



Staff Report

PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Andy Hulka, Principal Planner, andy.hulka@slcgov.com, 801-535-6608
Date: April 26, 2023
Re: PLNPCM2023-00026, Sugar House Drive-Through Text Amendment

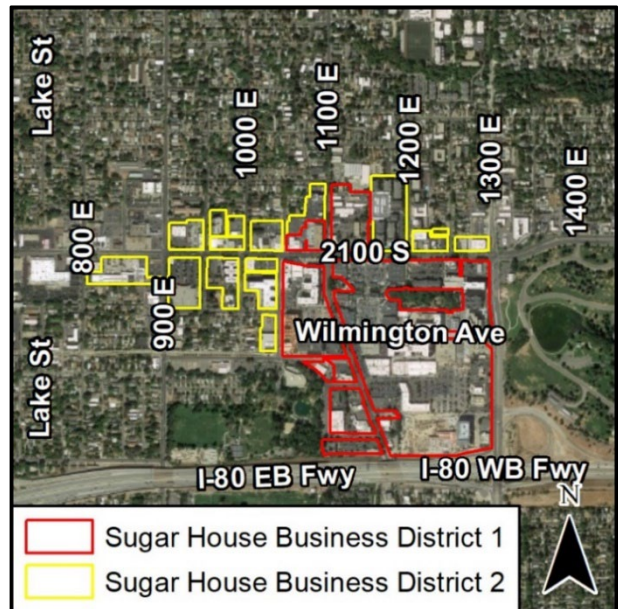
Conditional Use

APPLICATION TYPE: Zoning Text Amendment
MASTER PLAN: [Sugar House Master Plan](#)
ZONING DISTRICT: CSHBD Sugar House Business District ([CSHBD1](#) and [CSHBD2](#))
COUNCIL DISTRICT: District 7 – Represented by Amy Fowler

REQUEST:

The Salt Lake City Planning Commission has initiated a petition to amend the zoning ordinance related to drive-through uses within the Sugar House Business District. More specifically, the petition proposes to prohibit new drive-through uses in the Sugar House Business District ([CSHBD1 & CSHBD2](#)).

Drive-through facilities for financial institutions, restaurants, retail goods and retail service establishments are currently permitted uses in the Sugar House Business District. Permitted uses are approved through a building permit and do not require any public hearing. The proposed text amendment would prohibit new drive-through facilities in the district by removing the permitted use designations for all drive-through facilities under CSHBD1 and CSHBD2 in the Table of Permitted and Conditional Uses for Commercial Districts ([21A.33.030](#)).



RECOMMENDATION:

Based on the findings listed in this staff report and the standards for zoning text amendments, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council regarding this proposal.

ATTACHMENTS:

- A. [ATTACHMENT A: Proposed Amendments](#)
- B. [ATTACHMENT B: Area Map](#)
- C. [ATTACHMENT C: November 9, 2022 Memo](#)
- D. [ATTACHMENT D: Analysis of Standards](#)
- E. [ATTACHMENT E: Public Process & Comments](#)
- F. [ATTACHMENT F: Department Review Comments](#)

BACKGROUND:

June 2022

During the [June 8, 2022](#) Planning Commission meeting, the Commission asked staff about the permitted uses in Sugar House Business District. Commissioners noted that allowing drive-through facilities as a permitted use seemed to be contrary to the stated purpose of the zoning district:

A. Purpose Statement: The purpose of the CSHBD Sugar House Business District is to promote a walkable community with a transit oriented, mixed use town center that can support a twenty-four (24) hour population. The CSHBD provides for residential, commercial and office use opportunities, with incentives for high density residential land use in a manner compatible with the existing form and function of the Sugar House master plan and the Sugar House Business District.

Planning Director Nick Norris explained that the Commission could initiate a request to amend the zoning code to address this concern. The Commission agreed to place the issue on a future agenda for public notice and comment.

August 2022

During the [August 24, 2022](#) meeting, the Planning Commission voted to initiate a petition “to amend the text of the zoning code as it pertains to land uses that include drive-throughs in the CSHBD zoning districts to determine if the uses are compatible with the purpose of the zoning district, and to make necessary modifications to ensure the purpose of the district is implemented as it relates to drive-throughs.”

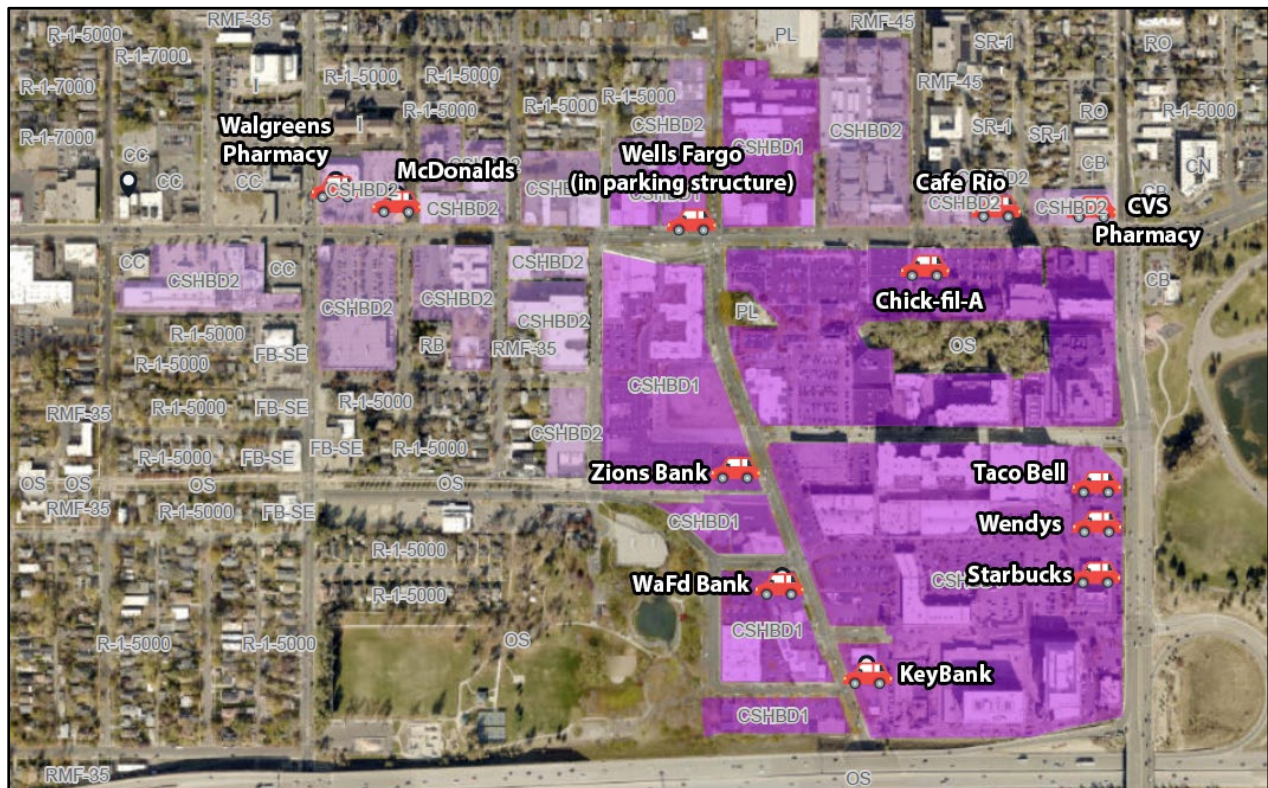
Commissioners requested that staff prepare another briefing to discuss possible options before beginning the public input process. Generally, the Commission expressed interest in keeping things simple to avoid an overly lengthy and complicated adoption process.

November 2022

As requested, staff brought the topic back to the Commission for a follow up discussion during the [November 9, 2022](#) meeting. Staff presented the following options for the Commission to consider: modify existing standards to address known issues, make the use a conditional use, make the use a conditional use with modified standards, prohibit the use in part or all of the district (staff recommendation), or make no changes (see [Attachment C](#) for full memo). After discussing the options, the Commission voted unanimously to proceed with the staff recommendation to prohibit the use.

PROJECT DESCRIPTION

The zoning ordinance defines a drive-through facility as “a facility which by design, physical facilities, service or packaging procedures, encourages or permits customers to transact business, receive services or goods, or be entertained while remaining in their motor vehicles” ([21A.62.040](#)). Drive-through facilities for financial institutions, restaurants, and retail establishments are currently permitted uses in the CSHBD zoning districts. All drive-through facilities in Salt Lake City are required to provide a minimum number of on-site stacking spaces, with additional standards for traffic circulation, noise, air quality, and accessibility ([21A.44.080](#)).



(Existing drive-through facilities in the Sugar House Business District)

Based on the direction given by the Planning Commission, staff is recommending that all drive-through facilities become prohibited land uses by deleting the “P” for permitted in the land use table. If this amendment is approved, no new drive-through facilities could be developed within the boundaries of the CSHBD1 or CSHBD2 zoning districts.

