

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
SEPTEMBER 24, 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 via Zoom
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, Lucia Yenne, Jess Larsen, residents; Makayla Martin, Core 4 Distillery; Curtis Miner, Core Architecture; Scott Argyle, Entellus.

1. PUBLIC COMMENTS

There were no public comments.

2. PUBLIC HEARING: CONSIDERATION OF AMENDMENTS TO CITY CODE SECTIONS 10-1-47 (DEFINITIONS), 10-11-3 (COMMERCIAL & INDUSTRIAL DISTRICTS LAND USE TABLE), AND 10-19-1 (SPECIFIC USE STANDARDS) REGARDING THE PROPOSED USE OF ACCESSORY CARETAKER RESIDENCES, MIKE ANDERSON, CORE ARCHITECTURE, APPLICANT

Sherrie Pace shared an aerial view of the property located at 965 North Main Street. She explained that the applicant, Core Architecture, was representing the property owner and intended to remodel the existing building for transfer to the Ethiopian Orthodox Church. She said as part of the new ownership and operation they requested living quarters for the pastor within the structure. She mentioned that the applicant has proposed a code amendment as City code did not currently provide caretaker residences in commercial or industrial zones. She mentioned that City staff reviewed sample language from other cities and the proposed language has been reviewed and recommended by the Development Review Committee (DRC).

Ms. Pace shared that the Planning Commission was already working on updating the conditional use permit regulations and land use table. She explained that Chapter 19 of the land use ordinance was reserved and it would become the location where standards would be provided for specific uses. Chapter 19 would be titled "Specific Use Standards". She said the proposed changes would add a new definition to section 10-1-47, add the use as a permitted use in the C-S, C-G, M-D, & M-G zones, and create the first portion of Chapter 19, Specific Use Standards. She then reviewed the proposed amendments including:

1. One accessory caretaker residence per property
2. Must be incidental and subordinate to the primary use on the property
3. Be located in the primary building unless:
 - a. Lot size is five (5) acres or more
 - b. The accessory building is designed with architectural standards unless it cannot be viewed from a public street
 - c. Cannot use an RV
 - d. Tiny homes can be used if connected to utilities and skirted
 - e. Separate utilities, if required
4. Must meet building code, including fire separation, sprinkling, as applicable
5. Each unit must have kitchen, living area, sleeping area
6. Max size 1,500 square feet
7. Require residential impact fees
8. Minimum one (1) parking space
9. Occupied by only one (1) family
10. Minimum one (1) resident must be employee or the owner of the business
11. Record a covenant that they convert the area back if they terminate the business.

Commissioner Jorgensen asked about the potential request for residential use on a contaminated property. He proposed a requirement that an Accessory Caretaker Residence (ACR) shall not be permitted on contaminated properties unless specifically authorized by appropriate county, state, or federal health and environmental authorities with jurisdiction. Sherrie Pace commented that this would fall under the building and fire code if the property was contaminated or the sensitive

lands ordinance which regulated contaminated properties. She mentioned that the proposed requirement could be added to the code amendment.

Sherrie Pace commented that there were some existing caretaker dwelling units in the industrial and commercial areas and said this amendment would provide regulation in the event of the expansion of those uses.

At 6:41 p.m. Chair Larson opened the public hearing.

Dee Lalliss, resident, commented on an existing residential dwelling at a storage unit facility. Sherrie Pace replied that the code did not specifically allow or address those dwelling units but this amendment would require standards. She explained that any remodel or expansion of those units would not allow anything beyond the scope of the proposed regulations and would help bring them into compliance.

At 6:42 p.m. Chair Larson closed the public hearing.

Commissioner Holbrook questioned if the DRC had discussed whether this would require a conditional use permit in the C-S zone. Sherrie Pace responded that the City was attempting to move away from conditional uses which was the reasoning behind all the proposed regulations/standards and would allow for staff review and approval.

Curtis Miner, Core Architecture, commented that the property owner was planning to retrofit the building for the Ethiopian Orthodox Church with the inclusion of a caretaker unit. He shared that 1,500 square feet would allow for a three bedroom apartment.

