

PLANNING COMMISSION STAFF REPORT
Legislative Item



Planning Division
Department of Community
and Economic Development

**Zoning Amendment Initiation and Commission
Regulation Changes**
Zoning Text Amendment PLNPCM2013-00741
Citywide
January 22, 2014

Applicant: Planning
Commission and City Council

Staff: Daniel Echeverria, 801-
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Tax ID: Citywide

Council District: Citywide

Community Council:
Citywide

**Applicable Land Use
Regulations:**

- [21A.06 Decision Making
Bodies and Officials](#)
- [21A.50 Amendments](#)
- [2.07 City Boards and
Commissions](#)
- [21A.46.120 Sign
Regulations for Special
Purpose Districts](#)

Attachments:

- A. Petition Initiation
Requests
- B. Proposed Regulations
- C. City Code Section 2.07
"City Boards and
Commissions"

Request

The Planning Commission is requesting the City adopt changes in how the City Council and Planning Commission initiate petitions. The City Council has also petitioned to amend the zoning ordinance to incorporate additional changes intended to consolidate, standardize, and update the regulations related to the Planning Commission and Historic Landmark Commission. Additional changes are proposed to eliminate a reference to a nonexistent committee. These requests are being processed in the same petition due to the overlap of the changes proposed to the ordinance. The amendments will affect sections 21A.46, 21A.50, and 21A.06 of the Zoning Ordinance.

Recommendation

Based on the findings in the staff report, Planning Staff finds the proposed amendment does adequately meet the standards for general text amendments and therefore recommends the Planning Commission transmit a positive recommendation to the City Council to adopt the proposed zoning ordinance text amendments.

Recommended Motion

Consistent with Staff Recommendation: Based on the findings listed in the staff report, testimony and plans presented, I move that the Planning Commission transmit a favorable recommendation to the City Council to adopt the proposed zoning ordinance text amendments.

Background

Project Description

The Planning Commission is requesting the City adopt changes in how the City Council and Planning Commission initiate zoning amendment petitions. Currently, the ordinance states that a zoning amendment may be initiated by "...a city council member..." or "...a planning commissioner..." The proposal is to clarify this language to say that the Planning Commission or City Council can initiate a petition when a specified number of members, as decided by the body in their respective rules and procedures, approves of the request. This would remove the ability of an individual City Councilor or Planning Commissioner to unilaterally initiate a petition.

The City Council has also petitioned to amend the zoning ordinance to incorporate additional changes intended to consolidate, standardize, and update the regulations related to the Planning Commission and Historic Landmark Commission. The City Council recently took action to modify City ordinance with regard to the various boards and commissions of the City. The modifications consolidate redundant board and commission rules and procedures into a single section of the code and standardize the different ordinance sections related to these bodies. The amendment also updates ordinance sections related to these bodies to reflect state law. State law under the Land Use and Development Management Act requires that amendments to the land use section of the City ordinance be processed through the Planning Commission for a recommendation from that body before legislative action. Due to this requirement, the changes are being processed through this petition.

An additional change is being proposed regarding the requirement that signs at the ballpark location at 1300 South and West Temple be reviewed by an "urban design committee." As this committee has not been established by any other ordinances and does not exist, it is proposed to be removed.

These amendment requests are being processed in the same petition due to the similarity and overlap of the changes proposed to the ordinance. The amendments will affect sections [21A.46](#), [21A.50](#) and [21A.06](#) of the Zoning Ordinance.

Zoning Amendment Initiation Changes

Under current regulations, individual Planning Commissioners or City Council members have the ability to initiate zoning map amendments, master plan amendments, and zoning text amendments as allowed by 21A.50 "Amendments." The existing regulation in 21A.50.30 "Initiation" is as follows:

Amendments to the text of this title or to the zoning map may be initiated by filing an application for an amendment addressed to the planning commission. Applications for amendments may be initiated by the mayor, a city council member, a planning commissioner, or the owner of the property included in the application, or the property owner's authorized agent. Applications related to H historic preservation overlay districts or landmark sites shall be initiated as provided in [chapter 21A.34](#) of this title.

