



## Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

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# Kearns Metro Township Planning Commission

Public Meeting Agenda

**Monday, March 11, 2019 5:30 P.M.**

## Location

KEARNS ATHLETIC TRAINING AND EVENT CENTER  
5658 SOUTH COUGAR LANE  
MEETING ROOM  
(385) 468-6700

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

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

## **BUSINESS MEETING**

- 1) Approval of Minutes from the January 14, 2019 meeting
- 2) Other Business Items (as needed)

## **PUBLIC HEARINGS**

**30882** – An application to adopt a new chapter to the Kearns Metro Zoning Ordinance to create two “public facilities” zones, the PF and PI zones, as zoning in which public uses like parks, schools, recreation centers, civic buildings, churches, utility buildings, and similar uses are allowed. **Planner:** Curtis Woodward

**30869-** Atlas Towers/Ken Bradtke is requesting approval of a Conditional Use – Monopole Cell Tower and Equipment Building. **Acreage:** 1.26 acres. **Location:** 5408 South 5600 West. **Zone:** C-2. **Planner:** Diana Martinez

## **ADJOURN**

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**MEETING MINUTE SUMMARY  
KEARNS METRO TOWNSHIP PLANNING COMMISSION MEETING  
Monday, January 14, 2019 5:30 p.m.**

**Approximate meeting length:** 35 minutes

**Number of public in attendance:** 11

**Summary Prepared by:** Wendy Gurr

**Meeting Conducted by:** Commissioner Robertson

**\*NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

**ATTENDANCE**

**Commissioners and Staff:**

Commissioners	Public Mtg	Business Mtg	Absent
Jeff Robertson	x	x	
Joy Nelson	x	x	
Jerry Wellman	x	x	
Bruce Walton	x	x	
Joe Hatch	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Curtis Woodward	x	x

**BUSINESS MEETING**

**Meeting began at – 5:33 p.m.**

- 1) Approval of Minutes from the December 10, 2018 meeting.

**Motion:** To approve minutes from the December 10, 2018 meeting as presented.

**Motion by:** Commissioner Hatch

**2<sup>nd</sup> by:** Commissioner Walton

**Vote:** Commissioners Voted unanimous in favor

- 2) Election of Chair and Vice Chair 2019

Election of Chair for 2019

**Motion:** To nominate Commissioner Robertson for Chair, Commissioner Robertson accepted.

**Motion by:** Commissioner Wellman

**2<sup>nd</sup> by:** Commissioner Hatch

**Vote:** Commissioners voted unanimous in favor

Election of Vice Chair for 2019

**Motion:** To nominate Commissioner Walton for Vice Chair, Commissioner Walton accepted.

**Motion by:** Commissioner Wellman

**2<sup>nd</sup> by:** Commissioner Hatch

**Vote:** Commissioners voted unanimous in favor

- 3) Other Business Items (as needed)  
*No other business items to discuss.*

## **PUBLIC HEARINGS**

**Hearings began at – 5:37 p.m.**

**30737 – (UPDATE)** - Greg Houge on behalf of Craig Gunther is requesting a rezone approval to change the zoning from M-1 to RM. **Parcel Area:** 6.537 Acres. **Location:** 4702 West 6200 South. **Zone:** M-1. **Planner:** Curtis Woodward/David D. White

*Salt Lake County Planning and Development Services Zoning Administrator Curtis Woodward provided an update and analysis to the staff report, Preliminary Market Analysis, and Mixed-Use Development Traffic Study Update.*

*Commissioner Wellman said he read the market analysis and need more places to shop, but no one would want to put a shopping mall or offices and seems to have a residential happy medium, concerns of the last 20% of property to be developed. Mr. Woodward said he has been in discussions, the Mayor is learning a lot of redevelopment of underutilized properties, business of 4700 South being used but mostly vacant and have potential. Important for leadership is go out and actively recruit people to utilize these properties, where there are properties to be developed or redeveloped and bring in businesses. Commercial businesses in the market, medium sized boxed retail is dying, big boxes, doing okay. Commissioner Walton asked regarding the potential retail, and was there an analysis of current vacancy rate, empty store fronts. Mr. Woodward said would have been more of an expensive study. Commissioner Hatch said this is a plan change from storage unit and would it be absorbed. Mr. Woodward said would be residential, 85 units and takes in to account the extra acreage.*

### **PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Applicant

**Name:** Bryan Bayles

**Address:** 1656 Equestrian Parkway

**Comments:** Mr. Bayles said it would be 85 units. Hasn't calculated the office and would like to start the process. Plan has not changed from the look. Satisfied with staff recommendation and a great project.

*Commissioner Robertson motioned to open the public hearing.*

**Speaker # 2:** Kearns Community Council

**Name:** Roger Snow

**Address:** 5977 South Parkwood Drive

**Comments:** Mr. Snow said he wondered about little piece of property designated for open space. Kearns Community Council gives a positive recommendation with staff recommendation.