The proposal amends a section of table [21A.33.030](#): Table of Permitted and Conditional Uses for Commercial Districts, as shown in [Attachment A](#). The changes would affect financial institutions, restaurants, retail goods and retail services establishments. The proposal also includes a minor modification to section [21A.40.060](#): Drive-Through Facility Regulations, to clarify that drive-through facilities are only permitted when specifically listed as permitted in the land use tables (this is discussed in more detail in the [Key Considerations](#) section below).

KEY CONSIDERATIONS

The key considerations listed below were identified through the analysis of the project:

1. Compatibility with Master Plan Policies and Initiatives
2. Impacts of the Proposed Text Amendment on New and Existing Uses
3. Use Analysis

Consideration 1: Compatibility with Master Plan Policies and Initiatives

Plan Salt Lake

Transportation & Mobility

A guiding principle of the citywide master plan, [Plan Salt Lake](#), is “a transportation and mobility network that is safe, accessible, reliable, affordable, and sustainable, providing real choices and connecting people with places.” The plan states that “automobile dependency increases air pollution and traffic, and encourages development that is designed for cars, not people” and one of the Transportation & Mobility initiatives is to “reduce automobile dependency and single occupancy vehicle trips.”

The purpose of the Sugar House Business District stated in the Zoning Ordinance is to promote a walkable community. This amendment to prohibit new drive-through facilities, which by nature is a land use that encourages the use of automobile, aligns the City’s zoning regulations with the stated purpose of the district as well as the Plan Salt Lake initiative to reduce automobile dependency and single occupancy vehicle trips.

Air Quality

Another relevant guiding principle of the plan is “air that is healthy and clean,” along with the initiatives to “reduce greenhouse gas emissions” and “minimize impact of car emissions.” By limiting future automobile-dependent uses in the district, the proposed amendment will contribute towards creating a unique district with decreased air pollution and vehicle traffic.

The City has adopted idling regulations for the purpose of improving the environment “by reducing emissions while conserving fuel” ([Chapter 12.58](#)). Customers waiting to be served at a drive-through facility frequently allow their vehicles to idle, at times exceeding the two-minute limit established by code. The proposed amendment will help to reduce vehicle emissions by limiting the number of locations in the district where vehicles routinely idle their engines as part of regular business operations.

Economy

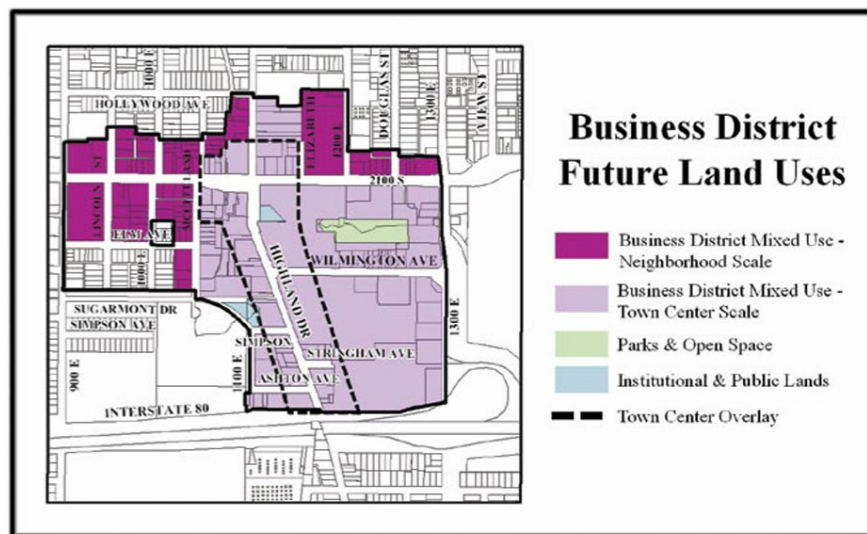
Plan Salt Lake’s economic guiding principle is “a balanced economy that produces quality jobs and fosters an environment for commerce, local business, and industry to thrive.” The City’s economic vision supports the growth of all business types, from small neighborhood businesses to major employers and corporate headquarters. This proposal is not expected to have an adverse impact on the current operations of existing businesses and may have a positive economic effect on the district by supporting the continued development of the Sugar House Business District as a walkable urban neighborhood. Walkable neighborhoods have been shown to increase tax revenue, provide more goods and services, and decrease maintenance costs when compared to drivable suburban areas (further discussion of economic impacts is included below under Consideration 3: Drive-Through Facility Analysis).

Beautiful City

Plan Salt Lake also envisions “a beautiful city that is people focused,” with an initiative to “support and encourage architecture, development, and infrastructure that is people-focused.” A beautiful, people-oriented city is designed to enhance residents’ quality of life. Amending the ordinance to prioritize the pedestrian experience over vehicular convenience will encourage development that is people-focused.

Sugar House Master Plan

The applicable community master plan for the area is the [Sugar House Community Master Plan](#). Most of the area currently in the CSHBD zone boundaries was envisioned in the plan as “Business District Mixed Use” on the Future Land Use Map, at either a neighborhood scale or town center scale. The Plan describes both future land uses as being focused around “a transit/pedestrian oriented commercial/retail with a strong street presence” and states that “there is widespread agreement that the presence of small and locally owned businesses is central to the charm and attractiveness of Sugar House.”



Other applicable goals and policies from the plan include:

- Implement a “pedestrian-first” policy for the Sugar House Business District zone.
- Develop the Sugar House Community to be a sustainable, attractive, harmonious and pedestrian oriented community.
- Directing development to be transit and pedestrian oriented.
- Retain the small scale of the Business District to maintain a more pedestrian friendly environment.
- Ensure that new development is managed, balanced, and designed with multi-modal options so that automobile travel does not exceed the capacity of the street infrastructure within the Business District.
- Support locally-owned businesses to operate within the Sugar House Business District.
- Examine ways to preserve small businesses and provide incentives for developers to accommodate these businesses into new projects.

The proposed amendment will contribute towards the implementation of the above-mentioned goals and policies by preventing an increase in the number of automobile-dependent uses, encouraging pedestrian-oriented development, and facilitating small business clusters in a similar manner to downtown areas.

Consideration 2: Impacts of the Proposed Text Amendment on New and Existing Uses

The amendment proposes to remove the permitted use designation in the CSHBD land use table for financial institutions, restaurants, retail goods and retail service establishments with drive-through facilities. Uses with drive-through facilities are only permitted when the land use table specifically allows the use “with drive-through facility.” No change is proposed to any of the primary uses without drive-through facilities, so financial institutions, restaurants, retail goods and retail service establishments will remain permitted in the district.

If this amendment is adopted, no business would be allowed to construct a new drive-through facility in the CSHBD district. Under the proposed amendment, existing drive-through facilities in the Sugar House Business District would become legal nonconforming uses and would be allowed to continue. Nonconforming uses are defined as “*any building or land legally occupied by a use at the time of passage of the ordinance codified herein or amendment thereto which does not conform after passage of said ordinance or amendment thereto with the use regulations of the district in which located.*”

Nonconforming uses are regulated by the provisions of chapter [21A.38](#) – Nonconforming Uses and Noncomplying Structures. Nonconforming uses are allowed to continue operating as originally permitted until deemed abandoned or voluntarily removed. Enlargement of a nonconforming use is limited to no more than 25% of the gross floor area, or 1,000 square feet, whichever is less. Remodeling is allowed for energy efficiency, accessibility, or life safety improvements. The proposed amendment will not affect the ability of existing businesses with drive-through facilities to continue their normal operations.

The proposal also includes a minor modification to section [21A.40.060](#): Drive-Through Facility Regulations, to clarify that drive-through facilities must be expressly permitted in the land use tables. The intent of this amendment is to prevent confusion or potential challenges that could arise when a change of use is proposed. While drive-throughs will continue to be treated as accessory uses, it does not grant nonconforming rights on its own when disassociated from the principal use. This means when a nonconforming drive-through use is proposed to change to another nonconforming drive-through use, the request would be subject to determination by the appeals hearing officer as to the new use being a similar land use type as the existing use. The hearing provides the opportunity to review the parking impact of such a change.

For example, if a bank with a drive-through facility in the CSHBD district requested approval to convert to a restaurant with a drive-through facility, the City would follow the process outlined in section [21A.38.040.H.1](#): “Change of Nonconforming Use to Another Nonconforming Use,” which requires a hearing by the appeals hearing officer and a full review by staff of all applicable drive-through facility regulations, including stacking lane standards and the requirement that “*internal traffic circulation patterns on the lot shall be adequate to keep traffic from backing into a street or blocking access to any required parking spaces located on the lot.*” Likewise, consideration will be given to off street parking as “similar land use type” is defined as:

“Land uses shall be considered to be similar land use types, if the uses are listed as a permitted or conditional use in the same land use tables within [chapter 21A.33](#) of this title and the uses have similar off street parking requirements as defined in [chapter 21A.44](#), “Off Street Parking, Mobility And Loading”, of this title”

Consideration 3: Use Analysis

Are Drive-Through Facilities Essential?

