

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**City & County Building**  
**451 South State Street, Room 326, Salt Lake City, Utah**  
**Wednesday, April 25, 2018**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at about 5:35 pm. Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Chairperson Weston Clark, Vice Chairperson Ivis Garcia; Commissioners Maurine Bachman, Amy Barry, Emily Drown,Carolynn Hoskins, Sara Urquhart and Clark Ruttinger. Commissioner Andres Paredes and Brenda Scheer were excused.

Planning Staff members present at the meeting were; Kelsey Lindquist, Principal Planner; Nick Norris; Planning Director; Michaela Oktay, Deputy Director; Paul Nielson, Senior Attorney.

**Field Trip**

A field trip was held prior to the work session. Planning Commissioners present were: Chairperson Weston Clark, Vice Chairperson Ivis Garcia; Commissioners Maurine Bachman, Amy Barry, Emily Drown, Carolynn Hoskins, Sara Urquhart and Clark Ruttinger. Staff members in attendance were Kelsey Lindquist and Nick Norris. Staff gave an overview of the proposal (543 South 800 East), and visited sites of previously approved projects to compare the finished project to the proposed project, sites listed on the agenda.

**APPROVAL OF THE April 11, 2018, MEETING MINUTES.**

**MOTION**

**Commissioner Hoskins moved to approve the April 11, 2018, meeting minutes. Commissioner Ruttinger seconded the motion. The motion passed unanimously.**

**REPORT OF THE CHAIR AND VICE CHAIR**

Chairperson Clark stated he had nothing to report.

Vice Chairperson Garcia stated she had nothing to report.

**REPORT OF THE DIRECTOR**

Nick Norris, Planning Director, mentioned that Michaela Oktay was promoted to Deputy Director and Ms. Garcia resigned from the Planning Commission because of a work opportunity that would take her away for a number of months. Also, if a meeting runs past 10pm, parking tickets can be voided. Any person attending the meeting must sign the roll sheet to get a ticket voided.

**The Cynthia Planned Development and Preliminary Subdivision** – CW Urban, represented by Jake Williams, is requesting approval from the City to develop three single-family attached units located at 543 South 800 East. The project as proposed would not meet all of the Zoning

Ordinance regulations. The applicant is requesting Planned Development approval for a relaxation of four zoning standards: a reduction in the minimum lot size for one of the proposed lots, the creation of lots without street frontage, the configured parking which is partially located on a separate parcel, and a three-foot encroachment into the required front yard setback. Currently, there is one single-family structure located at 543 South 800 East. The subject property is located in the RMF-30 (Low Density Multi-Family Residential) zoning district and is located in Council District 4, represented by Derek Kitchen. (Staff Contact: Kelsey Lindquist at 801-535-7930 or [kelsey.lindquist@slcgov.com](mailto:kelsey.lindquist@slcgov.com)) **Petition Numbers PLNSUB2017-00926 & PLNSUB2017-01021 (Administrative matter)**

Jake Williams, reviewed why the garages were detached, and reviewed input received during the Open House and how it changed the proposal. He felt it enabled the street frontage to work better. The balcony on the front unit slightly projects which keeps connection on the street and neighborhood. He reviewed floor plans of the units, and that the height of the building is below 30 feet.

The Commission, Staff and Applicant discussed the following:

- The pedestrian experience, streetscape and the aesthetics of design on the building.
- Orientation towards the street.
- Concerns about the windows and door.
- Suggestions of a sidewalk directly from sidewalk to the front door.
- Discussed adding a defined porch element to address characteristics of the neighborhood.
- Importance of pedestrian orientation.
- Consideration of the dark wall on the side of the building, its windows and how it relates with neighboring yards. Give that side the same considerations as the front unit.
- Discussed landscaping and hedges.
- Conditions that the Commission could apply.

#### **PUBLIC HEARING [5:48:53 PM](#)**

Chairperson Clark opened the Public Hearing. No Community Council statements.

The following individuals spoke to the petition:

Shannon Rudd - Discussed the historic character in neighborhood. Lots of gray on the building. Concern or questions about parking, questioned whether or not it goes all the way through the lot.

Sandra Goozeman - Lives across the street. Fan of contemporary architecture, but also cherishes the character of the neighborhood. She noted that the plans presented at this meeting are different than the plans presented at the Open House. Surprised at the new proposal. Not sure she could properly consider since she just became aware of this. Developer trying to turn this into three lots which is happening often in this area, and precedence an approval could set. Worried about single family homes. Concerns about giant windows and a lack of privacy.

Easton Smith - Spoke to affordability in neighborhood, rents increasing and a bunch of new developments like this. Are there any affordable housing stipulations? Spoke to concerns about being priced out of the neighborhood. He understands the need for housing and wishes that new developments had some affordable housing elements.

Jollete Olsen - Neighbor. New floor plan and asked about bedrooms and parking. Concerns about height. Now going to have two buildings overshadowing her backyard. Her house is 1.5 stories. Wished it were not as tall and maybe less units. Concerns about privacy and light.

Will Fetzler - Voiced concerns about the proposal, neighborhood changes and the requested exceptions.

Chairperson Clark closed the Public Hearing.

The Applicant and the Commission discussed the base zoning in the area, that it was RMF-30 Low Density Multi-Family zoning. The density allowed on the lot is three units. Could do it as a condominium project, but townhomes are easier to finance. The zoning allows a maximum height of 30 feet, but the proposal is 29 feet in height. The lot area meets the requirement for the proposed density. Neighbors' pitched roofs are not far off from the proposed 29 feet.

[6:10:22 PM](#)

They discussed the concern that the proposal changed from the penthouse. Staff explained that the developer changed it up based on the Open House feedback on the roof, massing, parking, etc. So, this proposal is a response to what the neighbors said. The Community Council did not request a presentation or additional information from the Applicant.

They discussed the stone proposed and the material scheme and whether Units 2 and 3 had balconies. They discussed that they cannot control use of window treatments such as blinds. They discussed that the overhang of the front balcony would be about four feet, that the lot would be fenced, and four bedrooms in each unit in which each unit requires two parking spaces. The proposal met the parking requirement.

The RMF-30 zone would allow for the same sized structure based on setbacks. The density proposed is not in addition to what the zoning district permits.

The Commission and Staff discussed the northern elevation and potential solutions to break up the massing. The Commission discussed a potential conditional to the proposed development, which would provide simple changes in materials on the northern elevation to break up the massing. Usually, a project of this size does not do that because of all the other site constraints. The Commission could conditional a use of differentiation of materials.

The Commission addressed five issues: Lots with no frontage; does not impact than what can be built. The front yard encroachment is minimal, offsite parking reasonable, compatibility of the neighborhood is the biggest question. Discussed compatibility and how the building interacts with the street and the pedestrian experience.

Standards are subjective, but coordination of styles is the main issue.

Discussed some changes that could be possible such as lighting and materials.

**MOTION [6:36:55 PM](#)**

**Commissioner Urquhart stated that based on the information in the staff report, the information presented, and the input received during the public hearing, she moved that the Planning Commission approve Petitions PLNSUB2017-00926 and PLNSUB2017-01021 with the following conditions:**

- 1. The Applicant shall record the associated document that discloses future private infrastructure costs and shall reference said document on the plat in compliance with 21A.55.170.**
- 2. Final approval authority shall be delegated to the Planning Director based on the Applicant's compliance with the standards and conditions of approval noted in the staff report.**
- 3. More defined entry with a walkway from the street to the front doors. Lighting over the door, canopy raised, sidewalk from the street, and provide glazing different from other.**
- 4. All the front doors to be defined, and the south and north elevations to be broken up with different materials breaking them up as two units.**

**Commissioner Bachmann seconded the motion. Commissioners Bachman, Barry, Drown, Hoskins and Urquhart voted "aye" and Commissioner Ruttinger voted "no". The motion passed 5-1.**

**[6:41:27 PM](#)**

Planning Director Nick Norris provided the Additional Dwelling Unit (ADU) ordinance update.

City Council wanted Planning Staff to review the ADU approval process. Planning reanalyzed it along with the Conditional Use process.

In R-1 Zone, it is appropriate to have a process for an ADU. Other zones; R-2 and RMF already allows more than one unit, so conditional use approved is not necessary per se.

Mr. Norris discussed changes to make the ordinance easier to understand and stated proposed code changes. Cities cannot use active advertising as a means toward enforcement

against someone. The City may still regulate ADUs, and the City Council recommended a limit on short term rentals. Mr. Norris explained how to reduce impacts explaining that conditional uses can be revoked with cause. There were concerns that a conditional use makes building an ADU a longer process. There are also concerns that it creates false expectations that neighbors can have a say that something can be denied. Legally, the City has to follow the conditional use process. Most issues addressed by the 20 plus standards in the zoning ordinance should reduce impacts.

Other concerns in proposal: More work for staff, a possible significant impact to the Planning Commission meetings, Planning Division workload, etc. The City Council removed the previous proposal to cap the number of ADUs per year to 25 and removed the previous proposed boundary.

The City Council wants a notice sent to neighbors. State law requires the City to complete the first review in 14 days; the 30-day waiting period could violate State law. The idea was to let the neighbors know that an ADU would be built next door to let them know an application has been received, building permit could come and that building permits can be appealed. That is the purpose of the notice.

Attached ADUs can be built on any property in the City where there is a basement conversion or adequate lot area for an addition.

Regarding detached ADUs – The ordinance limits a cumulative total 720 square feet coverage. Not an ADU issue, but a bigger issue that regulation alone will impact how a garage and an UDU can be built. Planning Staff reviewed what other cities have done; eliminate the cumulative total and allow lot coverage and setbacks to dictate. A big lot is currently penalized under code.

Attached ADUs have more allowances. The ordinance requires one parking stall for an ADU, it does include a way to modify it, but requires the principal building to also meet parking standards. The problem is 50 percent of the City's principal structures were built without parking standards; an issue that needs to be addressed. (Nick showed two ADU examples.)

6:58:44 PM

An ADU cannot be taller than a principal structure, and requires an increased setback of ten from a side or rear lot line unless there is an alley.

Mr. Norris reviewed analyses from Denver and Portland; the comparison from 1997 to 2010 is similar to the Salt Lake City Ordinance since they changed their ordinance to address owner occupancy and parking, and waived utility hookups.

Planning Staff projected that the City could get 20 to 30 ADUs per year if changes were implemented similar to Portland. Staff also projected that it would add 20 to 30 minutes to a Planning Commission meeting, and employ an additional part-time Planning Staff.

Denver's analysis showed that they could obtain about four ADUs per year. Salt Lake City would not be at the same level as Portland, and Salt Lake City would have more regulations than Denver. Denver has taken a GOAL oriented approach; they acknowledged that they cannot fund their way through affordability and they have to rely on the private sector and private money to help, their goal is to have 10 percent of the city with ADU, and have a 20-year goal for 15K; that means about three ADUs per block with a block that has 30 homes.

Mr. Norris discussed the Jefferson Street ADU in Salt Lake City which required alley access. The project was located in an RDA area, and the RDA rebuilt the alleys and wanted them used. It is not certain this could happen in other parts of the City because of conditions, width, fire access, and etc.

City Council needs to address concerns the Planning Staff has identified when an owner moves out would the City be required to evict someone. That is an alarming concern.

Business Licensing for ADUs – Waived for family.

Prior to 1995, every property in the City was allowed two units in a building. The City has the unit legalization process to address these units. Generally life safety issues are the main concern with these.

## **UPCOMING MEETINGS**

May 9, 2018 – Two item scheduled - A conditional use request and a street closure petition.

May 23, 2018 – Six items.

The Planning Division has seven applications that the Planning Commission will review under the recent Planned Development regulations. By the end of June, all applications should be reviewed under the new rules. Wayne Mills will give a refresher course at the next Planning Commission meeting to cover the new rules.

A number of large projects Staff is working on this summer and beyond: Housing Plan, Sugar House Master Plan updates on design standards for business districts, Parking Chapter, Adaptive reuse ordinance and early notification.

Staff requested input from the Commission relating to improvements on staff reports and meetings:

- Consider moving standards table up front, above applicant narrative.
  - Maybe use subfolders or tabs for easier navigation throughout the staff report.
  - Standards should be a separate tab every time.
- More information regarding what is allowed “by-right” comparison in staff reports. Maybe worth its own section.
- A spot in Dropbox for information about all zones. Some sort of cheat sheet that the Commissioners can refer to if they have questions about a zoning district.
- Internet access is really difficult. Research a better way to allow internet access for Commissioners.
- Script for the Chair: why something is before the Commission, what the Commission is allowed to do.
  - Maybe this can be included in the staff report.
    - What the Commission can and cannot do is really important.
    - May want to consider having some basic information in the presentation about what the Commission can and cannot do.
      - A conditional use has to be approved by law, the role of the public is to help identify issues that are backed by facts so the Commission can determine if the impact from each issue can be reduced.
- Clear representation of materials provided by the applicant vs. Staff. Often times applicant materials are made to look like they came from the City that may be causing some perception issues in the community. Some of the commissioners pointed out that they often think that information provided by the applicant is actually coming from Staff.

Training:

- Design issues. Example given as to what “neighborhood compatibility” really means. Some think it is matching architectural styles, while some think it is using elements from neighboring buildings like materials, porch design, setback, walkways, etc.
  - Integrate training in with what the Commission is seeing; i.e., if new planning concepts are being introduced, provide a training on the topic first so the Commission is able to understand the basics.

Need Vice Chair elections on the next agenda.

The meeting adjourned at 7:45:41 PM