Commissioner Stone moved that the Planning Commission recommend for approval the proposed code amendments with the following findings:

- 1) **The proposed amendment is in accord with the comprehensive general plan, goals and policies of the City.**
- 2) **Changed or changing conditions make the proposed amendment reasonably necessary to carry out the "purposes" stated in this title.**
- 3) **The proposed amendment addresses a need for commercial businesses and provides regulations for existing grandfathered caretaker dwellings within the city.**
- 4) **The proposed additions from Commissioner Jorgensen (that an Accessory Caretaker Residence (ACR) shall not be permitted on contaminated properties unless specifically authorized by appropriate county, state, or federal health and environmental authorities with jurisdiction)**

Commissioner Marsh seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Marsh, Stone, Tucker, and Ward.

3. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR CORE 4 DISTILLERY AT 400 NORTH 400 WEST, BLDG. 16, MAKAYLA MARTIN, APPLICANT

Mackenzie Johnson reported this conditional use permit application was received prior to the City Council's formal initiation of code amendment for conditional uses and the land use table on August 15, 2024 and therefore was not subject to the provisions of State Code section 10-9a-509 regarding pending ordinances. She explained that the request was for a business license to manufacture and wholesale moonshine at 900 North 400 West, Building 16, Suite B. She mentioned the business would occupy approximately 225 square feet of the building with office, manufacturing of the base drink, bottling, and storage. She said this location would not be open to the public for purchase or consumption and the applicant would work with the State to obtain the required licensing. Ms. Johnson noted that the property was zoned manufacturing distribution (MD) with "food manufacturing" allowed as a conditional use and "alcoholic beverage wholesaler" as a permitted use. She added that the DRC recommended approval with the condition that the applicant secure all State required permits prior to operation.

Commissioner Holbrook moved that the Planning Commission approve the conditional use permit for Core 4 Distillery at 900 North 400 West, Bldg. 16 with the following condition:

- 1) **The applicant secures all State required permits prior to operation.**

Commissioner Ward seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Marsh, Stone, Tucker, and Ward.

4. CONSIDERATION OF SITE PLAN APPROVAL FOR COPART'S ACCESS ROAD AT 430 NORTH 400 WEST, TJ BRESLIN, ENTELLUS

Mackenzie Johnson reported on the site plan for Copart's proposed access road at 430 North 400 West. She stated that Copart had an active business license for "vehicle auction and storage" at 170 West Center Street since 1999. She explained that they have accessed the property from Center Street through the use of lease agreements to cross private property. She continued that those lease agreements were not being renewed which prompted the applicant to access the property from 400 West. Ms. Johnson noted that during 2022, Copart secured a permit from the City and constructed a 40 foot wide drive approach on 400 West for a secondary access point. She mentioned that the gravel material placed behind that driveway had created track out problems on the public street. She elaborated that as a response to the termination of the cross access lease agreements and track out issues, Copart elected to pave an access road from the public street to the property where vehicles were stored. That project would include 12,350 square feet of new asphalt, drainage swales, and a drainage pond.

Mackenzie Johnson stated that City code 10-20-3 required site plan review and Low Impact Development (LID) analysis and compliance for development that added or replaced 5,000 or more square feet of impervious surface. She added that the City Engineer confirmed that the proposed drainage facilities complied with LID standards and all engineering redlines had been sufficiently addressed. She indicated that the site plan showed a proposed sign that was within the clear view triangle of the driveway. She added that the sign placement was not approved as part of this application and a building permit must be obtained prior to its installation.

Ms. Johnson indicated that the MD zone required a minimum of 15% landscaping except when reduced by the Planning Commission. She noted that the property was vacant with no water meter and as such the DRC recommended that the Commission reduce the required irrigated landscaping from 15% to 0% to support water conservation efforts and until the property was further developed. She shared that the DRC recommended approval of the site plan with the following findings that the proposed sign location was not in compliance with City Code 10-1-31 and must be relocated outside of the clear view triangle and a separate building permit must be obtained prior to installation of the sign and that the irrigated landscaping requirement be reduced from 15% to 0% in support of water conservation efforts and until the property develops further with structures, improved parking, or other major improvements.

Commissioner Marsh asked for clarification if this was a temporary or permanent fix. Mackenzie Johnson replied that the proposed access road would be a permanent fix and a primary entrance to the property. She added that landscaping improvements in compliance with code would be required when the property was further developed. She mentioned that the site would be revegetated with wild seed to stabilize the soil and reduce erosion.