During the COVID-19 pandemic, many residents turned to drive-throughs as an option to conveniently get their goods and services while still following social distancing standards. While businesses with drive-through facilities may have had an easier time adapting to the challenges of the pandemic, many other businesses were able to change their business plans to adapt in other ways. Some businesses dedicated parking spaces for online order pick-up, others expanded their delivery options, and some businesses shifted to allowing customers in store with individual appointment times. This shows that drive-throughs and other car-oriented arrangements do provide benefits to the community, but businesses can be successful without them.

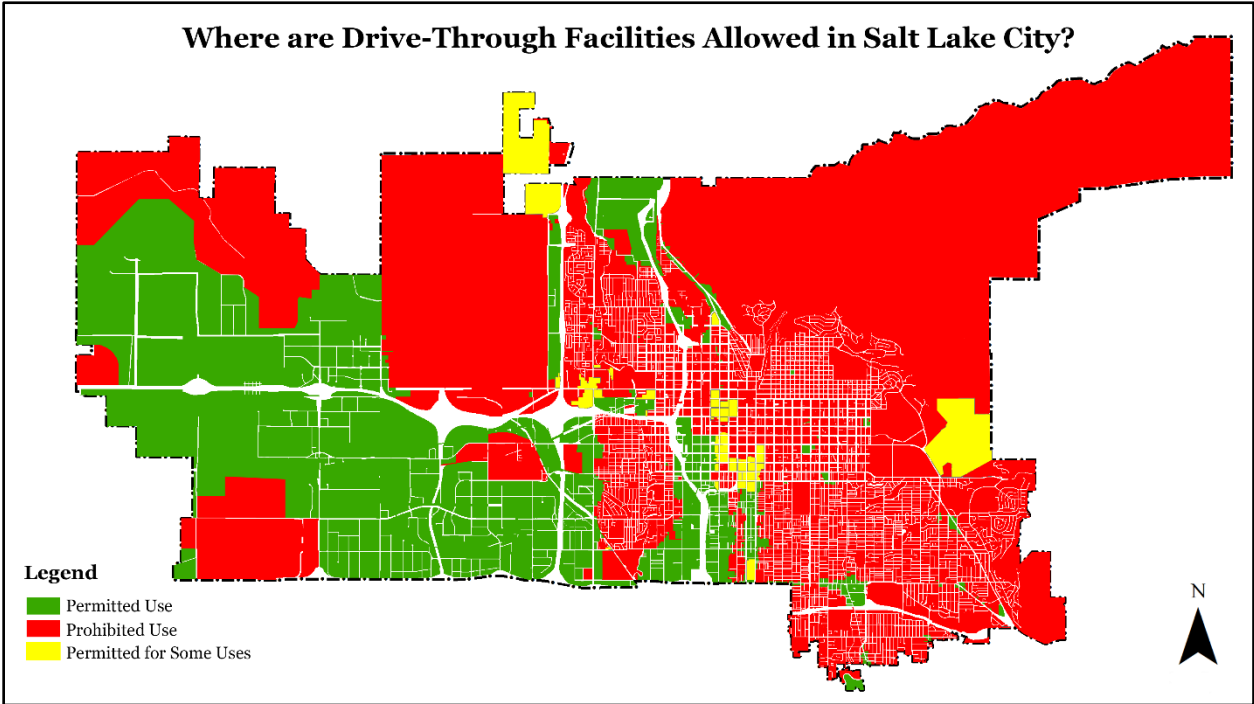
Drive-through facilities also provide business access for individuals with disabilities or others who may have difficulty leaving their vehicles to access services. Plan Salt Lake stresses the importance of equity with an initiative to *“pursue equitable access to privately provided services and amenities across the City.”* It is important to note that the City will continue to require ADA compliant parking lots and access to all commercial businesses. Additionally, the dedication of off-street parking for pick-up only stalls is not regulated by zoning and may be established at the will of the business and parking lot owner.

Drive-through service and other similar arrangements for convenient business access will remain available for residents and visitors to the area who need to stay in their vehicles. Existing businesses with drive-through facilities in the Sugar House Business District will be allowed to continue operating as usual. There are other zoning districts nearby that will continue to allow uses with drive-through facilities, such as the CC Corridor Commercial and CB Community Business districts that exist to the east and west of the Sugar House Business District along 2100 South. This amendment is not a citywide ban on drive-through facilities, so those services will continue to be provided in appropriate areas throughout the city (see map and discussion in the next section below). Ensuring local economic resilience is a priority for the City. The proposed amendment will not prohibit businesses from operating in a way that allows for universal access for all.

It is worth highlighting as well that drive-through facilities do not necessarily provide access for all Salt Lake City residents. Residents may not have access to a personal automobile for a variety of reasons, including age, ability, economic circumstances, or personal preference. When considering ways in which the City can promote equitable access to services and amenities, it is important to consider the needs of all Salt Lake City residents, including those who may not be able to use a drive-through. Planning for walkable communities is one way to ensure that our city is a welcoming place that provides access to goods and services at every level of the transportation spectrum.

Where Are Drive-Through Facilities Allowed in Salt Lake City?

An analysis of the City’s land use tables shows that uses with drive-through facilities are already prohibited in a number of zoning districts, including all residential districts and districts where walkability is emphasized in the district’s purpose statement. Drive-through uses are permitted or conditional uses in the City’s major commercial-only districts and some transitional/support districts. This amendment will align the allowed land uses in the Sugar House Business District with the district’s purpose in a way that is consistent with other similar districts elsewhere in the city. The map below also demonstrates that the City will continue to allow drive-through facilities where appropriate.



Drive-Through Facilities by District

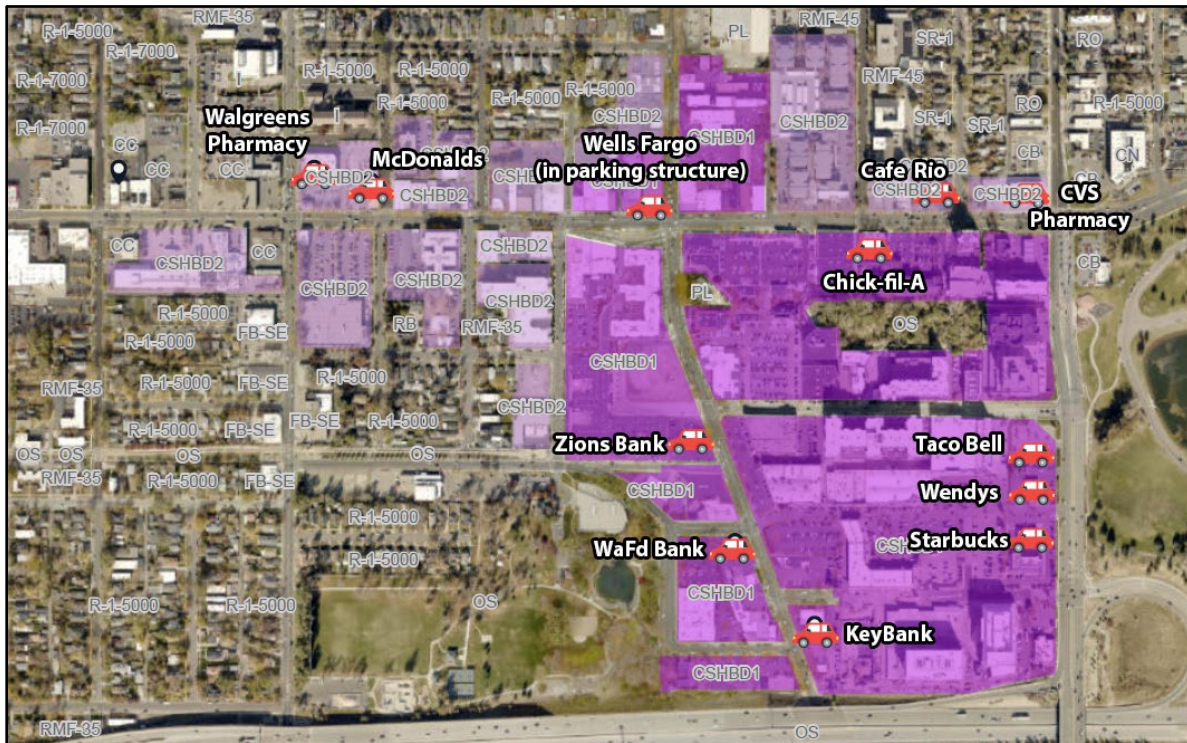
Districts	Permitted Use	Permitted for Some Uses	Prohibited Use
Residential	-	-	All Residential Districts
Commercial	CB, CS, CC, CG	TSA-MUEC-T (Banks Permitted, Restaurants Conditional), TSA-SP-T (Banks Permitted)	CN, SNB, TSA-UC-C, TSA-UC-T, TSA-UN-C, TSA-UN-T, TSA-MUEC-C, TSA-SP-C
Form Based	-	-	All Form Based Districts
Manufacturing	M-1	-	M-2
Downtown & Gateway	-	D-2 (Banks & Restaurants Permitted), D-4 (Banks Permitted)	D-1, D-3, G-MU
Special Purpose	-	BP (Banks & Restaurants Permitted), RP (Banks Permitted)	All Except RP & BP

Existing Drive-Through Facilities in the CSHBD

Staff has identified twelve existing businesses with drive-through facilities in the Sugar House Business District (see map below). This includes:

- Two pharmacies, three restaurants, and one financial institution along 2100 South;
- Three additional financial institutions along Highland Drive; and
- Three additional restaurants along 1300 East.

