

Mapleton City Planning Commission Staff Report

Meeting Date: September 27, 2012

Items: 5 & 6

Applicant: Mapleton City

Prepared by: Matt Brady

Public Hearing Item: Yes

Council Action Required: Yes

REQUEST

Mapleton City requests to amend Mapleton City Code Chapter 18.72: I&M-1 INDUSTRIAL & MANUFACTURING ZONE in order to add provisions allowing for construction / contractor offices and general provision allowing for outdoor construction storage yards and outdoor fueling tanks.

Mapleton City requests to amend Mapleton City Code 18.84.210: LOCATION OF GASOLINE PUMPS in order to amend required setbacks for gasoline pumps.

FINDINGS OF FACT:

1. Mapleton City Code 18.72.010: PURPOSE AND INTENT states: “*The I&M-1 industrial and manufacturing zone is specific to areas of the city as identified on the Mapleton City general plan map. The I&M-1 zone shall not be applied to areas designated on the general plan map as "commercial" or any other uses. The primary purpose of the I&M-1 zone is to allow for general "cottage industry" activities such as warehousing and incidental office space, light manufacturing, minor industrial uses and heavier commercial uses not allowed in the GC-1 zone.*”
2. The I&M-1 Zone does not currently list construction companies as a permitted use (nor as a conditional use).
3. Staff is proposing an ordinance amendment to allow construction companies as a permitted use in the I&M-1 Zone, and those with outdoor storage areas requiring a conditional use permit. See Attachment #1 for this proposed ordinance amendment.
4. Staff is also proposing an ordinance amendment to Mapleton City Code 18.84.210: LOCATION OF GASOLINE PUMPS allowing for above ground fuel storage tanks and modifying locational requirements for pumps. See Attachment #2 for this proposed ordinance amendment.

STAFF ANALYSIS:

1. It is the opinion of Staff that construction companies fall within the intent of “*minor industrial uses and heavier commercial uses*”, and are generally common in similarly zoned light industrial areas in other cities.
2. It is the opinion of Staff that onsite fueling tanks for company vehicles are often an integral part of a viable construction company and other light industrial uses.
3. It is the opinion of Staff that in addition to the other setback and landscaping requirements of the I&M-1 Zone, it is necessary to have additional controls relating to the placement of fuel storage tanks to protect the public health, safety, and welfare. Staff has coordinated with Derald Olsen, Mapleton City’s Fire Inspector, to draft an ordinance designed to allow fuel tanks while not jeopardizing the public health, safety, and welfare.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed ordinance.

	<p><u>ALTERNATIVE ACTIONS:</u></p> <ol style="list-style-type: none">1. The Planning Commission may recommend denial of the proposed ordinance amendment to the City Council. Reasons for denial should be stated in the motion.2. Continue to a Future Meeting Date: This action could be based upon findings that additional information is required prior to rendering a decision or to further consider information. <p><u>ATTACHMENTS:</u></p> <ol style="list-style-type: none">1. Proposed Ordinance Amendment – Mapleton City Code <u>Chapter 18.72: I&M-1 INDUSTRIAL & MANUFACTURING ZONE</u>2. Proposed Ordinance Amendment – Mapleton City Code <u>18.84.210: LOCATION OF GASOLINE PUMPS</u>
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ATTACHMENT #1

Chapter 18.72 I&M-1 INDUSTRIAL AND MANUFACTURING ZONE

18.72.010: PURPOSE AND INTENT:

The I&M-1 industrial and manufacturing zone is specific to areas of the city as identified on the Mapleton City general plan map. The I&M-1 zone shall not be applied to areas designated on the general plan map as "commercial" or any other uses. The primary purpose of the I&M-1 zone is to allow for general "cottage industry" activities such as warehousing and incidental office space, light manufacturing, minor industrial uses and heavier commercial uses not allowed in the GC-1 zone.

