

County Council Zoning Meeting

Public Meeting Agenda

Tuesday, October 25, 2016 4:00 P.M.

LOCATION: SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, ROOM N1-100
NORTH BUILDING, MAIN FLOOR
(385) 468-6700

UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.

The County Council Public Meeting is a public forum where the Council receives comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Council's agenda. In addition, it is where the Council takes action on Zoning related items. Action may be taken by the Council on any item listed on the agenda which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

Rezone – To be Set (To be Heard 11/22/2016) –

30115 – Adam Nash is requesting approval for a rezone from R-M to R-1-4. **Location:** 912 East College Street (4580 South). **Community Council:** Millcreek. **Planner:** Spencer Hymas

30008 – Paul Ehlert is requesting a rezone from R-1-8 (Single-Family Residential) to R-1-21 (Single-Family Residential). **Location:** 2892 East Brookburn Road. **Community Council:** East Mill Creek. **Planner:** Jeff Miller

30088 – Jodie Leavitt is requesting a rezone from FR-1 z/c (Forestry and Recreational, zoning condition limits density) and R-1-21 z/c (Single Family Residential, ½ acre lot min., zoning condition limits animals to household pets) to R-1-21 z/c (Single Family Residential, ½ acre lot min., zoning condition limiting animals to household pets). **Location:** 4619 Jupiter Drive. **Community Council:** Mount Olympus. **Planner:** Todd A. Draper

30095 – Dustin Holt is requesting approval for a rezone of approximately 52.94 acres from A-1 z/c to R-M, R-1-4, R-1-5 and R-1-6. **Location:** 7774 and 7834 West 2820 South, and 7445 and 7701 West UTwo O One Hwy. **Community Council:** Magna. **Planner:** Spencer Hymas

29926 – Jeff Stephenson on behalf of RTK (Rio Tinto Kennecott Copper) is requesting approval for a rezone of approximately 60 acres from A-1/zc to M-1/zc, and approximately 5 acres from A-1/zc to C-2/zc, located at approximately 7445 West UTWO O Hwy. **Community Council:** Magna. **Planner:** Max Johnson

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File # 30115

Salt Lake County Council Summary and Recommendation

Public Body: County Council

Parcel ID: 20-05-377-001

Property Address: 912 East College Street (4580 South)

Request: Rezone

Meeting Date: To Be Set

Current Zone: RM z/c **Proposed Zone:** R-1-4

Community Council: Millcreek

Planner: Spencer Hymas

Planning Commission Recommendation: Approval

Community Council Recommendation: Approval

Planning Staff Recommendation: Approval

Applicant Name: Adam Nash

PROJECT DESCRIPTION

The applicant was approved for a rezone to RM that had a zoning condition to limit the density to 6 units and a condition that the property could only be developed as a PUD or Dwelling Group. The new changes to the PUD ordinance prohibit PUD's under 1 acre in size. The developer would like to subdivide the property for individual ownership. The R-1-4 zone would better accommodate the development type to subdivide the property for individual ownership with the PUD not being an available option. The density would not be increased with the change in zoning.

SITE & VICINITY DESCRIPTION (see attached map)

There are a multitude of uses and housing types in the vicinity. To the east are single family homes zoned R-1-8. To the south are the Hilltop Park condominiums – a townhouse development zoned R-M with underground parking. To the north are the Cottages on College, single family homes on 0.1 acre lots developed as a PUD in the R-M zone. To the west are single family homes and townhouses with zoning ranging from R-1-10, R-M and C-2. This property is a short distance to the Walmart and K-mart on 900 East.

ZONE CONSIDERATIONS

Requirement	Existing Zone (RM)	Proposed Zone (R-1-4)
Height	75 feet	35 feet
Front Yard Setback	25 feet	20 feet
Side Yard Setback	10 & 8 feet (18 feet total)	5 feet unless attached to a dwelling on

		an adjacent lot
Rear Yard Setback	15 feet	15 feet
Lot Width	50 feet	25 feet
Lot Area	5,000 square feet	4,000 square feet

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with Landscaping Requirements Verified.	N/A
Compliance with the General Plan.	Yes

GENERAL PLAN CONSIDERATIONS

The **Millcreek General Plan** map identifies this parcel for **moderate change**. It is also close to the 900 East corridor which allows adaptive/flexible changes.

The rezone may contribute to the following objectives identified in the general plan:

Objective 4.2: Consider a mixed-use pattern of development for major centers, arterials and nodal points to create density and critical population mass to support diverse activities.

Objective 5.1: Provide sufficient housing for current and future populations that are appropriate, safe, and affordable, where all citizens are welcome to live.

Objective 5.2: Consider life-cycle housing alternatives that allow for aging populations to age in place, as well as provide diverse housing choice for other demographic groups.

Objective 5.3: Develop residential neighborhoods that integrate multiple community facilities and services such as retail, recreation, professional services, schools, churches, etc.

Objective 5.4: Encourage residential development that establishes a variety of lot sizes, dwelling types, densities, and price points, as well as an appropriate balance of owner occupied and rental units.

Planning staff believes that the rezone proposal is in harmony with the general plan.

NEIGHBORHOOD RESPONSE

No response at the time of this report 9/28/16.

COMMUNITY COUNCIL RESPONSE

This item was heard at the Millcreek Community Council Meeting on October 4, 2016 and received unanimous approval.

PLANNING COMMISSIONS' RESPONSE

This item was heard at the Millcreek Planning Commission Meeting on October 12, 2016 and received unanimous approval with two zoning conditions:

1. **Limit the density to no more than 6 units;**
2. **Maximum height not to exceed thirty feet to the top of the peak.**

PLANNING STAFF ANALYSIS

19.90.010 - Amendment procedure.

The county council may amend the number, shape, boundaries or area of any zone or any regulation within any zone. Any such amendment shall not be made or become effective unless the same shall have been proposed by or be first submitted for the recommendation of the relevant planning commission.

19.90.060 - Conditions to zoning map amendment.

A. In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:

- 1. Uses;*
- 2. Dwelling unit density;*
- 3. Building square footage;*
- 4. Height of structures.*

B. A zoning map amendment attaching any of the conditions set forth in subsection A shall be designated ZC after the zoning classification on the zoning map and any such conditions shall be placed on record with the planning commission and recorded with the county recorder.

C. In the event any zoning condition is declared invalid by a court of competent jurisdiction, then the entire zoning map amendment shall be void. Any deletion in or change to zoning condition shall be considered an amendment to the zoning ordinance and shall be subject to the requirements of this chapter.

Staff believes the applicant has complied with the applicable ordinances. Staff recommends the continued use of a zoning condition to limit the density to no more than 6 units.

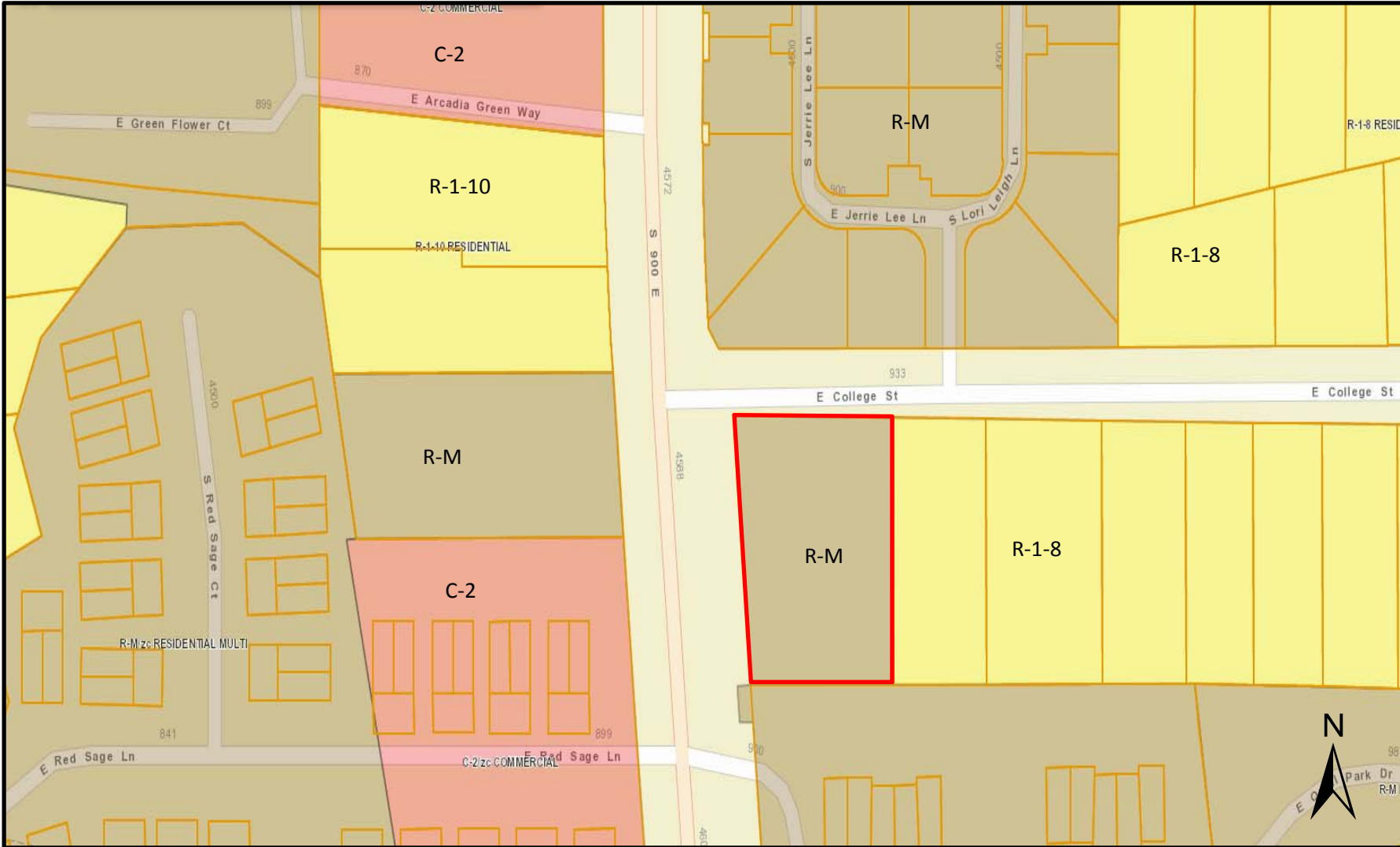
PLANNING STAFF RECOMMENDATION TO THE PLANNING COMMISSION

Planning Staff recommends approval of the rezone from RM to R-1-4 with the zoning condition to limit the density to no more than 6 units.

File #30115: Zoning Map

Rezone from R-M to R-1-4

912 E College Street (Subject Property Outlined In Red)



RECORDED BOUNDARY DESCRIPTION

BEGINNING AT A POINT THAT IS WEST 660 FEET AND N05°W 1237.5 AND EAST 33.12 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE EAST 143.5 FEET; THENCE NORTH 188.1 FEET; THENCE WEST 133.07 FEET; THENCE S0°08'30"E 4.00 FEET; THENCE S89°51'30"E 4.78 FEET; THENCE S31°08'48"W 17.40 FEET; THENCE S04°54'30"E 169.13 FEET; THENCE N89°43'W 11.55 FEET; THENCE S5°E 3.43 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.61 ACRES MORE OR LESS

AS SURVEYED BOUNDARY DESCRIPTION

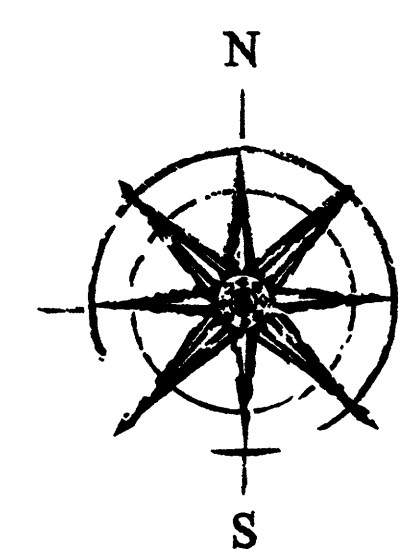
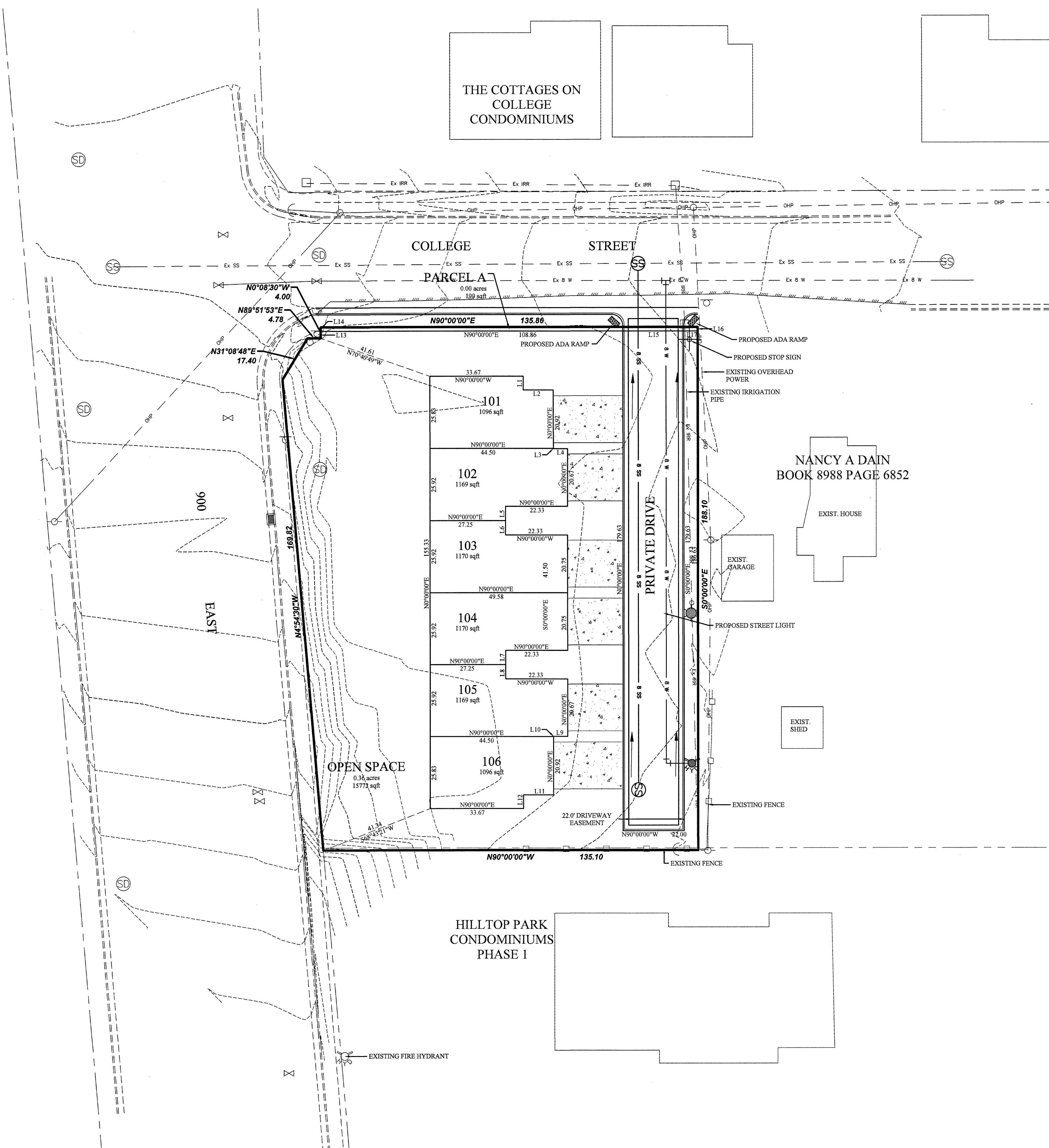
BEGINNING AT A POINT THAT IS WEST 660 FEET AND N89°50'00"W 667.14 FEET AND N04°54'30"W 1210.05 FEET AND N85°05'30"E 44.50 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE EAST 135.10 FEET; THENCE NORTH 188.10 FEET; THENCE WEST 135.86 FEET; THENCE S0°08'30"E 4.00 FEET; THENCE S89°51'30"W 4.78 FEET; THENCE S31°08'48"W 17.40 FEET TO THE EAST RIGHT OF WAY LINE OF 4500 SOUTH STREET; THENCE S04°54'30"E 169.82 FEET ALONG THE EAST RIGHT OF WAY LINE OF 4500 SOUTH TO THE POINT OF BEGINNING.