Multiple banks, restaurants, and pharmacies with drive-through facilities exist within the compact boundaries of the Sugar House Business District. This shows that the area is well served by drive-through uses.



(Existing drive-through facilities in the Sugar House Business District)

One issue that this amendment seeks to address is the conflict that arises when high-volume drive-throughs exceed the provided stacking space. When the line for the drive-through extends beyond the designated stacking space, vehicles can block traffic lanes, sidewalks, and bike paths. Drive-through lines that block the right-of-way create a hazardous condition for others travelling in the area and do not align with the purpose statement of the zoning district.



(Drive-through lane blocking traffic on 2100 South)

A potential strategy for addressing the conflicts related to high-volume drive-throughs is to increase the required distances for stacking lanes. This option would effectively require more land area to be reserved for automobile-only use. Dedicating more space to drive-through lanes could exacerbate the economic, environmental, and urban design issues discussed in this report. This policy would not effectively help the City achieve the goals for this area and is therefore not a preferred policy solution.

While low-demand facilities (for example banks and pharmacies) may not always create the same negative impacts that high-demand facilities (typically restaurants and food/beverage retail) create, staff is recommending a ban on all new drive-through facilities in the district for the following reasons:

- Creating different categories and regulations for high- and low-demand facilities may have unintended consequences and may not yield the expected results.
 - Although the ordinance does require stacking space and traffic studies for new drive-through facilities, it is not always possible to anticipate the popularity of a new business.
 - Demand for drive-through facilities can also fluctuate throughout the day, depending on the nature of the business. This can be an ineffective use of space, creating conditions where some properties have paved areas that remain unoccupied or underutilized for a majority of the day.
 - Low-demand drive-through facilities may still have a negative impact on the urban design, walkability, air quality, and economy of the district.
- To cap the total number of drive-through facilities in the district.
 - If only certain land uses with high-demand drive-through facilities were prohibited (e.g., restaurants with drive-through facilities), the overall number of drive-through facilities in the district would continue to increase, potentially leading to the cumulative negative impacts noted above.
 - Without limiting all types of drive-through facilities, there is a potential for new low-demand drive-throughs to be converted in the future to a high-demand use. This amendment seeks to limit those potential future negative impacts.

Businesses in Walkable Neighborhoods

As noted above, drive-through uses are limited or prohibited in zoning districts that include walkability in their purpose statements. These districts cater to different types of businesses and can create a vibrant environment. For example, businesses of all types thrive in the D-1 Central Business District, where all drive-through facilities are prohibited. Many businesses, including banks and restaurants, are successfully operating in the Sugar House Business District without drive-through facilities. Developing business districts and neighborhoods in such a way that allows complementary businesses to be clustered is an important placemaking tool which may lead to economic benefit for the businesses, the neighborhood, and the city.

Restaurants and coffee shops that typically rely on drive-through service can still operate in urban neighborhoods without drive-through service. Some examples from downtown include:

- Apollo Burger, 400 S. & Main St. (D-1 District)



- Beans & Brews, 268 S. State St. (D-1 District)



A few examples of businesses in the CSHBD without drive-through facilities:

- Bank of America, 1001 E. 2100 S.



- Millie’s Burgers, 2092 S. 1000 E.



- BGR Burgers Grilled Right, 1202 E. Wilmington Ave. #120



Professional Best Practices

It is well known that American cities have historically prioritized convenient access for personal vehicles over pedestrian safety and accessibility. Jeff Speck, a renowned urban designer who advocates for more walkable cities, wrote in his book *Walkable City* that the “great threat to pedestrians on sidewalks, beyond cars that jump the curb, is cars that are welcomed across it by drop-offs and drive-thrus... **These now send a very clear message to pedestrians that the sidewalk does not belong to them**” (pg. 121). In his follow-up book, *Walkable City Rules*, the author emphasized that “fast-food and bank drive-throughs have no place in walkable districts” (pg. 192). Staff agrees that drive-through traffic tends to overpower its surroundings, auto-centric design detracts from the goals of the district and is not aligned with best practices in urban planning. The proposed amendment intends to limit the potentially dangerous conflicts between pedestrians and automobiles in order to support the district’s objective of creating a walkable community.

Other [studies](#) point to the economic benefits of walkable urban areas, including increased tax revenue for cities, less costly maintenance, and increased goods and services produced when compared to drivable suburban areas. Articles for the [Congress for the New Urbanism](#) and [Planning Magazine](#) highlight the “green dividend” that comes to areas where residents drive less and spend more money locally, and provide examples of other municipalities that have limited drive-through uses to reduce traffic and emissions, preserve community character, enhance pedestrian safety, and support the local economy. According to [Strong Towns](#), walkable streets are more economically productive than any other style of development. This project aims to improve the walkability of the area, which will bring economic, environmental, and safety benefits to Sugar House Business District residents and neighbors.

Walkable business districts allow residents to access services without needing to drive. People who do not need to drive are more likely to spend their money close to home if it is safe and convenient to walk. This increased foot traffic can provide additional exposure to small and local businesses that might otherwise remain unnoticed by someone passing by in a car at high speeds. Residents of walkable neighborhoods may also find it easier to walk to a nearby business rather than driving outside of the neighborhood, which can lead to these residents supporting local businesses more frequently and keeping more money in the local economy.

In conclusion, staff finds that the proposal will help to align the land use tables with the stated purpose of the district to promote a walkable community with a transit oriented, mixed use town center that can support a 24-hour population. The amendments will further the economic, environmental, and equity goals of the City’s master plans while still protecting the rights of existing businesses. The proposal will support the type of growth in the Sugar House Business District that will allow the area to thrive.

STAFF RECOMMENDATION

The proposed ordinance amendments have been reviewed against the Zoning Amendment consideration criteria in [Attachment D](#). The proposed amendment implements professional best practices, does not conflict with other applicable State or City Code, and aligns with the City’s zoning purposes by promoting a walkable community in the Sugar House Business District. The proposed amendment also furthers the purpose of the city’s policies and goals, including those in the applicable master plans.

Due to these considerations, **staff is recommending that the Commission forward a favorable recommendation on this request to the City Council.**

NEXT STEPS

The Planning Commission can provide a positive or negative recommendation for the proposed text amendment. The recommendation will be sent to the City Council, who will hold a briefing and additional public hearing on the proposed amendments. The City Council may make modifications to the proposal and approve or decline to approve the proposed amendments.

If ultimately approved by the City Council, the changes would be incorporated into the Salt Lake City Zoning Ordinance, and new development would be required to follow the new regulations.