The proposal is to change this section to the following (changes highlighted in bold):

*Amendments to the text of this title or to the zoning map may be initiated by filing an application for an amendment addressed to the planning commission. Applications for amendments may be initiated by the mayor, ~~a city council member, a planning commissioner,~~ **the city council, the planning commission,** or the owner of the property included in the application, or the property owner's authorized agent. Applications related to H historic preservation overlay districts or landmark sites shall be initiated as provided in [chapter 21A.34](#) of this title.*

This amendment would restrict petition initiations to the particular body as a whole. Petition initiation by each body would then be regulated by their respective rules and procedures. The City Council or Planning Commission would be able to determine whether an affirmative vote by a majority of the body or a particular number of members is required to initiate a petition according to their own respective rules and procedures.

Planning Commission and Historic Landmark Commission Rule Changes

The proposed changes to the Planning Commission (PC) and Historic Landmark Commission (HLC) are intended to ensure compliance with section [2.07 “Boards and Commissions”](#) of the Salt Lake City ordinance. The proposal generally removes redundant sections of the code that are duplicated in either 2.07 or other sections of City ordinance. Additional language has been added to the PC and HLC regulations, specifying that each body is subject to the regulations of 2.07. The full legislative versions of the proposal are located in [attachment B](#). Text proposed to be added is highlighted in blue while portions to be removed are crossed out. Section 2.07 is also included in [attachment C](#) for reference.

The following text is proposed to be added to the PC and HLC regulations specifying that each is subject to the consolidated regulations in 2.07:

A. The provisions of Chapter 2.07 of this title shall apply to the Planning Commission/Historic Landmark Commission except as otherwise set forth in this section.

The following table summarizes the sections that have been proposed to be modified or removed from the PC and HLC rules in sections 21.06.030 and 050 respectively. Any effective change resulting from the rule modification is also specified in the table.

| Section | Reason for Modification or Removal | Effective Change |
|------------------------------|---|---|
| Membership | Redundancy; These rules are addressed in 2.07.040 “Appointment,” 2.07.050 “Term,” and 2.07.060 “Vacancy.” | None. Term lengths and appointment procedure remain the same. |
| Officers | Redundancy; These rules are addressed in 2.07.120 “Election of Board Officers” | Length of officer (Chair/Vice Chair) terms will no longer be addressed by code. Length will be regulated by the policies and procedures adopted by PC or HLC. |
| Record of Proceedings | Redundancy; Record keeping is addressed by 2.07.100 “Compliance with Open and Public Meetings Act.” | Record keeping is already subject to state law, including the Open and Public Meetings and Government Records Access and Management (GRAMA) Acts. Record retention will be regulated by state law rather than provisions previously included in the City ordinance. |
| Quorum and Vote | Redundancy; Quorum and Voting are addressed by 2.07.140 “Quorum” and 2.07.150 “Board Action” | Quorum remains a majority of appointed members. Language concerning voting and taking action will remain. Section title has been changed to “Commission Action” |
| Conflicts of Interest | Redundancy; Conflicts of interest are addressed by 2.07.080 “Conflict of Interest” | None. Planning Commission retains the ability to allow in special circumstances |

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| | | a member to participate in a meeting that is otherwise prevented from participating due to a conflict of interest. |
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Urban Design Committee Reference

In section 21A.46.120.E.4.b “Standards for the Ballpark Located On The Southeast Corner of 1300 South and West Temple” the sign ordinance includes the following requirement:

The design, materials, and colors for all signs must be compatible with the ballpark on the corner of 1300 South and West Temple subject to the approval of the Salt Lake City urban design committee.

The referenced “urban design committee” is not established as an official committee by any other section of the Salt Lake City Code and does not currently exist. Due to this status, the section of the code referencing the “urban design committee” is proposed to be removed from the ordinance. As a result of this change, the design, materials, and colors of any signs will be up to the property owner and subject to the sign regulations for the underlying Public Lands zone. Any new signs will still need to meet the dimension, setback, height, and location standards established for the ballpark location in the Zoning Ordinance.

Public Notice, Meetings and Comments

The following is a list of public meetings that have been held related to the proposed project:

- Open House held on January 16, 2014. Community Councils were notified of the open house and the proposed changes. One person attended the open house and asked questions about the proposal.

