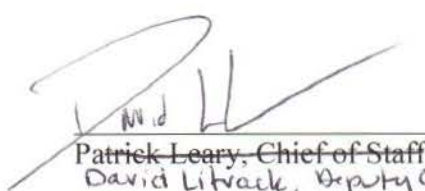





CITY COUNCIL TRANSMITTAL


Patrick Leary, Chief of Staff
David Litvack, Deputy Chief of Staff

Date Received: March 28, 2017
Date sent to Council: March 30, 2017

TO: Salt Lake City Council
Stan Penfold, Chair

DATE:

FROM: Mike Reberg, Community & Neighborhoods Director 

SUBJECT: Petitions PLNPCM2015-00819 – Small Scale Food Production Text Amendment

STAFF CONTACT: Tracy Tran, Principal Planner
801-535-7645, tracy.tran@slcgov.com

COUNCIL SPONSOR: Exempt – Land Use Petition

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Adopt the Planning Commission's recommendation to approve the text amendments that allow for small-scale food production uses in the City.

BUDGET IMPACT: None

BACKGROUND/DISCUSSION:

Issue Origin

In September 2015, the Mayor initiated a petition requesting the Planning Division to analyze the appropriateness of revising the ordinance to address smaller scale food production throughout the City. The current ordinance does not differentiate between scale such as large commercial food processors (i.e. cereal manufacturing or national brands) versus smaller home grown companies making jam or selling honey. The existing ordinance contains a very general definition and is basically geared towards larger-scale food processing since it is mostly allowed in the manufacturing zoning districts. The proposed text amendment would allow smaller-scale food production to occur in additional zoning districts in the City.

Over the years, there has been an increase in artisanal food products. In addition, due to the scale of operations, more of these producers are turning to community/commissary kitchens to make their products. These kitchen incubators have allowed many businesses to sell at farmer's markets and to build up their businesses when they do not quite have the capital to open their own operations. The

proposed text amendment will address these types of uses and permit them in various zoning districts throughout the City.

The proposed text amendment addresses the following items:

Creates two new land use definitions

- New land uses: *Commercial food preparation* and *Artisan food production*.
- These land uses are similar and are geared towards food preparers primarily for offsite consumption and/or sale by others. The biggest difference is the artisan food production use is typically operated by a single entity food producer. Many of these artisan producers may start production at a commissary kitchen (which would be classified a food preparation land use) but once they have developed their product and have enough capital, they may move into their own space for their operations (which would be classified as artisan food production land use).

New uses in additional zoning districts

- These new uses are allowed in the same zoning districts as restaurant uses and retail uses because the benefits and impacts are similar.

Street activity

- To ensure that these uses generate foot traffic in smaller neighborhood districts, the proposed changes requires a retail component for onsite food sales for certain districts (i.e. CN, CB, RMU districts). In addition, residential districts and some commercial districts limit the floor area size to 2,500 square feet.

Parking requirements

- Reduced parking requirement of 2 spaces per 1,000 square feet of usable floor area as opposed to falling under the catch-all category of "All Other Uses," which would require 3 spaces per 1,000 square feet. This requirement is similar to retail goods establishments, restaurants and wholesale uses in the City.
- Sustainability requested that this number be reduced further to 1 Space per 1,000 square feet of usable floor area or to add a provision that does not include storage space in the calculation of usable floor area.
- Planning staff found that the 2 spaces per 1,000 square feet of usable floor area would be a good medium for uses that may need additional parking and for those who may need more parking to accommodate employees, customers, and commercial vehicles.

PUBLIC PROCESS:

Staff met with various small scale food production stakeholders/business at the beginning of this process. These meetings were held to understand the operations of these businesses and what barriers existed. Stakeholders were supportive of the proposed changes since there are limited areas in which these small food producers can operate in the City. Other comments included concerns with parking as it can be a barrier to development.

An Open House was held on July 28, 2016. A few people attended the open house. Many of the comments made were supportive of the proposal.

The Planning Commission discussed the proposal and held a public hearing at their September 14, 2016 meeting. No public comments were received.

The commission agreed with staff's recommendation to forward a favorable recommendation to the City Council for the proposed small scale food production changes to the Zoning ordinance. The vote was unanimous.

RELEVANT ORDINANCES:

Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard." It does, however, list four standards, which should be analyzed (Section 21A.50.050 A). The four standards are discussed in 4B in the Planning Commission Staff Report dated September 14, 2016 in attachment B.

EXHIBITS:

1. Ordinance
2. Project Chronology
3. Notice of City Council Hearing
4. Planning Commission
 - a. Hearing Notice
 - b. Staff Report
 - c. Agenda and Minutes
5. Original Petition

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1. ORDINANCE

SALT LAKE CITY ORDINANCE
No. _____ of 2017
(Amending various sections of Title 21A the *Salt Lake City Code*
pertaining to small scale food production)

An ordinance amending various sections of Title 21A of the *Salt Lake City Code* pertaining to small scale food production, pursuant to Petition No. PLNPCM2015-00819.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on September 14, 2016 to consider a request made by the Salt Lake City Mayor (Petition No. PLNPCM2015-00819) to amend the text of Chapters 21A.33 (Zoning: Land Use Tables), 21A.44 (Zoning: Off Street Parking, Mobility and Loading), 21A.60 (Zoning: List of Terms), and 21A.62 (Zoning: Definitions) of the *Salt Lake City Code* to regulate land uses related to small scale food production; and

WHEREAS, at its September 14, 2016 hearing, the planning commission voted in favor of recommending to the Salt Lake City Council that the city council amend the sections of Title 21A of the *Salt Lake City Code* identified herein; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city's best interests,

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending text of *Salt Lake City Code* Section 21A.33.020. That Section 21A.33.020 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Residential Districts), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production (2,500 square feet or less in floor area)”. That a new use category titled, “Artisan food production (2,500 square feet or less in floor area)” shall be added to the Table of Permitted and Conditional Uses for

Residential Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	FR-/43,560	FR-/21,780	FR-/12,000	R-1/12,000	R-1/7,000	R-1/5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	RB	R-MU-35	R-MU-45	R-MU	RO
<u>Artisan food production (2,500 square feet or less in floor area)</u>															P ²⁶	P ²⁶	P ²⁶	P ²⁶	P

b. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses for Residential Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	FR-/43,560	FR-/21,780	FR-/12,000	R-1/12,000	R-1/7,000	R-1/5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	RB	R-MU-35	R-MU-45	R-MU	RO
<u>Commercial food preparation</u>															P	P	P	P	P

c. Adding a qualifying provision. That a new qualifying provision be added to the Table of Permitted and Conditional Uses for Residential Districts, which qualifying provision shall be inserted in numerical order and shall read and appear as follows:

26. Must contain retail component for on-site food sales.

SECTION 2. Amending text of Salt Lake City Code Section 21A.33.030. That Section 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production (2,500 square feet or less in floor area)”. That a new use category titled, “Artisan food production (2,500 square feet or less in floor area)” shall be added to the Table of Permitted and Conditional Uses for Commercial Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	CN	CB	CS	CC	CSHBD	CG	SNB
<u>Artisan food production (2,500 square feet or less in floor area)</u>	<u>P²⁶</u>	<u>P²⁶</u>	<u>P</u>	<u>P</u>	<u>P¹</u>	<u>P</u>	

b. Adding the use “Artisan food production (more than 2,500 square feet in floor area)”. That a new use category titled, “Artisan food production (more than 2,500 square feet in floor area)” shall be added to the Table of Permitted and Conditional Uses for Commercial Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	CN	CB	CS	CC	CSHBD	CG	SNB
<u>Artisan food production (more than 2,500 square feet in floor area)</u>			<u>P</u>	<u>P</u>		<u>P</u>	

c. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses for Commercial Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	CN	CB	CS	CC	CSHBD	CG	SNB
<u>Commercial food preparation</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

d. Adding a qualifying provision. That a new qualifying provision be added to the Table of Permitted and Conditional Uses for Commercial Districts, which qualifying provision shall be inserted in numerical order and shall read and appear as follows:

26. Must contain retail component for on-site food sales.

SECTION 3. Amending text of Salt Lake City Code Section 21A.33.040. That Section 21A.33.040 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Manufacturing Districts), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production”. That a new use category titled, “Artisan food production” shall be added to the Table of Permitted and Conditional Uses for Manufacturing Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	M-1	M-2
<u>Artisan food production</u>	<u>P</u>	<u>P</u>

b. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses for Manufacturing Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	M-1	M-2
<u>Commercial food preparation</u>	<u>P</u>	<u>P</u>

SECTION 4. Amending text of Salt Lake City Code Section 21A.33.050. That Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Downtown Districts), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production”. That a new use category titled, “Artisan food production” shall be added to the Table of Permitted and Conditional Uses for Downtown Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	D-1	D-2	D-3	D-4
<u>Artisan food production</u>	<u>P¹⁹</u>	<u>P</u>	<u>P</u>	<u>P</u>

b. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses for Downtown Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	D-1	D-2	D-3	D-4
<u>Commercial food preparation</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

c. Amending the use category “Manufacturing and processing, food”. That the use category titled, “Manufacturing and processing, food” shall be amended as follows:

Use	D-1	D-2	D-3	D-4
Manufacturing and processing, food		P		

d. Adding a qualifying provision. That a new qualifying provision be added to the Table of Permitted and Conditional Uses for Downtown Districts, which qualifying provision shall be inserted in numerical order and shall read and appear as follows:

19. Must contain retail component for on-site food sales.

SECTION 5. Amending text of Salt Lake City Code Section 21A.33.060. That Section 21A.33.060 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production”. That a new use category titled, “Artisan food production” shall be added to the Table of Permitted and Conditional Uses in the Gateway District, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	G-MU
<u>Artisan food production</u>	<u>P</u>

b. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses in the Gateway District, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	G-MU
<u>Commercial food preparation</u>	<u>P</u>

SECTION 6. Amending text of Salt Lake City Code Section 21A.33.070. That Section 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production”. That a new use category titled, “Artisan food production” shall be added to the Table of Permitted and Conditional Uses for Special Purpose Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	Permitted and Conditional Uses by District																
USE	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
<u>Artisan food production</u>		P															p ²⁵

b. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses for Special Purpose Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	Permitted and Conditional Uses by District																
USE	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
<u>Commercial food preparation</u>		P															P

c. Adding a qualifying provision. That a new qualifying provision be added to the Table of Permitted and Conditional Uses for Downtown Districts, which qualifying provision shall be inserted in numerical order and shall read and appear as follows:

25. Must contain retail component for on-site food sales.

SECTION 7. Amending text of Salt Lake City Code Section 21A.33.080. That Section 21A.33.080 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in Form Based Districts), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production”. That a new use category titled, “Artisan food production” shall be added to the Table of Permitted and Conditional Uses in Form Based Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	FB-UN1	FB-UN2
<u>Artisan food production</u>		<u>P⁴</u>

b. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses in Form Based Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	FB-UN1	FB-UN2
<u>Commercial food preparation</u>		<u>P</u>

c. Amending the use category “Food Processing”. That the use category titled, “Food processing” shall be amended as follows:

Use	FB-UN1	FB-UN2
<u>Food processing</u>		<u>P</u>

d. Adding a qualifying provision. That a new qualifying provision be added to the Table of Permitted and Conditional Uses in Form Based Districts, which qualifying provision shall be inserted in numerical order and shall read and appear as follows:

4. Must contain retail component for on-site food sales.

SECTION 8. Amending text of Salt Lake City Code Table 21A.44.030. That Table 21A.44.030 of the *Salt Lake City Code* (Schedule of Minimum Off Street Parking Requirements), shall be, and hereby is, amended to read as follows:

TABLE 21A.44.030
SCHEDULE OF MINIMUM
OFF STREET PARKING REQUIREMENTS³

Residential:		
	Bed and breakfast establishment	1 parking space per room
	Community correctional facility	1 parking space for each 4 residents and 1 parking space for every 2 support staff present during the busiest shift
	Eleemosynary facility	1 parking space for each family, plus 1 parking space for every 4 individual bedrooms, plus 1 parking space for every 2 support staff present during the busiest shift
	Fraternity, sorority or dormitory	1 parking space for each 2 residents, plus 1 parking space for each 3 full time employees. Note: The specific college or university may impose additional parking requirements
	Group home	2 parking spaces per home and 1 parking space for every 2 support staff present during the busiest shift
	Multiple-family dwellings ¹	2 parking spaces for each dwelling unit containing 2 or more bedrooms 1 parking space for 1 bedroom and efficiency dwelling ¹ / ₂ parking space for single room occupancy dwellings (600 square foot maximum)
	Rooming house	1 parking space for each 2 persons for whom rooming accommodations are provided
	Single-family attached dwellings (row house and townhouse) and single-family detached dwellings ²	2 parking spaces for each dwelling unit

	Two-family dwellings and twin home dwellings	2 parking spaces for each dwelling unit
Institutional:		
	Assisted living facility	1 parking space for each 4 employees, plus 1 parking space for each 6 infirmary or nursing home beds, plus 1 parking space for each 4 rooming units, plus 1 parking space for each 3 dwelling units
	Auditorium; accessory to a church, school, university or other institution	1 space for each 5 seats in the main auditorium or assembly hall
	Daycare, child and adult	2 spaces per 1,000 square feet of usable floor area
	Funeral services	1 space per 4 seats in parlor plus 1 space per 2 employees plus 1 space per vehicle used in connection with the business
	Homeless shelters	1 parking space for each employee
	Hospital	1.5 parking spaces per hospital bed
	Places of worship	1 parking space per 1,000 square feet of seating or congregation area
Schools:		
	K - 8th grades	1 parking space for each 3 faculty members and other full time employees
	Senior high school	1 parking space for each 3 faculty members, plus 1 parking space for each 3 full time employees, plus 1 parking space for each 10 students
	College/university, general	1 parking space for each 3 faculty members, plus 1 parking space for each 3 full time employees, plus 1 parking space for each 10 students
	Vocational/trade school	1 space per 1 employee plus 1 space for each 3 students based on the maximum number of students attending classes on the premises at any time
Recreation, cultural, and entertainment:		
	Art gallery/museum/house museum	1 space per 1,000 square feet of usable floor area
	Baseball or soccer field	10 spaces per field
	Bowling alley	2 spaces per lane plus 1 space for every 2 employees
	Club/lodge	3 spaces per 1,000 square feet of usable floor area

	Dance/music studio	1 space for every 1 employee
	Gym/health club/recreation facilities	3 spaces per 1,000 square feet of usable floor area
	Library	1 space per 1,000 square feet of usable floor area
	Sports arena/stadium	1 space per 1,000 square feet of seating area
	Swimming pool, skating rink or natatorium	1 space per 5 seats and 3 spaces per 1,000 square feet of usable floor area
	Tennis court	2 spaces per court
	Theater, movie and live	1 space per 4 seats
Commercial/manufacturing:		
	<u>Artisan Food Production</u>	2 spaces per 1,000 square feet of usable floor area
	Bus facility, intermodal transit passenger hub	1 space per 2 employees plus 1 space per bus
	<u>Commercial Food Preparation</u>	2 spaces per 1,000 square feet of usable floor area
	Durable goods, furniture, appliances, etc.	1 space per 500 square feet of usable floor area
	General manufacturing	1 space per 3 employees plus 1 space per company vehicle
	Hotel or motel	1 parking space for each 2 separate rooms
	Radio/TV station	3 spaces per 1,000 square feet of usable floor area
	Warehouse	2 spaces per 1,000 square feet of usable floor area for the first 10,000 square feet plus $\frac{1}{2}$ space per 2,000 square feet for the remaining space. Office area parking requirements shall be calculated separately based on office parking rates
	Wholesale distribution	1 space per 1,000 square feet of usable floor area for the first 10,000 square feet, plus $\frac{1}{2}$ space per 2,000 square feet of floor area for the remaining space. Office area parking requirements shall be calculated separately based on office parking rates
Retail goods and services:		
	Auto repair	1 space per service bay plus 3 spaces per 1,000 square feet for office and retail areas
	Car wash	3 stacked spaces per bay or stall, plus 5 stacking spaces for automated facility

	Drive-through facility	5 stacking spaces on site per cashier, teller or similar employee transacting business directly with drive-through customers at any given time in addition to the parking required for that specific land use
	Outdoor display of merchandise for sale	1 parking space per 1,000 square feet of display area
	Restaurants, taverns and social clubs	2 spaces per 1,000 square feet of usable floor area
	Retail goods establishment	2 spaces per 1,000 square feet of usable floor area
	Retail service establishment	2 spaces per 1,000 square feet of sales floor area
	Retail shopping center over 55,000 square feet usable floor area	2 spaces per 1,000 square feet of usable floor area
	Office and related uses:	
	Financial establishments	2 spaces per 1,000 square feet of usable floor area
	General office	3 spaces per 1,000 square feet of usable floor area for the main floor plus 1 ¹ / ₄ spaces per 1,000 square feet of usable floor area for each additional level, including the basement
	Laboratory	2 spaces per 1,000 square feet of usable floor area for the first 10,000 square feet plus 1 ¹ / ₂ space per 2,000 square feet for the remaining space. Office area parking requirements shall be calculated separately based on office parking rates
	Medical/dental offices	5 spaces per 1,000 square feet of usable floor area
	Miscellaneous:	
	Kennels or public stables	1 space per 2 employees
	All other uses	3 spaces per 1,000 square feet of usable floor area

Notes:

1. Minimum parking requirements for affordable housing and senior housing: Buildings that have 10 or more residential units with at least 25 percent of the units as either affordable or senior housing shall be allowed to have a minimum of 1/2 of a parking space provided for each dwelling unit.
2. For specific parking requirements for accessory dwelling units, see sSection 21A.40.200 of this title.
3. Requirements for buildings with more than 1 use shall be calculated separately for individual primary use as required and then combined.