ATTACHMENT A: Proposed Amendments

This attachment includes a draft version of the code that identifies deletions and new text with strikethroughs and underlines (in red):

21A.33.030: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

Legend:	C =	Conditional	P =	Permitted
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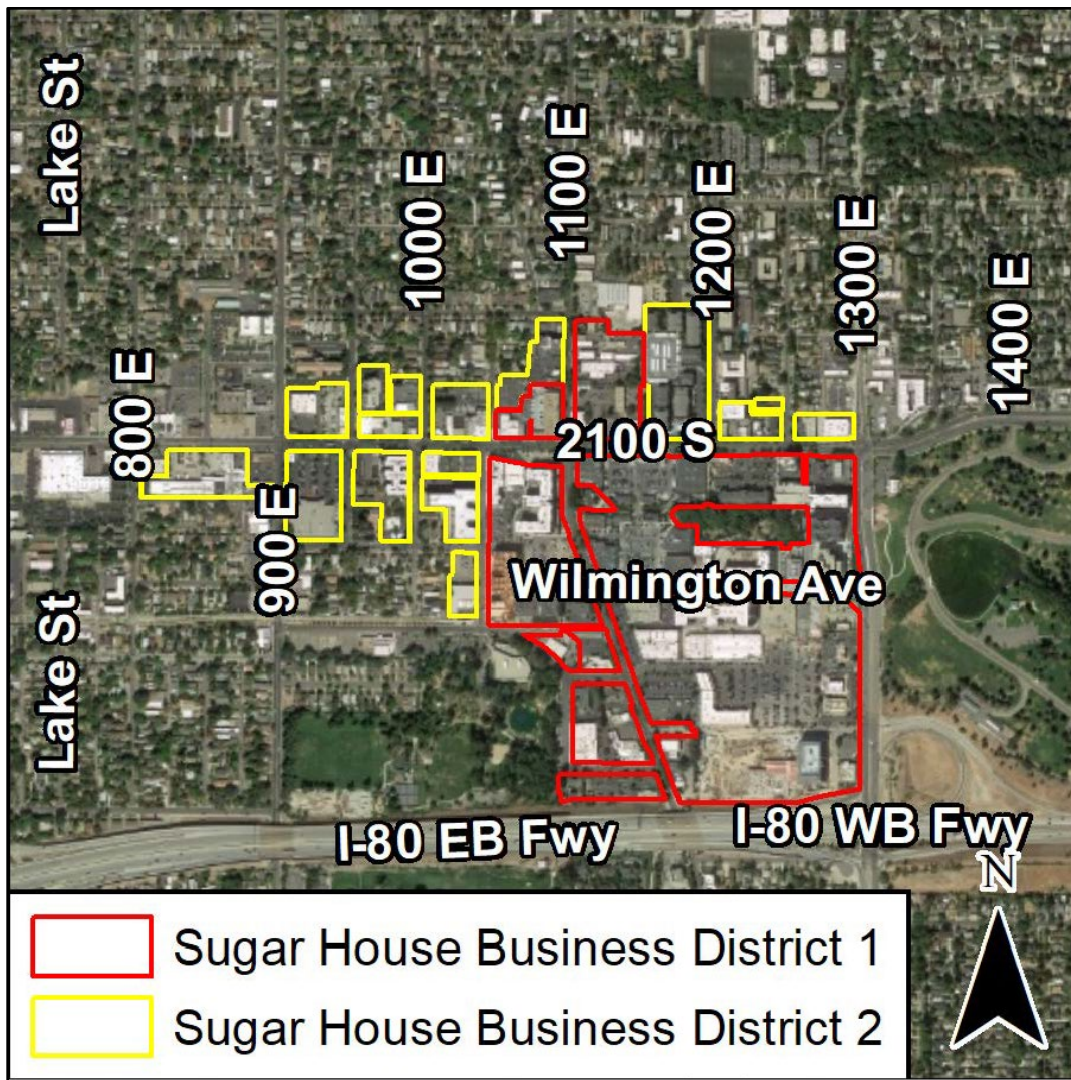
Use	Permitted And Conditional Uses By District						
	CN	CB	CS1	CC	CSHBD ¹	CG	SNB
Financial institution	P	P	P	P	P	P	
Financial institution with drive-through facility		P ⁹	P ⁹	P ⁹	P⁹	P ⁹	
Restaurant	P	P	P	P	P	P	
Restaurant with drive-through facility		P ⁹	P ⁹	P ⁹	P⁹	P ⁹	
Retail goods establishment	P	P	P	P	P	P	P
Plant and garden shop with outdoor retail sales area	P	P	P	P	P	P	P
With drive-through facility		P ⁹	P ⁹	P ⁹	P⁹	P ⁹	
Retail service establishment	P	P	P	P	P	P	P
Furniture repair shop	C	P	P	P	P	P	
With drive-through facility		P ⁹	P ⁹	P ⁹	P⁹	P ⁹	

21A.40.060: DRIVE-THROUGH FACILITY REGULATIONS:

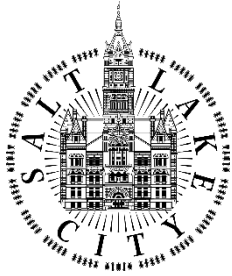
B. Applicability And Permit Requirements:

2. Drive-through facilities may be authorized ~~as accessory uses to permitted uses or conditional uses~~ as when listed on the tables of permitted and conditional uses set forth in part III of this title, specific district regulations for residential, commercial, manufacturing, downtown, gateway, and special purpose districts when developed in accordance with the standards of this section.

ATTACHMENT B: Area Map



ATTACHMENT C: November 9, 2022 Memo



MEMORANDUM

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

TO: Salt Lake City Planning Commission
FROM: Nick Norris, Planning Director
Michaela Oktay, Deputy Planning Director
DATE: November 9, 2022
RE: Sugarhouse Drive-Through Facilities-options

Request: The planning commission initiated a petition to make modifications to the drive through regulations in the sugar house business district (CSHBD). Planning staff discussed that they would bring back an analysis of each option for the planning commission to consider which option to pursue.

Options: There are five options for the Planning Commission to consider. Each option has a variety of issues and range in degree of complexity. The options are:

- Modify existing standards to address known issues.
- Make the use a conditional use.
- Make the use a conditional use with modified standards.
- Prohibit the use in part of all of the district (Staff Recommendation).
- Make no changes.

Sugar House Drive Through Facilities

CSHBD Purpose Statement

The allowed land uses in the CSHBD zoning districts should align with the purpose of the district. The purpose statement reads:

The purpose of the CSHBD Sugar House Business District is to promote a walkable community with a transit oriented, mixed use town center that can support a twenty-four (24) hour population. The CSHBD provides for residential, commercial and office use opportunities, with incentives for high density residential land use in a manner compatible with the existing form and function of the Sugar House master plan and the Sugar House Business District.

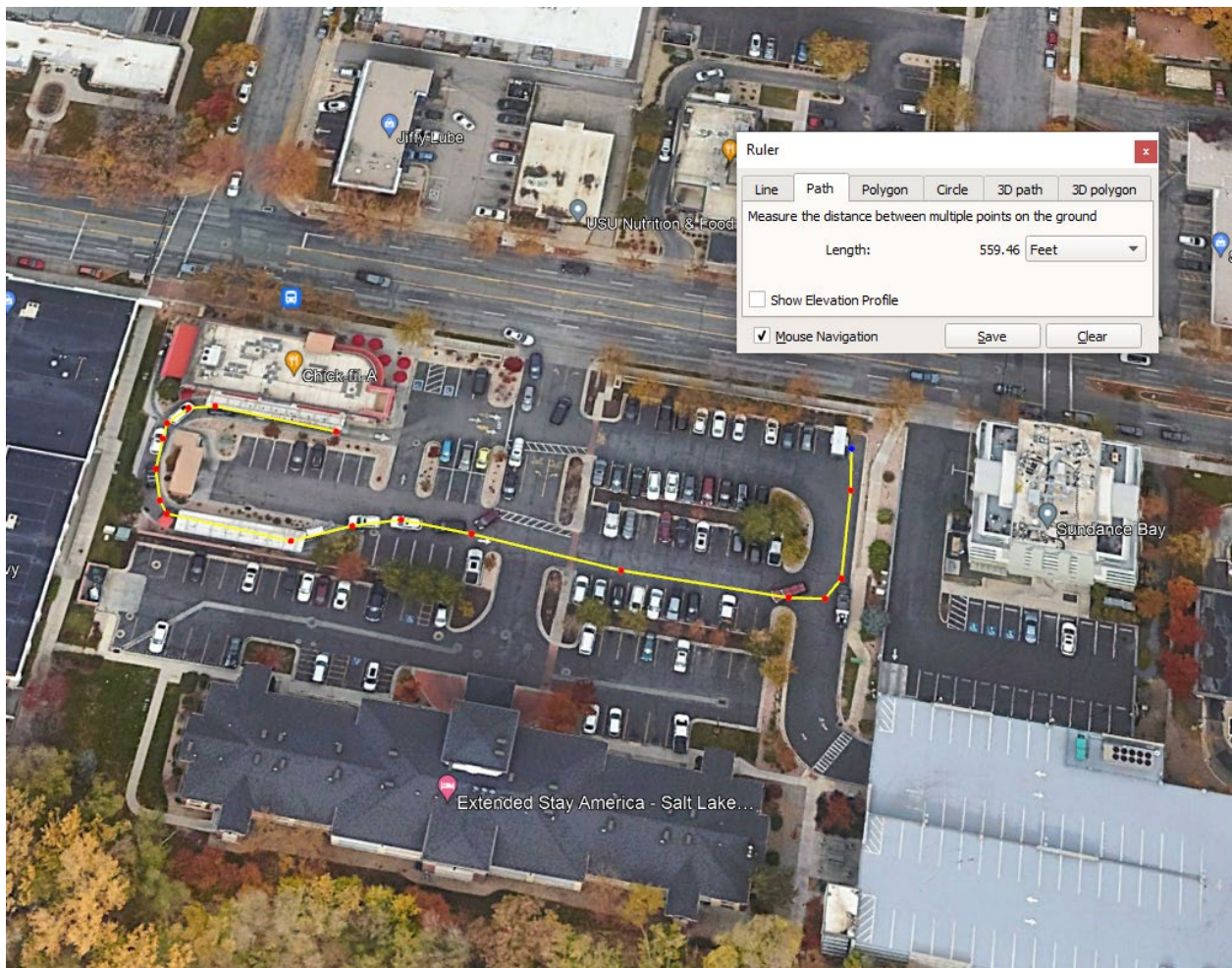
Background

The Planning Commission initiated a petition to change how drive throughs in the CSHBD zoning district are regulated in August 2022. The Commission asked that the staff come back with options for the commission to take to address the impact of drive throughs before moving forward with a proposal. This document outlines several options for the Planning Commission to consider, including a recommended option from the Planning Division. The options consider the pros and cons of each option. The primary focus was on the purpose statement of the district and whether the use furthers or detracts from the purpose statement.