18.72.020: PERMITTED USES:

The following principal uses are permitted in the I&M-1 zone. Uses not specified as a permitted use or a conditional use as defined in section [18.72.025](#) of this chapter, shall be considered "prohibited" in the I&M-1 zone. The uses below are permitted on individual lots or commercial condominium projects as defined by [title 17, chapter 17.03](#), "Condominiums", of this code.

Accounting, auditing, bookkeeping services.

Advertising services.

Aircraft and accessories sales, service, and manufacturing.

Animal hospital services.

Apparel and other finished products made from fabrics, leathers, etc.

Art studios, including the sculptures, ironwork, pottery, etc.

Audio visual production.

Automotive repair, including brakes, mufflers, tire repair and replacement, body shops, etc.

Bakery products.

Bottling and canning soft drinks and carbonated waters.

Building materials, hardware, farm equipment, and supplies sales.

Commercial testing laboratories and services.

Confectionery and related products.

Construction / contractor offices (with no outdoor storage areas). Construction / contractor offices with outdoor storage areas may be approved subject to a conditional use permit. The Planning Commission shall have the authority to require additional screening and/or landscaping for outdoor storage areas to avoid nuisances to adjacent properties.

Consumer and mercantile credit reporting services; adjustment and collection services.

Converted paper and paperboard products manufacturing.

Cut stone and stone products production.

Cutlery, hand tools, and general hardware manufacturing.

Data processing services.

Drugs (manufacturing).

Duplicating, mailing and stenographic services.

Educational services.

Electrical appliance repair.

Engineering and planning services.

Farm and construction vehicles sales and manufacturing.

Finance, insurance, and real estate services.

Flat glass product manufacturing.

Gas and electric utility company office.

Glass and glassware production (pressed or blown).

Governmental and postal services.

Gymnasiums, athletic clubs, body building studios.

Industrial laundry services.

Insurance carriers, agents, brokers, and services.

Legal services.

Light manufacturing of furniture and fixtures.

Mail order houses.

Microfilming/services.

Miscellaneous agricultural uses.

Miscellaneous machinery sales, service, repair, and manufacturing.

New and used house trailers and campers sales, service, and manufacturing.

Office machine sales, repair, and manufacturing (small).

Parks.

Perfumes, cosmetics, and other toiletries preparations.

Physician's medical and dental offices and laboratory services in single offices or medical centers.

Pottery and related products production.

Printing, publishing, and allied industries.

Professional, scientific and controlling instruments; photographic and optical goods; watches and clocks.

Recreation and community centers.

Research services.

Security and commodity brokers, dealers, exchange, and services.

Sewage pumping stations.

Textile mill products.

Veterinarian services.

Warehousing with office spaces.

18.72.025: CONDITIONALLY PERMITTED USES:

A. Conditions: Uses must be compatible with the intent of this zone. The conditions imposed upon these uses must fall under one or more of the following categories:

1. Conditions relating to safety for persons and property;
2. Conditions relating to health and sanitation;
3. Conditions relating to environmental concerns;
4. Conditions relating to compliance with the general plan or special characteristics of the zoning district;
5. Conditions relating to performance, specifically the developer's ability to complete the project;
6. Conditions relating to traffic circulation and parking;
7. Conditions relating to aesthetics.

B. Plan Review: Prior to the city council's review of a conditional use permit, the applicant must have the plan reviewed by the development review committee and the planning commission. Any new project, and all new buildings within the I&M-1 zone shall be a conditional use.

C. Uses: The following is a list of conditional uses:

Agribusiness.

Automotive repair including brake and tire repair or services.

Billiards.

Childcare center.

Convenience store.

Dance halls.

Miscellaneous business services.

Restaurants.

18.72.030: SITE PLAN APPROVALS:

All proposed new development within the I&M-1 zone shall be required to submit a site plan, which complies with all the requirements listed in section [18.72.040](#) of this chapter. Said site plan shall be conditionally approved by the planning commission. As a means of mitigating potential safety hazards or significant adverse visual impacts, the planning commission may require the installation of landscape features or peripheral landscape screens. Where landscaping is required the site plan shall, in addition to all other elements, contain a landscape plan showing the locations of landscape areas, the location and types of all proposed plantings and other landscape features, and the location of required sprinkler systems. The planning commission may also require additional fencing requirements, changes to the parking lot and traffic flow.

