
MEMORANDUM

DATE: December 3, 2004
TO: City Council Members
FROM: Russell Weeks
RE: Proposed Ordinance to Amend Salt Lake City *Zoning Ordinance* to Allow Car Wash Facilities in the Downtown D-2 Zoning District, Pursuant to Petition No. 400-04-32
CC: Cindy Gust-Jenson, Rocky Fluhart, David Dobbins, Louis Zunguze, Gary Mumford, Everett Joyce, Alison McFarlane, Janice Jardine

This memorandum is intended to address issues involving a proposed ordinance to amend the Salt Lake City *Zoning Ordinance* to allow car wash facilities in the Downtown (D-2) zoning district pursuant to Petition No. 400-04-32. The City Council received a briefing on the proposed ordinance at its November 9 work session and forwarded the ordinance for a public hearing and formal consideration. The Council raised no questions or concerns during the briefing to warrant changing the initial City Council staff memorandum, of which the contents appear below.

OPTIONS

- Adopt the proposed ordinance.
- Deny the petition.

POTENTIAL MOTIONS

- I move that the City Council adopt an ordinance to amend the Salt Lake City Zoning Ordinance to allow car wash facilities in the Downtown D-2 zoning district pursuant to Petition No. 400-04-32.
- I move that the City Council deny Petition No. 400-04-32.

ISSUES/QUESTIONS FOR CONSIDERATION

- The petition began as a request from one business to amend the Zoning Ordinance, but the proposed amendment's effect would be to allow car wash facilities in an area encompassing roughly 20 blocks. What is the potential for other car wash facilities to locate in the area?
- According to the petition, the petitioner, Ken's Automotive Service, is seeking the proposed amendment as part of an expansion of an existing business.

KEY POINTS

- The Planning Commission voted 5-2 to forward a favorable recommendation of the proposed ordinance to the City Council.
- The proposed ordinance would amend the Zoning Ordinance's table of permitted uses to allow car wash facilities as a permitted use in the D-2 zoning district. However, the table would carry a footnote that says the following, "Any car wash located within 165 feet (including streets) of a residential use shall only be permitted as a conditional use."
- According to Planning Commission minutes that are part of the transmittal, Planning Division staff recommended that car washes located within 165 feet of a residential use be conditional uses for two reasons. First, typical small commercial lot depth in the D-2 zone is 165 feet. Second, the proposed conditional use requirement of residential uses within 165 feet plus the 165-foot lot depth "would ensure" that if someone proposed to build a car wash next to residential uses, even residential uses in the interiors of blocks would receive a review through a conditional use process. (Planning Commission minutes, Page 1.)
- According to the Administration transmittal, amending the table of permitted uses to allow car washes in the D-2 zoning district "would help complete the package" of permitted automotive uses in that zoning district. (Planning Commission minutes, Page 2.) Permitted automotive uses in the D-2 zoning district include: gas stations with accessory retail sales or minor automotive repair; automotive shops for major and minor repairs; commercial parking garages; and automotive sales and rental services. The last item is listed as a conditional use for the D-2 and D-1 zoning districts. Gas stations, automotive repair shops, and commercial parking garages are listed as permitted uses in the D-2 zoning district, but as conditional uses in the D-1, D-3, and D-4 zoning districts.

BACKGROUND/DISCUSSION

In the *Zoning Ordinance* the "purpose statement" for the D-2 zoning district says, "The purpose of the D-2 Downtown Support Commercial District is to accommodate commercial uses and associated activities that relate to and support the Central Business District but do not require a location within the Central Business District. Development within the D-2 Downtown Support Commercial District is also less intensive than that of the Central Business District."

The D-2 zoning district's borders resembles a fat horseshoe with a southern border of roughly 1000 South, and eastern border of 200 East Street, and a western border of roughly 350 West. The borders of the shoe's interior from west to east roughly are 400 South, 200 West, 250 South, State Street, and 500 South. (Please see attached map listed as *Exhibit 1* in the Planning Division's staff report to the Planning Commission.)

As mentioned previously, the owner of an existing business at 624 South 300 West would like to add car wash facilities as part of expanding the business. According to the Planning Division staff report (Page 4, top), the proposed text amendment "does not deal with specific or physical attributes of a particular facility or property." The report goes on to say, "A car wash is a functional element that contributes to the overall character of general commercial neighborhoods. The report lists the following zoning districts where car wash facilities are permitted uses – commercial corridor, commercial general, and community shopping. The report

notes that two car washes – one at 672 South West Temple, the other at 777 South 300 West – already are within the D-2 zoning district because they were there before the City created the zoning district in 1995.

It should be noted that one of the Planning Commissioners voiced concerns that car washes could locate on sites in the D-2 zoning district that would be better used for residential purposes, particularly in the zoning district east of State Street. (Planning Commission minutes, pages 3 and 4.) Other Commissioners contended that the price of land east of State Street would limit the potential of buying land for car washes and that car washes generate activity that may help areas improve.