*Commissioner Wellman motioned to close the public hearing, Commissioner Walton seconded that motion.*

### **PUBLIC PORTION OF MEETING CLOSED**

*Commissioners had a brief discussion regarding education with the studies, traffic is still a concern.*

**Motion:** To recommend approval of application #30737 to Kearns Metro Township council as presented with staff recommendation number one, adding M-1 zone no more than .7 acres and clarification of the legal description.

**Motion by:** Commissioner Wellman

**2<sup>nd</sup> by:** Commissioner Walton

**Vote:** Commissioners voted unanimous in favor

*Commissioner Robertson suggested looking more carefully at tax base and remaining open space and underutilized properties and resources.*

**MEETING ADJOURNED**

**Time Adjourned – 6:08 p.m.**

DRAFT



File # 30882

## Ordinance Summary and Recommendation

**Public Body:** Kearns Metro Township Planning Commission Meeting Date: March 11, 2019

**Request:** Enactment of a public facilities zone, which zoning designation will be used for schools, parks, public buildings, etc.

**Planner:** Curtis Woodward

**Planning Staff Recommendation:** Approval (with edits if applicable)

### PROJECT DESCRIPTION

The proposed ordinance will include in the Kearns Zoning Ordinance a zone specific to public uses. Currently, Public and Quasi-public uses are allowed as conditional uses in almost every zone, which creates a disconnect between the zone illustrated on the zoning map and the actual land use of properties occupied by parks, schools, churches, etc. Many jurisdictions designate these types of properties as “public use” zones on the zoning map (with corresponding zoning chapter in the ordinance). In order to make the zoning map more representative of the actual land use, we have been asked to create a public facilities zone.

### EXECUTIVE SUMMARY

The draft Public Facilities Zone has been modeled after a similar ordinance being used by Draper City. The text has been amended to more closely reflect the types of uses (including potential future uses) in Kearns, but still follows the overall layout of the Draper ordinance. Included in the Public Facilities chapter are two zones, the PF and the PI zone. The PF zone is for public and quasi-public facilities like utility buildings, churches, civic buildings, and cultural centers. The PI zone is primarily for public and quasi-public places where both indoor and outdoor sports and recreational activities. There are some uses allowed in both zones (because of overarching state and federal codes, churches and public schools, for example, are allowed in both zones). There are certain accessory uses allowed as well, to account for things such as concession stands within recreation centers.

### NEIGHBORHOOD RESPONSE

The draft ordinance is being sent to the Kearns Community Council for review. They will have an opportunity to submit comments to the planning commission.

### PLANNING STAFF ANALYSIS

As a proposed new ordinance, there are opportunities for edits and amendments if the planning commission feels that land uses should be included or excluded from the zones, or perhaps that one public facilities zone instead of

two would be more in line with the needs of Kearns. Another question to consider is whether it would be appropriate to adopt zones for specific properties at the time the ordinance is adopted or to wait until after adoption to consider rezone applications for specific parcels. If the consensus is that now is the time to rezone specific parcels, the legal notification process can be started to make it happen.

### PLANNING STAFF RECOMMENDATION

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Staff recommends the planning commission review and discuss the draft ordinance, and take one of the following actions:

1. Move to recommend approval of the public facilities zone as presented to the planning commission by the planning staff.
2. Move to recommend approval of the public facilities zone with the following amendments:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
  - (etc.)
3. Move to continue hearing and decision of the public facilities zone until \_\_\_\_\_, 2019, to allow the planning commission to consider potential amendments {and, if applicable, to allow staff to prepare maps and legal notices for properties to be zoned PF and PI}.

## **Chapter 19.20**

### **PUBLIC FACILITY ZONES**

#### **19.20.010: PURPOSE:**

Public facility zones are established to provide public or quasi-public uses.

- A. The purpose of the PF zone is to provide areas for facilities owned by public and quasi-public entities and which utilize relatively large areas of land. This zone is intended to provide immediate recognition of such areas on the official zoning map.
- B. The purpose of the PI zone is to provide areas for educational institutions, municipal uses, and athletic facilities, whether publicly or privately owned, that host organized team sports. These uses would utilize relatively large areas of land and would be established for the health and betterment of the community at large. This zone is intended to provide immediate recognition of such areas on the official zoning map.

#### **19.20.020: SCOPE:**

The provisions of this chapter shall apply to any real property located in a public facility zone as shown on the official zoning map. No building, structure or real property shall be used, and no building or structure shall be hereafter erected, structurally or substantially altered, or enlarged except as set forth in this chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this title, this code, or other laws.