The primary issue that has been identified with drive throughs is the stacking of vehicles. Stacking of vehicles is regulated by the zoning code and applies the same stacking standards to all drive throughs. The regulations do not recognize a difference between high demand drive throughs and low demand drive throughs. A high demand drive through is one that routinely exceeds the provided stacking space on the site, resulting in cars blocking public ways, including sidewalks, bike paths, and drive lanes on streets. Low demand drive throughs typically do not exceed the provided stacking space.

High demand drive throughs are typically restaurants, coffee shops, and soda shops. High volume drive throughs by their nature are primarily serving people in private vehicles. One of the key standards is the amount of space for stacking vehicles waiting to be served through the drive through. There is evidence within the business district and in other parts of the city where high volume restaurants and coffee shops with drive throughs are creating hazards for people using the sidewalk, bicycle lanes, and vehicle travel lanes. This occurs when the use of the drive through exceeds the maximum space for stacking of vehicles on their site, which results in degraded on site circulation, blocking of sidewalks by vehicles, and vehicles blocking the streets. When this happens, the use is not aligned with the purpose statement of the zoning district.

If the stacking space required increases to reduce the impact of vehicle stacking, it increases the amount of land needed for the use. The existing drive through restaurant on 2100 South and about 1200 East recently expanded their stacking length to approximately 560 feet, enough to accommodate approximately 28 vehicles. This facility still sees vehicles queuing in the street at peak times. The result is an auto-oriented development with most of the land being used for the storage and stacking of vehicles instead of other land uses. Buildings tend to cover a small percentage of the lot, which decreases taxable value and reduces taxable income for the city.



There are clear differences between drive throughs that are high demand versus low demand. Financial institutions and pharmacies for example rarely see vehicles stacking outside of the provided stacking lanes. It is worth noting that these drive throughs also make it easier for people to carry out daily tasks when they are not as mobile as others. The CSHBD already has multiple drive throughs for financial institutions and pharmacies. Maintaining those facilities could retain the ability of people with disabilities to receive equitable access in the district.

For reference, the drive through standards are attached to this document in a table format that also includes a short analysis of the standard based on the degree that it can be administered.

Staff Recommended Option: Prohibit the use in the CSHBD zoning district

This option would delete the “P” for permitted use in the land use tables. This would result in the use not being permitted. This option has several variations that could be considered. The P could be removed for restaurants and coffee shops while remaining as either a P or a C for financial institutions and retail, which tend to have lower volumes using a drive through based on the lack of complaints regarding these uses.

The benefits of this include:

- The modification is simple and only involves a few different uses in the land use tables.
- The variations can address the drive throughs that require lengthy vehicle stacking while recognizing that drive throughs that don’t require lengthy stacking uses may be able to fit into the business district.
- Future drive-throughs would be prohibited.

The primary concern with this is that it makes existing drive throughs non-conforming uses. When non-conforming uses remain in high demand, they tend to stay in place and do not change over to other uses. Existing drive throughs that are not currently in high demand can turn over into drive throughs with higher demands, such as a bank being converted to a restaurant or coffee shop. This has happened in several locations in the city and created stacking issues. This could be addressed by adding a standard to address change of use from one drive through to another types of use with a drive through, such as prohibiting a drive through for a financial institution being converted to a drive through for a restaurant or coffee shop. This would likely require creating a separate stacking standard for low demand drive throughs and high demand drive throughs.

Other Options

Option 1: Modify existing standards to address known issues.

Under this option, the Planning Division would analyze the known impacts created by drive throughs in the CSHBD zoning district and determine how the current standards could be modified to reduce impacts.

The benefits of this approach include:

- Only one section of code is modified.
- Known issues are relatively easy to identify and update.
- Subjective regulations related to drive throughs can be modified to be objective and measurable to produce more consistent outcomes and improve predictability.
- Low volume drive throughs (financial institutions, pharmacies) could have different standards for stacking distances than high volume drive -throughs (restaurants and coffee shops).

The primary concern with making these changes is that it would likely impact all drive through facilities in the city. This greatly expands the scope of the work in terms of outreach and engagement. It is highly unlikely to be able to update the stacking requirements to address high demand restaurants that block portions of public streets. This is evident by the example used earlier of a restaurant reconfiguring their entrances and drive aisles to stack more vehicles on site and still blocking the streets.

This approach may not align with the purpose statement of the CSHBD zoning district or the Sugar House Community Plan policies for the Sugar House Central Business District.

Option 2: Allow the use as a conditional use.

This option would include modifying the land use tables by changing the “P” for permitted to a “C” for conditional. This would require conditional use approval for any future drive through. This option may include a variation that include making high volume drive throughs conditional and low volume drive throughs as permitted.

The benefits of this approach include:

- The modification is simple and requires minimal staff work.
- It retains a potential use for property owners.

- It allows the Planning Commission to modify proposed site plans to address detrimental impacts.

The main issue with the conditional use option is that it does not change the nature of the use as an auto-oriented development. A development that goes through the conditional use process could potentially lead to more land being devoted to vehicle stacking to mitigate a negative impact, as discussed under option 1. This creates a further separation from the purpose statement and creates similar issues as what is identified.

Option 3: Allow the use as a conditional use with modified standards.

This option essentially combines both options 1 and 2. It has the same benefits, but also the same concerns.

Staff Recommendation: staff does not recommend this approach because it does not result in the use aligning with the purpose statement of the zoning district.

Option 4: No changes.

This option would leave regulations as is. This is counter to the purpose of the district. Evidence exists within the district that the current regulations create impacts that are detrimental to the district. However, there are clear differences between high demand drive throughs and low demand drive throughs. The challenge is trying to figure out if a future use will be in high demand or low demand. For example, some restaurant drive throughs do not create the same impacts as others. Regardless, the current stacking standards are inefficient for high demand drive throughs.

Staff recommendation: staff does not recommend taking this approach.

Drive Through Standards

	Standard	Comment
B.1	These regulations shall apply to all new drive-through facilities, any rebuild or replacement of an existing structure containing a drive-through facility or modification to an existing building that includes altering the location of an existing drive-through window, expands the floor area by twenty five percent (25%) or more of the gross floor area or one thousand (1,000) square feet, whichever is less and/or the parking requirement increases as required by this title. The complete replacement of a building containing a nonconforming drive-through is subject to chapter 21A.38 , "Nonconforming Uses And Noncomplying Structures", of this title.	Could be improved by addressing changing from one type to another type of drive through. (i.e. financial institution to restaurant or coffee shop)
D1	These standards ensure that there is adequate on-site maneuvering and circulation areas, ensure that stacking vehicles do not impede traffic on abutting streets, and that stacking lanes will not have nuisance impacts on abutting residential lots.	
D1a	a. Gasoline Pumps: A minimum of thirty-six feet (36') of stacking lane is required between a curb cut and the nearest gasoline pump;	This could be improved with a diagram.
D.1(b)(1)	Primary Facilities: A minimum of one hundred twenty feet (120') for a single stacking lane or sixty feet (60') per lane when there is more than one stacking lane, is required for all other drive-through facilities. A stacking lane is measured back to the point of service or final service window. Stacking lanes do not have to be linear.	As demonstrated by high-volume drive throughs, this is not enough to prevent vehicles from queuing into the street. Consider separate standard for low volume uses (financial institutions)
D.1(b)(2)	Accessory Facilities: A stacking lane is not required for accessory facilities where vehicles do not routinely stack up while waiting for the service. Examples are window washing, air compressor, and vacuum cleaning stations;	No changes needed
D.1(c)	Stacking lanes must be designed so that they do not interfere with parking and vehicle circulation;	Need to clarify. Stacking lanes shall not block parking stalls, drive aisles, or driveways and cannot extend into a street.
D.1(d)	Stacking Lanes Identified: All stacking lanes must be clearly identified, through the use of means such as striping, landscaping, and signs.	No changes needed.
D.2(a)	Only one driveway providing vehicular access to and from the drive-through window or service area shall be provided from any street;	This may need to be evaluated to determine if it creates more impacts then having a direct exit for the drive-through by using an exit only driveway.

