



# Staff Report

PLANNING DIVISION  
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission  
From: Amy Thompson, 801-535-7281 or amy.thompson@slcgov.com  
Date: September 23, 2015  
Re: PLNPCM2015-00578

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## Zoning Text Amendment

**PROPERTY ADDRESS:** N/A  
**PARCEL ID:** N/A  
**MASTER PLAN:** N/A  
**ZONING DISTRICT:** M-1 Light Manufacturing District

**REQUEST:** Dennis Copyak, representing Le Bus, is requesting to amend section 21A.33.040 Table of Permitted and Conditional Uses for Manufacturing Districts, to allow for “Bus Line Yard and Repair” as a permitted use in the M-1 (Light Manufacturing) zoning district. The changes would apply citywide.

**RECOMMENDATION:** Based on the analysis and findings of this report, it is the opinion of staff that the proposed text amendments meet standards for a zoning ordinance amendment and staff recommends that the Planning Commission forward a favorable recommendation to the City Council with the addition of a qualifying provision noted below for petition PLNPCM2015-00578. Below is a proposed motion consistent with this recommendation:

**Based on the information in the staff report and the discussion heard, I move that the Planning Commission forward a positive recommendation to the City Council regarding petition PLNPCM2015-00578, text changes to amend section 21A.33.040 Table of Permitted and Conditional Uses for Manufacturing Districts, to allow for Bus Line Yard and Repair Facility as a permitted use in the M-1 (Light Manufacturing) zoning district with addition of the following qualifying provision:**

**1. Bus Line Yard and Repair Facilities shall be prohibited within 1,000 feet of a single- or two-family zoning district.**

**ATTACHMENTS:**

- A. Proposed Ordinance
- B. Application Information
- C. Analysis of Standards
- D. Public Process and Comments
- E. Department Comments
- F. Map of M-1 Zoning Districts
- G. Motions

**PROJECT DESCRIPTION:**

A request by Dennis Copyak, on behalf of Le Bus, to amend section 21A.33.040 Table of Permitted Uses for Manufacturing Districts to allow Bus Line Yard and Repair as a permitted use in the M-1 (Light Manufacturing District). The applicants owns a parcel at 542 South Delong in the M-1 zoning district and would like to be able to use the property to park and repair motorcoach buses. The proposed text amendment would apply citywide.

The manufacturing districts are intended to provide appropriate locations for manufacturing, fabrication, processing, packaging, distribution, storage, shipping and other transportation activities contributing to the economic base of the city; to enhance employment opportunities; to encourage the efficient use of land; to enhance property values and the tax base; to improve the design quality of industrial areas; and to help implement adopted plans.

The purpose of the M-1 light manufacturing district is to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting. The purpose of the M-2 heavy manufacturing district is to provide an environment for larger and more intensive industrial uses that do not require, and may not be appropriate for, a nuisance free environment.

The Salt Lake City zoning ordinance currently defines a “Bus Line Yard and Repair Facility” in 21A.62.040 as follows:

**BUS LINE YARD AND REPAIR FACILITY:** Facility for the storage and repair of buses.

Bus line yard and repair facilities are permitted uses in the following zoning districts: CG (General Commercial District), the D-2 (Downtown Support District), and the M-2 (Heavy Manufacturing District). The following are light industrial uses that are currently permitted in the M-1 (Light Manufacturing) district that have similar intensity to a Bus Line Yard and Repair Facility:

**BUS LINE STATION/TERMINAL:** Facility used for the temporary housing or parking of buses, and the loading and unloading of passengers.

**TRUCK FREIGHT TERMINAL:** A premises used by a motor freight company as a carrier of goods, which is the origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods.

**VEHICLE, RECREATIONAL VEHICLE SALES AND SERVICE:** A business establishment that uses any building, land area, or other premises or portion thereof, that sells or leases new or used recreational vehicles (RVs). An RV dealership may maintain an inventory of the vehicles for sale or lease either on site or at a nearby location and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership.

**VEHICLE, TRUCK REPAIR, LARGE:** A use engaged in the repair of trucks that are in excess of one ton in size.

**KEY ISSUES:**

The section that would be changed in the zoning ordinance as part of the proposed amendment is 21A.33.040 Table of Permitted and Conditional Uses for Manufacturing Districts. The issue listed below has been identified through the analysis of the project.

