

PLANNING COMMISSION STAFF REPORT
Legislative Item

Fee Schedule Reference Changes
Zoning Text Amendment PLNPCM2014-00016
March 12, 2014



Planning Division
Department of Community and
Economic Development

Applicant:

Mayor Ralph Becker

Staff: (Cheri Coffey, 801-535-6188 or cheri.coffey@slcgov.com)

Tax ID:

NA

Council District:

NA

Community Council:

NA

Applicable Land Use Regulations:

- See Attachment A

Attachments:

- Draft ordinance
- Department Comments
- Public Input

Request

Mayor Ralph Becker, on behalf of the administration, is requesting amendments to modify various sections in the City Code, including amendments to the Zoning Ordinance, relating to the application process and collection of fees. This is part of a larger project to ensure that all fees listed in the Consolidated Fee Schedule have been authorized by ordinance through various sections of the City Code by the City Council. The project also clarifies language and ensures consistency. Although the Planning Commission does not set fees, several references are made to fees in the Zoning Ordinance and prior to the City Council making changes to the Zoning Ordinance; they must first have a recommendation from the Planning Commission.

Recommendation

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the project generally meets the applicable standards and therefore, recommends the Planning Commission transmit a favorable recommendation to the City Council relating to this request.

Recommended Motion: *I move that in the matter of Petition PLNPCM2014-00016, based on the findings listed in the staff report and the comments received, the Planning Commission transmit a favorable recommendation to the City Council.*

Background

Project Description

In 2013, the City Council requested the administration conduct an audit of the Consolidated Fee Schedule to ensure that all fees identified on the consolidated fee schedule and all fees that are assessed, are based on adopted ordinances found in the various sections of the City Code. The Planning Division has been working closely with the Finance auditor, as well as the Building Services Division, Property Management and City Attorney's office to ensure that each type of application the Planning Division processes is compliant. The Planning Staff has identified some sections of the City code, where the language authorizing the collection of fees is either missing, vague, or should be standardized. The language also needs to be clearer as to ensuring that fees can be collected to fund the required noticing as identified in the ordinance. Many of the proposed changes are in the Zoning Ordinance. In accordance with City and State Codes, the Planning Commission must make a recommendation to the City Council prior to the City Council acting on changes to the Zoning Ordinance. The following is a summary of the major changes.

1. Ensure the references for each type of application the Planning Division processes that are in the Zoning Ordinance, refers to Chapter 21A.10 which includes language about processing complete applications and required public noticing, including who is responsible for paying the fees for noticing.
2. Include language in the City Code relating to the following types of existing applications/ processes that currently do not have application and / or fee language:
 - a. Declaration of Surplus Property including Street Closures (Chapter 2, City Code)
 - b. Determination of Non-Conforming Uses and Non-Complying Structures (Chapter 21A.38, Zoning Ordinance)
 - c. Planned Developments (Chapter 21A.55, Zoning Ordinance)
3. Clarify that a fee is not required for:
 - a. Petitions initiated by the Mayor, City Council or Planning Commission
 - b. Applications that can be administratively approved for Historic Preservation
 - c. Applications for new local historic districts, new Landmark Sites or character conservation districts
4. Clarify that a Fee is required for a fence (affects both Title 18- Building and Construction and Title 21A- Zoning

Other Considerations

In 2012, when the City Council adopted amendments to the Zoning Ordinance relating to the designation of new local historic districts and new character conservation districts, the Council included specific language in the ordinance that a fee for such designation would not be required. Individual sites can also be designated for historic preservation but the way the current ordinance is written, it does not exempt these types of designations from an application fee. The City Council may want to specifically adopt such language. It is staff's opinion that historic preservation is a benefit to the public while it is a regulation placed upon certain private property owners for the existing and future public's benefit. It could be argued that Landmark Sites are the most significant of the historic structures we preserve and therefore, as a way of encouraging the local designation of important individual structures, there should be no fee for property owners who voluntarily request the designation of their properties as Landmark Sites. The proposed ordinance amendment includes language to clarify that no fee is required for applications relating to the designation of Landmark Sites.

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 February 20, 2014. The information was posted on the City's webpage prior to the Open House. No one attended the open house for this issue but staff did receive one email inquiring about what the proposal includes. Staff emailed that person the information. No further comments were received (see Attachment C).

Notice of the public hearing for the proposal included:

- Public hearing notice posted in newspaper on Saturday March 1, 2014.
- Public hearing notice posted on City and State websites on Thursday February 27, 2014.
- Public hearing notice emailed to the Planning Division list-serve on Thursday February 27, 2014.

City Department Comments

Planning Staff worked closely with the Division of Finance (Accounting), Building Services and Civil Enforcement Division (Permits), Housing and Neighborhood Development Division (Property Management) and the City Attorney's Office to identify issues to address and review proposed changes. The Planning Division has not received comments from the applicable City Departments / Divisions that cannot reasonably be fulfilled or that warrant denial of the petition.

Staff received a comment relating to whether other City Departments could be exempt from paying fees for applications the Planning Division processes. The City Council, rather than the Planning Commission has authority to review and set fees. The Planning Staff will raise this issue with the City Council after the Planning Commission has made its recommendation relating to the proposed changes in the Zoning Ordinance. The comments received from pertinent City Departments / Divisions are attached to this staff report in Attachment B.

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: One of the values in the City Vision and Strategic Plan Final Report from 1993 is to Ensure Responsive Government including eliminating unnecessary overlap and duplication and providing equitable, cost effective public services. In addition, the Community Preservation Plan includes language that is consistent with the proposed text amendments. Policy 3.2j says Pursue location designation of significant individual properties to ensure continued protection. Policy 3.4g says Retain

low review fees for alteration and construction applications relating to the H Historic Preservation Overlay Zone.

Finding: As identified above, the proposed amendments are consistent with various adopted purpose, goals, objectives and policies of the City.

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

Analysis: Section 21A.02.030 identifies purposes of the Zoning Ordinance. Two of those, subsection E and F, identify a need to protect the tax base and secure economy in governmental expenditures. The proposed changes to the City Code, including the Zoning Ordinance, will ensure that application fees may be charged to pay for cost of processing applications and noticing those most affected by a change to property, especially those that the Planning Division oversees. This ensure that individual owners of property pay for City services they use (staff resources) rather than burdening the entire population for the use of those services. If the proposed changes are not adopted, it may result in the city's inability to collect fees to process certain types of applications such as planned developments, determination of non-conforming uses and declaration of surplus property including street closures. Relating to alteration of properties in historic districts, the proposed changes clarify the City's practice. The proposed change to the ordinance relating to the designation of Landmark Sites, the proposed changes will make the process consistent with other types of historic designation.

Finding: The proposed changes further the purpose of the Zoning Ordinance by clarifying what types of applications require fees for processing and noticing and who is required to pay those fees.

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 changes do not affect the specific regulations relating to an adopted overlay zoning district. The proposed changes, however, do relate to one of the overlay districts; The H Historic Preservation Overlay Zoning District. Language will be added to Section 21A.34.020 to clarify when fees are not required.

Finding: As noted above, the proposed text amendments helps to clarify policies of the Community Preservation Plan relating to retaining low fees and streamlined processes for appropriate changes to historic properties. The proposed changes also ensure consistency in the designation process for Landmark Sites to help encourage their designation.

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

Analysis: One purpose of City Government is to ensure that rules relating to health, safety, morals, convenience, order, prosperity and welfare of existing and future inhabitants of Salt Lake City are followed and tax payer funds are effectively and efficiently used. Applications and processes are established to ensure that rules are followed, in this instance, relating to those who request permission from the City to perform certain development acts on property. However, processing applications and noticing others costs money. Amending the City Code to ensure that the regulations relating to applications and processes are sufficient and clear helps to ensure that the City rules are followed. It

also ensures that those who use the service pay for the service which in-turn helps ensure that general tax payer funds are effectively used.

Finding: The proposed text amendments do not relate to urban planning or design. However, they do relate to using public funds effectively and efficiently, which in staff's opinion is a best practice for City governments to follow.

Alternatives

If the proposed changes are not made, the City may not be able to charge fees for certain types of applications: Planned Developments, Determination of Non-Conforming Uses and Street Closures. Over the last three years, the Planning Division received an average of 21 of these types of applications each year. If fees are not charged for these types of applications, the City could lose approximately \$11,000 each year.

In addition, the City noticing requirements usually require at least two mailed notices; one for the initial public input process (open house) and one for the public hearing. For those processes that also require City Council review and approval, this would usually include three mailed notices and a notice published in a newspaper of general circulation prior to the first public hearing. In the past the only charge that has been assessed to an applicant, is for one mailed notice because the noticing fees are not identified on the Consolidated Fee Schedule. The Planning Division has prepared proposed changes to the Consolidated Fee Schedule for the City Council's review that includes these types of fees.

Furthermore, if the Commission does not recommend amendments to the ordinance to clarify that designation of Landmark Sites should not have a fee, consistent with other types of historic designation it may result in fewer applications for the designation of additional Landmark Sites.

Commission Options

The Commission may recommend approval of all, some or none of the proposed changes. If the Commission decides to not recommend the proposed changes, it will need to pass a motion that is different from that shown on page one of the staff report.