Commissioner Stone moved that the Planning Commission approve the site plan for Copart's access road located at 430 North 400 West with the following findings:

- 1) The proposed sign location is not in compliance with City Code 10-1-31 and must be relocated outside of the clear view triangle. A separate building permit must be obtained prior to installation of the sign.**
- 2) The irrigated landscaping requirement is reduced from 15% to 0% in support of water conservation efforts and until the property develops further with structures, improved parking, or other major improvements.**

Commissioner Marsh seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Marsh, Stone, Tucker, and Ward.

5. WORK SESSION: PENDING CODE AMENDMENT
 - a. CONDITIONAL USE STANDARDS AND LAND USE TABLE (PRODUCTION THROUGH NONSTORE RETAILERS)

Sherrie Pace provided a review with staff recommendations for the Land Use Table through line #98 including:

1. Production (Agriculture)
 - a. Updating agriculture definitions and land uses,
 - b. Commercial operations
 - c. Livestock
 - d. Community gardens

2. Mining
 - a. Support activities for mining defined
 - b. Support activities for oil and gas

3. Utilities
 - a. Compress to public and private utilities
 - b. Power Generation
 - c. Water supply
 - d. Sewage treatment
 - e. Steam and air conditioning supply

4. Building, Developing and General Contracting
 - a. Contractor yard standards to be moved from 1-1-33

5. Manufacturing
 - a. Prohibited in C-S & C-G?
 - b. Prohibited uses:
 - i. Slaughtering/rendering

 - c. Compression of categories:
 - i. Heavy Manufacturing
 - ii. Light Manufacturing
 - iii. Heavy Assembly
 - iv. Light Assembly
 - v. Sub-assembly

6. Wholesale/Retail Trade
 - a. Compress into
 - i. Durable goods
 - ii. Non-durable
 - iii. Wholesale Electronic Markets

 - b. Prohibited Wholesale uses

- i. Used auto parts/salvage yards
 - ii. Metal service centers
 - iii. Coal and mineral
- c. Outdoor storage regulations
- d. Special regulations for
- i. Chemicals
 - ii. Raw farm materials
 - iii. Petroleum

The Commission discussed contaminated soil and providing a specific definition in section 10 of the code. They then reviewed and determined which of the uses listed above were permitted, conditional, or prohibited in the C-S, C-G, M-D, and M-G zones.

Mackenzie Johnson clarified that if a use was prohibited or not listed, an applicant could work with staff on creating sufficient supplementary standards and applying for a code amendment.

Staff would continue to work on items such as mining, support activities for oil/gas operations and mining, metal service centers and offices, etc. as well as regulations/standards for permitted uses, and condensing similar uses.

Sherrie Pace mentioned that the City Council updated the alcoholic beverage regulation ordinance to allow other uses. She said staff would now need to determine in which zones those uses would be allowed.

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

Sherrie Pace reported that the September 3rd Council meeting included a public hearing regarding a proposal for a homeless shelter. She commented that the County had withdrawn its financial support and staff anticipated that the shelter would no longer be located on the former Lifeline property in the City. She mentioned other inquiries for the property including a six story apartment building which would not be a good fit due to the soil, proximity to sewer treatment center, etc.

Ms. Pace spoke on the September 17th City Council meeting including an agreement with Reagen Outdoor Advertising related to billboards. She commented that the agreement prohibited Reagen from placing a billboard in the Town Center in exchange for allowing placement on Overland and Main Street. She also mentioned that the alcoholic beverage amendment to the City Code was approved. She reminded the Commission that the General Plan workshop would be October 7th, the APA conference was on October 10th and 11th, and the Wasatch Choice Workshop would be held on October 21st.

7. APPROVAL OF MINUTES

The Planning Commission meeting minutes of August 27, 2024 were reviewed and approved. **Commissioner Jorgensen moved to approve the minutes for the August 27, 2024 Planning Commission meeting as drafted. Commissioner Marsh seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Marsh, Stone, Tucker, and Ward.**

8. ADJOURN

Commission Chair Larson adjourned the meeting at 8:41 p.m.

The foregoing was approved by the Planning Commission of the City of North Salt Lake on Tuesday, October 8, 2024 by unanimous vote of all members present.



Wendy Page, City Recorder