Notice of the public hearing for the proposal includes:

- Public hearing notice posted in newspaper on January 9.
- Public hearing notice posted on City and State websites on January 9.
- Public hearing notice emailed to the Planning Division listserv on January 9.

City Department Comments

The proposed amendments affect City board and commissions and do not have an impact on existing City departments or divisions.

Analysis and Findings

Findings

21A.50.050 Standards for general amendments

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.

A. In making its decision concerning a proposed text amendment, the city council should consider the following factors:

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;**

Analysis: The purpose of the proposed amendments is to update the Zoning Ordinance in order to remove redundancy, improve clarity of regulations, and to improve efficiency and fairness of the associated processes. All of these purposes are consistent with the purposes and goals of the City

Master Plans and the Zoning Ordinance. These amendments are an attempt to clarify who can initiate zoning petitions and how the public bodies that process zoning related petitions are regulated.

Finding: Staff finds that the proposed amendments to the Zoning Ordinance are consistent with the purposes goals, objectives and policies of the various adopted planning documents.

2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;

Analysis: Regarding the initiation of zoning amendments, the purpose statement located in 21A.50 “Amendments” is as follows:

The purpose of this chapter is to provide standards and procedures for making amendments to the text of this title and to the zoning map. This amendment process is not intended to relieve particular hardships nor to confer special privileges or rights upon any person, but only to make adjustments necessary in light of changed conditions or changes in public policy.

In accordance with these purposes, the proposed changes regarding who can initiate petitions removes the potential for the process to appear to “confer special privileges or rights upon any person” by eliminating the ability of an individual Planning Commissioner or City Council to initiate petitions. Unlike an individual property owner, a Planning Commissioner or City Councilor does not have to pay a fee to initiate a petition. As a result, a petition initiated by an individual Commissioner or Councilor for free on behalf of a property owner may appear to confer special privileges or rights. Leaving petition initiation up to the decision of a larger public body reduces the likelihood of a petition initiation being regarded as an improper conferral of special privileges or rights.

The proposed changes to the Planning Commission and Historic Landmark regulations located in 21A.06 are intended to clarify regulations and remove redundancy. There is no purpose statement for the chapter, but the introductory provision 21A.06.010 “Summary of Authority” states the following:

The city decision making bodies and officials described in this chapter, without limitation upon such authority as each may possess by law, have responsibility for implementing and administering this title in the manner described in sections [21A.06.020](#) through [21A.06.070](#) of this chapter. Other city departments also have specific responsibilities related to this title and are identified in the appropriate sections. (Ord. 26-95 § 2(3-1), 1995)

The amendments proposed regarding these bodies are intended to improve clarity and remove redundancy in their respective regulatory rules. The amendments will preserve the implementation powers and clarify the administrative rules and procedures of these public bodies.

The removal of the reference to the “urban design committee” is intended to clarify the process required for sign installation in the ballpark area. The standards that regulate the dimension, size, and location of signs in the ballpark property will still maintain compatibility with the sign regulation purposes located in 21A.46.010 that speak to maintaining a pleasant environment.

Finding: Staff finds that the proposed changes to the Zoning Ordinance are consistent with the purpose statements of their respective chapters.

3. **Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and**

Analysis: The proposed amendment regarding the “urban design committee” affects the Ballpark Overlay District. The overlay district itself does not have any particular purpose statements or provisions that would impose additional standards to this amendment.

The Historic Landmark Commission’s rules are being changed as part of this amendment and that commission has regulatory authority over the Historic Preservation Overlay District. The proposed changes deal with meeting procedures and commission membership and do not alter any of the existing regulations for the overlay district itself.

Finding: The proposed text amendment is consistent with any additional standards imposed by applicable overlay zoning districts and meets this standard.

4. **The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.**

Analysis: The purposes of the proposed amendments are to clarify and update regulations in order to remove redundancy and to ensure fair, consistent processes for petitions. The amendment regarding how zoning amendment petitions can be initiated is intended to ensure a fair process for all applicants for zoning amendments, which is an integral part of professional planning practice. Likewise, the amendments to the Planning Commission and Historic Landmark Commission regulations are intended to remove redundancy and to ensure the public bodies’ are regulated consistent with other City ordinances, especially the newly adopted regulations in 2.07 “City Boards and Commissions.” The additional amendment regarding the “urban design committee” removes an incompatible provision of the code, ensuring compliance with other City regulations. The changes will improve consistency and clarity of regulations, which should help ensure fairness and consistency in the planning process.