Not Consistent with Staff Recommendation: I move that in the matter of Petition PLNPCM2014-0016, based on the testimony and proposed changes to the City Code presented and the following findings, I move that the Planning Commission transmit a negative recommendation to the City Council relating to this request

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

- A. 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;
- B. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;
- C. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
- D. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

Attachment A

Proposed Text Changes

PLNPCM2014-00016

Ordinance Changes relating to the Consolidated Fee Schedule

Draft ordinance language

SECTION 1. Amending text of *Salt Lake City Code* Section 21A.10.010.E That Section 21A.10.010.E of the *Salt Lake City Code* (Zoning: General Application procedures: (Fees), shall be, and hereby is, amended to read as follows:

21A.10.010: GENERAL APPLICATION PROCEDURES:

E. Fees: The application shall be accompanied by ~~all~~ the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10.020 of this chapter, in accordance with the consolidated fee schedule, including costs of mailing, preparation of mailing labels and all other costs relating to notification.

SECTION 2. Amending text of *Salt Lake City Code* Section 21A.16.030.B That Section 21A.16.030.B of the *Salt Lake City Code* (Zoning: Appeals of Administrative Decisions; Procedure: (Fees), shall be, and hereby is, amended to read as follows:

Appeals of Administrative Decisions

21A.16.030: PROCEDURE:

B. Fees: ~~Nonrefundable application and hearing fees shown on the Salt Lake City consolidated fee schedule shall accompany the appeal.~~ The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.

SECTION 3. Amending text of Salt Lake City Code Section 21A.18.040.B That Section 21A.18.040.B of the *Salt Lake City Code* (Zoning: Variances; Procedures: (Fees), shall be, and hereby is, amended to read as follows:

VARIANCES

21A.18.040: PROCEDURES:

- B. Fees: ~~Nonrefundable application and hearing fees shown on the Salt Lake City consolidated fee schedule shall accompany the application for a variance.~~ The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.

SECTION 4. Amending text of Salt Lake City Code Section 21A.34.020.C That Section 21A.34.020.C of the *Salt Lake City Code* (Zoning H Historic preservation overlay district: (Petition Initiation for H Historic Preservation Overlay District), shall be, and hereby is, amended to read as follows:

H Historic Preservation Overlay District

21A.34. 020. C. Designation Of A Landmark Site, Local Historic District Or Thematic Designation; H Historic Preservation Overlay District:

3. Petition Initiation For Designation Of A Landmark Site, Local Historic District Or Thematic Designation:
 - a. Petition Initiation For H Historic Preservation Overlay District; Landmark Site: Any owner of property proposed for a landmark site, the mayor or the city council, by majority vote, may initiate a petition to consider the designation of a landmark site.
 - b. Petition Initiation For H Historic Preservation Overlay District; Local Historic District Or Thematic Designation: A property owner initiating such a petition shall demonstrate support of fifteen percent (15%) or more of the owners of lots or parcels within the proposed boundaries of an area to be included in the H historic preservation overlay district. The mayor or the city council, by a majority vote, may initiate a petition to consider designation of a local historic district or thematic designation.
~~No application fee will be required for a petition initiated by a property owner.~~

- (1) For purposes of this subsection, a lot or parcel of real property may not be included in the calculation of the required percentage unless the application is signed by owners representing a majority of ownership interest in that lot or parcel.
- (2) Each lot or parcel of real property may only be counted once toward the fifteen percent (15%) minimum, regardless of the number of owner signatures obtained for that lot or parcel.
- (3) Signatures obtained to demonstrate support of fifteen percent (15%) or more of the property owners within the boundary of the proposed local historic district or thematic designation must be gathered within a period of one hundred eighty (180) days as counted between the date of the first signature and the date of the last required signature.

c. Fees: No application fee will be required for a petition initiated by a property owner for designation of a property to the H Historic Preservation Overlay District.

SECTION 5. Amending text of Salt Lake City Code Section 21A.34.020.F That Section 21A.34.020.F of the *Salt Lake City Code* (Zoning: H Historic Preservation Overlay District; Procedures for issuance of Certificate of Appropriateness: (Fees) , shall be, and hereby is, amended to read as follows:

F. Procedure For Issuance Of Certificate Of Appropriateness:

d. Fees: No application fee will be required for a Certificate of Appropriateness that is Administratively Approved.

e. Notice For Application For Demolition Of A Noncontributing Structure: An application for demolition of a noncontributing structure shall require notice- for determination of noncontributing sites pursuant to chapter 21A.10 of this title. The applicant shall be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.

f. Standards For Approval: The application shall be reviewed according to the standards set forth in subsections G and H of this section, whichever is applicable.

g. Review And Decision By The Planning Director: On the basis of written findings of fact, the planning director or the planning director's designee shall either approve or conditionally approve the certificate of appropriateness based on the standards in subsections G and H of this section, whichever is applicable, within thirty (30) days following receipt of a completed application. The decision of the planning director shall become effective at the time the decision is made.

h. Referral Of Application By Planning Director To Historic Landmark Commission: The planning director may refer any application to the historic landmark commission due to the complexity of the

application, the significance of change to the landmark site or contributing structure in the H historic preservation overlay district, or the need for consultation for expertise regarding architectural, construction or preservation issues.

2. Historic Landmark Commission: Certain types of construction, demolition and relocation shall only be allowed to be approved by the historic landmark commission subject to the following procedures:

a. Types Of Construction: The following shall be reviewed by the historic landmark commission:

- (1) Substantial alteration or addition to a landmark site or contributing structure/site;
- (2) New construction of principal building in H historic preservation overlay district;
- (3) Relocation of landmark site or contributing site;
- (4) Demolition of landmark site or contributing site;
- (5) Applications for administrative approval referred by the planning director; and
- (6) Installation of solar energy collection systems that may be readily visible from a public right of way, as described in and pursuant to chapter 21A.40 of this title.

b. Submission Of Application: The procedure for an application for a certificate of appropriateness shall be the same as specified in subsection F1b of this section.

C. Fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.

~~ed~~. Materials Submitted With Application: The requirements for the materials to be submitted upon application for a certificate of appropriateness shall be the same as specified in subsection F1c of this section. Applications for a certificate of appropriateness for demolition shall also submit a reuse plan for the property.

~~ed~~. Notice: Applications for a certificate of appropriateness shall require notice pursuant to chapter 21A.10 of this title.

~~fe~~. Public Hearing: Applications for a certificate of appropriateness shall require a public hearing pursuant to chapter 21A.10 of this title.

~~gf~~. Standards For Approval: The application shall be reviewed according to the standards set forth in subsections G through L of this section, whichever are applicable.

~~gh~~. Review And Decision By The Historic Landmark Commission: The historic landmark commission shall make a decision at a regularly scheduled meeting, within sixty (60) days following receipt of a completed application, except that a review and decision on an application for a certificate of

appropriateness for demolition of a landmark site or contributing structure declaring an economic hardship shall be made within one hundred twenty (120) days following receipt of a completed application.

- (1) After reviewing all materials submitted for the case, the recommendation of the planning division and conducting a field inspection, if necessary, the historic landmark commission shall make written findings of fact based on the standards of approval as outlined in this subsection F through subsection L of this section, whichever are applicable.
- (2) On the basis of its written findings of fact the historic landmark commission shall either approve, deny or conditionally approve the certificate of appropriateness. A decision on an application for a certificate of appropriateness for demolition of a contributing structure may be deferred for up to one year pursuant to subsections L and M of this section.
- (3) The decision of the historic landmark commission shall become effective at the time the decision is made. Demolition permits for landmark sites or contributing structures shall not be issued until the appeal period has expired.
- (4) Written notice of the decision of the historic landmark commission on the application, including a copy of the findings of fact, shall be sent by first class mail to the applicant within ten (10) working days following the historic landmark commission's decision.

~~h.i.~~ Appeal Of Historic Landmark Commission Decision To Appeals Hearing Officer: The applicant, any owner of abutting property or of property located within the same H historic preservation overlay district, any recognized or registered organization pursuant to ~~title 2, chapter 2.62~~ title 2, chapter 2.60 of this code, the Utah State Historical Society or the Utah Heritage Foundation, aggrieved by the historic landmark commission's decision, may object to the decision by filing a written appeal with the appeals hearing officer within ten (10) calendar days following the date on which a record of decision is issued. The filing of the appeal shall stay the decision of the historic landmark commission pending the outcome of the appeal, except that the filing of the appeal shall not stay the decision of the historic landmark commission if such decision defers a demolition request for up to one year pursuant to the provisions of subsections L and M of this section.

~~h.j.~~ Review By City Attorney: Following the filing of an appeal to the appeals hearing officer of a decision of the historic landmark commission to deny or defer a certificate of appropriateness for demolition, the planning director shall secure an opinion of the city attorney evaluating whether the denial or deferral of a decision of the demolition would result in an unconstitutional taking of property without just compensation under the Utah and United States constitutions or otherwise violate any applicable constitutional provision, law, ordinance or regulation.

~~h.k.~~ Appeal Of Appeals Hearing Officer Decision To District Court: Any party aggrieved by the decision of the appeals hearing officer may file a petition for review with the district court within thirty (30) days following the decision of the appeals hearing officer. The filing of an appeal of the appeals hearing officer decision shall stay the decision of the appeals hearing officer pending the outcome of the appeal, except that the filing of the appeal shall not stay the decision of the appeals hearing officer if such decision defers a demolition request for up to one year pursuant to the provisions of subsections L and M of this section.

SECTION 6. Amending text of Salt Lake City Code Section 21A.35.040 That Section 21A.38.040. of the *Salt Lake City Code* (Zoning: Character Conservation District; (Request for Feasibility Study)), shall be, and hereby is, amended to read as follows:

21A.35.040: REQUEST FOR A FEASIBILITY STUDY:  

A. An application for a character conservation district feasibility study may be filed with the planning director on an application form furnished by the planning division. The following are those who are authorized to submit an application:

1. The mayor;
2. A majority of the city council; or
3. Property owners with fifteen percent (15%) support of the property owners within the proposed district. A property owner or owners would have six (6) months to collect signatures and submit an application to the city. The six (6) month time period begins when the first signature is obtained. There is no fee for the application.