CONTAINS 0.615 ACRES MORE OR LESS

NOTE:

1. NO EXISTING STRUCTURES ON SUBJECT PROPERTY
2. NO EXISTING SEPTIC TANK OR LEACH FIELDS ARE PRESENT ON SUBJECT PROPERTY
3. PARCEL A TO BE DEDICATED TO MILLCREEK TOWNSHIP

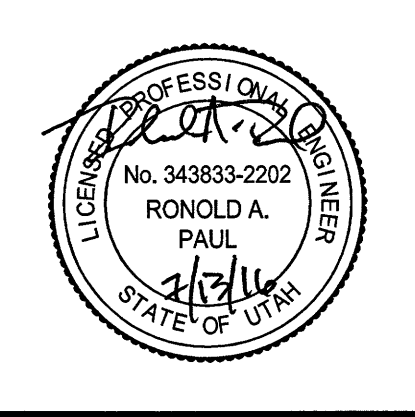
LINE	DIRECTION	LENGTH
L1	N00°00'00"E	4.92
L2	N90°00'00"W	10.83
L3	N00°00'00"E	0.08
L4	N90°00'00"W	5.08
L5	N00°00'00"E	5.17
L6	N00°00'00"E	5.17
L7	N00°00'00"E	5.17
L8	N00°00'00"E	5.17
L9	N90°00'00"E	5.08
L10	N00°00'00"E	0.08
L11	N90°00'00"E	10.83
L12	N00°00'00"E	4.92
L13	S00°08'30"E	2.53
L14	S00°08'30"E	1.47
L15	N90°00'00"E	22.00
L16	N00°00'00"E	1.47
L17	N90°00'00"E	5.00



LEGEND

---	BOUNDARY
---	ROW
---	CENTERLINE
---	LOT LINE
---	EASEMENT
15 SD	15" STORM DRAIN
8 SS	8" SANITARY SEWER
8 W	8" CULINARY WATER
8 SW	8" SECONDARY WATER
XXXX	CONTOUR MAJOR
---	CONTOUR MINOR
---	EXIST. STORM DRAIN
---	EXIST. SANITARY SEWER
---	EXIST. CULINARY WATER
---	EXIST. FENCE
---	EXIST. CONTOUR MAJOR
---	EXIST. CONTOUR MINOR
---	SIGN
---	STREET LIGHT
---	SD MH, INLET, AND COMBO
---	SEWER MANHOLE
---	VALVE, TEE & BEND
---	WATER BLOW-OFF
---	FIRE HYDRANT
---	STREET MONUMENT (TO BE SET)
---	EXIST. STREET MONUMENT
---	EXIST. SD INLET & MH
---	EXIST. SEWER MH
---	EXIST. VALVE, TEE, & BEND
---	EXIST. FIRE HYDRANT
---	SPOT ELEVATION

FOCUS
ENGINEERING AND SURVEYING, LLC
502 WEST 8360 SOUTH
SANDY, UTAH 84070 PH: (801) 352-0075
www.focusutah.com



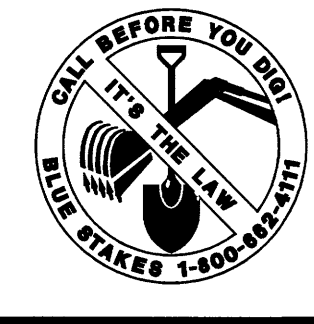
**PRELIMINARY
COLLEGE STREET TOWNHOMES
MILLCREEK, UTAH
PRELIMINARY SITE PLAN**

REVISION BLOCK

#	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

**PRELIMINARY
SITE PLAN**

Scale: 1"=20' Drawn: DRP
Date: 07/12/16 Job #: 09-020
Sheet: C2



**SALT LAKE COUNTY
ORDINANCE**

AN ORDINANCE, AMENDING TITLE 19, ENTITLED "ZONING" OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 1986, BY RECLASSIFYING CERTAIN PROPERTY LOCATED IN SALT LAKE COUNTY FROM R-M (HIGH DENSITY RESIDENTIAL) ZONE TO THE R-1-4 (SINGLE FAMILY RESIDENTIAL) ZONE.

The Salt Lake County Council of Salt Lake County, State of Utah, ordains as follows:

Section 1: Section, 19.06.020, The Zoning Map of Salt Lake County, Code of Ordinances 1986, is hereby amended, as follows:

The property described in Application #30115 filed by Adam Nash and located at approximately **912 East College Street**, within Salt Lake County, is hereby reclassified from the R-M (High Density Residential) zone to the R-1-4 (Single Family Residential) zone, with the following zoning condition:

- Density limited to no more than 6 units
- Maximum height not to exceed thirty feet to the top of the peak

The property is more particularly described as follows:

PARCEL: #20-05-377-001;

LEGAL DESCRIPTON: BEG W 660 FT & N 5° W 1237.5 FT & E 33.12 FT FR S 1/4 COR SEC 5, T 2S, R 1E, SLM; E 143.5 FT; N 188.1 FT; W 133.07 FT; S 0°08'30" E 4.00 FT; S 89°51'30" E 4.78 FT; S 31°08' 48" W 17.40 FT; S 4°54'30" E 169.13 FT; N 89°43' W 11.55 FT; S 5° E 3.43 FT TO BEG. 0.61 AC M OR L. 7596-0873,0875 8595-5210 8595-5210 8885-1429,1432

Section 2: The map showing such change shall be filed with the Salt Lake County Planning Commission in accordance with Section 19.06.020 of the Salt Lake County, Code of Ordinances, 1986.

Section 3: This ordinance shall take effect fifteen (15) days after its passage and upon at least

one publication in a newspaper published in and having general circulation in Salt Lake County, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the Salt Lake County Council has approved, passed and adopted this ordinance this _____ day of _____, 2016.

SALT LAKE COUNTY COUNCIL

By: _____
Max Burdick, Chair
Salt Lake County Council

ATTESTED:

Sherrie Swensen, County Clerk

Approved as to Form:

R. Christopher Preston
Deputy District Attorney
Date: _____

ORDINANCE HISTORY

- Council Member Wilson _____
- Council Member Snelgrove _____
- Council Member Bradley _____
- Council Member Bradshaw _____
- Council Member Jensen _____
- Council Member Newton _____
- Council Member Granato _____
- Council Member DeBry _____
- Council Member Burdick _____

Vetoed and dated this _____ day of _____, 2016.

By _____

Mayor Ben McAdams or Designee

(Complete As Applicable)

Veto override: Yes__ No__ Date_____

Ordinance published in newspaper: Date_____

Effective date of ordinance:_____

DRAFT

SALT LAKE COUNTY

NOTICE OF REZONING HEARING

NOTICE IS HEREBY GIVEN OF a public hearing to be held in COUNCIL CHAMBERS, COUNTY GOVERNMENT CENTER, NORTH BUILDING N1100, 2001 South State Street, Salt Lake City, Utah on **Tuesday, November 22, at 4:00 pm** o'clock before the Salt Lake County Council on the following application requesting rezoning of the following described area in Salt Lake County, Utah:

To amend the zoning map of Salt Lake County by changing the zone on the following described property located at approximately 912 E College Street. The applicant is requesting approval of a Zone Change from the R-M Zone to the R-1-4 Zone. This request has been filed under Application #30115 by Adam Nash. The subject property is described as follows:

PARCEL: 20-05-377-001

LEGAL DESCRIPTON:

BEG W 660 FT & N 5[^] W 1237.5 FT & E 33.12 FT FR S 1/4 COR SEC 5, T 2S, R 1E, SLM; E 143.5 FT; N 188.1 FT; W 133.07 FT; S 0[^]08'30" E 4.00 FT; S 89[^]51'30" E 4.78 FT; S 31[^]08' 48" W 17.40 FT; S 4[^]54'30" E 169.13 FT; N 89[^]43' W 11.55 FT; S 5[^] E 3.43 FT TO BEG. 0.61 AC M OR L. 7596-0873,0875 8595-5210 8595-5210 8885-1429,14320

SALT LAKE COUNTY COUNCIL

Chair

ATTESTED:

County Clerk



OFFICE OF TOWNSHIP SERVICES

Planning and Development Services
2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050
Phone: (385) 468-6700 • Fax: (385) 468-6674
www.pwpds.slco.org

File # 30008

Rezone Summary and Recommendation

Public Body: Salt Lake County Council
Parcel ID: 16-35-130-001
Property Address: 2892 East Brookburn Road
Request: Rezone from R-1-8 to R-1-21

Meeting Date: (To Be Heard) November 22, 2016
Current Zone: R-1-8 **Proposed Zone:** R-1-21

Community Council: East Mill Creek
Planner: Jeff Miller

Township: Millcreek

Planning Commission Recommendation: Approval with Condition

Community Council Recommendation: Approval with Condition

Planning Staff Recommendation to Millcreek Township Planning Commission: Approval with Condition

Applicant Name: Paul Ehlert

PROJECT DESCRIPTION

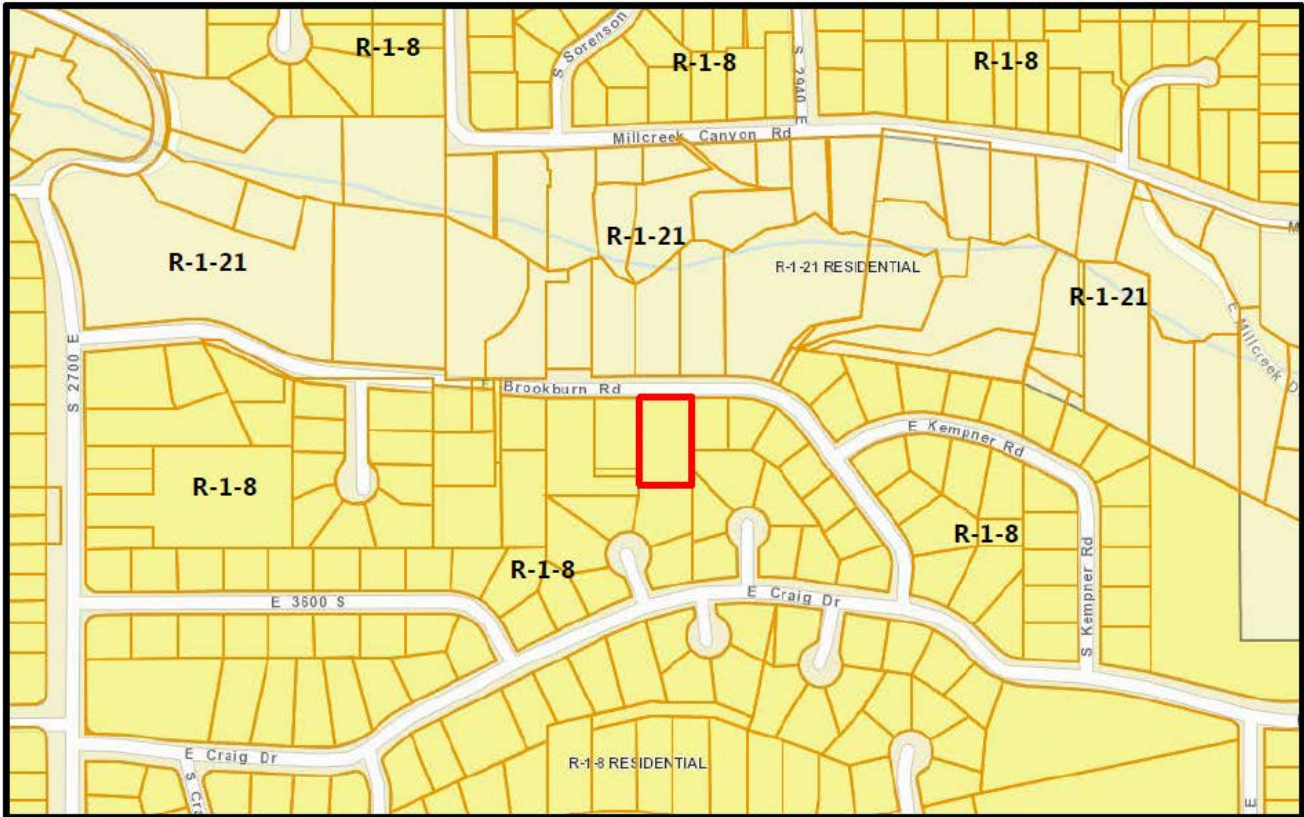
Paul Ehlert is requesting a rezone from R-1-8 (Single-Family Residential, 8,000 Square Feet lot size) to R-1-21 (Single-Family Residential, ½ acre lot size) to accommodate the usage of an existing accessory structure on the property as a Guest House, which is a permitted use in the R-1-21 zone. The existing accessory structure located in the rear yard of the main house was originally constructed as the main house on the property. Both the R-1-8 and R-1-21 zones are subject to the Residential Compatibility Overlay Zone (RCOZ 19.71).

SITE & VICINITY DESCRIPTION (see attached map)

The subject property borders large areas of single-family homes in both the R-1-8 along the south side of Brookburn Road and the R-1-21 zone along areas of the north side of Brookburn Road.

File # 30008: Rezone Request from R-1-8 to R-1-21

2892 East Brookburn Road (Parcel # 16-35-130-001)



ZONE CONSIDERATIONS

Requirement	Existing Zone (R-1-8)	Proposed Zone (R-1-21)
Height	35 feet (28 feet for RCOZ)	30 feet (32 feet for RCOZ)
Front Yard Setback	25 feet	30 feet
Side Yard Setback	5 feet one side and 11 feet on the garage or driveway side or 8 feet on each side (The combined side yard setbacks shall be at least 25% of the lot width, with no side yard setback less than eight feet).	10 Feet on each side (The combined side yard setbacks shall be at least 25% of the lot width, with no side yard setback less than eight feet).
Rear Yard Setback without Garage	30 Feet	30 Feet
Rear Yard Setback with Garage	15 Feet	15 Feet
Lot Width	65 Feet	100 Feet (Subject property has a width of approximately 120 Feet)
Lot Area	8,000 Square Feet	21,780 square feet (1/2 acre)
Density (per acre)	4.5 Units	2.0 Units

Compliance with the General Plan.	Yes
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GENERAL PLAN CONSIDERATIONS

The proposed parcel is located in a "Stable" area according to the Millcreek Township General Plan. However, since the subject property borders a large area in the R-1-21 zone, a rezone to R-1-21 would be considered a reasonable zone change for a stable area.

