

**TAYLORSVILLE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**MEETING DATE:** October 17, 2012

**AGENDA ITEM:** Public Hearing - Ordinance #12-29 for a proposed text amendment to Sections 13A-08-02, 13A-36-19, 13A-36-20 of the Taylorsville Land Development Code.

**PRESENTER:** MARK MCGRATH

**AUTHOR:** MICHAEL MELDRUM

**ISSUE SUMMARY:**

A potential loophole exists in State Code for the licensing of reception centers. The issue at hand is the sale of alcohol in such a center. The problem is that a business may be licensed as a reception center but function as a tavern. This is not the intent of obtaining licensing as a reception center. To close the potential loophole, staff recommends adopting an ordinance that contains very specific language for uses associated with reception centers. A proposed definition is attached to this report.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission unanimously recommends that the City Council adopt an ordinance amending Sections 13A-08-02, 13A-36-19, and 13A-36-20 of the Taylorsville Land Development Code.

**STAFF RECOMMENDATION:**

Staff recommends that the City Council adopt Ordinance #12-29 amending Sections 13A-08-02, 13A-36-19, and 13A-36-20 of the Taylorsville Land Development Code.

TAYLORSVILLE, UTAH  
**ORDINANCE NO. 12-29**

AN ORDINANCE OF THE CITY OF TAYLORSVILLE TO AMEND SECTIONS 13A-08-02, 13A-36-19, AND 13A-36-20 OF THE TAYLORSVILLE LAND DEVELOPMENT CODE.

The City Council of Taylorsville ordains as follows:

**WHEREAS**, on September 11, 2012 and September 25, 2012 the Taylorsville Planning Commission properly noticed and held a public hearing and voted 6-0 to recommend approval amending the text of Sections 13A-08-02, 13A-36-19, and 13A-36-20 of the Taylorsville Land Development Code; and

**WHEREAS**, on September 7, 2012 a notice of public hearing regarding the proposed zoning text amendment was posted on the Utah Public Notice Website; and

**WHEREAS**, on October 12, 2012 a notice of public hearing regarding the proposed zone change was posted in 3 different places within the City of Taylorsville boundaries; and

**WHEREAS**, the Taylorsville City Council met in a regular session on October 17, 2012 to conduct and consider, among other things, a public hearing regarding the proposed text amendment; and

**WHEREAS**, after careful consideration and review, the City Council has determined that it is in the best interest, health, safety, and welfare of the citizens of Taylorsville to amend Sections 13A-08-02, 13A-36-19, and 13A-36-20 of the Taylorsville Land Development Code.

**NOW, THEREFORE, BE IT ORDAINED** by the Taylorsville, Utah City Council that this document be adopted to change the text of the zoning ordinance:

**13A-08-02 Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts**

A. Matrix Explanation. The matrix below lists all uses permitted within the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts.

- P= Permitted
- AC= Administrative Conditional
- NC= Nonadministrative Conditional
- S= Special Use Permit
- N= Not Permitted

For those letters which are followed by a slash "/", the second letter shall indicate those location restrictions for uses located within 250 feet of a residential district (unless bisected by a principal arterial road as determined by the City Engineer or as identified in the Transportation Element of the City General Plan).

For those land uses marked with a superscript number (i.e. AC<sup>1</sup>), refer to subsection following the table for explanation.

B. Table of Uses

Land Use Category	RC-Regional Commercial	BC-Boulevard Commercial	CC-Community Commercial	NC-Neighborhood Commercial	LC-Limited Commercial	PO-Professional Office	ID-Industrial District	MU-Mixed Use	TC-Transit Corridor	RD - Research and Development
Public Service	P	P	P	P	P	P	P	P	P	P
Public Utility Station	P	NC	AC/NC	NC	NC	AC/NC	P	NC	N	AC/NC
<b><u>Reception Center</u></b>	<b><u>P</u></b>	<b><u>P/A</u></b> <b><u>C</u></b>	<b><u>P/A</u></b> <b><u>C</u></b>	<b><u>NC</u></b>	<b><u>NC</u></b>	<b><u>NC</u></b>	<b><u>N</u></b>	<b><u>AC/N</u></b> <b><u>C</u></b>	<b><u>AC/N</u></b> <b><u>C</u></b>	<b><u>N</u></b>
Recreation Center	P	P/AC	P/AC	P/AC	P/AC	N	AC	AC	NC	N
Recreation, Indoor	P	P	P	P	P	N	AC	AC	NC	N

