Mackenzie Johnson clarified that every land use could not be listed in the code and if the use was not listed then the applicant would need to return with a code amendment to be added to the use table.

Commissioner Tucker suggested that if a use was not listed then it would require review by the Planning Commission as a conditional use. Sherrie Pace replied that if a use is not listed then it should be prohibited, and the applicant could then request a code amendment to avoid allowing every use as a conditional use. She specified that conditional uses are administrative decisions that are permitted uses with conditions.

Mackenzie Johnson spoke on the State statute regarding conditional uses and moving from conditional uses to permitted or not permitted uses.

Sherrie Pace said standards for particular uses must be enumerated in the code and gave the example of auto dealerships and issues with parking requirements and the number of vehicles onsite. She showed what Clearfield City had implemented for conditional and permitted uses.

Commissioner Tucker asked how to evaluate the list of uses and the objective criteria to utilize. Sherrie Pace requested that the Commission look at whether the use would create noise, odor, light pollution, nuisance, traffic, environmental, or other detrimental impacts when reviewing conditional uses. She asked the Commission to highlight those uses that should be prohibited or would need standards.

Sherrie Pace shared supplementary regulations for conditional uses from South Jordan City including those for animal services, financial institutions (check cashing, pawn shop), and car dealerships.

Mackenzie Johnson spoke on the vagueness of permitted uses in the Commercial Highway (CH) zone and how it functioned well due to other city codes such as parking and outdoor storage requirements. Sherrie Pace mentioned that some uses would be added to the table related to social services and related conditions in the event of an application for a shelter or similar use.

Sherrie Pace explained that there were several conditional uses permits in process but no new conditional use permit applications could be processed until the ordinance was adopted or until February 15, 2025.

Commissioner Jorgensen asked if there were other communities that had written a more exhaustive list. Sherrie Pace replied that she had been unable to find a more comprehensive list and how this was a monumental task.

Chair Larson asked how often applicants applied for or asked about uses that were not on the list. Mackenzie Johnson replied with the estimate that it was approximately 30% of the time.

Chair Larson clarified that when the Commission reviewed the uses, they should try and combine some uses while also providing tight regulations for code enforcement.

Commissioner Holbrook questioned why the CH zone was removed from the table. Sherrie Pace replied that it was removed when staff was working on the town center and Form Based Code. She explained how this was to limit certain uses on Highway 89. She mentioned how staff was working on a request for design standards for the town center.

Commissioner Stone mentioned car dealerships and requirements to potentially limit proximity. Sherrie Pace replied that she had seen proximity limitations on certain uses such as sexually oriented businesses or bars. She said this was something staff could discuss with the City Attorney. She detailed the process for the proposed code amendments including meeting with the City Attorney, draft changes by staff, a public hearing, recommendation by the Planning Commission, and adoption or modification by the City Council.

Staff spoke on reviewing the use table over the next several meetings and mentioned upcoming applications including the project at 130 East, code amendments for bay doors fronting a street, short term rentals, caretaker dwellings for commercial buildings, commercial development, and residential development on Redwood Road.

Sherrie Pace requested that the Commission review the land use list through “non-store and store retailers” prior to the next meeting. Chair Larson clarified reviewing pages one through five and highlighting prohibited uses, those that need conditions, and those that could be combined.

b. SIGN CODE

Sherrie Pace stated that she would be working with the City Attorney on the sign ordinance including time, place, and manner. She said the City Council would review this item during their September 6th meeting and would send the link to the Commission.

c. GENERAL PLAN UPDATE

Sherrie Pace provided an update on the General Plan including a Steering Committee meeting in September. She said there would also be a hands-on public workshop on October 7th to review existing conditions, visual preference surveys, and development of scenarios.

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

Sherrie Pace reported on the City Council meetings held on July 16th, August 15th, and August 20th. She said the July 16th meeting included the appointment of Jon Marsh to the Planning Commission and the approval of \$10,000 in matching funds for the Davis County mural grant. She said the August 15th special meeting included the Council directive to initiate a code amendment regarding the standards for conditional uses, the land use table, and sign code update. She mentioned that the Council toured Switchpoint in Tooele City on August 20th. She explained that Switchpoint was a community resource center for individuals experiencing homelessness.

5. APPROVAL OF MINUTES

The Planning Commission meeting minutes of June 11, 2024 were reviewed and approved.

Commissioner Jorgensen moved to approve the minutes as drafted for the June 11, 2024 Planning Commission meeting. Commissioner Tucker seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Marsh, Stone, Tucker, and Ward.

6. ADJOURN

Commission Chair Larson adjourned the meeting at 7:26 p.m.

The foregoing was approved by the Planning Commission of the City of North Salt Lake on Tuesday, September 24, 2024 by unanimous vote of all members present.



Wendy Page, City Recorder