B. An application for a character conservation feasibility study prepared by the proposed district area or their authorized agent must include the following:

1. A list of the names, site address and mailing address of all property owners in the area of request.
2. A list of all neighborhood associations or other organizations representing the interests of property owners in the area of request. This list should include information as to the number of members and the officers' names, mailing addresses, and phone numbers.
3. A statement of justification. This statement should:
 - a. Identify the factors which make the area of request eligible for character conservation district classification as per the determination of eligibility in this chapter; and
 - b. Explain in detail how and why such a classification would be in the best interest of the city as a whole.
4. A written description of the character defining features of the area as seen from the public right of way. Character defining features may include, but are not limited to, architecture or architectural features, mass and scale of buildings, streetscape, building orientation, landscaping, types of signs, sidewalk improvements, public art, or other items that contribute to the overall character of the area.

Photographs of the area to be considered as a character conservation district should also be included for reference. (Ord. 73-12, 2012)

5. - Fees: No application fee will be required for a petition initiated for the designation of a character conservation district.

SECTION 7. Amending text of Salt Lake City Code Section 21A.38. That Section 21A.38.025 of the *Salt Lake City Code* (Zoning: Non Conforming uses and non Complying Structures) shall be, and hereby is, amended to read as follows:

Chapter 21A.38 NONCONFORMING USES AND NONCOMPLYING STRUCTURES

21A.38.025: PROCEDURES:

A. Application: An application for an Administrative Interpretation relating to a non complying lot or structure or an application for Determination of a NonConforming Use of this title shall be filed on a form provided by the zoning administrator and shall contain at least the following information:

1. Provisions: The specific provision or provisions of this title for which an interpretation or determination is sought;
2. Facts: The facts of the specific situation giving rise to the request for an interpretation or determination;
3. Interpretation: The precise interpretation or determination claimed by the applicant to be correct;
4. Fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.
5. Notification To Recognized And Registered Organizations: The city shall give notification, by e-mail or other form chosen by the planning director to any organization which is entitled to receive notice pursuant to title 2, chapter 2.60 of this code, that an Administrative Interpretation or Determination of Nonconforming Use has been made.

B. Action On Application: The zoning administrator shall send the zoning administrator's written interpretation or determination to the applicant stating any specific precedent or other reasons, or analysis upon which the interpretation or determination is based.

C. Records: A record of decisions on all applications for interpretations or determinations of this title shall be kept on file in the office of the zoning administrator.

D. Appeal: Any person adversely affected by a final decision made by the zoning administrator interpreting or making a determination regarding a provision of this title may appeal to the appeals hearing officer in accordance with the provisions of chapter 21A.16 of this title. (Ord. 8-12, 2012; Ord. 62-11, 2011; Ord. 24-11, 2011)

SECTION 8. Amending text of Salt Lake City Code Section 21A.40.120.C That Section 21A.40.120.C of the *Salt Lake City Code* (Regulation of Fences, Walls and Hedges: (Building Permit Required), shall be, and hereby is, amended to read as follows:

21A.40.120: REGULATION OF FENCES, WALLS AND HEDGES: 🌐

C. Building Permit Required:

1. A no fee building permit shall be obtained prior to construction of any fence that does not exceed six feet (6') in height and is not made of concrete or masonry or does not require structural review under the uniform building code regulations. The permit is to ensure compliance with adopted regulations.
2. A building permit and fee are required for fences and walls which exceed six feet (6') in height and all fences or walls of any height that are constructed under the international building code. The permit is to ensure compliance with all zoning ordinance standards and requirements (location, height, types of materials) as well as to ensure the structural integrity of the pilasters and foundation system which will be verified by plan review and site inspection.
3. The application for a permit must include plans identifying the location and height of the proposed fence or wall. If the fence or wall is constructed of masonry or concrete of any height or exceeds six feet (6') in height, construction details showing horizontal and vertical reinforcement and foundation details shall be shown on the plans.
4. The building permit fee for a fence will be a general permit fee based on construction costs or valuation of the work- as shown in the Consolidated Fee Schedule

5. Construction of any fence in the following districts shall also comply with the additional fencing regulations found in the following subsections of this title:

- a. FP foothills protection district ([21A.32.040I](#)),
- b. H historic preservation overlay district ([21A.34.020E](#)), and

SECTION 9. Amending text of Salt Lake City Code Section 21A.50.040. That Section 21A.50.040 of the *Salt Lake City Code* (Amendments: (Procedure- Fees), shall be, and hereby is, amended to read as follows:

AMENDMENTS

21A.50.040: PROCEDURE:

- B. Fees: The application ~~for an amendment~~ shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title. Application and noticing fees filed by a ~~city council member, a planning commissioner~~ the City Council, Planning Commission or the mayor shall not ~~be required~~ d the payment of any fees. Application and noticing fees filed for designation within an H Historic Preservation District or to establish a character conservation district shall not be required.

SECTION 10. Amending text of Salt Lake City Code Section 21A.52.040. That Section 21A.52.040 of the *Salt Lake City Code* (Special Exceptions: (Procedure-Fees)), shall be, and hereby is, amended to read as follows:

SPECIAL EXCEPTIONS

21A.52.040: PROCEDURE:

A. An application for a special exception shall be processed in accordance with the following procedures:

~~3. Fee: The application for a special exception shall be accompanied by the fee established on the fee schedule, chapter 21A.64 of this title.~~

Fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. Where applicable, the applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.

SECTION 11. Amending text of Salt Lake City Code Section 21A.54.060. That Section 21A.54.060 of the *Salt Lake City Code* (Conditional Uses: (Procedures)), shall be, and hereby is, amended to read as follows:

Chapter 21A.54 CONDITIONAL USES

21A.54.060: PROCEDURES:

- A. Application: A complete application shall contain at least the following information submitted by the applicant, unless certain information is determined by the planning director to be inapplicable or unnecessary to appropriately evaluate the application:
1. The applicant's name, address, telephone number, and interest in the property;
 2. The property owner's name, address, and telephone number, if different than the applicant, and the property owner's signed consent to the filing of the application;
 3. The street address and legal description of the subject property;
 4. The zoning classification, zoning district boundaries, and present use of the subject property;
 5. A complete description of the proposed conditional use;

6. Site plans, as required pursuant to section 21A.58.060 of this title;
7. Traffic impact analysis, where required by the city transportation division; and
- ~~8. Mailing labels and a fee to cover postage for all persons required to be notified of the public hearing on the proposed conditional use pursuant to chapter 21A.10 of this title; and~~
- ~~98.~~ Other information or documentation the planning director may deem necessary for proper review and analysis of a particular application. Information which may be required under this subsection A10 shall not apply to a determination of completeness under subsection B of this section.

B. Determination Of Completeness: Upon receipt of an application for a conditional use, the planning director shall make a determination of completeness of the application pursuant to section [21A.10.010](#) of this title.

~~C. Fees: The application for a conditional use shall be accompanied by the fee established on the Salt Lake City consolidated fee schedule.~~

C. Fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.

SECTION 12. Amending text of Salt Lake City Code Section 21A.55.035. That Section 21A.55.035 of the *Salt Lake City Code* (Planned Developments: (Applications)), shall be, and hereby is, amended to read as follows:

Chapter 21A.55 PLANNED DEVELOPMENTS

21A.55.035 Procedures

. Application: A complete application shall contain at least the following information submitted by the applicant, unless certain information is determined by the planning director to be inapplicable or unnecessary to appropriately evaluate the application:

1. The applicant's name, address, telephone number, and interest in the property;

2. The property owner's name, address, and telephone number, if different than the applicant, and the property owner's signed consent to the filing of the application;
3. The street address and legal description of the subject property;
4. The zoning classification, zoning district boundaries, and present use of the subject property;
5. A complete description of the proposed planned development;
6. Site plans, as required pursuant to section 21A.58.060 of this title;
7. Traffic impact analysis, where required by the city transportation division; and
8. Other information or documentation the planning director may deem necessary for proper review and analysis of a particular application. Information which may be required under this subsection A10 shall not apply to a determination of completeness under subsection B of this section.

B. Determination Of Completeness: Upon receipt of an application for a planned development, the planning director shall make a determination of completeness of the application pursuant to section 21A.10.010 of this title.

C. Fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10.

SECTION 13. Amending text of Salt Lake City Code Section 21A.59.070. That Section 21A.59.070 of the *Salt Lake City Code* (Conditional Building and Site Design Review: (Procedure- Fees), shall be, and hereby is, amended to read as follows:

Chapter 21A.59

CONDITIONAL BUILDING AND SITE DESIGN REVIEW



21A.59.070: PROCEDURES FOR DESIGN REVIEW:  

~~A. Fees: Every design review application shall be accompanied by a fee as established in the fee schedule, chapter 21A.64 of this title.~~

A. Fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.

SECTION 14. Amending text of Salt Lake City Code Section 21A.62.040. That Section 21A.62.040 of the *Salt Lake City Code* (Definition: (Fee Schedule), shall be, and hereby is, amended to read as follows:

21A.62.040: DEFINITION 

FEE SCHEDULE: The Salt Lake City consolidated fee schedule which, among other things, shows the fees required in connection with applications for a zoning amendment, a special exception, a conditional use, a zoning certificate, a certificate of occupancy, sign certificate, or any other type of approval required by the provisions of this title. ~~The fee schedule is available from the zoning administrator.~~

SECTION 15. Amending text of Salt Lake City Code Section 21A.64.010. That Section 21A.64.010 of the *Salt Lake City Code* Fee Schedule: shall be, and hereby is eliminated

~~21A.64.010: FEE SCHEDULE:~~ 

~~All fees shall be as shown on the Salt Lake City consolidated fee schedule. (Ord. 24-11, 2011)~~

SECTION 16. Amending text of Salt Lake City Code Section 2.58. That Section 2.58.37 of the *Salt Lake City Code* City Owned Real Property; Application Requirements: shall be, and hereby is added

Chapter 2.58

CITY OWNED REAL PROPERTY

2.58.010: SURPLUS REAL PROPERTY; IDENTIFICATION AND REPORTING REQUIREMENTS:

2.58.020: SURPLUS REAL PROPERTY; METHODS OF DISPOSITION:

2.58.030: CONVEYANCE FOR VALUE:

2.58.035: SIGNIFICANT PARCEL OF REAL PROPERTY:

2.58.037: APPLICATION REQUIREMENTS

2.58.040: SALE OF REAL PROPERTY; NOTICE AND HEARING:

2.58.050: VALIDITY OF ACTIONS:

2.58.060: DISPOSITION OF PROCEEDS:

2.58.037: APPLICATION REQUIREMENTS



A. Application: A complete application shall contain at least the following information submitted by the applicant, unless certain information is determined by the planning director to be inapplicable or unnecessary to appropriately evaluate the application:

1. The applicant's name, address, telephone number, and interest in the property;
2. The street address and legal description of the subject property;
3. The zoning classification, zoning district boundaries, and present use of the subject property;
4. A complete description of the proposed use of the property requested to be declared surplus, including the use of a city-owned street requested to be closed;
5. Site plans, as required pursuant to section 21A.58.060 of this title;
- 6... Other information or documentation necessary for proper review and analysis of a particular application.

B. Fees: The application for Declaration of Surplus Property including requests to close city-owned streets, shall be accompanied by the fee established on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing

[the public notice required by section 2.58 of this Title.](#)

SECTION 17. Amending text of Salt Lake City Code Section 18.20 That Section 18.20.020 of the Salt Lake City Code Exempt Work Designated: shall be, and hereby is amended as follows:

18.20.020: EXEMPT WORK DESIGNATED:  

A. A building permit shall not be required for the following:

1. Playhouses and similar uses;
- ~~2. Fences not exceeding height limitations or requiring variances by the appeals hearing officer;~~
- ~~3~~2. Oil derricks;
- ~~4~~3. Movable cases, counters and partitions not over five feet (5') high;
- ~~5~~4. Retaining walls which are not over two feet (2') in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids;
- ~~6~~5. Water tanks supported directly upon grade if the capacity does not exceed five thousand (5,000) gallons and the ratio of height to diameter or width does not exceed two to one (2:1);
- ~~7~~6. Painting, papering and similar finish work;
- ~~8~~7. Temporary motion picture, television and theater stage sets and scenery;
- ~~9~~8. Window awnings supported by an exterior wall of group R, division 3, and group M occupancies, when projecting not more than fifty four inches (54").

B. Unless otherwise exempted, separate plumbing, electrical and mechanical permits shall be required for the above exempted items.

C. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. (Ord. 8-12, 2012: prior code § 5-5-1(2))

Attachment B

Department Comments

From: [Coffey, Cheri](#)
To: [Alexander, Debra](#); [Baxter, DJ](#); [Burbank, Chris](#); [Cook, Kurt](#); [DeLaMare-Schaefer, Mary](#); [Graham, Rick](#); [Haight, Bill](#); [Hoskins, Gordon](#); [Niermeyer, Jeff](#); [Plane, Margaret](#); [Riley, Maureen](#); [Shaw, Eric](#); [Goff, Orion](#); [Hutcheson, Robin](#); [Krieger, Karen](#); [Akerlow, Michael](#); [Clason, Stuart](#); [Baxter, DJ](#); [Limburg, Garth](#); [Snelling, Jeff](#)
Cc: [Butcher, Larry](#); [Young, Kevin](#); [Garcia, Peggy](#); [Weiler, Scott](#); [Itchon, Edward](#); [Ross, Michelle](#); [Bennett, Vicki](#); [Reese, Todd](#); [McCandless, Allen](#); [McFarland, Ryan](#); [Nielson, Paul](#); [Moore, Sandee](#); [Thompson, Mary Beth](#); [Sommerkorn, Wilford](#)
Subject: Proposed Ordinance Changes relating to the Consolidated Fee Schedule
Date: Monday, February 03, 2014 2:52:24 PM
Attachments: [Proposed Ordinance Changes relating to fees.docx](#)

Directors:

The Planning Division is currently processing a petition to amend various sections of City Code relating to the application requirements, including fees for the various types of applications we process. This project is to ensure that any fee that is listed on the Consolidated Fee Schedule is based on adopted City ordinance allowing for that fee to be collected. Most of the proposed ordinance amendments relate to the Zoning Ordinance (Title 21A) but changes to Title 2, relating to the declaration of City surplus property and the closure of City Streets and Title 18- Building and Construction are also proposed.

A summary of the proposed changes include:

1. Ensure the references for each type of application the Planning Division processes that are in the Zoning Ordinance, refers to Chapter 21A.10 which includes language about processing complete applications and required public noticing, including who is responsible for paying the fees for noticing.
2. Include language in the City Code relating to the following types of existing applications/ processes that currently do not have application and / or fee language:
 - a. Determination of Non-Conforming Uses and Non-Complying Structures
 - b. Planned Developments
 - c. Declaration of Surplus Property include Street Closures
3. Clarify that a fee is not required for:
 - a. Petitions initiated by the Mayor, City Council or Planning Commission
 - b. Applications that can be administratively approved for Historic Preservation
 - c. Applications for new local historic districts or character conservation districts
4. Clarify that a Fee is required for a fence (affects both Title 18- Building and Construction and Title 21A- Zoning)
5. Other minor changes

I have been working closely with Larry Butcher, Paul Nielson, Sandee Moore and Ryan McFarland on the specific changes to the Code. As per State and City Code, prior to any changes being made to the Zoning Ordinance, the Planning Commission must first hold a public hearing and submit a recommendation to the City Council. Once the Planning Commission has made its recommendation, the information will be forwarded to the City Council, along with specific proposed amendments to the Consolidated Fee Schedule through the Finance Department.

I have attached a draft of the proposed ordinance changes. If you have any questions or

comments, please let me know by Tuesday February 18, 2014.

Thank You

CHERI COFFEY, AICP
Assistant Planning Director

PLANNING DIVISION
COMMUNITY *and* ECONOMIC DEVELOPMENT
SALT LAKE CITY CORPORATION

TEL 801-535-6188
FAX 801-535-6174

www.SLCGOV.COM

From: [Butcher, Larry](#)
To: [Coffey, Cheri](#)
Subject: FW: Fees
Date: Thursday, June 06, 2013 4:16:26 PM

FYI

From: Brown, Ken
Sent: Thursday, June 06, 2013 9:59 AM
To: Butcher, Larry
Subject: RE: Fees

The permit fee for signs is not listed, only the plan review fee and the tag fee are listed. By the way, the plan review fee for a sign is listed as 11.07% of building permit value. Shouldn't it say; of building permit fee, so that we charge a plan review fee based on the permit fee rather than the value of the sign?

Nannett has informed me of the following;

- Under planned development we need to add "Plus \$110.74 per acre in excess of one acre".
- HLC should include minor alterations with no fee included.
- "Plus the cost of notices", needs to be added on most things in the fee schedule.
- Included in the current schedule is General Plan Application. Is this a Master Plan amendment? A text amendment application also needs to be included, unless I missed it on the list.

Ken

From: Butcher, Larry
Sent: Wednesday, June 05, 2013 4:58 PM
To: Brown, Ken
Subject: Fees

Ken,

Are you aware of any fees that are not on the consolidated fee schedule?

LARRY BUTCHER
Building Services Manager

BUILDING SERVICES DIVISION
COMMUNITY *and* ECONOMIC DEVELOPMENT
SALT LAKE CITY CORPORATION

TEL 801-535-6181

FAX 801-535-7750

www.SLCGOV.COM

CONSOLIDATED FEE SCHEDULE AMENDMENTS

Planning Division

November 12, 2013

Category	Issue	Justification	End Result
Not on CFS	Notification fees for public hearings	For many of the zoning types of applications, notification of public hearings are required by ordinance but none of those fees are listed in the CFS.	Include a line in the CFS that allows for the collection of fees for noticing (whether it is for legal notices published in the newspaper or mailed notice to properties in proximity of the subject property.)
Errors on the CFS	Sexually Oriented Business (In the Community Development section of the CFS.)	21A.36.140. Zoning Fees are generally based on processes, not uses. Sexually Oriented Businesses, a use, are processed through the Conditional Building and Site Design Review Process. Having them placed in their own category by use is inconsistent with the fee schedule. For example, we don't have a fee for a tavern in a neighborhood business center, but rather we have a conditional use fee (which is how the tavern would be processed).	Remove this line from the CFS
Ord. None, Rewrites or Changes	Citation on CFS about where in the ordinance it identifies the fee.	All of the references relating to the Zoning Ordinance are to 21A.64.010. This section was eliminated when the CFS was established. If you go there, it sends you to the CFS.	Planning will process an ordinance amendment to modify various sections of the zoning ordinance to reference the CFS rather than Zoning Ordinance Chapter 21A.64.10 and repeal chapter 21A.64.10
Ord. None, Rewrites or Changes	Amendments- Master Plans	The Zoning Ordinance does not regulate master plans. They are regulated by State Law. Therefore the citation that the fee for master plan amendments is in the zoning	Eliminate the citation to the zoning ordinance relating to master plan amendments.

