

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**Room 126 of the City & County Building**  
**451 South State Street, Salt Lake City, Utah**  
**Wednesday, April 9, 2014**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:35:04 PM](#). Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time.

Present for the Planning Commission meeting were: Commissioners Angela Dean, Michael Fife, Michael Gallegos,Carolynn Hoskins, Marie Taylor, Matthew Wirthlin and Mary Woodhead. Chairperson Emily Drown and Vice Chair Clark Ruttinger were excused.

Planning Staff members present at the meeting were: Wilford Sommerkorn, Planning Director; Michaela Oktay, Planning Manager; Nick Britton, Senior Planner; Casey Stewart, Senior Planner; Chris Lee, Principal Planner; Michelle Moeller, Senior Secretary and Paul Nielson, City Land Use Attorney.

**FIELD TRIP NOTES:**

A field trip was held prior to the work session. Planning Commissioners present were: Michael Fife, Mary Taylor and Carolynn Hoskins. Staff members in attendance were Michaela Oktay, Nick Britton, Casey Stewart and Chris Lee.

The following locations were visited:

- **Capitol Hills Plat B-** Staff gave an overview of the proposal. The Commissioners asked about the location of the proposed addition, how it related to the property line and the existing plat.
- **West Temple Area-** Staff gave an overview of the proposal and oriented the Commission to the land use and zoning in the area.

**APPROVAL OF THE MINUTES FROM THE MARCH 26, 2014, MEETING [5:35:20 PM](#)**

**MOTION [5:35:24 PM](#)**

**Commissioner Fife moved to approve the March 26, 2014. Commissioner Taylor seconded the motion. The motion passed unanimously. Commissioner Dean abstained from voting as she was not present at the subject meeting.**

**REPORT OF THE CHAIR AND VICE CHAIR [5:35:40 PM](#)**

Commissioner Gallegos stated he had nothing to report.

**REPORT OF THE DIRECTOR 5:35:50 PM**

Mr. Wilford Sommerkorn, Planning Director, stated the City Council passed the subdivision changes, held briefings regarding the process for alley vacations and the Commissions role in the process. He stated the applicant for the last item on the agenda was unable to attend and was requesting the item be tabled to the April 23 meeting.

**MOTION 5:37:39 PM**

**Commissioner Wirthlin stated regarding the Capitol Hills Subdivision Amendment PLNCUB2014-00028, he moved that the Planning Commission table the petition to the April 23, 2014, Planning Commission meeting. Commissioner Taylor seconded the motion. The motion passed unanimously.**

**WORK SESSION 5:38:07 PM**

**West Temple Residential Zoning Briefing within the boundaries of 1300 South to 2100 South, and TRAX (200 West) to Main Street - Salt Lake City is considering a request to rezone approximately 159 parcels within the area described above. The identified parcels are currently used for single-family housing and zoned RMF-35 Moderate Density Multi-Family Residential District. The petition requests the parcels be rezoned to R-1/5,000 Single-Family Residential District or SR-1 Special Development Pattern Residential District. This type of zoning amendment also requires a master plan amendment. The subject properties are within Council District 5, represented by Erin Mendenhall. (Staff contact: Michael Maloy at 801.535.7118 or michael.maloy@slcgov.com.)**

- a. **Master Plan Amendment - In order to facilitate the proposed zoning amendment the Central Community Future Land Use Map needs to classify the subject properties as Low Density Residential. (Case number PLNPCM2013-00900.)**
- b. **Zoning Map Amendment - In order to downzone the selected parcels from RMF-35 Moderate Density Multi-Family Residential District to R-1/5,000 Single-Family Residential District or SR-1 Special Development Pattern Residential District, an amendment to the Salt Lake City Zoning Map is required. (Case number PLNPCM2013-00899)**

Mr. Michael Maloy, Principal Planner, and Mr. Matt Gray, intern, reviewed the plan and the time line for the project. They stated future updates and reviews would be brought to the Commission.

The Commission and Staff discussed the following:

- The Commission was excited to see the proposal move forward and preserve viable owner occupied spaces.
- The Community Council's view of the proposal.
- The driving factor for the proposed down zoning.
- The number of single family homes in the subject area.
- Number of owner occupies homes in the area.
- Would the proposal create conflicts with denser uses in the surrounding area/streets.
  - There are always potential risks with zoning changes however, notifying property owners of what was happening helped to elevate and mitigate some of the issues.
- The protections for the single family homes and the ability for the properties to change zoning.
- Why the quarter mile radius was used as a measurement for walkability.
  - Statistics reflected this was the distance people would typically walk.
  - The fifteen minute walk was also being used.
- The next steps for the proposal.
- The Commissions preference with the project.
  - Look at the demographics of the area to the north.
  - In favor of perusing the petition.
  - More information on the owner occupied housing.
  - Result of down zoning and the effects it will have on the area.
  - Accessory dwelling unit availability in the area.
  - The effects the proposed zoning will have on property values.
  - Would like to see more involvement from the community.
  - The area had the potential to become very unique.