ISSUES OF CONCERN/PROPOSED MITIGATION

The R-1-21 zone allows "Animals and fowl for family food production" as a Conditional Use. Due to the close proximity of the subject property to other single-family homes in the R-1-8 zone, Planning Staff feels that this potential use could be a nuisance to surrounding homes. As such, Planning Staff is suggesting that a zoning condition that prohibits "Animals and fowl for family food production" be included.

NEIGHBORHOOD RESPONSE

Planning Staff has received four phone calls regarding this rezone application. Three of these calls were in support of the requested rezone, and one of the calls was from a surrounding neighbor that wanted to know what the intent of the rezone was, and was familiar with the subject property and the existing accessory structure in the rear of the property. Staff explained that the applicant would like to rezone his property to R-1-21 to allow the accessory structure in the rear yard to be used as a guest house. This neighbor was not opposed to the rezone request from the applicant. Staff has also received numerous e-mails from surrounding neighbors, who have also been in support of the requested rezone. When this item was presented to the East Mill Creek Community Council and the Millcreek Township Planning Commission, there was a neighbor that was in attendance, who was in support of the rezone.

COMMUNITY COUNCIL RESPONSE

This item was heard by the East Mill Creek Community Council on Thursday, October 6, 2016. They made a recommendation of approval with the following condition:

1. Animals and fowl for family food production are prohibited.

PLANNING COMMISSIONS' RESPONSE

This item was heard by the Millcreek Township Planning Commission on October 12, 2016. They made a recommendation

REVIEWING AGENCIES RESPONSE

Compliance with current building, construction, engineering, fire, health, landscape and safety standards will be verified prior to final approval of a Guest House on this property, if the property is rezoned to R-1-21.

PLANNING STAFF ANALYSIS

19.90.010 - Amendment procedure.

The county council may amend the number, shape, boundaries or area of any zone or any regulation within any zone. Any such amendment shall not be made or become effective unless the same shall have been proposed by or be first submitted for the recommendation of the relevant planning commission.

19.90.030 - Determination of council.

The county council, after review of the recommendation of the planning commission, may approve, deny, alter or remand for further review and consideration any application for zone change referred to the council by the planning commission.

19.90.060 - Conditions to zoning map amendment.

A. In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:

- 1. Uses;*
- 2. Dwelling unit density;*
- 3. Building square footage;*
- 4. Height of structures.*

B. A zoning map amendment attaching any of the conditions set forth in subsection A shall be designated ZC after the zoning classification on the zoning map and any such conditions shall be placed on record with the planning commission and recorded with the county recorder.

Planning Staff has analyzed the proposed rezone from R-1-8 to R-1-21, and has found that the request is cohesive with the surrounding uses and zones. The Residential Compatibility Overlay Zone (RCOZ) applies in the R-1-21 zone.

19.90.060 "Guest house" means a separate dwelling structure located on a lot with one or more main dwelling structures and used for housing of guests or servants, and not rented, leased or sold separate from the rental, lease or sale of the main dwelling.

PLANNING STAFF RECOMMENDATION TO THE PLANNING COMMISSION

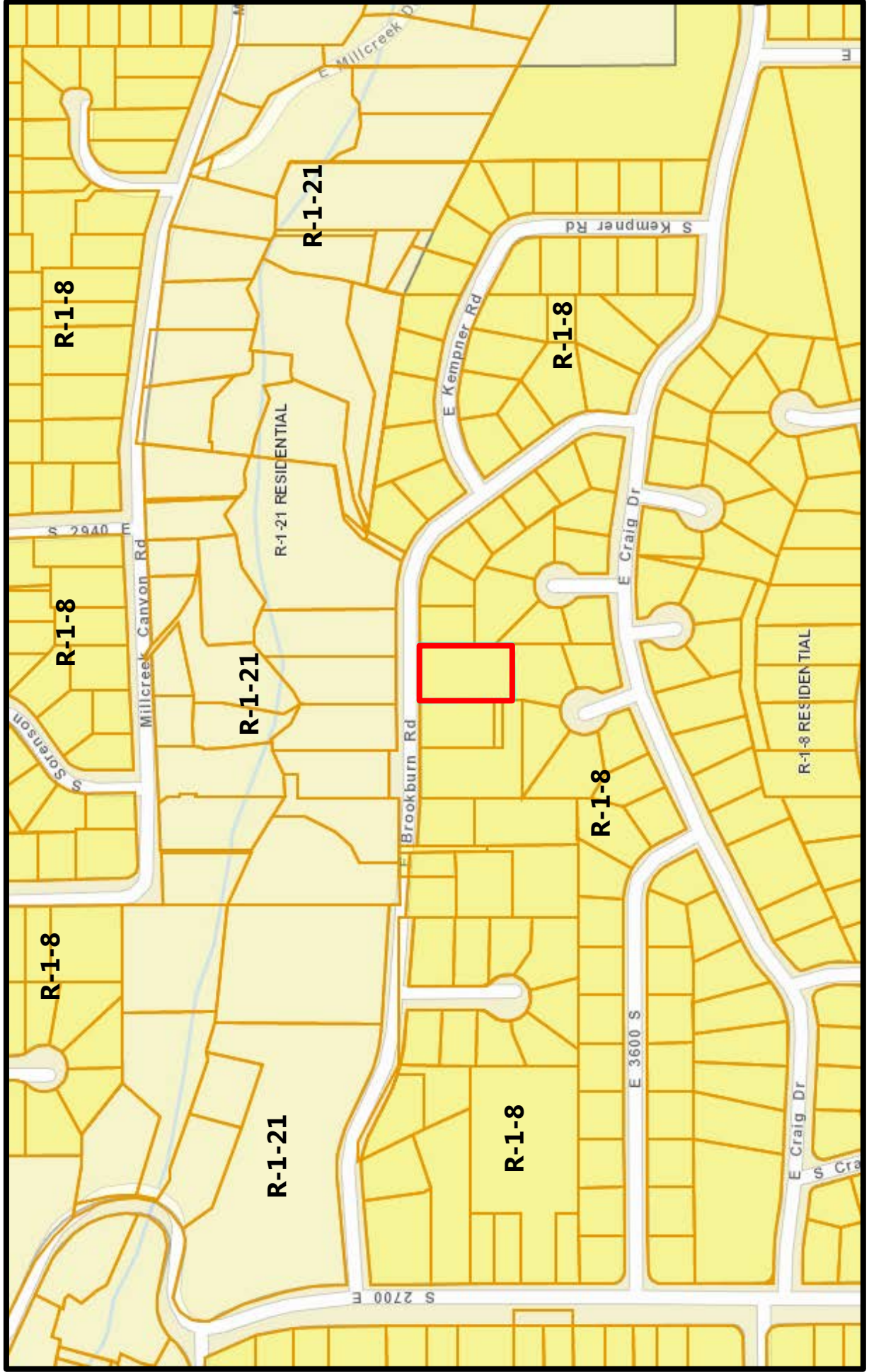
County Ordinance [19.90.030] "The county council, after review of the recommendation of the planning commission, may approve, deny, alter or remand for further review and consideration any application for zone change referred to the council by the planning commission."

Planning Staff has reviewed this rezone request for compliance with the Millcreek Township General Plan, standards set forth in the Salt Lake County Zoning Ordinance (Title 19), and for compatibility with existing neighboring land uses. Staff recommended that the Millcreek Township Planning Commission gives a favorable recommendation to the Salt Lake County Council for approval of this rezone request from R-1-8 to R-1-21, subject to the following zoning condition:

2. Animals and fowl for family food production are prohibited.

File # 30008: Rezone Request from R-1-8 to R-1-21

2892 East Brookburn Road (Parcel # 16-35-130-001)



File # 30008: Rezone Request from R-1-8 to R-1-21

2892 East Brookburn Road (Parcel # 16-35-130-001)







**SALT LAKE COUNTY
ORDINANCE**

AN ORDINANCE AMENDING TITLE 19, ENTITLED "ZONING", OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, BY RECLASSIFYING CERTAIN PROPERTY LOCATED IN SALT LAKE COUNTY FROM THE R-1-8 (SINGLE-FAMILY RESIDENTIAL) ZONE TO R-1-21 (SINGLE-FAMILY RESIDENTIAL) ZONE.

The County legislative body of Salt Lake County, State of Utah, ordains as follows:

Section 1: Section, 19.06.020, Zoning Maps of Salt Lake County Code of Ordinances 2001, is hereby amended, as follows:

The property described in Application #30008 filed by Paul Ehlert, located at approximately 2892 East Brookburn Road within Salt Lake County (the "Property"), is hereby reclassified from the R-1-8 (SINGLE-FAMILY RESIDENTIAL) zone to the R-1-21 (SINGLE-FAMILY RESIDENTIAL) zone.

The Property is more particularly described as follows:

PARCEL: 16-35-130-001

COMMENCING 14.86 CHAINS SOUTH AND 1265.93 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE MERIDIAN, EAST 120.4 FEET; SOUTH 197.14 FEET MORE OR LESS; WEST 120.4 FEET; NORTH 197.45 FEET TO BEGINNING.

CONTAINS 0.55 ACRES, MORE OR LESS

Section 2: The map showing such change shall be filed with the Salt Lake County Planning Commission in accordance with Section 19.06.020 of the Salt Lake County, Code of Ordinances, 2001.

Section 3: This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Salt Lake County, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the Salt Lake County Council has approved, passed and adopted this ordinance this _____ day of _____, 2016.

SALT LAKE COUNTY COUNCIL

By: _____
Max Burdick, Chair
Salt Lake County Council

ATTESTED:

Sherrie Swensen, County Clerk

Approved as to Form:

R. Christopher Preston
Deputy District Attorney
Date: _____

ORDINANCE HISTORY

Council Member Wilson _____
Council Member Snelgrove _____
Council Member Bradley _____
Council Member Bradshaw _____
Council Member Jensen _____
Council Member Newton _____
Council Member Granato _____
Council Member DeBry _____
Council Member Burdick _____

Vetoed and dated this _____ day of _____, 2016.

By _____
Mayor Ben McAdams or Designee

(Complete As Applicable)

Veto override: Yes__ No__ Date _____
Ordinance published in newspaper: Date _____
Effective date of ordinance: _____

SALT LAKE COUNTY

NOTICE OF REZONING HEARING

NOTICE IS HEREBY GIVEN OF a public hearing to be held in COUNCIL CHAMBERS, COUNTY GOVERNMENT CENTER, NORTH BUILDING N1100, 2001 South State Street, Salt Lake City, Utah on **Tuesday, November 22, at 4:00 pm** o'clock before the Salt Lake County Council on the following application requesting rezoning of the following described area in Salt Lake County, Utah:

To amend the zoning map of Salt Lake County by changing the zone on the following described property located at approximately 2892 East Brookburn Road. The applicant is requesting approval of a Zone Change from the R-1-8 Zone to the R-1-21 Zone. This request has been filed under Application #30008 by Paul Ehlert. The subject property is described as follows:

PARCEL: 16-35-130-001

LEGAL DESCRIPTON:

COMMENCING 14.86 CHAINS SOUTH AND 1265.93 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE MERIDIAN, EAST 120.4 FEET; SOUTH 197.14 FEET MORE OR LESS; WEST 120.4 FEET; NORTH 197.45 FEET TO BEGINNING.

CONTAINS 0.55 ACRES, MORE OR LESS

SALT LAKE COUNTY COUNCIL

Chair

ATTESTED:

County Clerk



OFFICE OF TOWNSHIP SERVICES

Planning and Development Services
2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050
Phone: (385) 468-6700 • Fax: (385) 468-6674
www.pwpds.slco.org

File # 30088

Rezone Summary and Recommendation

Public Body: Salt Lake County Council
Parcel ID: 22-01-352-013-0000

Meeting Date: To be heard November 22, 2016
Current Zone: FR-1 z/c and R-1-21 z/c
Proposed Zone: R-1-21 z/c

Property Address: 4619 Jupiter Drive
Request: Rezone from FR-1 z/c and R-1-21 z/c to R-1-21 z/c

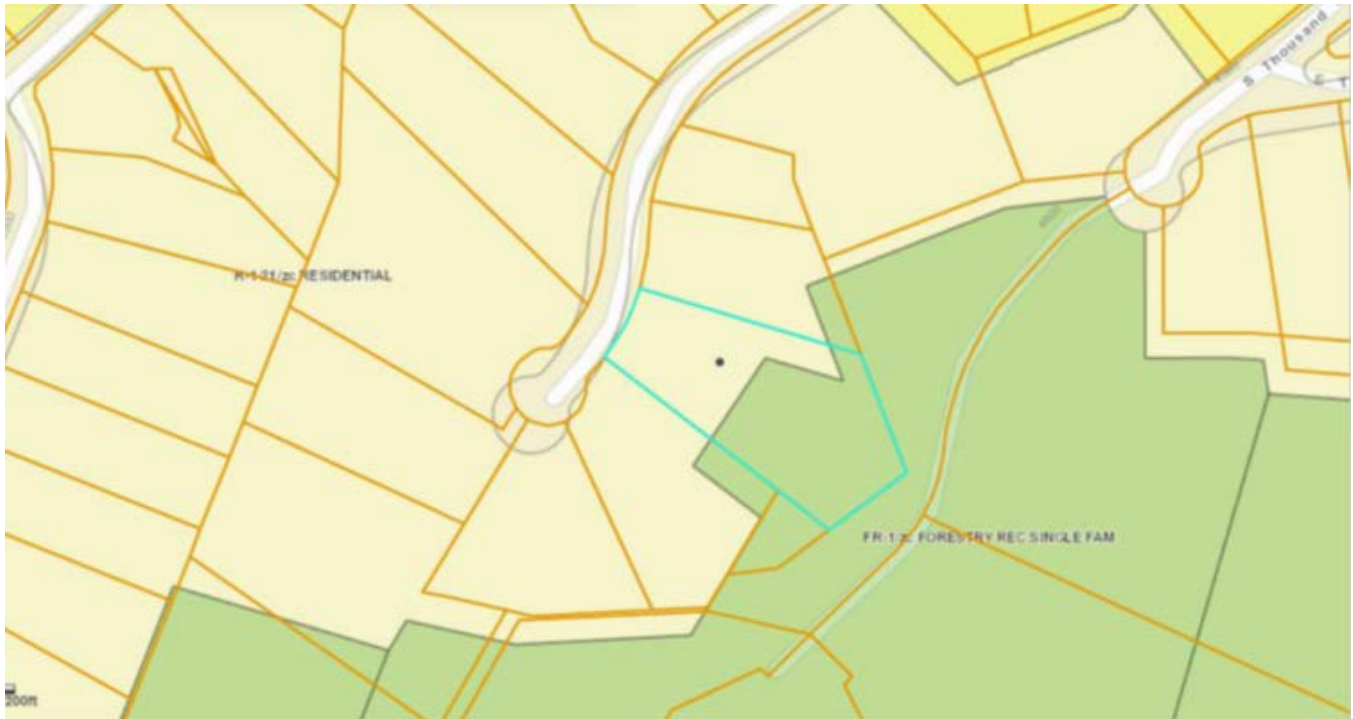
Community Council: Mount Olympus **Township:** Millcreek
Planner: Todd A. Draper
Planning Commission Recommendation: Approval with Condition
Community Council Recommendation: Denial
Planning Staff Recommendation: No official recommendation - See analysis
Applicant Name: Jodie Levitt

PROJECT DESCRIPTION

The applicant is requesting a rezone from FR-1 z/c (Forestry and Recreational, zoning condition limits density) and R-1-21 z/c (Single Family Residential, ½ acre lot min., zoning condition limits animals to household pets) to R-1-21 z/c (Single Family Residential, ½ acre lot min., zoning condition limiting animals to household pets). The property is not located in the adjacent Foothills and Canyons Overlay Zone (FCOZ).