18.72.040: LOTS, BUILDINGS, YARDS, AND OPEN SPACES:

There is no minimum lot area requirement in the I&M-1 zone except as may be dictated by off street parking requirements, adequate circulation, and property site utilization. There will be a minimum of a seventy five foot (75') frontage on a public street. The maximum building height (including mechanical equipment) is thirty feet (30').

A. Setbacks: The following setback specifications are required:

1. Thirty foot (30') front yard setback if parking areas are proposed or existing in front of the building or structure. Within the front yard setback, there will be a six foot (6') separation between the back of the curb and edge of the sidewalk (where required) nearest the curb. If the required parking areas are located on the side or in the back of the building or structure, then the front yard setback shall be no less than twenty feet (20'). Corner lots shall be considered a front yard, and all setbacks shall apply. On local streets, fifteen feet (15') of the front yard area shall be maintained in landscaping in conformance to [chapter 17.15](#) of this code. On collector or arterial streets, all of the front yard shall be landscaped in conformance to [chapter 17.15](#) of this code.
2. Except for corner lots, each lot in the I&M-1 zone shall be required to have a ten foot (10') side yard setback. Side yards on corner lots shall be required to meet the same front yard standards

unless the setback is to a primary building, in which the required setback shall be reduced to twenty feet (20').

3. Fifteen foot (15') landscaped rear yard setback for any uses abutting a residential zone or residential use. If all of the required parking is located within a rear yard area, or in back of the building, then ten foot (10') landscaped setback shall apply.

B. Screening And Landscaping Requirements:

1. A decorative wall at least six feet (6') in height shall be required along all property lines which lie immediately adjacent to any residential zone. Said wall shall be masonry or other materials approved by the planning commission. In areas where there are no existing residential uses, the zone or future zone will be residential. The planning commission may allow landscape screening in lieu of a wall or in combination with a smaller wall. The applicant must demonstrate that the landscaped screening will be sufficient to protect the future adjacent uses from noise, lights, glare, and other commercial or industrial nuisances.
2. All landscaped areas shall conform to [chapter 17.15](#) of this code. Furthermore, the landscaping will contain ten (10) trees per acre, or a fraction thereof, and be at least one inch (1") caliper, measured three feet (3') from the ground.
3. All mechanical equipment shall be located within or on the side of the building or on the roof with parapet walls and not within the required setbacks. Any mechanical equipment located on the outside of the building must have a visual/noise barrier that completely surrounds the equipment and extends at least one foot (1') above the equipment.

- C. Parking And Driveway Access:** Parking will be required to be in compliance with section [18.84.270](#) of this title. Parking areas will be screened from adjacent roads with landscaped berms. There shall be no parking allowed in any required landscaping area. Driveways shall not encompass more than thirty percent (30%) of a required front or side yard. Drive access for parcels or lots located along any state highway shall be limited to the adjoining side street if present. Otherwise one curb cut and driveway access will be permitted regardless of what would be allowed by the Utah department of transportation, however, the stricter requirement shall apply.

18.72.050: PROJECT PLAN APPROVALS:

Concurrent with any request to rezone property to the I&M-1 zone; or if the property is currently zoned I&M-1, prior to any approval for a building permit, a preliminary project plan shall be submitted to and approved by the Mapleton City planning commission. Said preliminary project plan shall be drawn to scale and shall contain the following information:

- A. Location of all existing and proposed buildings and structures on the site, including an indication of the proposed uses;
- B. The location of all parking spaces as required by the planning commission, driveways and points of vehicular ingress and egress;
- C. A conceptual signing plan showing the location and size of typical signs;