6:05:39 PM

## **PUBLIC HEARINGS**

**[Surplus Property Declaration at approximately 1226 S 1100 East](#) - Ryan McFarland, Salt Lake City Real Property Manager is requesting approval from the Salt Lake City Administration to declare surplus approximately 896 square feet of Salt Lake City Public Utilities Department-owned property located at the above address. Declaring the property surplus would allow the property to be conveyed to Mr. Phil Winston the abutting property owner at 1234 S 1100 East as part of a land trade for an equivalent portion of property on the adjacent parcel. The lot owned by the Public Utilities Department is vacant and is traversed by the Jordan and Salt Lake Canal. The declaration of surplus property affects the southern portion of the lot and will not impact the use or maintenance of the canal. The proposed trade of property**

would allow for the extension of the McClelland Trail to 1100 East to occur on City owned property. In consideration of the proposed property trade, Salt Lake City and Mr. Winston would exchange easements and Mr. Winston would pay for trail improvements. The value of the property involved in the trade will be determined by the City based on the size of the parcels to be traded. The property is zoned R-1/5,000 (Single Family Residential). This type of project must be reviewed as a Surplus Property petition. The subject property is located within Council District 5, represented by Erin Mendenhall. (Staff contact: Joel Paterson at (801) 535-6141 or [joel.paterson@slcgov.com](mailto:joel.paterson@slcgov.com).) Case number PLNPCM2014-00008.

Mr. Joel Paterson, Zoning Administrator, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission re-approve the petition as outlined.

**PUBLIC HEARING 6:08:06 PM**

Commissioner Gallegos opened the Public Hearing; seeing no one in the audience wished to speak to the petition, Commissioner Gallegos closed the Public Hearing.

**MOTION 6:08:42 PM**

Commissioner Taylor stated regarding petition PLNPCM2014-00008, based on the findings within this Staff Report, she moved that the Planning Commission declare surplus approximately 896 square feet of property located at 1226 S 1100 East as presented and forward a recommendation to the City Administration to dispose of the property in a manner consistent with Section 2.58 of the Salt Lake City Code. This recommendation was subject to the conditions listed as part of the Staff recommendation in the Staff Report.

Mr. Paterson stated Staff was recommending the Commission forward a favorable recommendation to the City Administration.

**Commissioner Woodhead seconded the motion. The motion passed unanimously.**

**6:09:59 PM**

**[Newsrack Ordinance Amendments](#) - A request by Mayor Ralph Becker to amend the ordinance regulating newsracks in the public right-of-way. In addition to clarifying existing regulations, the proposed amendments change the administrative authority over the ordinance, as well as the permitting and placement of newsracks in the public right-of-way. The proposed regulation changes will affect Title 14, Chapter 14.36 of the Salt Lake City Code and the Salt Lake City Consolidated Fee Schedule. The Salt Lake City Council is the decision maker on changes to Title 14.**

**The purpose of this hearing is to provide an opportunity for public input on the proposed changes. The Planning Commission is not required to take action on this item. (Staff contact: Wayne Mills at (801) 535-7282 or wayne.mills@slcgov.com.) Case Number PLNPCM2012-00793.**

Mr. Wayne Mills, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff recommended the Planning Commission review the proposed changes to the Newsrack ordinance and provide comments and suggestions to be forwarded the City Council for consideration. Mr. Mills stated the Planning Commission did not have authority over the ordinance and a formal recommendation was not required.

Commissioner Woodhead stated she was a member of the Westview newspaper board. She stated she did not feel there was a conflict of interest.

The Commission agreed to allow Commissioner Woodhead to be part of the discussion and decision.

The Commission and Staff discussed the following:

- The definition of newsrack in the ordinance.
- The ordinance cannot regulate content.
- The number of newsracks had decreased over the years.
- Placement changes would comply with ADA requirements.
- City owned information kiosks and how the proposed ordinance affected them.
- Reasoning for not having newsracks in business districts other than the Central Business district.
  - The sidewalks may not support the racks.
  - Sidewalk restrictions for newsracks.
  - Some businesses allow newsracks inside their facilities.
- Clarification that there are areas where newsracks could be placed in other business districts in the city.
- Exclude the map and allow newsracks city wide.
- Price increase was prohibitive.
  - The price increase covers the cost for city personal to enforce the regulations.

#### **PUBLIC HEARING 6:31:20 PM**

Commissioner Gallegos opened the Public Hearing; seeing no one in the audience wished to speak to the petition, Commissioner Gallegos closed the Public Hearing.

**DISCUSSION 6:31:42 PM** Mr. Norris explained the issue with multiuse paths in the city where newsracks would not be ideal.

The Commission stated a map was necessary to dictate where newsracks would be allowed. They stated they would like to see the ordinance allow newsracks in other business areas not just downtown.

**OTHER BUSINESS 6:34:33 PM**

The Commission and Staff discussed the Planning Commission's ability to initiate a petition, if the item needed to be listed on the agenda for discussion and consideration and if the petition would be viewed as a Planning Commission petition. They discussed the history of how petition were initiated, that a public hearing was not necessary to start the petition and adding the procedures of initiation to the Planning Commission's Policies and Procedures. The Commission and Staff discussed how to deal with conflicts of interest regarding petition initiation.

Commissioner Dean suggested initiating a petition to change the ordinance adding language and requirement regarding bird safe buildings. She stated she would provide Staff with documentation, to distribute, and then the Commission could review it at a future meeting. She asked Staff how and if these type of guidelines would be appropriate in the ordinance.

The Commission and Staff discussed where it could be possibly listed and the steps for initiating the petition.

Commissioner Dean stated the other petition would address utility boxes and their regulation in special districts.

Staff stated a petition was in the works and encouraged the Commission to submit comments to Staff.

**The meeting adjourned at 6:42:25 PM**