SITE & VICINITY DESCRIPTION (see attached map)

Property is located in the foothills of the mount Olympus community and is adjacent to properties within the Foothills and Canyons Overlay Zone (FCOZ). The neighborhood is exclusively made up of Single Family Dwellings on larger estate lots.



ZONE CONSIDERATIONS

Requirement	Existing Zone (FR-1 z/c and R-1-21 z/c)	Proposed Zone
Height	30-35 feet / 30-35 feet	30-35 feet
Front Yard Setback	None / 30 feet	30 feet
Side Yard Setback	None / 10 feet	10 feet
Rear Yard Setback	None / 30 feet (15 feet with garage)	30 feet (15 feet with garage)
Lot Width	200 feet / 100 feet	100 feet
Lot Area	1 Acre / ½ Acre	½ Acre

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with Landscaping Requirements Verified.	N/A
Compliance with the General Plan.	See Analysis

GENERAL PLAN CONSIDERATIONS

Area is considered stable with only minor changes in zoning supported by the official general plan map. Portions of this property are also currently subject to FCOZ overlay zone requirements, although the property is not located in the FCOZ overlay. Objective 5.5: of the Millcreek Township General Plan promotes development of residential neighborhoods that are integrated into the natural environment. Objective 5.7: supports preserving and protecting the quality and character of existing neighborhoods. Objective 7.1: preserve and sustain the function of natural systems and environments. Objective 7.2: protect valuable environmental resources along the foothills and throughout the township, including natural areas. Objective 7.6: Create land use and development patterns that integrate natural areas and resources into the built environment and increase responsibility towards the natural environment.

ISSUES OF CONCERN/PROPOSED MITIGATION

The applicant has included a statement regarding their desire to rezone in an effort to eventually construct a separate dwelling on the property and/or to subdivide the existing lot. As a subdivision application has not been proposed or received, planning staff has not completely evaluated the feasibility of such a development or subdivision. There are several factors (steep slopes, lack of access, existing property development) that might preclude such development altogether or make it difficult to achieve.

NEIGHBORHOOD RESPONSE

One neighbor did call planning staff for additional information on the request. They did not take a position one way or the other.

COMMUNITY COUNCIL RESPONSE

The Mount Olympus Community Council heard this item at their October 4, 2016 meeting. They made a recommendation to the Planning Commission that the request be denied for the reasons stated in their attached letter. Their responses and recommendations were presented to the Planning Commission directly at the Planning Commission meeting on October 12, 2016.

PLANNING COMMISSIONS' RESPONSE AND RECOMMENDATION

At their meeting on October 12, 2016 the Millcreek Township Planning Commission made a recommendation to the County Council that the rezone to R-1-21 be approved together with the zoning condition (z/c) in the staff report limiting animal uses to that of household pets only. As reasoning for their recommendation they stated that they did not see the harm in cleaning up the split zones. The vote was 4-1 in favor of the motion to recommend approval.

PLANNING STAFF ANALYSIS

19.90.010 - Amendment procedure.

The county council may amend the number, shape, boundaries or area of any zone or any regulation within any zone. Any such amendment shall not be made or become effective unless the same shall have been proposed by or be first submitted for the recommendation of the relevant planning commission.

19.90.030 - Determination of council.

The county council, after review of the recommendation of the planning commission, may approve, deny, alter or remand for further review and consideration any application for zone change referred to the council by the planning commission.

19.90.060 - Conditions to zoning map amendment.

A. In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:

- 1. Uses;*

2. *Dwelling unit density;*
3. *Building square footage;*
4. *Height of structures.*

B. A zoning map amendment attaching any of the conditions set forth in subsection A shall be designated ZC after the zoning classification on the zoning map and any such conditions shall be placed on record with the planning commission and recorded with the county recorder.

The applicant has proposed that the same zoning condition applicable to the front portion of the property and other neighboring R-1-21 zones which limits uses involving animals to those of household pets only. Should the rezone be approved, staff believes that the inclusion of such a zoning condition would be beneficial for neighborhood continuity.

The Millcreek Township General Plan supports development patterns that integrate natural areas into the built environment. The existing FR-1 zone directly supports these and other related objectives. Removal of the FR zoning would be contrary to those aspects of the General Plan.

The street face is predominantly developed with single family residences on ½ acre and larger lots in the R-1-21 z/c zone. Rezoning of the property as proposed would bring the current lot more in line with the immediately adjacent residences on Jupiter Drive.

Rezoning the property would help to remove currently existing inconsistencies between the Foothill and Canyons Overlay Zone (FCOZ) and the Residential Compatibility Overlay Zone (RCOZ). Currently the rear section of the property zoned FR-1 is subject to the provisions of both overlay zones.

PLANNING STAFF RECOMMENDATION TO THE PLANNING COMMISSION

Reasons in support of Approval:

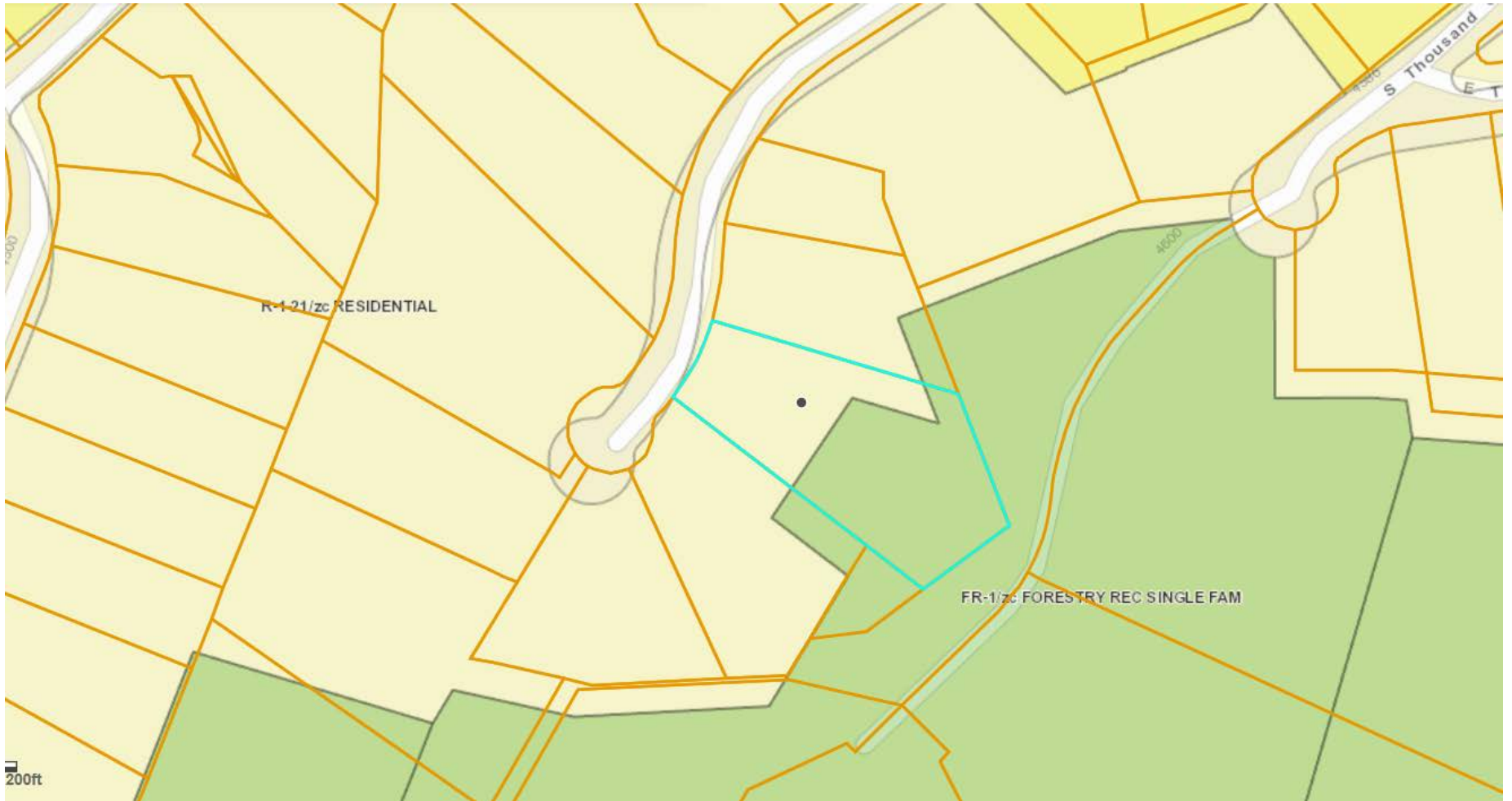
1. The property is currently split between two different zones. Approval of the rezone would make the zoning for the entire property consistent.
2. The proposed zoning conditions match those of adjacent neighboring properties along the street face.
3. The FR zones are mainly applicable to properties located within the Foothills and Canyons overlay zone (FCOZ) and the subject property is not located within the FCOZ overlay.
4. Approval of the rezone would remove any conflicts between the FCOZ overlay and the RCOZ overlay.

Reasons in support of Denial:

1. Property is located in a stable area of the community with little to no change in zoning designations anticipated.
2. Approval of the proposed zone would remove protections regarding the preservation of the natural vegetation on the property.

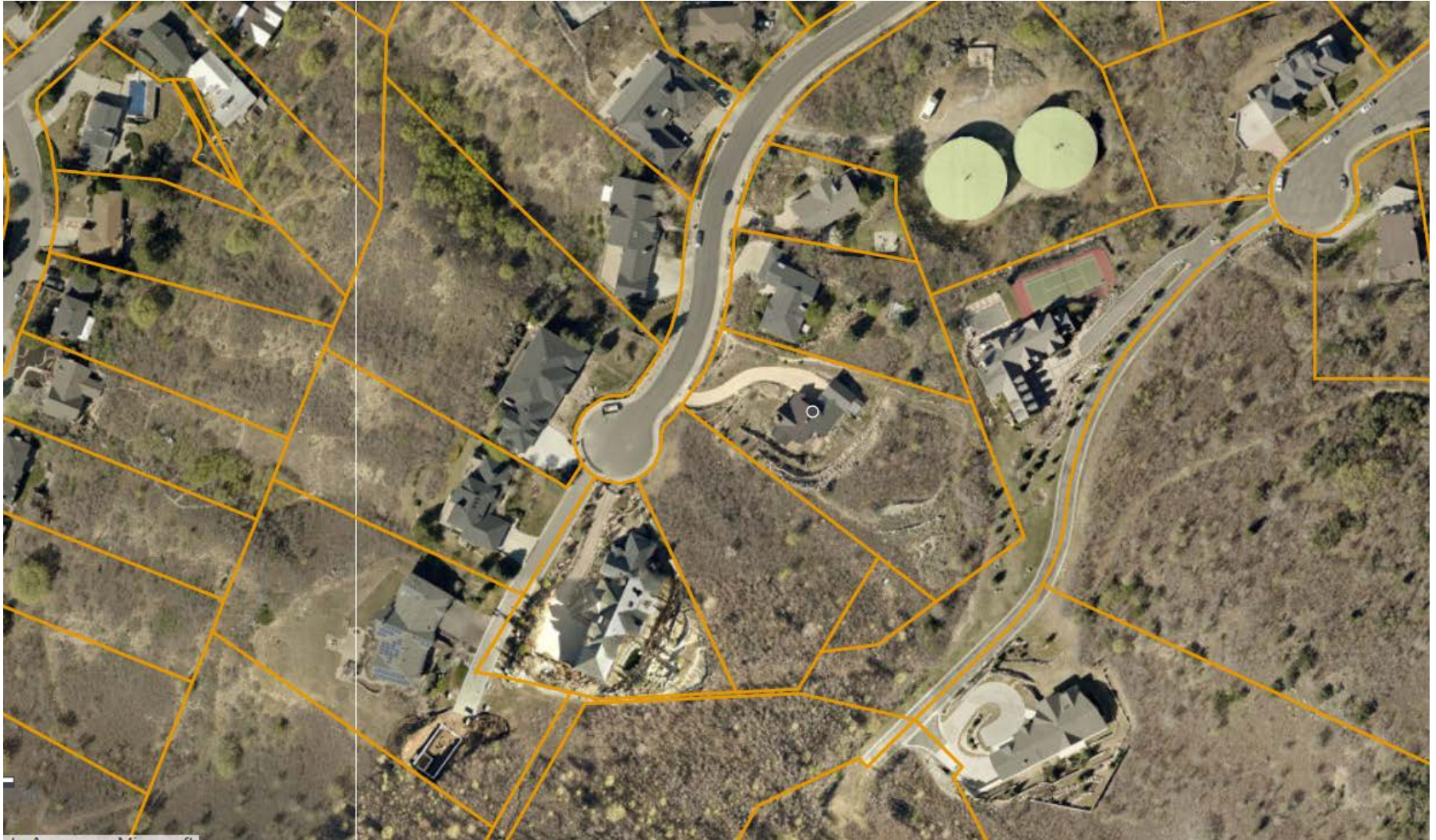
#30088

Zoning Map



#30088

Aerial Map



#30088

FCOZ research



August 24,2016

Dear Salt Lake County Planning,

I am the current, sole owner of property and home on 4619 Jupiter Drive, in Mount Olympus. I purchased the 1.24 acres in 2004, with the dream of building a home I could live in forever. I designed the home, and have put my love into it. Currently my lot has 2 separate zonings. The front part of my lot is zoned R-1-21 and the east portion is Zoned FR-1. This creates some problems as I would like to have the opportunity to build a home on the east portion of my lot have a consistent zoning. If our zoning change is approved we would have the same restrictions that currently exist of only allowing household animals on the property.

Life doesn't always go as planned, and as a physician I know this well. I have been ill for some time, to include breast cancer the last 3 years. I continue to require IV therapy every 3 days. I continue to work, but have had to cut down on the amount I am able to do. Despite this I have tried to keep up on mortgage payments. I did try to sell the house 2 years ago, but was unable to get a bid high enough to come close to paying off the mortgage. As you can understand, I ran through all my savings to stay here, and am at a point where it is no longer an option.

Through my current realtor, I found out that my lot plus home cannot sell for even close to what it cost me to buy and build. I had no idea that the back of the property, on which I initially built a flat area that was going to be used for recreation, was not worth enough to make the property value equivalent to others near by.

I know that I will be losing the home I built and designed. That in itself is a horribly emotional hardship. However, to be selling the entire property, knowing that I can get out of debt despite illness by splitting it and using the portion I prepared years ago to live on would be a gift.

I am asking you to please consider the rezoning so I may keep and use the upper portion. This would be a way for me to stay in the area which I consider home.