Small Health Care Facility	N	P/AC	P/AC	AC	AC	N	N	AC	AC	N
Social Detoxification Facility	N	N	N	N	N	N	N	N	N	N
<b>Social or Reception Center</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P/A C</b>	<b>AC</b>	<b>P</b>	<b>AC</b>	<b>AC/N C</b>	<b>AC</b>	<b>N</b>
Solar Equipment	S	S	S	S	S	S	S	S	S	S

### 13A-36-19 "R" Definitions

**Reasonable Accommodation** - A change in a rule, policy, practice, or service necessary to afford a person equal opportunity to use and enjoy a dwelling. As used in this definition:

- A. "Reasonable" means a requested accommodation will not undermine the legitimate purposes of existing zoning regulations notwithstanding the benefit that the accommodation would provide to a person with a disability.
- B. "Necessary" means the applicant must show that, but for the accommodation, one or more persons with a disability likely will be denied an equal opportunity to enjoy housing of their choice.
- C. "Equal Opportunity" means achieving equal results as between a person with a disability and a nondisabled person.

**Reception Center** - A building, together with its accessory buildings and premises, which is a place of assembly with the predominant purpose of hosting single events either occurring alone or as part of another activity or business. The noise ordinance shall be enforced as provided in Section 26A-1-114 of the Utah Code Annotated. Typical uses include wedding receptions, birthday parties, bar mitzvahs, quinceañeras, conventions, and other similar events, etc. Consecutive or repeated similar events shall not be held by the same applicant.

**Reciprocal Access** - Where commercial uses share a property line, off-street parking lots servicing the properties are made accessible to each other.

### 13A-36-20 "S" Definitions

**Small Health Care Facility** - See "Health Care Facilities."

**Social Detoxification** - See "Human Services Programs or Facilities."

**Social Center, Fraternal Organizations, or Senior Citizens Center** - A building or group of buildings and/or uses owned or maintained by an association or organization for the fraternal, social and/or recreational purposes of certain groups. This may include a meeting hall, cooking and dining facilities for large groups, but shall not provide overnight lodging. This definition shall include but not be limited to fraternal organizations and senior citizen centers.

**Social Club** - A type of club that allows the sale, storage, service, and consumption of alcoholic beverages (liquor, wine, heavy beer, and beer) on the premises. Social clubs include any other club that does not qualify as an equity, fraternal, or dining club, such as a social drinking club that does less than 50% of its business from the sale of food.

See also "Alcoholic Beverage Establishments."

**PASSED AND APPROVED** this \_\_\_ day of October 2012.

**TAYLORSVILLE CITY COUNCIL**

By: \_\_\_\_\_  
**Jerry W. Rechtenbach**, Council Chair

**VOTING:**

Dama Barbour	Yea ___ Nay ___
Ernest Burgess	Yea ___ Nay ___
Larry Johnson	Yea ___ Nay ___
Kristie Overson	Yea ___ Nay ___
Jerry W. Rechtenbach	Yea ___ Nay ___

**PRESENTED** to the Mayor of the City of Taylorsville for approval this \_\_\_ day of October 2012

**APPROVED** this \_\_\_ day of October 2012.

\_\_\_\_\_  
**Russ Wall**, Mayor

**ATTEST:**

\_\_\_\_\_  
**Cheryl Peacock Cottle**, Recorder

**DEPOSITED** in the Recorder's office this \_\_\_ day of October 2012.

**POSTED** this \_\_\_ day of October 2012.