SECTION 9. Amending text of Salt Lake City Code Section 21A.60.020. That Section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms), shall be, and hereby is, amended as follows:

a. Adding the term “Artisan food production”. That Section 21A.60.020 of the Salt Lake City Code is amended to add the term “Artisan food production”, which term shall be inserted into the list of defined terms in alphabetical order and shall read as follows:

Artisan food production

b. Adding the term “Commercial food preparation”. That Section 21A.60.020 of the Salt Lake City Code is amended to add the term “Commercial food preparation”, which term shall be inserted into the list of defined terms in alphabetical order and shall read as follows:

Commercial food preparation

SECTION 10. Amending text of Salt Lake City Code Section 21A.62.040. That Section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be, and hereby is, amended as follows:

c. Adding a definition of the term “Artisan food production”. That Section 21A.62.040 of the Salt Lake City Code is amended to add a new definition of “Artisan food production”, which definition shall be inserted in alphabetical order and shall read as follows:

ARTISAN FOOD PRODUCTION: A facility typically operated by a single business entity for the production of small-scale, hand-crafted specialty food and beverage products for on- and/or off-site sales and consumption. May include wholesale and/or retail sales.

d. Adding a definition of the term “Commercial food preparation”. That Section 21A.62.040 of the Salt Lake City Code is amended to add a new definition of “Commercial food preparation”, which definition shall be inserted in alphabetical order and shall read as follows:

COMMERCIAL FOOD PREPARATION: A facility in which food is processed or otherwise prepared, primarily for off-site consumption and/or sales. Facilities may be shared among various food processors, producers, or preparers. Uses may include, but are not limited to: commissary kitchen and catering.

SECTION 11. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2017.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2017.

Published: _____.

HB_ATTYY-#59478-v1-Ordinance_Small_Scale_Food_Production.docx

SALT LAKE CITY ORDINANCE
No. _____ of 2017
(Amending various sections of Title 21A the *Salt Lake City Code*
pertaining to small scale food production)

An ordinance amending various sections of Title 21A of the *Salt Lake City Code* pertaining to small scale food production, pursuant to Petition No. PLNPCM2015-00819.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on September 14, 2016 to consider a request made by the Salt Lake City Mayor (Petition No. PLNPCM2015-00819) to amend the text of Chapters 21A.33 (Zoning: Land Use Tables), 21A.44 (Zoning: Off Street Parking, Mobility and Loading), 21A.60 (Zoning: List of Terms), and 21A.62 (Zoning: Definitions) of the *Salt Lake City Code* to regulate land uses related to small scale food production; and

WHEREAS, at its September 14, 2016 hearing, the planning commission voted in favor of recommending to the Salt Lake City Council that the city council amend the sections of Title 21A of the *Salt Lake City Code* identified herein; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city's best interests,

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending text of *Salt Lake City Code* Section 21A.33.020. That Section 21A.33.020 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Residential Districts), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production (2,500 square feet or less in floor area)”. That a new use category titled, “Artisan food production (2,500 square feet or less in floor area)” shall be added to the Table of Permitted and Conditional Uses for

Residential Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	FR-/43,560	FR-/21,780	FR-/12,000	R-1/12,000	R-1/7,000	R-1/5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	RB	R-MU-35	R-MU-45	R-MU	RO
Artisan food production (2,500 square feet or less in floor area)															P ²⁶	P ²⁶	P ²⁶	P ²⁶	P

b. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses for Residential Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	FR-/43,560	FR-/21,780	FR-/12,000	R-1/12,000	R-1/7,000	R-1/5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	RB	R-MU-35	R-MU-45	R-MU	RO
Commercial food preparation															P	P	P	P	P

c. Adding a qualifying provision. That a new qualifying provision be added to the Table of Permitted and Conditional Uses for Residential Districts, which qualifying provision shall be inserted in numerical order and shall read and appear as follows:

26. Must contain retail component for on-site food sales.

SECTION 2. Amending text of Salt Lake City Code Section 21A.33.030. That Section 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Commercial Districts), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production (2,500 square feet or less in floor area)”. That a new use category titled, “Artisan food production (2,500 square feet or less in floor area)” shall be added to the Table of Permitted and Conditional Uses for Commercial Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	CN	CB	CS	CC	CSHBD	CG	SNB
Artisan food production (2,500 square feet or less in floor area)	P ²⁶	P ²⁶	P	P	P ¹	P	

b. Adding the use “Artisan food production (more than 2,500 square feet in floor area)”. That a new use category titled, “Artisan food production (more than 2,500 square feet in floor area)” shall be added to the Table of Permitted and Conditional Uses for Commercial Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	CN	CB	CS	CC	CSHBD	CG	SNB
Artisan food production (more than 2,500 square feet in floor area)			P	P		P	

c. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses for Commercial Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	CN	CB	CS	CC	CSHBD	CG	SNB
Commercial food preparation	P	P	P	P	P	P	

d. Adding a qualifying provision. That a new qualifying provision be added to the Table of Permitted and Conditional Uses for Commercial Districts, which qualifying provision shall be inserted in numerical order and shall read and appear as follows:

26. Must contain retail component for on-site food sales.

SECTION 3. Amending text of Salt Lake City Code Section 21A.33.040. That Section 21A.33.040 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Manufacturing Districts), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production”. That a new use category titled, “Artisan food production” shall be added to the Table of Permitted and Conditional Uses for Manufacturing Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	M-1	M-2
Artisan food production	P	P

b. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses for Manufacturing Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	M-1	M-2
Commercial food preparation	P	P

SECTION 4. Amending text of Salt Lake City Code Section 21A.33.050. That Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Downtown Districts), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production”. That a new use category titled, “Artisan food production” shall be added to the Table of Permitted and Conditional Uses for Downtown Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	D-1	D-2	D-3	D-4
Artisan food production	P ¹⁹	P	P	P

b. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses for Downtown Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	D-1	D-2	D-3	D-4
Commercial food preparation	P	P	P	P

c. Deleting the use category “Manufacturing and processing, food”. That the use category titled, “Manufacturing and processing, food” shall be and is hereby deleted.

d. Adding a qualifying provision. That a new qualifying provision be added to the Table of Permitted and Conditional Uses for Downtown Districts, which qualifying provision shall be inserted in numerical order and shall read and appear as follows:

19. Must contain retail component for on-site food sales.

SECTION 5. Amending text of Salt Lake City Code Section 21A.33.060. That Section 21A.33.060 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in the Gateway District), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production”. That a new use category titled, “Artisan food production” shall be added to the Table of Permitted and Conditional Uses in the Gateway District, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	G-MU
Artisan food production	P

b. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses in the Gateway District, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	G-MU
Commercial food preparation	P

SECTION 6. Amending text of Salt Lake City Code Section 21A.33.070. That Section 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses for Special Purpose Districts), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production”. That a new use category titled, “Artisan food production” shall be added to the Table of Permitted and Conditional Uses for Special Purpose Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	Permitted and Conditional Uses by District																
USE	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Artisan food production		P															P ²⁵

b. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses for Special Purpose Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

	Permitted and Conditional Uses by District																
USE	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Commercial food preparation		P															P

c. Adding a qualifying provision. That a new qualifying provision be added to the Table of Permitted and Conditional Uses for Downtown Districts, which qualifying provision shall be inserted in numerical order and shall read and appear as follows:

25. Must contain retail component for on-site food sales.

SECTION 7. Amending text of Salt Lake City Code Section 21A.33.080. That Section 21A.33.080 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and Conditional Uses in Form Based Districts), shall be, and hereby is, amended as follows:

a. Adding the use “Artisan food production”. That a new use category titled, “Artisan food production” shall be added to the Table of Permitted and Conditional Uses in Form Based Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	FB-UN1	FB-UN2
Artisan food production		P ⁴

b. Adding the use “Commercial food preparation”. That a new use category titled, “Commercial food preparation” shall be added to the Table of Permitted and Conditional Uses in Form Based Districts, which use category shall be inserted into that table in alphabetical order and shall read and appear in that table as follows:

Use	FB-UN1	FB-UN2
Commercial food preparation		P

c. Deleting the use category “Food processing”. That the use category titled, “Food processing” shall be and is hereby deleted.

d. Adding a qualifying provision. That a new qualifying provision be added to the Table of Permitted and Conditional Uses in Form Based Districts, which qualifying provision shall be inserted in numerical order and shall read and appear as follows:

4. Must contain retail component for on-site food sales.

SECTION 8. Amending text of Salt Lake City Code Table 21A.44.030. That Table 21A.44.030 of the *Salt Lake City Code* (Schedule of Minimum Off Street Parking Requirements), shall be, and hereby is, amended to read as follows:

TABLE 21A.44.030
SCHEDULE OF MINIMUM
OFF STREET PARKING REQUIREMENTS³

Residential:	
Bed and breakfast establishment	1 parking space per room

	Community correctional facility	1 parking space for each 4 residents and 1 parking space for every 2 support staff present during the busiest shift
	Eleemosynary facility	1 parking space for each family, plus 1 parking space for every 4 individual bedrooms, plus 1 parking space for every 2 support staff present during the busiest shift
	Fraternity, sorority or dormitory	1 parking space for each 2 residents, plus 1 parking space for each 3 full time employees. Note: The specific college or university may impose additional parking requirements
	Group home	2 parking spaces per home and 1 parking space for every 2 support staff present during the busiest shift
	Multiple-family dwellings ¹	2 parking spaces for each dwelling unit containing 2 or more bedrooms 1 parking space for 1 bedroom and efficiency dwelling ¹ / ₂ parking space for single room occupancy dwellings (600 square foot maximum)
	Rooming house	1 parking space for each 2 persons for whom rooming accommodations are provided
	Single-family attached dwellings (row house and townhouse) and single-family detached dwellings ²	2 parking spaces for each dwelling unit
	Two-family dwellings and twin home dwellings	2 parking spaces for each dwelling unit
Institutional:		
	Assisted living facility	1 parking space for each 4 employees, plus 1 parking space for each 6 infirmary or nursing home beds, plus 1 parking space for each 4 rooming units, plus 1 parking space for each 3 dwelling units
	Auditorium; accessory to a church, school, university or other institution	1 space for each 5 seats in the main auditorium or assembly hall
	Daycare, child and adult	2 spaces per 1,000 square feet of usable floor area

	Funeral services	1 space per 4 seats in parlor plus 1 space per 2 employees plus 1 space per vehicle used in connection with the business
	Homeless shelters	1 parking space for each employee
	Hospital	1.5 parking spaces per hospital bed
	Places of worship	1 parking space per 1,000 square feet of seating or congregation area
	Schools:	
	K - 8th grades	1 parking space for each 3 faculty members and other full time employees
	Senior high school	1 parking space for each 3 faculty members, plus 1 parking space for each 3 full time employees, plus 1 parking space for each 10 students
	College/university, general	1 parking space for each 3 faculty members, plus 1 parking space for each 3 full time employees, plus 1 parking space for each 10 students
	Vocational/trade school	1 space per 1 employee plus 1 space for each 3 students based on the maximum number of students attending classes on the premises at any time
	Recreation, cultural, and entertainment:	
	Art gallery/museum/house museum	1 space per 1,000 square feet of usable floor area
	Baseball or soccer field	10 spaces per field
	Bowling alley	2 spaces per lane plus 1 space for every 2 employees
	Club/lodge	3 spaces per 1,000 square feet of usable floor area
	Dance/music studio	1 space for every 1 employee
	Gym/health club/recreation facilities	3 spaces per 1,000 square feet of usable floor area
	Library	1 space per 1,000 square feet of usable floor area
	Sports arena/stadium	1 space per 1,000 square feet of seating area
	Swimming pool, skating rink or natatorium	1 space per 5 seats and 3 spaces per 1,000 square feet of usable floor area
	Tennis court	2 spaces per court
	Theater, movie and live	1 space per 4 seats

Commercial/manufacturing:		
	Artisan Food Production	2 spaces per 1,000 square feet of usable floor area
	Bus facility, intermodal transit passenger hub	1 space per 2 employees plus 1 space per bus
	Commercial Food Preparation	2 spaces per 1,000 square feet of usable floor area
	Durable goods, furniture, appliances, etc.	1 space per 500 square feet of usable floor area
	General manufacturing	1 space per 3 employees plus 1 space per company vehicle
	Hotel or motel	1 parking space for each 2 separate rooms
	Radio/TV station	3 spaces per 1,000 square feet of usable floor area
	Warehouse	2 spaces per 1,000 square feet of usable floor area for the first 10,000 square feet plus $\frac{1}{2}$ space per 2,000 square feet for the remaining space. Office area parking requirements shall be calculated separately based on office parking rates
	Wholesale distribution	1 space per 1,000 square feet of usable floor area for the first 10,000 square feet, plus $\frac{1}{2}$ space per 2,000 square feet of floor area for the remaining space. Office area parking requirements shall be calculated separately based on office parking rates
Retail goods and services:		
	Auto repair	1 space per service bay plus 3 spaces per 1,000 square feet for office and retail areas
	Car wash	3 stacked spaces per bay or stall, plus 5 stacking spaces for automated facility
	Drive-through facility	5 stacking spaces on site per cashier, teller or similar employee transacting business directly with drive-through customers at any given time in addition to the parking required for that specific land use
	Outdoor display of merchandise for sale	1 parking space per 1,000 square feet of display area
	Restaurants, taverns and social clubs	2 spaces per 1,000 square feet of usable floor area
	Retail goods establishment	2 spaces per 1,000 square feet of usable floor area

	Retail service establishment	2 spaces per 1,000 square feet of sales floor area
	Retail shopping center over 55,000 square feet usable floor area	2 spaces per 1,000 square feet of usable floor area
	Office and related uses:	
	Financial establishments	2 spaces per 1,000 square feet of usable floor area
	General office	3 spaces per 1,000 square feet of usable floor area for the main floor plus 1 ¹ / ₄ spaces per 1,000 square feet of usable floor area for each additional level, including the basement
	Laboratory	2 spaces per 1,000 square feet of usable floor area for the first 10,000 square feet plus 1 ¹ / ₂ space per 2,000 square feet for the remaining space. Office area parking requirements shall be calculated separately based on office parking rates
	Medical/dental offices	5 spaces per 1,000 square feet of usable floor area
	Miscellaneous:	
	Kennels or public stables	1 space per 2 employees
	All other uses	3 spaces per 1,000 square feet of usable floor area

Notes:

1. Minimum parking requirements for affordable housing and senior housing: Buildings that have 10 or more residential units with at least 25 percent of the units as either affordable or senior housing shall be allowed to have a minimum of 1/2 of a parking space provided for each dwelling unit.
2. For specific parking requirements for accessory dwelling units, see sSection 21A.40.200 of this title.
3. Requirements for buildings with more than 1 use shall be calculated separately for individual primary use as required and then combined.

SECTION 9. Amending text of Salt Lake City Code Section 21A.60.020. That Section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms: List of Defined Terms), shall be, and hereby is, amended as follows:

- a. Adding the term “Artisan food production”. That Section 21A.60.020 of the Salt Lake City Code is amended to add the term “Artisan food production”, which

term shall be inserted into the list of defined terms in alphabetical order and shall read as follows:

Artisan food production

b. Adding the term “Commercial food preparation”. That Section 21A.60.020 of the Salt Lake City Code is amended to add the term “Commercial food preparation”, which term shall be inserted into the list of defined terms in alphabetical order and shall read as follows:

Commercial food preparation

SECTION 10. Amending text of *Salt Lake City Code* Section 21A.62.040. That Section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms), shall be, and hereby is, amended as follows:

c. Adding a definition of the term “Artisan food production”. That Section 21A.62.040 of the Salt Lake City Code is amended to add a new definition of “Artisan food production”, which definition shall be inserted in alphabetical order and shall read as follows:

ARTISAN FOOD PRODUCTION: A facility typically operated by a single business entity for the production of small-scale, hand-crafted specialty food and beverage products for on- and/or off-site sales and consumption. May include wholesale and/or retail sales.

d. Adding a definition of the term “Commercial food preparation”. That Section 21A.62.040 of the Salt Lake City Code is amended to add a new definition of “Commercial food preparation”, which definition shall be inserted in alphabetical order and shall read as follows:

COMMERCIAL FOOD PREPARATION: A facility in which food is processed or otherwise prepared, primarily for off-site consumption and/or sales. Facilities may be shared among various food processors, producers, or preparers. Uses may include, but are not limited to: commissary kitchen and catering.

SECTION 11. Effective Date. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2017.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2017.

Published: _____.

HB_ATTYY-#59478-v2-Ordinance_Small_Scale_Food_Production.docx

APPROVED AS TO FORM	
Salt Lake City Attorney's Office	
Date:	<u>MARCH 2, 2017</u>
By:	<u><i>Paul C. Nielson</i></u>
Paul C. Nielson, Senior City Attorney	

2. PROJECT CHRONOLOGY

PROJECT CHRONOLOGY

Petition: PLNPCM2015-00819

October 28, 2015	Petition PLNPCM2015-00819 assigned to Tracy Tran, Principal Planner, for staff analysis and processing.
July 28, 2016	Petition was presented at the Planning Division Open House.
August 25, 2016	Planning Commission hearing notices posted on City and State websites and Planning Division list serve.
August 27, 2016	Planning Commission hearing notice was published in the paper.
September 14, 2016	Planning Commission reviewed the petition and conducted a public hearing. No one spoke at the public hearing. The commission voted unanimously to send a positive recommendation to the City Council.
October 6, 2016	Ordinance requested from City Attorney's office.
October 10, 2016	Transmittal was sent to the CAN Director for review.