Thank you,



4619



4619

**SALT LAKE COUNTY
ORDINANCE**

AN ORDINANCE, AMENDING TITLE 19, ENTITLED "ZONING" OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 1986, BY RECLASSIFYING CERTAIN PROPERTY LOCATED IN SALT LAKE COUNTY FROM R-1-21 Z/C (SINGLE FAMILY RESIDENTIAL) ZONE AND THE FR-1 Z/C (FORESTRY RECREATION) ZONE TO THE R-1-21 Z/C (SINGLE FAMILY RESIDENTIAL) ZONE.

The Salt Lake County Council of Salt Lake County, State of Utah, ordains as follows:

Section 1: Section, 19.06.020, The Zoning Map of Salt Lake County, Code of Ordinances 1986, is hereby amended, as follows:

The property described in Application #30088 filed by Jodie Leavitt and located at approximately **4619 Jupiter Drive**, within Salt Lake County, is hereby reclassified from the R-1-21 z/c (Single Family Residential) zone and the FR-1 z/c (Forestry Recreation) zone to the R-1-21 z/c (Single Family Residential) zone, together with the following zoning condition:

- Animal uses limited to household pets only.

The property is more particularly described as follows:

PARCEL: #22-01-352-013;

LEGAL DESCRIPTON: LOT 1548, MT OLYMPUS HILLS NO. 15.

Section 2: The map showing such change shall be filed with the Salt Lake County Planning Commission in accordance with Section 19.06.020 of the Salt Lake County, Code of Ordinances, 1986.

Section 3: This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Salt Lake County, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the Salt Lake County Council has approved, passed and adopted this ordinance this _____ day of _____, 2016.

SALT LAKE COUNTY COUNCIL

By: _____
Max Burdick, Chair
Salt Lake County Council

ATTESTED:

Sherrie Swensen, County Clerk

Approved as to Form:

R. Christopher Preston
Deputy District Attorney
Date: _____

ORDINANCE HISTORY

Council Member Wilson _____
Council Member Snelgrove _____
Council Member Bradley _____
Council Member Bradshaw _____
Council Member Jensen _____
Council Member Newton _____
Council Member Granato _____
Council Member DeBry _____
Council Member Burdick _____

Vetoed and dated this _____ day of _____, 2016.

By _____
Mayor Ben McAdams or Designee

(Complete As Applicable)

Veto override: Yes__ No__ Date _____
Ordinance published in newspaper: Date _____

Effective date of ordinance: _____

SALT LAKE COUNTY

NOTICE OF REZONING HEARING

NOTICE IS HEREBY GIVEN OF a public hearing to be held in COUNCIL CHAMBERS, COUNTY GOVERNMENT CENTER, NORTH BUILDING N1100, 2001 South State Street, Salt Lake City, Utah on **Tuesday, November 22, 2016, at 4:00 pm** o'clock before the Salt Lake County Council on the following application requesting rezoning of the following described area in Salt Lake County, Utah:

To amend the zoning map of Salt Lake County by changing the zone on the following described property located at approximately 4619 Jupiter Drive. The applicant is requesting approval of a Zone Change from the R-1-21 z/c (Single Family Residential) Zone and FR-1 z/c (Forestry Recreation) Zone to the R-1-21 z/c (Single Family Residential) Zone. This request has been filed under Application #30088 by Jodie Leavitt. The subject property is described as follows:

PARCEL: 22-01-352-013

LEGAL DESCRIPTON: LOT 1548, MT OLYMPUS HILLS NO. 15.

SALT LAKE COUNTY COUNCIL

Chair

ATTESTED:

County Clerk

File # 30095

County Council Summary and Recommendation

Public Body: County Council

Parcel ID: 14-21-300-011; 14-21-300-012;

14-21-300-016

Property Address: 7834 West 2820 South;

7774 West 2820 South;

7701 West UTwo O One Hwy

Request: Rezone to RM, R-1-6, R-1-5 and R-1-4

Meeting Date: To Be Set

Current Zone: A-1 z/c

Community Council: Magna

Planner: Spencer Hymas

Community Council Recommendation: Approval

Planning Staff Recommendation to Planning Commission: Approval

Applicant Name: Dustin Holt

Township/Unincorporated: Township

PROJECT DESCRIPTION

The applicant is proposing to rezone approximately 53 acres from an A-1 z/c (zoning condition to not allow duplexes) to a variety of zones including RM, R-1-6, R-1-5 and R-1-4. If approved, they would like to do a master planned community similar to others they have done within the greater salt lake valley. The proposed zones provide buffers from an area to the north being proposed for industrial uses. The proposal also buffers against the existing residential development to the south as the zones get more dense heading north towards the proposed industrial uses.

Planning staff believes that this is an ideal area for a master planned development. The overall density is estimated at approximately 10 units per acre for the overall development which would be developed in phases. It is also anticipated that this master planned development will incorporate a public trail along the canal that would extend from 7200 South to 8000 West. The rezone is essential for the developer to continue their efforts in master planning this area. It is required that the details of this plan would be brought back through the public process for review and comment as a Conditional Use or PUD application.

SITE & VICINITY DESCRIPTION (see attached map)

The parcels of land in association with the rezone proposal are surrounded by industrial property to the north, a subdivision of duplexes to the south and single family homes zoned R-1-8 and A-1 on 10,000 square foot lots. In the general vicinity of this property there is also a private school, two used car lots, and two subdivisions to the east and west with density similar to what is being proposed with this application.

ZONE CONSIDERATIONS

Requirement	Existing Zone (A-1)	Proposed Zone RM, R-1-6, R-1-5, R-1-4
Height	35 Feet	RM- 75 Feet R-1 zones -35 Feet
Front Yard Setback	30 Feet	RM – 25 Feet R-1-6 – 25 Feet R-1-5 & R-1-4 - 20 Feet
Side Yard Setback	18 Feet Total – no less than 8 Feet on either side.	RM – 18 Feet Total – no less than 8 Feet on either side. R-1-6 – 16 Feet Total – 8 Feet on each side. R-1-5 & R-1-4 – 5 Feet unless attached to a dwelling on an adjacent lot.
Rear Yard Setback	15 Feet	15 Feet
Lot Width	65 Feet	RM – 50 Feet R-1-6 – 60 Feet R-1-5 & R-1-4 - 25 Feet
Lot Area	10,000 Square Feet	RM – 5,000 Square Feet R-1-6 – 6,000 Square Feet R-1-5 – 5,000 Square Feet R-1-4 – 4,000 Square Feet

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with the General Plan.	Yes, See Below

GENERAL PLAN CONSIDERATIONS

The property is between two corridors on the Magna General Plan map. Properties along these corridors are allowed to be considered adaptable and flexible for changes; however, the properties themselves are not exclusively fronting these corridors.

The proposed rezone would contribute to the following goals and objectives within the general plan:

Goal 1: Establish a framework for development that follows sustainable best practices and is consistent with the vision and core values of the community.

A master planned development in this area would be an efficient use of the resources and services provided by the County. This efficient use would assist in keeping costs low (taxes) for public services while providing quality housing for residents of Magna.

Goal 2: Develop communities with quality urban design than encourage social interaction and support family and community relationships, as well as healthy, active lifestyles.

A master planned community would integrate a mixture of lot sizes and provide open space to contribute towards this goal. Details of any project developed in these zones would need to further contribute towards

these goals as a conditional use application. There is also a trail being proposed to extend from 7200 West out to 8000 West that would support this goal.

Goal 3: Promote land use development patterns that provide a high quality of life to all and offer choice in mobility.

Objective 3.2: Develop bicycle routes and paths that can be integrated with the street network and also with trail systems, canals, and greenways.

Part of the master planned community incorporates the development of a significant trail along the canal.

Goal 4: Promote the development of viable commercial, employment, and activity centers to serve the community.

Objective 4.2: Consider a mixed-use pattern of development for major centers, arterials and nodal points to create density and critical population mass to support diverse activities.

The master planned development would be a mixed-use pattern of development close to arterials and a nodal point that creates density and critical population mass that supports commercially diverse activities.

Goal 5: Provide diverse housing choices for a variety of needs and income levels to create places where all citizens are welcome to live.

Objective 5.1: Provide sufficient housing for current and future populations that are appropriate, safe, and affordable for a range of income levels.

Objective 5.2: Consider life-cycle housing alternatives that allow for aging populations to "age in place," as well as provide diverse housing choices for other demographic groups.

Objective 5.3: Promote a diverse mix of housing options through higher density, mixed-use development in appropriate areas.

Objective 5.4: Encourage residential development that establishes a variety of lot sizes, dwelling types, densities, and price points, as well as an appropriate balance of owner occupied and rental units.

Objective 5.5: Develop safe and visually pleasing residential neighborhoods that are integrated into the natural environment with open space, trails, and green systems.

The master planned development would satisfy the goals and objectives above as it would create a range of housing options that would appeal to a range of income levels. Staff believes that the mixture of densities is being proposed in an appropriate area; that it will be safe, visually pleasing and integrated into the environment with open space, trails, and green systems.

In review of the Magna General Plan, staff believes that the proposed rezone to allow a master planned development would contribute to many of the goals and objectives defined in the plan. Staff also believes that the area being proposed for rezone is a suitable location for the proposed density mixture. The overall density will be approximately 10 units per acre and will be designed to buffer from existing and proposed uses.

NEIGHBORHOOD RESPONSE

Planning Staff has received concerns from the community regarding the rezone. The responses received via email have been attached to this staff report. Staff has tried to work with the community to address concerns and provide education regarding the proposal as staff believes this rezone request will be a benefit to the community.

COMMUNITY COUNCIL RESPONSE

The Magna Town Council voted to recommend approval for this rezone at their meeting held on October 6, 2016.

The Magna Community Council voted to recommend approval for this rezone at their meeting held on September 22, 2016.

PLANNING COMMISSIONS' RESPONSE

The Magna Planning Commission voted to recommend approval of this rezone with a vote of 4-2. The approved motion was as follows: To recommend approval to County Council of application #30095, with three conditions:

1. Limit the use to Residential only;
2. Limit the height to thirty feet or three stories;
3. It is anticipated that a Development Agreement will be forthcoming either prior to or in accompaniment with any conditional use application for a residential use. This Development Agreement would further define appropriate conditions to ensure that development issues are properly addressed to maintain compatibility with proposed uses and the existing community while allowing for the growth and development of the township.

REVIEWING AGENCIES RESPONSE

AGENCY: Planning

DATE: 9/6/16

RECOMMENDATION: **Approval with conditions**

The RM zone allows a limited amount of commercial uses that may not be appropriate for this area. Staff recommends that a zoning condition be placed on the RM property to limit uses to residential only.

The RM zone also allows a height of up to 75 feet and 6 stories tall. Staff recommends that the height be limited to 36 feet tall and 3 stories tall.

Compliance with current building, construction, engineering, fire, health, landscape and safety standards will be verified prior to final approval.

PLANNING STAFF ANALYSIS

19.90.060 - Conditions to zoning map amendment.

A. In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:

- 1. Uses;*
- 2. Dwelling unit density;*
- 3. Building square footage;*
- 4. Height of structures.*

B. A zoning map amendment attaching any of the conditions set forth in subsection A shall be designated ZC after the zoning classification on the zoning map and any such conditions shall be placed on record with the planning commission and recorded with the county recorder.

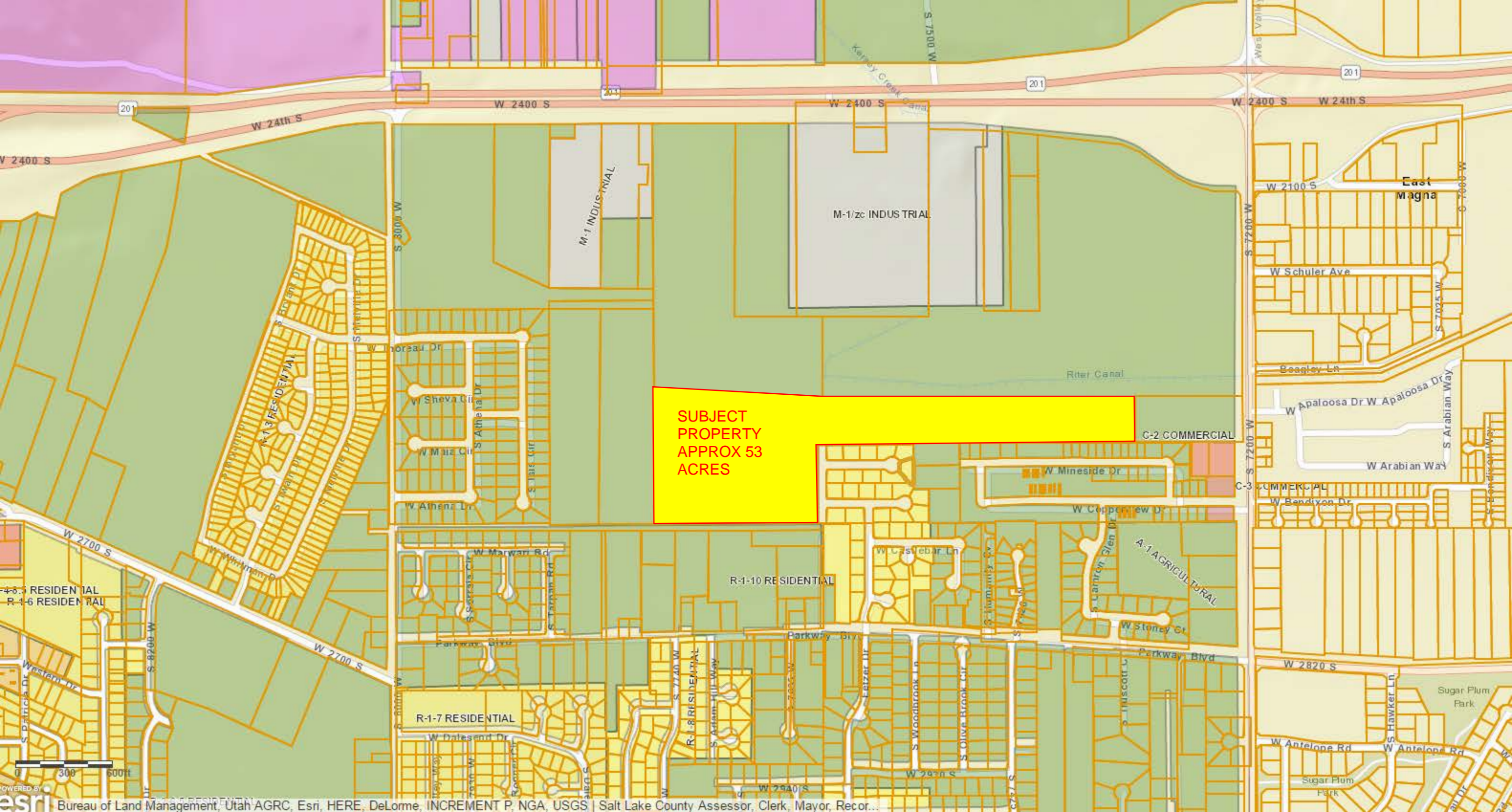
C. In the event any zoning condition is declared invalid by a court of competent jurisdiction, then the entire zoning map amendment shall be void. Any deletion in or change to zoning condition shall be considered an amendment to the zoning ordinance and shall be subject to the requirements of this chapter.

19.90.030 - Determination of council.

