SALT LAKE CITY COUNCIL STAFF REPORT

DATE:	May 28, 2004
SUBJECT:	Petition 400-03-04 – Mr. James Moyle – request to amend the text of the Zoning Ordinance Table of Permitted and Conditional Uses for Manufacturing Districts
AFFECTED COUNCIL DISTRICTS:	If the ordinance is adopted the text amendment will affect Council Districts citywide
STAFF REPORT BY:	Janice Jardine, Land Use Policy Analyst
ADMINISTRATIVE DEPT. AND CONTACT PERSON:	Community Development Department, Planning Division Ray McCandless, Principal Planner

POTENTIAL MOTIONS:

1.["I move that the Council"] Adopt an ordinance amending the Zoning Ordinance Manufacturing Districts (M-1 and M-2) Table of Permitted and Conditional Uses to allow caretaker and security guard residences as a conditional use.

2.["I move that the Council"] Not adopt the proposed ordinance amending the Zoning Ordinance Manufacturing Districts (M-1 and M-2) Table of Permitted and Conditional Uses to allow caretaker and security guard residences as a conditional use.

The following information was provided previously. It is provided again for your reference.

KEY ELEMENTS:

A. The proposed zoning text amendment would allow caretaker and security guard residences as an accessory to a principal use on lots 1 acre in size or larger as a conditional use in the M-1 and M-2 Manufacturing Districts. An ordinance has been prepared for Council consideration. This action would facilitate construction of a proposed storage unit complex with an on-site security guard residence on 2.2 acres located at 1535 North Beck Street. The proposed text change would also apply citywide to properties zoned Manufacturing M-1 or M-2.

B. The Planning Commission voted to recommend to the City Council the Zoning Ordinance text amendment as recommended by Planning staff with no modifications. No major issues were identified at the Planning Commission hearing. Mr. Moyle indicated to the Planning Commission that he would not be able to move forward with the project if there is no option to provide on-site security.

C. Key points from the Administration's transmittal and the Planning staff report are summarized below:

1. Caretaker and security residences are allowed as a permitted use with no acreage restrictions in all Commercial districts, Gateway Mixed Use GMU, Mixed Use MU, Institutional I, Urban Institutional UI, Research Park RP, Business Park BP and Public Lands PL zoning districts.
2. Currently, the Manufacturing districts allow caretaker and security residences as a permitted use on properties 4 acres in size or larger.
3. The current minimum lot size for permitted and conditional uses in the Manufacturing M-1 and M-2 is 20,000 sq. ft. The current 4 acre minimum lot size requirement for caretaker and security residences is excessive.
4. The current 4 acre requirement was likely implemented to limit the number of residential uses in the Manufacturing districts due to the potential incompatibility of the two land uses.
5. A caretaker or security residence is not an uncommon accessory use in commercial or industrial areas.
6. Requiring a 1 acre minimum lot size and specifying that the use be accessory to a principal use would prevent property owners from using this provision to build homes in the Manufacturing districts.
7. The conditional use process and standards allow review of each new proposal on a case-by-case basis to ensure compatibility with existing uses and the surrounding area.
8. Caretaker and security residences would improve neighborhood security by having "eyes on the street" after hours.

D. The appropriate City Departments and Divisions have reviewed the request. Future development proposals will be required to comply with City standards and demonstrate that there are adequate services to meet the needs of the project. The Police Department representative indicated that an on-site manger residence may help to discourage negative or illegal activities.

E. The public process included written notification of the proposed text changes and the Planning Commission public hearing mailed to the Community Council Chairs. One response was received from the Capitol Hill Community Council indicating support for the proposed text change and the proposed storage facility.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR THE ADMINISTRATION:

A. Council Members may wish to discuss with the Administration other potential areas citywide or zoning classifications that may be considered for allowing caretaker and security residences either as a permitted or conditional use. For example, caretaker and security residences are currently allowed as a permitted use with no acreage restriction in the Gateway Mixed Use GMU zone but, not in the Downtown zoning classifications. The D-3 – Downtown Warehouse/Residential District is applied to properties surrounding the Gateway Mixed Use zone. Warehouses and mini warehouses are among the types of permitted uses allowed in this district but, caretaker and security residences are not included as a permitted or conditional use.

MASTER PLAN AND POLICY CONSIDERATIONS:

A. The Administration's transmittal notes:
   1. There are no general plan policies specific to minimum lot sizes for caretaker or security residences in the Manufacturing zoning districts.
   2. Although the City's Community Master Plans generally do not support residential uses in industrial areas, caretaker and security guard residences are generally accepted exceptions.
   3. The upkeep and improvement of the City's industrial areas is encouraged in several of the Community Master Plans.

B. The Council's growth policy notes that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
   1. Is aesthetically pleasing;
   2. Contributes to a livable community environment;
   3. Yields no negative net fiscal impact unless an overriding public purpose is served; and

4. Forestalls negative impacts associated with inactivity.

C. The City's Strategic Plan and the Futures Commission Report express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting, but not at the expense of minimizing environmental stewardship or neighborhood vitality. The Plans emphasize placing a high priority on creating attractive conditions for business expansion including retention and attraction of large and small businesses.

D. The City's 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities.

CHRONOLOGY:

The Administration's transmittal provides a chronology of events relating to the proposed Zoning Ordinance text amendment. Key dates are listed below. Please refer to the Administration's chronology for details.

- September 10, 2003 Letters sent to Community Council Chairs providing the proposed ordinance changes
- December 10, 2003 Planning Commission hearing

cc: Sam Guevara, Rocky Fluhart, DJ Baxter, Ed Rutan, Lynn Pace, Lee Martinez, David Dobbins, Orion Goff, Louis Zunguze, Brent Wilde, Doug Wheelwright, Ray McCandless, Marge Harvey, Barry Esham

File Location: Community Development Dept., Planning Division, Zoning text change, James Moyle, 1515/1525 North Beck Street