**1. Proximity of use to single and two-family zoning districts:**

This proposal is for a citywide text amendment that would affect all M-1 zoned parcels. Permitting bus line yard and repair facilities in the M-1 zoning district is consistent with other permitted uses in the M-1 zoning district and has a similar intensity to other uses that are permitted. Providing appropriate buffering between the bus line yard and repair facilities and low-density residential is recommended to minimize potential negative impacts such as noise, traffic and emissions. Because of the proximity of some of the M-1 zoning districts to single and two-family residential zoning districts, particularly in Westside neighborhoods, staff is recommending a qualifying provision that bus line yard and repair facilities are not permitted within 1,000 ft of a single or two-family zoning district. Although the Light Manufacturing zone has built-in protections to provide buffering between new development and lots in residential districts, the

addition of the qualifying provision provides further protection and helps soften the transition between industrial districts and adjacent neighborhoods while maintaining the stability of the industrial districts and the employment base in the community.

**NEXT STEPS:**

The Planning Commission's recommendation for these proposed zoning text amendments will be forwarded on to the City Council for their action. The City Council is the decision-making body for zoning text amendments.

# **ATTACHMENT A: PROPOSED ORDINANCE**

## 21A.33.040: TABLE OF PERMITTED AND CONDITIONAL USES FOR MANUFACTURING DISTRICTS

<b>Use</b>	<b>M-1</b>	<b>M-2</b>
Antenna, communication tower	P	P
Antenna, communication tower, exceeding the maximum building height	P	P
Bakery, commercial	P	C
Blacksmith shop	P	P
Bottling plant	P	P
Building materials distribution	P	P
Bus line station/terminal	P	P
Bus line yard and repair facility	<u>P<sup>12</sup></u>	P
Check cashing/payday loan business	P <sup>9</sup>	

**Qualifying provisions:**

1. See subsection 21A.02.050B of this title for utility regulations.
2. Subject to Salt Lake Valley health department approval.
3. Electric generating facilities shall be located within 2,640 feet of an existing 138 kV or larger electric power transmission line.
4. No railroad freight terminal facility may be located within a 5 mile radius of any other existing railroad freight terminal facility.
5. Pursuant to the requirements set forth in section 21A.36.140 of this title.
6. If a place of worship is proposed to be located within 600 feet of a tavern, social club, brewpub or microbrewery, the place of worship must submit a written waiver of spacing requirement as a condition of approval.
7. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
8. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within chapter 21A.34 of this title.
9. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
10. Subject to conformance with the provisions in section 21A.36.300, "Alcohol Related Establishments", of this title.
11. Subject to conformance to the provisions in section 21A.40.060 of this title for drive-through use regulations.
12. Prohibited within 1,000 feet of a single- or two-family zoning district.

## **ATTACHMENT B: APPLICATION INFORMATION**

**Purpose for the Amendment**

Requesting the M-1 Zone be amended to allow bus yard and repair.

**Description of the proposed use of the property being rezoned**

To allow motorcoach bus parking and repair facilities to be used in the same manner as the existing commercial freight and truck companies in the area.

**Reasons why the present zoning may not be appropriate for the area**

Requesting that bus yards and maintenance facilities are added to the list of M-1 allowed uses.ref 21A.33.040.

**Is the request amending the text of the Zoning Ordinance**

Yes. Reference 21A.33.040 Table of Permitted and Conditional uses for manufacturing Districts: To allow Bus Line yard and repair facility to be permitted in M-1.

Note: The 21A.33.040 Table of Permitted and Conditional Uses for Manufacturing Districts allows for very similar uses:

- Bus Line Station/Terminal
- Contractor's Yard/Office
- Equipment, heavy (rental, sales and service}
- Limousine service
- Truck Freight Terminal
- Automobile and truck repair
- Recreational Vehicle Sales and service
- Truck repair, large

# **ATTACHMENT C: ANALYSIS OF STANDARDS**

As per section 21A.50.050, a decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. In making a decision concerning a proposed text amendment, the City Council should consider the following:

Factor	Finding	Rationale
<p><b>1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;</b></p>	<p>The proposed amendment is <b>consistent</b> with the purposes, goals, objectives and policies of the city.</p>	<p>The Economics Subcommittee subsection of the executive summary section of the City’s Futures Commissions report of 1998 states, “The city must recognize that municipal planning and zoning functions are important economic development tools in promoting quality economic development projects’ (page 26). The proposed amendment is a zoning function that will further economic development in this area by permitting Bus Line Yard and Repair, which is a similar use to existing uses that are permitted in the zone.</p> <p>Some of the M-1 districts are in close proximity to single and two-family zoning districts, particularly in Westside neighborhoods. One of the goals set forth by the Westside Master Plan is to “Maintain the stability of the industrial districts and the employment base in the community while incorporating appropriate land use buffers and urban design features to soften the transition between them and adjacent neighborhoods.”</p> <p>The proposal is consistent with this goal and by adding the qualifying provision that a Bus Line Yard and Repair Facility is prohibited within 1,000 feet of a single or two-family zoning district provides further protections helping to minimize any potential negative impacts.</p>
<p><b>2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;</b></p>	<p>The proposed amendment furthers the specific purpose statements of the zoning ordinance.</p>	<p>The proposal is consistent with purpose statement of the zoning district which is “to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting. This zone is appropriate in</p>



		<p>locations that are supported by the applicable master plan policies adopted by the city. This district is intended to provide areas in the city that generate employment opportunities and to promote economic development. The uses include other types of land uses that support and provide service to manufacturing and industrial uses. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary and to be provided in an equal way. Certain land uses are prohibited in order to preserve land for manufacturing uses.”</p> <p>Although, the Light Manufacturing zone has built-in protections to provide appropriate buffering between new development and lots in residential districts, Staff is recommending a qualifying provision that this use is not permitted within 1,000 feet of single and two family residential zoning to further minimize negative impacts on adjacent residential neighborhoods. This will fulfill the intent</p>
<p><b>3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;</b></p>	<p>The proposal is consistent with the purposes of the M-1 Height overlay.</p>	<p>The “M-1H light manufacturing height overlay district” would not be impacted by this proposal because Bus Line Yard and Repair Facilities would be added as a permitted use for all M-1 zoned parcels. The purpose of the M-1H light manufacturing height overlay district is “to provide a location for specialized industrial buildings with a need to exceed the maximum allowable building height in the light manufacturing M-1 zoning district.” The overlay district boundary description is between 1730 South and 2100 South and 5200 West and 5500 West Streets and has a maximum height restriction of 85 feet. The proposal to allow bus line yard and repair facilities in the M-1 zoning district is consistent with the purpose of the overlay.</p>

<p><b>4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.</b></p>	<p>The proposed amendment is in keeping with the best and current professional practices of urban planning and design.</p>	<p>The proposed text amendment adds an additional permitted use that has a similar intensity to many uses that are currently permitted in the M-1 zoning district. It also has protections for abutting single-family and two-family zoning districts. These elements are keeping with best and current professional practices of urban planning and design.</p>
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# **ATTACHMENT D: PUBLIC PROCESS AND COMMENTS**

**Public Notice, Meetings, Comments**

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

**Open House:**

Because this zoning text amendment impacts the entire city and not just a specific community council, an open house was held on August 20, 2015. No comments were received during the open house.

Zoning text amendments require that both the Planning Commission and the City Council hold a public hearing giving the public further opportunities to voice their opinion.

**Notice of the public hearing for the proposal included:**

Public hearing notice published in the newspaper on September 9, 2015

Public hearing notice posted on September 8, 2015

Public notice posted on City and State websites and Planning Division list serve: September 8, 2015

**Public Input:**

No further comments were received.