The county council, after review of the recommendation of the planning commission, may approve, deny, alter or remand for further review and consideration any application for zone change referred to the council by the planning commission.

PLANNING STAFF RECOMMENDATION TO PLANNING COMMISSION

Planning Staff has reviewed the rezone request and has recommended approval with the conditions to limit the height for the RM zone and uses to residential only. This recommendation is based upon the projects potential contribution to several of the goals and objectives identified in the Magna General Plan.

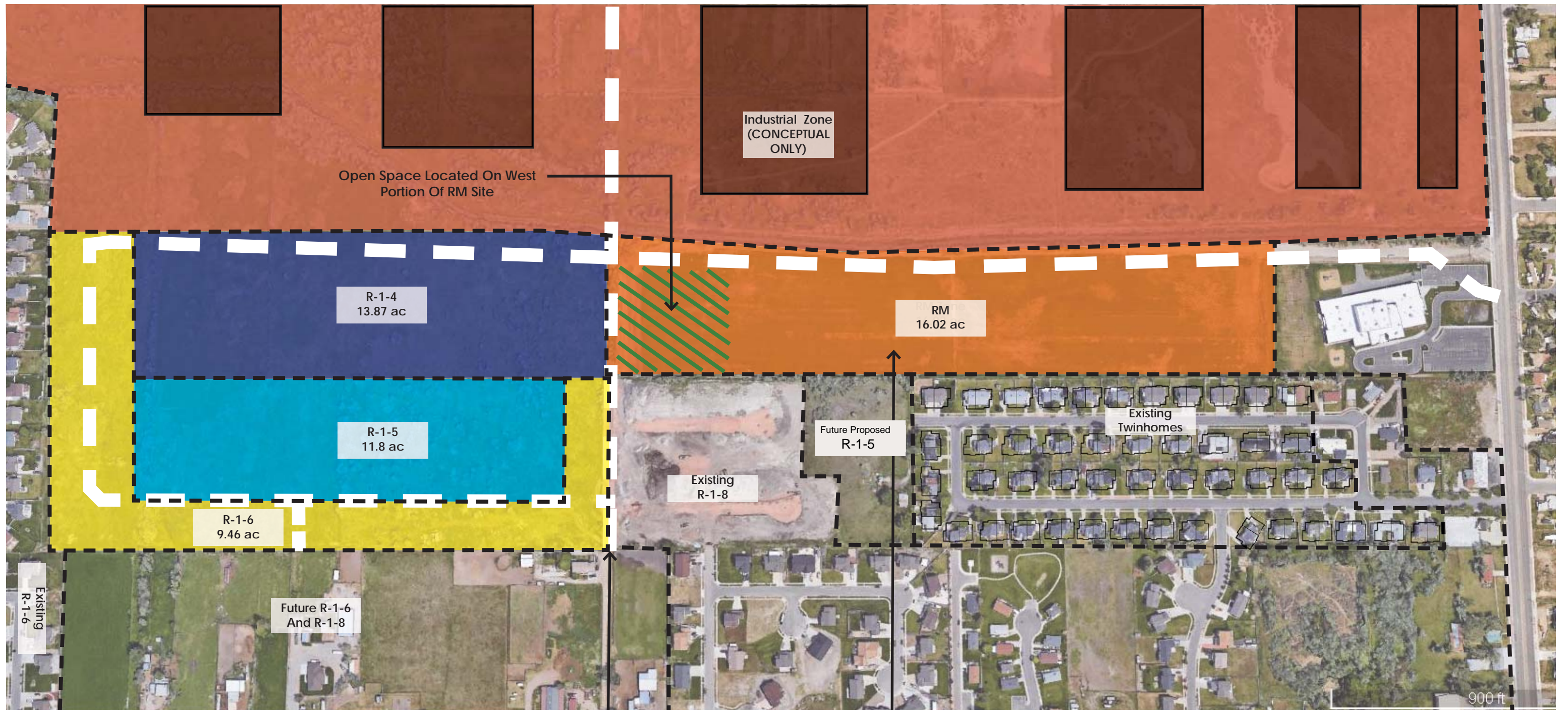


**SUBJECT
PROPERTY
APPROX 53
ACRES**



SUBJECT
PROPERTY
APPROX 53
ACRES

ONE
HUNDRED



Statistical Summary

Total Gross Area 51.15 acres

Proposed Road Connections

3-Story Residential Product

MAGNA PROPERTY

BUBBLE DIAGRAM - ALT A
FIELDSTONE

AUGUST 30, 2016

Spencer Hymas

From: Ali Bryant <ali@alliedhealthsystems.com>
Sent: Friday, September 16, 2016 12:21 PM
To: Spencer Hymas
Subject: file #30095

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Hymas,

I am a concerned lifelong resident of Magna; born and raised by Great Grandparents, Grandparents and parents who originate from Magna.

After attending multiple meetings regarding the request from Dustin Holt of rezoning 7774 & 7834 West 2820 south, and 7701 West UT201 Hwy file#30095. I find it necessary to send a written complaint. As our verbal concerns and complaints seem to have zero merit.

I understand there will always be development and growth, however, I feel it should be responsibly managed. The type of structures or "products" being introduced to the proposed area have a notorious track record for a high volume of turnover among other things. This lends itself to draining community resource; which are already limited, over populating our school system; which is already overcrowded. Most importantly, high density living decreases the safety of the community when placed near a highway or freeway. It provides easy access for stolen vehicles to be abandon, movement of illegal substances, home break-ins, and vandalism.

Please restrict the rezoning request of R-1-4, R-1-5 & R-1-6. It would be appreciated by those directly and indirectly affected.

Thank you for your time and consideration.

Sincerely,
Ali Bryant

Spencer Hymas

From: Ali Bryant <ali@alliedhealthsystems.com>
Sent: Tuesday, September 20, 2016 9:04 AM
To: Spencer Hymas
Subject: RE: file #30095

Mr. Hymas,

Thank you, I appreciate you responding to my emailed concerns and complaints. This response is refreshing, and thank you for taking ownership in your job!

I am not sure if you actually want me to answer your questions, but yes I do know the current development requirements would put in 40 to 50% open space in this master planned community; as I attend the meetings, & personally spoke with Fieldstone's reps. This was not their first proposal, but appreciate their willingness to listen and reevaluate.

I do know the overall density of the project is around 10 units per acre; which I feel is too high.

I do know the developer would be required to install professional landscaping for the entire project; which I love as I am one individual who calls to complain about my neighbor's "professional weed growing business" in their entire yard.

I do know the developer would be installing a multi-use public trail that would run adjacent to the entire project; which I also love as I currently ride my road bike from Magna to the Red Barn in Farmington & back. I hope this proposed trail is similar to Legacy trail way and Mountain view corridor & not Jordan River. Although, I am aware that one mile is not twelve. But, one more mile of safe riding is one more...

I do know that the higher density homes proposed would provide more property taxes that would go directly to the Granite School District; as I am a responsible tax payer who does not have children, therefore I am not using that resource, but I am paying for it. I am sure you are aware property taxes from one dwelling does not cover the cost of a family with multiple children. I would love to have individuals, such as your parents, retirees, as neighbors.

I do know it would be spread out in phases and not all at once – starting on the east side moving westward. I agree with you 100% that poor design creates bad development - poor maintenance creates bad development – poor planning creates bad development and I truly hope this planned community is similar to Daybreak or even Hunter Village.

I highly disagree that there is not a correlation between higher densities and higher crime – even along highways. I lived in several areas while obtaining my higher education; some near highways and some not. I currently live off of 201 hwy. I have had the stolen vehicles abandon on the side of my home, DEA has arrested an individual that live on the same street as I , home break-in, and vandalism. While speaking to unified policy officers, they explained they see it all the time in neighborhoods with easy access to the highway (more people more crime). Perhaps I have been misinformed, but experience speaks volumes.

To make this long email even longer, I simply want lower density!

I have and will continue to discuss this development with my neighbors and surrounding community members. I also agree that part of the community is not listening and appreciate when council members educate us on the process or encourage us to attend all meetings, not just meeting that directly affect us.

Sincerely,

Ali Bryant

From: Spencer Hymas [mailto:SHymas@slco.org]
Sent: Monday, September 19, 2016 3:40 PM
To: Ali Bryant <ali@alliedhealthsystems.com>
Cc: Rolen Yoshinaga <RYoshinaga@slco.org>; Brittany Allen <BALLen@slco.org>; Kathy Hart <KHart@slco.org>
Subject: RE: file #30095

Dear Ali,

My name is Spencer Hymas and I am the planner on this project. I have also predominately been the planner for the Magna Community for the past several years. I truly appreciate you taking the time to voice your concerns; and in turn, I would like to provide a thoughtful personal response.

I would agree that a portion of the products being proposed do have a significant amount of turnover. I lived in an apartment when I first got married while saving up for my first home. My first home was, in fact, a townhome on a 3,000 square foot lot. I agree that my lot was small, but the property our community owned in common was several acres that included a private park and a pool. By owning the property in common it enabled us the ability to afford a larger space that we could all enjoy as a private community that was professionally landscaped and maintained. It met the busy needs of my family at the time while my wife and I went to school and worked full time. This proposed master planned community would be a similar styled development.

After graduating, our family began to grow and we decided it was time for a larger home to fit our growing family. My new home is not professionally landscaped and maintained. It is done by me, in my spare time and on the weekends. And when I get busy or go on vacation, sometimes my yard looks like a jungle for a little bit, but I am doing my best. I'll admit that there are days where I hate having to do yard work :P

Funny enough, the same weekend that I was moving into my new home, my parents were moving too. Their last child (my sister) had moved off to college and my parents wanted to live in a maintenance free townhouse development like the one I was moving out of. My parents are in their 60's and would rather spend their weekends with their grandkids instead of mowing lawns, weeding gardens, and pruning hedges. I benefited from getting all of their tools to do yard work that they no longer needed! They benefit from having a smaller space that meets their needs, less time cleaning, and even made some money on the sale of their larger home they can put into their retirement.

For me, I look at a master planned community as a great opportunity to provide a well-designed community with parks and open-space and a variety of housing choices for a variety of needs and income levels. The life-cycle of housing is very real to me as I have experienced it and seen it experienced with friends and family. (I know I have helped at least 6 people move residences in the last 2 years).

I have visited and studied places like Daybreak and Sugarhouse which have density similar to this project. They are some of the most popular places to live in the valley. Daybreak in particular is popular because it is a master planned community that provides a town or village like environment. It is the design that makes it great.

I think we both come from a place that cares about the Magna Community. I have no affiliation with Fieldstone Homes and no bias towards whether or not this project gets approved. I am a professional who has a couple of college degrees in planning and development. While I don't personally live in Magna, I do believe that the vision of Fieldstone Homes would provide a great community. I have visited other developments that they have completed and would be proud to have something like it in Magna.

Like you, I also feel like a lot of the verbal information that I have provided to the community seems to have zero merit. Nobody wants to acknowledge any of the great things, that are specifically identified in the Magna General Plan,

this master planned community would contribute towards. I thought I would take the time to provide some additional insight as to where I am coming from and dispel some of the fear based myths that I don't believe have a lot of merit. For instance:

Did you know that current development requirements would put in 40 to 50% open space in this master planned community? So half of the 50 acres would be reserved for landscaped open space.

Did you know that the overall density of the project is around 10 units per acre? Once you turn 25 acres into landscaped open space, it brings down the overall density quite a bit. Someone called me to ask me how I could be okay with them building over 1,200 new dwellings- I am not. I told them that I wasn't sure where they were getting this information, but that it was more like 500 new dwellings. We both agreed that 500 new dwellings was not so many spread out over 50 acres.

Did you know that the developer would be required to install professional landscaping for the entire project? This is not required on a non-master planned subdivision, which is why some of the newly built houses have weed lots in the front yard for several years until the home owner gets enough money to put it in. I get phone calls from frustrated residents all the time regarding the lack of landscaping and maintenance in Magna.

Did you know that the developer would be installing a multi-use public trail that would run adjacent to the entire project extending from 7200 West to 8000 West? I love to run and ride my bike, and a public trail is a fantastic amenity that I believe would benefit the entire community.

Did you know that the proposed style of development would actually be a more efficient use of community resources and public infrastructure? Clustered mixed use development and higher densities are a more efficient use of roads, utilities (gas, electric, sewer, water, internet), and storm water infrastructure because it is closer together rather than spread far apart. This more efficient use will help keep maintenance costs down which, in turn, keeps taxes down.

Did you know that the higher density homes proposed would provide more property taxes that would go directly to the Granite School District to give them the ability to build new schools to accommodate the growth?

Did you know that there is not a correlation between higher densities and higher crime – even along highways? It is true that the volume of crime may go up, but the **rate of crime is proportionate to the amount of dwellings**. Additionally, it is an easier area to patrol by police because people are closer together rather than spread out. Some studies have even shown that people feel safer in areas where neighbors are closer together because they can look out after each other within the community and shared open spaces. Keeping eyes on the streets is also a natural deterrent of graffiti.

Did you know that if this master planned community were to be approved, it would be spread out in phases and not all at once? Development is a slow procedure that takes a very long time to complete. If this were approved it could take several years, even decades to complete building it out. Several other developments including new schools being built and roads being widened and improved could all take place as this project slowly develops. Additionally, this development proposal would come back to the community for public review and comment. It would also need to meet all of the requirements of the traffic engineer, fire department, health department, and building department before a single home is constructed.

Finally, you may have heard that our population is projected to double by 2050. To accommodate growth, there will be growing pains. I live in an area where road construction adds to the congestion that has been caused by new apartment and office space developments. Believe me, I get the frustration. As a kid I watched all the land that I enjoyed riding my mountain bike on turn into new subdivisions of homes. I missed my private park, but in exchange, I found that the people who moved into these homes had kids that became my new friends. In turn, my neighborhood also got a new park.

I hope in my email I have helped provide my perspective. It is okay to disagree, but I believe the pros do outweigh the cons. I do not hold anyone in contempt for expressing their opinions and concerns and hope for the same courtesy in return. In my opinion, density does not create bad development, poor design creates bad development - poor maintenance creates bad development – poor planning creates bad development. I will continue to do my best to help Magna get developed in a responsible way that respects private property rights, but meets the requirements for health, safety, and welfare, as well as, the goals and objectives in the Magna General Plan.

I am happy to engage in further discussion if you have more questions that were not addressed. I truly care about this community that I work for and I care about the projects my name is associated with. I believe that following the Magna General Plan, created by the Magna Residents and Professional Planners, will build a great community. I support projects that I believe are in harmony with the Magna General Plan. I hope that if you agree with any of the things I have said, that you will help build in the discussion with other community members.

Looking Forward,

Spencer Hymas
Salt Lake County
Planning & Development

From: Ali Bryant [<mailto:ali@alliedhealthsystems.com>]
Sent: Friday, September 16, 2016 12:21 PM
To: Spencer Hymas
Subject: file #30095

Mr. Hymas,

I am a concerned lifelong resident of Magna; born and raised by Great Grandparents, Grandparents and parents who originate from Magna.

After attending multiple meetings regarding the request from Dustin Holt of rezoning 7774 & 7834 West 2820 south, and 7701 West UT201 Hwy file#30095. I find it necessary to send a written complaint. As our verbal concerns and complaints seem to have zero merit.