		ordinance is incorrect. The fee has been on the CFS since at least 1995. State Law allows for fees to be collected for land use applications as long as they are justified. (Utah State Code Title 10 Chapter 9a Section 510.)	
Ord. None, Rewrite or Changes	Conditional Uses, Conditional Building and Site Design Review, Planned Development, Historic	Each of these types of applications is covered in a separate section of the zoning ordinance but they don't all reference the consolidated fee schedule.	The Planning Division will process amendments to the Zoning Ordinance to ensure there are references to allow fees to be charged based on the CFS.
Errors on CFS	Billboards- permit for demolition of a non-conforming billboard (In the Community Development section of the CFS)	There are two citations for billboards in the CFS. This citation conflicts with the fee for billboards in the Zoning Portion of the CFS.	Remove this line from the CFS and just keep the one in the Zoning Section.
Errors on the CFS	Amendment- Fees for Zoning text or map	Because the noticing requirement for zoning map and zoning text amendments are different, either these two types of applications need to be on their own line in the CFS or there needs to be a line relating to noticing fees.	Either have one line in the CFS that allows to charge fees for required notices, OR Have one line for Zoning Map Amendments (with a noticing fee that includes fees for mailing notice to surrounding property owners for two public hearings- Planning Commission and City Council) And a separate line for Zoning Text Amendments (with a noticing fee for publishing the notice in the Newspaper- legal section)
Errors on the CFS	Appeal of a decision- fee waiver	Staff is not aware of any ordinance that allows the waiver for a fee to appeal a decision.	Eliminate the verbiage relating to the fee waiver for appeals.
Errors on the CFS	Application for Conditional Use- (header)	This is a duplication. There is another line for Conditional Uses with the information about fees, etc.	Remove the line "Application for Conditional Use"
Errors on the	Conditional Site Plan Review	There is not a process for Conditional Site	Change the title from "Conditional

CFS		Plan Review. There is a process for Conditional Building and Site Design Review	Site Plan Review” to “Conditional Building and Site Design Review”
Errors on the CFS	Conditional Use / Planned Development	Conditional Uses and Planned Development are not the same thing (although they used to be). Therefore, there should be a separate line for each of these different types of applications. In addition, there are no acreage fees for conditional uses.	Change the title from “Conditional Use / Planned Development to “Conditional Use” and eliminate the language in the 3 rd column about “Plus \$110.74 per acre in excess of one acre.”
Errors on the CFS	General Plan Application	There is not an application for a general plan (which in Salt Lake City we call master plans). These are generated internally (by the Mayor or Council). Applications relating to plans, relate to amendments to master plans which are already listed under amendments, master plans.	Remove this line.
Errors on CFS	Processing Petition for Disposal of City Owned Alleys	This is a duplication. This is an alley vacation which is listed earlier in the CFS.	Remove this line.
Errors on CFS	Routine and Uncontested Matters	These were a type of Special Exception. The City Council eliminated these through ordinance 73 of 2011	Remove this line.
	Signs; Permit fee for signs	WHAT DOES THE EXISTING FEE SCHEDULE SAY ABOUT THIS?	The existing fee schedule does not include the “Sign Permit Fee” referenced in 21A.46.030C. The sign permit fee is based upon the Building Code Valuation Fee Schedule.
Errors on CFS	Signs: Identification tag vs Inspection tag	The sign ordinance in the Zoning Ordinance refers to an Inspection Tag fee. On the CFS, it lists a fee for an Identification Tag.	The Planning Division will process a petition to amend the ordinance language to refer to a fee for an identification tag, rather than an inspection tag. I think we should just eliminate the identification tag language. The Zoning Ordinance does not reference a separate identification tag in the fee section.
	Site Plan Review Application	This chapter relates to the DRT function of the Permits Office. They have never charged	Remove this line.

		a fee for this service nor do we have an application for this. I think it may have been confused with the Conditional Building and Site Design Review fee, which is established in Chapter 21A.59.	
Errors on CFS	Street Closure	I do not believe there is a fee waiver available for this.	Remove the language that states “fee waiver available.”
Errors on CFS	Street Name Change	It is my understanding that a few years ago, the City Council decided against changing names of streets and instead has a policy relating to naming of city assets. I’m not sure which Department / Division is in charge of this.	Remove this line
Change of fee	Subdivision Review Fees	<p>The amount of work for reviewing subdivision applications, relates more to the type of subdivision process rather than the type of subdivision therefore, the fees would be better justified if they were based on the process and not the size / type of the subdivision.</p> <p>There currently is a higher fee for final plats than for preliminary plats. There is more work and process involved in reviewing preliminary plats.</p>	<p>Remove the different fee amounts relating to minor, major and foothill subdivisions and instead have a separate line for each type of process (i.e. Subdivision Amendments, Subdivision Preliminary Plat, Subdivision Final Plat, etc and alphabetize them.)</p> <p>In addition, eliminate Subdivision vacation since it is the same as Subdivision Amendment.</p> <p>Also the fees for Subdivision, Final Plat should be xxxxxxxxxxxx</p>
Errors in CFS	Subdivision Lot Line Adjustment- Routine and Uncontested	This is the same as the Subdivision Lot Line Adjustment.	Remove this line
Errors in CFS	Subdivision Plat Amendments	If all of the subdivision fees are listed by process type, than this should be listed in alphabetical order in the Subdivision fee area of the CFS	List as the first type of Subdivision Fee.

Errors in CFS	Zoning Variance	This should just be listed as a Variance. In addition there is no special type of variance for historic designated areas.	List the application as Variance and remove the language in the third column relating to historic structures.
---------------	-----------------	---	---

From: [Nielson, Paul](#)
To: [Coffey, Cheri](#)
Cc: [Pace, Lynn](#)
Subject: RE: Fees
Date: Tuesday, July 30, 2013 10:23:27 AM

Makes sense to take it out--wouldn't want to imply that some applications are subject to the fees while others are not by virtue of inclusion/omission.

Paul C. Nielson
Senior City Attorney
801.535.7216

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-----Original Message-----

From: Coffey, Cheri
Sent: Tuesday, July 30, 2013 10:22 AM
To: Nielson, Paul
Cc: Pace, Lynn
Subject: Re: Fees

We can't find it in the planned development nor historic preservation chapters but it is in all the others.

Sent from my iPhone

On Jul 30, 2013, at 10:06 AM, "Nielson, Paul" <paul.nielson@slcgov.com> wrote:

> I wouldn't have any concerns. Is there a reason for taking the references out of the individual sections?

>

> Paul C. Nielson
> Senior City Attorney
> 801.535.7216

>

> IMPORTANT: E-mail from the City Attorney's Office is likely to contain confidential and privileged material for the sole use of the intended recipient. The use, distribution, transmittal or re-transmittal of any such communication is prohibited without the express approval of the City Attorney or a Deputy City Attorney in writing or by e-mail. If you are not the intended recipient, please contact the sender and delete all copies.

> -----Original Message-----

> From: Coffey, Cheri
> Sent: Tuesday, July 30, 2013 9:07 AM
> To: Nielson, Paul; Pace, Lynn
> Subject: Fees

>

> We are looking at our fee schedule. A question I have is, would it be ok / normal, to remove the language in each process section of the zoning ordinance (conditional uses, variances, etc) and just rely on the language in Chapter 21A.10.010,E that states applications have to be accompanied by the fees in the fee schedule?

>

> Please let me know what your interpretation is.

>

> Thanks

>

>

>

> Sent from my iPad

From: [Baxter, DJ](#)
To: [Coffey, Cheri](#)
Subject: RE: Proposed Ordinance Changes relating to the Consolidated Fee Schedule
Date: Monday, February 17, 2014 4:08:07 PM

Hi Cheri,

Pursuant to #3.a. below, could fees also be waived for petitions initiated by the RDA?

DJ

From: Coffey, Cheri
Sent: Monday, February 03, 2014 2:52 PM
To: Alexander, Debra; Baxter, DJ; Burbank, Chris; Cook, Kurt; DeLaMare-Schaefer, Mary; Graham, Rick; Haight, Bill; Hoskins, Gordon; Niermeyer, Jeff; Plane, Margaret; Riley, Maureen; Shaw, Eric; Goff, Orion; Hutcheson, Robin; Krieger, Karen; Akerlow, Michael; Clason, Stuart; Baxter, DJ; Limburg, Garth; Snelling, Jeff
Cc: Butcher, Larry; Young, Kevin; Garcia, Peggy; Weiler, Scott; Itchon, Edward; Ross, Michelle; Bennett, Vicki; Reese, Todd; McCandless, Allen; McFarland, Ryan; Nielson, Paul; Moore, Sandee; Thompson, Mary Beth; Sommerkorn, Wilford
Subject: Proposed Ordinance Changes relating to the Consolidated Fee Schedule

Directors:

The Planning Division is currently processing a petition to amend various sections of City Code relating to the application requirements, including fees for the various types of applications we process. This project is to ensure that any fee that is listed on the Consolidated Fee Schedule is based on adopted City ordinance allowing for that fee to be collected. Most of the proposed ordinance amendments relate to the Zoning Ordinance (Title 21A) but changes to Title 2, relating to the declaration of City surplus property and the closure of City Streets and Title 18- Building and Construction are also proposed.