Standard		Comment
D.2(b)	The driveway providing access to the service windows shall be at least fifty feet (50') from the back of the curb of an intersecting street measured to the centerline of the proposed driveway;	May also want to include egress. Fifty feet may not be enough separation.
D.2(c)	Internal traffic circulation patterns on the lot shall be adequate to keep traffic from backing into a street or blocking access to any required parking spaces located on the lot;	Repetitive with D.1(c)
D.2.(d)	A traffic study addressing both on-site and off-site traffic and circulation impacts may be required as part of a permit application for a drive-through facility.	This should be updated to relate to known volume of other uses operated by the same chain or similar uses in the region that create traffic and/or safety issues to be clear on the factors that trigger a study. However, there needs to be some direction on what to do if there is an impact, such as requiring longer stacking lanes. Just saying you need a study, with no real direction on what to do if there impacts, is too subjective. This should say that if the needed stacking creates impacts, the use can be denied.
D.3	Noise emitted from drive-through service windows and related features (such as remote ordering equipment at outdoor menu boards at fast food restaurants) shall not exceed the levels as established by the Salt Lake Valley Health Department. Noise generating equipment includes, but is not limited to, items such as speakers, mechanical car washes, vacuum cleaners, and exterior air compressors.	No changes
D.4	Air Quality: Drive-through facilities shall post Idle Free signs pursuant to title 12, chapter 12.58 of this Code.	A policy question should be answered regarding the pollution from idling cars and the length of a stacking lane and whether the use should be allowed or prohibited. It is likely impossible to enforce idling vehicles through zoning, so there should be strong consideration of prohibiting the use in districts where walkability is part of the purpose of the zoning district.
D.5(a)	Direct pedestrian entry through the front of the building shall be provided from public streets and sidewalks to the building entrance. Crossing driveways, stacking lanes or parking areas shall be avoided.	Avoided should be changed to prohibited.
D.5(b)	Well articulated pedestrian routes and zones shall be provided on the site, linking building entrances and parking areas.	“Well articulated” needs to be better defined with specific regulations on

Standard		Comment
		how to do that or the standard deleted. It is too subjective.
D.5(c)	Decorative paving, or similar material, complemented by landscaping, shall be used where appropriate to delineate these linkages.	This is somewhat subjective and should be improved. (b) and (c) could be consolidated and be made more specific.
E	Findings Required For Approval: The approval of a drive-through facility shall require that the review authority first make all of the following findings:	Findings like these are difficult for permitted uses. Instead, there should be specific standards that address these findings and the findings themselves removed. If these findings are necessary, all drive throughs should be conditional use so that the findings can be addressed through a defined process.
E.1	The proposed location of the drive-through facility will not result in adverse impacts upon the vicinity after giving consideration to a litter cleanup plan, the hours of operation, noise and light generation, traffic circulation, and the site plan;	This finding is essentially the same as a conditional use standard, but as written would apply to permitted uses as well. This creates too subjective of an interpretation.
E.2	The proposed parking and circulation plan will provide adequate area for safe stacking and maneuvering of vehicles, and the site design will provide adequate buffering of the use from adjoining land uses;	This should be reflective in a standard with stacking and circulation or a standard for a conditional use, but it doesn't work well with a permitted use because it is too subjective.
E.3	When a drive-through use adjoins any residentially used or residentially zoned property, a minimum six foot (6') high masonry wall or solid fence shall be erected and maintained along such property line;	No changes needed.
	The site plan meets the accessibility standards required in this section.	This is already required in the zoning code and is not necessary.

ATTACHMENT D: Analysis of Standards

ZONING TEXT AMENDMENTS

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 deciding to amend the zoning text, the City Council should consider the following:

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.

The proposed amendments are consistent with the goals and policies of the City's plans. The amendments to the zoning code are in-line with the policies found in the Sugar House Master Plan and Plan Salt Lake, as discussed under Key Consideration #1. The proposed zoning code regulations are intended to ensure that future development helps achieve the general policies and goals in these plans that speak of reducing automobile dependency and single occupancy vehicle trips. Prohibiting drive-through facilities in the district will contribute towards achieving the vision of a "pedestrian-first" policy for the Sugar House Business District zone and may support other policies related to supporting small and locally owned businesses.

2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance.

The proposed text amendment is consistent with the stated purpose of promoting a walkable community, as outlined in "Key Considerations" section of the staff report.

21A.02.030 Purpose and Intent

The proposal generally furthers the purpose and intent of the zoning ordinance: *"to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Salt Lake City."* As discussed in the Key Considerations section of this report, the proposed amendment is intended to promote health and safety by reducing conflict between automobiles and pedestrians, by improving air quality, and by promoting healthy lifestyles. The proposal promotes convenience and order by seeking to reduce potential right-of-way obstructions to allow a more predictable traffic pattern. The proposal promotes prosperity and welfare by encouraging development patterns that have been shown to increase tax revenue, provide more goods and services, and decrease the City's maintenance costs.

Zoning District Purpose

The proposal generally furthers the purpose statement of the CSHBD zone: *"The purpose of the CSHBD Sugar House Business District is to promote a walkable community with a transit oriented, mixed use town center that can support a twenty-four (24) hour population. The CSHBD provides for residential, commercial and office use opportunities, with incentives for high density residential land use in a manner compatible with the existing form and function of the Sugar House master plan and the Sugar House Business District."* The proposal seeks to encourage the future development of the district as a walkable community by limiting auto-centric

development patterns and reducing potential conflict points when drive-through facilities make walking difficult by blocking the streets and sidewalks.

Amendments Purpose Statement

Section 21A.50.010 states: *“The purpose of this chapter is to provide standards and procedures for making amendments to the text of this title and to the zoning map. This amendment process is not intended to relieve particular hardships nor to confer special privileges or rights upon any person, but only to make adjustments necessary in light of changed conditions or changes in public policy.”* The proposal is consistent with the purpose statement of the amendment process because it does not relieve any hardships for any specific person. The purpose of the amendment is to align the regulations of the CSHBD with the public policy statements contained in the applicable master plans and the purpose statement of the district.

4. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.

There are no overlays applicable to this area that are being impacted by the proposed changes.

5. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

Sustainability

By limiting future automobile-dependent uses in the district, the proposed amendment will contribute towards creating a unique district with decreased air pollution and vehicle traffic. The proposed amendment will also help to reduce vehicle emissions by limiting the number of locations in the district where vehicles routinely idle their engines as part of regular business operations.

Equity

When considering ways in which the City can promote equitable access to services and amenities, it is important to note that many Salt Lake City residents may not have access to a personal automobile due to their age, ability, economic circumstances, or personal preference. The proposed amendment will promote greater equity in the city, by planning for walkable communities as a way to ensure that the city is a welcoming place for those who do not have access to a vehicle. Car-oriented uses will still be available as nonconforming uses, in adjacent neighboring areas and in other forms permitted in the district, like pick up dedicated stalls.

Growth & Opportunity

The proposed amendment would implement best practices in growth and opportunity by limiting automobile-dependent uses and encouraging residents and visitors to spend time walking in the district and positively contributing to a vibrant mixed-use pedestrian-oriented area. Walkable neighborhoods have been shown to increase tax revenue, provide more goods and services, and decrease maintenance costs when compared to drivable suburban areas, as discussed in Key Consideration 3.

ATTACHMENT E: Public Process & 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 since the applications were submitted:

- Feb. 17 – Apr. 3, 2023 – The project was posted to the Online Open House webpage.
- February 17, 2023 – The Sugar House Community Council and Sugar House Chamber of Commerce were sent the 45-day required notice for recognized community organizations.
- March 1, 2023 – Property owners and tenants within the CSHBD1 and CSHBD2 boundaries were mailed an early notification of the proposal. One email comment was received.
- March 20, 2023 – Staff presented the proposed changes to the Sugar House Community Council’s Land Use and Zoning Committee.
 - In general, the committee agreed on the need for a change related to drive-through facilities in the area but had some questions and concerns about whether or not all drive-through uses needed to be prohibited and whether the amendment would have a negative effect on businesses. Staff has provided a response to these concerns in the Key Considerations section of this report.

Notice of the public hearing for the proposal included:

- April 14, 2023
 - Public hearing notice mailed.
 - Public notice posted on City and State websites and Planning Division list-serve.

Public Input:

Staff received comments from three Sugar House residents in favor of the proposal and one comment from a nearby business owner opposed to the proposal. The opposing comment was linked to concerns about the continued need to serve the Sugar House residents and visitors who are dependent on vehicular use, potential parking issues, and the possibility of unintended consequences. The comment has been attached for reference. All comments received have been attached for Planning Commission review. Any comments received after the publishing of this staff report will be forwarded to the Planning Commission for consideration.