I understand there will always be development and growth, however, I feel it should be responsibly managed. The type of structures or "products" being introduced to the proposed area have a notorious track record for a high volume of turnover among other things. This lends itself to draining community resource; which are already limited, over populating our school system; which is already overcrowded. Most importantly, high density living decreases the safety of the community when placed near a highway or freeway. It provides easy access for stolen vehicles to be abandon, movement of illegal substances, home break-ins, and vandalism.

Please restrict the rezoning request of R-1-4, R-1-5 & R-1-6. It would be appreciated by those directly and indirectly affected.

Thank you for your time and consideration.

Sincerely,
Ali Bryant

Spencer Hymas

From: Sharon Nicholes <j.snicholes@gmail.com>
Sent: Thursday, September 29, 2016 10:55 AM
To: Spencer Hymas
Subject: rezoning Magna Utah

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr. Hymas,

I am writing you, asking that the county does not rezone the property between 7200 W and 8000 W , 3100 S and SR201, to R-11.

I have lived in Magna my entire life, 64 years, and my father was born and raised here. My grandparents chose to make Magna their life long home. I take great pride in saying that I come from Magna and still love living here. I have seen a lot of changes to Magna in my 64 years, some good and some bad. I welcome positive changes. Changes that are well thought out and to the good of the community. Changes that raise property values not decrease them. The most recent change, high density housing on 8400 West, has had a dramatic impact on Magna. It has caused traffic congestion that rivals some of the busiest streets in West Valley City and Salt Lake City. There is not adequate parking for all the residents and or their visitors of the housing complex because people are now parking on side streets and local neighborhoods to access the complex.

I have concerns regarding the potential of rising crime in such areas. A study by Purdue University, shows that in a 136 unit complex, it saw increased police action on but not limited to: child abuse, sexual abuse, domestic violence and juvenile disturbances, which required extra patrol. Is there going to be an increase in police officers to handle the potential increase in crime? Sherriff Winder in an article from the Salt Lake Tribune wants to add more officers, going up to 1 officer per 1000 persons. If that increase takes place, Utah will still be below the national average of 2 officers per 1000 persons.

Will there be funding for additional schools, especially High Schools for the Magna area to accommodate the increase in students to this area? In the Granite School district the average students per teacher is 24-1, the national average is 16-1. If the rezoning takes place this will drastically increase the number of student per teacher ratio in the Magna schools. In 2014 Cyprus High School, the only high school for the Magna area, had 1661 students. There are 4 elementary schools which total 2514 students combine. There are 2 junior high schools which total 2174 students combine. With the current boundaries, Matheson Jr. High will increase to 1400 students. This will increase again, due to the high density housing on 8400 West alone. When you consider adding, again, to those numbers, it makes no sense. Additional schools need to be added to the community, prior to adding more students.

I am not saying that the property owner does not or should not develop the land in question. I am saying high density housing does not make sense. Please, do not rezone to the requested high density limits.

Thank you for your time and consideration.

Sincerely,
Sharon Nicholes

File # 29926

Staff Report Summary and Recommendation for Rezone Application Summary and Recommendation

Public Body: Salt Lake County Council

Meeting Date: October 25, 2016 TO BE SET;

November 22, 2016 TO BE HEARD

Parcel ID: 14-21-300-002, 003, 004, 005, 006, 011, 012, 014, 016, 017, & 14-21-426-004

Current Zone: A-1/zc Proposed Zone: M-1/zc & C-2

Property Address: 7445 West UTWO O ONE HWY

Request: Rezone 60 acres from A-1/zc to M-1/zc and 5 acres from A-1/zc to C-2/zc

Community Council: Magna Town Council and Magna CC

Township/Unincorporated: Magna

Planner: Max Johnson

Community Council Recommendation: Both the Magna Town Council and the Magna Community Council recommended approval unanimously.

Planning Commission Recommendation: Approval

Applicant Name: Jeff Stephenson, on behalf of Rio Tinto Kennecott (RTK)

PROJECT UPDATE

The Magna Township Planning Commission recommended approval of this rezoning request on October 13, 2016. Staff is requesting that this item be "SET" at the County Council meeting on October 25, 2016, for a date "TO BE HEARD" at the Council meeting scheduled for November 22, 2016.

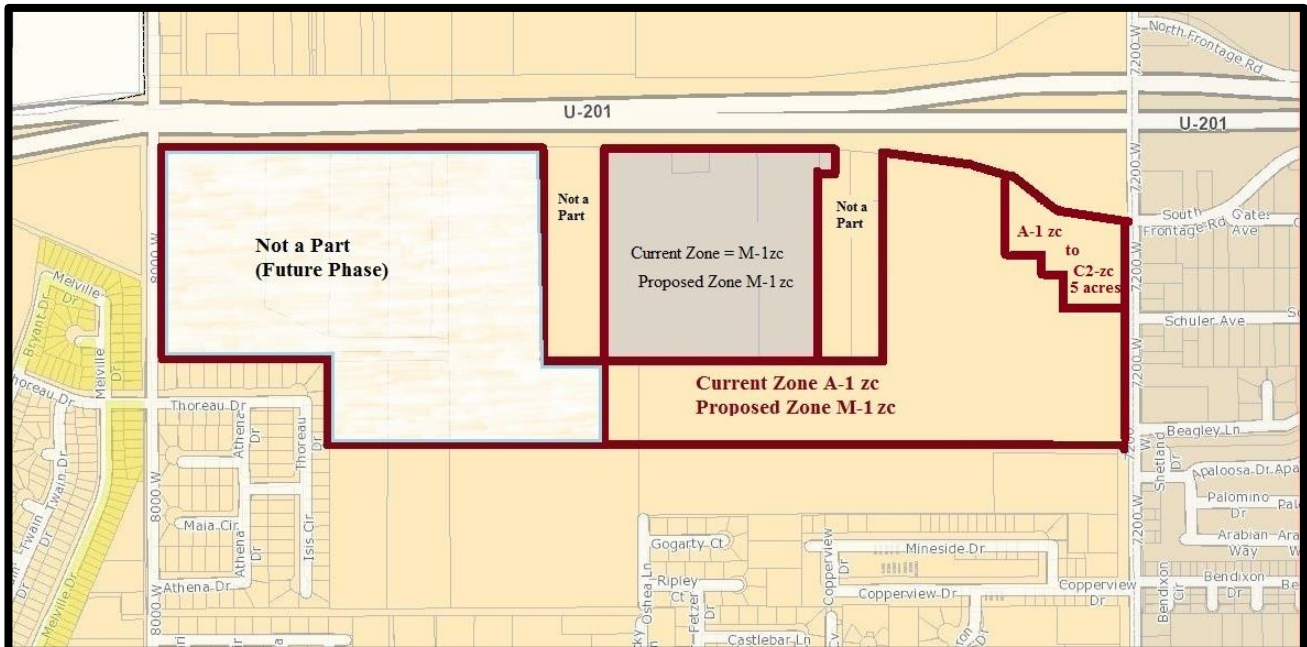
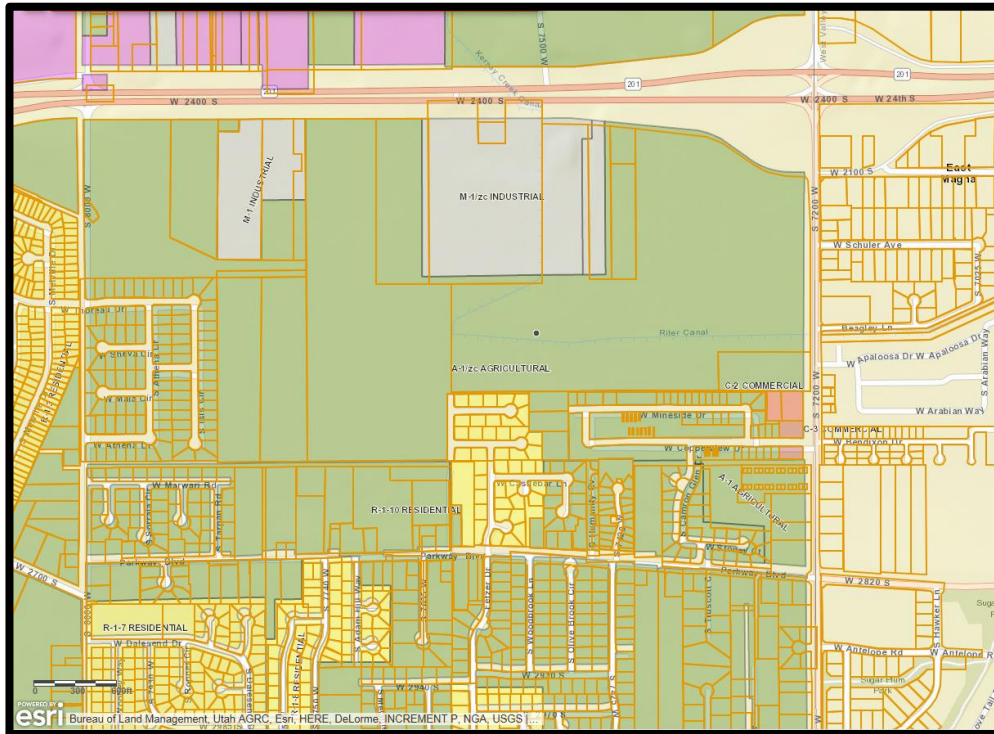
PROJECT DESCRIPTION

This is a request to rezone 60 acres from A-1/zc to M-1/zc and 5 acres from A-1/zc to C-2/zc in an effort to transition property owned by Rio Tinto Kennecott from agriculturally zoned property to more manufacturing and commercial-type zoning, thereby enabling future property development in the north eastern portion of Magna that abuts corridors to the north (U TWO O ONE) and east (7200 West).

SITE & VICINITY DESCRIPTION (see attached map)

The Kennecott property in the vicinity and south of UTWO O ONE HWY encompasses over 130 acres. The property the applicant wishes to rezone is identified in the maps below. The property labeled as proposed for M-

1/zc zoning represents approximately 60 acres, while the property labeled as proposed for C-2/zc zoning is approximately 5 acres.



ZONE CONSIDERATIONS

Requirement	Existing Zone	Proposed Zone – M-1/zc & C-2/zc
Height	A-1/zc – 1 acre non-residential	M-1/zc – CU approval C-2/zc – CU approval
Front Yard Setback	A-1/zc – N/A	M-1/zc – 20' from street

		C-2/zc – 20' from street
Side Yard Setback	A-1/zc – N/A	M-1/zc – 20' from street C-2/zc – None
Rear Yard Setback	A-1/zc – N/A	M-1/zc – 20' from street C-2/zc – None
Lot Width	A-1/zc – N/A	M-1/zc – None C-2/zc – None
Lot Area	A-1/zc – N/A	M-1/zc – None C-2/zc – None
Parking	A-1/zc – N/A	M-1/zc – CU approval C-2/zc – CU approval
Lot Coverage	A-1/zc – N/A	M-1/zc – Limited to 80% of lot area C-2/zc – Limited to 60% of lot area
Density	A-1/zc – N/A	M-1/zc – N/A C-2/zc – N/A

Compatibility with existing buildings in terms of size, scale and height.	Use dependent
Compliance with Landscaping Requirements Verified.	Reviewed in CU review
Compliance with the General Plan.	Yes

GENERAL PLAN CONSIDERATIONS

The property included in this request abuts corridors as identified as such in the Magna General Plan. The plan describes the following with respect to a **corridor area**.

Corridor – A Corridor is a linear transportation route, including all parcels directly adjacent to the roadway. Corridors may have diverse land uses and functions along their length. Corridors typically experience change over time, responding to changing market conditions and new approaches to land use and transportation planning. Because of their limited access and impact on adjacent land uses, corridors considered here do not include highways, rail corridors, or other high-speed limited access roads.

- 1) Changes occur with some frequency along important corridors. Land uses at important nodes, usually where two major corridors intersect, will intensify and absorb significant growth in the community. Focusing growth in centers along corridors can create walkable neighborhood or town centers, thereby also reducing traffic demand along the corridor itself.
- 2) Corridor capacity may change over time, thereby affecting adjacent land uses. Roadway redesign may be recommended to increase capacity, either for transit improvement, automobile use, or other transportation modes. Reducing capacity may be recommended on some corridors in order to reduce speeds where appropriate.
- 3) Mobility is a key function of corridors. Corridors will change over time to include more modes of transportation, improved transit service, capacity for safe use by cyclists, and improved pedestrian infrastructure. Each corridor has the goal of becoming a "complete street," accommodating all modes of travel.

The intent of the General Plan Map is to identify the "...degree of change residents can expect within the community." The property under consideration ... borders along a {General Plan} identified corridor. The General Plan anticipates that corridors will have " ... diverse land uses and functions along their length" ... and would ... experience change over time, responding to changing market conditions ..."

Staff finds the proposed M-1 and C-2 zones along the identified U-201 Highway Corridor to be compatible with the Magna Township General Plan and therefore Recommends Approval of the request subject to excluding some of the uses usually allowed in the M-1 and C-2 zones. Included with this report is a list of uses which staff recommends should be allowed. The application of this restriction is indicated by the "zc" designation after the zone.

NEIGHBORHOOD RESPONSE

Staff has received one formal response in favor of this application and no feedback against the proposal as of October 5, 2016.

COMMUNITY COUNCIL RESPONSE

Both the Magna Town Council and the Magna Community Council recommended approval unanimously.

PLANNING COMMISSION RESPONSE

The Magna Township Planning Commission recommended approval of this rezoning request on October 13, 2016.

PLANNING STAFF ANALYSIS

The addition of manufacturing uses in the area would add balance to the existing development pattern which is currently primarily residential. This type of use would also provide a buffer between the existing (and future) residential uses and the high volume traffic facilities nearby U-201. It is anticipated that development of this area will occur through the guidance and parameters of a development agreement which will help to ensure

development of amenities such as a canal walkway / bikeway, mixed-use complimentary development, mitigation of negative impacts and development which would be of significant benefit to the entire community of Magna.

PLANNING STAFF RECOMMENDATION

It is Staff's opinion that this re-zone request complies with the Magna Township General Plan and that negative impacts can be mitigated at this point in the development process by restricting the uses allowed in both the M-1 and C-2 zones. Because this property has been used for agricultural uses it is lacking basic infrastructure for the anticipated manufacturing purpose. Therefore, it is anticipated that a Development Agreement will be forthcoming either prior to or in accompaniment with any conditional use application for a manufacturing use. This Development Agreement would further define appropriate conditions to ensure that development issues are properly addressed to maintain compatibility with proposed uses and the existing community while allowing for the growth and development of the township.

For the reasons described above, staff recommends approval of this rezone application from A-1/zc to M-1/zc & C-2/zc. Staff suggests the following changes in the allowable uses in both the M-1 and C-2 zones.

Permitted uses in the C-2 zone include:

- Accessory uses and buildings customarily incidental to permitted uses;
- Addressograph shop;
- Antique shop without outside display;
- Archery shop and range, providing the use is conducted within a completely enclosed building;
- Art needlework shop;
- Art shop and/or artist supply;
- Athletic goods store;
- Automobile service station;
- Awning sales and repair;
- Baby formula service; baby diaper service; babysitter agency;
- Bakery;
- Bank;
- Barbershop;
- Beauty shop;
- Bicycle shop;
- Blueprinting and/or photostating;
- Bookstore;
- Bowling alley, including billiard and/or pool tables;
- Bus terminal;
- Cafeteria; catering establishment;
- Candy store; confectionery;
- Carbonated water sales;
- Class A beer outlet;
- Class B beer outlet;
- Clothes cleaning, dyeing and pressing;
- Clothing store;

- Coal and fuel sales office;
- Costume rental;
- Dancing;
- Department store;
- Delicatessen;
- Dog training, provided all training is within a completely enclosed building;
- Dramatics school;
- Drapery and/or curtain store;
- Dressmaking;
- Drive-in refreshment stand;
- Drugstore;
- Dry goods store;
- Electrical and heating appliances and fixture sales and repair;
- Egg candling and sales;
- Employment agency;
- Film exchange;
- Five-and-ten cent store;
- Fix-it shop;
- Flooring or floor repair shop;
- Florist shop;
- Fountain equipment supply;
- Frozen food lockers;
- Fruit or fruit juice store; fruit and/or vegetable stand;
- Fur sales, storage and/or repair;
- Furniture sales and/or repair;
- Gift shop;
- Greenhouse and nursery; plant materials; soil and lawn service;

- Grocery;
- Gunsmith;
- Gymnasium;
- Hardware store, not including the sale of lumber;
- Health food store;
- Hobby and/or crafts shop;
- Home day care/preschool, subject to [Section 19.04.293](#);
- Hospital supplies;
- House cleaning and repair; house equipment display;
- Ice cream shop;
- Ice vendor units and/or reach-in ice merchandiser units; electrical icemaker units; ice storage of not more than five tons' capacity;
- Insulation sales;
- Interior decorating store;
- Jewelry store;
- Janitorial service;
- Key and lock service;
- Laundry, automatic self-help type; laundry agency;
- Leather goods sales;
- Linen shop;
- Luggage shop;
- Machine tools sales;
- Manicuring, pedicuring and electrolysis of hair;
- Medical and dental clinic and laboratory;
- Milk distributing station and sale of dairy products, excluding processing or bottling;
- Military store;
- Mobile lunch agency;

- Monument sales, retail;
- Motorboat sales;
- Music store;
- Newsstand;
- Notions;
- Novelty shop;
- Numismatic shop; gold, silver and platinum dealer;
- Nurses' agency;
- Office, business or professional; office supply; office machines sales and repair;
- Oil burner shop;
- Optometrist and/or oculist;
- Ornamental iron, sales only;
- Painter and/or paint store;
- Pest extermination and control office;
- Pet shop;
- Photographer and/or sale of photographic supplies;
- Popcorn and/or nut shop;
- Radio and television sales and repair and/or station;
- Residential facility for elderly persons;
- Restaurant;
- Roofing sales;
- Safe sales;
- Secondhand shop;
- Shoe shop; shoeshine shop; shoe repair shop;
- Sewing machine shop;
- Stationery and greeting card sales;
- Swimming pool;

- Tailor shop;
- Taxidermist;
- Taxi stand;
- Tire shop, sales only;
- Theater, indoor;
- Tobacco shop;
- Towel and linen supply service;
- Travel bureau;
- Upholstery shop;
- Variety store;
- Wallpaper store;
- Weather-stripping shop.

Conditional uses in the C-2 zone include:

- Agency for the sale of new motor vehicles, trailers and campers, including the incidental sale of used ~~motor vehicles~~, trailers and campers, provided this use is incidental and located on the same property as the primary use of new motor vehicle sales; agency for the rental of motor vehicles, trailers or campers;
- Ambulance service;
- ~~Apartments for elderly persons;~~
- Arcade, not to be located within a one thousand foot distance, via the most direct pedestrian route, of the property line of any school or private educational institution having an academic curriculum similar to that ordinarily given in public schools. For purposes of measuring distance, a pedestrian route shall not include a route which requires crossing a physical barrier such as a fence, canal or freeway, or include trespassing across private property.
- Athletic club and/or health club;
- ~~Automobile repair, including incidental body and fender work, painting and upholstery and/or welding;~~ automatic automobile wash;
- Automobile service center, which is limited to tune-ups, lubrication and oil change, front-end alignment, brake repair, and muffler repair, providing there is not outside storage of parts or materials;
- Baking, ice cream making and/or candy making;

- Bath and massage (every massage technician shall be licensed by the state);
- Bed and breakfast inn, which may include a restaurant and conference meeting rooms;
- Cat and dog groomery, excluding overnight boarding;
- Cemetery, mortuary, etc.;
- Check cashing, provided that each check cashing business shall be located a minimum distance of six hundred feet from any other similarly licensed facility;
- Class C fireworks store;
- Copy service;
- Day care/preschool center;
- Golf course;
- Hardware store, including the sale of lumber, providing all storage of lumber is within a completely enclosed building;
- Home day care/preschool, subject to [Section 19.04.293](#);
- Home occupation;
- Hospital;
- Hotel and apartment hotel;
- Indoor firearms and/or archery range;
- Mini-storage units, secondary to the main use of the parcel;
- ~~Mobile home park~~;
- Mobile store provided it meets the following requirements:
 - A. A location on improved property including a main building with paved parking, and landscaping, curb, gutter and sidewalk if required by the county.
 - B. A maximum display area of one hundred square feet outside the portable structure, a minimum of ten feet behind the property line, not on landscaped areas, and not obstructing access to the property.
 - C. Compliance with the sign ordinance.
 - D. The structures comply with the yard requirements of the zone.
 - E. The mobile store including display area shall not be located within the clear view of intersecting streets.
 - F. Written approval from the property owner to locate on the site.
- ~~Motel~~;
- ~~Multiple dwellings; group dwellings~~;

- Neighborhood storage;
- Open storage for recreational vehicles only (campers, snowmobiles, etc.), but not to include the storage, keeping or abandonment of junk, including scrap metals or other scrap material, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery, or parts thereof, as in an impound lot or junkyard, etc.; and such use will be required to install a six-foot solid visual barrier fence or masonry wall around the entire storage area (chain-link with slats is acceptable) as a conditional use in the commercial C-2 zone, and as an accessory use only to a main use, such as a service station, carwash or similar use. Gravel or grass surfacing will be allowed for the storage area;
- Package agency;
- Parking lot;
- ~~Planned unit development;~~
- Plumbing shop;
- Printing shops;
- Private nonprofit locker club;
- Private post office box service;
- Private school;
- Public and quasi-public use;
- ~~Rail transit mixed-use, provided it meets the following requirements:~~
 - ~~A. The planning commission shall determine the density based on the specific development proposal, site location and surrounding land uses.~~
 - ~~B. The property is located within one-quarter mile of a rail station.~~
 - ~~C. Buildings and impervious areas shall not cover more than eighty percent of the site.~~
 - ~~D. Commercial uses shall be allowed on the first floor of buildings fronting on a public street.~~
 - ~~E. Office uses shall be allowed on the first and second floor of buildings fronting on a public street.~~
 - ~~F. Parking is not allowed between the building and the public street.~~
 - ~~G. The front yard setback shall be fifteen feet and the side and rear yards shall be twenty feet minimum. Corner lots are deemed to have two front yards.~~
 - ~~H. The front yard setback is the build-to-line. At least fifty percent of the front elevation of the building must be built within ten feet of the build-to-line or as approved by the planning commission.~~
 - ~~I. The planning commission shall determine the amount of parking required based on projected transit usage and other guidelines found in Section 19.80.090, "Planning Commission Exceptions."~~
 - ~~J. All development in the rail transit mixed-use area shall conform to the Rail Transit Mixed-Use Development Guidelines adopted by the planning commission. The planning commission has the authority to modify or waive guidelines as necessary during development review.~~

- Reception center and/or wedding chapel;
- Recreation, commercial;
- Reiki business provided it meets the following requirements:
 - A. Hours of operation shall be between 7:00 a.m. and 10:00 p.m.
 - B. Each practitioner that is not an employee of the business licensee shall have a Salt Lake County business license.
 - C. Neither clients nor practitioners shall appear on the premises in a state of nudity or semi-nudity, as defined in the Sexually Oriented Business Chapter of [Title 5](#) of this Code; and
 - D. The premises shall not be used for any conduct that violates Section 58-47h-501 of the Utah Massage Therapy Practice Act (2013) or sexual conduct that violates Title 76 of the Utah Criminal Code.
- Rent-all store, provided that there is not outside storage;
- ~~Resource recycling collection point provided it meets the following requirements:~~
 - ~~A. A location on improved property including a main building with paved parking, and landscaping, curb, gutter and sidewalk if required by the county.~~
 - ~~B. All material shall be contained within an enclosed container.~~
 - ~~C. The structures or bins comply with the yard requirements of the zone.~~
 - ~~D. Written approval from the property owner to locate on the site.~~
 - ~~E. Maintenance of the site in a clean, neat and orderly manner.~~
- Restaurant liquor license;
- Seed and feed store;
- Shared parking;
- Sign-painting shop;
- Single-family dwelling in conjunction with a service station;
- State store;
- Swap meets and flea markets within drive-in theaters or enclosed buildings;
- Tanning studio;
- Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work;
- Theaters, outdoor, providing:
 - A. A solid fence or masonry wall with a minimum height of six feet shall be constructed on all sides.

- B. Driveways and parking areas shall be provided with properly maintained dustless surfaces.
- C. Automobile off-street storage areas for automobiles awaiting entrance to the theater shall have a capacity of at least fifteen percent of the number of automobile parking spaces provided inside the theater.
- D. Minimum area for a single-screen theater shall be ten acres; minimum area for a two-screen theater shall be twelve acres.

— Transfer company, provided trucks no larger than two tons' capacity are used;

— ~~Unoccupied model buildings for display, accessory to a sales office;~~

— Veterinary, providing operation is completely enclosed within an air-conditioned building.

The following is a copy of the uses which are allowed in an M-1 zone per the Salt Lake County Zoning Ordinance. The strikeouts represent uses which will not be allowed as part of this rezone. Once approved uses may not be added back in without another re-zone application and a public hearing process. You can review the ordinance here: https://www.municode.com/library/ut/salt_lake_county/codes/code_of_ordinances?nodeId=TIT19ZO_CH19.66MAZO

Permitted uses in the M-1 zone include:

- Accessory uses and buildings customarily incidental to permitted uses;
- ~~Agriculture;~~
- ~~Animals and fowl for family food production;~~
- Animal hospitals;
- Assembly of medical supplies;
- Boatbuilding;
- Bottling works, soft drinks;
- Bookbinding;
- Carpenter shop; cabinet shop;
- Carpet and rug cleaning and dyeing;
- Class B beer outlet;
- Construction of buildings to be sold and moved off the premises;
- ~~Dairy;~~
- Dog and cat kennel and/or groomery;
- ~~Egg candling, processing and sales;~~
- Electric appliance and/or electronic instruments;
- Express office;
- ~~Garage, public;~~
- ~~Honey extraction;~~
- Ice manufacture and storage;
- Knitting mill;
- Laboratory;
- Laundry;

- Machine shop;
- Manufacture and maintenance of the following:
 - A. Business machines,
 - B. Cameras and photographic equipment,
 - C. Electric and neon signs, billboards and/or commercial advertising structures,
 - D. Light sheet metal products, including heating and ventilating ducts and equipment, cornices and eaves, Venetian blinds, window shades and awnings,
 - E. Musical instruments,
 - F. Novelties,
 - G. Rubber and metal stamps,
 - H. Toys;
- ~~— Meat products smoking, curing and packing, provided that no objectionable fumes are emitted;~~
- Monument works;
- ~~— Motor vehicles, trailers, bicycles and machinery assembling, painting, upholstering, rebuilding, repairing, rentals, sales and reconditioning;~~
- Office, business and/or professional;
- ~~— Outdoor chemical toilet rental;~~
- Parking lot;
- Printing, including engraving and photoengraving;
- ~~— Radio and television transmitting towers;~~
- Restaurant liquor license;
- ~~— Recycling collection center operated within an enclosed building;~~
- ~~— Rent all stores;~~
- Restaurant;
- ~~— Sandblasting;~~
- Service station;
- Sign-painting shop;
- ~~— Tire retreading and/or vulcanizing;~~

- Transfer company;
- Upholstering, including mattress manufacturing, rebuilding and renovating;
- ~~Used car lot;~~
- Veterinary;
- Warehouse;
- Weaving;
- Wholesale business.

(Ord. 1169 §§ 5, 6, 1991; 1986 Recodification; § 1 (part) of Ord. passed 2/1/84; prior code § 22-29-2)

19.66.030 - Conditional uses.

Conditional uses in the M-1 zone include:

- Airport;
- Auction;
- Automatic automobile wash;
- Bank;
- ~~Battery manufacture;~~
- Blacksmith shop;
- Building material sales yard, ~~including the sale of rock, sand, gravel and the like,~~ as an incidental part of the main business, but excluding concrete mixing, ~~except as such concrete mixing is necessary in the preparation and manufacture of any of the products specified in this section;~~
- ~~Class C fireworks store;~~
- ~~Coal, fuel and wood yards;~~
- ~~Contractors' equipment storage yard or rental of equipment used by contractors;~~
- Day care/preschool center;
- ~~Drag strip racing;~~
- Draying, freighting or trucking yard or terminal;

- Electrical contractor;
- Foundry, casting lightweight nonferrous metal without causing noxious odors or fumes;
- ~~— Fertilizer and soil conditioner manufacture, processing and/or sales, providing only nonanimal products and byproducts are used;~~
- ~~— Firearms and/or archery range;~~
- Gymnasium;
- ~~— Impound lot, providing there is no dismantling or demolition of automobiles or other vehicles conducted on the premises;~~
- Indoor firearms and/or archery range;
- Manufacture, compounding, processing, packaging and treatment of the following products:
 - A. Bakery goods,
 - B. Candy,
 - C. Cosmetics,
 - D. Dairy products,
 - E. Pharmaceuticals,
 - F. Toiletries,
 - G. Food products, excluding the following: Fish, sauerkraut, vinegar, yeast, and the rendering of fat,
 - H. Pickles;
- Manufacturing, compounding, assembling and treatment of articles of merchandise from the following previously prepared materials: Bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fish, glass, hair, horn, leather, paper, paint, plastics, precious or semiprecious metals or stones, rubber, shell, straw, textiles, tobacco, wood or yarn;
- ~~— Manufacture of brick, and all clay, ceramic, cinder, concrete, synthetic, cast-stone, plastic and pumice stone products, including, in addition, the manufacture or fabrication of building blocks, tile or pipe from raw material for use in building construction or for sewer or drainage purposes, and excluding rock or gravel crushing of raw materials, except as such rock or gravel crushing of raw materials is incidental to the manufacture or fabrication of the above-described products, and provided that such crushing facilities shall be located not closer than two hundred feet to any property line;~~
- Metal plating; metal anodizing; metal polishing;
- Motion picture studio;

- Package agency;
- Planing mill;
- Planned unit development;
- Private school;
- Public and quasi-public use;
- Radio and television stations;
- Recreation, commercial;
- Restaurant liquor license;
- ~~Sanitary landfill;~~
- ~~Sexually oriented business;~~
- Shared parking;
- ~~Single family dwelling constructed prior to the passage of the ordinance codified in this section, to be retained on a separate lot;~~
- State store;
- Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon the completion or abandonment of the construction work;
- Welding shop.

(Ord. 1416 § 2 (part), 1998; Ord. 1170 § 6 (part), 1991; Ord. 1136 § 6, 1990; Ord. 1008 § 3 (part), 1987; 1986 Recodification; prior code § 22-29-3)