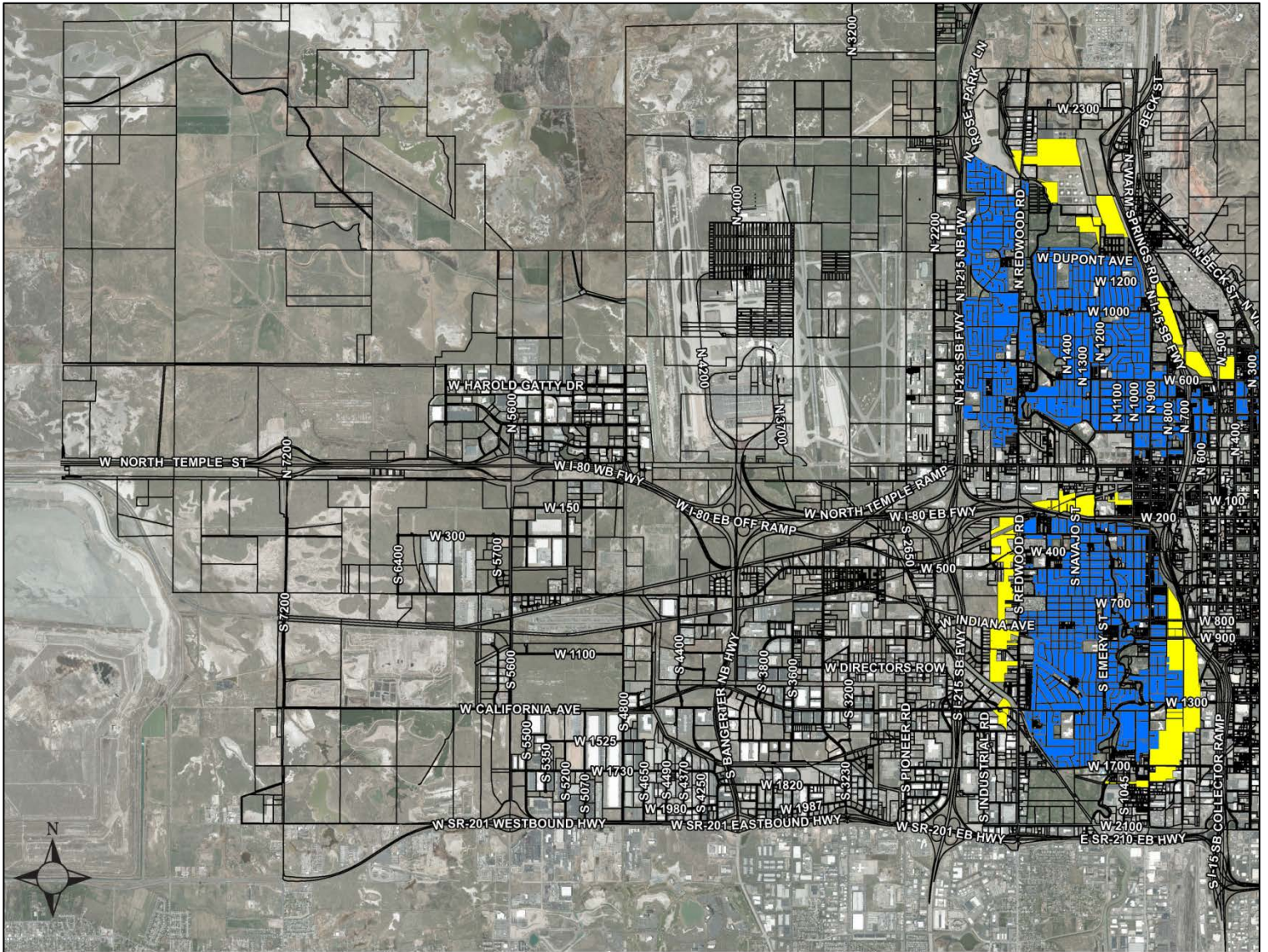
# **ATTACHMENT E: DEPARTMENT REVIEW COMMENTS**

Input was requested from all pertinent city divisions and departments. No comments were received from other city divisions/departments with regard to these proposed amendments.

# **ATTACHMENT F: MAP OF M-1 ZONING DISTRICTS**







**EXISTING M-1 ZONING WITHIN 1,000 FEET OF SINGLE AND TWO-FAMILY RESIDENTIAL**

**SINGLE AND TWO-FAMILY RESIDENTIAL ZONING**

# **ATTACHMENT G: MOTIONS**

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## **Potential Motions**

### **Consistent with Staff Recommendation:**

Based on the information in the staff report and the discussion heard, I move that the Planning Commission forward a positive recommendation to the City Council regarding petition PLNPCM2015-00578, text changes to amend section 21A.33.040 Table of Permitted and Conditional Uses for Manufacturing Districts, to allow for Bus Line Yard and Repair Facility as a permitted use in the M-1 (Light Manufacturing) zoning district with addition of the following qualifying provision:

1. Bus Line Yard and Repair Facilities shall be prohibited within 1,000 feet of a single- or two-family zoning district.

### **Not consistent with Staff Recommendations:**

Based on the information, public input and discussion and the following finding(s), I move that the Planning Commission transmit a negative recommendation to the City Council for petition PLNPCM2015-00578 relating to amend the section 21A.33.040 Table of Permitted and Conditional Uses for Manufacturing Districts, to allow Bus Line Yard and Repair Facility as a permitted use in the M-1 (Light Manufacturing) zoning district with a suggested qualifying provision as suggested in Staff's Report. The Planning Commission shall make findings on the Zoning Text Amendment standards as listed below:

1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;
3. The extent to which a proposed map amendment will affect adjacent properties;
4. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
5. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.