Finding: The proposed text amendment implement best professional practices.

Alternatives

The Planning Commission can consider alternatives to the proposal, including other text modifications that would accomplish the same purpose of the proposed changes. Keep in mind that other sections of the City ordinance have been consolidated by City Council action into one section of the code (2.07) in order to eliminate redundancies and the changes proposed are intended to make the Zoning Ordinance compliant with these recently adopted changes.

Commission Options

The Planning Commission can:

- Recommend denial of the proposed text amendment,
- Recommend the text amendment be approved as proposed, or
- Recommend modifications to the proposed text amendment, including changes to who can initiate zoning amendment petitions or to the regulations regarding Planning Commission and Historic Landmark Commission. Substantial changes may require the application to be re-noticed. The Planning Commission should focus on the request before them and should seek buy in from the applicant on any modifications.

The Planning Commission is a recommending body for the matter and this text amendment will be sent to the City Council following the Planning Commission recommendation. The City Council can choose to agree with the Planning Commission recommendation, modify the recommendation, or disagree with the recommendation.

Potential Motions

The motion recommended by the Planning Division is located on the cover page of this staff report. The recommendation is based on the above analysis. Below is a motion that may be used in cases where the Planning Commission determines that the text amendment should not be approved.

Not Consistent with Staff Recommendation: Based on the testimony, plans presented and the following findings, I move that the Planning Commission transmit a negative recommendation to the City Council regarding the proposed zoning ordinance text amendments.

Attachment A
Petition Initiation Requests

Attachment to Zoning Ordinance Amendment Request

On November 19, 2013 the Salt Lake City Council adopted an ordinance, Number 67 of 2013, to consolidate, standardize, and update rules for city boards. More detail is provided in the attached Staff Report.

Two sections of the zoning ordinance, 21A.06.030 (Planning Commission) and 21A.06.050 (Historic Landmark Commission), need to be amended to make their provisions consistent with the ordinance adopted by the City Council. However, the Land Use, Development, and Management Act requires the Planning Commission to make a recommendation on the proposed amendments before the Council can take action.

This application is being filed to obtain that recommendation.

A draft of the proposed ordinance is attached.

Questions may be directed to Neil Lindberg in the Council Office at extension 6208.

Attachment B
Proposed Regulations

21A.06.050: HISTORIC LANDMARK COMMISSION:

~~_____A.~~ A. The provisions of Chapter 2.07 of this title shall apply to the Historic Landmarks Commission except as otherwise set forth in this section.

B. Creation: The historic landmark commission is created pursuant to the enabling authority granted by the historic district act, section 11-18-1 et seq., of the Utah Code Annotated, 1953.

BC. Jurisdiction and Authority: The historic landmark commission shall:

1. Review and approve or deny an application for a certificate of appropriateness pursuant to the provisions of chapter 21A.34 of this title;

2. Participate in public education programs to increase public awareness of the value of historic, architectural and cultural preservation;

3. Review and approve or deny applications for the demolition of structures in the H historic preservation overlay district pursuant to chapter 21A.34 of this title;

4. Recommend to the planning commission the boundaries for the establishment of an H historic preservation overlay district and landmark sites;

5. Make recommendations when requested by the planning commission, the hearing officer or the city council, as appropriate, on applications for zoning amendments and conditional uses involving H historic preservation overlay districts and landmark sites;

6. Review and approve or deny certain special exceptions for properties located within an H historic preservation overlay district. The certain special exceptions are listed as follows:

a. Building wall height;

b. Accessory structure wall height;

c. Accessory structure square footage;

d. Fence height;

e. Overall building and accessory structure height;

f. Signs pursuant to section 21A.46.070 of this title; and

g. Any modification to bulk and lot regulations of the underlying zoning district where it is found that the underlying zoning would not be compatible with the historic district and/or landmark site.

7. Make recommendations to the planning commission in connection with the preparation of the general plan of the city; and

8. Make recommendations to the city council on policies and ordinances that may encourage preservation of buildings and related structures of historical and architectural significance.