#### **19.20.030: USES ALLOWED:**

- A. Permitted And Conditional Uses: Permitted and conditional uses allowed within public facility zones shall be as set forth in in section 19.20.070, table 19.20.1 of this chapter. Permitted and conditional uses are indicated by a "P" or "C", respectively, in the appropriate column. Uses not permitted are indicated by "NP". Any permitted or conditional use not shown in section 19.20.070, table 19.20.1 of this chapter shall be prohibited unless the zoning administrator determines the use is substantially the same as a permitted or conditional use.
- B. Accessory Uses: The permitted and conditional uses set forth in section 19.20.070, table 19.20.1 of this chapter shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.
  - 1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone, except as otherwise expressly provided in this title.
  - 2. No accessory use, building, or structure shall be allowed on a lot or parcel unless a permitted or conditional use has been established.
  - 3. Accessory uses in public facility zones shall include, but not be limited to, the following:
    - a. Cafeterias, dining halls and similar food service facilities when located within the main use and operated primarily for the convenience of employees, residents, clients, patients, or visitors to the main use.
    - b. Garages and off street parking areas, subject to applicable standards of chapter 19.80, "Off-Street Parking Requirements."
    - c. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the main use.
    - d. Recreational areas and facilities.
    - e. Refreshment stands and food and beverage sales located in uses involving public assembly. Solar energy systems.
    - f. Swimming pools and hot tubs.
    - g. Temporary uses, subject to applicable standards of this code.

#### **19.20.040: DEVELOPMENT STANDARDS:**

Development standards within public facility zones shall be as set forth in section 19.20.070, table 19.20.2 of this chapter.

#### **19.20.050: REGULATIONS OF GENERAL APPLICABILITY:**

The use and development of real property in public facility zones shall conform to regulations of general applicability as set forth in the following chapters of this title:

- A. Chapter 19.77, "Water Efficient Landscape Design and Development Standards".
- B. Chapter 19.79, "Utility and Facility System Placement Regulations".
- C. Chapter 19.80, "Off Street Parking Requirements".



D. Chapter 19.82, "Signs".

E. Chapter 19.83, "Wireless Telecommunications Facilities".

F. Chapter 19.84, "Conditional Uses". (when applicable)

### 19.20.060: REGULATIONS FOR SPECIFIC USES:

To the extent that use and development of real property includes any matter encompassed by a regulation for a specific use as set forth in 19.04 or 19.76 of this title, such regulation shall apply in addition to the requirements of this chapter and shall prevail over any conflicting provision of this chapter.

### 19.20.070: USE AND DEVELOPMENT STANDARDS TABLES:

TABLE 19.20.1  
PERMITTED AND CONDITIONAL USES ALLOWED IN PUBLIC FACILITY ZONE

Use	Zones	
	PF	PI
Auditorium	P	P
Cemetery	P	NP
Charter school	P	P
Church or place of worship	C	C
Civic building	P	P
Club or service organization	P	NP
Wireless telecommunication facility	See chapter 19.83	NP
Convalescent care facility, nursing home, residential facility for elderly persons	C	NP
Correctional facility	NP	NP
Cultural service	P	NP
Golf course	P	C
Higher education facility, public or private	C	C
Hospital	C	NP
Park	P	P
Post office	P	NP
Preschool	C	NP
Private school	C	NP
Protective service	C	NP
Public utility facility	P	C
Public school	P	P
Reception center	C	NP
Recreation center, indoor	C	C
Recreation and entertainment, outdoor	NP	C
Trade/vocational school	C	NP

TABLE 19.20.2  
DEVELOPMENT STANDARDS

Development Standard		Zones	
		PF	PI
Lot standards:			
Minimum area		10,000 sq. ft.	5 acres
Lot coverage, as a percent of total lot area		No requirement	
Maximum lot depth (as a multiple of lot width at widest point)			
Minimum lot frontage			
Minimum lot width			
Building standards:			
Maximum square footage of floor area at ground level (including garages) as a percentage of lot area		40%	40%
Maximum height, main buildings		35 ft.	35 ft.
Maximum height, accessory buildings		20 ft.	20 ft.
* Setback standards - front yard and rear yard:			
Main and accessory buildings		Front: 25 feet Rear: 25 feet	
Barns and stables		See section 19.76.240	
* Setback standards - side yard:			
Main buildings		20 ft.	
Accessory buildings of 120 sq. ft. or less		6 ft.	
Accessory buildings greater than 120 sq. ft.		10 ft.	

\* Pursuant to section 19.76.065, the front, side, and/or rear yard setbacks for public uses may be reduced by the planning commission.

The following definitions would need to be added to the definitions section:

**CULTURAL SERVICE:** A library, museum or similar public or registered nonprofit organizational use displaying, preserving, and exhibiting objects of community and cultural interest in one or more of the arts and sciences.

**PROTECTIVE SERVICE:** A facility for public safety and emergency services, including fire and police protection services and emergency medical and ambulance services.