A summary of the proposed changes include:

1. Ensure the references for each type of application the Planning Division processes that are in the Zoning Ordinance, refers to Chapter 21A.10 which includes language about processing complete applications and required public noticing, including who is responsible for paying the fees for noticing.
2. Include language in the City Code relating to the following types of existing applications/ processes that currently do not have application and / or fee language:
 - a. Determination of Non-Conforming Uses and Non-Complying Structures
 - b. Planned Developments
 - c. Declaration of Surplus Property include Street Closures
3. Clarify that a fee is not required for:
 - a. Petitions initiated by the Mayor, City Council or Planning Commission
 - b. Applications that can be administratively approved for Historic Preservation

- c. Applications for new local historic districts or character conservation districts
4. Clarify that a Fee is required for a fence (affects both Title 18- Building and Construction and Title 21A- Zoning)
5. Other minor changes

I have been working closely with Larry Butcher, Paul Nielson, Sandee Moore and Ryan McFarland on the specific changes to the Code. As per State and City Code, prior to any changes being made to the Zoning Ordinance, the Planning Commission must first hold a public hearing and submit a recommendation to the City Council. Once the Planning Commission has made its recommendation, the information will be forwarded to the City Council, along with specific proposed amendments to the Consolidated Fee Schedule through the Finance Department.

I have attached a draft of the proposed ordinance changes. If you have any questions or comments, please let me know by Tuesday February 18, 2014.

Thank You

CHERI COFFEY, AICP
Assistant Planning Director

PLANNING DIVISION
COMMUNITY *and* ECONOMIC DEVELOPMENT
SALT LAKE CITY CORPORATION

TEL 801-535-6188
FAX 801-535-6174

WWW.SLCGOV.COM

From: [Nielson, Paul](#)
To: [Coffey, Cheri](#)
Subject: RE: ZO Changes for Fee Schedule
Date: Tuesday, January 14, 2014 4:12:40 PM

Correct. Chapter 2.58 kind of addresses it. I've had this conversation with Lynn before and his response to me was similar to my previous response.

PAUL C. NIELSON
SENIOR CITY ATTORNEY
801.535.7216

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From: Coffey, Cheri
Sent: Tuesday, January 14, 2014 3:33 PM
To: Nielson, Paul
Subject: RE: ZO Changes for Fee Schedule

That didn't answer my question☺

CHERI COFFEY, AICP
Assistant Planning Director

PLANNING DIVISION

COMMUNITY *and* ECONOMIC DEVELOPMENT

SALT LAKE CITY CORPORATION

TEL 801-535-6188

FAX 801-535-6174

www.SLCGOV.COM

From: Nielson, Paul
Sent: Tuesday, January 14, 2014 3:26 PM
To: Coffey, Cheri
Subject: RE: ZO Changes for Fee Schedule

Yeah, I know.

PAUL C. NIELSON
SENIOR CITY ATTORNEY
801.535.7216

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From: Coffey, Cheri
Sent: Tuesday, January 14, 2014 3:25 PM
To: Nielson, Paul
Subject: RE: ZO Changes for Fee Schedule

Something for you to dwell on in the meantime:

Street Closures are not found anywhere in the City Code. The standards we process them with are an adopted policy document from the City Council.

We do have an application for them and charge a fee. If we have to have something in the City Code that allows for us to charge a fee, how do I address Street Closure requests?

CHERI COFFEY, AICP

Assistant Planning Director

PLANNING DIVISION

COMMUNITY *and* ECONOMIC DEVELOPMENT

SALT LAKE CITY CORPORATION

TEL 801-535-6188

FAX 801-535-6174

WWW.SLCGOV.COM

-----Original Appointment-----

From: Nielson, Paul
Sent: Tuesday, January 14, 2014 3:08 PM
To: Coffey, Cheri
Subject: Accepted: ZO Changes for Fee Schedule
When: Tuesday, January 21, 2014 1:30 PM-2:00 PM (UTC-07:00) Mountain Time (US & Canada).
Where: Butcher's office

Attachment C
Public Input

Ordinance Changes Relating to the Consolidated Fee Schedule



SALT LAKE CITY PLANNING DIVISION COMMUNITY & ECONOMIC DEVELOPMENT

What is the Purpose of the Changes?

The City Council has the authority to adopt all regulations. These are called ordinances. The City Council also has the authority to approve all fees that are collected through applications.

The City Council wants to ensure that all fees that are charged by the City are authorized to be charged in the adopted ordinances.

The Planning Division has identified what City processes we work on and has identified which ordinances have language that allows us to collect fees for those processes. We have also identified where the language is missing and where the language should be clarified. These are the changes that are being proposed.

In Summary, the Changes Include the Following:

1. Ensure references for each type of application the Planning Division processes includes language about submitting complete applications and what the requirements are for notifying the public and identifying who is responsible for paying the fees for the notice.
2. Include language in the City Code relating to the following types of existing applications/processes that currently do not have application and / or fee language:
 - a. Determination of Non-Conforming Uses and Non-Complying Structures
 - b. Planned Developments; and
 - c. Declaration of Surplus Property including Street Closures
3. Clarify that a fee is not required for:
 - a. Petitions initiated by the Mayor, City Council or Planning Commission
 - b. Applications that can be approved by City Staff for Historic Preservation Projects; and
 - c. Applications for new local historic districts or character conservation districts
4. Clarify that a fee is required for a fence; and
5. Other minor changes

Do these Changes to the Ordinance, Change the Application Fees?

The changes that are part of this petition do not change the amount of the application fee. However, a future phase of this process will be to ensure the fees that are identified in the Consolidated Fee Schedule (List of Fees the City charges) are clear and appropriate. The City Council may determine that some application fees are changed. That phase of the process has not yet occurred. Public input will be solicited during that phase of the project.

What is the Process for Approving these Proposed Changes?

State Law requires that any changes to the Zoning Ordinance must be reviewed by the Planning Commission. This project includes several changes to the Zoning Ordinance.

The Planning Commission must hold a public hearing and make a recommendation to the City Council before the City Council can review the proposed changes.

How do I Receive More Information?

If you would like to submit comments or attend future public hearings on this specific petition or future changes to the Consolidated Fee Schedule, please sign the Open House attendance form or contact Cheri Coffey, Assistant Planning Director at

Cheri.coffey@slcgov.com

or

Cheri Coffey, Assistant Planning Director
Salt Lake City Planning Division
PO BOX 145480
SLC UT 84114-5480

PLNPCM2014-00016

Ordinance Changes relating to the Consolidated Fee Schedule

Draft ordinance language- Red text identifies the proposed changes

21A.10.010: GENERAL APPLICATION PROCEDURES:

E. Fees: The application shall be accompanied by ~~all~~ the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10.020 of this chapter, in accordance with the consolidated fee schedule, including costs of mailing, preparation of mailing labels and all other costs relating to notification.

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Appeals of Administrative Decisions

21A.16.030: PROCEDURE:

B. Fees: ~~Nonrefundable application and hearing fees shown on the Salt Lake City consolidated fee schedule shall accompany the appeal.~~ The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.

VARIANCES

21A.18.040: PROCEDURES:

B. Fees: ~~Nonrefundable application and hearing fees shown on the Salt Lake City consolidated fee schedule shall accompany the application for a variance.~~ The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.

H Historic Preservation Overlay District

21A.34. 020. C. Designation Of A Landmark Site, Local Historic District Or Thematic Designation; H Historic Preservation Overlay District:

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3. Petition Initiation For Designation Of A Landmark Site, Local Historic District Or Thematic Designation:
- a. Petition Initiation For H Historic Preservation Overlay District; Landmark Site: Any owner of property proposed for a landmark site, the mayor or the city council, by majority vote, may initiate a petition to consider the designation of a landmark site.
- b. Petition Initiation For H Historic Preservation Overlay District; Local Historic District Or Thematic Designation: A property owner initiating such a petition shall demonstrate support of fifteen percent (15%) or more of the owners of lots or parcels within the proposed boundaries of an area to be included in the H historic preservation overlay district. The mayor or the city council, by a majority vote, may initiate a petition to consider designation of a local historic district or thematic designation.
- ~~No application fee will be required for a petition initiated by a property owner.~~

(1) For purposes of this subsection, a lot or parcel of real property may not be included in the calculation of the required percentage unless the application is signed by owners representing a majority of ownership interest in that lot or parcel.

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(2) Each lot or parcel of real property may only be counted once toward the fifteen percent (15%) minimum, regardless of the number of owner signatures obtained for that lot or parcel.

(3) Signatures obtained to demonstrate support of fifteen percent (15%) or more of the property owners within the boundary of the proposed local historic district or thematic designation must be gathered within a period of one hundred eighty (180) days as counted between the date of the first signature and the date of the last required signature.

- c. ~~Fees: No application fee will be required for a petition initiated by a property owner for designation of a property to the H Historic Preservation Overlay District.~~

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F. Procedure For Issuance Of Certificate Of Appropriateness:

- d. ~~Fees: No application fee will be required for a Certificate of Appropriateness that is Administratively Approved.~~

de. Notice For Application For Demolition Of A Noncontributing Structure: An application for demolition of a noncontributing structure shall require notice for determination of noncontributing sites pursuant to chapter 21A.10 of this title. ~~The applicant shall be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.~~

f. Standards For Approval: The application shall be reviewed according to the standards set forth in subsections G and H of this section, whichever is applicable.

g. Review And Decision By The Planning Director: On the basis of written findings of fact, the planning director or the planning director's designee shall either approve or conditionally approve the certificate of appropriateness based on the standards in subsections G and H of this section, whichever is applicable, within thirty (30) days following receipt of a completed application. The decision of the planning director shall become effective at the time the decision is made.

h. Referral Of Application By Planning Director To Historic Landmark Commission: The planning director may refer any application to the historic landmark commission due to the complexity of the application, the significance of change to the landmark site or contributing structure in the H historic preservation overlay district, or the need for consultation for expertise regarding architectural, construction or preservation issues.