- D. A conceptual landscaping plan subject to the requirements in [chapter 17.15](#) of this code showing planting materials to be used together with the location of fence, walls, hedges, and decorative materials;
- E. Preliminary elevations of the buildings showing the general appearance and types of exterior materials to be used.
- F. Accessory structures less than five hundred (500) square feet in size shall be approved by the planning director as long as the structure does not encroach on any of the required parking or required landscape areas. Furthermore, building additions less than five hundred (500) square feet shall also be approved by the planning director so long as they meet the aforementioned criteria, and as long as the addition does not physically alter the character of the building. Accessory buildings and additions shall be architecturally compatible with the main structure, including exterior building materials and colors.
- G. Above ground fuel storage tanks and pumps shall require a conditional use permit from the Planning Commission, and shall conform to the requirements of section 18.84.210 of this title. In granting a conditional use permit for above ground or underground fuel storage tanks and pumps, the Planning Commission shall ensure that tank shall conform to all of the requirements of the I&M-1 Zone and section 18.84.210 of this title. The Planning Commission shall have authority to require additional conditions in order to protect the public health, safety, and welfare.
- ~~H. G~~–Prior to the construction of any building or structure in the I&M-1 zone, a final project plan shall be submitted and approved by the city council, after a recommendation from the planning commission. Said project plan shall be drawn to scale and shall contain all required information designated on the application checklist. The planning commission may require a traffic study be submitted prior to a final project plan recommendation.
- ~~I. H~~–Any failure to submit a final project plan within one year of the approval of the preliminary project plan shall terminate all proceedings and render the preliminary plan null and void, and the planning commission may also take further action to rezone the property as per section [18.12.010](#) of this title.

18.72.060: UTILITY REQUIREMENTS:

All buildings used for human occupancy shall provide for culinary water and domestic sewage disposal.

18.72.070: SPECIAL PROVISIONS:

Where the use of activity is one which requires the prior approval of other local, state or federal review agencies, evidence of such approval shall be submitted to the city as part of the application documents.

ATTACHMENT #2

18.84.210: LOCATION OF GASOLINE / DIESEL PUMPS AND ABOVE GROUND FUEL STORAGE TANKS:

~~Gasoline / diesel pump islands shall be set back not less than eighteen feet (18') from any street line to which the pump island is vertical and twelve feet (12') from any street line to which the pump island is parallel and not less than twelve feet (12') from any residential zone boundary line. If the pump island is set at an angle on the property, it shall be so located that automobiles stopped for service will not extend over the property line. In no case shall pumps be set closer than twelve feet (12') from any street line, nor closer than ten feet (10') from any side or rear property line. All construction shall comply with the fire prevention code of the municipality and all applicable federal and state regulations.~~ All gasoline / diesel pumps, above ground fuel storage tanks, and underground fuel storage tanks shall comply with all requirements of Mapleton City Code, the current version of the International Fire Code, the current version of the National Fire Protection Association codes, and any applicable regulations of the State of Utah and Federal Regulations. In case of conflicting provisions in any of the above-listed regulations, the most strict regulations shall apply.

- A. Gasoline / diesel pumps, above ground fuel storage tanks, and underground storage tanks must be allowed in the zone in which they are proposed to be installed.
- B. The applicant shall submit a site plan showing the location of the tank in respect to adjacent buildings and property lines. The plans shall include design, details, and specifications.
- C. All gasoline pumps shall be located no further than 500 feet from a fire hydrant, but no closer than 75 feet to a fire hydrant. The hydrant must be accessible from the abutting public street.
- D. All above ground gasoline storage tanks / pumps shall be located in a rear yard behind or to the side of a main commercial or industrial building, and shall be sight-obscured by a six foot (6') high masonry fence surrounding the tank. The yard must be accessible to the Fire Department by crash gate, key, or entry code.
- E. Above ground fuel storage tanks must have a 25-foot clear radius from combustible materials, storage areas, and buildings.
- F. Above ground fuel storage tanks shall have a maximum height of 20 feet.
- G. All underground fuel storage tanks and associated pump islands must have a minimum setback of 20 feet from a property line or building.
- H. The maximum number of above ground or underground fuel storage tanks on a lot shall be 2 separate tanks with a maximum capacity of 10,000 gallons each.
- I. Tanks must meet a nationally recognized testing laboratory listing such as Underwriters Laboratory, ASME, or must be certified by an engineer licensed in the State of Utah.
- J. A primary and secondary containment is required for all tank(s) and each must hold 100% of the capacity of the tank(s). The primary containment shall be a double-wall tank. The secondary containment shall be an impermeable diked area. The diked area shall include a sump with an oil-water separator to collect rain water, and the sump shall be surrounded by

an impermeable underground barrier. The sump shall include means to remove the water periodically by pumping when filled. The sump shall not be connected to any sewer, storm drain, or other outlet. The pumped water shall be tested for contaminants and disposed of as directed by the Fire Inspector.

- K. Vent piping for Class I, II or IIIA liquids must be installed at not less than 12 feet above adjacent ground level. Emergency venting is also required.
- L. Dispensing shall be from a listed pump, drawing from the top of the tank. Gravity discharge tanks are prohibited. The dispensing location may not be less than 20 feet from any building, property line, or fixed sources of ignition. Tank openings, pipes, and valves shall be arranged to prevent siphoning.
- M. Guard posts or other means shall be provided to protect tanks from vehicular damage. Tanks must be labeled with the product name and no smoking signs. Tanks must be grounded or bonded to prevent static electricity. A 2A20BC or larger fire extinguisher must remain available at all times.
- N. Approved flame arresters shall be installed in vents.
- O. If there is a risk of projectiles in the area, as determined by the Fire Inspector, projectile protection shall be installed.
- P. An overfill prevention system shall be provided for each tank. During tank filling operations, the system shall:
 - 1. Provide an independent audible or visual alarm signal for notifying the person filling the tank that the fluid level has reached 90% capacity.
 - 2. Automatically shut off the flow of fuel to the tank when the quantity of liquid in the tank reaches 95% capacity. For a rigid-hose fuel delivery system, an approved means shall be provided to empty the fill hose into the tank after the automatic shutoff device is activated.
- Q. A permanent sign shall be provided at the fill point for the tank that documents the filling procedure and the tank calibration chart. The filling procedure shall require the person filling the tank to determine the gallonage required to fill it to 90% capacity before commencing the fill operation.
- R. The delivery of fuel shall not be exposed to open air during the filling operation. The fill pipe shall be provided with a means for making a direct connection to the tank vehicle's fuel-delivery hose. When any portion of the fill pipe drops below the top of the tank, a check valve shall be installed in the fill pipe no more than 12 inches from the fill hose connection.
- S. A spill container having a capacity of not less than 5 gallons shall be provided for each fill connection. For tanks with a top-fill connection, spill containers shall be noncombustible and shall be fixed to the tank and equipped with a manual drain valve which drains into the primary tank. For tanks with a remote fill connection, a portable spill container shall be provided.
- T. Except during filling operations, tank vehicles shall not be parked within 25 feet of an above ground tank.
- U. When a tank and pumps are out of service for 90 days or more:

1. Flammable or combustible liquids shall be removed from the tank.

2. All piping, including fill line, gauge opening, vapor return and pump connections shall be capped or plugged and secured from tampering.

3. Vent lines shall remain open and operable.

V. If a tank and pumps are out of service for 1 year or more, the tank and pumps shall be removed.

W. When removing a tank and pumps:

1. Flammable and combustible liquids shall be removed from the tank and all piping.

2. Piping at the tank openings shall be disconnected when no longer used.

3. All underground piping shall be removed.

4. Tank openings shall be capped or plugged, leaving a 0.125-inch to ¼-inch-diameter opening for pressure equalization.

5. Tanks should be purged and must be inerted prior to removal.

6. All exterior above-grade fill and vent piping shall be permanently removed. Exception: Piping associated with bulk plants, terminal facilities and refineries. Disposal methods for tanks shall be disposed of in accordance with federal, state and local regulations.

X. Tank and pump installation and removal shall be subject to an application and fees set by the City Council.