3. NOTICE OF CITY COUNCIL HEARING

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition **PLNPCM2015-00819 Small-Scale Food Production Text Amendment** - A request by the City Administration to create definitions and land use classifications for small-scale food production uses. As part of this project the city is also reviewing whether the proposed uses are compatible with other uses allowed in the commercial and other related zoning districts. The purpose of this proposed change is to support locally-owned businesses and smaller-scale food production in the City. The amendment will affect sections 21A.33 Land Use Tables and 21A.62 Definitions of the Salt Lake City Zoning Ordinance. Other related sections of Title 21A may also be amended as part of this proposal.

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

DATE:

TIME: 7:00 p.m.

PLACE: Room 315
City & County Building
451 South State Street
Salt Lake City, Utah

If you have any questions relating to this proposal or would like to review the file, please call Tracy Tran at 801-535-7645 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at tracy.tran@slcgov.com.

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Division at (801) 535-7757; TDD (801) 535-6021.

**4. A PLANNING COMMISSION
HEARING NOTICE**

4770 S. 5600 W.
WEST VALLEY CITY, UTAH 84118
FED.TAX I.D.# 87-0217663
801-204-6910

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CUSTOMER NAME AND ADDRESS

PLANNING DIVISION,

PO BOX 145480

SALT LAKE CITY UT 84114

ACCOUNT NUMBER

9001394298

DATE

8/29/2016

Notice of Public Hearing

On Wednesday, September 14, 2016, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations to the City Council regarding the following petition:

1. **Mick Riley Golf Course Surplus Property Exchange at approximately 473 E Vine Street** - Salt Lake City seeks to convey nine significant parcels of real estate located within the Mick Riley Golf Course at the address listed above to Salt Lake County, pursuant to Municipal Code section 2.58.040. This is part of the Interlocal Cooperation Agreement between Salt Lake City and Salt Lake County dated December 22, 2015. The purpose of declaring the property surplus is so that the City can complete a land exchange with Salt Lake County. The City would be exchanging this land for other County owned land that has been deemed more useful for City purposes. (Staff contact: Christopher Lee (801)535-7706 or christopher.lee@slcgov.com.) Case number: PLNPCM2016-00053

2. **Small Scale Food Production Text Amendment** - A request by the City Administration to create a definition(s) and land use classification(s) for small scale food production uses, such as commissary kitchens and artisan food production. As part of this project the city is also reviewing whether the proposed uses are compatible with other uses allowed in the commercial and other related zoning districts. The purpose of this proposed change is to support locally owned businesses and smaller scale food production in the City. The proposed changes might affect sections 21A.33 Land Use Tables and 21A.62 Definitions. Related provisions of Title 21A-Zoning may also be amended as part of this petition. (Staff contact: Tracy Tran at (801)535-7645 or tracy.tran@slcgov.com.) Case number: PLNPCM2015-00819

The public hearing will begin at 5:30 p.m. in room 326 of the City County Building, 451 South State Street, Salt Lake City, UT.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.

1107812

UPAXLP

ACCOUNT NAME

PLANNING DIVISION,

TELEPHONE

8015357759

ORDER # / INVOICE NUMBER

0001107812 /

PUBLICATION SCHEDULE

START 08/27/2016 END 08/27/2016

CUSTOMER REFERENCE NUMBER

PLNPCM2015-00819

CAPTION

Notice of Public Hearing On Wednesday, September 14, 2016, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations for PLANNING DIVISION.

SIZE

53 LINES

2 COLUMN(S)

TIMES

2

TOTAL COST

137.50

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **Notice of Public Hearing On Wednesday, September 14, 2016, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations** FOR **PLANNING DIVISION**, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 08/27/2016 End 08/27/2016

DATE 8/29/2016

SIGNATURE

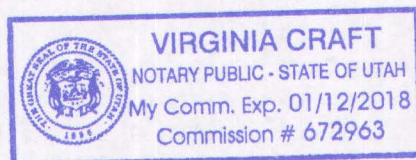
Ann Dartnell

STATE OF UTAH)

COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 29TH DAY OF AUGUST IN THE YEAR 2016

BY ANN DARTNELL



Virginia Craft
NOTARY PUBLIC SIGNATURE

**4.B PLANNING COMMISSION
STAFF REPORT**



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: Tracy Tran, 801-535-7645 or tracy.tran@slcgov.com
Date: September 14, 2016
Re: PLNPCM2015-00819 – Small Scale Food Production Text Amendment

Zoning Text Amendment

PROPERTY ADDRESS: City-wide
PARCEL ID: N/A
MASTER PLAN: N/A
ZONING DISTRICT: Various Zoning Districts

REQUEST: The Mayor formally requested that the Salt Lake City Planning Division analyze small scale food production throughout the City. The City's current ordinance does not address smaller scale food production uses and the uses associated with the growing artisanal food market.

RECOMMENDATION: Based on the analysis and findings of this report, it is the opinion of staff that the proposed text amendments meet the intent of the Administration's direction, standards for a zoning ordinance amendment and staff recommends that the Planning Commission forward a favorable recommendation of petition PLNPCM2015-00819 to the City Council. Below is a proposed motion consistent with this recommendation:

Based on the information in the staff report and the discussion heard, I move that the Planning Commission transmit a positive recommendation to the City Council regarding petition PLNPCM2015-00819, text amendments that address small-scale food production in the City.

ATTACHMENTS:

- A. Proposed Ordinance
- B. Analysis of Standards
- C. Public Process and Comments
- D. Department Comments
- E. Motions

PROJECT DESCRIPTION:

In September 2015, the Mayor initiated a petition requesting the Planning Division to analyze the appropriateness of revising the ordinance to address smaller scale food production throughout the City. The current ordinance does not differentiate between scale such as large commercial food processors (i.e. cereal manufacturing or national brands) versus smaller home grown companies making jam or selling honey. The existing ordinance contains a very general definition and is basically geared towards larger-scale food processing since it is mostly allowed in the manufacturing zoning districts. The proposed text amendment would allow smaller-scale food production to occur in additional zoning districts in the City.

Over the years, there has been an increase in artisanal food products. In addition, due to the scale of operations, more of these producers are turning to community/commissary kitchens to make their products. These kitchen incubators have allowed many businesses selling to sell at farmer's markets and to build up their businesses when they do not quite have the capital to open their own operations. The proposed text amendment will address these types of uses and permit them in various zoning districts throughout the City.

KEY ISSUES:

The sections being changed in the zoning ordinance as part of the amendment is Section 21A.33 Land Use Tables, 21A.44 Off Street Parking Requirements, and Section 21.62 Definitions.

Issue 1: Appropriate land use/definition

The current zoning ordinance only contains one definition for food processing, which is general and does not address different scale of operations. The current ordinance allows food processing in the two manufacturing zones (M-1 and M-2), the Downtown Support District (D-2) and in the Form-Based Urban Neighborhood 2 zoning district (FB-UN2). Two new definitions/land uses have been added to zoning ordinance to better address commercial kitchen facilities and artisan food production uses.

These two proposed land uses include commercial food preparation and artisan food production. These two land uses are similar and are geared towards food preparers primarily for offsite consumption and/or sale by others. The biggest difference is the artisan food production use is typically operated by a single entity food producer. Many of these artisan producers may start production at a commissary kitchen (which would be classified a food preparation land use) but once they have developed their product and have enough capital, they may move into their own space to for their operations (which would be classified as artisan food production land use).

Issue 2: Appropriate zoning districts

The small food production uses generally have similar impacts as restaurants. However, the overall impacts for small scale food production are generally more minimal in terms of parking, flow of people, and smells emitted. The proposed uses will bring food producers to these buildings to produce food, but they will not generate a consistent flow of patrons visiting a restaurant. In addition, the hours of operations and peak hours of operations may differ from restaurants. The new land uses created to address small-scale food production are basically permitted in all the zoning districts where a restaurant is permitted.

Although the proposed changes will allow these uses in many more zoning districts, these uses will be highly regulated by market forces. One of the bigger factors is land value and rental rates. Many of these smaller-scale production uses start out with limited capital, which likely means these types of uses will locate in lower rent areas.

Issue 3: Ensuring street activity

Since these newly created uses to address small-scale food production will be allowed in additional zoning districts, we want to ensure that uses within smaller scale neighborhood districts would still generate street activity. Many of the businesses that would fit under the "commercial kitchen" use will generally create activity. For example, a commissary kitchen would have a variety of food producers coming in and out at different times of the day. To ensure that as many of these uses activate smaller scale neighborhoods, the proposed amendments include a requirement that artisan food production uses are required to contain an onsite food sales component.

In addition to ensuring activity in smaller neighborhood nodes and to prevent larger operations, some of the zoning districts that permit artisan food production uses are limited to 2,500 square feet in the smaller residential and commercial zones. As some of these uses increase their size of operations, there may be additional trucks to ship product elsewhere. Limiting the size will ensure minimal impacts in these smaller neighborhood zones.

Issue 5: Parking

If parking requirements are not proposed specific to Commercial Food Preparation and Artisan Food Production uses, these uses will fall under the catch all category of “All other uses,” which have a requirement of 3 spaces per 1,000 square feet of usable floor area. Based on the nature of some of these uses, slightly reducing the parking requirement may better serve these uses. For example, a large amount of space within commissary kitchens are dedicated to storage, sometimes about double the amount of kitchen space. This storage space is considered part of the square footage calculation when determining the number of required parking spaces. The storage space will be used by users of the commissary and would not be space that could accommodate more users of the kitchen; thus, additional parking would not be necessary. Also, Artisan food producers typically have very small operations and minimal employees. Requiring these uses to have 2 parking spaces per 1,000 square feet of usable floor area will better fit their needs.

In addition, the hours of operations for users of commissary kitchens vary greatly. For users who are preparing food for food trucks, their hours may be a little more predictable with prep time occurring before lunch and dinner hours. However, users producing other products not meant for food trucks vary greatly and are dispersed throughout the day. Artisan food producers will generally only need parking for their employees unless their operations contain a retail component. The 2 spaces per 1,000 square feet of usable floor area is similar to retail goods, restaurant, and wholesale uses in the City.

Overall, a business’ needs for their operations and other market forces will be the driving factor in where they can locate. Many of these food producers have minimal capital and will likely locate in existing buildings as opposed to constructing a new building. The reduction to 2 spaces per 1,000 square feet of usable floor area will reduce barriers that may come when converting a space for a new uses. When converting to a new use, the new use must meet new parking standards. Existing spaces may have more minimal parking standards so reducing the parking requirements for the proposed uses may make it easier to use these existing building spaces.

Proposed additions have also been added to parking requirements in the zoning ordinance (21A.44.030). The two proposed uses will be added to the table and will have the same 2 stalls per 1,000 square feet of usable floor area requirements, which is similar to retail goods and wholesale uses in the city.

DISCUSSION:

The Administration has recommended that staff analyze small scale food production uses in the City. If the ordinance is not changed, the current requirements will continue to pose challenges to development in the City and may result in businesses moving to other cities.

NEXT STEPS:

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

ATTACHMENT A: PROPOSED ORDINANCE

Section 21A.62.040: DEFINITION OF TERMS

COMMERCIAL FOOD PREPARATION: A facility in which food is processed or otherwise prepared, primarily for off-site consumption and/or sales. Facilities may be shared among various food processors, producers, or preparers. Uses may include, but are not limited to: commissary kitchen and catering.

ARTISAN FOOD PRODUCTION: A facility typically operated by a single business entity for the production of small-scale, hand-crafted specialty food and beverage products for on- and/or off-site sales and consumption. May include wholesale and/or retail sales.

Proposed zoning districts that would allow small-scale food production uses:

21A.33.020: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS:

Use	Permitted and Conditional Uses by District															
	FR-1/43,560	FR-2/21,780	FR-3/12,000	R-1/12,000	R-1/7,000	R-1/5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	RB	R-MU-35
<u>Commercial Food Preparation</u>															<u>P</u>	<u>P</u>
<u>Artisan Food Production (2,500 square feet or less in floor area)</u>															<u>P¹</u>	<u>P¹</u>

¹Must contain retail component for on-site food sales

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

	Permitted and Conditional Uses by District						
Use	CN	CB	CS	CC	CSHBD	CG	SNB
<u>Commercial Food Preparation</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Artisan Food Production (2,500 square feet or less in floor area)</u>	<u>P¹</u>	<u>P¹</u>	<u>P</u>	<u>P</u>	<u>P¹</u>	<u>P</u>	
<u>Artisan Food Production (more than 2,500 square feet in floor area)</u>			<u>P</u>	<u>P</u>		<u>P</u>	

¹Must contain retail component for on-site food sales

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

	Permitted and Conditional Uses by District	
Use	M-1	M-2
<u>Commercial Food Preparation</u>	<u>P</u>	<u>P</u>
<u>Artisan Food Production</u>	<u>P</u>	<u>P</u>

21A.33.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

	Permitted and Conditional Uses by District			
Use	D-1	D-2	D-3	D-4
Manufacturing and processing, food- <u>Commercial Food Preparation</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Artisan Food Production</u>	<u>P¹</u>	<u>P</u>	<u>P</u>	<u>P</u>

¹Must contain retail component for on-site food sales

21A.33.060: TABLE OF PERMITTED AND CONDITIONAL USES FOR GATEWAY DISTRICT:

Use	G-MU
<u>Commercial Food Preparation</u>	<u>P</u>
<u>Artisan Food Production</u>	<u>P</u>

21A.33.070: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

	Permitted and Conditional Uses by District																
USE	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
<u>Commercial Food Preparation</u>		<u>P</u>															<u>P</u>
<u>Artisan Food Production</u>		<u>P</u>															<u>P</u>¹

¹Must contain retail component for on-site food sales

Table 21A.27.050N Permitted Uses

Use	FB-UN1	FB-UN2
<u>Commercial Food Preparation</u>		P
<u>Artisan Food Production</u>		<u>P¹</u>

TSA - The current ordinance prohibits “food processing” in certain TSA zones. A text amendment regarding the TSA Zoning District Improvement is currently in process (PLNPCM2016-00522). Updates showing permitted uses in the TSA Districts will allow “commercial food preparation” and “artisan food production” in the appropriate areas.

21A.44.030 SCHEDULE OF MINIMUM OFF STREET PARKING REQUIREMENTS

Commercial/Manufacturing	
<u>Commercial Food Preparation</u>	<u>2 spaces per 1,000 square feet of usable floor area</u>
<u>Artisan Food Production</u>	<u>2 spaces per 1,000 square feet of usable floor area</u>

ATTACHMENT B: ANALYSIS OF STANDARDS

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

Factor	Finding	Rationale
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;	Complies	<p>Plan Salt Lake identifies the following initiatives within the Neighborhoods and Economy section of the plan: “Encourage and support local businesses and neighborhood business districts” and “Support the growth of small businesses, entrepreneurship and neighborhood business nodes.” The proposed ordinance would create new land uses that would support the local food production movement and incubator kitchens, which strongly supports local/small businesses, entrepreneurship and neighborhood business districts/nodes.</p> <p>The 1992 Salt Lake City Strategic plan notes an importance of developing business friendly regulatory practices. It is staff’s opinion that the proposed amendments to the Zoning Ordinance relating to small scale food production uses will better reflect market demands, which furthers the goal of creating business-friendly regulatory practices.</p>
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;	Complies	The proposed changes promotes the growth of the local food production and in doing so helps foster the City’s business development. Furthermore, growing the local economy helps project the tax base.
3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;	Not applicable	The proposed text amendment is not associated with any specific overlay zoning district or development project. While some overlay districts regulate land use, most focus on bulk, scale, or building design or the location of

		buildings on a property. It is not anticipated that the proposed uses will have any impact on any overlay districts. The proposal may promote the preservation of older buildings in the city because it may make a wider range of uses viable in historic structures.
4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.	Complies	The proposed changes improve upon the existing ordinance, which has brought about challenges for development. The amendments would allow for small scale food production uses to operate in more zoning districts than is allowed in the current ordinance. The regulations do not relate to any specifics relating to practices of design.
NOTES:		

ATTACHMENT C: PUBLIC PROCESS AND COMMENTS

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

Meetings with Various Small Scale Food Production Stakeholders/Businesses

These meetings were held to understand the operations of these businesses and what barriers existed. Stakeholders were supportive of the proposed changes since there are limited areas in which these small food producers can operate in the City. Other comments included concerns with parking as it can be a barrier to development.

Open House:

Because this zoning text amendment impacts the entire city and not just a specific community council, an open house was held on July 28, 2016. All recognized community based organizations were notified of the open house. Comments made at the open house included:

- Adding additional use for small scale food production is beneficial to the city
- May want to include language that says that “may include wholesale or onsite retail,” which will make it easier for zoning folks.
- Concerns about food waste and trash smells

A few written comments received at the Open House can be found below.

Planning Commission Notice of the public hearing for the proposal included:

Public hearing notice published in the newspaper on August 27, 2016

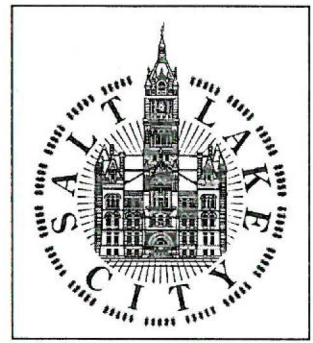
Public notice posted on City and State websites and Planning Division list serve: August 25, 2016

Public Input:

No further comments were received as of the date this staff report was published.

OPEN HOUSE PUBLIC COMMENT FORM

July 28, 2016



Planning and Zoning Division
Department of Community and
Economic Development

Small-Scale Food Production Text Amendment

Name: Jacie Davis

Address: 543 E 600 S

SLC, UT

Zip Code 84102

E-mail: [REDACTED]

Comments: Consider Amending F3-UNZ TO

ALLOW "FOOD PROCESSING, SMALL SCALE"

INSTEAD OF "FOOD PROCESSING" AS THE NEW

PROPOSED DEFINITION IS MORE APPROPRIATE FOR

URBAN NEIGHBORHOODS.

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at tracy.tran@slcgov.com or via mail at the following address: Tracy Tran, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480. Please provide your comments by August 12, 2016.

OPEN HOUSE PUBLIC COMMENT FORM

July 28, 2016



Planning and Zoning Division
Department of Community and
Economic Development

Small-Scale Food Production Text Amendment

Name:

George Chapman

Address:

1184 S 1100 E

Zip Code

E-mail:

[REDACTED]

Comments:

Great idea

send it through Fast!

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at tracy.tran@slcgov.com or via mail at the following address: Tracy Tran, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480. Please provide your comments by August 12, 2016.

ATTACHMENT D: DEPARTMENT REVIEW COMMENTS

Input was requested from all pertinent city divisions and departments. The following comments were received from other city divisions/departments with regard to these proposed amendments:

Building Services: Questions/Comments:

- In the definition, the phrase “...eventual consumption...” seems unnecessary. Why not simply “consumption”.
- In the definition, the phrase “food may be consumed on-site and may include wholesale or on-site retail sales”. Is this of food? If not, it appears there will be a conflict with Retail Sales as an independent (non-food) related use:
 - See:
 1. BAKERY, COMMERCIAL: An establishment where the primary function is the baking of food products for sale, principally to the wholesale trade, not directly to the consumer.
 2. RESTAURANT: An establishment where food and drink are prepared, served, and consumed, mostly within the principal building.
 3. RETAIL GOODS ESTABLISHMENT: A building, property or activity, the principal use or purpose of which is the sale of physical goods, products or merchandise directly to the consumer. Retail goods establishment shall not include any use or other type of establishment which is otherwise listed specifically in the table of permitted and conditional uses found in chapter 21A.33 of this title.
- In the definition, the phrase “Facilities may be shared among various food processors or preparers but facilities are limited in size to three thousand (3,000) square feet or less.” What is the point of this? Is there some sort of building code requirement such as separation of a fire wall? Taqueria 2,7 for example, built a commercial kitchen in a former restaurant above their foothill location that is not connected to the primary restaurant, couldn't they turn every former retail space into a small scale food processing establishment? And use them all?
- In the definition, “Uses may include, but are not limited to: commissary kitchen, commercial bakery, and catering.” There is currently a definition *and* use for Commercial Bakery. Why would it be included in this definition, too? Maybe this should say Retail Bakery, maybe?
- In the definition, “...but not limited to...” but if bakery...”; Why not simply restaurant?
- Is there to be no change in the calculation for parking requirements associated with this use”
- Is there to be a change to the TSA, allowance for “Manufacturing and processing, food”, but to include this use in the definition? Not currently defined.

- Should Commercial Kitchen be defined as well?

Summary:

Would it be easier and more to the point to simply include “Food Processing – Small Scale”, and also retail bakery, catering and commercial kitchen/commissary” to the definition of Restaurant?

21A.62: Definitions:

RESTAURANT: An establishment where food and drink are prepared, served, and may be consumed. Uses also include commercial/commissary kitchen, retail bakery, and catering.

VS

RESTAURANT: An establishment where food and drink are prepared, served, and consumed, mostly within the principal building.

Engineering: Engineering has no comment.

ATTACHMENT E: MOTIONS

Consistent with Staff Recommendation:

Based on the information in the staff report and the discussion heard, I move the Planning Commission to transmit a favorable recommendation to the City Council regarding petition PLNPCM2015-00819, text changes to allow small scale food production uses.

Not consistent with Staff Recommendations:

Based on the staff report information, public input and discussion and the following finding(s), I move that the Planning Commission transmit a negative recommendation to the City Council relating to commercial food production.

The Planning Commission shall make findings on the Zoning Text Amendment standards as listed below:

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

Correction to staff report approved by Planning Commission

The permitted uses in the Form Based Districts should look like this: (change on page 6 of the staff report)

21A.33.080: Table of Permitted and Conditional Uses in Form Based Districts

Use	FB-UN1	FB-UN2
Food Processing		P
<u>Commercial Food Preparation</u>		<u>P</u>
<u>Artisan Food Production</u>		<u>P¹</u>

**4.C PLANNING COMMISSION
AGENDA AND MINUTES**

THIRD AMENDED SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA
In Room 326 of the City & County Building
451 South State Street
Wednesday, September 14, 2016, at 5:30 p.m.
(The order of the items may change at the Commission's discretion.)

The field trip is scheduled to leave at 4:00 p.m.

Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room 126 of the City and County Building. During the dinner break, the Planning Commission may receive training on city planning related topics, including the role and function of the Planning Commission.

PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326

APPROVAL OF MINUTES FOR AUGUST 24, 2016

REPORT OF THE CHAIR AND VICE CHAIR

REPORT OF THE DIRECTOR

1. **REHEARING (due to noticing error) - Regent Street Hotel Design Approval Time Extension**
- A time extension is requested by the Applicant of the previously approved Regent Street Hotel Conditional Building and Site Design. **Original Approval was for 2 years not 1 year therefore, no action is required by the Planning Commission at this time.** (Staff contact: Molly Robinson at (801) 535-7261 or molly.robinson@slcgov.com.) Case number **PLCPCM2015-00463**

PUBLIC HEARINGS

Administrative Matters

2. **REHEARING (due to noticing error) - Sugarmont Apartments at approximately 2189 S McClelland Avenue** - A request by Jeff Vitek, representing Boulder Ventures, for the approval of a Planned Development and Conditional Building and Site Design in order to construct a 352 unit multi-family residential development at the above listed address. The property is located in the CSHBD1 Sugar House Business District. The properties are located within Council District 7, represented by Lisa Adams. (Staff Contact: John Anderson at (801)535-7214, or john.anderson@slcgov.com)
 - a. **Conditional Building and Site Design** - The applicant has made a request for Conditional Building and Site Design approval for the proposed project as the Zoning Ordinance requires that any structure in the CSBHD1 Sugar House Business District that exceeds 50 feet or 20,000 square feet must be approved through this process. Case number **PLNPCM2015-00847**
 - b. **Planned Development** - The applicant has also made a request to modify two requirements of the Zoning Ordinance. These modifications must be approved as a Planned Development. The two requests would only affect a portion of the south facade of a building located near the intersection of McClelland Street and Sugarmont Drive. The first request is to exceed the maximum front yard setback along Sugarmont Drive. The second request is that the building not be required to step back the building facade 15 feet after it rises higher than 30 feet in height. Case number **PLNPCM2016-00511**

Legislative Matters

3. **Richards Street Condos Planned Development and Conditional Building & Site Design Review at approximately 38 W 1700 South** – James Alfandre, is requesting approval from the City to develop a proposed 32-unit condominium project at the above listed address. The applicant is requesting Planned Development approval for moderation of certain required zoning standards related to side yard setbacks, building height, grade changes and parking. The development also requires Conditional Building and Site Design Review for certain height, setback, and ground floor glass requirements. Currently the four parcels contain three abandoned single family structures and a vacant lot. The properties are zoned CB Community Business District and CC Corridor Commercial District. The subject property is within Council District 5, represented by Erin Mendenhall. (Staff contact: JP Goates at (801)535-7236 or jp.goates@slcgov.com.)
 - a. **Planned Development** – The requested Planned Development approval is for relaxation of certain requirements including an additional five feet of height to 35 feet in the CB district, less than 15 foot side yard setback in the CC district, grade changes over four feet in a required yard, and application CB parking requirement for units lying in the CB and CC districts. Case number: **PLNSUB2016-00421**
 - b. **Conditional Building & Site Design (CBSD) Review** – The applicant is also requesting approval through the CBSD process for 35 feet in height in the CC district, building gross square footage over 15,000 square feet, and ground floor glass that is less than 25%. Case number: **PLNPCM2016-00422**
4. **Alley Closure at approximately 25 S 1000 W** - Justin Ellis, representing Freeman Ventures LLC which owns the parcel at the above listed address, is requesting the closure of an alley located along the north property line of his parcel and also adjacent to ten other parcels. The alley closure will be accomplished via a lease agreement between the applicant and the City with the City maintaining ownership of the alley and the utilities beneath it. The City will be able to access the alley for maintenance and repair of the utilities. The Planning Commission is required to transmit a recommendation to the City Council for alley closure requests. (Staff contact: Christopher Lee (801)535-7706 or christopher.lee@slcgov.com.) Case number: **PLNPCM2016-00368**
5. **Mick Riley Golf Course Surplus Property Exchange at approximately 473 E Vine Street** - Salt Lake City seeks to convey nine significant parcels of real estate located within the Mick Riley Golf Course at the address listed above to Salt Lake County, pursuant to Municipal Code section 2.58.040. This is part of the Interlocal Cooperation Agreement between Salt Lake City and Salt Lake County dated December 22, 2015. The purpose of declaring the property surplus is so that the City can complete a land exchange with Salt Lake County. The City would be exchanging this land for other County owned land that has been deemed more useful for City purposes. (Staff contact: Christopher Lee (801)535-7706 or christopher.lee@slcgov.com.) Case number: **PLNPCM2016-00053**
6. **Small Scale Food Production Text Amendment** - A request by the City Administration to create a definition(s) and land use classification(s) for small scale food production uses, such as commissary kitchens and artisan food production. As part of this project the city is also reviewing whether the proposed uses are compatible with other uses allowed in the commercial and other related zoning districts. The purpose of this proposed change is to support locally owned businesses and smaller scale food production in the City. The proposed changes might affect sections 21A.33 Land Use Tables and 21A.62 Definitions. Related provisions of Title 21A-Zoning may also be amended as part of this petition. (Staff contact: Tracy Tran at (801)535-7645 or tracy.tran@slcgov.com.) Case number: **PLNPCM2015-00819**

The files for the above items are available in the Planning Division offices, room 406 of the City and County Building. Please contact the staff planner for information, Visit the Planning Division's website at www.slcgov.com/CED/planning for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at www.slctv.com.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.

SALT LAKE CITY PLANNING COMMISSION MEETING
Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, September 14, 2016

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:30:05 PM](#). Audio recordings of the Planning Commission meetings are retained for an indefinite period of time.

Present for the Planning Commission meeting were: Chairperson Matt Lyon, Vice Chairperson Carolynn Hoskins; Commissioners Maurine Bachman, Michael Gallegos, Ivis Garcia, Andres Paredes and Sarah Urquhart. Commissioners Emily Drown and Clark Ruttinger were excused.

Planning Staff members present at the meeting were Nick Norris, Planning Manager; John Anderson, Senior Planner; Jonathan Goates, Principal Planner; Tracy Tran, Principal Planner; Christopher Lee, Associate Planner; Michelle Moeller, Administrative Secretary and Paul Nielson, City Attorney.

Field Trip

A field trip was held prior to the work session. Planning Commissioners present were: Ivis Garcia, Carolyn Hoskins and Sarah Urquhart. Staff members in attendance were Nick Norris, Jonathan Goates and Christopher Lee.

The following sites were visited:

- **38 W 1700 South** - Staff gave an overview of the proposal. The Commission asked how long the home had been vacant. Staff stated the Applicant would have to answer that question. The Commission asked if the requested modification included setback reduction and height. Staff stated yes, also some design modification, parking and a grade change of four feet.
- **25 S 1000 W** - Staff gave an overview of the proposal. The Commission asked if the City would retain ownership. Staff stated yes, but property owners would have exclusive use. The Commission asked if the gate was already up. Staff stated yes, but it would have to be permitted.

Chairperson Lyon reviewed the changes to the agenda. He thanked former Commissioner Mike Fife for his time on the Commission and his activism in the City.

The Commissioners thanked Mike Fife for his time on the Commission and dedication to the City of Salt Lake and thanked him for his influence.

Mr. Mike Fife thanked the Staff, Commissioners old and new and the City administration for all the work in Planning and the public for their input in the process. He stated he was grateful for the time he served on the Commission and the experience he has had during his time on the Commission.

and Site Design Review, based on the information in the Staff Report, public testimony, and discussion by the Planning Commission, she moved that the Planning Commission approve petitions PLNSUB2016-000421 and PLNPCM2016-00422, regarding the Richards Street Condos Planned Development and Conditional Building and Site Design Review requests. Subject to conditions one through five as listed in the Staff Report. Commissioner Gallegos seconded the motion. The motion passed unanimously.

[6:38:10 PM](#)

Alley Closure at approximately 25 S 1000 W - Justin Ellis, representing Freeman Ventures LLC which owns the parcel at the above listed address, is requesting the closure of an alley located along the north property line of his parcel and also adjacent to ten other parcels. The alley closure will be accomplished via a lease agreement between the applicant and the City with the City maintaining ownership of the alley and the utilities beneath it. The City will be able to access the alley for maintenance and repair of the utilities. The Planning Commission is required to transmit a recommendation to the City Council for alley closure requests. (Staff contact: Christopher Lee (801)535-7706 or christopher.lee@slcgov.com.) Case number: PLNPCM2016-00368

Mr. Christopher Lee, Associate Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending the Planning Commission forward a favorable recommendation to the Planning Commission.

The Commission and Staff discussed the following:

- How the alley would be physically closed.
- Who would have access to the alley and who would own the property?
- The location of the gate/fence.
- Who would maintain the property?

PUBLIC HEARING [6:46:29 PM](#)

Chairperson Lyon opened the Public Hearing, seeing no one wished to speak; Chairperson Lyon closed the Public Hearing.

MOTION [6:47:00 PM](#)

Commissioner Gallegos stated regarding, PLNPCM2016-00368: **Alley Closure at approximately 25 S 1000 W (23 S 1000 W)**, based on the findings and analysis in the Staff Report, testimony, and discussion at the public hearing, he moved that the Planning Commission transmit a positive recommendation for the alley closure to the City Council with the conditions one through three as listed in the Staff Report. Commissioner Hoskins seconded the motion. The motion passed unanimously.

[6:48:48 PM](#)

Small Scale Food Production Text Amendment - A request by the City Administration to create a definition(s) and land use classification(s) for small

scale food production uses, such as commissary kitchens and artisan food production. As part of this project the city is also reviewing whether the proposed uses are compatible with other uses allowed in the commercial and other related zoning districts. The purpose of this proposed change is to support locally owned businesses and smaller scale food production in the City. The proposed changes might affect sections 21A.33 Land Use Tables and 21A.62 Definitions. Related provisions of Title 21A-Zoning may also be amended as part of this petition. (Staff contact: Tracy Tran at (801)535-7645 or tracy.tran@slcgov.com.) Case number: PLNPCM2015-00819

Ms. Tracy Tran, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). She stated Staff was recommending the Planning Commission forward a favorable recommendation to the City Council.

The Commission and Staff discussed the following:

- The location of these businesses and if parking issues would arise when next to other restaurants.
- The parking requirement for the proposal.
- The definition of small scale.
- The zoning areas where these uses would be appropriate.

PUBLIC HEARING [7:02:26 PM](#)

Chairperson Lyon opened the Public Hearing, seeing no one wished to speak; Chairperson Lyon closed the Public Hearing.

The Commission and Staff discussed the following:

- The concern over the hours of operation for these businesses.
- How the size of these types of uses would be regulated.

MOTION [7:04:22 PM](#)

Commissioner Gallegos stated regarding, PLNPCM2015-00819 – Small Scale Food Production Text Amendment, based on the information in the Staff Report and the discussion heard, he moved that the Planning Commission transmit a positive recommendation to the City Council regarding petition PLNPCM2015-00819, text amendments that address small-scale food production in the City. Commissioner Garcia seconded the motion. The motion passed unanimously.

[7:05:30 PM](#)

Mick Riley Golf Course Surplus Property Exchange at approximately 473 E Vine Street - Salt Lake City seeks to convey nine significant parcels of real estate located within the Mick Riley Golf Course at the address listed above to Salt Lake County, pursuant to Municipal Code section 2.58.040. This is part of the Interlocal Cooperation Agreement between Salt Lake City and Salt Lake County dated December 22, 2015. The purpose of declaring the property surplus is so that the City can complete a land exchange with Salt Lake County. The City would be exchanging this land for other County owned land that has been deemed more

5. ORIGINAL PETITION



RECEIVED

OCT 01 2015

PLN/PCN-2015-00819

Petition Initiation Request

Planning Division
Community & Economic Development Department

SCANNED BY: Mayor
DATE: 10/11/15
Vindson

To: Mayor Becker NLS
From: Nora Shepard, Planning Director
Date: September 22, 2015
CC: Jill Love, Community & Economic Development Director; Mary De La Mare-Schaefer, Community & Economic Development Department Deputy Director; Cheri Coffey, Assistant Planning Director; file
Re: Commercial Food Production

This memo is to request that you initiate a petition for the Planning Division to analyze the appropriateness of revising regulations relating to commercial food production. The current zoning regulations do not differ between scale relating to food production or processing. As the local food movement grows and more small food producers come on line, they are finding barriers to locating in the City due to our regulations. The current regulations do not differentiate between large commercial food processing (such as cereal manufacturing or national brands) and smaller home grown companies making jam or selling honey. In addition "commercial kitchen" is neither listed as a use in our use tables nor is it defined. This is one of the issues that CED has identified as a "top ten" issue to help promote economic development in the City.

As part of the process, the Planning Division will follow the City adoption process for amending the City Code and zoning text amendments which includes citizen input and public hearings with the Planning Commission and City Council.

If you have any questions, please contact me.

Concurrence to initiating the zoning text amendment petition as noted above.

Handwritten signature of Ralph Becker.

Ralph Becker, Mayor

10/8/15

Date