2. Historic Landmark Commission: Certain types of construction, demolition and relocation shall only be allowed to be approved by the historic landmark commission subject to the following procedures:

a. Types Of Construction: The following shall be reviewed by the historic landmark commission:

(1) Substantial alteration or addition to a landmark site or contributing structure/site;

(2) New construction of principal building in H historic preservation overlay district;

(3) Relocation of landmark site or contributing site;

(4) Demolition of landmark site or contributing site;

(5) Applications for administrative approval referred by the planning director; and

(6) Installation of solar energy collection systems that may be readily visible from a public right of way, as described in and pursuant to chapter 21A.40 of this title.

b. Submission Of Application: The procedure for an application for a certificate of appropriateness shall be the same as specified in subsection F1b of this section.

C. Fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.

d. Materials Submitted With Application: The requirements for the materials to be submitted upon application for a certificate of appropriateness shall be the same as specified in subsection F1c of this section. Applications for a certificate of appropriateness for demolition shall also submit a reuse plan for the property.

e. Notice: Applications for a certificate of appropriateness shall require notice pursuant to chapter 21A.10 of this title.

f. Public Hearing: Applications for a certificate of appropriateness shall require a public hearing pursuant to chapter 21A.10 of this title.

g. Standards For Approval: The application shall be reviewed according to the standards set forth in subsections G through L of this section, whichever are applicable.

h. Review And Decision By The Historic Landmark Commission: The historic landmark commission shall make a decision at a regularly scheduled meeting, within sixty (60) days following receipt of a completed application, except that a review and decision on an application for a certificate of appropriateness for demolition of a landmark site or contributing structure declaring an economic hardship shall be made within one hundred twenty (120) days following receipt of a completed application.

(1) After reviewing all materials submitted for the case, the recommendation of the planning division and conducting a field inspection, if necessary, the historic landmark commission shall make written findings of fact based on the standards of approval as outlined in this subsection F through subsection L of this section, whichever are applicable.

(2) On the basis of its written findings of fact the historic landmark commission shall either approve, deny or conditionally approve the certificate of appropriateness. A decision on an application for a certificate of appropriateness for demolition of a contributing structure may be deferred for up to one year pursuant to subsections L and M of this section.

(3) The decision of the historic landmark commission shall become effective at the time the decision is made. Demolition permits for landmark sites or contributing structures shall not be issued until the appeal period has expired.

(4) Written notice of the decision of the historic landmark commission on the application, including a copy of the findings of fact, shall be sent by first class mail to the applicant within ten (10) working days following the historic landmark commission's decision.

i. Appeal Of Historic Landmark Commission Decision To Appeals Hearing Officer: The applicant, any owner of abutting property or of property located within the same H historic preservation overlay district, any recognized or registered organization pursuant to [title 2, chapter 2-62](#) ~~title 2, chapter 2.60~~ of this code, the Utah State Historical Society or the Utah Heritage Foundation, aggrieved by the historic landmark commission's decision, may object to the decision by filing a written appeal with the appeals hearing officer within ten (10) calendar days following the date on which a record of decision is issued. The filing of the appeal shall stay the decision of the historic landmark commission pending the outcome of the appeal, except that the filing of the appeal shall not stay the decision of the historic landmark commission if such decision defers a demolition request for up to one year pursuant to the provisions of subsections L and M of this section.

j. Review By City Attorney: Following the filing of an appeal to the appeals hearing officer of a decision of the historic landmark commission to deny or defer a certificate of appropriateness for demolition, the planning director shall secure an opinion of the city attorney evaluating whether the denial or deferral of a decision of the demolition would result in an unconstitutional taking of property without just compensation under the Utah and United States constitutions or otherwise violate any applicable constitutional provision, law, ordinance or regulation.

~~§~~ Appeal Of Appeals Hearing Officer Decision To District Court: Any party aggrieved by the decision of the appeals hearing officer may file a petition for review with the district court within thirty (30) days following the decision of the appeals hearing officer. The filing of an appeal of the appeals hearing officer decision shall stay the decision of the appeals hearing officer pending the outcome of the appeal, except that the filing of the appeal shall not stay the decision of the appeals hearing officer if such decision defers a demolition request for up to one year pursuant to the provisions of subsections L and M of this section.

21A.35.040: REQUEST FOR A FEASIBILITY STUDY:

A. An application for a character conservation district feasibility study may be filed with the planning director on an application form furnished by the planning division. The following are those who are authorized to submit an application:

1. The mayor;
 2. A majority of the city council; or
 3. Property owners with fifteen percent (15%) support of the property owners within the proposed district. A property owner or owners would have six (6) months to collect signatures and submit an application to the city. The six (6) month time period begins when the first signature is obtained. There is no fee for the application.
- B. An application for a character conservation feasibility study prepared by the proposed district area or their authorized agent must include the following:
1. A list of the names, site address and mailing address of all property owners in the area of request.
 2. A list of all neighborhood associations or other organizations representing the interests of property owners in the area of request. This list should include information as to the number of members and the officers' names, mailing addresses, and phone numbers.
 3. A statement of justification. This statement should:
 - a. Identify the factors which make the area of request eligible for character conservation district classification as per the determination of eligibility in this chapter; and
 - b. Explain in detail how and why such a classification would be in the best interest of the city as a whole.
 4. A written description of the character defining features of the area as seen from the public right of way. Character defining features may include, but are not limited to, architecture or architectural features, mass and scale of buildings, streetscape, building orientation, landscaping, types of signs, sidewalk improvements, public art, or other items that contribute to the overall character of the area. Photographs of the area to be considered as a character conservation district should also be included for reference. (Ord. 73-12, 2012)

~~§~~ - Fees: No application fee will be required for a petition initiated by a property owner.

Chapter 21A.38 NONCONFORMING USES AND NONCOMPLYING STRUCTURES 🌐 📄

21A.38.025: PROCEDURES: 🌐 📄

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A. Application: An application for an Administrative Interpretation relating to a non complying lot or structure or an application for Determination of a Non Conforming Use of this title shall be filed on a form provided by the zoning administrator and shall contain at least the following information:

1. Provisions: The specific provision or provisions of this title for which an interpretation or determination is sought;
2. Facts: The facts of the specific situation giving rise to the request for an interpretation or determination;
3. Interpretation: The precise interpretation or determination claimed by the applicant to be correct;
4. Fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.

5. Notification To Recognized And Registered Organizations: The city shall give notification, by e-mail or other form chosen by the planning director to any organization which is entitled to receive notice pursuant to title 2, chapter 2.60 of this code, that an Administrative Interpretation or Determination of Nonconforming Use has been made.

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B. Action On Application: The zoning administrator shall send the zoning administrator's written interpretation or determination to the applicant stating any specific precedent or other reasons, or analysis upon which the interpretation or determination is based.

C. Records: A record of decisions on all applications for interpretations or determinations of this title shall be kept on file in the office of the zoning administrator.

D. Appeal: Any person adversely affected by a final decision made by the zoning administrator interpreting or making a determination regarding a provision of this title may appeal to the appeals hearing officer in accordance with the provisions of chapter 21A.16 of this title. (Ord. 8-12, 2012; Ord. 62-11, 2011; Ord. 24-11, 2011)

21A.40.120: REGULATION OF FENCES, WALLS AND HEDGES:

C. Building Permit Required:

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1. A ~~no fee~~ building permit shall be obtained prior to construction of any fence that does not exceed six feet (6') in height and is not made of concrete or masonry or does not require structural review under the ~~international uniform~~ building code regulations. The permit is to ensure compliance with adopted regulations.
2. A building permit and fee are required for fences and walls which exceed six feet (6') in height and all fences or walls of any height that are constructed under the international building code. The permit is to ensure compliance with all zoning ordinance standards and requirements (location, height, types of materials) as well as to ensure the structural integrity of the pilasters and foundation system which will be verified by plan review and site inspection.
3. The application for a permit must include plans identifying the location and height of the proposed fence or wall. If the fence or wall is constructed of masonry or concrete of any height or exceeds six feet (6') in height, construction details showing horizontal and vertical reinforcement and foundation details shall be shown on the plans.
4. The building permit fee for a fence will be a general permit fee based on construction costs or valuation of the work: ~~as shown in the Consolidated Fee Schedule~~
5. Construction of any fence in the following districts shall also comply with the additional fencing regulations found in the following subsections of this title:
 - a. FP foothills protection district ([21A.32.040](#)),
 - b. H historic preservation overlay district ([21A.34.020E](#)), and

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Chapter 18.20 PERMITS AND INSPECTIONS

18.20.010: WORK REQUIRING PERMIT:

No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building, structure or premises, or make any installation, alteration or improvement to the electrical, plumbing or mechanical system in a building, structure or premises, or cause the same to be done, without first obtaining the prescribed permits for each such building or structure or premises from the building official. (Prior code § 5-5-1(1))

18.20.020: EXEMPT WORK DESIGNATED:

A. A building permit shall not be required for the following:

1. Playhouses and similar uses;

~~2. Fences not exceeding height limitations or requiring variances by the appeals hearing officer;~~

~~3. Oil derricks;~~

~~4. Movable cases, counters and partitions not over five feet (5') high;~~

~~5. Retaining walls which are not over two feet (2') in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids;~~

~~6. Water tanks supported directly upon grade if the capacity does not exceed five thousand (5,000) gallons and the ratio of height to diameter or width does not exceed two to one (2:1);~~

~~7. Painting, papering and similar finish work;~~

~~8. Temporary motion picture, television and theater stage sets and scenery;~~

~~9. Window awnings supported by an exterior wall of group R, division 3, and group M occupancies, when projecting not more than fifty four inches (54").~~

B. Unless otherwise exempted, separate plumbing, electrical and mechanical permits shall be required for the above exempted items.

C. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. (Ord. 8-12, 2012: prior code § 5-5-1(2))

AMENDMENTS

21A.50.040: PROCEDURE:

B. Fees: The application ~~for an amendment~~ shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title. Application and noticing fees ~~s~~ filed by ~~a city council member, a planning commissioner~~ the City Council, Planning Commission or the mayor shall not ~~be required the payment of any fees.~~ Application and noticing fees filed for designation within an H Historic Preservation District or to establish a character conservation district shall not be required.

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SPECIAL EXCEPTIONS

21A.52.040: PROCEDURE:

A. An application for a special exception shall be processed in accordance with the following procedures:

~~3. Fee: The application for a special exception shall be accompanied by the fee established on the fee schedule, chapter 21A.64 of this title.~~

fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. Where applicable, the applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.

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Chapter 21A.54 CONDITIONAL USES

21A.54.060: PROCEDURES:

A. Application: A complete application shall contain at least the following information submitted by the applicant, unless certain information is determined by the planning director to be inapplicable or unnecessary to appropriately evaluate the application:

1. The applicant's name, address, telephone number, and interest in the property;
2. The property owner's name, address, and telephone number, if different than the applicant, and the property owner's signed consent to the filing of the application;
3. The street address and legal description of the subject property;
4. The zoning classification, zoning district boundaries, and present use of the subject property;
5. A complete description of the proposed conditional use;
6. Site plans, as required pursuant to section 21A.58.060 of this title;
7. Traffic impact analysis, where required by the city transportation division; and
- ~~8. Mailing labels and a fee to cover postage for all persons required to be notified of the public hearing on the proposed conditional use pursuant to chapter 21A.10 of this title; and~~
98. Other information or documentation the planning director may deem necessary for proper review and analysis of a particular application. Information which may be required under this subsection A10 shall not apply to a determination of completeness under subsection B of this section.

B. Determination Of Completeness: Upon receipt of an application for a conditional use, the planning director shall make a determination of completeness of the application pursuant to section [21A.10.010](#) of this title.

~~C. Fees: The application for a conditional use shall be accompanied by the fee established on the Salt Lake City consolidated fee schedule.~~

C. Fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.

Chapter 21A.55

PLANNED DEVELOPMENTS

A. Application: A complete application shall contain at least the following information submitted by the applicant, unless certain information is determined by the planning director to be inapplicable or unnecessary to appropriately evaluate the application:

1. The applicant's name, address, telephone number, and interest in the property;
2. The property owner's name, address, and telephone number, if different than the applicant, and the property owner's signed consent to the filing of the application;
3. The street address and legal description of the subject property;
4. The zoning classification, zoning district boundaries, and present use of the subject property;
5. A complete description of the proposed planned development;
6. Site plans, as required pursuant to section 21A.58.060 of this title;
7. Traffic impact analysis, where required by the city transportation division; and
8. Other information or documentation the planning director may deem necessary for proper review and analysis of a particular application. Information which may be required under this subsection A10 shall not apply to a determination of completeness under subsection B of this section.

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B. Determination Of Completeness: Upon receipt of an application for a planned development, the planning director shall make a determination of completeness of the application pursuant to section 21A.10.010 of this title.

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C. Fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10.

Chapter 21A.59 CONDITIONAL BUILDING AND SITE DESIGN REVIEW



21A.59.050: APPLICATION REQUIREMENTS:

Each application for design review shall include the same information as required for site plan review as identified in section [21A.58.060](#) of this title. (Ord. 15-13, 2013)

21A.59.070: PROCEDURES FOR DESIGN REVIEW:

~~A. Fees: Every design review application shall be accompanied by a fee as established in the fee schedule, chapter 21A.64 of this title.~~

~~A. Fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 21A.10 of this Title.~~

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21A.62.040: DEFINITION

FEE SCHEDULE: The Salt Lake City consolidated fee schedule which, among other things, shows the fees required in connection with applications for a zoning amendment, a special exception, a conditional use, a zoning certificate, a certificate of occupancy, sign certificate, or any other type of approval required by the provisions of this title. ~~The fee schedule is available from the zoning administrator.~~

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21A.64.010: FEE SCHEDULE:

All fees shall be as shown on the Salt Lake City consolidated fee schedule. (Ord. 24-11, 2011)

Chapter 2.58 CITY OWNED REAL PROPERTY

2.58.010: SURPLUS REAL PROPERTY; IDENTIFICATION AND REPORTING REQUIREMENTS:

2.58.020: SURPLUS REAL PROPERTY; METHODS OF DISPOSITION:

2.58.030: CONVEYANCE FOR VALUE:

2.58.035: SIGNIFICANT PARCEL OF REAL PROPERTY:

2.58.037: APPLICATION REQUIREMENTS

2.58.040: SALE OF REAL PROPERTY; NOTICE AND HEARING:

2.58.050: VALIDITY OF ACTIONS:

2.58.060: DISPOSITION OF PROCEEDS:

2.58.037: APPLICATION REQUIREMENTS



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A. Application: A complete application shall contain at least the following information submitted by the applicant, unless certain information is determined by the planning director to be inapplicable or unnecessary to appropriately evaluate the application:

1. The applicant's name, address, telephone number, and interest in the property;
2. The street address and legal description of the subject property;
3. The zoning classification, zoning district boundaries, and present use of the subject property;
4. A complete description of the proposed use of the property requested to be declared surplus, including the use of a city-owned street requested to be closed;
5. Site plans, as required pursuant to section 21A.58.060 of this title;
- 6... Other information or documentation necessary for proper review and analysis of a particular application.

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B. Fees: The application for Declaration of Surplus Property including requests to close city-owned streets, shall be accompanied by the fee established on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by section 2.58 of this Title.

From: Dave Richards [dave@daverichards-architects.com]
Sent: Wednesday, February 12, 2014 5:23 PM
To: Coffey, Cheri
Subject: PLNPCM2014-00016 Zoning Ordinance Changes Relating to the Consolidated Fee Schedule

Hi Cheri,

How have you been? Are you keeping that Joel character in line?

I saw the email about the open house for fee schedule. Is the planning dept. hoping to add new fees for applications that previously did not require a fee and/or increase fees for applications that currently require fees? If there's anything posted online that explains this further, please point me to the link.

Thx,
Dave



dave richards
dave richards architects, inc.
p.o. box 526064
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slc, ut 84152

801.466.1396 voice
801.466.6810 fax
dave@daverichards-architects.com

From: Coffey, Cheri
Sent: Thursday, February 13, 2014 12:10 PM
To: 'Dave Richards'
Subject: Open House Information
Attachments: OH InfoFor Ordinance Changes relating to Fees.pdf

Dave,

Attached is the information for the proposed ordinance changes relating to the Consolidated Fee Schedule.

If you have any questions, please let me know.

Thanks

CHERI COFFEY, AICP
Assistant Planning Director

PLANNING DIVISION
COMMUNITY *and* ECONOMIC DEVELOPMENT
SALT LAKE CITY CORPORATION

TEL 801-535-6188
FAX 801-535-6174

WWW.SLCGOV.COM

SALT LAKE CITY PLANNING DIVISION

OPEN HOUSE

February 20, 2014 at 4:30 p.m. to 6:00 p.m.

City & County Building

451 South State Street, 1st Floor Hallway

Salt Lake City, Utah 84111

HAVE YOUR VOICE HEARD

Your input is important to us and can help shape the decisions related to these projects.

GET YOUR QUESTIONS ANSWERED

This is an opportunity for you to learn about proposed development projects as well as new regulations and planning policies that the Planning Division and other City Departments are working on.

CAN'T MAKE IT TO THE OPEN HOUSE?

If you have questions about any of the items on the agenda but can not make it to the Open House, feel free to contact our staff.

ON THE AGENDA

PLNPCM2014-00016 Zoning Ordinance Changes Relating to the Consolidated Fee Schedule - A request by Mayor Ralph Becker for a zoning text amendment to ensure the City Code allows for fees to be charged for all of the various types of applications that the Planning Division processes. The amendments will affect various Sections of the Zoning Ordinance as well as changes to Title 2 relating to surplus property and street closures and Title 18 relating to fences. Other changes are proposed that will ensure consistent language used for similar types of processes as well as changes to clarify language where necessary. Related provisions of the City Code may also be amended as part of this petition. (Staff contact: Cheri Coffey at 801-535-6188 or cheri.coffey@slcgov.com)

PLNPCM2013-00996 Verizon Cell Tower Conditional Use - A request by Verizon Wireless for Conditional Use Approval to construct a new cellular facility at 294 South Redwood Road. The facility will include a fenced compound consisting of 1,432 square feet, an equipment shelter, a generator and a new tower with supporting equipment. In addition, Verizon is proposing to construct a new 80' monopole inside the compound. The monopole will be designed to accommodate future co-locators as well as Verizon's own equipment. This project is located in the M-1 Light Manufacturing zoning district and in City Council 2, represented by Kyle LaMalfa. (Staff contact: Katia Pace at 801-535-6354 or katia.pace@slcgov.com)

PLNPCM2013-00900 and PLNPCM2013-00899 West Temple Residential Zoning Reevaluation 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.)

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)

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)



Salt Lake City Planning Division

451 S. State Street Room 406

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801-535-7700