~~CD.~~ Membership: The historic landmark commission shall consist of not less than seven (7) nor more than eleven (11) voting members appointed ~~by the mayor, with the advice and consent of the city council~~ in a manner providing balanced geographic, professional, neighborhood and community interests representation. ~~Voting members of the commission may serve a maximum of two (2) consecutive full terms of four (4) years each. The mayor shall appoint a new commission member to fill any vacancy that might arise and such appointment~~ Appointment to a position created by any vacancy shall not be included in the determination of any person's eligibility to serve two (2) consecutive full terms.

~~DE.~~ Qualifications Of Members: Each voting member shall be a resident of the city interested in preservation and knowledgeable about the heritage of the city. Members shall be selected so as to ideally provide representation from the following groups of experts and interested parties whenever a qualified candidate exists:

1. At least two (2) architects, and

2. Citizens at large possessing preservation related experience in archeology, architecture, architectural history, construction, history, folk studies, law, public history, real estate, real estate appraisal, or urban planning.

~~E. Officers: The historic landmark commission shall annually elect a chair and a vice chair who shall serve for a term of one year each. The chair or vice chair may be elected to serve consecutive terms in the same office. The secretary of the historic landmark commission shall be designated by the planning director.~~

F. Meetings: The historic landmark commission shall meet at least once per month or as needed.

~~G. Record Of Proceedings: The proceedings of each meeting and public hearing shall be recorded on audio equipment. Records of confidential executive sessions shall be kept in compliance with the Utah state government records access and management act (GRAMA). The historic landmark commission shall keep written minutes of its proceedings and records of all of its examinations and official actions.~~

~~H. Quorum And Vote: No business shall be conducted at a meeting of the historic landmark commission without a quorum. A majority of the voting members of the historic landmark commission constitutes a quorum. All actions of the historic landmark commission shall be represented by a vote of the membership.~~ G. Commission Action: A simple majority of the voting members present at a meeting at which a quorum is present shall be required for any action taken. The decision of the historic landmark commission shall become effective upon the posting of the record of decision.

~~I. H.~~ H. Public Hearings: The historic landmark commission shall schedule and give public notice of all public hearings pursuant to the provisions of chapter 21A.10 of this title.

~~J. I.~~ I. Removal of a Member: Any member of the historic landmark commission may be removed by the mayor for violation of this title or any policies and procedures adopted by the historic landmark commission following receipt by the mayor of a written complaint filed against the member.

~~K. J.~~ J. Policies And Procedures: The historic landmark commission shall adopt policies and procedures for the conduct of its meetings, the processing of applications and for any other purposes considered necessary for its proper functioning.

21A.06.030: PLANNING COMMISSION:

~~_____A.~~ A. The provisions of Chapter 2.07 of this title shall apply to the Planning Commission except as otherwise set forth in this section.

B. Creation: The planning commission is created pursuant to the enabling authority granted by the municipal land use development and management act of the Utah code.

BC. Jurisdiction And Authority: The planning commission shall have the following powers and duties in connection with the implementation of this title:

1. Prepare and recommend to the city council for adoption, a comprehensive, general plan and amendments to the general plan for the present and future needs of the city and the growth and development of the land within the city or any part of the city;

2. Make comprehensive surveys and studies of the existing conditions and trends of growth and of the probable future requirements of the city and its residents as part of the preparation of the general plan;

3. Initiate amendments to the text of this title and to the zoning map pursuant to the provisions of section 21A.50.020 of this title;

4. Review, evaluate and make recommendations to the city council on proposed amendments to this title pursuant to the procedures and standards set forth in sections 21A.50.030 and 21A.50.040 of this title;

5. Review, hear and decide applications for conditional uses, including planned developments, pursuant to the procedures and standards set forth in chapters 21A.54, "Conditional Uses", and 21A.55, "Planned Developments", of this title;

6. Hear and decide appeals from administrative hearing decisions of the planning director;

7. Hear and decide applications for subdivision amendments and approvals pursuant to the municipal land use development and management act, title 10, chapter 9a of the Utah Code Annotated;

8. Authorize special exceptions to the terms of this title pursuant to the procedures and standards set forth in chapter 21A.52, "Special Exceptions", of this title; and

9. Make determinations regarding the existence, expansion or modification of nonconforming uses and noncomplying structures pursuant to the procedures and standards set forth in chapter 21A.38, "Nonconforming Uses And Noncomplying Structures", of this title.