From: [Judi Short](#)
To: [Hulka, Andrew](#)
Subject: (EXTERNAL) Fwd: Drive-Through Zoning Text Amendment
Date: Monday, March 20, 2023 5:02:16 PM

Just wanted to be sure you got this. Don't know if any other businesses have sent in comments.

Judi Short, First-Vice Chair and Land Use Chair
Sugar House Community Council



----- Forwarded message -----

From: Landon Clark <[REDACTED]>
Date: Wed, Mar 15, 2023 at 12:13 PM
Subject: Fwd: Drive-Through Zoning Text Amendment
To: Judi Short <[REDACTED]>

Thought you would want to see this

----- Forwarded message -----

From: Wade Olsen <[REDACTED]>
Date: Wed, Mar 15, 2023 at 11:43 AM
Subject: Drive-Through Zoning Text Amendment
To: [REDACTED] <[REDACTED]>, sugarhousechamber@gmail.com <sugarhousechamber@gmail.com>

Brandon, Erika and Landon,

After review of the proposed text amendment, Dee's disagrees with staff's recommendations to prohibit future drive-through uses.

Dee's has been doing business in Sugar House for many years. From my grandfather's restaurants to our new offices on Wilmington Avenue, Dee's is glad to be associated with other businesses that currently call Sugar House their trade area. Over the years, Sugar House has been built and rebuilt, but among other contributors, Interstate 80 and the I-15 connection, make Sugar House become one of the most sought-after neighborhoods in the city. Dee's supports better public transit and has pushed for the S-Line expansion, however, Sugar House is attractive to many due to easy vehicular freeway access. Sugar House attracts employers, locals and world visitors due to shopping, hospitality, recreation and restaurants. While the

CSHBD Purpose Statement says, “the purpose of the CSHBD Sugar House Business District is to provide a walkable community with a transit orient, mixed use town center that can support a twenty-four (24) hour population,” residents and visitors to Sugar House are still overwhelmingly dependent on vehicular use.

Staff’s Memorandum, dated November 9, 2022 has good insights and Dee’s agrees with the majority of the content, however, Dee’s provides the following for consideration and discussion:

- Keeping drive-throughs and the CSHBD Purpose Statement are not wholly opposing views.
- In the absence of drive-through options, businesses will look to drive-up or quick-serve options. These options increase the parking requirements for the area and can cause issues similar to stacking.
- COVID showed the need for businesses to have alternate sales options.
- The stacking for Sugar House Chick-fil-a is not indicative of most drive-throughs. A single data point should not lead to an, “all or nothing” policy that is difficult to reverse in the future.
- As land prices increase, drive-throughs tend to disappear. Prohibiting drive-throughs is an artificial market change that may lead to unintended consequences.
- If drive-throughs are prohibited, tax revenue may be delayed in perpetuity for the current drive-through parcels. The current locations will become more valuable, postponing natural redevelopment.

While not the easiest process, drive-through operators, city officials, developers and residents can create new and upgraded requirements for new high and low demand drive-through sites. Dee’s encourages the Sugar House Chamber and the Sugar House Community Council to oppose staff recommendations and keep drive-through options available.

Thank you,

Wade Olsen

President, Dee's, Inc.

1136 East Wilmington Avenue, Suite 200

Salt Lake City, Utah 84106

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GO UTES!

From: [Joyce Marder](#)
To: [Hulka, Andrew](#)
Subject: (EXTERNAL) PLNPCM2023-00026
Date: Monday, March 20, 2023 5:04:25 PM

I think preventing drive-through facilities is *essential* in order to enhance safety and maintain some semblance of traffic flow on 2100 South, especially considering the plan to reconfigure the road.

Joyce Marder
1530 E Logan Ave 84105
8014672935

From: [Aline Devaud](#)
To: [Hulka, Andrew](#)
Subject: (EXTERNAL) Comments regarding restriction of drive-through a in the Sugar House area
Date: Wednesday, March 22, 2023 7:43:31 AM

Hello.

I definitely support restricting drive-throughs in the Sugar House area. Sugarhouse has been so impacted by new buildings, construction and increased traffic than anything that would help reduce the amount of cars driving, idling or stopped would be an improvement.

If there are any plans in the works to make Sugarhouse a pedestrian area only, I would support this too. Having an area similar to the pedestrian mall in Boulder, Colorado would be very nice.

I encourage Salt Lake City Council to make as many improvements as possible to reduce the amount of noise in the city.

Thank you for reading my comment, Aline Devaud
2606 E. Simpson Avenue
Salt Lake City, 84109

From: [Suzanne Stensaas](#)
To: [Hulka, Andrew](#)
Cc: [Judi Short](#)
Subject: (EXTERNAL) I want to voice support of no new drive thrus in sugar house
Date: Wednesday, March 22, 2023 10:32:58 AM

I favor this primarily for the carbon the cars idling emit. It is an air quality issue in a badly polluted valley. NO more new drive thrus or conversions. It would be ideal to terminate use of drive thru if the property sells.

Ideally, I would like the current drive-thrus banned. Two horrible examples are the Chick-fila in Sugar House that backs up traffic on 2100 South and the Starbucks in Foothill Village that backs up onto 2300 East so you cannot enter the shopping village. Pharmacies can bring drugs out to cars just as grocers do. With the pandemic we learned to park, call and have groceries, books, take-out, almost everything brought to a parked car.

Suzanne S. Stensaas
2460 Lynwood Drive
Salt Lake City, Utah 84109, USA
Home, land line [REDACTED];
Skype: [REDACTED]
email: [REDACTED]

From: [Lynne Olson](#)
To: [Hulka, Andrew](#)
Subject: (EXTERNAL) Support for prohibiting drive-thru uses in CSHBD1 and CSHBD2
Date: Monday, April 3, 2023 3:54:16 PM

ATTN Andy Hulka
Salt Lake City Planning Division

I support the prohibition of future drive-thru uses in the Sugar House Business District 1 and 2. Drive-thru's are clearly opposite to the walkability standards for the Business District as stated in the Community Master Plan and all planning and designs documents that relate to the business district.

In addition, the drive-thru's that are currently in place frequently draw lines of waiting vehicles that prevent access to adjacent businesses or destinations, and endanger pedestrians and bicyclists who attempt to cross those lines to get their destinations.

I urge the Planning Commission to prohibit drive-thru's in future development plans.

Respectfully,

Lynne Olson

1878 Lincoln St, 84106

From: [Lynn Schwarz](#)
To: [Hulka, Andrew](#)
Subject: (EXTERNAL) Drive-Through Zoning
Date: Sunday, April 9, 2023 8:32:39 AM

I strongly support the this zoning change. Drive-throughs should not be permitted for restaurants and fast food establishments. However, I think there is a use for drive-throughs for banks and pharmacies, as their detrimental effects tend do not be as great and can be mitigated. If proper stacking arrangements can be mandated, effects from these uses can be mitigated as their wait times tend to be substantially less than food-based uses. We have seen the traffic problems caused by drive-through use by food-based uses in several cases in our area. These continue even with many solutions that have been tried. Along with traffic issues are air pollution problems. Salt Lake City has anti-idling rules that are routinely violated by cars waiting for fast food orders. A car can be idling for 20 minutes or more during busy times and this is not just one car, but all of them in the queue. Also, it seems antithetical to Salt Lake City's push for a less car-centric city to have zoning uses that encourage car use. Some concerns have been raised that during health emergencies like Covid, ad hoc drive through arrangements kept many places in business and prohibiting them would have been a death knell for them. This can be addressed by a provision that during a delared health emergency, non-permanent drive-through arrangements could be allowed for the duration of the emergency.

ATTACHMENT F: Department Review Comments

This proposal was reviewed by the following departments. Any requirement identified by a City Department is required to be complied with.

Building: Todd Christopher // todd.christopher@slcgov.com // 801-535-7918

No comments.

Business Licensing: Jennifer Madrigal // Jennifer.madrigal@slcgov.com // 801-535-6473

Business licensing does not have any concerns; the application process goes through zoning review prior to issuance.

Engineering: Scott Weiler // scott.weiler@slcgov.com // 801-535-6159

SLC Engineering defers to SLC Transportation on traffic planning issues.

Fire: Doug Bateman // douglas.bateman@slcgov.com // 801-535-6619

No fire code comments at this time. Comments may arise with any permit applications and document review for code compliance.

Public Utilities: Kristeen Beitel // Kristeen.beitel@slcgov.com // 801-483-6733

There are no utility specific issues with this proposed zoning text amendment, so Public Utilities has no comments.

Transportation:

No comments received.

Urban Forestry: Rick Nelson // rick.nelson@slcgov.com // 801-972-7818

Urban Forestry has no objections to this proposal.