~~ED.~~ Membership: The planning commission shall consist of at least nine (9) up to a maximum of eleven (11) voting members, appointed ~~by the mayor with the advice and consent of the city council~~ from among qualified electors of the city in a manner providing balanced geographic, professional, neighborhood and community interests representation.

~~_____ 1.~~ The director of the planning division (or the planning director's designated representative) shall serve as an ex officio member without vote. ~~Voting members may serve a maximum of two (2) consecutive full terms of four (4) years each. The mayor shall appoint a new commission member to fill any vacancy that might arise and such appointment~~

~~_____ 2.~~ Appointment to a position created by any vacancy shall not be included in the determination of any person's eligibility to serve two (2) consecutive full terms.

~~_____ D. Officers:~~ The planning commission shall annually elect a chair and a vice chair who shall serve for a term of one year each. The chair or vice chair may not be elected to serve consecutive terms in the same office. The secretary of the planning commission shall be designated by the planning director.

E. Meetings: The planning commission shall meet at least once each month.

~~_____ F. Record Of Proceedings:~~ The proceedings of each meeting and public hearing shall be recorded on audio equipment. Records of confidential executive sessions shall be kept in compliance with the government records access and management act. The audio recording of each meeting shall be kept for a minimum of sixty (60) days. Upon the written request of any interested person, such audio recording shall be kept for a reasonable period of time beyond the sixty (60) day period, as determined by the planning commission. Copies of the tapes of such proceedings may be provided, if requested, at the expense of the requesting party. The commission shall keep written minutes of its proceedings and records of all of its examinations and official actions.

~~_____ G. Quorum And Vote:~~ No business shall be conducted at a meeting of the planning commission without at least a quorum constituted by the majority of the appointed voting members. All actions of the planning commission shall be represented by a vote of the membership. F. Commission Action: A simple majority of the voting members present at the meeting at which a quorum is present shall be required for any action taken. The decision of the planning commission shall become effective upon the posting of the record of decision.

~~_____ H.~~ G. Public Hearings: The planning commission shall schedule and give public notice of all public hearings pursuant to the provisions of chapter 21A.10, "General Application And Public Hearing Procedures", of this title.

~~_____ I. Conflicts Of Interest:~~ No member of the planning commission shall participate in or be present at the hearing or disposition of any matter in which that member has any conflict of interest prohibited by title 2, chapter 2.44 of this code. H. Conflicts of Interest: The

planning commission may, by majority vote of the members present, allow a member, otherwise required to leave due to a conflict, to be present if required by special or unusual circumstances.

H. Removal of a Member: Any member of the planning commission may be removed by the mayor for violation of this title or any policies and procedures adopted by the planning commission following receipt by the mayor of a written complaint filed against the member. If requested by the member, the mayor shall provide the member with a public hearing conducted by a hearing officer appointed by the mayor.

J. Policies And Procedures: The planning commission shall adopt policies and procedures for the conduct of its meetings, the processing of applications and for any other purposes considered necessary for its proper functioning.

Proposed Change to 21A.46.120.E.4, Removing Urban Design Committee Reference

b. Standards For The Ballpark Located On The Southeast Corner Of 1300 South And West Temple: Flat signs, construction signs, political signs, real estate signs, new development signs, window signs, public safety signs, and nameplates shall comply with the table for standards for the PL, PL-2 and I districts.

~~The design, materials, and colors for all signs must be compatible with the ballpark on the corner of 1300 South and West Temple subject to the approval of the Salt Lake City urban design committee.~~

Attachment C
City Code Section 2.07 “City Boards and Commissions”
Adopted November 27, 2013

Chapter 2.07
CITY BOARDS AND COMMISSIONS

2.07.010: PURPOSE:

The purpose of this chapter is to establish common rules for the city boards, commissions, councils, and committees enumerated in Section 2.07.020 of this chapter except as otherwise provided by rules set forth in this code applicable to a particular board.

2.07.020: CITY BOARDS AND COMMISSIONS NAMED:

For the purpose of this chapter the term “city board” or “board” means the following city boards, commissions, councils, and committees:

- Airport Board
- Salt Lake City Arts Council Board
- Salt Lake Art Design Board
- Bicycle Advisory Committee
- Board of Appeals & Examiners
- Business Advisory Board
- Central Business Improvement District Advisory Board
- Citizens' Compensation Advisory Committee
- City & County Building Conservancy and Use Committee
- Community Development & Capital Improvement Programs Advisory Board
- Golf Enterprise Fund Advisory Board
- Historic Landmark Commission
- Housing Advisory and Appeals Board
- Housing Trust Fund Advisory Board
- Human Rights Commission
- Library Board
- Parks, Natural Lands, Trails, and Urban Forestry Advisory Board
- Planning Commission
- Public Utilities Advisory Committee
- Sister Cities Board
- Transportation Advisory Board

2.07.030: CONFLICTS OF LAW:

If a provision of this chapter conflicts with a federal, state, or local law applicable to a particular city board, such law shall supersede the conflicting provision set forth in this chapter.

2.07.040: APPOINTMENT:

Appointments of city board members shall be made by the mayor with the advice and consent of the city council unless otherwise provided by this code or other law regarding a particular city board.

2.07.050: TERM:

A. Appointments to a city board shall be made for a four year term, except when:

1. A provision of this code applicable to a particular board specifies a different term; or

2. An appointment is to fill the unexpired term of a resigning, removed, or deceased board member, in which case, an appointment shall be for the unexpired term.

B. Board members shall be limited to two consecutive terms or eight years in office, whichever is greater.

C. A board member whose term has expired may continue to serve until a replacement board member is appointed.

2.07.060: VACANCY:

Vacancies occurring in the membership of a city board shall be filled by appointment by the mayor with the advice and consent of the council for the unexpired term.

2.07.070: OATH OF OFFICE:

If required by state law, board members shall sign the oath of office required by law to be signed by city officials and file the same in the office of the city recorder.

2.07.080: CONFLICTS OF INTEREST:

City board members are subject to the city's conflict of interest ordinance, Chapter 2.44 of this title, and the Municipal Officers' and Employees' Ethics Act, section 10-3-1301, et seq., Utah Code Annotated, as amended, or its successor.

2.07.090: REMOVAL FROM OFFICE:

Any city board member may be removed from office by the mayor for cause prior to the expiration of the term for which the member was appointed. Any member failing to attend two (2) board meetings without advance notice in one calendar year shall be subject to forfeiture of membership on the board.

2.07.100: COMPLIANCE WITH OPEN AND PUBLIC MEETINGS ACT:

Every meeting of a city board shall conform with the Open and Public Meetings Act, as set forth in Chapter 4, Title 52, Utah Code or its successor, including but not limited to the requirements for public notice, open meetings, closed meetings, meeting minutes, chance or social meetings, electronic meetings, and electronic message transmissions.

2.07.110: BOARD MEETINGS:

A. Each city board shall convene regular meetings, the frequency of which shall be determined by the board except as otherwise provided by rules set forth in this code applicable to a particular board.

B. Special meetings may be ordered by a majority of the board, the board chair, or the mayor.

2.07.120: ELECTION OF BOARD OFFICERS:

Each city board shall select one of its members as chair and another member as vice chair who shall perform the duties of the chair during the absence or disability of the chair.

2.07.130: COMMITTEES:

A city board may designate one or more committees to study and make recommendations on matters within the jurisdiction of the board. Committee members may be board members but the board may also appoint nonboard members to such committees. Any committee with nonboard members shall include at least one board member.

2.07.140: QUORUM:

A quorum is a majority of members who have been appointed to a particular city board.

2.07.150: BOARD ACTION:

A. A city board may hold a meeting and take action only when a quorum is present.

B. When a city board makes a recommendation to the mayor, it shall be submitted at the same time to the city council.

2.07.160: ATTORNEY AND ENGINEER DUTIES:

The city attorney and the city engineer, or their designees, shall be the attorney and engineer, respectively, for any city board. Any legal advice or assistance desired by a city board shall be obtained only from the office of the city attorney except as otherwise provided by rules set forth in this code applicable to a particular board.

SECTION 2. Chapter 2.14, *Salt Lake City Code*, is amended to read as follows: