



# MOTION SHEET

CITY COUNCIL of SALT LAKE CITY

**TO:** City Council Members

**FROM:** Nick Tarbet  
Policy Analyst

**DATE:** October 20, 2020

**RE:** **Text Amendment: Early Notification**  
**PLNPCM2016-00300**

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*Two public hearings have been scheduled for this petition. The first one was held on October 6.*

## **MOTION 1**

I move that the Council close the public hearing and defer action to a future Council meeting.

## **MOTION 2**

I move the council continue the public hearing to a future Council meeting.





# COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

**TO:** City Council Members

**FROM:** Nick Tarbet, Policy Analyst

**DATE:** October 20, 2020

**RE: Text Amendment: Early Notification  
PLNPCM2016-00300**

## **PROJECT TIMELINE:**

Briefing 1: February 4, 2020  
Briefing 2: March 3, 2020  
Briefing 3: Sept 29, 2020  
Public Hearing 1: March 3, 2020  
Public Hearing 2: Oct 6, 2020  
Public Hearing 3: Oct 20, 2020  
Potential Action: TBD

## **PUBLIC HEARING #1 Summary**

No one spoke about the proposed text amendment during the first public hearing.

Council Staff is still working the Administration on the changes to the draft ordinance the Council requested. Therefore, staff recommends the Council postpone adopting the ordinance after the second public hearing. The recommended motions include:

- close the public hearing and defer action
- continue the public hearing

***The following information was provided for the October 6 public hearing. It is provided again for background purposes.***

## **WORK SESSION SUMMARY**

During the September 29 work session, the Council's discussion focused mainly on which items should be listed in 2.60.50.C. Since the Planning related items from this section are being moved to 21A and will continue to be required to go through the early notification process, the remaining list is what the Council is deciding what will be required to go through that process.

Based on the discussion, The Council provided direction to staff to come back with recommendations that would

- Use option #1 as the basis (moving planning items to 21A)
- Include options from other sections of code such as changes to building code, parks, streets, etc.
- Be more specific than “city code amendments”
- Keep the other items not stricken in the draft ordinance:
  - Major changes to street capacity or travel modes
  - Major upgrades to public facilities and structures
  - New construction of major public facilities and structures

The public hearings were set for October 6 and 20. The Council can continue the public hearings so the public can provide additional comments on these amendments.

***The following information was provided for the September 29 work session. It is provided again for background purposes.***

#### **ISSUE AT-A-GLANCE**

The Council will be briefed about a proposal that would make changes to various sections of the *Salt Lake City Code* relating to early notification of the public and recognized community organizations of land use projects. Title 21A (Zoning Ordinance), Title 2-Chapter 2.60 (Recognized Community Organization Ordinance) would be amended.

The Council initiated this petition to clarify early notification regulations for public outreach. The purpose of the proposed changes is to increase awareness and participation by the public of various types of City projects while still providing a timely review process for applicants.

The Planning Commission forwarded a positive recommendation to the Council.

#### **ADDITIONAL INFORMATION**

The Council held the first briefing for this application on February 4 and a follow-up briefing on March 3. Summaries of those briefings are provided below.

#### **March 3 Work Session Follow-up Briefing**

During the March 3 work session, the Council had a follow-up briefing on the early notification ordinance. The Council asked about open houses replacing presentations at community council events (*This change applies when a project is on the border of multiple community councils, or if the community council doesn't request a meeting within 14 days of notifying.*) Planning staff explained the community council can still request the developer attend and quite often they do. It can be a resource/time issue for Planning Staff to attend many different community meetings about the same project – thus the open house idea. Planning said they could work on a division policy to guide this decision.

The Council talked about the potential need for full-time community outreach staff to work exclusively on community outreach and potential ways to invest in funding for technology upgrades to increase public outreach/engagement.

The Council also expressed general support for the technical changes which are outlined in the staff report below under, “February 4 Work Session summary.”

Additionally, the Council asked staff to bring back some options to consider pertaining to the potential issues identified below to Chapter 2.60 Recognized Community Organizations. As mentioned in the staff report below, any changes to City Code, such as budget adoption and amendments, would technically have to follow the early notification requirement due to the provision “All City Code Amendments.”

Staff coordinated with the Attorney’s Office and they provided the following three options for the Council to consider.

***The council may wish to consider which of the following option is the preferred option to include in the final ordinance***

- **Option 1:** adopt only planning related amendments to 2.60 that are pending before the Council. Leave the rest of 2.60 as is.
  - Amend Chapter 2.60.050.C: RESPONSIBILITIES OF CITY:
    - ~~Alley vacation~~
    - City code amendments
    - ~~Conditional use~~
    - ~~Demolition of contributing structures located within a local historic district or landmark sites~~
    - Major changes to street capacity or travel modes
    - Major upgrades to public facilities and structures
    - ~~Master plan amendment or policy amendments to be adopted by the city council~~
    - ~~Master plan or policies to be adopted by the city council~~
    - New construction of major public facilities and structures
    - ~~Planned development~~
    - ~~Zoning map amendment~~
- **Option 2:** adopt planning related amendments to 2.60 AND narrow the scope of early engagement so it applies to Major City Code Amendments.
  - “Major City Code Amendments” would need to be defined
  - This option also carves out certain exceptions to the engagement requirements (emergency, pending litigation, requirements under state law, etc.).
  - Amend Chapter 2.60.050.C: RESPONSIBILITIES OF CITY:



~~Alley vacation~~

~~Major City code amendments~~

~~Conditional use~~

~~Demolition of contributing structures located within a local historic district or landmark sites~~

~~Major changes to street capacity or travel modes~~

~~Major upgrades to public facilities and structures~~

~~Master plan amendment or policy amendments to be adopted by the city council~~

~~Master plan or policies to be adopted by the city council~~

~~New construction of major public facilities and structures~~

~~Planned development~~

~~Zoning map amendment~~

- **Option 3:** adopt planning related amendments to 2.60 AND remove specific requirements for early engagement, leaving early engagement up to the discretion of the departments.

- Delete 2.60.050.C: RESPONSIBILITIES OF CITY:

~~Recognized Community Organization Notification And Response: The city will send a notice to the applicable recognized community organization chair(s) for the following types of projects:~~

~~Alley vacation~~

~~City code amendments~~

~~Conditional use~~

~~Demolition of contributing structures located within a local historic district or landmark sites~~

~~Major changes to street capacity or travel modes~~

~~Major upgrades to public facilities and structures~~

~~Master plan amendment or policy amendments to be adopted by the city council~~

~~Master plan or policies to be adopted by the city council~~

~~New construction of major public facilities and structures~~

~~Planned development~~

~~Zoning map amendment~~

During the public hearing three people spoke. Their comments included:

- require signage postings for properties be placed closer to the sidewalk/street
- Community Councils should be informed when community activities in their areas are posted to the City's Facebook page.
- Lots of work goes into proposals, project can be made better because of community outreach

The Council closed the public hearing and deferred action to a future Council Meeting.

***The following information was proved for the February 4 work session briefing. It is provided again for background purposes.***

## **FEBRUARY 4 WORK SESSION SUMMARY**

During the work session briefing, planning staff told the Council there were a few changes that needed to be made to the final ordinance. These were identified after the ordinance had been transmitted. Attached A is the updated ordinance with the proposed changes. Those changes are identified below with the **red text underlined and highlighted**.

1. During the briefing Council Member Johnston expressed concern a public hearing might be held very early in the process. Staff has suggested the following language that would ensure a public hearing could not be held any sooner than 14 days after the early notification was sent.

Page 3 - Early Notification: The city shall provide notice of a pending land use application to the individuals stated in this section. The city shall provide at least forty-five (45) days for the recipients of the notice to provide comment on the pending land use application before a decision approving or denying the application is made by the applicable land use authority, or recommendation is made if the approval authority is the city council. **No public hearing shall be held sooner than fourteen (14) days after the notice has been provided.**

2. Clarify notice the City's GIS will be used to identify the property owners and tenants who will receive the notification

Page 3 - Property owners and tenants within three hundred feet (300') of property subject to a pending land use application **utilizing available information from Salt Lake City geographic information system records.** City-wide zoning map amendments are exempt from this requirement.

3. Clarify that a community outreach event may be held instead of a meeting of the recognized community organization as long as it meets the requirements listed

Page 5-6 - The city will schedule the item for an outreach event to educate, engage, and receive input from the public. An outreach event will be held **instead of the recognized community organization meeting** when:

- (1) A recognized community organization does not respond within fourteen (14) days of when the notice of pending land use application was sent as to whether it wants to review the matter;
- (2) Within fourteen (14) days of receiving the notice of pending land use application, the recognized community organization does not schedule the item for a recognized community organization meeting;
- (3) The recognized community organization will not meet within forty-five (45) days of receiving the notice from the city;
- (4) The project is within six hundred feet (600') of the boundaries of another recognized community organization's district;
- (5) The subject property is located west of 2200 West;
- (6) The project is a master plan or master plan amendment that impacts multiple recognized organizations;
- (7) The project is a text amendment to the zoning ordinance.

4. Clarify notice the City's GIS will be used to identify the property owners and tenants who will receive the notification for the community outreach event. And what notification will include the type of event, how to participate and location.

Page 6 - The City will also notify the public, property owners and tenants within three hundred (300') feet of subject property, and recognized community organizations who may be affected by the project or who have specifically requested notification of the outreach event for those situations noted in section 2a. of this subsection. Notices will be sent utilizing available information from Salt Lake City geographic information system records. The notice shall include information detailing the type of outreach event, how to participate, when it will occur and the location if applicable.

5. Clarify that mailings for public hearings are for properties within 300' of the property line and the City GIS system will be used to identify the property owners and tenants who will receive the notification

Page 6-7: Mailing For Public Hearing: Notice by first class mail shall be provided: a minimum of twelve (12) calendar days in advance of the public hearing to all owners and tenants of the land as shown on the Salt Lake City geographic information system records within three hundred feet (300') from the property line subject to the application, inclusive of streets and rights of way, or one thousand feet (1,000') of the property line subject to an application for sexually-oriented business requiring conditional site plan review pursuant to Chapter 21A.36 of this title. Mailing labels shall be generated by the city at the time of application submittal and created using the Salt Lake City geographic information system records unless as stated otherwise in this title. Notice by first class mail for zoning text amendments shall only be required if a notice requesting the mailing is received by the planning director.

6. An Outreach Event is given a more robust definition:

Page 12: OUTREACH EVENTS: Outreach events are opportunities for members of the public to learn about and provide comments on land use applications and proposed amendments to land use regulations. An outreach event includes but is not limited to an open house, online forums, presentations at community events, social media posting and

dialogue, or other events determined appropriate by the planning director. These events are used to expand involvement opportunities for community members by providing a chance to ask questions and provide comments on an issue or have involvement in the decision-making process.

## Potential Changes to Chapter 2.60 - Recognized Community Organizations

The proposed ordinance would copy portions of Chapter 2.60 - Recognized Community Organizations, related to public noticing and codify them in title 21A-Zoning. However, Chapter 2.60 would largely remain in effect.

Section 2.60.50 outlines the responsibilities of the city pertaining to noticing the public on city actions/projects. The Attorney's Office noted the current ordinance requires the city to send a notice to the applicable recognized community organization chair(s) for the following types of projects. Most of these are planning related; however, the highlighted items have a much wider impact.

- Alley vacation
- City Code amendments
- Conditional use
- Demolition of contributing principal buildings located within a local historic district or landmark sites
- Major changes to street capacity or travel modes
- Major upgrades to public facilities and structures
- Master Plan amendment or policy amendments to be adopted by the City Council
- Master Plan or policies to be adopted by the City Council
- New construction of major public facilities and structures
- Planned development
- Zoning map amendment

The following notification requirement applies to these changes listed above:

***The recognized community organization Chair(s) have forty-five (45) days to provide comments, from the date the notice was sent. A public hearing will not be held, nor will a final decision be made about the project within the forty-five (45) day period.*** Where a project is within six hundred feet (600') of the boundaries of another recognized community organization's district, when more than one recognized organization has requested a presentation of the matter, when the subject property is located west of 2200 West, or when the project is a text amendment to the City Code, the City will schedule the item for an open house and notify the public, including those recognized community organizations who may be affected by the project or who have specifically requested notification of the public open house.

This means, any changes to city code, such as budget adoption and amendments, would technically have to follow this early notification requirement.

The provision, "All City Code Amendments" and other highlighted sections are not included in the new ordinance being proposed for 21A. Planning Staff has proposed to only include the changes related to zoning/planning issues.

Since the petition is currently before the council, it would be possible for the Council to further amend Chapter 2.60. For example, the requirement to notice "city code amendments" could be removed, amended or some exceptions could be added. *Planning staff included three exceptions to the early notification*

*process that will apply to land use items: Recently enacted legislation, temporary land use regulations changes due to natural disaster or other emergency situations.*

If the Council would like to further discuss potential changes to this Chapter, it is possible to move forward by adopting the ordinance as related to 21A, but keep open the petition to address potential changes to Chapter 2.60.

- *Does the council want to consider making changes to Chapter 2.60 to make changes to clarify the intent of the noticing requirements?*

***The following information was proved for the February 18 work session briefing. It is provided again for background purposes.***

### **ISSUE AT-A-GLANCE**

The Council will be briefed about a proposal that would make changes to various sections of the *Salt Lake City Code* relating to early notification of the public and recognized community organizations of land use projects. Title 21A (Zoning Ordinance), Title 2-Chapter 2.60 (Recognized Community Organization Ordinance) would be amended.

The Council initiated this petition to clarify early notification regulations for public outreach. The purpose of the proposed changes is to increase awareness and participation by the public of various types of City projects while still providing a timely review process for applicants.

The Planning Commission forwarded a positive recommendation to the Council.

### **Public Process**

Pages 2-4 of the Transmittal letter outlines the public process Planning Staff conducted to get feedback on the proposed ordinance. The process included events such as: former applicant focus group, posted on Planning Division website and Open City Hall, held four open houses, staff attended three Salt Lake Community Network meetings, survey sent to executive board member of community councils, updates were sent out via Planning Division email lists.

### **ADDITIONAL INFORMATION**

Planning Staff notified Council Staff that after the Planning Commission forwarded their positive recommendation, the Attorney's Office noted a few edits to the language needed to be made. Most are grammatical and intended to make the ordinance more understandable.

Planning Staff will give a short summary of those changes during the work session briefing. Additionally, Council staff will review those changes and if staff notes any items that need further review, staff will bring it to the Council's attention via email.

### **Summary of Changes**

Planning Staff provided the following table which outlines the proposed changes compared to the current ordinance.

## Early Notification Text Amendment – Revision Summary

Topic	Current Language	Proposed Changes
<i>Notification requirements for land use applications</i>	The current ordinance is vague and is not clear on land use notification requirements.	Create new section within the Zoning Ordinance to address public engagement/early notification requirements
<i>What Requires Early Notification?</i>	<p>The following applications currently require early notification:</p> <ul style="list-style-type: none"> <li>• Alley Vacations</li> <li>• Changes to City Regulations</li> <li>• Conditional Uses</li> <li>• Demolition of contributing structures in local historic districts and Landmark Sites</li> <li>• Master Plans and Master Plan Amendments</li> <li>• Planned Developments</li> <li>• Re-zonings</li> </ul>	<p>Proposed changes include the existing list with the addition of the following:</p> <ul style="list-style-type: none"> <li>• Design Review (depending on scope of review)</li> <li>• New Construction of principal structures for multi-family and non-residential uses in local historic districts</li> </ul>
<i>Engagement Period</i>	No public hearing or decision can be held/made within the 45-day period.	No decision could be made within 45-day period, but a public hearing or briefing could be held.
<i>Notice to stakeholders</i>	Only requires notice to recognized community organizations	<p>Requires notice to:</p> <ul style="list-style-type: none"> <li>• Applicable recognized community organization(s)</li> <li>• Property owners within 300 feet of subject property</li> <li>• Additional stakeholders may be noticed given type of application and potential impacts</li> </ul>
<i>Posting of property</i>	Sign posting is not required when an application is received.	Once a complete application is received, City would post a sign on the subject property giving notice of the pending land use application with instructions on how to obtain additional information
<i>Response from recognized organizations</i>	Recognized organizations are not required to notify the city whether or not they would like to review the project.	Recognized organizations would be required to let the City know within 14 days of receiving the notice whether they would like to review the project.

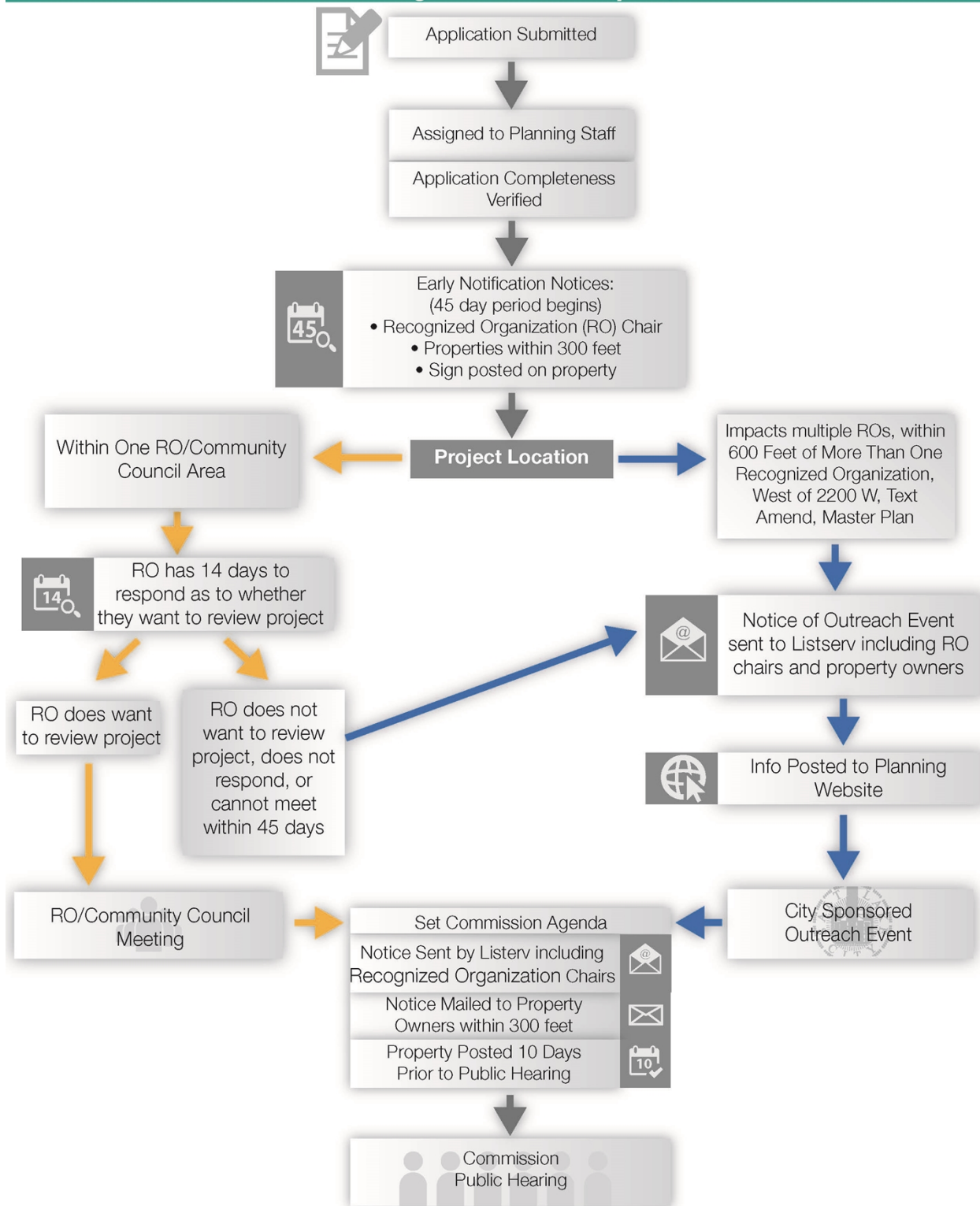
<i>Engagement activity (recognized organization meeting v. open house/outreach event)</i>	A recognized organization meeting or open house would be held for certain projects. If a recognized organization does not schedule the item for a meeting, no additional engagement activity is required.	A recognized organization meeting or open house would be held for certain projects. If a recognized organization does not schedule the item for a meeting within 14 days, the item would be scheduled for a city-sponsored outreach event.
<i>Outreach event</i>	Current language states an open house can be held in certain circumstances.	Updates “open house” to “outreach event”. New definition created for an “outreach event” that will allow city staff to use best engagement practices given the scope of the project and will not limit the City to only hold “open houses”.
<i>Open House Notices</i>	Open house notices are not required to be sent to property owners and tenants within 300 feet of the subject project.	Open house notices would be sent to all property owners and tenants within 300 feet of the subject project.
<i>Exceptions</i>		List of exceptions added such as items subject to adoption deadline, items responding to emergency situations.
<i>Language clarification</i>		Minor changes to clarify language in various chapters in zoning code. Language clarification and reference changes.
<i>Subdivision clarifications</i>	Regulations are unclear regarding notice to recognized organizations.	Remove the requirements for subdivision processes. Subdivisions under state law are very technical in nature, if they meet technical aspects, it must be approved. Street/alley closures or vacations will still require notice to recognized community organizations.

### **Process Flow Chart**

Attachment B, of the Planning Commission staff report includes the following flow chart that outlines the Early Notification process.

## Proposed Early Notification Process

### Planning Commission January 2019



### Policy Questions:

1. The proposed ordinance provides the following exemptions from the early notification process:
  - a. Amendments related to recently enacted legislation if the code amendment are:



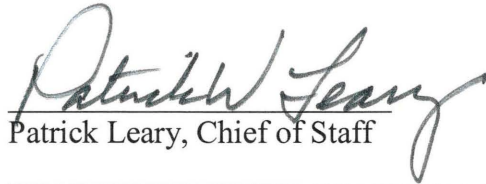
1. subject to an adoption deadline or action date set forth in the legislation;
  2. related to funding City-related projects; or
  3. Are necessary for essential City functions.
- b. A temporary land use regulation meeting the requirements of Utah Code Section 10-9a-504 or its successor.
- c. City code amendments proposed to respond to a natural disaster or other emergency potentially affecting the safety or well-being of individuals.
- d. City code amendments to mitigate the City's exposure to liability where prompt action is reasonably necessary.
- e. The timeframe for the early notification process identified in Sections 21A.10.015.C 1 and 2 may be modified where a land use applicant requests in writing that a decision be made as per Section 10-9a-509.5 (or its successor) of the Utah Code.

***Currently there are not exemptions from the notification process***

***Does the Council support including exemptions from the early notification process?***



**CITY COUNCIL TRANSMITTAL**

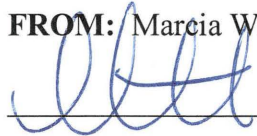
  
Patrick Leary, Chief of Staff

Date Received: October 10, 2019  
Date sent to Council: October 10, 2019

**TO:** Salt Lake City Council  
Charlie Luke, Chair

**DATE:** October 4, 2019

**FROM:** Marcia White, Interim Director Department of Community & Neighborhoods



**SUBJECT:** PLNPCM2016-00300 – Early Notification Text Amendment

**STAFF CONTACT:** John Anderson, Planning Manager  
801-535-7214, [john.anderson@slcgov.com](mailto:john.anderson@slcgov.com)

**DOCUMENT TYPE:** Ordinance

**RECOMMENDATION:** Approve the ordinance to adopt changes to various sections of the City Code relating to early notification of land use projects

**BUDGET IMPACT:** None

**BACKGROUND/DISCUSSION:** On April 19, 2016, the City Council initiated this petition to clarify the provisions to City regulations relating to early notification of the public about various types of land use projects. Most of the proposed changes relate to amendments of Title 21A – Zoning Code, Title 2, Chapter 2.60 (Recognized Community Organization Ordinance) and the Title 20 - Subdivision Ordinance. The purpose of the proposed changes is to increase awareness and participation by the public of various types of projects the City works on while still affording a timely review process for applicants.

Existing Code

The existing language related to early notification is located within Chapter 2.60 Recognized Community Organizations Chapter of the City Code. The current ordinance contains some unclear language and a lack of detail about the early notification process including the method of notification of stakeholders and when a public hearing may be held. Further, it does not acknowledge that other types of events or activities may be appropriate to meet the intent of the early notification process.

### Proposed Amendments

The major changes in the proposal include the following:

- An early notification process was added to Chapter 21A – Zoning Code.
- During the 45 day early notification period a public hearing can be held but a decision may not be made until after the 45 day time period.
- When an application is deemed complete, staff will provide the following:
  - Notice to recognized community organizations
  - When applicable, notice to properties within 300 feet of proposal
  - When applicable, post sign on property
- Modifying the term open house to an outreach event which will provide more flexibility in finding an appropriate public engagement activity.
- When required, an engagement activity will occur for projects which will include either a Recognized community organization meeting and/or a City-sponsored outreach event:
  - Community Council have 14 days to decide whether they would like to review proposal.
  - If the item is not scheduled within this time frame, a city-sponsored outreach event will be scheduled.
  - City-sponsored outreach event will be held for city-wide projects, projects located west of 2200 West, projects impacting multiple community councils, and projects located within 600 feet of two community councils.
- After the 45 day period and the completion of the engagement process, the Planning Commission can make a decision on the project.
- A list of exceptions from the early notification process was included for some city sponsored petitions that are uncommon and time sensitive due to potential impacts such as a response to a natural disaster or to mitigate the city's exposure to liability. It would also include any response to necessary ordinance changes related to new state or federal laws.
- Other details:
  - Included a purpose statement
  - Clarified applicable application types
  - Added minor clarifications and subdivision clarifications

*A simple process chart and summary comparison chart can be found in Exhibit 3c.iii to better understand the process.*

The Planning Commission reviewed the proposal on May 24, 2017. The item was tabled for additional follow up information. Based on those comments, the proposal was revised and reorganized to focus more on overall public engagement as opposed to focus solely on the role of recognized community organizations and a definition was added to provide a broader definition of an "outreach event". Planning staff briefed the Planning Commission on the updated draft on November 14, 2018. The Planning Commission generally supported the proposed changes. At the January 23, 2018 Planning Commission meeting, the Planning Commission unanimously recommended approval of the proposed changes related to early notification.

### Public Comments and Discussion at Planning Commission Meeting

One of the comments received at the Planning Commission meeting focused on the notification requirement for properties within a certain distance of a proposed land use application. The full comment can be found in Exhibit 3c.iv. The public comment suggested a greater distance requirement of either 660 feet or the length of the block face, whichever is less. The current

proposed provision requires properties within 300 feet to be noticed. The Planning Commission discussed this distance requirement, but they did not propose any changes.

Some of the other discussion was focused more on internal improvements that could be made in terms of better access to web information, larger posting signs, and including a website on notices for additional information.

### **PUBLIC PROCESS:**

The Planning Division used various methods to inform the public of this project and obtain feedback. These included Open Houses, meetings with the Salt Lake Community Network, online surveys, meetings with former applicants, email list correspondence, information on the City's Planning website, and public hearings with the Planning Commission. These are detailed below.

#### Open Houses

Since the proposed changes are city-wide text changes, Planning staff held 4 open houses on the following dates:

- October 13, 2016
- January 19, 2017
- May 18, 2017
- July 19, 2018

These open houses were held to obtain public feedback on the proposed changes. Details related to total attendees and comments can be found in Attachment C of the May 24, 2017 staff report (Exhibit 3aiii) and Attachment D of the January 23, 2019 staff report (Exhibit 3ciii).

#### Salt Lake Community Network Meetings

Staff attended 3 Salt Lake Community Network Meetings on the following dates in which staff presented proposed changes to the group:

- November 10, 2016
- April 13, 2017
- August 9, 2018

#### Online Surveys

##### *Open City Hall*

Planning staff held an Open City Hall forum relating to the early notification. The survey generated 222 reviews with 39 specific comments. The results received from this topic can be found in Attachment C of the May 24, 2017 staff report (Exhibit 3aiii).

##### *Survey of Executive Board Members of Community Councils*

A survey was sent out to executive board members of community councils on February 28, 2017. Ninety-six invitations were sent, Planning Staff received fifty-three responses, representing 16 of the 22 community councils. Survey results can be found in Attachment C of the May 24, 2017 staff report (Exhibit 3aiii).

### Meetings with Former Applicants

Planning Staff invited 16 former applicants to participate in a focus group to identify issues and propose solutions to said issues. Four individuals attended the meeting. The general comments and ideas from the meeting can be found in Attachment C of the May 24, 2017 staff report (Exhibit 3aiii).

### Website

Information relating to this proposal was displayed on a project page on the Salt Lake City Planning Division's website.

### Planning Commission

The Planning Commission held public hearings on May 24, 2017 and January 23, 2019. Planning Commission also received a briefing on the proposal on November 14, 2018. The minutes from those meetings that provide the public comments and discussion from the Planning Commission meeting can be found in Exhibit 3ai and Exhibit 3ci.

On May 24, 2017, the Planning Commission tabled the item for additional information and on January 23, 2019, the Planning Commission unanimously passed a motion that transmitted a positive recommendation for the City Council to approve the proposed changes.

### Email lists

Planning staff sent updates of upcoming meetings to those on the email list, which included members of the community, community council members, former applicants, and developers.

### **EXHIBITS:**

Exhibit 1: Project Chronology

Exhibit 2: Notice of City Council Hearing

Exhibit 3: Planning Commission Meetings

- a. Public Hearing – May 24, 2017
  - i. Agenda and Minutes
  - ii. Hearing Notice
  - iii. Staff Report
- b. Briefing - November 14, 2018
  - i. Agenda and Minutes
  - ii. Memo
- c. Public Hearing – January 23, 2019
  - i. Agenda and Minutes
  - ii. Hearing Notice
  - iii. Staff Report
  - iv. Public comments received not included in staff report

Exhibit 4: Original Petition

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ Of 201\_\_  
(Amending various sections of the *Salt Lake City Code*  
Pertaining to Public Engagement and Public Noticing Procedures)

An ordinance amending various sections of the *Salt Lake City Code* pertaining to public engagement and public noticing procedures, pursuant to petition number PLNPCM2016-00300.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on January 23, 2019, to consider a request made by the Salt Lake City Council (Petition No. PLNPCM2016-00300) to amend the text of Title 21A, Chapter 2.60, and Title 20 of the *Salt Lake City Code*; and

WHEREAS, at its January 23, 2019 hearing, the planning commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council; and

WHEREAS, after a public hearing on this matter, the city council has determined that adopting this ordinance is in the city's best interests,

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the Text of *Salt Lake City Code* Chapter 21A.10. That Chapter 21A.10 of the *Salt Lake City Code* (Zoning: General Application and Public Hearing Procedures), shall be and hereby is amended to read as follows:

Chapter 21A.10 GENERAL APPLICATION, PUBLIC ENGAGEMENT, AND PUBLIC  
NOTICING PROCEDURES

21A.10.010: GENERAL APPLICATION PROCEDURES:  
21A.10.015: PUBLIC ENGAGEMENT:  
21A.10.020: PUBLIC NOTICE REQUIREMENTS:  
21A.10.030: PUBLIC HEARING PROCEDURES:  
21A.10.010: GENERAL APPLICATION PROCEDURES:



All applications required by the provisions of this title shall be processed in accordance with the following procedures:

- A. **Determination Of Completeness Of Application:** After receipt of an application, the zoning administrator shall determine whether the application is complete. If the zoning administrator determines that the application is not complete, the zoning administrator shall notify the applicant in writing, specifying the deficiencies of the application, including any additional information which must be supplied and advising the applicant that no further action will be taken by the city on the application until the deficiencies are corrected.
- B. **Remedy Of Deficiencies:** If the applicant fails to correct the specified deficiencies within thirty (30) days of the notification of deficiency, the application for development approval shall be deemed withdrawn and will be returned to the applicant. Application fees shall not be refunded.
- C. **Extensions Of Time:** The zoning administrator, upon written request, may, for good cause shown and without any notice or hearing, grant extensions of any time limit imposed on an applicant or permittee by this title. An extension of time may also be granted by any body acting pursuant to this title unless this title expressly provides otherwise. The total period of time granted by such extension or extensions shall not exceed twice the length of the original period.
- D. **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.10.020 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.

#### 21A.10.015: PUBLIC ENGAGEMENT:

The purpose of the public engagement process is to inform the public of the project early in the process, provide a reasonable timeframe for feedback on a proposal, and establish a process for decision makers to hear from the public prior to making a decision on the project.

- A. **Land Use Applications Subject to Public Engagement:** The following land use applications are subject to the public engagement process stated in this section:
  - 1. Alley/street closure or vacation;
  - 2. Amendment to Title 21A;
  - 3. Conditional use;
  - 4. Design review when required to be reviewed by the planning commission as listed in Chapter 21A.59;
  - 5. Demolition of landmark site or contributing structures located within a local historic district;
  - 6. Master plans, including amendments, to be adopted by the city council;

7. New construction of principal structures within local historic districts or on landmark sites except for single family and two family dwellings;
8. Planned development;
9. Zoning map amendment.

B. Early Notification: The city shall provide notice of a pending land use application to the individuals stated in this section. The city shall provide at least forty-five (45) days for the recipients of the notice to provide comment on the pending land use application before a decision approving or denying the application is made by the applicable land use authority, or recommendation is made if the approval authority is the city council.

1. Stakeholders. The city will provide written notice to the following:

- a. Property owners and tenants within three hundred feet (300') of property subject to a pending land use application. City-wide zoning map amendments are exempt from this requirement.
- b. Chair of the recognized community organization(s) in which the subject property is located and the chair of any recognized community organization whose boundary is located within three hundred (300') feet of the subject property. In the case of city-wide zoning amendments, the chairs of all recognized community organizations will receive a notice.
- c. Additional stakeholders may be noticed given the type of application and potential impacts of the proposal.

2. Content of Notice: The notice will generally describe:

- a. The subject matter of the application,
- b. The location of the proposed project, if applicable,
- c. How to obtain further information,
- d. How to submit comments about the application, and
- e. The date that the forty-five (45) day comment period ends.

3. Posting of Subject Property: If the land use application pertains to specific parcel(s) or property, the city shall post a sign giving notice that the city has received such application and include instructions on how to obtain more information about the project. The sign shall be posted within ten (10) calendar days of receiving a complete application.

- a. Location: One (1) notice shall be posted for each five hundred feet (500') of frontage, or portion thereof, along a public street. At least one (1) sign shall be



posted on each public street. The sign(s) shall be located on the property subject to the request or petition and shall be set back no more than twenty-five feet (25') from the front property line and shall be visible from the street. Where the land does not have frontage on a public street, signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land subject to the application.

- b. Removal: If the sign is removed through no fault of the applicant, property owner or the city, such removal shall not be deemed a failure to comply with the standards, or be grounds to challenge the validity of any decision made on the application.
4. Exception from Early Notification Process: The following city code amendments are exempt from the processes set forth in Subsections 21A.10.015.C.1 and 2 of this section. The city may still opt to notify recognized community organizations of proposed city code amendments listed in this section, but not providing notice of an exempt city code amendment shall not negate any action taken.
- a. City code amendments related to recently-enacted legislation if the code amendments:
    - (1) Are subject to an adoption deadline or action date set forth in the legislation;
    - (2) Are related to funding city-related projects; or
    - (3) Are necessary for essential city functions.
  - b. A temporary land use regulation meeting the requirements of Utah Code Section 10-9a-504 or its successor.
  - c. City code amendments proposed to respond to a natural disaster or other emergency situation potentially affecting the safety or well-being of individuals.
  - d. City code amendments to mitigate the city's exposure to liability where prompt action is reasonably necessary.
  - e. The timeframe for the early notification process identified in Sections 21A.10.015.C 1 and 2 may be modified where a land use applicant requests in writing that a decision be made as per Section 10-9a-509.5 (or its successor) of the Utah Code.
- C. Engagement Activity. Following city notification of an application listed in Subsection 21.10.015.B of this section the city shall conduct an engagement activity as set forth in either Subsections 21A.10.015.C.1 or 21A.10.015.C.2 of this section, whichever may be applicable, in addition to other processes required by law. The planning division may conduct additional public engagement activities beyond those listed below. The public engagement process may occur during the forty-five (45) day public comment period.

## 1. Recognized Community Organization Meeting

- a. A recognized community organization meeting may be held at the request of the recognized community organization when the proposal is located within the boundaries of one recognized community organization.
  - (1) The recognized community organization chair(s) shall notify the planning division within fourteen (14) calendar days of receiving the notice of pending land use application from the city to let the city know whether they want to review the project.
    - a) If the recognized community organization decides to hold a meeting to review the project, the recognized organization shall hold a meeting and provide comments on the project within forty-five calendar (45) days of when the notice of the pending land use application was sent.
    - b) If the recognized community organization does not respond as to whether it wants to review the matter or does not schedule the item for a recognized community meeting within fourteen (14) days of when the notice of pending land use application was sent, the city shall schedule the item for a community outreach event.

## 2. Community Outreach Event:

- a. The city will schedule the item for an outreach event to educate, engage, and receive input from the public at a level that is consistent with the scope of impact of a proposal or project. An outreach event will be held when:
  - (1) A recognized community organization does not respond within fourteen (14) days of when the notice of pending land use application was sent as to whether it wants to review the matter;
  - (2) Within fourteen (14) days of receiving the notice of pending land use application, the recognized community organization does not schedule the item for a recognized community organization meeting;
  - (3) The recognized community organization will not meet within forty-five (45) days of receiving the notice from the city;
  - (4) The project is within six hundred feet (600') of the boundaries of another recognized community organization's district;
  - (5) The subject property is located west of 2200 West;
  - (6) The project is a master plan or master plan amendment that impacts multiple recognized organizations;
  - (7) The project is a text amendment to the zoning ordinance.
- b. The City will also notify the public, property owners and tenants within three hundred (300') feet of subject property, and recognized community organizations who may be affected by the project or who have specifically requested

notification of the outreach event for those situations noted in section 2a. of this subsection.

3. Public Hearing: a public hearing may be held within the forty-five (45) day engagement period provided that no final decision regarding the land use application is made within the forty-five (45) day engagement period.

#### 21A.10.020: PUBLIC NOTICE REQUIREMENTS:

Providing all of the information necessary for notice of all public hearings required under this title shall be the responsibility of the applicant unless otherwise specifically stated by this chapter and shall be in the form established by the zoning administrator and subject to the approval of the zoning administrator pursuant to the standards of this section.

- A. Public Hearing Required: Projects requiring a public hearing as required by this title shall be held after the following public notification:

1. Mailing For Public Hearing: Notice by first class mail shall be provided-a minimum of twelve (12) calendar days in advance of the public hearing to all owners and tenants of the land as shown on the Salt Lake City geographic information system records within three hundred feet (300') from the periphery of land subject to the application, inclusive of streets and rights of way, or one thousand feet (1,000') of the periphery of land subject to an application for sexually-oriented business requiring conditional site plan review pursuant to Chapter 21A.36 if this title. Mailing labels shall be generated by the city at the time of application submittal and created using the Salt Lake City geographic information system records unless as stated otherwise in this title. Notice by first class mail for zoning text amendments shall only be required if a notice requesting the mailing is received by the planning director.
2. Notification To Recognized Organizations: The city shall give e-mail notification, or other form of notification chosen by the planning director, a minimum of twelve (12) calendar days in advance of the public hearing to any recognized community organization.
3. Contents Of Mailing Notice For Public Hearing: The first class mailing notice for any public hearing required pursuant to this title shall generally describe the subject matter of the application and the date, time and place of the public hearing, and the place where such application may be inspected by the public. The notice shall also advise that interested parties may appear at the public hearing and be heard with respect to the application.
4. Posting For Public Hearing: The land subject to an application for a public hearing shall be posted by the city with a sign giving notice of the public hearing, providing the date of the hearing including contact information for more information, at least ten (10) calendar days in advance of the public hearing.

- a. Location: One (1) notice shall be posted for each five hundred feet (500') of frontage, or portion thereof, along a public street. At least one (1) sign shall be posted on each public street. The sign(s) shall be located on the property subject to the request or petition and shall be set back no more than twenty five feet (25') from the front property line and shall be visible from the street. Where the land does not have frontage on a public street, signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land subject to the application.
  - b. Removal: If the sign is removed through no fault of the applicant, property owner, or the city before the hearing, such removal shall not be deemed a failure to comply with the standards, or be grounds to challenge the validity of any decision made on the application.
  - c. Exemption: This posting requirement shall not apply to applications for amendments involving an H Historic Preservation Overlay District, applications for an administrative certificate of appropriateness or applications for comprehensive rezonings of areas involving multiple parcels of land, including boundaries of a historic district, or for text amendments to this title.
5. Publication: As required by state law, at least twelve (12) calendar days in advance of the first public hearing for an application for an amendment to the text of this title or other processes as required by state law, the city shall publish a notice of such public hearing in a newspaper of general circulation in Salt Lake City.

B. Special Noticing Requirements For Administrative Approvals:

1. Design Review: The planning commission shall consider requests for design review (Chapter 21A.59) at a public hearing if there is an expression of interest after providing notice as follows:
  - a. Notification: The city shall provide written notice by first class mail a minimum of twelve (12) calendar days in advance of the requested action to all owners of the land and tenants subject to the application, as shown on the Salt Lake City geographic information system records, adjacent to and contiguous with the land subject to the application. Recognized organizations are also entitled to receive notice pursuant to Title 2, Chapter 2.60 of this code by e-mail or other form chosen by the planning director.

At the end of the twelve (12) calendar day notice period, if there are requests for a public hearing, the planning commission will schedule a public hearing and consider the issue; if there are no requests for a public hearing, the planning director may decide the issue administratively.

2. Notice Of Application for Design Review:

- a. Notification: Prior to the approval of an administrative decision for design review application as authorized in Chapter 21A.59 of this title, the planning director shall provide a minimum of twelve (12) days notice in advance of the requested action to the following:
    - (1) Abutting property owners and tenants: written notice by first class mail to all abutting properties and those properties located directly across the street from the subject property, and to all property owners and tenants of the land subject to the application as shown on the Salt Lake City geographic information system records.
    - (2) Recognized community organization(s) in which the subject property is located.
  - b. Contents of the Notice of Application: The notice for mailing shall generally describe the subject matter of the application, the place where such application may be inspected by the public, and the date when the planning director will authorize a final administrative decision and include the procedures to appeal an administrative decision.
  - c. End of Notification Period: At the end of the twelve (12) calendar day notice period, if there are issues identified that relate to the proposal not complying with a standard of review found in Chapter 21A.59, the planning director may refer the matter to the planning commission.
3. Notice of Demolition of a Noncontributing Structure Within An H Historic Preservation Overlay District: Prior to the approval of an administrative decision for a certificate of appropriateness for demolition of a noncontributing structure, the city shall provide written notice by first class mail a minimum of twelve (12) calendar days of the request to demolish the structure and to identify that a determination has been made that the building has been identified as a noncontributing building. This notice will be sent to all owners of the land and tenants, within eighty-five feet (85') of the land subject to the application as shown on the Salt Lake City geographic information system records. At the end of the twelve (12) day notice period, the planning director shall either issue a certificate of appropriateness for demolition or refer the application to the historic landmark commission.
  4. Notice Of Application For Special Exceptions: Prior to the approval of an administrative decision for special exceptions as authorized in Chapter 21A.52 of this title, the planning director shall provide written notice by first class mail a minimum of twelve (12) days in advance of the requested action to all abutting properties and those properties located across the street from the subject property, and to all property owners and tenants of the land subject to the application, as shown on the Salt Lake City geographic information system records.
    - a. Contents Of The Mailing Notice Of Application: The notice for mailing shall generally describe the subject matter of the application, the place where such



application may be inspected by the public, the date when the planning director will authorize a final administrative decision, and include the procedures to appeal an administrative decision set forth in Chapter 21A.16 of this title.

5. Notice Of Application For TSA Development Reviews: Prior to the approval of a development review score as authorized in Section 21A.26.078 of this title, the planning director shall provide written notice by first class mail a minimum of twelve (12) days in advance of the requested action to all abutting properties and those properties located across the street from the subject property, and to all property owners and tenants of the land subject to the application, as shown on the Salt Lake City geographic information system records.
  - a. Contents Of The Mailing Notice Of Application: The notice for mailing shall generally describe the subject matter of the application, the place where such application may be inspected by the public, the date when the planning director will authorize a final administrative decision, and include the procedures to appeal an administrative decision set forth in Chapter 21A.16 of this title.

SECTION 2. Amending the Text of Salt Lake City Code Section 21A.12.040. That Section 21A.12.040 of the *Salt Lake City Code* (Zoning: Administrative Interpretations: Procedures), shall be and hereby is amended to read as follows:

- A. Application: An application for an interpretation 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 is sought;
  2. Facts: The facts of the specific situation giving rise to the request for an interpretation;
  3. Interpretation: The precise interpretation claimed by the applicant to be correct;
  4. Statement: When a use interpretation is sought, a statement of what use permitted under the current zoning classification of the property that the applicant claims either includes the proposed use, or is most similar to the proposed use; and
  5. Evidence: When a use interpretation is sought, documents, statements, and other evidence demonstrating that the proposed use will comply with all use limitations established for the district in which it is proposed to be located.

6. Fees: Nonrefundable fees shown on the Salt Lake City consolidated fee schedule shall accompany the application.
7. Notification To Recognized Organizations: The city shall give notification, by e-mail or other form chosen by the planning director to any recognized community organization in which the subject property is located.

SECTION 3. Amending the Text of Salt Lake City Code Subsection 21A.16.030.D.2.b.

That Subsection 21A.16.030.D.2.b of the *Salt Lake City Code* (Zoning: Appeals of Administrative Decisions: Procedure), shall be and hereby is amended to read as follows:

- b. The city shall give e-mail notification, or other form of notification chosen by the appeals hearing officer, a minimum of twelve (12) calendar days in advance of the hearing to any recognized community organization in which the subject property is located.

SECTION 4. Amending the Text of Salt Lake City Code Subsection 21A.38.025.A.5.

That Subsection 21A.38.025.A.5 of the *Salt Lake City Code* (Zoning: Nonconforming Uses and Noncomplying Structures: Procedures), shall be and hereby is amended to read as follows:

5. Notification To Recognized Organizations: The city shall give notification, by e-mail or other form chosen by the planning director to any recognized community organization in which the subject property is located that an administrative interpretation or determination of nonconforming use has been made.

SECTION 5. Amending the Text of Salt Lake City Code Chapter 21A.60.020. That Section 21A.60.020 of the Salt Lake City Code is amended to add the term “Outreach Events”, which term shall be inserted into the list of defined terms in alphabetical order and shall read as follows:

Outreach Events

SECTION 6. Amending the Text of *Salt Lake City Code* Chapter 21A.62.040. That Section 21A.62.040 of the *Salt Lake City Code* is amended to add a new definition of “Outreach Events”, which definition shall be inserted in alphabetical order and shall read as follows:

OUTREACH EVENTS: Outreach events are used to expand involvement opportunities for community members by providing a chance to ask questions and provide comments on an issue or have involvement in the decision-making process. Outreach events should encourage participation, make the public feel welcome, and provide a clear understanding of the public’s role in the process.

SECTION 7. Amending the Text of *Salt Lake City Code* Section 2.60.030. That Section 2.60.030 of the *Salt Lake City Code* (Administration and Personnel: Recognized Community Organizations: Minimum Requirements), shall be and hereby is amended to read as follows:

2.60.030: MINIMUM REQUIREMENTS:

- A. All community organizations seeking recognition pursuant to this chapter must comply with the following:
  - 1. Properly register as a nonprofit corporation in good standing with the State of Utah;
  - 2. Adopt bylaws which include the following provisions:
    - a. A clear definition of membership;
    - b. A policy of open participation of all persons who are members of the organization;
    - c. A policy against discrimination;
    - d. Attendance to meetings is open to the general public;
    - e. Meetings will provide an opportunity for public input;
  - 3. Revision of Bylaws. If the recognized community organization adopts changes to its bylaws, the recognized community organization shall file a copy of the amended bylaws with the Salt Lake City Recorder’s Office within thirty (30) days of such changes. The changes can be filed with the recorder’s office by any member of the executive board of the recognized community organization.



4. Organizations must hold at least one meeting of their membership each year.

SECTION 8. Amending the Text of *Salt Lake City Code* Section 2.60.050. That Section 2.60.050 of the *Salt Lake City Code* (Administration and Personnel: Recognized Community Organizations: Responsibilities of City), shall be and hereby is amended to read as follows:

2.60.050: RESPONSIBILITIES OF CITY:

- A. Education: The city shall adequately educate the public on city policy, procedures, and actions.
- B. Public Engagement: Each city department shall strive to utilize best public engagement practices to educate, engage, and receive input from the public at a level that is consistent with the scope of impact of a proposal or project.
- C. Recognized Community Organization Notification And Response: The city will send a notice to the applicable recognized community organization chair(s) for the following types of projects:

City code amendments

Major changes to street capacity or travel modes

Major upgrades to public facilities and structures

New construction of major public facilities and structures

See Title 21A for process related to master plans, zoning map amendments, Title 21A code amendments, and land use applications.

The recognized community organization chair(s) shall have forty five (45) days to provide comments, from the date the notice was sent. A public hearing will not be held, nor will a final decision be made about the project within the forty five (45) day period. Where a project is within six hundred feet (600') of the boundaries of another recognized community organization's district, when more than one recognized organization has requested a presentation of the matter, when the subject property is located west of 2200 West, or when the project is a text amendment to the city code, the city will schedule the item for an open house and notify the public, including

those recognized community organizations who may be affected by the project or who have specifically requested notification of the public open house.

- D. Notice Procedures: The city departments shall develop policies and procedures to show how they will provide notice and early participation opportunities for pending major city actions. These include, but are not limited to, public meetings, development projects, planning activities, and grant and funding opportunities, which may have a significant impact on the membership of a registered community organization. Notice shall be given to affected community based organizations in a timely manner, including information on the time frame for a response.
- E. Reregistration Notification: The recorder's office shall notify each registered community organization of pending requirement for reregistration by December 31 of each year.
- F. List Of Organizations: In an effort to notify the public about the existence of recognized community based organizations and encourage participation in these organizations, at least once a year the city shall make a reasonable attempt to provide a list of all recognized community based organizations and their contact information to all residents, property owners, business owners, schools and nonprofit agencies in Salt Lake City.

SECTION 9. Amending the Text of Salt Lake City Code Section 2.60.060. That Section 2.60.060 of the *Salt Lake City Code* (Administration and Personnel: Recognized Community Organizations: Responsibilities of Community Organizations), shall be and hereby is amended to read as follows:

2.60.060: RESPONSIBILITIES OF COMMUNITY ORGANIZATIONS:

Each recognized community organization shall:

- A. Renew registration with the city recorder's office on an annual basis.
- B. Establish orderly and democratic means for forming representative public input through civil and respectful dialogue.
- C. Establish and follow a clear method for reporting to the city actions that accurately reflect their position. Include the means by which a recommendation or decision was reached, how many members were involved and what the outcome was.
- D. By interaction with its members, residents, and the city, foster open and respectful communication between the recognized community organization and representatives of city departments on plans, proposals and activities affecting the interests of the recognized community organization.

SECTION 10. Amending the Text of Salt Lake City Code Chapter 20.04. That Chapter 20.04 of the Salt Lake City Code is amended to add a new section 20.04.130, which shall be inserted in numerical order and shall read as follows:

20A.04.130 AMENDMENTS TO THIS TITLE:

The process to amend this title shall follow the process outlined in Chapter 21A.50 and include early notification requirements found in Chapter 21A.10.

SECTION 11. Amending the Text of Salt Lake City Code Section 20.36.010. That Section 20.36.010 of the *Salt Lake City Code* (Subdivisions and Condominiums: Noticing Requirements: Required Noticing for Planning Director Decision on Preliminary Plat Applications), shall be and hereby is amended to read as follows:

20.36.010: REQUIRED NOTICING FOR PLANNING DIRECTOR DECISION ON PRELIMINARY PLAT APPLICATIONS:

When the review process involves a preliminary decision by the planning director the application shall be noticed as follows:

A. Subdivisions:

1. Mailing: Written notice of subdivision application shall be provided by first class mail a minimum of twelve (12) calendar days in advance of the pending decision to all owners and tenants of the land subject to the application, and all abutting property owners, as shown on the Salt Lake City geographic information system records.
2. Posting: Notice by sign, in accordance with Section 20.36.030 of this chapter, shall also be posted on the property at least ten (10) days prior to the scheduled administrative decision.

B. Subdivision amendments not involving vacating or altering a public street, right of way, or easement:

1. Mailing: Written notice of subdivision application shall be provided by first class mail a minimum of twelve (12) calendar days in advance of the pending decision to all property owners or tenants, as shown on the city's computerized geographic information system, of land contained in the entire original or previously amended subdivision plat and all property owners whose property abuts the land being amended and is located outside of the subject subdivision.
2. Posting: Notice by sign, in accordance with Section 20.36.030 of this chapter, shall also be posted on the property at least ten (10) days prior to the scheduled administrative decision.

SECTION 12. Amending the Text of Salt Lake City Code Section 20.36.020. That Section 20.36.020 of the *Salt Lake City Code* (Subdivisions and Condominiums: Noticing Requirements: Notice Required for Public Hearing), shall be and hereby is amended to read as follows:

20.36.020: REQUIRED NOTICING FOR PUBLIC HEARING:

When the review process involves a public hearing, the application and hearing shall be noticed as follows:

- A. Subdivisions: Excluding subdivision amendments involving a public street, right of way, or easement, which have different noticing requirements as specified in Subsection B of this section, whenever a public hearing with the planning commission is required for preliminary plat decision, the following public noticing is required:
  1. Mailing: Notice by first class mail shall be provided a minimum of twelve (12) calendar days in advance of the public hearing, to all abutting property owners of the subject land, as shown on the Salt Lake City geographic information system records.
  2. Posting: The land subject to an application shall be posted by the city with a sign, in accordance with Section 20.36.030 of this chapter, giving notice of the public hearing a minimum of ten (10) calendar days in advance of the public hearing.
- B. Subdivision amendments involving vacating or altering a public street, right of way, or easement:
  1. Mailing And Publishing: Notice of the public hearing shall be provided in the following manner at least twelve (12) days before the hearing:

- a. Mailed to the record owner of each parcel that is accessed by the subject portion of public street, right of way, or easement;
  - b. Mailed to each affected entity;
  - c. Published in a newspaper of general circulation in the municipality in which the land subject to the petition is located; and
  - d. Published on the Utah public notice website created in Section 63F-1-701 of the Utah Code.
2. Posting: The land subject to an application shall be posted by the city with a sign, in accordance with Section 20.36.030 of this chapter, giving notice of the public hearing a minimum of ten (10) calendar days in advance of the public hearing.
  3. Notification Public Engagement: The city shall give notification in accordance with Section 21A.10.015.

SECTION 13. Amending the Text of Salt Lake City Code Section 20.36.040. That Section 20.36.040 of the *Salt Lake City Code* (Subdivisions and Condominiums: Noticing Requirements: Notification to Recognized Organizations), shall be struck from the code.

SECTION 14. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER  
(SEAL)

Bill No. \_\_\_\_\_ of 201\_\_\_\_.  
Published: \_\_\_\_\_.

**APPROVED AS TO FORM**  
Salt Lake City Attorney's Office

Date: Oct 1, 2019

By: [Signature]  
Allison Parks, Assistant City Attorney

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## **1. PROJECT CHRONOLOGY**

## **PROJECT CHRONOLOGY**

**Petition:** PLNPCM2016-00600

March 2016	Mayor Biskupski requested the Planning Division work on Streamlining various aspects of the planning process. Improvements to early engagement was identified as part of the streamlining project
March 21, 2016	Met with members of the Mayor's Office, CAN and Attorney's Office about the purpose of the proposed changes and direction to work on templates for notices and how to make internal improvements/ more user friendly, effective, etc.
April 7, 2016	Met with Mayor's Communication Staff about noticing requirement to meet ADA requirements and make noticing more effective
April 19, 2016	City Council enacted Legislative Intent item to review changes to the Recognition Ordinance
July 19, 2016	Sent memo identifying proposal, to Jennifer Seelig, Mayor's Director of Community Relations and Mike Reberg, CAN Director, to obtain direction on the proposal to improve participation
August 15, 2016	Met with Jennifer Seelig Mayor's Director of Community Relations and Mike Reberg, CAN Director, to obtain direction on the project.
September 12, 2016	Sent proposed draft to Departments for Input
October 11, 2016	Topic for Open City Hall
October 13, 2016	Open House held at City Hall. Seven people attended
November 10, 2016	Presented information to the Salt Lake Community Network
January 19, 2017	Open House held at Unity Center. No one attended
January 24, 2017	Met with former applicants to obtain their input on the issues relating to the early engagement process
February 28 & & March 13, 2017	Conducted an on-line survey of executive board member of Recognized Organizations. 53 of 96 invitees participated (55%)
April 11, 2017	Posted results of the survey and proposed ordinance draft changes to the website.
April 13, 2017	Presented information of the proposed ordinance changes and the survey results to the Salt Lake Community Network

April 18, 2017	Sent survey results and draft ordinance survey participants, former applicants and other interested parties
April 24, 2017	Sent email to Open City Hall participants about the draft ordinance status and to invite them to the May 18, 2017 Open House
May 11, 2017	Sent notice of Planning Commission public hearing to participants in process, listserve (including Recognized Community Organizations), former applicants, and posted on the City and State's websites
May 13, 2017	Published Planning Commission public hearing notice in newspaper
May 18, 2017	Held Open House at the Unity Center. Eight people attended the open house
May 24, 2017	Planning Commission held a public hearing and tabled the item for additional information
July 3, 2018	Email sent to those on the early notification email list and recognized community organizations inviting them to attend the July 19, 2018 Open House
July 12, 2018	Email sent to early notification email list and recognized organizations. Email included links to Open House materials
July 19, 2018	Held Open House at the Salt Lake City and County Building. Five people attended the Open House
August 9, 2018	Staff presented proposed changes to the Salt Lake Community Network
October 25, 2018	Sent proposed draft to Departments for input
November 14, 2018	Staff briefed the Planning Commission on the proposed changes
January 10, 2019	Email sent to early notification email list and recognized organizations informing them of the public hearing on January 23, 2019. Notice of Planning Commission hearing posted on City and State's websites
January 12, 2019	Published Planning Commission public hearing notice in newspaper
January 23, 2019	Planning Commission held a public meeting and unanimously forwarded a positive recommendation to City Council

## **2. NOTICE OF CITY COUNCIL HEARING**

## **NOTICE OF PUBLIC HEARING**

The Salt Lake City Council is considering Petition **PLNPCM2016-00300 Early Notification Text Amendment**- A request by Mayor Biskupski and the Salt Lake City Council relating to proposed changes to the regulations and processes relating to early notification of the public and recognized community organizations. The purpose of the proposed changes is to clarify the language in the ordinance as well as increase awareness and participation by the public while affording a timely review process for applicants and projects. The proposed regulation changes will affect various sections of the City Code including Section 2.60, Recognized Community Organizations, Title 20, Subdivisions and Title 21A, Zoning Ordinance. Related provisions of the City Code may also be amended as part of this petition.

As part of its study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

**DATE:**

**TIME:** 7:00 p.m.

**PLACE:** Room 315  
City & County Building  
451 South State Street  
Salt Lake City, Utah

If you have any questions relating to this proposal or would like to review the file, please call John Anderson at 801-535-7214 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at [john.anderson@slcgov.com](mailto:john.anderson@slcgov.com)

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the City Council Office at [council.comments@slcgov.com](mailto:council.comments@slcgov.com) , 801-535-7600, or relay service 711.

**3a. PLANNING COMMISSION PUBLIC HEARING – MAY 24, 2017**  
**i. AGENDA AND MINUTES**

**AMENDED SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA**  
**In Room 326 of the City & County Building**  
**451 South State Street**  
**Wednesday, May 24, 2017, at 5:30 p.m.**  
**(The order of the items may change at the Commission's discretion)**

**FIELD TRIP** - The field trip is scheduled to leave at **2:00 p.m.** **The Commission will be visiting the Northwest Quadrant.**

**DINNER** - Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room 118 of the City and County Building. During the dinner break, the Planning Commission may receive training on city planning related topics, including the role and function of the Planning Commission.

**PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326**

**APPROVAL OF MINUTES FOR MAY 10, 2017**

**REPORT OF THE CHAIR AND VICE CHAIR**

**REPORT OF THE DIRECTOR**

**PUBLIC HEARINGS**

1. **Rezone and Master Plan Amendment at approximately 416 East 500 South** - James Alfandre, representing property owner Protean Properties, is requesting that the City amend the zoning map and associated future land use map of the Central Community Master Plan for the property located at the above listed address. The applicant's intent is to provide flexibility to make future changes to the property including the ability to add or create a retail component and add residential density. No specific site development proposal has been submitted at this time. This project requires both a Zoning Map and Master Plan Amendment. The property is located within Council District 4, represented by Derek Kitchen. (Staff contact: David J. Gellner at (801)535-6107 or david.gellner@slcgov.com)
  - a. **Master Plan Amendment** - The associated future land use map in the Central Community Master Plan currently designates the property as "Residential/Office Mixed Use". The petitioner is requesting to amend the future land use map for the parcel to "High Mixed Use". Case number: **PLNPCM2017-00185**
  - b. **Zoning Map Amendment** - The property is currently zone RO - Residential Office. The petitioner is requesting to amend the zoning map designation of the property to R-MU – Residential/Mixed Use. Case number: **PLNPCM2017-00184 (Legislative Matter)**
2. **Early Notification Text Amendments** - Salt Lake City is reviewing proposed changes to the regulations and processes relating to early notification of the public and recognized community organizations. The purpose of the proposed changes is to clarify the language in the ordinance as well as increase awareness and participation by the public while affording a timely review process for applicants and projects. The proposed regulation changes will affect various sections of the City Code including Section 2.60, Recognized Community Organizations, Title 20, Subdivisions and Title 21A, Zoning Ordinance. 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). Case number: **PLNPCM2016-00300 (Legislative Matter)**
3. **Northwest Quadrant Zoning Amendments** - Salt Lake City Council is requesting to develop zoning regulations for the Northwest Quadrant that would help implement the vision and goals of the Northwest Quadrant Master Plan. The proposed amendments will include the creation of the Northwest Quadrant Overlay to address the development area, natural area, and buffer areas, changes to the Lowland Conservancy Overlay, and changes to other related sections of the ordinance. Most of the changes will impact the area north of I-80 and west of the Salt Lake International Airport. (Staff contact: Tracy Tran at (801)535-7645 or tracy.tran@slcgov.com) Case number **PLNPCM2016-00724. (Legislative Matter)**

**Work Session**

4. **Sugar House Planned Development and Conditional Building and Site Design Review at approximately 2290 S 1300 East** - David Dixon, representing the property owner Sugar House Property,



LLC is requesting Planned Development and Conditional Building and Site Design Review approval to develop two office buildings with an associated parking structure, and a multi-family residential building with ground floor retail. The development must be reviewed as a Planned Development as two of the buildings will not have frontage on a public street. Other zoning requirements may be modified through the Planned Development process. The development also must be reviewed through Conditional Building and Site Design Review as the process is required for buildings that exceed 50 feet in height in the associated zone. Currently the land is occupied by a parking lot and vacant retail store. The subject property is located in the Sugar House Business District-1 (CBSD1) zoning district and is within Council District 7, represented by Lisa Adams. (Staff contact: Daniel Echeverria at (801)535-7165 or [daniel.echeverria@slcgov.com](mailto:daniel.echeverria@slcgov.com).) Case numbers **PLNSUB2017-00298** and **PLNPCM2017-00300**

- 5. Revisions to the Conditional Building and Site Design Review Program** - The Salt Lake City Council has requested a zoning text amendment that clarifies the intent and eases administration of the Conditional Building and Site Design Review (CBSDR) process (Chapter 21A.59) of the Salt Lake City Code. Proposed changes include alignment of the purpose statement (21A.59.010) with citywide livability goals, clarifications to the authority (21A.59.020) section that more clearly determine administrative versus Planning Commission approvals, and replacement of the design standards in favor of design guidelines that define objectives and provide flexibility. Related future text amendments include changing Planned Development requirements in the GMU District (21A.31 Gateway Mixed Use) to Design Review and elimination of landscape requirements for additional height in the CG District (21A.26.070 General Commercial). Related provisions of Title 21A-Zoning may also be amended as part of this petition. (Staff Contact: Molly Robinson (801)535-7261 or [molly.robinson@slcgov.com](mailto:molly.robinson@slcgov.com)) Case number **PLNPCM2016-00615**

*The files for the above items are available in the Planning Division offices, room 406 of the City and County Building. Please contact the staff planner for information, Visit the Planning Division's website at [www.slcgov.com/planning](http://www.slcgov.com/planning) for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at [www.slctv.com](http://www.slctv.com).*

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**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**City & County Building**  
**451 South State Street, Room 326, Salt Lake City, Utah**  
**Wednesday, May 24, 2017**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:31:34 PM](#). Audio recordings of the Planning Commission meetings are retained for a period of time.

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

Planning Staff members present at the meeting were Nick Norris, Planning Director; Cheri Coffey, Assistant Planning Director; Wayne Mills, Planning Manager; Daniel Echeverria, Senior Planner; David Gellner, Principal Planner; Molly Robinson, Urban Planner; Tracy Tran. Principal Planner; Michelle Poland Administrative Secretary and Paul Nielson, Senior City Attorney.

**Field Trip**

A field trip was held prior to the work session. Planning Commissioners present were: Sara Urquhart, Ivis Garcia, Weston Clark and Brenda Scheer. Staff members in attendance were Nick Norris, Michaela Oktay, Wayne Mills, David Gellner and Tracy Tran.

- **Northwest Quadrant** – Staff and the property owners gave an overview of the area.
- **416 East 500 South** - Staff gave an overview of the proposal.

**APPROVAL OF THE MAY 10, 2017, MEETING MINUTES. [5:31:42 PM](#)**

**MOTION [5:32:04 PM](#)**

**Commissioner Clark moved to approve the May 10, 2017, meeting minutes. Commissioner Hoskins seconded the motion. Commissioners Hoskins, Scheer, and Clark voted “aye”. Commissioner Urquhart and Garcia abstained from voting as they were not present at the subject meeting. The motion passed unanimously.**

**REPORT OF THE CHAIR AND VICE CHAIR [5:32:39 PM](#)**

Chairperson Matt Lyon stated he had nothing to report.

Vice Chairperson Carolynn Hoskins stated she had nothing to report.

**REPORT OF THE DIRECTOR [5:32:38 PM](#)**

Mr. Nick Norris, Planning Director, reviewed the zoning items the City Council held hearings on and the upcoming projects the Council would be reviewing. He reviewed

- The zoning and height limits on 400 South and if the proposal was keeping with the development pattern.
- If the proposal would be setting a precedent for the area.
- The parking requirements for the proposed zoning.
- The setbacks for the proposal and the existing zoning.
- If conditions could be added to the approval requesting the setbacks and character defining features remain.
- The items the Commission could approve under a Planned Development and the approval process.
- If the entire area should be rezoned as a whole and what the process would be for a rezone of that size.

The Commission discussed and stated the following:

- The property should not be rezoned just to allow a developer to make more money.
- Should not deviate from the Master Plan unless there was a compelling reason to do so.
- The proposal would be out of character for the area.

#### **MOTION [6:11:37 PM](#)**

**Commissioner Scheer stated regarding PLNPCM2017-00184 and PLNPCM2017 00185, 416 East 500 South Zoning Map and Master Plan Amendment, based on the findings and analysis in the Staff Report, testimony, and discussion at the public hearing, she moved that the Planning Commission recommend that the City Council deny the proposed Zoning Map and Master Plan Amendments, proposed zone change from the RO (Residential/Office) zoning district to the R-MU (Residential/Mixed Use) zoning district and corresponding Master Plan Amendment. Commissioner Clark seconded the motion. Commissioners Hoskins, Scheer, Clark and Lyon voted “aye”. Commissioner Garcia, Urquhart, and Paredes voted “nay”. The motion passed 4-3.**

#### **[6:13:32 PM](#)**

**Early Notification Text Amendments - Salt Lake City is reviewing proposed changes to the regulations and processes relating to early notification of the public and recognized community organizations. The purpose of the proposed changes is to clarify the language in the ordinance as well as increase awareness and participation by the public while affording a timely review process for applicants and projects. The proposed regulation changes will affect various sections of the City Code including Section 2.60, Recognized Community Organizations, Title 20, Subdivisions and Title 21A, Zoning Ordinance. 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](mailto:cheri.coffey@slcgov.com)). Case number: PLNPCM2016-00300 (Legislative Matter)**

Ms. Cheri Coffey, Assistant Planning Director, reviewed the petition as presented in the Staff Report (located in the case file). She stated Staff recommended that the Planning

Commission forward a favorable recommendation to the City Council regarding the proposal.

The Commission and Staff discussed the following:

- Who would determine what type of public outreach activities would be done for a proposal.
- If a proposal located within multiple Community Council districts should go to all Community Councils affected by the proposal or have an Open House.
- When the notification signs were posted on properties.

#### **PUBLIC HEARING [6:39:46 PM](#)**

Chairperson Lyon opened the Public Hearing.

The following individuals spoke to the petition: Ms. Victoria Collard, Mr. Dave Alderman, Mr. Jeff Salt, Ms. Cindy Cromer and Mr. Jim Webster.

The following comments were made:

- Petitions for variances, Special Exceptions, developments that occupy twenty five percent of a given block face and subdivisions should be brought to the Community Council and have early notification.
- Community Council meetings are a means to engage the community and offer the community an opportunity to discuss issues as a group.
- Community Councils should be the one to decide how information is presented to the community not the Staff.
- Ensure the public comment period is not reduced from what is currently in the ordinance.
- If timing was so important, the development should be built to meet the code.
- It was important to keep the public input in play.
- Community Council meeting schedules were more routine and accessible than the Open Houses held by the City.
- Table the petition and allow further review of the amendments as they do not accomplish the goals of the city.
- Public input increased with a controversial topic or an expensive development.
- Needed to allow more time for people to gather information on proposals before they are presented to the decision makers.
- The time the applicant was given to speak at a meeting, versus the time the public was given to speak was not equal and the public engagement process allowed for more meaningful discussions.
- The City should not delegate its responsibility to community organizations.
- The City should establish an effective baseline.
- Staff needed to provide the relative information on the ordinance as part of the Staff Report.
- It was wrong to hold up a development because a Community Council Chair chose not to respond.

- There was very limited accountability of the City departments to enforce the Master Plans.
- The rules needed to apply to everyone across the board.

Chairperson Lyon closed the Public Hearing.

The Commission and Staff discussed the following:

- Proposals that are and are not presented to the Community Councils and the reasoning.
- Trainings for the Community Councils would be a benefit.
- It was hard for some Community Councils to get their constituents to attend meetings.
- The option to use Community Learning Centers for outreach.
- Include more specifics of what the public activities are.
- The process of forwarding the proposal or tabling it for further review.
- The history behind the 45 day period and the timeline for a proposal.
- The varying ways to engage with a project was confusing for the public.
- Make sure Staff was involved in the process at all times.
- The ordinance was not proposing to turn Open Houses over to the Community Councils.
- The developer has the right to a timely process.
- If a Community Council did not respond the proposal should move ahead.
- Need a definition of what constituted a comment and how those comments were recorded.
- The best way to notify people of public meetings, where to hold them and the quality of responses.
- Need a definition of public activity.
- The benefit of the proposed language allowing a public hearing to be held within the forty five days.
- Idea of looking at this from a general public engagement standpoint and not just specifically about how to engage recognized organizations.

#### **MOTION [7:36:01 PM](#)**

**Commissioner Clark stated regarding PLNPCM2016-00300, Early Engagement Text Amendment, based on the findings and analysis in the Staff Report, testimony, and discussion at the public hearing, he moved that the Planning Commission table the matter, request Staff to return to the Commission with the information as discussed and to reopen the Public Hearing. Commissioner Urquhart seconded the motion. Commissioners Hoskins, Urquhart, Garcia, Scheer, Clark and Paredes voted “aye”. The motion passed unanimously.**

Commissioner Paredes left for the evening [7:37:01 PM](#)

[7:37:11 PM](#)

**3a. PLANNING COMMISSION PUBLIC HEARING – MAY 24, 2017**  
**ii. HEARING NOTICE**



4770 S. 5600 W.  
WEST VALLEY CITY, UTAH 84118  
FED.TAX I.D.# 87-0217663  
801-204-6910

Deseret News

Utah  
Media  
Group

Notice of Public Hearing

On Wednesday, May 24, 2017, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations to the City Council regarding the following petitions:

**PROOF OF PUBLICATION CUSTOMER'S COPY**

CUSTOMER NAME AND ADDRESS

PLANNING DIVISION,

PO BOX 145480

SALT LAKE CITY UT 84114

ACCOUNT NUMBER

9001394298

DATE

5/15/2017

ACCOUNT NAME

PLANNING DIVISION,

TELEPHONE

8015357759

ORDER # / INVOICE NUMBER

0001152038 /

PUBLICATION SCHEDULE

START 05/13/2017 END 05/13/2017

CUSTOMER REFERENCE NUMBER

PH - 5/24/17

CAPTION

Notice of Public Hearing On Wednesday, May 24, 2017, the Salt Lake City Planning Com

SIZE

78 LINES

2 COLUMN(S)

TIMES

3

TOTAL COST

267.08

**AFFIDAVIT OF PUBLICATION**

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF Notice of Public Hearing On Wednesday, May 24, 2017, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations to th FOR PLANNING DIVISION, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 05/13/2017 End 05/13/2017

DATE 5/15/2017

SIGNATURE Mark Fultz

STATE OF UTAH )

COUNTY OF SALT LAKE )

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 15TH DAY OF MAY IN THE YEAR 2017

BY ANN DARTNELL



Mark Fultz  
NOTARY PUBLIC SIGNATURE

1. Reason and Master Plan Amendment of approximately 416 East 500 South - James Alford, representing property owner Protean Properties, is requesting that the City amend the zoning map and associated future land use map of the Central Community Master Plan for the property located at the above listed address. The applicant's intent is to provide flexibility to make future changes to the property including the ability to add or create a retail component and add residential density. No specific site development proposal has been submitted at this time. This project requires both a Zoning Map and Master Plan Amendment. The property is located within Council District 4, represented by Derek Kitchen (Staff contact: David J. Gellner at (801)535-6107 or david.gellner@slcgov.com).

a. Master Plan Amendment - The associated future land use map in the Central Community Master Plan currently designates the property as "Residential/Office Mixed Use". The petitioner is requesting to amend the future land use map for the parcel to "High Mixed Use". Case number: PUNPCW2017-00185

b. Zoning Map Amendment - The property is currently zone RO - Residential Office. The petitioner is requesting to amend the zoning map designation of the property to R-MU - Residential/Mixed Use. Case number: PUNPCW2017-00184 (Legislative Matter)

2. Early Notification Text Amendments - Salt Lake City is reviewing proposed changes to the regulations and processes relating to early notification of the public and recognized community organizations. The purpose of the proposed changes is to clarify the language in the ordinance as well as increase awareness and participation by the public while affording a timely review process for applicants and projects. The proposed regulation changes will affect various sections of the City Code including Section 2.60, Recognized Community Organizations, Title 20, Subdivisions and Title 21A, Zoning Ordinance. 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). Case number: PUNPCW2016-00300 (Legislative Matter)

Northwest Quadrant Zoning Amendments - Salt Lake City Council is requesting to develop zoning regulations for the Northwest Quadrant that would help implement the vision and goals of the Northwest Quadrant Master Plan. The proposed amendments will include the creation of the Northwest Quadrant Overlay to address the development area, natural area, and buffer areas, changes to the Lowland Conservancy Overlay, and changes to other related sections of the ordinance. Most of the changes will impact the area north of I-80 and west of the Salt Lake International Airport. (Staff contact: Tracy Tran at (801)535-7645 or tracy.tran@slcgov.com). Case number: PUNPCW2016-00724. (Legislative Matter)

The public hearing will begin at 5:30 p.m. in room 326 of the City County Building, 451 South State Street, Salt Lake City, UT.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711. 1152038 UPAKUP



**3a. PLANNING COMMISSION PUBLIC HEARING – MAY 24, 2017**  
**iii. STAFF REPORT**



# Staff Report

PLANNING DIVISION  
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Cheri Coffey, AICP (801-535-6188); cheri.coffey@slcgov.com

Date: May 24, 2017

Re: PLNPCM2016-00300

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## Early Notification Code Amendments

APPLICABILITY: City-wide

REQUEST: The City Council and Mayor have initiated this petition to clarify the provisions to City regulations relating to early notification of the public about various types of projects. Most of the proposed changes relate to amendments of Section 2.60 of the City Code (Recognized Community Organization Ordinance) but there are also some proposed changes to the Subdivision and Zoning Ordinances. The Mayor and City Council are requesting that the ordinance be reviewed and revised to encourage increased awareness and participation by the public of various types of projects the City works on while still affording a timely review process for applicants.

RECOMMENDATION: Based on the information in this staff report and the factors to consider for zoning amendments, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council regarding this proposal.

### ATTACHMENTS:

- A. Proposed Ordinance Language
- B. Analysis of factors
- C. Public Process and Comments
- D. Department Input
- E. Original Petition

### PROJECT DESCRIPTION:

In order to clarify the process and regulations, three parts of the City Code are proposed for amendments. However, only the Zoning Ordinance lists standards for text amendments (to the Zoning Ordinance). There are no standards relating to amendments to other sections of the City Code. In addition, both City Code and State Law require that before the City Council makes changes

to the Zoning Ordinance, the Planning Commission holds a public hearing and makes a recommendation on the matter. The other amendments to City Code are not required to first obtain Planning Commission recommendation. However, because the proposed amendments have some specific connection to types of applications that the Planning Commission reviews, and relate to the planning process, the Planning Staff is requesting that the Planning Commission review and make recommendation on all of the proposed amendments for this project.

## BACKGROUND:

Salt Lake City strives to utilize best public engagement practices to educate, engage and receive input from the public at a level that is consistent with the scope of impact of a proposal or project. The City adopted rules to provide early notification to Recognized Community Organizations (including community councils) about specific types of projects within the City. The Recognized Community Organization ordinance was initially adopted in 1990 and has been updated as recently as 2013. In the recent past, it has become clear that the way the rules are written in the ordinance may be confusing. In addition to clarifying the rules, other rules may be appropriate to ensure the intent of the early engagement process is being met and that various forms of effective engagement are considered.

Section 2.60 of the City Code is called the Recognized Community Organization Ordinance or **“Recognition Ordinance.”** The recognition ordinance identifies what an organization needs to do in order to **be “recognized” by the City** to be considered in the early notification requirements of the ordinance. This includes things like, registering as a non-profit with the State, adopting bylaws that ensure open participation and non-discrimination, abiding by the open meetings laws, etc., and registering as such each year with the City. The **Recognized Community Organization Ordinance also identifies the City’s responsibilities** to these organizations relating to education of City rules and processes, striving for effective public engagement and notification of certain types of projects early in the review process. This ordinance includes a list of application types that the City agrees to notify the recognized community organizations about prior to the City making a final decision.

The City is obligated to have a balanced approach to the review of applications. Allowing for early notification and public input on projects that may impact an area is important. The information received through public engagement is used to help analyze whether the project meets the applicable standards in City Code. On the other hand, it is important that the applicant has a predictable and timely review process. Therefore, considering effective and efficient ways of obtaining public input is important. The proposed changes are an attempt to balance the public interest with the private property / applicant interests.

In an effort to better understand all sides of the issue, the Planning Division sought various ways to gather public input to help identify the issues and address them. Some of that information has been used to help formulate the proposed changes to City Code. Other information is included in this report to identify some of the conflicting interests that the public and property owners / applicants raised.

## KEY ISSUES:

The key issues listed below have been identified through the analysis of the project, public input and department input / review. The public input consists of general public input gathered through Open Houses, meetings, Open City Hall and website / email input. There is also specific input that is from

a focus group of former applicants and a survey of executive board members of Recognized Community Organizations.

1. What is the purpose of public engagement? What is the City trying to accomplish through this process?

The City Code does not specifically note what the purpose of early engagement is or what the City is trying to accomplish through this process. The recognition ordinance states that “each city department shall strive to utilize best public engagement practices to educate, engage and receive input from the public at a level that is consistent with the scope of impact of a proposal or project” (2.60.050), but does not state why.

The **City Council Joint Resolution of 62 of 2009 (Salt Lake City’s Policy on Open Government)**, includes the following statements

*An open government listens to all the people affected by its actions. No person or group affected by the City’s actions has a greater right to be heard than anyone else.*

*An open government provides people with an opportunity to share their views and provide input early in the decision making process, at a time when the input can shape the decision. Actively seek out and provide for opportunities where broad stakeholder participation is available early in the process to complement the work of City employees.*

Plan Salt Lake, 2015 provides policy direction on why it is important to engage the public in civic matters

*We understand that collaboration leads to effective, efficient and innovative solutions.*

*It is the role and responsibility of government to reflect and incorporate the interests, needs and desires of the public. At Salt Lake City, we strive to actively educate and engage the public in the civic process. Engagement is encouraged, celebrated and offered through a wide variety of channels from community councils and City commissions to innovative public outreach efforts like Open City Hall.*

In order to clarify the purpose of the early engagement process in the City Code, staff has included a purpose statement in the recognition ordinance. A purpose statement can help clarify what the process for early engagement should be. The proposed purpose statement includes the following language

*“The purpose of the early notification process is to inform the public of the project and the decision making process and provide information on how to obtain more information or provide comments on the project.”*

2. What is an effective way to accomplish the purpose of public engagement?  
There are several ways to inform and engage the public. As identified in the existing code language, it varies depending on the scope of impact of a proposal or project. When the recognition ordinance was first adopted in 1990, meetings were probably one of the few

options for informing the public about a project and receiving input. However, with a more diverse population and various technological advances, today meetings are one way of disseminating information and obtaining feedback but are not the only way nor in some cases the most effective way of meeting this goal.

The City has various means of informing the public of projects and how they can provide input. From Open City Hall to mailed notices and public hearings, those who are interested in a project and are notified about it, often contact the City directly for more information or to provide input. For example, when mailed notices are sent to owners of property within 300 feet of a project, those property owners will often contact the City Staff requesting more information or clarification. Once City Staff has talked with the person, typically their questions are answered to their satisfaction and their concerns or fears are alleviated. Regardless of the type of engagement activity, those projects that are controversial or larger in scale typically will have more people engaged in the public input process.

Most City Departments have relied on the following statement in the existing recognition ordinance to determine what types of engagement to use for various types of projects.

*Each city department shall strive to utilize best public engagement practices to educate, engage, and receive input from the public at a level that is consistent with the scope of impact of a proposal or project.*

This allows the City Staff to identify specific engagement activities for the project that are most likely to be effective. For example, open houses for master plan projects or dog parks can draw hundreds of people, whereas, open houses for cell towers or alcohol establishments downtown are not likely to draw anyone. However, notifying owners of property near the proposed cell tower or alcohol establishment, may result in those people contacting the City for more information or to provide input.

With the current recognition ordinance, certain types of applications must include an engagement process that either requires a presentation at a community council meeting or at an open house. In addition, the current language of the Recognition Ordinance precludes a public hearing from taking place until after the 45 day timeframe. The ability for a decision making body to hold a public hearing early in the process, where the decision makers could hear directly from the public on important matters, could allow the decision makers the ability to provide direction based on the issues that are raised. This does not mean that a decision would be made, but a public hearing should be an option for the early engagement process.

Some of the feedback we have received through this project relating to community council meetings and open houses include the following:

Community Council meetings:

- Good to have presentation in neighborhood and the community council meeting is a good forum for that.
- The community council is a body of members who are informed about the planning process and land use (especially those members who have participated a long time) and they can help educate newer members on the planning process.

- The purpose of the community council meeting is to provide information about the project and process and it is a convenient place to meet with individuals who are interested in the topic of development or land use in their area.
- The Open House does not provide the same level of community input that a community council meeting does even though the process takes longer with the community council. Rezones, Master Plan Amendments or demolition of Landmark Sites should take longer to get public input.
- Community councils are better attended than open houses.

#### Open Houses or other means of Engagement

- The topics that are on the Open House is what results in who or how many attend.
- People who participate in the community council process are more homogeneous and not a diverse group. Is the input by one group of people what the City is trying to achieve or is the City trying to increase participation by all members of the City including those marginalized (non-English Speakers, the homeless, elderly, young, lower income, those who lack transportation options.)
- Over time, the City has tried to increase participation by activities that do not require someone to attend a meeting (like those with small children, those whose work hours conflict with attending night meetings, and those who lack transportation choices.)

If the purpose of the early notification process is to inform the public of projects and provide information on how they can comment on the project, then limiting the activities to community council presentations or open houses may limit the effectiveness of reaching more people, those most effected by a project or others who are interested in the topic.

### 3. Is one type of input more important or relevant than another?

Although the recognition ordinance is general in requiring all City Departments to be responsive and engage with the public, it is very specific relating to land use and public participation with certain land use applications. Because of State law and court cases relating to land use, certain types of input is more relevant depending on what type of application is being reviewed. This is why it is very important to ensure the public understands its role in the input process and why the City stresses the need for the public to identify issues to be addressed, rather than to voice support or opposition to a project. Overtime, State Law has required that the regulations and standards become more focused on the rights of property owners and applicants, yet the expectations of the public relating to how their input can impact, especially administrative items, has not changed. This results in frustration and confusion relating to public participation and the early engagement process.

There are generally two types of land use decisions: Administrative (where projects are reviewed to determine whether they meet the already adopted regulations) and Legislative (where the project includes creating the regulations / rules). Administrative matters are reviewed and decided upon by land use authorities such as the Planning Commission, Historic Landmark Commission, Administrative Hearing Officers, Staff, etc. Legislative Matters are reviewed and decided by the City Council.

When the recognition ordinance was first adopted, cities had a lot more flexibility in decisions relating to land use. Over time, the rights of property owners has been given more weight by the State and lessened municipalities abilities to be more flexible in its decisions on land use. The State Legislature has made changes to the Land Use Development and Management Act (LUDMA) upon which all municipal land use codes have to comply. In addition, case law has identified that public clamor cannot be a consideration in decision making for administrative matters.

An example of this is the conditional use process. In the past, municipalities could determine whether to approve or deny a conditional use based on whether they believed it was appropriate for the particular property and whether impacts could be mitigated. In approximately 2008, the State Legislature passed a law that took much of that discretion away from local municipalities. The new law states that the conditional use shall be approved unless impacts cannot be mitigated by imposition of reasonable conditions and it is not specific on how much the impact has to be mitigated. In other words, it is very difficult for a municipality to deny a conditional use. At the same time, the early notification process and expectation of the public relating to how its participation in the early notification process will effect outcomes has not kept pace with the changes to land use law. It can frustrate the public that the decision makers approve a project even though many in the public have opposed the project.

In fact, with administrative matters, the issues raised really should be specific **“evidence”** (such as traffic count studies) rather than opinion (there is already too much traffic in the area.) Generally, public comment relates to opinion rather than factual evidence.

City Staff works to try and understand what issues the public raises and find solutions to those that are relevant to the project. However, some issues are not within the purview of the decision makers to address which can frustrate the public even more. An example of this is when a project needs special design review approval but the public raises issues not about design but about parking.

When it comes to Legislative Matters (rulemaking), opinions are welcome. Understanding whether the community supports a proposed legislative matter (such as rezoning a property or creating a new regulation) is helpful to the City Council.

The majority of the application types that require early notification in the recognition ordinance are administrative matters.

#### 4. Increase awareness and participation

Currently, for land use applications, early engagement activities require either a presentation to a community council or holding an open house. Other engagement activities can also occur. The public has different views on the effectiveness of presenting information to community councils or holding open houses. With technological changes, the City has relied on many ways to notify the public about projects and provides various ways for them to provide input. Specifying a certain tool for public engagement in the ordinance may lead to less effective public engagement in the future when other more effective methods are being developed.

As part of this project, staff began experimenting with internal changes to determine whether various improvements would increase the amount of participation. In addition,



staff researched various aspects of the current engagement process to determine how effective they are.

#### Notifying owners near a Project.

Planning Staff is proposing that the Zoning Ordinance be modified to include a requirement that a Notice of Application be sent to owners and tenants of property within 300 feet of a project, for those types of projects identified in the Recognized Community Organization ordinance. This will afford those property owners the opportunity to learn about the project and participate early in the process.

Currently those owners or tenants of property within 300 feet of a specific project identified for early notification are only notified of the project if the project is reviewed at an open house. The Planning Division sends out this notice but it is not required by ordinance. If the project is presented to a community council, the people whose property is near the project are not necessarily notified unless they are current members of the community council or the community council sends flyers to the area. It could be argued that these people are most affected by the project and therefore, should be receiving notification early on about the project.

#### Community Councils

The need to create a consistent format for community councils to review projects is important, whether it is a land use project or a City project. It is important for those in attendance to understand their role in the review, and that the purpose of the presentation is to provide information about the project, how they can participate in the process, answer questions and receive input (whether from individuals at the meeting or the group as a whole). It is also important that the development review process for each community council is the same so an applicant understands what is expected regardless of which community council they are meeting with. This would include identifying who the presentation is made to (full community council vs the executive board or land use committee); how the presentation is framed (City Staff introduces the purpose of the presentation, the process, what the applicant has a right to and what they are asking special permission for, how to obtain more information or provide input; the applicant describes the project, answers questions, etc.) and who makes the final decision.

City Department staff attends community council meetings to present information on City projects, answer questions, obtain input and identify the decision making process. As we have done for several decades, the Planning Division staff attends community council meetings where an application we are processing will be presented. The role of the planner has always been to listen to the feedback and answer questions relating to regulations and processes. The planners do not present information about the project (unless it is a city project).

Some of the input received from the public was their frustration that each community council operates differently. They suggest that if the City is going to require that projects are presented to these groups, there should be a consistent process for applicants regardless of which community council they work with.

To respond to this issue, Staff requested that the Executive Board members of each community council participate in an on-line survey to help us understand their knowledge of the development review process, what their role is and how their community council conducts the development review process. Staff sent an invitation to participate to 96

executive board members of community councils. We received 53 completed surveys which reflect participation from at least one member of 16 of the 22 community councils. The results of this survey found that there is no clear understanding of the community councils' role in the development review process, how they conduct the review differs from one community council to another and the majority would like to improve the process. (Please see Attachment C for a summary and report of the survey). This difference was reflected from one community council to another as well as within community councils.

In addition, staff reviewed the minutes and reports of the Planning Commission meetings from April 2016 through April 2017 to determine whether community councils submitted written statements about the projects they reviewed or attended the Commission meeting to testify about the projects they reviewed. Over the past year, 51 land use projects were presented to community councils. Of those, 20 people (39%) representing a community council attended the Planning Commission meeting to provide information about the review and 24 letters (47%) were submitted by community councils providing information about the review. Some groups would submit both a letter and attend the meeting, but more typically, they would do one or the other.

#### Early Engagement Activity

Through this project, we have heard comments that some do not think that Open Houses are a good way to engage the public. Attendance at open houses is based on what the projects are rather than where or when the meeting is held. For example, lots of people come to open houses relating to dog parks, homeless facility issues and golf course matters. We do not seem to get many who attend for a location of a new cell tower. Whenever possible, the Planning Division will work with other Departments / Divisions to showcase their projects to try and bring more people to the open house.

As part of the internal changes we are experimenting with, the Planning staff revised the language of the agendas and notices for Open Houses to try and make them more user friendly. In addition, staff began to consistently upload fact sheets and information onto the Planning Division webpage about projects on the monthly open houses a week prior to the open house. This affords the public the opportunity to learn more about the project, prior to the Open House and even skip attendance of the Open House and contact the Planning Staff directly with specific questions or comments. The notices sent out for the Open House refer to this webpage. We have also made improvements in having the open houses be more formal, improved how we present information and have more staff there to help answer questions and provide general information for the public on what to expect at the open house.

In addition, Staff began holding the open houses in the community at locations that are easier to access (parking) and are easier to conduct the open houses (noise, space, etc.) Since January, we have held monthly open houses at the Unity Center, the 10<sup>th</sup> East Senior Center, the Liberty Senior Center, the Salt Lake Community College West Campus, Forest Dale Golf Course Clubhouse and the 4<sup>th</sup> Floor hallway of the City & County Building. The next step is to try and disseminate the open house notices and early engagement notices more widely through the use of Next Door and possibly with the help of the Mayor and **Council offices through the elected official's social media platforms of Facebook, Twitter and electronic newsletters.**

For the monthly Planning Division open house, the agenda and notices for specific projects on the open house agenda are sent to owners of property within 300 feet of the proposed

project as well as sent to the Planning Division Listserv. This Listserv includes over 1,500 email addresses, including the Chairs of the Recognized Community Organizations. These notices are sent generally 14 days prior to the open house. Where a project may be of interest to special interest groups (such as regulations for urban farming), we also send out the notice to people who are on other departments list serves, such as Sustainability or Transportation.

We have received positive comments from the public about the changes we have made, but in general it has not increased the attendance at the open houses. Attendance increases based on the projects being reviewed at the open house. We have had several positive comments from people about posting the project information on the webpage so they do not need to come to a meeting to find out about projects.

### Other types of Engagement

The use of Open City Hall tends to be very effective not only by making people aware of a project but in soliciting their input. Open City Hall is a very effective tool because it allows individuals to review and provide input when they want. They do not have to attend a meeting or be in a certain location to obtain the information. They can see the information from anywhere they have access to a computer. Other electronic formats provide this same convenience. The key is to make sure people know of these electronic ways to obtain information and provide feedback. Open City Hall has a list of registered users who get all of the notices. Using other social media platforms such as Facebook, Twitter, Next Door, and electronic newsletters can help increase the number of people who are notified.

To gather public input for this project, we used the Planning Division Listserv, Salt Lake Network, open houses, a focus group, a survey of executive board members of community councils, Open City Hall and the Planning Division web site. The results of the outreach is as follows:

Engagement Activity	Event and number who responded	Event and number who responded	Event and number who responded
Salt Lake Network	13 attended in November	15 attended in April	
Open Houses	7 attended in October	0 attended in January	8 attended in May
Focus group	5 responded		
Survey of Executive Board members of Community Councils	53 responded		
Open City Hall	222 views and 39 who commented		
Web Information	Unable to track		

### Provide Flexibility in Engagement Activities

Another way to increase participation is to remove the language “open house” from the recognition ordinance and substitute it for “public engagement activity.” In this way, City Staff has some flexibility to determine what types of engagement activity would be effective for the specific project.

### Engagement Toolbox

The City, through the Civic Engagement Team, could create a toolbox of information relating to presenting information at community council meetings and using technology for public engagement activities. This toolbox can help Departments be consistent in how they engage with **the public, provide a general area within the City’s web infrastructure to post** information and ensure techniques are used to increase participation. In addition, a toolbox can also help improve consistency from one community council to another and could include general guidance on how to notify, present information and gather input at these meetings.

### Training

There is also a need to provide a formal training program for the public, including the community council members, on land use and the role the public plays in the development review process. More general training on what are the responsibilities of various City Departments and the **public’s role in reviewing projects could also be included.** As part of the survey of executive board members of recognized organizations, 84% of respondents stated they were willing to participate in this type of training.

## 5. Timeliness of Review

Part of the request by the City Council and Mayor is to ensure timeliness of the decision making process for applicants. Providing an effective means of public notification and participation is not necessarily improved with taking more time. Identifying effective and efficient ways to accomplish this is important. Identifying where timeframes for early engagement could be shortened, while still affording enough time for engagement can help improve the process.

Another issue relating to the timeliness of review has to do with State Law. There is a provision in State Code (10-9a-509.5) that says an applicant can request in writing, that the municipality take final action on an application within 45 days. In other words, after an applicant has submitted a complete application and there has been some time to review the application to ensure it is complete, the applicant can request that a decision be made within 45 days. This may conflict **with the municipality’s processing timeframe (including the early engagement process), but State Law trumps the city’s process. Therefore, finding ways to ensure efficient processing timeframes,** which may include changing time frames for public input, may be necessary.

Current City code requires that a Recognized Community Organization be given up to 45 days to review a project and provide input. This timeframe was identified because it allows the community council time to notice the item on their monthly agenda, hold the meeting and forward input to the City. One of the purposes of this project is to clarify the language in the ordinance because as originally envisioned, the Open House did not have this same 45 day requirement. In general, one can obtain issues at the open house more quickly than at community council meetings.

Some community council members and others of the public (through Open City Hall) have noted that 45 days is not enough time for the community to review a project, deliberate what their input will be and decide whether they support it or not. Some responses suggest that the community council review and the 45 day option is important because it gives the community council time to notify members, review the matter and formulate a response from the group. They state that they need 45 days (or longer) to do this. They also note that if the project is presented at an open house there should also be a 45 day timeframe because people need time to become educated on a project and provide input.

Some former applicants have noted that there is too much time allocated for this process and that if the community council meeting is held prior to the 45 day deadline, the City should be able to schedule the public hearing and meeting for a decision shortly after the community council meeting occurs. Applicants suggest that if the purpose of the meeting is to identify issues, they can hear the issues at the meeting and respond to them more quickly than 45 days.

In addition, the timeframe could probably be lessened because few community councils provide written documentation of the meetings. If the issues can be identified at the meeting, there is no reason to wait for the community to draft a letter. Once people are notified and become aware of the project, they can provide input prior to and at the public hearing as well.

#### PROPOSED CHANGES TO CITY CODE:

Based on the issues identified above, Staff proposes to make the following changes to the City Code:

1. Include language that identifies the purpose of the early notification process  
*The purpose of the early notification process is to inform the public of the project and the decision making process and provide information on how to obtain more information or provide comments on the project.*
2. Clarify the existing language in the ordinance about when a project is reviewed by the Recognized Community Organization or through another public engagement activity.
  - A. Time allocated for a Community Council to review a project vs other forms of engagement.

The proposed language strives to clarify that a project either has to be presented to a recognized organization (if they want to see it) or it can go through some other form of early engagement activity. **Staff is proposing to eliminate the word “open house”** because there may be other forms of engagement that are more effective than an open house. **The City’s project manager would determine** what form of early engagement is used based on the type of project.

The existing language states that neither a public hearing nor a decision will be made on an application that requires early notification, until 45 days from when the Recognized Organization was first notified of the application. The way the ordinance is written, this includes those items that go through the open house process. The Planning Division Staff believes that this was not the intent but because of the way it is written in the 2013 ordinance, even those projects that go through the open house process have to wait 45

days before a public hearing can be held and / or a decision can be made. Open houses or other forms of early engagement, (electronic surveys, Open City Hall, etc.) can be completed more quickly than 45 days. Having to wait to hold a public hearing or have a decision made on a project for 45 days, even if the input process is complete, does not create a timely review for an applicant. Since the purpose of early engagement is notification and identification of issues, if the engagement process can be completed sooner than 45 days, it could help make the process more efficient while still being effective.

Prior to the 2013 version of the Recognized Community Organization ordinance, the ordinance listed the types of applications that required the City to notify the Recognized Organizations early but did not include parameters in which to do this.

The Planning Division set up an internal policy of how to meet the requirements of the Recognized Community Organization ordinance and the process we followed. This included providing notification to applicable community councils about a project and giving them time to schedule and review the project. Forty-five days was identified as a reasonable amount of time to give community councils to logistically hold the monthly meeting and provide input.

Where a project was within proximity of two or more community councils or affected the entire City (such as with a zoning text amendment), the Planning Division would hold an open house. A specific timeframe was not placed on the open house process because these could happen more quickly. At the time, there was no regularly set date of the month for an open house so the City could notify people within 300 feet of the project, along with the applicable community council, or stakeholder groups where the item was a text amendment, obtain the comments at the open house and quickly finalize the report for a Planning Commission meeting. The entire Open House process (sending out notification and holding an open house) could occur in three or four weeks' **time**.

In 2013, when the Recognized Community Organization ordinance was revised, the City Council decided **to codify the Planning Division's internal policy** of the process to obtain public engagement.

#### B. Proposed changes to the Subdivision Ordinance

As part of the effort to clarify the language in the ordinance, staff has identified the need to amend language in the Subdivision Ordinance. The existing language in the Subdivision Ordinance (20.36.040) states that

*When it is required, notification to recognized organizations shall be given by e-mail notification or other form of notification chosen by the planning director, a minimum of twelve (12) calendar days in advance of a planning director decision and / or a public hearing to any organization which is entitled to receive notice pursuant to title 2, chapter 2.60 of this code.*

However, when reviewing section 2.60 of this code (The Recognized Community Organization ordinance) it does not list subdivisions as one of the types of applications that is required to give notice. This is because subdivisions are very technical in nature and if the application meets the technical requirements (new lots must meet size requirements for properties in the zone, street widths are met for fire access and accessibility of vehicular and

pedestrian traffic, etc.) then the City is required to approve it. Over the years, the City Council has adopted ordinances that have allowed subdivisions to be approved administratively if they meet the technical requirements and a public hearing is not required.

Therefore, the proposed changes to the Subdivision Ordinance are to clean up ordinance references that do not really relate to anything.

3. Modify the application types that require Early Notification.

The current list of projects requiring early notification includes the following types of applications. The underlined words identify the proposed language.

- a. Alley vacations
- b. City code amendments
- c. Conditional uses except administrative conditional uses as identified in Section 21A.54.155B
- d. Demolition of contributing structures located within a local historic district or landmark sites
- e. Major changes to street capacity or travel modes
- f. Major upgrades to public facilities and structures
- g. Master plan amendments or policy amendments to be adopted by the city council
- h. Master plan or policies to be adopted by the city council
- i. New construction of major public facilities and structures
- j. New construction of principal structures within local historic districts or on landmark sites, except for single family and two family dwellings.
- k. Planned development
- l. Zoning map amendment

Exceptions to some City Code Amendments

Although city code amendments are included in this list, it is important to note, that for legal reasons, there may be some city code amendments that are exempt from meeting the Early Notification Requirements. These circumstances include amendments that are subject to an adoption deadline or action date set forth in the legislation; related to funding city-related projects; or are necessary for essential city functions. Exempt city code amendments may also include temporary land use regulations; amendments to respond to a natural disaster or other emergency; amendments to mitigate **the City's exposure to** liability, when an applicant requests, per Utah State Code, that a decision is made on their application within 45 days or when new state codes are adopted and go into effect within 45 days.

Administrative Conditional Uses

The reason why staff is recommending that administrative conditional uses be removed from the list is that we get very little input on these types of matters. Administrative conditional uses include cell towers, utility boxes and conditional uses that are not located within or adjacent to a residential zoning district or on property with a residential use. Over the last several years, the regulations relating to cell towers and utility boxes have been changed to make most of these permitted uses. Regarding cell towers, there are many federal laws that limit a **municipality's** ability to regulate these. In addition, when cell phones were first developed there was a greater need to build towers and infrastructure but now companies are collocating antennas on existing towers or on rooftops of higher buildings. The need for review of utility boxes is similar. Over the last many years, the City regulations have changed to encourage utility boxes to be located on private property or in



rear alley areas. There are not many request for utility boxes in areas that require conditional uses. The process has been made simpler for utility companies to locate these boxes in a way that they are less visible and do not require a conditional use. Other types of administrative conditional uses generally are located within industrial areas.

In most instances there is no feedback during the early engagement process for these types of applications. When administrative public hearings are held the only people who attend are the applicants. Processing timeframes for these types of applications could be sped up tremendously if the early engagement requirement for these types of applications were removed. A notice to surrounding property owners would still be required prior to a decision being made.

4. Require early notification of nearby property owners and tenants when the types of applications identified in 2.60 of the City Code are submitted for review.

Currently notification is given to Recognized Community Organizations but not to those owners of property most affected by a project. The requirement to notify nearby property owners and tenants (within 300 feet of a project) will provide them with an opportunity to review the project early on and give feedback to the City so issues can be addressed. This additional notification requirement will result in an increased postage fee that is required with each application requiring early notification.

5. Increase the responsibilities of the Recognized Community Organizations for responsiveness.

Staff is proposing to modify the ordinance to include requirements of community councils to ensure they respond in a timely manner. The proposal includes requiring the community council to respond within 14 days of receiving notice, as to whether they will review a project or not.

The proposed ordinance also requires that the community council must notify the City **Recorder's Office within 30 days of changing** its bylaws and that any member of the executive board may notify the City of such a change.

In the existing recognition ordinance there is no requirement or timeframe for a community council to respond as to whether they will review a project or not. In most instances, community councils do respond to these requests in a timely manner, but sometimes a community council does not respond to a request and the applicant is left wondering whether or not the community council wants to review the project.

6. Change Open House requirement to an Early Engagement Activity.

The proposed changes include changing the requirement for an Open House to an Early Engagement activity. This will allow other forms of engagement activity to occur which may be identified as more effective in notifying the public and receiving input.

7. Increase Timeliness

To address the timeliness issue, staff has provided various changes to the Recognized Community Organization ordinance. These include

- Allowing for work sessions and public hearings with the decision making body prior to the end of the 45 day community council review so the decision makers can start

- gathering information on the project. A final decision could not be made within 45 days.
- Allowing a decision to be made prior to the 45 day community council review where the community council does not respond within 14 days, chooses not to hear the matter or completes its review earlier than 45 days.

#### DISCUSSION:

The proposal complies with the standards for zoning text amendments (see Attachment C). After analyzing the proposal and the applicable standards, Planning Staff is of the opinion that a positive recommendation should be forwarded to the City Council for this request.

#### NEXT STEPS:

The Planning Commission's recommendation will be forwarded to the City Council for its consideration as part of the final decision making process.

## ATTACHMENT A: PROPOSED ORDINANCE LANGUAGE

Draft ordinance: underlined text is proposed to be added. Strikethrough text is proposed to be deleted.

## Chapter 2.60

### RECOGNIZED COMMUNITY ORGANIZATIONS 🌐 📄

2.60.010: PURPOSE:

2.60.020: DEFINITION:

2.60.030: MINIMUM REQUIREMENTS:

2.60.040: REGISTRATION:

2.60.050: RESPONSIBILITIES OF CITY:

2.60.060: RESPONSIBILITIES OF COMMUNITY ORGANIZATIONS:

2.60.070: VOLUNTEER STATUS AND PARTIAL INDEMNIFICATION:

2.60.010: PURPOSE: 🌐 📄

It is the policy of Salt Lake City to create a framework by which the people of the city may effectively organize into community organizations representing a geographic area or field of interest, and use this as one way to participate in civic affairs and improve the livability and character of the city and its neighborhoods. Salt Lake City values the benefits these organizations bring to the community and holds each in equal regard.

This chapter sets out the basis for city recognition of such community organizations and the associated responsibilities and benefits. (Ord. 58-13, 2013)

2.60.020: DEFINITION: 🌐 📄

COMMUNITY ORGANIZATION: A voluntary group of individuals organized around a particular community interest for the purpose of collectively addressing issues and interests common to that group. A community organization is not a subsidiary of Salt Lake City government. (Ord. 58-13, 2013)

5/10/2017

## 2.60.030: MINIMUM REQUIREMENTS:

A. All community organizations seeking recognition pursuant to this chapter must comply with the following:

1. Properly register as a nonprofit corporation in good standing with the state of Utah;
2. Adopt bylaws which include the following provisions:
  - a. A clear definition of membership;
  - b. A policy of open participation of all persons who are members of the organization;
  - c. A policy against discrimination;
  - d. Attendance to meetings is open to the general public;
  - e. Meetings will provide an opportunity for public input;
3. Revision of Bylaws. If the recognized community organization adopts changes to its bylaws, the recognized community organization has thirty (30) days to shall file a copy of the amended bylaws with the Salt Lake City Recorder's Office within thirty (30) days of such changes. The changes can be filed with the recorder's office by any member of the executive board of the recognized community organization.
4. Organizations must hold at least one meeting of their membership each year.

## 2.60.050: RESPONSIBILITIES OF CITY:

A. Education: The city shall adequately educate the public on city policy, procedures, and actions.

B. Public Engagement: Each city department shall strive to utilize best public engagement practices to educate, engage, and receive input from the public at a level that is consistent with the scope of impact of a proposal or project.

C. Early Notification to Recognized Community Organizations ~~Notification~~ And Response: The city ~~will~~ shall send a notice to the applicable recognized community organization chair(s) for the following types of projects listed below:

Alley vacations

5/10/2017

City code amendments

Conditional uses except administrative conditional uses as identified in Section 21A.54.155B

Demolition of contributing structures located within a local historic district or landmark sites

Major changes to street capacity or travel modes

Major upgrades to public facilities and structures

Master plan amendment or policy amendments to be adopted by the city council

Master plan or policies to be adopted by the city council

New construction of major public facilities and structures

New construction of principal structures within local historic districts or on landmark sites, except for single family and two family dwellings.

Planned development

Zoning map amendment

#### D. Public Engagement Process following Early Notification

Following city notification of a project listed in subsection C of this section to applicable recognized community organizations, the city shall conduct a public engagement process as set forth in subsection D.1 or D.2 of this section, whichever may be applicable, in addition to other processes required by law. Some city code amendments are exempt from an early public engagement process as set forth in subsection D.3 of this section.

1. Process Where Project Affects One Recognized Community Organization. The recognized community organization chair(s) shall notify the applicable city department / division within fourteen (14) calendar days of receiving the original notice from the city to let the city know whether they want to review the project. If the organization decides to review the project, it shall have a maximum of forty five (45) days to provide comments to the applicable city department / division, from the date the original notice informing them of the project was sent. A public hearing will not be held, nor will a final decision will not be made about the project within the forty five (45) day comment period. If the recognized community organization does not respond within fourteen (14) days as to whether it wants to review the matter, decides not to hear the matter, or completes its review before prior the end of to the forty five (45) day time period, the public hearing can be scheduled matter can be scheduled for a decision before the end of the forty five (45) day period or time limit.
2. Process for Projects Affecting Multiple Recognized Community Organizations. The city will schedule the item for an open house a public engagement activity to educate, engage and receive input from the public at a level that is consistent with the scope of impact of

5/10/2017

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~~a proposal or project. They City will also notify the public, including those recognized community organizations who may be affected by the project or who have specifically requested notification of the public engagement activity for those situations noted in subsection D2 a-f below. open house. The Open House public engagement activity process will be followed instead of, not in addition to, the process outlined in subsection D.1. A final decision will not be made about the project until after the public open house engagement activity has occurred.~~

~~Where a project is~~ A public engagement activity will be scheduled,

a. ~~when the project is~~ within six hundred feet (600') of the boundaries of another recognized community organization's district, ~~or~~

b. ~~when more than one recognized community organization has requested a presentation of the matter, or~~

c. ~~when the subject property is located west of 2200 West, or~~

d. ~~when the recognized community organization will not meet within forty five (45) days of receiving the notice from the city, or~~

e. ~~when the project is a master plan or~~

f. ~~when the project is a text amendment to the city code, the city will schedule the item for an open house~~ a public engagement activity and notify the public, including those recognized community organizations who may be affected by the project or who have specifically requested notification of the public engagement activity. ~~open house. The Open House public engagement activity process will be followed instead of, not in addition to, the process outlined in subsection D.1. A final decision will not be made about the project until after the public open house engagement activity has occurred.~~

### 2-3. Exception from Early Notification Process

The city values early public engagement in policy decisions. Some city code amendments require expedited review and adoption. The following city code amendments are exempt from the processes set forth in subsections D.1 and D.2 of this section:

- a. City code amendments related to recently-enacted legislation if the code amendments:
  - (1) Are subject to an adoption deadline or action date set forth in the legislation;
  - (2) Are related to funding city-related projects; or
  - (3) Are necessary for essential city functions.
- b. A temporary land use regulation meeting the requirements of Utah Code Section 10-9a-504 or its successor.
- c. City code amendments proposed to respond to a natural disaster or other emergency situation potentially affecting the safety or well-being of individuals.
- d. City code amendments to mitigate the city's exposure to liability where prompt action is reasonably necessary.

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The city may still opt to notify recognized community organizations of proposed city code amendments that are exempt from the early notification public engagement process as set forth in this section, but not providing notice of an exempt city code amendment shall not negate any action taken.

e. The timeframe for the early notification process identified in section 2.60.050 D 1 and 2 may be modified where a land use applicant requests in writing that a decision be made as per section 10-9a.509.5 of the Utah State Code-

E. The purpose of the early notification process is to inform the public of the project and the decision making process and provide information on how to obtain more information or provide comments on the project.

~~D EF.~~ Notice Procedures: The city departments shall develop policies and procedures to show how they will provide notice and early participation opportunities for pending major city actions. These include, but are not limited to, public meetings, development projects, planning activities, ~~and and~~ grant and funding opportunities, which may have a significant impact on the membership of a registered community organization. Notice shall be given to affected recognized community based organizations in a timely manner, including information on the time frame for a response.

~~E FG.~~ Reregistration Notification: The recorder's office shall notify each registered community organization of pending requirement for reregistration by December 31 of each year.

~~F G-H~~ List Of Organizations: In an effort to notify the public about the existence of recognized community based organizations and encourage participation in these organizations, at least once a year the city shall make a reasonable attempt to provide a list of all recognized community based organizations and their contact information to all residents, property owners, business owners, schools and nonprofit agencies in Salt Lake City. (Ord. 58-13, 2013)

#### 2.60.060: RESPONSIBILITIES OF RECOGNIZED COMMUNITY ORGANIZATIONS:

Each recognized community organization shall:

- A. Renew registration with the recorder's office on an annual basis.
- B. Establish orderly and democratic means for forming representative public input through civil and respectful dialogue.
- C. Establish and follow a clear method for reporting to the city actions ~~which that~~ accurately reflect their position. Include the means by which a recommendation or decision was reached, how many members were involved and what the outcome was.

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D. By interaction with its members, residents, and the city, foster open and respectful communication between the recognized community organization and representatives of city departments on plans, proposals and activities affecting the interests of the recognized community organization.

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## Subdivision Chapter

### Chapter 20.36

#### NOTICING REQUIREMENTS

20.36.010: REQUIRED NOTICING FOR PLANNING DIRECTOR DECISION ON PRELIMINARY PLAT APPLICATIONS:

20.36.020: REQUIRED NOTICING FOR PUBLIC HEARING:

20.36.030: SIGNPOSTING: LOCATION AND REMOVAL:

20.36.040: NOTIFICATION TO RECOGNIZED COMMUNITY ORGANIZATIONS:

20.36.010: REQUIRED NOTICING FOR PLANNING DIRECTOR DECISION ON PRELIMINARY PLAT APPLICATIONS:

When the review process involves a preliminary decision by the planning director the application shall be noticed as follows:

##### A. Subdivisions:

1. Mailing: Written notice of subdivision application shall be provided by first class mail a minimum of twelve (12) calendar days in advance of the pending decision to all owners and tenants of the land subject to the application, and all abutting property owners, as shown on the Salt Lake City geographic information system records.
2. Posting: Notice by sign, in accordance with section 20.36.030 of this chapter, shall also be posted on the property at least ten (10) days prior to the scheduled administrative decision.
3. ~~Notification To Recognized Organizations: The city shall give notification in accordance with section 20.36.040 of this chapter.~~

##### B. Subdivision amendments not involving vacating or altering a public street, right of way, or easement:

1. Mailing: Written notice of subdivision application shall be provided by first class mail a minimum of twelve (12) calendar days in advance of the pending decision to all property owners or tenants, as shown on the city's computerized geographic information system, of land contained in the entire original or previously amended subdivision plat and all property owners whose property abuts the land being amended and is located outside of the subject subdivision.
2. Posting: Notice by sign, in accordance with section 20.36.030 of this chapter, shall also be posted on the property at least ten (10) days prior to the scheduled administrative decision.
3. ~~Notification To Recognized Organizations: The city shall give notification in accordance with section 20.36.040 of this chapter (Ord 7-14, 2014)~~

20.36.020: REQUIRED NOTICING FOR PUBLIC HEARING:

When the review process involves a public hearing, the application and hearing shall be noticed as follows:

- A. Subdivisions: Excluding subdivision amendments involving a public street, right of way, or easement, which have different noticing requirements as specified in subsection B of this section, whenever a public hearing with the planning commission is required for preliminary plat decision, the following public noticing is required:

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1. Mailing: Notice by first class mail shall be provided a minimum of twelve (12) calendar days in advance of the public hearing, to all abutting property owners of the subject land, as shown on the Salt Lake City geographic information system records.
2. Posting: The land subject to an application shall be posted by the city with a sign, in accordance with section 20.36.030 of this chapter, giving notice of the public hearing a minimum of ten (10) calendar days in advance of the public hearing.
3. ~~Notification To Recognized Organizations: The city shall give notification in accordance with section 20.36.040 of this chapter.~~

B. Subdivision amendments involving vacating or altering a public street, right of way, or easement:

1. Mailing And Publishing: Notice of the public hearing shall be provided in the following manner at least twelve (12) days before the hearing:
  - a. Mailed to the record owner of each parcel that is accessed by the subject portion of public street, right of way, or easement;
  - b. Mailed to each affected entity;
  - c. Published in a newspaper of general circulation in the municipality in which the land subject to the petition is located; and
  - d. Published on the Utah public notice website created in section 63F-1-701 of the Utah code.
2. Posting: The land subject to an application shall be posted by the city with a sign, in accordance with section 20.36.030 of this chapter, giving notice of the public hearing a minimum of ten (10) calendar days in advance of the public hearing.
3. ~~Notification To Recognized Organizations: The city shall give notification in accordance with section 20.36.040 of this chapter (Ord. 7-14, 2014)~~

#### 20.36.030: SIGNPOSTING; LOCATION AND REMOVAL:

A. Location: One notice sign shall be posted for each five hundred feet (500') of frontage, or portion thereof, along a public street. At least one sign shall be posted on each public street. The sign(s) shall be located on the property subject to the request or petition and shall be set back no more than twenty five feet (25') from the front property line and shall be visible from the street. Where the land does not have frontage on a public street, signs shall be erected on the nearest street right of way with an attached notation indicating generally the direction and distance to the land subject to the application.

B. Removal: If the sign is removed through no fault of the applicant before the hearing, such removal shall not be deemed a failure to comply with the standards, or be grounds to challenge the validity of any decision made on the application. (Ord. 7-14, 2014)

~~20.36.040 NOTIFICATION TO RECOGNIZED ORGANIZATIONS: When it is required, notification to recognized organizations shall be given by e-mail notification, or other form of notification chosen by the planning director, a minimum of twelve (12) calendar days in advance of a planning director decision and / or a public hearing to any organization which is entitled to receive notice pursuant to title 2, chapter 2.60 of this code (Ord. 7-14, 2014)~~

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## Zoning Ordinance-

### Chapter 21A.10

#### GENERAL APPLICATION AND PUBLIC ~~HEARING~~ NOTICING PROCEDURES

##### 21A.10.010: GENERAL APPLICATION PROCEDURES:

##### 21A.10.020: PUBLIC ~~HEARING~~ NOTICE REQUIREMENTS:

##### 21A.10.030: PUBLIC HEARING PROCEDURES:

##### 21A.10.010: GENERAL APPLICATION PROCEDURES:

##### 21A.10.020: PUBLIC ~~HEARING~~ NOTICE REQUIREMENTS:

Providing all of the information necessary for notice of all public hearings required under this title shall be the responsibility of the applicant and shall be in the form established by the zoning administrator and subject to the approval of the zoning administrator pursuant to the standards of this section.

- A. Public Hearing Required: Projects requiring a public hearing as required by this title shall be held after the following public notification:
1. Mailing For Public Hearing: Notice by first class mail shall be provided:
    - a. A minimum of twelve (12) calendar days in advance of the public hearing;
    - b. To all owners and tenants of the land as shown on the Salt Lake City geographic information system records. Mailing labels shall be generated by the city at the time of application submittal and created using the Salt Lake City geographic information system records unless as stated otherwise in this title; and
    - c. Within three hundred feet (300') from the periphery of land subject to the application, inclusive of streets and rights of way, or one thousand feet (1,000') of the periphery of the land subject to application for sexually oriented businesses requiring conditional site plan review pursuant to chapter 21A.36 of this title.
  2. Notification To recognized community organizations: The city shall give e-mail notification, or other form of notification chosen by the planning director, a minimum of twelve (12) calendar days in advance of the public hearing to any organization which is entitled to receive notice pursuant to [title 2, chapter 2.60](#) of this code.
  3. Contents Of Mailing Notice For Public Hearing: The first class mailing notice for any public hearing required pursuant to this title shall generally describe the subject matter of the application and the date, time and place of the public hearing, and the place where such application may be inspected by the public. The notice shall also advise that interested parties may appear at the public hearing and be heard with respect to the application.

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4. Posting For Public Hearing: The land subject to an application for a public hearing shall be posted by the city with a sign giving notice of the public hearing, providing the date of the hearing including contact information for more information, at least ten (10) calendar days in advance of the public hearing.
  - a. Location: One notice shall be posted for each five hundred feet (500') of frontage, or portion thereof, along a public street. At least one sign shall be posted on each public street. The sign(s) shall be located on the property subject to the request or petition and shall be set back no more than twenty five feet (25') from the front property line and shall be visible from the street. Where the land does not have frontage on a public street, signs shall be erected on the nearest street right of way with an attached notation indicating generally the direction and distance to the land subject to the application.
  - b. Removal: If the sign is removed through no fault of the applicant before the hearing, such removal shall not be deemed a failure to comply with the standards, or be grounds to challenge the validity of any decision made on the application.
  - c. Exemption: This posting requirement shall not apply to applications for amendments involving an H historic preservation overlay district, applications for an administrative certificate of appropriateness or applications for comprehensive rezonings of areas involving multiple parcels of land, including boundaries of a historic district, or for text amendments to this title.
5. Publication: As required by state law, at least twelve (12) calendar days in advance of the first public hearing for an application for an amendment to the text of this title or other processes as required by state law, the city shall publish a notice of such public hearing in a newspaper of general circulation in Salt Lake City.

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#### B. Special Noticing Requirements For Administrative Approvals:

1. Conditional Building And Site Design Review: The planning commission shall consider requests for conditional building and site design review at a public hearing if there is an expression of interest after providing notice as follows:
  - a. Notification: The city shall provide written notice by first class mail a minimum of twelve (12) calendar days in advance of the requested action to all owners of the land and tenants subject to the application, as shown on the Salt Lake City geographic information system records, adjacent to and contiguous with the land subject to the application. Community organizations which meet the minimum requirements identified in section 2.60.030 and are registered with the City as per 2.60.040. Recognized community organizations are also entitled to receive notice pursuant to title 2, chapter 2.60 of this code by e-mail or other form chosen by the planning director.

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At the end of the twelve (12) calendar day notice period, if there are requests for a public hearing, the planning commission will schedule a public hearing and consider the issue; if there are no requests for a public hearing, the planning director may decide the issue administratively.

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2. Determination Of Noncontributing Status Within An H Historic Preservation Overlay District: Prior to the approval of an administrative decision for a certificate of appropriateness for demolition of a noncontributing structure, the city shall provide written notice by first class mail a minimum of twelve (12) calendar days of the request to demolish the structure and to identify that a determination of has been made that the building has been identified as a noncontributing building. noncontributing status of the property. This notice will be sent to all owners of the land and tenants, within eighty five feet (85') of the land subject to the application as shown on the Salt Lake City geographic information system records. At the end of the twelve (12) day notice period, the planning director shall either issue a certificate of appropriateness for demolition or refer the application to the historic landmark commission to determine if the building is a contributing or noncontributing building.

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3. Notice Of Application For Special Exceptions: Prior to the approval of an administrative decision for special exceptions as authorized in chapter 21A.52 of this title, the planning director shall provide written notice by first class mail a minimum of twelve (12) days in advance of the requested action to all abutting property owners and tenants of the land subject to the application, as shown on the Salt Lake City geographic information system records.

- a. Contents Of The Mailing Notice Of Application: The notice for mailing shall generally describe the subject matter of the application, the place where such application may be inspected by the public, the date when the planning director will authorize a final administrative decision, and include the procedures to appeal an administrative decision set forth in chapter 21A.16 of this title. (Ord. 58-13, 2013)

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4. Notice of Application for TSA Development Reviews: Prior to the approval of a development review score as authorized in Section 21A.26.078 of this title, the planning director shall provide written notice by first class mail a minimum of twelve (12) days in advance of the requested action to all abutting properties and those properties located across the street from the subject property, and to all property owners and tenants of the land subject to the application, as shown on the Salt Lake City geographic information system records.

- a. Contents of the Mailing Notice of Application: The notice for mailing shall generally describe the subject matter of the application, the place where such application may be inspected by the public, the date when the planning director will authorize a final administrative decision, and include the procedures to appeal an administrative decision set forth in Chapter 21A.16 of this title.

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54. Notification of application to nearby property owners and tenants for projects requiring early notification: The Planning Director ~~will shall~~ send a notice of application to owners and tenants within three hundred feet (300 ') of a subject property for projects that require early notification as identified in Section 2.60.050 C of the Salt Lake City Code. The notice ~~will shall~~ be sent within five (5) calendar days of ~~receiving a complete application determining an application is complete. and sent to owners and tenants of property within 300 feet of the proposed project.~~ Mailing labels shall be generated by the City at the time of application submittal and created using the Salt Lake City geographic information system records unless as stated otherwise in this title. The notice shall generally describe the subject matter of the application, the decision making process and how to obtain more information, or provide comments on the project. Exemption: This notification requirement shall not apply to comprehensive rezonings of areas involving multiple parcels of land, including boundaries of a historic district, for text amendments to this title or for comprehensive master plan development or amendments.

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## Chapter 21A.12

### ADMINISTRATIVE INTERPRETATIONS

#### 21A.12.040: PROCEDURES:

A. Application: An application for an interpretation 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 is sought;
2. Facts: The facts of the specific situation giving rise to the request for an interpretation;
3. Interpretation: The precise interpretation claimed by the applicant to be correct;
4. Statement: When a use interpretation is sought, a statement of what use permitted under the current zoning classification of the property that the applicant claims either includes the proposed use, or is most similar to the proposed use; and
5. Evidence: When a use interpretation is sought, documents, statements, and other evidence demonstrating that the proposed use will comply with all use limitations established for the district in which it is proposed to be located.
6. Fees: Nonrefundable fees shown on the Salt Lake City consolidated fee schedule shall accompany the application.
7. Notification To Recognized Organizations: The city shall give notification, by e-mail or other form chosen by the planning director to any organization which is classified as a Recognized Community Organization as defined in entitled to receive notice pursuant to title 2, chapter 2.60 of this code, that a use interpretation has been determined.

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## Chapter 21A.16

### APPEALS OF ADMINISTRATIVE DECISIONS

#### 21A.16.030: PROCEDURE:

Appeals of administrative decisions by the zoning administrator, historic landmark commission or planning commission to the appeals hearing officer shall be taken in accordance with the following procedures:

A. Filing Of Appeal: An appeal shall be made in writing within ten (10) days of the administrative decision by the zoning administrator, historic landmark commission or planning commission and shall be filed with the zoning administrator. The appeal shall specify the decision appealed, the alleged error made in connection with the decision being appealed, and the reasons the appellant claims the decision to be in error, including every theory of relief that can be presented in district court.

B. 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 chapter 21A.10 of this title.

C. Stay Of Proceedings: An appeal to the appeals hearing officer shall stay all further proceedings concerning the matter about which the appealed order, requirement, decision, determination, or interpretation was made unless the zoning administrator certifies in writing to the appeals hearing officer, after the appeal has been filed, that a stay would, in the zoning administrator's opinion, be against the best interest of the city.

#### D. Notice Required:

1. Public Hearing: Upon receipt of an appeal of an administrative decision by the zoning administrator, the appeals hearing officer shall schedule and hold a public hearing in accordance with the standards and procedures for conduct of the public hearing set forth in chapter 21A.10 of this title.

2. Notice Of Appeals Of Administrative Decisions Of The Historic Landmark Commission Or Planning Commission: Appeals from a decision of the historic landmark commission or planning commission are based on evidence in the record. Therefore, testimony at the appeal meeting shall be limited to the appellant and the respondent.

a. Upon receipt of an appeal of a decision by the historic landmark commission or planning commission the appeals hearing officer shall schedule a public meeting to hear arguments by the appellant and respondent. Notification of the date, time and place of the meeting shall be given to the appellant and respondent a minimum of twelve (12) calendar days in advance of the meeting.

b. The city shall give e-mail notification, or other form of notification chosen by the appeals hearing officer, a minimum of twelve (12) calendar days in advance of the hearing to any organization which is classified as a Recognized Community Organization entitled to receive notice pursuant to as defomed om title 2, chapter 2.60 of this code.

3. Time Limitation: All appeals shall be heard within one hundred eighty (180) days of the filing of the appeal. Appeals not heard within this time frame will be considered void and withdrawn by the appellant.

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

### 21A.38.025: PROCEDURES: 🌐 📄

A. Application: An application for an administrative interpretation relating to a noncomplying 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 chapter 21A.10 of this title.
5. Notification To Recognized Organizations: The city shall give notification, by e-mail or other form chosen by the planning director to any organization which is classified as a Recognized Community Organization as defined in ~~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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# ATTACHMENT B: ANALYSIS OF FACTORS

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## ZONING TEXT AMENDMENTS

21A.50.050: 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. In making a decision concerning a proposed text amendment, the City Council should consider the following:

Factor	Finding	Rationale
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;	Complies	<p>The proposed amendments aim to clarify regulations and processes for early engagement in City and development review processes. Proposed changes will increase notification requirements to try and increase participation. In addition, the proposed changes will provide flexibility in how engagement activities are conducted to allow City staff the ability to use the most effective types of engagement based on the type of project. All of these changes are supported by adopted policies and resolutions of the City including:</p> <ul style="list-style-type: none"><li>• Salt Lake City's Policy on Open Government</li><li>• Plan Salt Lake</li></ul>
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;	Complies	<p>The zoning ordinance purpose statements are silent on the issue of early engagement. However, the purpose statement of the Recognized Community Organization, section of the City Code, Chapter 2.60.010, which is referenced in the Zoning Ordinance, notes that "It is the policy of Salt Lake City to create a framework by which the people of the city may effectively organize into community organizations representing a geographic area or field of interest, and use this as one way to participate in civic affairs and improve the livability and character of the city and its neighborhoods. Salt Lake City values the benefits these organizations bring to the community and holds each in equal regard."</p> <p>The proposed text amendment strives to clarify and improve the regulations and processes for early engagement in order to increase participation by number and diversity to better reflect the City's population.</p>
3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;	This factor is not applicable.	The proposed amendments relate to public noticing an engagement. It does not relate to regulations relating to land use or standards that would be identified in any specific overlay zoning district.
4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.	Complies.	The proposed amendments help clarify and improve public engagement in the planning process. It is anticipated that the proposed changes will help increase participation and provide flexibility in the engagement techniques and tools used to promote participation which is in keeping with best current professional practices.

## ATTACHMENT C: PUBLIC PROCESS & COMMENTS

SALT LAKE CITY PLANNING DIVISION  
**OPEN HOUSE AGENDA**

Thursday, October 13, 2016 at 5:00 – 7:00 p.m.

451 S State Street, 4<sup>th</sup> Floor Hallway

Salt Lake City, Utah 84111

1. Revisions to the Planned Development Review Process - A Planned Development is a development approval process that allows the Planning Commission to modify zoning standards in an effort to get a better project than what could be allowed under strict zoning regulations. The process is regulated in Chapter 21A.55 of the Salt Lake City Zoning Ordinance. The Planning Division is reviewing the zoning regulations related to Planned Developments in an effort to:

- Ensure that the development is meeting a citywide planning objective;
- Ensure that the design of the project is compatible with adjacent development; and
- Clarify zoning regulations.

(Staff Contact: Wayne Mills at 801-535-7282 or [wayne.mills@slcgov.com](mailto:wayne.mills@slcgov.com)) Case Number PLNPCM2014-00139

2. Early Engagement Proposed Process and Rule Changes - Salt Lake City strives to utilize best public engagement practices to educate, engage and receive input from the public. In the recent past, it has become clear that the way the rules are written may be confusing. The Mayor and City Council have requested that City staff review and identify proposed changes to clarify the language in the rules relating to the early notification process and find ways to increase participation by the public while balancing the needs of applicants to have a timely review process. (Staff Contact: Cheri Coffey at 801-535-6188 or [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com)) Case Number PLNPCM2016-00300

3. Master Plan and Zoning Map Amendment at approximately 350 East 800 South: A request by Suzette Eaton, the property owner, to amend the Zoning Map and the Central Community Future Land Use Map for one property listed at the above address. The subject parcel is currently zoned RMF-30 (Low Density Multi-Family Residential) Zoning. The applicant is requesting that the property be rezoned to CN (Neighborhood Commercial) to accommodate an existing nonconforming commercial structure. The property is located within City Council District 4, represented by Derek Kitchen. (Staff Contact: Kelsey Lindquist (801) 535-7930 or [kelsey.lindquist@slcgov.com](mailto:kelsey.lindquist@slcgov.com))

- Master Plan Amendment – A request to amend the Future Land Use Map of the Central Community Master Plan from Low Density Residential (1-15 dwelling units per acre) to CN (Neighborhood Commercial). Case Number PLNPCM2016-00660

- Zoning Map Amendment – A request to amend the Salt Lake City Zoning Map from RMF-30 (Low Density Multi-Family Residential District) to CN (Neighborhood Commercial District). Case Number PLNPCM2016-00659

4. Modifications to the TSA Transit Station Area Zoning District – A request by the Salt Lake City Council to review and modify the zoning regulations for the TSA Zoning District. The TSA Zoning District is located along North Temple between 400 West and 2200 West and along 400 South between 200 East and 900 East. The list of potential changes include:

- Clarifying what land uses are allowed in the zone;
- Reviewing and changing how far buildings can be setback from the street along 400 South;
- Clarifying what types of uses are allowed on the ground floor of buildings;
- Modifying design standards related to overall building size, street level design, building materials, parking garage design, mid-block walkways and other design standards;
- Modifying the approval process and development guidelines to further incentivize affordable housing, higher quality development and other related issues; and
- Minor changes to other sections of the TSA zoning district or other related provisions in the zoning ordinance.

This proposal is being brought to this Open House for a second time in order to present an updated draft of the proposed modifications and obtain additional public feedback before being presented to the Planning Commission. More information regarding this proposal may be found at the Planning Division website at <http://www.slcgov.com/planning/planning-2016-open-houses>. (Staff contact is Daniel Echeverria at 801-535-7165 or [daniel.echeverria@slcgov.com](mailto:daniel.echeverria@slcgov.com)) Case Number PLNPCM2016-00522

5. FB-UN2 Zoning District Text Amendment - A request by the Salt Lake City Council to add side and rear yard setbacks and building step-backs to FB-UN2 zoned properties when adjacent to properties within a residential zoning district with a maximum building height less than 35 feet. The FB-UN2 zoning district is currently located in the Central Ninth Neighborhood and these changes would not impact any of those properties because none are currently adjacent to residential zoning districts. However, if the FB-UN2 zoning district were adopted in other areas of the City, it may be adjacent to residential districts and the City Council wants to mitigate potential impacts. As part of this text amendment, there is also a proposal to add general design standards to the form based section of the Salt Lake City Municipal Code. The proposed design standards currently apply to the other form based zoning districts in Salt Lake City which allow for a mix of uses (Sugar House Business District - CSHBD1 and CSHBD2). The general design standards provide overarching guidelines to encourage quality development without dictating specific design styles. If adopted in this section of the code, they would not affect the FB-UN1 zoning district, but could potentially be utilized for additional form based districts in the future. (Staff contact:

Chris Lee at 801-535-7706 or [chris.lee@slcgov.com](mailto:chris.lee@slcgov.com)) Case Number PLNPCM2016-00463

6. Revisions to the Conditional Building and Site Design Review Program - A steady increase in the number of projects submitting for Conditional Building and Site Design Review (CBSDR) has highlighted several issues with the program related to its application and administration. Staff is examining the CBSDR ordinance, which the Planning Division uses to evaluate projects that request flexibility from zoning standards (such as building height or square footage) in certain zoning districts. Staff will share details about the issues and possible changes. (Staff contact: Molly Robinson at 801-535-7261 or [molly.robinson@slcgov.com](mailto:molly.robinson@slcgov.com)) Case Number PLNPCM2016-00615

# Early Notification Requirements



## What is the Project?

Salt Lake City strives to utilize best public engagement practices to educate, engage and receive input from the public at a level that is consistent with the scope of impact of a proposal or project. The City adopted rules to provide early notification to Recognized Community Organizations (including community councils) about specific types of projects within the City. In 2012, the City Council passed an ordinance that clarified the responsibilities of Recognized Organizations and various City Departments relating to that process.

In the recent past, it has become clear that the way the rules are written may be confusing. In addition in clarifying the rules, additional rules may be appropriate to ensure the intent of the early engagement process is being met. The Mayor and City Council have requested that City staff review and identify proposed changes to clarify the language in the rules relating to the early notification process and find ways to increase participation by the public, including but not limited to the Recognized Organizations, while balancing the needs of applicants to have a timely review process.

## What Changes are Proposed?

The major proposed changes include the following:

1. Modify the type of application types that require Early Notification.
2. Clarify the existing language in the ordinance relating to when a project is reviewed by the Recognized Organization or through the Open House process.
3. Require notification of nearby property owners, as well as Recognized Organizations, when an application is submitted for review.
4. Increase the responsibilities of the Recognized Organizations for responsiveness.
5. Increase the application fees to cover the costs of additional notification.
6. Increase participation through the Open House and other engagement processes.

## Why Make the Change?

The City has an obligation to have a balanced approach to the review of applications. Allowing for early notification and public input on projects that may impact an area is important. The information received through public engagement is used to help analyze whether the project meets the applicable criteria in City Code. On the other hand, it is important that the applicant has a predictable and timely review process. The proposed changes are an attempt to balance the public interest with the private property / applicant interests.

With the current ordinance and practice, property owners and residents within 300 feet of a project are not necessarily notified when a community council reviews the project. With an open house, the Planning Division

sends a mailed notice to those owners of property or residents within 300 feet of the project, informing them of the open house and inviting them to participate. Notice of the open house is also sent to interested parties on the Planning Division Listserve, including all Recognized Organization Chairs, as well as to those individuals in the particular industry in which the proposed regulations may affect.

## What are the concerns that are being addressed?

What Requires Early Notification	<p>Currently the following applications require Early Notification:</p> <ul style="list-style-type: none"> <li>• Alley Vacations</li> <li>• Changes to City Regulations</li> <li>• Conditional Uses</li> <li>• Demolition of contributing structures in local historic districts and Landmark Sites</li> <li>• Master Plans and Master Plan Amendments</li> <li>• Planned Developments</li> <li>• Rezoning</li> </ul>	<p>Proposed changes would include</p> <p>Adding</p> <ul style="list-style-type: none"> <li>• Conditional Building and Site Design Review (depending on scope of review)</li> <li>• New Construction of Principal Structures for multi-family and non-residential uses in local historic districts</li> </ul> <p>Removing</p> <ul style="list-style-type: none"> <li>• Administrative Conditional Uses (like cell towers and utility boxes)</li> </ul>
Clarify the Language	<p>The current ordinance is not clear on whether an item should be reviewed by a community council or at an open house.</p> <p>The current ordinance is not clear on the timeframe for when items that are presented at an open house, can be forwarded for a decision.</p>	<p>Currently Community Councils have 45 days, from the date of receiving the notice from the City, to review an application. This allows time to notice the item on the agenda, hold a meeting and send a response to the City.</p> <p>With Open Houses, the Planning Division sends out the notice of the open house, holds the open house and gathers the information from the open house. This process typically takes less than 45 days.</p> <p>The proposed ordinance language would clarify, that either a project would be reviewed at a community council meeting or at an open house, but not require both.</p> <p>The proposed ordinance language would also clarify that the 45 day time limit is required of the Community Council review but not of the open house.</p>
Property Owner Notification	<p>Currently, those property owners within 300 feet of the proposed development are not notified of community council meetings. Their first notification is of the public hearing. Those property owners are notified of Open Houses.</p>	<p>The proposed language would require the City to send a notice of the application to all property owners within 300 feet of the project once we receive it, similar to noticing the Recognized Organizations. Property owners could then contact the City for more information, attend the Community Council meetings, etc.</p>



Responsibility of Recognized Organization	Formalize the process so the City knows when a Recognized organization wants to review a project.	The proposed language would require the community council to notify the City, within 14 days of receiving the notice, whether they want to review the project or not. Most Recognized Organizations are responsive and let the City know whether they want to review a project. However, some Recognized Organizations are not timely in responding to whether they will review a project. This will help City Staff and applicants understand the timeframe for processing the application. Currently there is no specific responsibility of the Community Council Chairs to do this, which leads to confusion as to whether the community council wants to review a project or not.
Responsibility of Recognized Organization	Revision of Bylaws. If the Recognized Organization adopts changes to its bylaws, the Recognized Organization has thirty (30) days to file a copy of the amended bylaws with the Salt Lake City Recorder's Office. <b>The changes can be filed with the Salt Lake City Recorder's Office by any member of the Executive Board of the Recognized Organization.</b>	This modification will ensure that the City understands what the current bylaws are of each Recognized Organization. Allowing that the changes can be filed by any member of the Executive Board of the Recognized Organization will give the organization the ability to meet the 30 day timeframe to record such changes.
Fee increases	Increase the fees to cover the cost of the Notice of Application for certain types of applications.	
Increase Early Engagement Participation	The City Departments will work with the Civic Engagement Team to find specific ways, catered to various types of projects, to increase awareness of projects and provide various methods for the public to provide feedback	Through the use of more formalized meetings, focus groups and the use of technology, the City will continue to provide innovative ways to increase public participation and improve communication with the public.

## Get Involved

The City wants to hear from you. The City will provide various ways for you to voice your comments/ concerns with the proposed changes. Your comments will help City staff identify how to make the ordinance work for applicants, the public and decision makers.

If you would like to participate in smaller focus groups, surveys or other ways, please email Cheri Coffey at [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com)

The City invites you to a Public Open House on Thursday October 13<sup>th</sup> from 5:00-7:00 pm on the 4<sup>th</sup> Floor of the City & County Building. Staff will be available to provide information and listen to your feedback.

## Learn More

To review a copy of the draft regulation language, click here

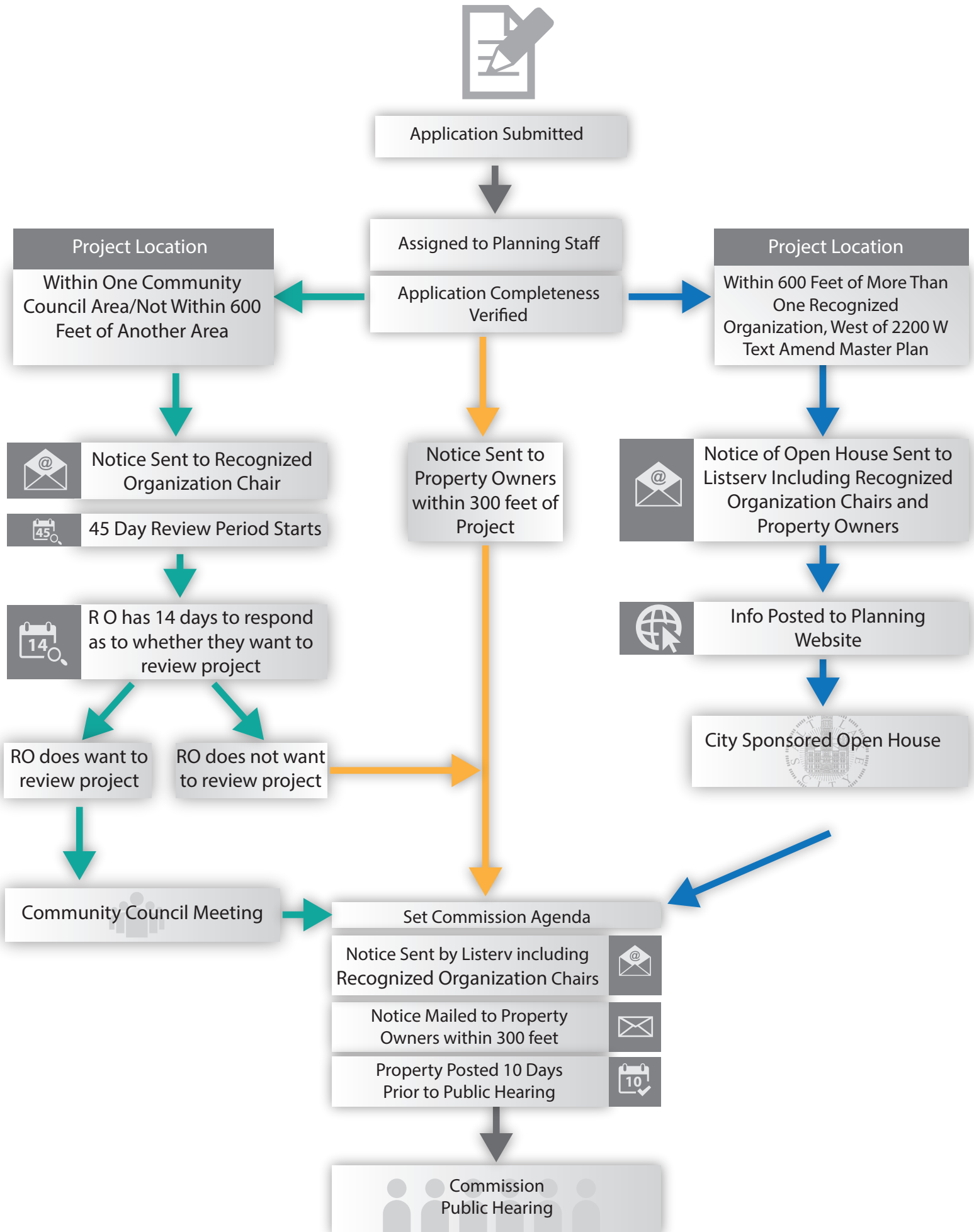
## Connect

To comment on the project, or to obtain more information, contact Cheri Coffey, Assistant Planning Director, at:

- Address: Salt Lake City Planning Division, 451 S State Street, Room 406, PO Box 145480, Salt Lake City, Utah, 84114-5480
- Phone: (801) 535-6188
- Email: [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com).

# Proposed Early Notification Process

July 2016



# EARLY NOTIFICATION COMPARISON

How early notification currently happens	How early notification is proposed to happen
<p>Projects requiring early notification</p> <ul style="list-style-type: none"> <li>• Alley vacations</li> <li>• Changes to City regulations</li> <li>• Conditional Uses</li> <li>• Demolition of contributing structures in historic districts</li> <li>• Demolition of Landmark Sites</li> <li>• Master Plan and Master Plan Amendments</li> <li>• Planned Developments</li> <li>• Rezonings</li> </ul>	<p>Projects requiring early notification</p> <ul style="list-style-type: none"> <li>• Alley vacations</li> <li>• Changes to City regulations</li> <li>• Conditional Uses</li> <li>• Demolition of contributing structures in historic districts</li> <li>• Demolition of Landmark Sites</li> <li>• Master Plan and Master Plan Amendments</li> <li>• Planned Developments</li> <li>• Rezonings</li> <li>• New construction of multi-family and commercial buildings in historic districts</li> <li>• Some projects that are required to go through the Conditional Building and Site Design review process</li> </ul>
45 day notice sent to recognized organizations	45 day notice sent to recognized organizations
<p>An open house is required when:</p> <ul style="list-style-type: none"> <li>• Proposal is an amendment to the text of the ordinance</li> <li>• Proposal is located within 600 feet of a boundary of two recognized organizations</li> <li>• Multiple recognized organizations request a presentation</li> <li>• The project is located west of 2200 West</li> <li>• The recognized organization will not meet within 45 days</li> </ul>	<p>Open house held instead of presentation to recognized organizations if:</p> <ul style="list-style-type: none"> <li>• Proposal is an amendment to the text of the ordinance</li> <li>• Proposal is located within 600 feet of a boundary of two recognized organizations.</li> <li>• Multiple recognized organizations request a presentation</li> <li>• The project is located west of 2200 West</li> <li>• The recognized organization will not meet within 45 days</li> </ul>
No notice is mailed to nearby property owners if the proposal is reviewed at a community council.	Notice of Application will be mailed to property owners and tenants within 300 feet of the project when an application requiring Early Notification is received by the Planning Division.
Open house notices sent to all property owners and tenants within 300 feet of the project. Notice is also sent to all recognized organizations via email.	Open house notices sent to all property owners and tenants within 300 feet of the project. Notice is also sent to all recognized organizations via email
No public hearing can be held within 45 days of a notice being sent to recognized organizations.	Recognized organizations can choose to waive the 45 day notice.
No public hearing can be held within 45 days of sending notice of an open house	A public hearing can be held at any time after an open house is held.
Recognized organizations are not required to notify the city if a presentation is scheduled or if a presentation is wanted.	Recognized organizations would be required to let the City know within 14 days of sending the notice that they want a presentation

# SIGN IN SHEET

MEETING FOR:

*Early Engagement - Recognition ord.*  
Petition PLNPCM2016-00659 and PLNPCM2016-00660, 350 East 800 South Zoning and Master Plan Amendment

DATE:

October 13, 2016

## PLEASE PRINT

FULL NAME	EMAIL and/or MAILING ADDRESS (INCLUDE ZIP CODE)	PHONE #
Dennis Faris	[REDACTED]	[REDACTED]
Michael Deld	[REDACTED]	[REDACTED]
Dave Alderman	[REDACTED]	[REDACTED]
Dave Richards	[REDACTED]	
Jade Sarver	[REDACTED]	[REDACTED]
Michael Iverson	[REDACTED]	[REDACTED]
CINDY CROMER	[REDACTED]	[REDACTED]

## Coffey, Cheri

---

**From:** Norris, Nick  
**Sent:** Friday, October 14, 2016 11:09 AM  
**To:** Seelig, Jennifer; Reberg, Mike  
**Cc:** Coffey, Cheri; Shepard, Nora  
**Subject:** Early Engagement Open House

Last night we held an open house to kick off the engagement process related to how we notify recognized organizations and neighbors of pending development related projects. I wanted to make you aware of the input that we received at the first meeting. Below is a summary of the input we received:

- Some suggested that the option to hold an open house for site specific developments/proposal within close proximity to multiple community councils should be eliminated. They felt it would be better to attend two or three community councils instead of an open house. They raised questions about if this were to happen, which meeting would the mailer to neighbors advertise, what happens if one waives the 45 day period and one does not, etc. (these seem like things that we may be able write administrative rules for vs. codifying)
- People generally liked the idea of allowing a recognized organization to waive the 45 day period, allow things to proceed faster if waived or the item is presented to the community council well before the end of the 45 day period. Some also liked that there was a 14 day response period for the community councils to notify the city if they want to hear the matter.
- People liked that we would be sending notice to owners within 300 feet letting them know about an item at a community council meeting. However, they felt that 300 feet is not far enough and that sometimes it doesn't even cover a full block face. Some suggested that the distance be increased, but were not really sure what was right. The length of one block was thrown out as an idea.
- People liked that we were adding the new construction in historic districts to the list of early notification. However, people were mixed about the CBSDR for all new construction. Some suggested that only those districts that have a process to increase the size of the building through the process be required to have CBSDR. I did let them know that we were still trying to figure out what an appropriate trigger for these projects may be.
- The community council reps that attended did like the fact that the community councils would be notified of all open house items (which tells me they don't know that they are all already getting them or that our list serve is not accurate. Perhaps we need to keep a separate email group of just the chairs and send them a separate email vs. using the list serve?)

Most people did have issues with the open house concept. It was acknowledged that these concerns did not need to be codified, but can be addressed in other ways:

- The open house format, location, and time does not work well.
  - Most people do not like having the open house in this building, particularly in the hall way. The primary complaints were the noise, it is inconvenient to park, it is another public meeting that people have to make time for, and the building is out of the way for many people.
  - Some people suggested that having open houses in the neighborhood libraries would be a better alternative or within the meeting rooms in this buildings, but the hall is not a preferred location.
  - One person suggested that the city should not rely on the community councils for input, but rather have more focused, city sponsored meetings in the neighborhoods for those that are most impacted by a development proposal and use the community councils to help spread the word.
- People do like that there are more handouts and visuals and that staff seem to be more prepared to talk about the topic than in the past.

Our intent is to continue to gather input on how to improve the early notification ordinance and process.

NICK NORRIS  
Planning Manager

PLANNING DIVISION  
COMMUNITY *and* NEIGHBORHOODS

SALT LAKE CITY CORPORATION

TEL 801-535-6173

Email [nick.norris@slcgov.com](mailto:nick.norris@slcgov.com)

[www.slcgov.com/planning](http://www.slcgov.com/planning)



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## Salt Lake Community Network

### Agenda

[Harmon's Grocery @ City Creek](#)

135 East 100 South, Salt Lake City, 84111

Conference Room (Cafe level, behind fireplace)


Thursday @ 7am

November 10th, 2016

 Website

 Facebook

 Email

 Google Plus

#### 0700 - Welcome & Introductions

Dianne Leonard, Chair, SLCN

#### 0705 - SLCN Business

- Approve prior [Meeting Minutes](#)
  - Click [HERE](#) to view minutes for October 2016
- Proposed change of meeting location
- Committee Reports
  - Communications Committee
    - Michael Iverson, Chair
  - Professional Development Committee
    - Ellen Reddick, Chair

#### 0720 - Community Organization Updates

Please limit comments to 1 minute in length

#### 0735 - Updates from the [Mayor of SLC](#)

Nate Salazar, Community Liaison, Office of the Mayor



To view or  
subscribe to our  
community calendar

[CLICK HERE](#)

Have you planned  
an event for your  
community?

[SEND AN EMAIL](#)

with all the details  
so we can add it to  
the calendar!



## 0740 - [STEM Ambassador Program](#)

University of Utah



## 0800 - SLC's Recognition Ordinance

Cheri Coffey, Assistant Planning Director, SLC Planning

*A discussion to obtain feedback on proposed changes to the Recognition Ordinance of Salt Lake City, related to the Early Notification requirements and process.*

## 0830 - Meeting Adjourns

Next meeting is Thursday, December 8th @ 7am

### SLCN Executive Committee

Chair - [Dianne Leonard](#)

Vice Chair - [Michael Iverson](#)

Secretary - [Dennis Faris](#)

Treasurer - [Jade Sarver](#)



Mayor Biskupski's  
SLC  
Community  
Empowerment  
Team

### Purpose

The purpose of SLCN is to empower and enable recognized Community Organizations to affect positive change for the benefit of those they represent.

### Mission

The mission of SLCN is to educate, and promote communication, understanding, and cooperation amongst recognized Community Organizations and local city, county, and state governments.



[Website](#)



[Facebook](#)



[Email](#)



[Google Plus](#)

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SLCN  
Meeting Minutes  
Harmons City Creek  
Thursday, 7am  
November 10, 2016

0700 Meeting called to order by Dianne Leonard, Chair

- Introductions by those in attendance:
  - Dianne Leonard, Dennis Faris, Jack Winward, Dave Alderman, Ellen Reddick, Marlene Jennings, Sean Crossland, Esther Hunter, Landon Clark, Judi Short, Valerie Vaughn, Nate Salazar, Kim Bowman, Yusuf Jameel, Cheri Coffey
  - Apologies from those that can't make today's meeting: Jade Sarver, Lauren Arrellano

0705 SLCN Business

- Approve October Minutes – Marlene moves, Judi 2nds. Passes unanimously.
- Change of Meeting Location
  - Change will be made ASAP
  - New location is VOA Youth Resource Center @ 900 S & 400 W
  - Announcement will follow soon as the details are worked out
- Professional Development Committee – Ellen Reddick
  - How to run a meeting
  - What's your issue? What's your solution? If you don't have a solution, you're just bitching.
  - Click [HERE](#) to see attachments related to this presentation
- Communications Committee. Michael Iverson is absent, so no update

0715 Community Organization Updates

- Capitol Hill – Board elections coming up
- Greater Avenues – Kim Bowman is incoming Chair
- WestPointe (& Jordan Meadows) – Google presented recently. SLC [Housing Advisory and Appeals Board](#) needs more people!
- Glendale – Just returned from Community Leadership Training with NeighborWorks. Will apply for grant money to transform space into pocket park. Will move to 5 person board configuration
- East Central – Traffic to/from UofU area is a constant issue
- Sugar House – Slow and quiet!
- Liberty Wells – taking over British Field Days! Filled Secretary position! Working on cleaning up alleys
- Poplar Grove – Strategic Planning will occur in Nov & Dec board meetings. No public meeting till Jan due to holidays

0730 Updates from the SLC Mayor's Office

- Homeless Services Resource Sites location announcements will be Nov21.
- Updates on changes to Mayor's Liaisons assignments





- 0735 STEM Ambassador Program  
Yusuf Jameel, STEM Ambassador
- 20 scientists from 7 different departments
  - Connecting Science and Society
  - STEM Ambassador Program is a research and public engagement program funded by NSF
  - Yusuf gives Ambassador presentation on water conservation issues
    - UT uses too much water and doesn't value it appropriately
    - No financial incentive to conserve water exists
- 0805 SLC's Recognition Ordinance  
Cheri Coffey, Assistant Planning Director, SLC Planning
- Please see attachments
    - Early Notification Comparison
    - Proposed Early Notification Process
    - Recognition Ordinance 2.60.030: Minimum Requirements
  - General consensus seems to be that Open House formats are not conducive to deep understanding of an issue
  - Click [HERE](#) to see attachments related to this presentation
- 0830 Meeting Adjourns  
Next meeting is Thursday, December 8<sup>th</sup> @ 7am  
TENTATIVE new location at VOA Youth Resource Center, 888 S 400 W



## Recognized Community Organizations Ordinance Proposed Amendments

*Public feedback is needed on proposed changes to the Recognized Community Organizations Ordinance, as it relates to early notification. Proposed changes will provide clarification and ensure that the intent of the early engagement process is being met.*

As of April 12, 2017, 3:52 PM, this forum had:

Attendees: 222

All Responses: 39

Hours of Public Comment: 2.0

This topic started on September 28, 2016, 1:43 PM.

This topic ended on February 16, 2017, 11:33 AM.

In the past year, how often have you participated in an open house or public meeting, i.e. City Council, board or commission meeting?

		Response Percent	Response Count
Weekly or more often	<input type="checkbox"/>	11.1%	3
2-3 times a month	<input type="checkbox"/>	11.1%	3
About once a month	<input type="checkbox"/>	14.8%	4
Several times a year	<input type="checkbox"/>	33.3%	9
About once or twice a year	<input type="checkbox"/>	14.8%	4
Less than once a year	<input type="checkbox"/>	7.4%	2
Never	<input type="checkbox"/>	7.4%	2

Do you currently belong to a community council or other Recognized Community Organization?

		Response Percent	Response Count
Yes	<input type="checkbox"/>	59.3%	16
No	<input type="checkbox"/>	40.7%	11

If yes, which one?

**Answered**

16

**Skipped**

11

What is your preferred method for providing feedback on City initiatives?

		<b>Response Percent</b>	<b>Response Count</b>
Community Council meetings	<input type="checkbox"/>	55.6%	15
Recognized Community Organization Membership	<input type="checkbox"/>	11.1%	3
Public Open Houses	<input type="checkbox"/>	37.0%	10
Project Workshops	<input type="checkbox"/>	14.8%	4
Public Hearings, i.e. Planning Commission or City Council	<input type="checkbox"/>	44.4%	12
Online Engagement, i.e. Open City Hall	<input type="checkbox"/>	48.1%	13
Other	<input type="checkbox"/>	11.1%	3

How do you prefer to be notified of opportunities to provide feedback to the City?

		<b>Response Percent</b>	<b>Response Count</b>
Email	<input type="checkbox"/>	92.6%	25
Letter or postcard	<input type="checkbox"/>	59.3%	16
Social Media	<input type="checkbox"/>	29.6%	8
Newspaper or press releases	<input type="checkbox"/>	29.6%	8

Comments:

**Answered**

14

**Skipped**

13

What comments do you have about the proposed changes to the applications required for early notification?

I am supportive of the proposal to add early notification for the additional proposed application types, but I would not remove administrative conditional uses from the early notification process.

I would not remove, "Administrative conditional uses, such as cell towers and utility boxes." Residents should be notified as early as possible for structures such as "cell towers."

OK

It seems adding more oversight and more hoops to jump through will only add to a major problem in Salt Lake and that is affordable housing. We have such limited housing and prices are so high, adding more fees and time to the process will make it harder for new construction. We also have a lot of buildings and homes in need of repair or replacement and adding more restraints will make it harder to update the area.

Agree with the proposed changes

I have been saddened to see what is happening in our historic neighborhood. There is little that has been done to stop complete tear downs. I'm all for remodels but we are losing the character of our neighborhood.

text is cut off at the edge. Why are Administrative conditional uses being removed?

OK



I agree with this change.

Many community members have feedback for both cell towers and utility boxes. My community council has been alarmed by a few of those projects and removing them eliminates the community opportunity to provide feedback for controversial locations or mitigating efforts that could be done to improve the box, etc. Removing these does not serve the community well.

Don't agree that "Conditional building and site design review for new principal structures" needs to be added.

I would remove demolition of Contributing Structures and let that go through the normal planning and building process. There are considerable steps in the process to gather public feedback. I would ask that freestanding cell towers go through the early notification process.

Think about utility boxes. They are an eyesore and not maintained. The person whose property this is on or in front of or next to needs to be given notification. And a phone number to call when the utility company leaves trash all around the box.

I suggest adding public engagement on the purchase of new property by city agencies.

## Comments:

### Answered

17

### Skipped

10

What comments do you have about the proposal to clarify that a project would either be presented to the Community Council or the Open House but not both? What comments do you have about clarifying that the community councils would require a 45 day time limit for comments but open houses could be completed more quickly?

I am strongly OPPOSED to this proposed alternative notification process. Open houses are relatively inconvenient, often require leaving work early to attend, and require that engaged community members who regularly attend community council meetings also attend a separate meeting. Open houses are not nearly as well

attended as community council meetings. If the City is truly interested in fostering increased community participation and seeking more community input on projects, open houses are a very ineffective forum, especially when viewed relative to the existing participatory structure of community council meetings. This proposal, as presented, would essentially cut community councils entirely out of the process. This may be easier for developers and Planning Staff, but it would significantly shortchange an important established community forum for community education and feedback. In addition, removing any required time window between an open house and an associated public hearing as proposed would be very limiting in terms of providing the public with sufficient time to educate themselves regarding projects occurring in the City and provide associated comment/input.

The city should handle all project reviews at public open houses, not at community council meetings. My experience with community councils has been that they do not represent the community, but work to support and legitimize the agendas of small factions. The Glendale Community Council is like this.

If you're truly looking to maximize engagement, then both should be required. Giving only one option for engagement is not really very engaging.

Still should be presented to the community council and have an open house

I don't like this proposal. I have seen too many proposals that were presented to a community council that the general public had monies about and if the open house requirement were negated, they would be cut outbid the process.

I think both are important. Too many things are under the radar and often by the time the community at large finds out about changes it's hard to have community opinions heard

Automated emails? How to do you confirm receipt?

If this means that City conducted "open houses" would make Community notification unnecessary, then I oppose it. If this means that a Community Council may either have a meeting or an open house, then I support it. There should be no substitute or way around Community Council notification.

Sometimes it would be best to have a community-council review and an open house. Sometimes, I'm sure, the city will recognize occasions when both should occur. But perhaps it would be a good idea to require holding an open house if the affected



community council requests it. An issue may affect the whole neighborhood, not just the small number of "regulars" who attend CC meetings.

I completely disagree with this change. Both an open house AND community council meeting should be allowed and encouraged, especially for larger projects.

I absolutely oppose using an open house as an option to community council reviews. That said, if an open house is the option it should also have the same time frame for public involvement.

I don't believe that Open Houses provide for the same level of community input that you receive from a Community Council meeting. It's true that the timeline is longer for community councils. But if an owner/developer is asking for a rezone, master plan change or demolition of a landmark building, then we should take a little more time to get public input.

It is extremely valuable for the community to have a presentation in our own neighborhood, and the council is a great forum in which to do so.

Reasonable.

This is a challenge because if we are able to meet with the community council within 15 days and all comments have been reviewed, now there is 30 days if just sitting

I like the either or structure with the 45 days imposed as the maximum response time but emphasize a timely response of under 45 days is preferable. The applicant should be able to request the City sponsored Open House process or request a City staff observer at the Community Council review hearing. Additional fees may apply if either route is chosen.

The Open House is mostly worthless. If you skip to the Open House and ignore community councils, you will get very little valid feedback. Our meetings are packed with agenda items, will be hard to get enough time to hear the issue properly. Always a problem.

## Comments:

**Answered**

18

**Skipped**

The draft ordinance proposes to require notification of property owners within 300 Feet of a proposed development application. What are your comments about this proposal?

Agree

Seems fine, although 300 feet is quite limited given the size of Salt Lake blocks and the scale of many projects we are seeing in the city. For example, a 200+ unit multifamily project would have neighborhood impacts well beyond 300 feet.

The proposed change is good. All property owners within 300 feet of a project should be notified when the city receives an application for a proposed development. However, community councils are not elected bodies and are not part of city government. They are autonomous organizations with definitive agendas that may or may not represent public sentiment. Community councils do not represent the majority of their communities, but only small factions. Please refrain from including community councils in the process. Because they are outside organizations, it seems arbitrary to give such organizations preference for information, and to make them part of the city process is wrong.

Why not include the community council meeting notification in the city notice?

Please continue to notify the neighboring property owners

This is often too narrow of a notice because a project has the potential to impact a greater area than the 300 ft now required. Less than 2 weeks notice is not enough time as it is not uncommon for people with a direct interest in a proposal to be out of town and have no idea anything that could impact their quality of life and property values before a decision has been made.

can the notice include the meeting times of Community Councils?

Good

This is exactly how it should be.

OK, I think. Part of the text is chopped off on the right side.

Good.

I still believe 300 feet is completely inadequate for notification. Many people feel impacted by developments and are not recognized because they do not live right next door.

Notifying both property owners and the Community Councils is a positive change. Many of these major changes impact more than the immediate neighbors.

Please give us more information, and not less.

The necessity for this is a function of the proposed development. A simple compatible development should not need this level of notice, whereas a non-conforming or large or controversial development should be noticed this way. Discretion of the Planning Department should be allowed.

Seems reasonable and productive.

Property owners need to know by when they need to provide feedback. Many live out of state. The person living at the address must be notified as well.

I would up the notification zone to 500 feet. Create a method for notifying surrounding property owners by any and all means necessary.

## Comments:

### Answered

15

### Skipped

12

A fee increase for noticing is being proposed to cover the notice of application to owners of property within 300 feet. What comments do you have relating to this change?

Fee should be paid by whomever is doing the construction

I am supportive of increased fees for noticing.

I'm not sure what this "fee increase" proposal is all about. Your two sentences in this survey are ambiguous. Is it a fee increase for those who seek to do projects, or for those who will get notified, or for everyone citywide to allow the city to send the notifications? Regardless, I am opposed to fee increases.

Inventive bureaucrats should be able to come up with a funding mechanism that does not affect property owners or developers, etc.

OK

Fee should be paid by the developer

What is the fee now? What is the proposed increase?

how much?

Not just mail but an in-person meeting with the owner and tenant would be better.

This is how it should be.

Unavoidable.

Developers should bear this cost.

A fee increase for noticing seems reasonable. Again, this is for major changes, such as rezoning and master plan agreements. If the owner/developer wants the City to change the regulations for them, they should expect to pay a little more.

Will cost be per property, or a flat fee. Some sort of per property fee would be more equitable.

Of course a fee increase is being proposed. It is what we do every time we discuss something in public. "Free" speech is a myth.

Create a method for notifying surrounding property owners by any and all means necessary.

## Comments:

**Answered**

19

**Skipped**

8

The proposed changes would require community councils to notify the City, within 14 days, whether or not they want to review a project. What comments do you have about this proposed change?

Agree

This seems reasonable.

Since community councils are private organizations that are not elected by residents, they do not represent residents. It is therefore wrong to make community councils part of the process. They often promote and try to legitimize agendas of small factions of the community. Please refrain from making community councils part of the public notification process. It is arbitrary, capricious and discriminatory.

What are the consequences for not notifying the city within 14 days? If there are no consequences for not notifying, then this is not a requirement, it's passive aggressive bullying.

Agree with the proposed changes

Community councils are established to be a sounding board and a place to learn more about activities and responsibilities of residents and gov't leaders that impact the areas quality of life and the sustainability of the neighborhood represented. It seems reasonable to expect the community organizations to notify the community represented about important events and possible ordinance changes that would have an impact on the community.

(this is also cut off) CC Chairs should notify, but again how do you confirm receipt?

30 days should be the minimum

do it

OK

Agreed

I believe this is reasonable and a standard of reply should be expected by the city.

A response time for Community Councils seems reasonable.

Yes this sounds fair.

Reasonable.

Great

As long as the 45 days begins when the City notifies the Chair of the project. The return notification would help staff to schedule availability to attend and observe the Community Council meeting.

This is fine

Increase to 21 days.

## Comments:

### Answered

17

### Skipped

10

The proposed changes would require the Recognized Community Organization to notify the city of a change to its bylaws within 30 days of making the change and they change could be filed by any member of the Executive Board. What are your comments about this proposed change?

I am supportive of this change.

The city should not be the legitimizer or the organization that authorizes "community organizations" by keeping copies of organizations' bylaws. Such organizations do not adequately represent communities, but work to legitimize and promote the agendas of small factions of the community.

OK

Agree with the proposed changes

It seems a reasonable and relatively easily executed expectation to let the city know of bylaw changes in a community organization.

Very good. What responsibility does the City have toward ensuring RCOs are following bylaws?

Require publication in newspapers and on city and county websites

If recognized CC's are required to provide By Laws and articles of incorporation to the City (Recorder) then they should be required to report changes. Articles of incorporation should be added to this requirement.

"There is no requirements..." Learn English, please. Also, this one seems very bureaucratic. I don't see what good it is supposed to do.

Yes, CC's should let the City know.

This is not accurate. The ordinance for recognizing community organizations requires annual filings that include bylaws if any changes have occurred. Is this not enough or do we need to be doing this twice now?

Having current bylaws on file with the city seems reasonable. I thought this was already a requirement.

Sounds fair

Reasonable.

Great.

How about posting the bylaws of each organization on a City web page dedicated to providing contact information for each Community Council. If they don't keep that information updated then it is not enforceable on applicants.

Fine but we might forget. Remind us when you ask for renewal of our RO status.

## Comments:

### Answered

11

### Skipped

16

City Departments will work with the Civic Engagement Team to find ways to increase awareness of projects and provide various methods for the public to participate. Through the use of more formalized meetings, focus groups and the use of technology, we will continue to provide innovative ways to increase public participation.

Fabulous sounding platitudes! Would love to hear more specific proposals to this effect.

Yes, city departments should work to find ways to increase awareness of projects and provide various methods for the public to participate, through the use of more formalized meetings, focus groups and the use of technology. This is how the city should be spreading the word and gathering neighborhood input about proposed projects in the neighborhoods.

Sounds good. Streamlining communication would be very helpful, perhaps a message board and not just emails.

Host a series of open houses to help the community get to know members of the City Council. We need to see and hear from them not just at election time or at formal meetings.

As it should be.

I am disappointed that you left out the most important changes for specific comments. I absolutely oppose in every way the change that if a project falls within a certain distance of 2 community organizations there will only be an open house. This is a horrible way to conduct engagement. The city should be doing as much as possible to engage the community and should err on the side of more not the easy way out. The city should present at the 2 or 3



community organizations for the project to be able to point to the city and everyone that you did more to engage and alert people to participate. Open Houses do not accomplish this because they are so poorly noticed and attended. Why would the city think that using this approach should replace actual outreach? If a project falls near more than one community organization notify them both and show up. If a project is in the master plan you should still notify the community organization as it doesn't mean the developer is getting it right. More often than not a developer will pick one or two elements of a master plan and call it good when community input will show them opportunities to do more to meet the vision of the master plan. This approach is just aimed at cutting out community participation.

Increased public participation is often going to be at odds with a fast track timeline. For projects requesting these major changes, it is better to err on the side of public input, even if it delays the project an extra month.

Is formatlized a word?

Sounds good

Can we consider that each Community Council must be certified every two or three years in an effort to measure their effectiveness and responsiveness. Establish some metrics related to management and process - not necessarily core beliefs or intangible qualities. If they don't recertify then they can continue to meet but applicants don't need to seek their input. It is time for at least some measure of checks and balances in the system.

Should this read "formalized" instead of "formatlized"? More importantly, the city should also specify who the "public" is in public participation. Are concerns by civil society, businesses or associations weighed equally to concerns of individual citizens? Are comments by local residents equal to those made by other citizens who perhaps live elsewhere, or are they more important? Is the city going out of its way to ensure the participation of the marginalized

in a community (non-English speakers, people experiencing homelessness, the elderly or the young, the poor, those without accessible transportation, etc.)? Too often the City just informs the community council and then pushes the responsibility of all outreach for public input to a volunteer community body. The City should think hard about who it is trying to engage and help shoulder the costs of increasing public participation. A lot more thought and nuance needs to be put into this ordinance beyond empty pledges to increase public participation.

## SALT LAKE CITY PLANNING DIVISION

# OPEN HOUSE

January 19, 2017 at 5:00 p.m. to 7:00 p.m.

Sorenson Unity Center  
1383 S 900 West, Hallway  
Salt Lake City, Utah 84104

### 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?

Please visit [www.slcgov.com/planning/planning-2017-open-houses](http://www.slcgov.com/planning/planning-2017-open-houses) for information related to these projects.

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

#### Early Engagement Proposed Process

**Request:** The Mayor and City Council have requested that City staff review and identify proposed changes to clarify the language in the rules relating to the early notification process and find ways to increase participation by the public while balancing the needs of applicants to have a timely review process.

**Staff:** Cheri Coffey at 801-535-6188 or [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com)

**Application:** PHNPNM2016-00300

#### Zoning Amendment at approximately 11

##### Arapahoe Avenue

**Request:** To correct a zoning error and rezone the property residential use to accommodate the existing use.

**Zoning:** DS (Open Space) to Residential

**Staff:** Doug Dansie at 801-535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com)

**Application:** PHNSNB2016-00882

#### Northwest Quadrant Zoning Text Amendment

**Request:** The Mayor and the City Council have requested that City staff review and identify proposed text changes for the Northwest Quadrant area of the city. The changes will be consistent with the recently adopted Northwest Quadrant Master Plan. The proposed changes include amendments to the following sections and may include changes to other chapters of zoning ordinance:

**M-1 Light Manufacturing Zoning District** – The proposed amendments for this section may include changes to balance the nearby sensitive lands and habitats, and modifications to the land use tables for areas north of I-80 and west of the Salt Lake International Airport.

**Application Number:** 00724NPNM2016

**AG Agricultural District** – The proposed amendments for this section involve removing residential land uses from the AG Agricultural District. All properties in the City zoned AG Agricultural District are located within the Northwest Quadrant.

**Application:** PNLNPNM200010701

**Staff:** Tracy Tran at 801-535-7645 or [tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com)



Salt Lake City Planning Division  
451 S. State Street Room 406  
PO Box 145480  
Salt Lake City, UT 84114  
801-535-7700

## Early Engagement

### Focus Group- Former Applicants

1.24.17

Invited sixteen former applicants to participate in a focus group to identify issues and ideas to address the issues.

Four attended the meeting. One sent in comments.

#### 1. General Comments

- Training Information to Community Councils about what the purpose of the presentation is
  - a. What role, authority and what supposed to be doing there
- Members are uniformed as to what authority it has.
  - a. The people in the community council change
  - b. New people don't know what they are doing
  - c. Comments don't relate to the criteria
- Should hold annual training to help community councils know what land use is, what the law says and what process is
- Community Councils differ from one group to another
  - a. They overstep their bounds
  - b. The vote is not consistent with charter
  - c. They don't represent community
- City should have a form letter for meetings
  - Identify specific criteria the project must meet
  - Have a section for comments
- Permitted, administrative and legislative types of projects
  - The planner should take more leadership at the meetings and help train the community council members
- Community Councils need to be more civil
  -

#### 2. Other Cities

- Aurora Colorado had a well-organized community engagement group
  - They just give comments, not a recommendation.
  - The purpose of the presentation is informational.
- Los Angeles
  - The elected district manager hosted the meeting
  - They took comments and questions from the public ahead of time and those comments and questions were passed onto the developer/ applicant
- Summit County
  - The community input process was fair and organized
- The community should think of administrative items as permitted uses.

- There is a false expectation that they have a lot of say in those matters.

3. Ideas:

- For administrative items- expand the notice
- Give more time for input
- Have the Council person deal with the process (like in LA, filter through them)
- The Council person or delegate will respond to questions.
- Individual input list- each person gets to fill out the sheet that is at the meeting rather than the community council group as one voicing input.
- Planning Staff should frame the discussion of why they are there and the purpose of the input
- Need to get input where it will help and can be realized
- Need to identify that the projects could still be built but the reason why it is being presented is because the developer wants something above requirement.
- At a minimum need training and to formalize / structure the meeting.
- Have a checklist of expectations
- 45 day and waiting for their recommendation is difficult for applicant.
- If input given at the meeting, why have to wait for recommendation. Get input at the meeting, then go to the public hearing. Don't wait for 45 days to expire
  - What are they doing with the extra days for input?

## Poland, Michelle

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**From:** Coffey, Cheri  
**Sent:** Monday, May 15, 2017 3:40 PM  
**To:** Poland, Michelle  
**Subject:** FW: SLC Focus Group

Please redact

CHERI COFFEY, AICP  
Assistant Planning Director

PLANNING DIVISION  
COMMUNITY *and* NEIGHBORHOODS  
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Cheri.coffey@slcgov.com  
TEL 801-535-6188  
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**From:** Dustin Holt [REDACTED]  
**Sent:** Wednesday, January 18, 2017 9:47 PM  
**To:** Coffey, Cheri <Cheri.Coffey@slcgov.com>  
**Cc:** [REDACTED]  
**Subject:** Re: SLC Focus Group

Cheri,

I would welcome an opportunity to discuss this subject with the Planning Department. In a very recent experience the CC Chair participated with us for nearly 6 months in planning & conceptualizing our project. When we asked if a formal vote would be called for from the CC members we were told no and that it was not necessary. Then a few hours before our PC hearing, the CC Chair called and said they had been "forced" to make a "formal" recommendation to appease the City and because of that they would be forwarding a negative recommendation. (I was told there had been "significant negative clamor in the community, yet there were no negative comments at our CC presentation). Come to find out, in talking to other board members no formal vote was ever taken, but the chair had no issues in telling the PC the Board forwarded a negative recommendation. Not sure if it would have changed the outcome of our deal but several PC members did say "if the CC is opposed we should reconsider this". It seemed to be more of a personal preference by the CC Chair NOT to see the project come to fruition, than true community outrage.

There seems to be no accountability for the CC members and in my experience they tend to be less experienced in correct real estate matters, zoning principles and are more interested in looking good in front of neighbors and community members.

Additionally, in having presented to 4 or 5 different CCs within the City, they all seem to have "regulars" who come to the meeting and do not seem to be well attended by the general public as the general public knows the PC and City Council are the real decision makes.

It certainly is set up to be a great format for disseminating information. In my experience if one is not actively involved in the CC from a project presentation perspective, it seems a significant amount of the information disseminated unfortunately is errant information. I don't believe it is done intentionally but occurs because of the "chain game" and "rumor mill" from CC members who are aware of the project long before the general public is.

I've seen this errant information continue to be disseminated up until the PC hearing and in a couple of specific instances, more time is spent by presenters addressing errant information than presenting the good merits of a project to the PC or City Council.

I have dealt with 4 or 5 CCs within the City and my experiences are very similar at each one.

Unfortunately I will be traveling on the 24th and will be unable to attend but I have copied several colleagues who do similar work in case they are able to attend.

Thanks.

Dustin E. Holt  
[REDACTED]  
[REDACTED]

On Jan 18, 2017 5:02 PM, "Coffey, Cheri" <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)> wrote:

All,

The Salt Lake City Planning Division is soliciting input from former applicants to get an understanding of your experience with the community council input process. We are working on modifications to the current early engagement process requirements and want to hear from you. We will meet on **Tuesday January 24<sup>th</sup> at 4:00 pm** in the Planning Division Office in the City & County Building. We are located at 451 South State Street, Room 406 (South end of 4<sup>th</sup> floor). We will be discussing your experience and ideas of improving the early engagement process with Community Councils for various types of development projects.

The meeting will last about an hour.

Please RSVP as to whether you are available to join us.

Thanks

Cheri

CHERI COFFEY, AICP

Assistant Planning Director

PLANNING DIVISION

COMMUNITY *and* NEIGHBORHOODS

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## Coffey, Cheri

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**From:** Oktay, Michaela  
**Sent:** Wednesday, May 17, 2017 12:08 PM  
**To:** Coffey, Cheri; Norris, Nick; Mills, Wayne; Goates, Jonathan; Paterson, Joel  
**Subject:** Fwd: 842 East Planned Development

Dave called and his main concern was the Community Council holding up his project.

Just passing on his general concerns about development, process and the City issues.

Sent from my iPhone

Begin forwarded message:

**From:** dave robinson [REDACTED]  
**Date:** May 17, 2017 at 10:46:36 AM MDT  
**To:** "Oktay, Michaela" <[Michaela.Oktay@slcgov.com](mailto:Michaela.Oktay@slcgov.com)>  
**Subject:** Re: 842 East Planned Development

yes, i understand they are not holding me up; however, my point is this:

- salt lake city has a housing crisis. there is no product, especially single family homes
- west of the freeway residents often feel they are the bastard child of the city and little new development that supports their neighborhoods
- the vacant parcels become magnets for the homeless, drug use, etc. i was at hoyt place much of yesterday morning with the police, dealing with a crazed homeless man who was threatening to shoot and kill the men we have mowing that property
- city council members state this is their priority
- when we submit to community council, it should be priority to get on their agendas
- if the community council has items they want to see addressed, we need time to get back with our architects, engineers, city staff, etc. before it goes to open house and in front of planning commission
- this project has gone in front of community council several times and community council leaders should get it on the agenda as a priority item. this has nothing to do with, dave thinks he gets best treatment, this has to do with, if this issue is a priority for the city, show us by prompt agenda placement.

i don't know if there needs to really be an ordinance, but a reminder from city planning to the community council members that new construction is a priority. also, maybe you encourage planning staff to contact community council with a soft date heads up when the application is initially submitted. for example, if hoyt place was submitted 10 days ago, jp should be able to send bryce a heads up note stating the project has been submitted and to tentatively plan for the next community council meeting. then jp can continue his review of the submitted packet, make sure all are in tact, send the packet to bryce and asking for the hard date. then, we are on the earliest community council meeting, we hear their concerns, we address their concerns prior to the public hearing, we have a successful public hearing as we head to planning commission.

continuity and predictable path to the finish line is what i am looking for and i think you and city staff are also looking for.

thanks much

dave

On Wed, May 17, 2017 at 10:10 AM, Oktay, Michaela <[Michaela.Oktay@slcgov.com](mailto:Michaela.Oktay@slcgov.com)> wrote:  
Dave,

They aren't holding you up, actually, in terms of holding it in May or June. Both are within the 45 days for which the PC cannot make a decision until that 45 days is over. We are drafting an ordinance to address this, Cheri is working on this.

I hope that makes sense.

Sent from my iPhone

On May 17, 2017, at 9:05 AM, dave robinson [REDACTED] wrote:

----- Forwarded [REDACTED]

[REDACTED] >  
Date: Tue, May 16, 2017 at 2:52 PM

Subject: Re: FW: 842 East Planned Development

To: "Goates, Jonathan" <[Jonathan.Goates@slcgov.com](mailto:Jonathan.Goates@slcgov.com)>

Cc: Fairpark CC Chair <[Bryce.Garner@slcgov.com](mailto:Bryce.Garner@slcgov.com)>, dave robinson  
[REDACTED] >

Hi Jonathan and Dave,

Thanks for sending this. Our agenda for this month is already set. We could get him on the June agenda for 20 minutes--which will be on Thursday, June 22nd. Will that work for both of you?

Thanks,

Bryce

On Tue, May 16, 2017 at 2:13 PM, Goates, Jonathan  
<[Jonathan.Goates@slcgov.com](mailto:Jonathan.Goates@slcgov.com)> wrote:

Hi Bryce,

Dave also wanted me to include a rendering of the street view. Also wondering if you think there will be room on your agenda this month for Dave to present?

Thanks,

---

**From:** Goates, Jonathan  
**Sent:** Monday, May 15, 2017 4:59 PM  
**To:** Fairpark CC Chair <[Bryce.Garner@slcgov.com](mailto:Bryce.Garner@slcgov.com)>; Fairpark CC Chair <[Bryce.Garner@slcgov.com](mailto:Bryce.Garner@slcgov.com)>  
**Cc:** 'dave robinson' [REDACTED]  
**Subject:** 842 East Planned Development

Bryce,

The Planning Division has received a petition for a Planned Development at approximately 842 E Hoyt Place. The proposal is for a 10 unit combination of single family detached and townhome type development and new private road. The project will also need to go through a preliminary plat process. I have attached the following for your reference:

1. The petitioner's application materials and plans
2. A summary sheet with an aerial map of the subject property
3. A formal letter requesting your community council's input

As a recognized community organization you have 45 days from the date of this e-mail to provide comments on the proposed petition. The 45 day period ends on June 29<sup>th</sup>. Please let me know if you intend to have the petitioner present at an upcoming community council meeting, including the date and time of the meeting, and I will coordinate with them.

This project is also scheduled for an Open House at the following time/date (place TBD):

**Thursday, June 15, 2017**

**5:00PM – 7:00 PM**

If you have any questions about the petition please feel free to contact me.

Thanks,

**JP GOATES**

Principal Planner

DEPARTMENT *of* COMMUNITY *and* NEIGHBORHOODS

PLANNING DIVISION

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## Coffey, Cheri

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**From:** Coffey, Cheri  
**Sent:** Friday, February 17, 2017 11:51 AM  
**To:** 'Sam Mokhiber'  
**Subject:** RE: Recognized Community Organizations Proposed Amendment  
**Attachments:** 2.17.17 Revised Early Notification Current Initiatives Document.pdf

Sam,

Are you referring to Open City Hall? If so, I'm not sure if you have to sign in to read the proposals or if you have to sign in just to comment. However, if you are talking about Open City Hall, the topic has been closed but we are still in the process of gathering information before we take it to the Planning Commission and City Council.

I have attached a "fact sheet" about the topic.

If you have any questions or comments, please let me know.

Thanks

Cheri

CHERI COFFEY, AICP  
Assistant Planning Director

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

From: Sam Mokhiber [REDACTED]  
Sent: Friday, February 17, 2017 10:59 AM  
To: Coffey, Cheri <Cheri.Coffey@slcgov.com>  
Subject: Recognized Community Organizations Proposed Amendment

Hi Cheri

I was trying to read about this but it seems I am required to sign in

In don't remember having to do that in the past

Has the process changed?

Thanks  
Sam

Sent from my iPhone

## Coffey, Cheri

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**From:** Salazar, Nate  
**Sent:** Tuesday, February 28, 2017 3:00 PM  
**To:** Bonneville Hills, Brad Duncan; Reddick, Ellen; Bonneville Hills, Michael Ford; Capitol Hill, Andrea Ashbridge; Capitol Hill, David Ross Scheer; Capitol Hill, Jack Winward; Capitol Hill, Larura Arellano; Central City CC Chair; Central City, Theo Cowan; Downtown Alliance, Jason Mathis; Downtown Alliance, Jesse Dean; Downtown Alliance, Jim Olson; Downtown Alliance, Linda Wardell; Downtown Alliance, Molly Mazzolini; East Bench, Doug MacLean; East Bench CC Chair; East Bench, Suzanne Sackas; East Bench, Teri Davis; East Central, Esther Hunter; East Central, Neil Glad; East Central, Niki Nielsen; East Central, Taylor Parkin; East Liberty Park 1 CC Chair; East Liberty Park, Jason Stevenson; East Liberty Park, Marcia Black; East Liberty Park, Ralph Curtis; Fairpark, Ali Oliver; Fairpark CC Chair; Fairpark, Jade Sarver; Fairpark, Tom King; Federal Heights, Ann Robinson; Federal Heights, Beverly Nelson; Federal Heights, Eric Swenson; Federal Heights, Gene Fitzgerald; Foothill/Sunnyside, Erin Taylor; Foothill/Sunnyside, Leeaine Burnett; Foothill/Sunnyside, Denise Doxey; Foothill/Sunnyside, Devon Olson; Foothill/Sunnyside CC Chair; Glendale, Chris Ginzton; Glendale, Grant Gilmore; Glendale, Jen Lopez; Glendale, Sean Crossland; Glendale, William Palmer; Greater Avenues, Michael Hughes; Greater Avenues, Brian Hatton; Greater Avenues, Dave Alderman; Greater Avenues CC Chair; Greater Avenues, Peg Alderman; Jordan Meadows, Annabelle Valencia; Jordan Meadows, Bobbi Brooks; Jordan Meadows, James Goostrey; Jordan Meadows, Jenna Waters; Liberty Wells, Jeff Bair; Liberty Wells, Ryan Curtis; Liberty Wells, Steven Hunt; Liberty Wells, Valerie Vaughn; Liberty Wells, Wayne Howcroft; Millcreek Friends Interested in Dogs and Open Spaces, Polly Hart; Millcreek Friends Interested in Dogs and Open Spaces, Cara Lingstuy; Millcreek Friends Interested in Dogs and Open Spaces, Rita Lund; Poplar Grove CC Chair; Rose Park CC Chair; Rose Park, Brent Guymon; Rose Park, Corky Reeser; Rose Park, Craig Thomas; Rose Park, Dan Strong; Salt Lake, Dianne Leonard; Sugar House CC Chair; Sugar House, Bryce Williams; Sugar House, Judi Short; Sugar House, Landon Clark; Sugar House, Larry Migliaccio; Sugar House, Sally Barraclough; Sunnyside East, Jon Worlock; Sunnyside East, Kerry Doane; Sunnyside East CC Chair; Sunnyside East, Nancy Cowie; Heidorn, Tina; Wasatch Hollow, Brad Johnston; Wasatch Hollow, Laurie Bryant; Wasatch Hollow, Marilyn Domenick; Wasatch Hollow CC Chair; Wasatch Hollow, Mike Bander; Westpointe, Dorothy Owen; Westpointe, Larissa Verrill; Westpointe, Marlene Jennings; Westpointe CC Chair; Yalecrest, Karly Nielsen; Yalecrest, Loree Hagen; Yalecrest, Robert Argenbright; Robin Carbaugh; Yalecrest, Tracey Harty; Young Professionals, Alex Walton  
**Cc:** Coffey, Cheri; Seelig, Jennifer; Norris, Nick; Buehler, Elizabeth  
**Subject:** Development Review Process Survey

### Community Council Executive Board Members

Salt Lake City is currently analyzing changes to the Recognized Community Organization ordinance. As part of that analysis, the City is sending a survey to all members of Executive Boards of Community Councils to learn about what community council members believe is the general role of community council and the purpose of the community council's role in the development review process.

The survey consists of 17 questions and should take less than five (5) minutes to complete. Your cooperation in filling out the survey will help the City have a better understanding of how the different community councils operate. To take the survey click [here https://byu.az1.qualtrics.com/SE/?SID=SV\\_0wja3j4N0si0ctL](https://byu.az1.qualtrics.com/SE/?SID=SV_0wja3j4N0si0ctL)

Once the survey information is compiled, the City will reach out to community councils to discuss the results of the survey. This information will be used to help the City improve the Early Engagement Process and provide guidance for changes to the Recognition Ordinance.

Thank You,

CHERI COFFEY, AICP  
Assistant Planning Director

PLANNING DIVISION  
COMMUNITY *and* NEIGHBORHOODS  
SALT LAKE CITY CORPORATION

[Cheri.coffey@slcgov.com](mailto:Cheri.coffey@slcgov.com)

TEL 801-535-6188

FAX 801-535-6174

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Nate Salazar, MSW

Community Liaison

O: 801-535-7976

M: 385-775-8406

OFFICE *of the* MAYOR  
SALT LAKE CITY CORPORATION

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## Survey of Executive Board Members of Community Councils Executive Summary- Spring 2017

At the request of the Mayor and City Council, the Salt Lake City Planning Division was assigned the project to make revisions to the Recognized Community Organizations Ordinance. The purpose of the Recognized Community Organizations Ordinance is to identify the role of Recognized Organizations with Salt Lake City government and Salt Lake City government's role with Recognized Organizations. The City Council specifically requested that the Administration look at ways to enhance transparency and community engagement. The Council requested that neighborhoods around proposed projects are afforded adequate notification and have sufficient time to provide feedback and the review should consider ways to improve notification and participation at community council meetings and in other ways while balancing the needs of applicants to have a timely review process.

As part of this analysis, the Planning Division has held open houses, sponsored an Open City Hall topic and held a focus group meeting with former applicants on this subject. In addition, **the Planning Division, in cooperation with the Mayor's Office** and Civic Engagement Team, has conducted a survey of Executive Board Members of Community Councils to determine what they know of the Recognized Community Organizations Ordinance, how they operate in terms of it, and their processes of reviewing development and land use proposals and how to improve the process.

The Survey was conducted, via the internet, between February 28, 2017 and March 13, 2017. Of the Recognized Organizations that are Community Councils, responses were completed by people representing 16 community councils; approximately six (6) community councils did not respond. However, there were responses from four people who did not identify which group they affiliate with so some of those responses may be from the community councils who are listed as not responding. Results of the Survey are attached for your review.

In summary, of those who responded to the survey,

- **Approximately half (52%) were aware of the City's Recognition Ordinance.**
- There was no clear answer of what is the role of the community council; the answers were varied.
- Approximately 63% of responders noted that the **City's role in the process with the** community councils is to provide information, solicit feedback and answer questions.
- The majority of those who responded (79%) were most interested in how the project would affect them or their neighborhood.

- The majority (61%) also responded that they believe the role of the community council is different for the development / land use review process than it is for other types of presentations they receive from other City Departments (such as library updates, public safety information, events, etc.).
- While the majority of responders stated that the purpose of the development proposal presentations (53%) is to provide information about the project, the process and how to be involved, about 16% believed the purpose of the presentation is to determine whether the community supports or opposes the project.
- Of those who responded, 60% stated their community council usually or sometimes votes on a project. Of those who vote, the majority (66%) only allow residents of the community council to participate in the vote.
- The majority of respondents (67%) stated that the review process with community councils needs improvement, and
- 84% of respondents were willing to participate in training to learn more about the development review process and land use planning. (See attachment A for the Survey Report)

Based on this information, the Planning Division

1. Has made draft changes to the Recognition Ordinance to clarify the purpose of the notification and presentation of the information at community councils; (See attached)
2. Will make changes to the internal practices within the Planning Division of our role in the presentation of projects to community councils to ensure consistency of the process with each community council;
3. Has identified potential training opportunities for community council members to learn more about the planning, zoning and the development review process.

For More Information Contact

Cheri Coffey, Assistant Planning Director

Email: [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com)

Phone: 801-535-6188

Your comments will help City staff identify how to make the ordinance work for applicants, the public and decision makers.

The City invites you to a Public Open House on Thursday May 18<sup>th</sup> from 5:00-7:00 pm at the Sorenson Unity Center located at 1383 South 900 West. Staff will be available to provide information and listen to your feedback.





# COMMUNITY COUNCIL SURVEY



# REPORT

**DRAFT**  
March 31<sup>st</sup> 2017

Survey Powered By  
QUALTRICS

# QUESTIONS

## COUNCIL MEMBERS

- 4
1. Which Community Council do you attend?
  2. What is your position with the Community Council?
  3. How long have you been an active participant in the community council system?

## COMMUNITY COUNCILS

- 6
4. Are you familiar with Salt Lake City's Recognized Community Organization Ordinance?
  5. What do you think is the main role of the Community Council?
  6. What is the City's role with the Community Councils?

## PRESENTATIONS

- 8
7. Is the role of the Community Council different when it relates to presentations about proposed development vs. general presentations (public safety information, library events, City services, etc.?)
  8. What do you believe to be the purpose of the development proposal presentations and what is the Community Council's role in them?
  9. What type of information is most important to you in a presentation about a development proposal?
  10. When your Community Council receives a presentation about a development proposal, do you vote on the project?
  11. If a vote is taken, who can vote on the matter?

## PROPOSAL PROCESS

- 12
12. Do you believe the current development proposal review process at your community council works well?
  13. What are ways to improve the current process?

## PARTICIPATION

- 14
14. Besides the community council system, do you participate with City government in other ways?
  15. How familiar are you with land use planning and zoning and their general purpose?
  16. Would you be interested in receiving training about land use planning and zoning?



96 INVITATIONS  
53 RESPONSES  
16 of 22 COMMUNITY COUNCILS

# COUNCIL MEMBERS

## 1 - Which Community Council do you attend?

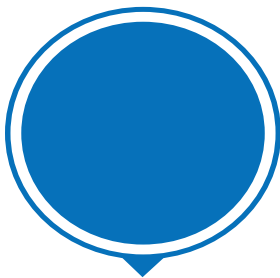
At least 16 Of 22 community councils took part in this survey, an additional few respondents took the survey without specifying which community council they participate with.

- Capitol Hill
- Yalecrest
- Rose Park
- Westpointe
- East Bench
- Glendale
- Jordan Meadows
- Wasatch Hollow
- Fair Park
- Sugar House
- East Central
- Great Avenues
- East Liberty Park
- BHCC
- CHNC
- LWCC

**Word Cloud**  
**(16/22 Community councils)**



TOP 3



8

CAPITOL HILL



5

YALECREST



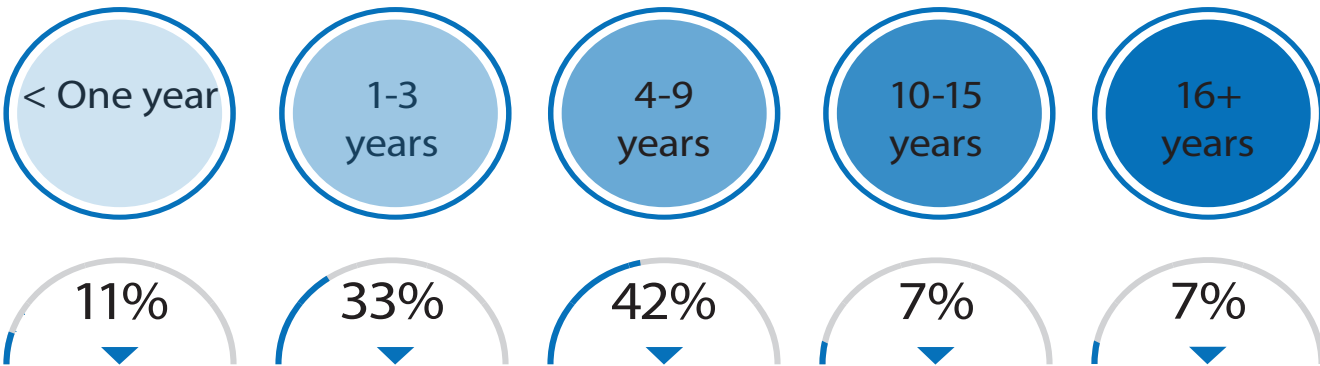
4

ROSE PARK & WESTPOINTE

2 - What is your position with the Community Council?



3 - How long have you been an active participant in the community council system?





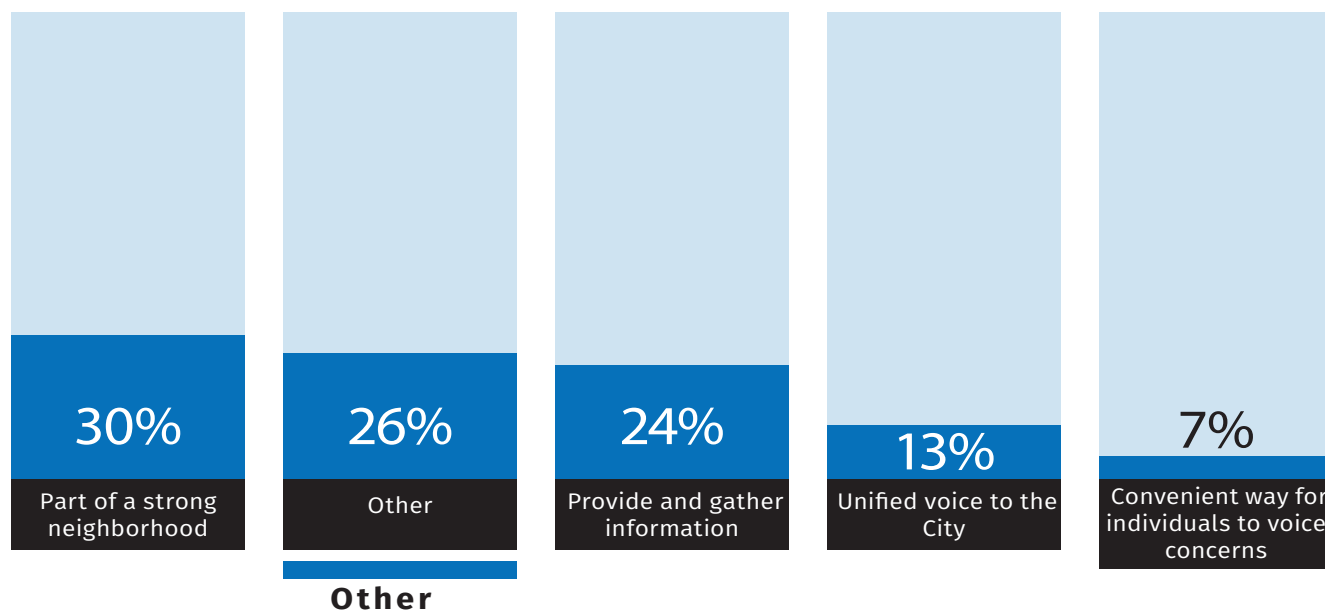
# COMMUNITY COUNCILS

## 4 - Are you familiar with Salt Lake City's Recognized Community Organization Ordinance?

Just over half (52%) of respondents are familiar with SLC R.O. ordinance.

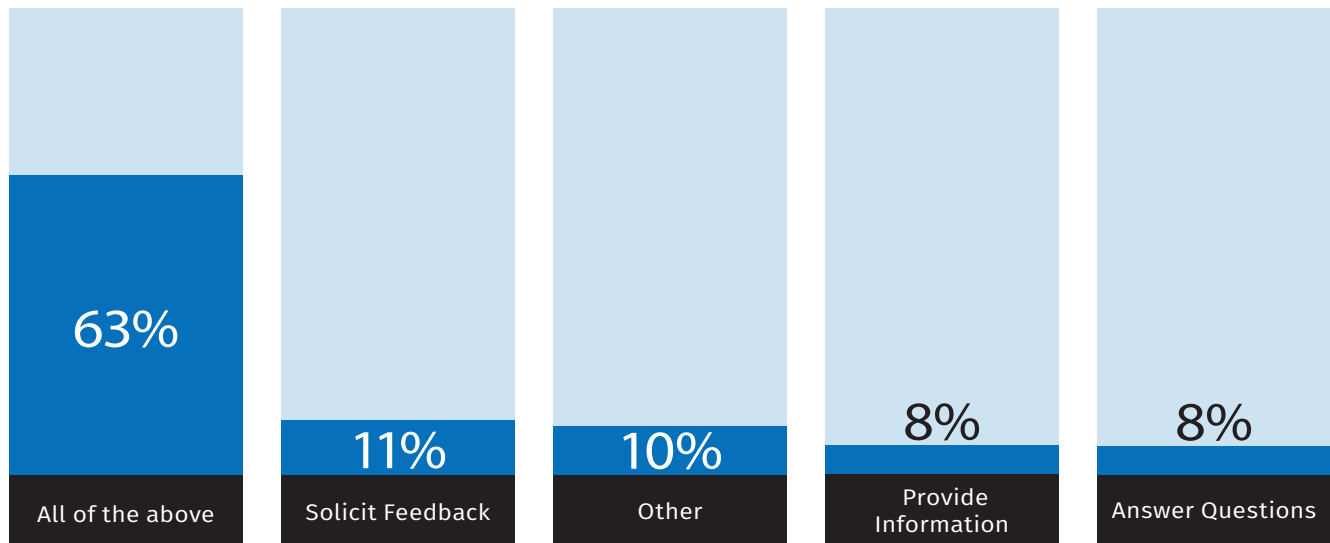


## 5 - What do you think is the *main role* of the *Community Council*?



- All of the above
- Help create change
- Advocate residents for the betterment of the community
- Promoting civic engagement and community solidarity
- To inform, educate, and make a stronger community while getting to know your neighbors

6 - What is the *City's role* with the *Community Councils*?



**Other**

- Assist with problem solving
- Provide Support
- Don't know
- Offer technology and small budget
- Help meet Council's by assisting with requests where possible
- The city needs to decide its role

# PRESENTATIONS

**7 - Is the role of the Community Council different when it relates to presentations about proposed development vs. general presentations (public safety information, library events, City services, etc.?)**

61% of respondents were of the opinion that the role of the community council differs when it comes to presentations about proposed development.

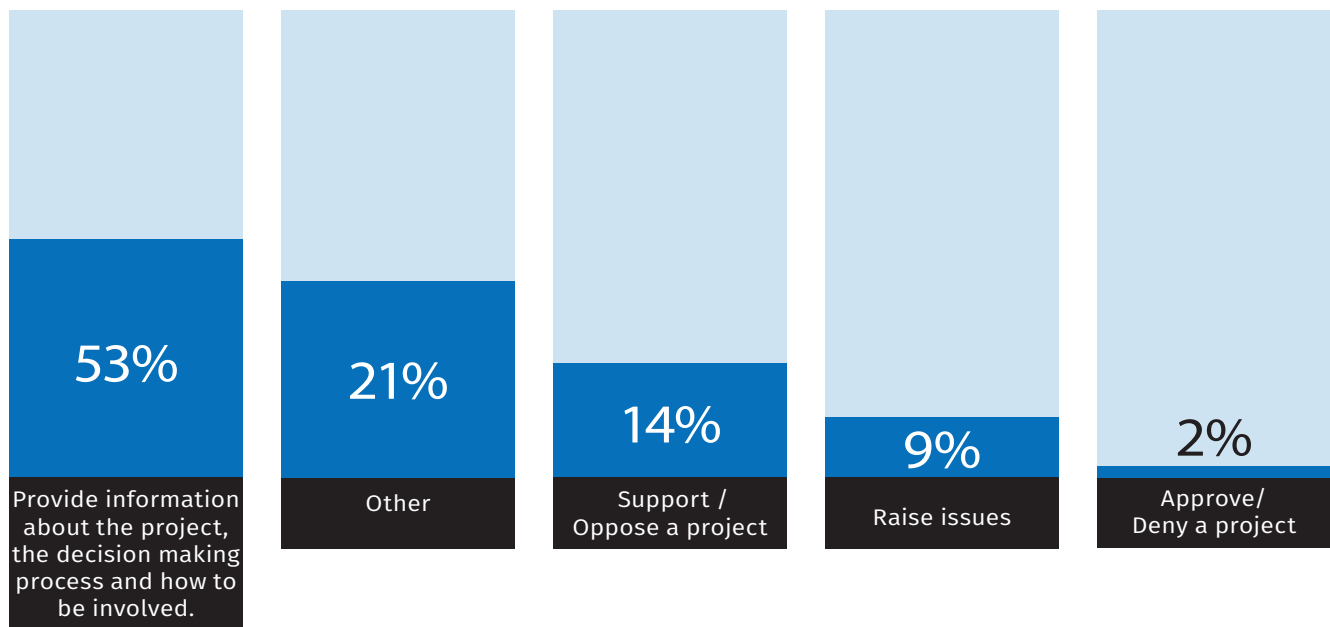
61%  
YES

39%  
NO

**8 - What do you believe to be the purpose of the development proposal presentations and what is the Community Council's role in them?**

The majority of respondents (53%) believe the purpose of the presentation is to obtain information about the project and how to be involved.

Approx 16% believed the purpose is to support (approve) or opposed a project.

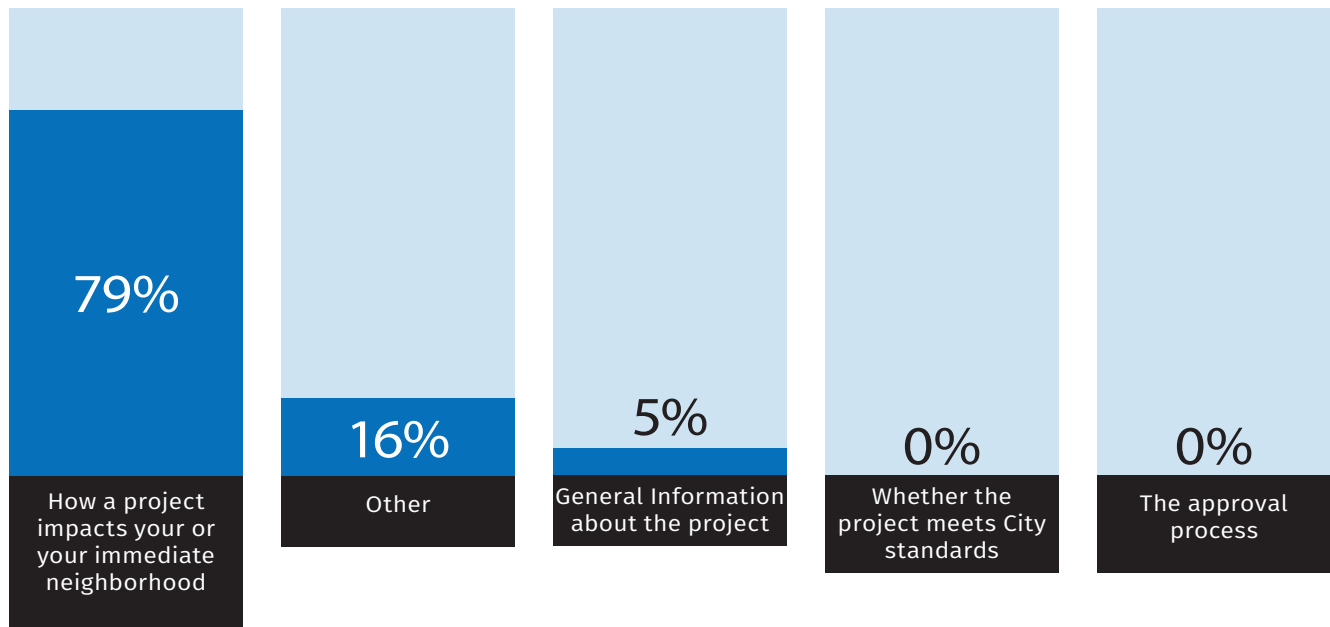


**Other**

- Raise issues, discuss, support/oppose
- 1 and 4 (Provide information about the project and Support / Oppose a project)
- The first two. (Provide info and raise issues)
- Consider then decide what action to take if any
- The role is defined by govt. It can change, but may include the above
- Honestly. All of the above. This is one where one selection is not enough
- Provide information about the project, Raise issues and support/oppose

## 9 - What type of information is most important to you in a presentation about a development proposal?

The majority of respondents (79%) said that information about how a project impact them or their NH.

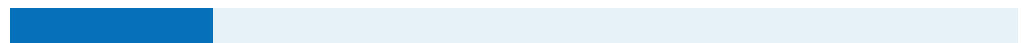


### Other

- All of the above
- General Information about the project
- Whether the project meets City standards
- The approval process + An early and often feedback loop. It seems as if a neighborhood would be sharing how it is impacted not the other way around

**10 - When your Community Council receives a presentation about a development proposal, do you vote on the project?**

76% of respondents stated that their community council usually or sometimes votes on a project.



**11 - If a vote is taken, who can vote on the matter?**

66% of respondents stated that if a vote is taken, only residents of the community council can vote.

0%  
ONLY TRUSTEES  
OR MEMBERS  
OF THE  
EXECUTIVE  
BOARD



# PROPOSAL PROCESS

## 12 - Do you believe the current development proposal review process at your community council works well?

67% stated that the current process for reviewing development proposal needs improvements.



## 13 - What are ways to *improve* the current process?

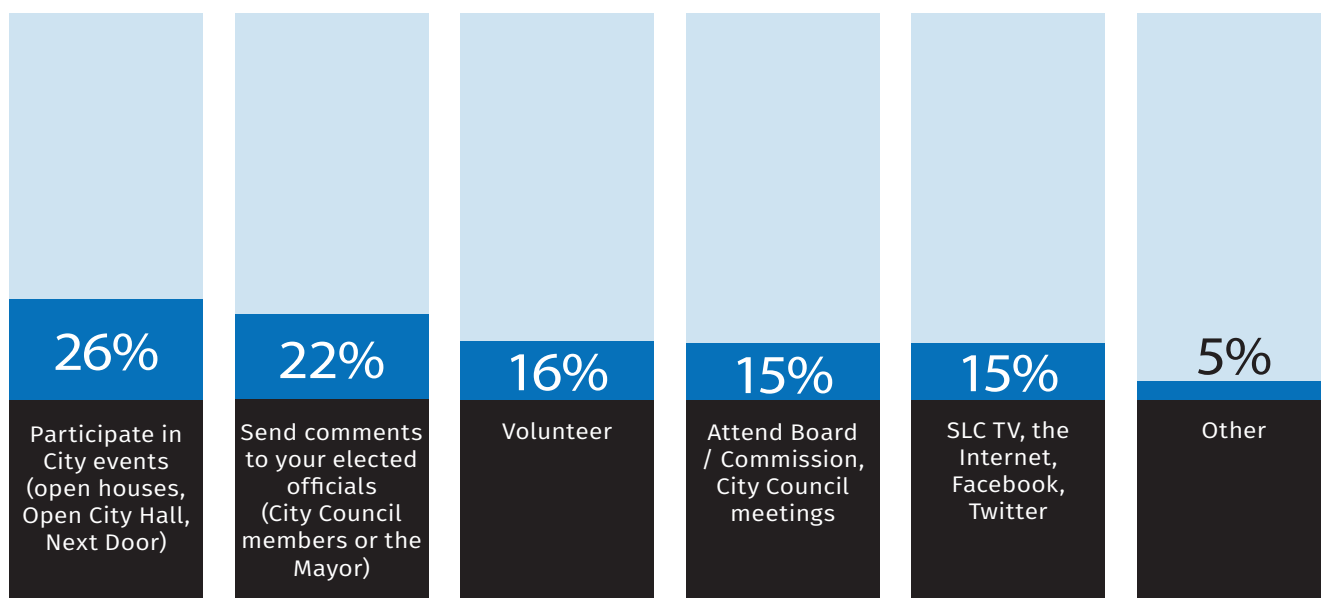
- I think it should be a more formal process, including a formal vote.
- Open communication.
- Better training and information sharing from the city.
- Clarify process and information sharing
- I am just getting started and have a lot to learn. From my phase of life, it would be easier to have shorter meetings (1 hour)/1x month.
- Extend the radius to 1 mile for notifications to immediate neighbors regarding petitions to change zoning
- Improved communication.
- To have city council more involved with community council about the issues.
- That the City actually listens to the council.
- Listen the members more and their concerns.
- I think it's working pretty well
- Better training and information sharing from the city.
- Make sure presentations are timely, i.e. give the council time to consider and respond in time to affect the project.
- Provide education on the proposed development.
- Involvement sooner in the process, the city's liaison should be familiar with the projects not just say go to open city hall
- More community involvement
- Figure out ways to make it less divisive.
- Define the processes
- It has worked fairly well for us.
- Be consistent with City Ordinances and policies.
- That the City actually listens to the council.

- Make sure that projects are presented in a way in which all residents can understand and to be involved.
- We need a more receptive City Government to recognize concerns our community council raises.
- Get all feeder schools involved and have agendas ready for schools to distribute to residents.
- City staff need to be able to explain the meaning and relevance of zoning text amendments that Council members are asked to comment on.
- Sometimes there is little known from the community what the department presenting does and what things they don't. It would be helpful to line inform the people in attendance what role they are playing in the development and, if any, what things they can't address in their presentation.
- The city needs to provide better notice, including with re: the landmarks commission. We only meet as a community council the first wed. of the month and as a board the second wed. More notification to the GACC as well as neighbors and more time to respond would be appreciated.
- We would like to initiate a Land Use Committee similar to what Sugarhouse does, but our Board has not been able to agree on a process. We have this proposal documented as a Draft SOP and would be happy to share.
- Information needs to be shared with all attendees, and effort needs to be made to get the information out to the entire council area (or sometimes a larger area.)
- Because of the timing of our meetings and the notice period, we sometimes don't have the opportunity to present at a General meeting. So a longer public comment period would be helpful.
- We are all fairly new and have not had much practice with the process. I certainly do not understand the process yet. When we have had developers present to us, but I get the impression that we are uncertain if our voice matters. It is nice of developers to present to us what they are going to do - but what if we don't like it? What CAN we do?
- Outline in advance how the project impacts the neighborhood; address how the project does or does not meet the goals of the community council; in addition to presenting at a meeting, provide digital materials for the council to continue to use on it's website and newsletters to ensure all interested residents receive the information
- Community council members generally are very familiar with the master plan and offer pointed comments and suggestions to promote the vision of the master plan. Sugar House takes notice to the affected area seriously and flyers ourselves. Notice from the city comes WAY TOO LATE for the general public to learn about the project and make good comments. The notice needs to go out much earlier to help residents know of opportunities to learn. Planning puts the documents on ACELA and they are so difficult to access. Everything that is public should be easier to find on the city's website. The city needs to require a rendering of the project for public consumption to better visualize the project. Mechanical drawings do nothing to assist in understanding.
- Involve residents and Community Councils at the earliest opportunity. Do not let developers make the rules.
- More robust discussions. Including CC's throughout the planning process. Always seeking approval/disapproval from CC's.



# PARTICIPATION

**14 - Besides the community council system, do you participate with City government in other ways?**

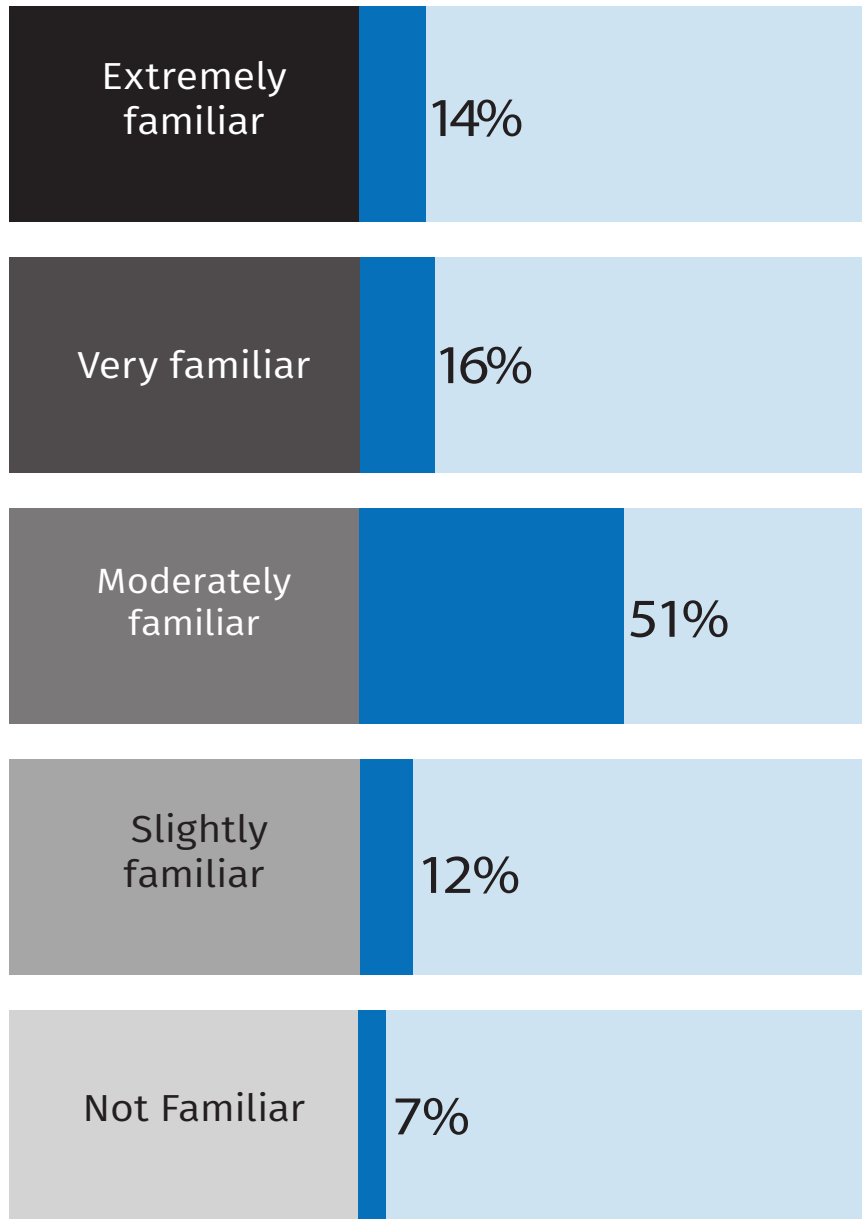


## Other

- Yeah, pretty much everything ·
- Open city hall ·
- No ·
- School Volunteer ·
- Bonneville Elementary ·
- Member of citizen advisory board ·

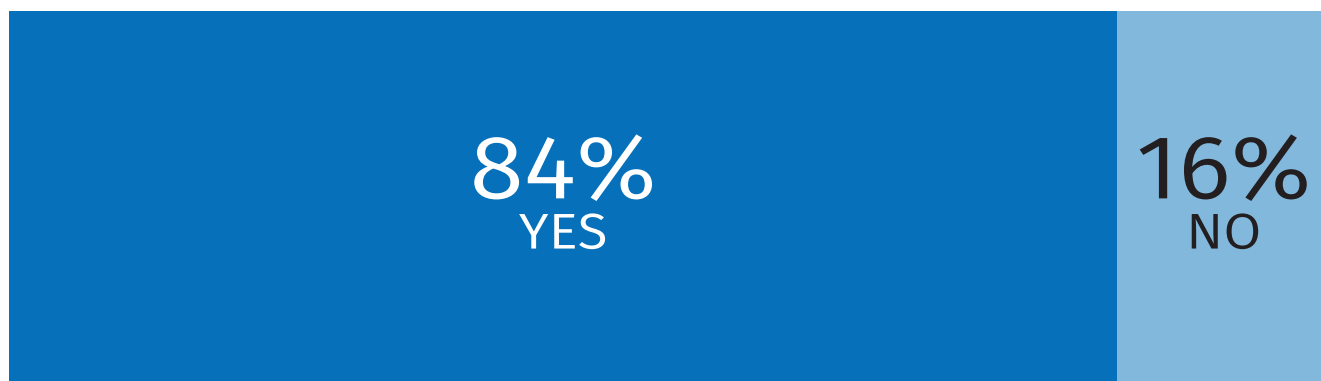
**15 - How familiar are you with land use planning and zoning and their general purpose?**

Approximately half of the respondents (51%) are moderately familiar with land use planning w approx 30% as well.

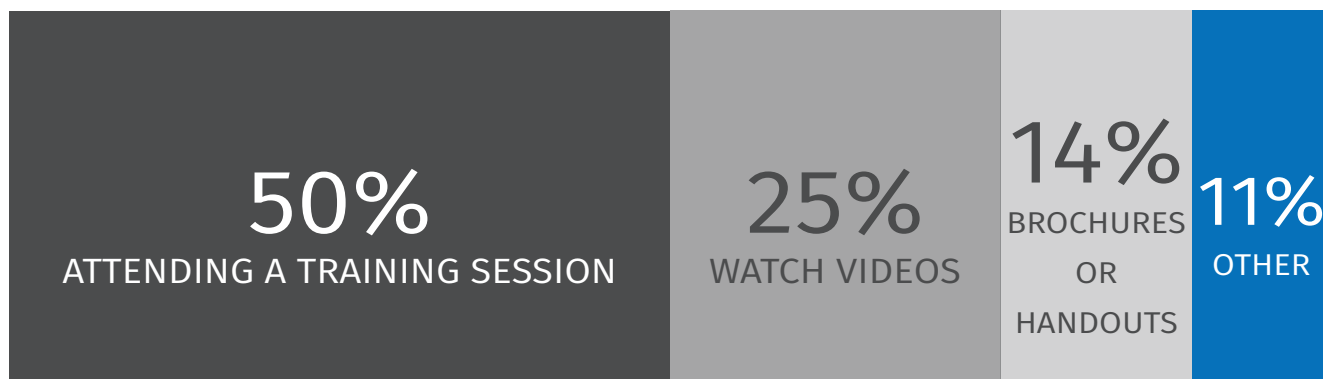


**16 - Would you be interested in receiving training about land use planning and zoning?**

84% of respondents would be interested in training opportunities to learn more about land use planning with the majority of those interested in attending training sessions



**17 - Would you be interested in receiving training about land use planning and zoning?**



**Other**

- Come and present at the GACC regular meeting
- All of the above
- Any or all of the above
- All of the above





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## Salt Lake Community Network Agenda

[VOA Youth Resource Center](#)

[888 South 400 West, Salt Lake City, 84101](#)

Blue Arrow Room

ring doorbell at main entrance on SE corner of bldg

Thursday @ 7am

2nd Thursday of the month

April 13th, 2017



Website



Facebook



Email



Google Plus

### 7am - Welcome & Introductions

Dianne Leonard, Chair, SLCN

### 703am - SLCN Business

- Approve prior [Meeting Minutes](#)
  - Click [HERE](#) to view minutes for March 2017

### 705am - Community Organization Updates

- **Please** limit your comments to under (1) minute
- Click [HERE](#) to see construction updates from Sugar House Community Council

### 0720 - Updates from the [Mayor of SLC](#)

Nate Salazar, Community Liaison, Office of the Mayor

### SLCN Executive Committee

Chair - [Dianne Leonard](#)

Vice Chair - [Michael Iverson](#)

Secretary - [Dennis Faris](#)

Treasurer - [Jade Sarver](#)



Advocacy & Civic Engagement is a program of the Salt Lake Community Network.

The goal of Advocacy & Civic Engagement is to provide organizations with resources and support to help them voice their concerns and participate in the political process and create the change they need to see in the world. This workshop gives you time to identify your goals and take your voice to the streets.

- Develop an advocacy plan for your organization.
- Create a public campaign to get your message out.
- Identify potential supporters of your organization's mission and build the support you need to see the change you want.
- Meet and hear from Salt Lake's 100,000+ college students as part of their curriculum and as potential supporters.

Organizations will learn and experience the following:

- Story of change
- Public campaign
- Policy change
- Advocacy plan
- Community coalition
- Advocacy skills
- Public meeting, advocacy
- Community coalition
- Advocacy plan

May 30th & June 13th from 9:00-3:00 p.m.  
Workshop: August 16th from 9:00-1:00 p.m.

Registration and more information:  
<http://credential.utahnonprofits.org/credential/civic-engagement>

### **730am - Professional Development Committee**

Ellen Reddick, Committee Chair

*Roberts Rules of Order - Simple Tools*

[UNA](#)  
[Advocacy & Civic](#)  
[Engagement](#)  
[Credential](#)

### **740am - Early Engagement - Community**

#### **Council Survey Results**

Cheri Coffey, Assistant Planning Director, SLC  
Planning Division

*As part of the analysis of changes to the Recognition Ordinance and Early Engagement Requirements, SLC conducted an online survey of Board Members of Community Councils*

### **8am - Proposals for Citywide Zoning Changes**

Cindy Cromer, Zoning Geek

- 1) Movement of language from Chapter 21A of General Provisions regarding overlay districts into each zone description
- 2) R-2 Zone restriction that does not allow a subdivision if there are already duplexes on the street
- 3) Concern regarding SLC's apparent disregard of Master Plans and stated planning policy regarding the proposed closure of a crosswalk near the Gateway area

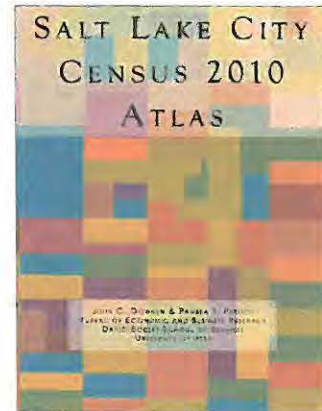
### **810am - Preserving NRHP Neighborhoods**

Lynn K Pershing, Director of Education,  
KEEPYalecrest

*Proposed amendments to three city ordinances to provide protection from demolitions in NRHP neighborhoods*

### **830am - Meeting Adjourns**

Our next meeting is Thursday, May 11th @ 7am



### **SLC Census 2010 Atlas**

Are you curious  
about the  
demographics of  
your neighborhood?  
Here's a good place  
to start! This is all  
the information  
about Salt Lake City  
from the 2010  
Census. Let us  
know if you have  
any questions on  
how to use this  
tremendous  
resource!





SLCN

Meeting Minutes

VOA Youth Resource Center

888 South 400 West

Salt Lake City, UT

Thursday, 7am

April 13, 2017

7am Meeting called to order by Dennis Faris, Secretary

- Introductions by those in attendance:
  - Kim Bowman, Moana Uluave-Hafoka, Michael Dodd, Dorothy Owen, Jade Sarver, Michael Iverson, Laura Arellano, Sean Crossland, Cheri Coffey, Virginia Hylton, Lynn K Pershing, Ellen Reddick, Esther Hunter, DeWitt Smith, Cindy Cromer
  - Apologies from those that can't make today's meeting: Dianne Leonard

701am SLCN Business

- Approve March Minutes – Judi moves, Michael Dodd 2nds. Passes unanimously.

705am Community Organization Updates

- Kim – Greater Aves CC, Memory Grove Cleanup, Aves Street Fair, 9/9
- Michael Dodd, Wasatch Hollow Fest, working on Wasatch Hollow Preserve, Off leash dog park happening
- Dorothy Owen, Westpoint, JM, meeting together, had State Senator, City and County Council, ongoing discussion regarding development of the NW quad
- Jade Sarver – Fairpark, plant sale coming up, Folsom trail is in progress
- Michael Iverson – Developments happening, Liberty Boulevard changes, Marathon coming up on 4/23 will impact downtown traffic, homeless resource center coming in, working on an oversight board idea. Michael is doing a great job in live streaming events
- Laura – Cap Hill and Marmalade, Jam Fest, Ensign peak Clean up, Jam Fest coming up end of summer,
- Sean – Glendale, 900 W is closed, energized meeting about Sorenson Center management changes, new homeless resource center is 10 blocks south of Glendale, 3100 S and 1000 W, southern border is 2100 S
- Sean is doing a UNA training, 5/30 and 6/13, 2 all day trainings, UNA members are \$100 or \$150, they may be able to get a discount. Utah Non-profit training, covers training for social change theory, how to organize around an issue, policy change, link exists on the agenda
- Dennis – PGCC, City has agreed to sign a 10 year contract to carryon management, contract negotiations in process, Bike Park at freeway at 900 S, Construction has started, improved pedestrian crossing process, new Wasatch Community Garden is going in, 9 line improvements are going in, 900 W is going through a lane realignment
- Virginia – here to talk about zoning ordinances, new ballpark is being proposed by U of U, some are for it, some are against it, neighborhood council is having a web based travelling yard sale,







May 12<sup>th</sup>, [YalecrestNeighborhood.com](http://YalecrestNeighborhood.com), proceeds go to charity, KeepYalecrest 501C3 has been organized as a historic preservation group, new open space trails are in progress

- Ellen – East Bench Master Plan has been completed, now they are working towards implementation, there are 8 teams who have taken a section to find resources to implement the master plan
- Esther – East Central, established a safety pedestrian plan, and the last of those devices has been installed, working on children's community garden, 55 fruit trees, orchard needs a little work, Trolley development is on the border and there are some concerns about the design and demolishing some of the buildings on 600 S and 700 E, other developments in process, 2 Porch Fests trying to accomplish (expanded to another location)
- Judi – Sugar House, Judi has provided a list, Legacy is the new tall building on Wilmington, Assisted Living, lots of work happening in Sugar House
- Dewitt Smith – Liberty Wells, Liberty Park Market flyers, starting June 9<sup>th</sup>, working on vendors, trying to be restrictive so the focus is on farming, honey vendor, in the NW corner of the park

720am Updates from the Mayor of SLC – Moana Uluave-Hafoka, Community Liaison

- SLC is working on Homeless Resource Centers, design happening on High Ave, construction slated for 2017, internal discussion of what community oversight board will look like, including public input process, there will be discussion of populations, call representative or County Mayor to talk about populations; Moana will follow-up on Sorenson

730am Professional Development Committee – Ellen Reddick, Chair

- Robert's Rules Report, ground rules for meetings, or having them posted on the wall, establishes control, everyone has a space and a voice, establishing ground rules, RR has been around for 187 years,
- Robert's Rules laminated guide, recommends getting one for yourself and for each of your board members, updated every 7 years, available on Amazon here:
- <https://www.amazon.com/RobertS-Rules-Order-Quick-Study/dp/1423216679>
- Click [HERE](#) for a scanned copy of the document
- Also recommends having a pocket copy of the Constitution available for \$1 at the library
- Email Ellen if you would like to have a copy of all the Directors in Salt Lake City, this is helpful
- Ellen is happy to come to a meeting and help with facilitation
- Orange Crossing Flags
  - You can sponsor getting flags for crosswalks, Sugar House was able to get a donation for flags from a developer
  - schools and libraries are free
  - Click [HERE](#) for the Crosswalk Sponsor Form
    - POC in Transportation is Michael Barry, [michael.barry@slcgov.com](mailto:michael.barry@slcgov.com), 801-535-7147
  - SLC will handle install of poles and 1st set of flags, after that you are responsible for replenishing flags and paying for them @ SLC Streets Division, 2010 West 500 South. Call first to order (multiples of 10): 801-535-6971
  - They will trade out damaged flags for free
  - Non-reflective flags \$.50 each
  - Reflective flags \$1.50 each





- Click [HERE](#) for Directory of SLC Department Heads

#### 740am Early Engagement - Community Council Survey Results

Cheri Coffey, Assistant Planning Director, SLC Planning Division

- Mayor asked the Planning Commission to get more information on Recognition Ordinance, Planning Commission works to get community input before the planning happens,
- Clarify the ordinance and have a timeline review process for applicants
- Rip Cord provision through the state, This allows applicants to request a decision within 45 day, this is not aligned with City policy
- The City would like to get input from people, and also get feedback from people who can't/won't go to meetings
- Administrative Projects, Conditional Use, Planned Developments, Role is to make sure those projects meet the rules, City requires a process for projects outside the rules for these, requires evidence
- Rezoning, zoning ordinance goes to the Planning Commission and City Council
- They tried focus groups, and other ways of getting public input
- One way is to get Community Council input, sometimes things are city wide, like Text Amendments, would be through Open Houses, Open City Hall, Surveys, Focus groups of stakeholders, Planning is trying to get as much input as possible
- On this topic 220 people reviewed the info about outreach, they did a focus group and surveyed the community
- Goal is to clarify the ordinance, get ways to get more people to participate, it seems like CC's do things differently, each CC does something different, applicants are looking for consistency, out of 22 CCs, 16 responded
- Survey results show City's role is to provide information and clarify
- 79% were interested in how it impacts them
- Purpose of the presentation, CC's had different ideas of what those purposes were for, most were to get information, 16% were to find out if there was support for a project
- City wants to get issues to come out in CC Meetings
- 60% of CCs sometimes or usually vote on a matter, the vote isn't as important as the issues from the City perspective, most only allow residents to vote
- City does not want to adjust how CC's operate
- City wants to Planner to present at CC meetings, not to talk about the project, or sell the project, just there to tell people what the process is, which should allow for more consistency among CC's
- Dennis has a copy of the results and we will email it off, PDF is in the email, very back part is the draft part of the ordinance
- Planning will be providing training on Land Use and training materials to help CCs have a better sense of what's going on
- Click [HERE](#) for CC Final Survey Report
- Click [HERE](#) for Proposed Changes to Recognized Community Organization Ordinance

#### 8am Proposals for Citywide Zoning Changes

Cindy Cromer, Zoning Geek

- Click [HERE](#) to see details on Cindy's proposals and her reasoning for them





- Landlord who is making a petition with the city
- (Secretary Note: this is an abridged version of the full proposal which is available in the agenda)
- Proposal 1 - 21-A, In General Positions (overlay district, Historic takes precedence over other district), would like to clarify the rule)
- Proposal 2 – Property owner in R2, wants to build townhomes as condos on the property, and rules don't allow, can build 2 rental units, wants to build condos with owner occupancy with restrictions on owner occupation, ordinance will not allow for them to split the lot and build 2 condos, feeling like if a single unit with an ADU is different than 2 condos
- Proposal 3 – No definition that constitutes an amendment to the master plan, planning commission has been consistent, but proposal is that if there is a change, it should be a master plan amendment
- Been held up by demo process and Rule 2 proposal is more time sensitive, she can build the units, but probably can't sell until this is resolved

#### 810am Preserving NRHP Neighborhoods

Lynn K Pershing, Director of Education, KEEP Yalecrest, and Virginia Hylton

- (Secretary Note: this is an abridged version of the full proposal which is available in the agenda)
- Discussion of protection of 23 city nationally registered neighborhoods
- There are no protections, currently honorific only
- Yalecrest has lost 40 homes, 6 to 7 per year and being replaced "McMansions"
- Concern about how this impacts affordability
- Becoming a national historic area takes significant effort, but they are being torn down
- Civility in process for demolition, and replacement in kind of housing
- Reviewed 12 western cities to see how they deal with demos in historic districts
- Would like to see definitions of demo ordinance, and clarify rules about demo, (any exterior wall would be a demo)
- There is no advanced notice required for demolition, proposal would require notification within 300 feet and 30 days
- Would like replacement of in kind housing
- There are several amendment suggestions in the proposal and attendees are recommended to review the proposal
- Would like support from CC's with historic areas, there are 23 neighborhoods, would like to have more protections to keep historic homes
- [www.YalecrestNeighborhood.org](http://www.YalecrestNeighborhood.org)
- [KEEP Yalecrest - SLCN April 13, 2017.docx](#)
- [KEEP Yalecrest - SLCnet NRHP map and envelope graphic](#)

#### 830am Meeting Adjourns

- Next meeting is Thursday, May 11<sup>th</sup> @ 7am
- VOA Youth Resource Center, 888 S 400 W, Blue Arrow Room, Upstairs

P.S. - Sugar House is two words. Westpointe is one word with an "e" at the end.

Future board item: Talking about CC's functional details (voting, organization)

Action item: Request to Moana to get a list of all the boards by District as well as vacancies

Next Meeting: May 11, 7:00, Calendar items; add them to the calendar



## Reasons for introducing "OR"

### PART I

I'll start by taking a look at the time/effort associated with two types of community outreach **from the perspective of the City employee**: in-person attendance at a community meeting and an open house held at the workplace.

#### Attendance at community meetings requires

- travel time
- time commitments after regular working hours
- delays when meeting are not on schedule
- potentially hostile members of the audience when issues are controversial
- no compensation for salaried employees

#### The open house format requires

- no additional travel time
- a time commitment which overlaps with regular working hours, extending them by at most one hour
- predictable schedule, 4:30 to 6:00 pm
- numerous other staff members and security personnel available immediately for support
- no additional compensation for salaried employees

Now I'll look at the same two options from the **perspective of a resident, landlord, or business owner**. In other words, someone who would be defined as a member of the community council.

#### Attendance at community meetings involves

- the same travel time, time commitments, and social contacts that the individual has already been willing to make if a regular attendee at the meetings
- the meetings have a well-established location and schedule
- short travel time because the meeting is in the neighborhood, 2 hours average for attendance at the entire meeting, and contact with new people for individuals who do not regularly attend the meetings
- some likelihood that other people in attendance will know the right questions to ask, if the attendee does not

#### The open house format involves

- additional travel time to the City and County Building
- a time commitment at the end of regular working hours, during peak traffic, with challenges regarding parking
- a schedule (3rd Thursday) that one finds out about through the City's Listserve or possibly a City Council member's newsletter, the community council's electronic newsletter, or maybe the City's website. If one does not already know about the open houses, then I do not see how one finds out about them in time to attend. The City sends post cards to nearby property owners for hearings. I don't recall ever getting one for an open house. I rely completely on the electronic notice from the Listserve.
- no guarantee that community members who know the right questions to ask will be present at the same time to ask the right questions

Obviously, a staff member trying to conserve time would choose the format for an open house. There is no way that a staff member could travel to a community council, wait for the item to come up on the agenda, respond to questions, and travel a distance equal to the initial trip in an hour and a half. Additionally, there are the unknowns in attending a meeting in the community. It is also obvious that the person who attends community council meetings regularly has to spend additional time to attend an open house. It is an additional meeting. The open house format works to the advantage of the staff member



and to the disadvantage of the regular community council attendee. I also believe that the format works to the disadvantage of people who do not attend community meetings or the open houses. I do not know how people who are not already engaged in the City's activities even find out about an open house affecting their residence or business.

During periods of increased workloads, City staff would certainly prefer the more efficient approach of scheduling an open house and would certainly not want to hold an open house **and** attend a community council meeting. The current workload is intense and has been since the Recession abated.

Staff members have assumed that they had a choice and inserted "OR" into the requirements when the City Council never intended for the outreach to be *less* when the proposal was near the boundary of two community councils. The City Council did not intend to place a burden on citizens to attend two meetings: the one that they regularly attend for the community council and an additional one. The interpretation by the staff members that they only had to do one type of outreach is rooted in their desire for efficiency and timely processing of an applicant's request. It is not the language in the ordinance. It is not the legislative intent. The City Council intended for the stakeholders to have more opportunities for engagement, not the burden of an additional meeting and additional travel time.

Finally, it is illogical to have an abbreviated process which places a greater burden on citizens when the proposal is on the border of two community councils. This is not only because more than one organization can be viewed as a stakeholder, it is clearly because the boundaries of community organizations are frequently defined by very important corridors, ones which deserve and should receive the greatest attention in the planning process. The boundaries for community organizations include the South Temple boulevard, recognized nationally; State highways which are in great need of rehabilitation such as 700 E and State Street; 800 and 900 S likely to be the major connector between eastside and westside neighborhoods; and so forth. In short, a proposal on a boundary between community organizations is likely to be a very important project, not because more than one community organization is involved but because the boundaries of the organizations are located where they are because of the importance of the corridor.

## **PART II**

So why have I waited so long to comment on the Planning Division's practice regarding open houses?

Multiple reasons:

1. I own properties in 3 different community councils. Two of them meet on the same night. I am interested in land use and not in many of the other items which show up on agendas at community council meetings. I am keenly aware of the efficiencies of the open house format for myself and for the City's employees.
2. I have witnessed City employees from Parks and Planning being treated without respect at community council meetings.
3. I have seen community council leader pander to developers and support projects which did not comply with the ordinance or master plans, while the Planning staff remained silent regarding the erroneous information.
4. I view both formats, community council presentation and open house, as having serious flaws regarding public engagement.
5. As a small scale developer, I have an appreciation of the current workload City employees involved in development are experiencing. The frenzied environment regarding real estate is out of control.

## **Notification to Community Organizations Regarding Land Use Petitions**

Salt Lake City ordinance articulates the City's responsibility to notify recognized community council chairs of land use petitions occurring within their boundaries at least 45 days prior to holding a public hearing on such petitions (e.g., Planning Commission hearings). Ordinance §§21A.10.010 and 2.60.050. This 45 day period allows community councils sufficient time to schedule projects for community member education and consideration at their regular meetings, and to obtain associated community comment through official vote and/or other means. City ordinance further specifies that for projects occurring within 600 feet of bordering community council districts, the City will schedule the project for presentation at a Planning open house and notify affected community council chairs. Ordinance §2.60.050. Notably, no notification window is specified in City ordinance when the requirement to schedule an open house is invoked due to a project's relative location.

City Planning is currently interpreting its notification ordinance in a manner that limits engagement with community councils and circumvents the 45 day notification window to council chairs in exclusive favor of holding an open house for projects bordering other community council districts. Planning appears to be noticing City-wide ordinance amendments similarly. The explicit text of the relevant City notification ordinance, however, does not support Planning's interpretation. Instead, the ordinance's text presents scheduling an open house for projects near the boundaries of organization districts as an additional requirement to providing applicable community council chairs the 45 notification window prior to holding a public hearing regarding land use petitions. Greater notice requirements for projects near the borders of other community organization districts is sound policy, as such projects affect multiple communities and therefore should be associated with a broader opportunity for public comment. Indeed, many community council district borders represent important community corridors, and therefore should be associated with broader community outreach on the part of the City (e.g. South Temple, North Temple, Foothill Drive, State St., 700 East, 1300 South, etc.).

This issue was raised to the City in connection with a significant rezone petition near Trolley Square that appears to have not been properly noticed to the Central City Neighborhood Council chair. For clarification, Central City resident Jack Davis submitted a Request for a legal advisory opinion from the Utah State Property Rights Ombudsman regarding the proper application of the City's notification ordinance. The City Council further adopted a legislative action on April 19, 2016 requesting that the Administration review its early notification processes in view of this issue. While the opinion from the Ombudsman and the results of the Council's legislative action are forthcoming, community councils should nevertheless consider advocating for the City to interpret its ordinance in a manner that preserves their traditional roles as community educators and forums for community engagement, or amend the ordinance as appropriate to achieve the same.

### **Links to Further Relevant Information:**

- Salt Lake Planning Flow Chart of City's Current Interpretation of Notification Requirements  
<https://www.dropbox.com/s/d31434cvy3e1b2l/Neighborhood%20Notice%20Alternatives.pdf?dl=0>
- J. Davis Request for an Advisory Opinion from the Utah Property Rights Ombudsman  
<https://www.dropbox.com/s/i8y00mh34aek7zh/Advisory%20Opinion%20Request.pdf?dl=0>
- Salt Lake City Reply to Property Rights Ombudsman in Response to J. Davis' Request  
<https://www.dropbox.com/s/itn2iupttjilq2/City%20Response%20to%20Request.pdf?dl=0>
- J. Davis Response to Salt Lake City Reply to Property Rights Ombudsman  
<https://www.dropbox.com/s/db7b8b67ynczucw/Reply%20to%20City%20Response.pdf?dl=0>
- Video of April 19, 2016 City Council Legislative Action Regarding Community Council Notification  
<https://youtu.be/zXXffs6Eik?t=5082>

*Disclaimer: The analysis and conclusions presented above do not constitute legal advice. This document and any associated documents have been prepared solely based on the author's role as a resident of Salt Lake City affected by a land use decision. Anyone with an interest in these issues who must protect that interest should seek the advice of their own legal counsel and must not rely on these documents as a definitive statement of how to protect or advance their interest or as an accurate statement of the pertinent facts and issues.*



## Poland, Michelle

---

**From:** Coffey, Cheri  
**Sent:** Monday, May 15, 2017 1:46 PM  
**To:** Poland, Michelle  
**Subject:** FW: Recognition

Michelle,

Will you please redact the personal information from the below email?

Thanks

CHERI COFFEY, AICP  
Assistant Planning Director

PLANNING DIVISION  
COMMUNITY *and* NEIGHBORHOODS  
SALT LAKE CITY CORPORATION

Cheri.coffey@slcgov.com  
TEL 801-535-6188  
FAX 801-535-6174

[WWW.SLCGOV.COM](http://WWW.SLCGOV.COM)

**From:** Esther Hunter [REDACTED]  
**Sent:** Thursday, November 10, 2016 9:46 AM  
**To:** Coffey, Cheri <Cheri.Coffey@slcgov.com>  
**Cc:** [REDACTED]  
**Subject:** Recognition

Cheri, Great to see you this morning. I wanted to quickly respond with a reference for you. This is from my computer not from Sterling, and if I remember correctly this was a revision of an earlier version of the ordinance that may not have been in the same location. If I find more I send it to you. The earlier version requested a few more details that we have always hoped were helpful to the planner and developer such as how many people were in the meeting, if a formal vote/position was taken, etc. but hopefully this will convey the concept of my suggestion from this morning. We always felt this type of structure was not only helpful but more fair to everyone. Thanks for considering. Esther

### **2.62.040: PARTICIPATION IN PLANNING PROCESS:**

A. Recognized and registered organizations are encouraged to make recommendations concerning matters of which they are given notice pursuant to this chapter. In making such recommendations the spokesperson for the organization shall specify the following:

1. The nature of the meeting at which the organization's recommendation was obtained (i.e., executive committee, board, general membership, or otherwise);
2. The notice procedure for the meeting at which such recommendation was made;

3. The vote on such recommendation;

4. Any dissenting reports.

B. The Salt Lake City planning division staff shall encourage all zoning petition and/or conditional use applicants to meet with affected recognized organizations to discuss and receive input on the petition or application proposal prior to scheduling the matter for consideration by the planning commission. A report of the discussions with the affected recognized organizations and the applicant shall be contained in the planning commission staff report.



## SALT LAKE CITY PLANNING DIVISION

# OPEN HOUSE

May 18, 2017 at 5:00 pm to 7:00 pm

Sorenson Unity Center  
1383 S 900 West, Gallery/Lobby  
Salt Lake City, Utah 84104

### ON THE AGENDA

#### **Sugar House Planned Development and Conditional Building and Site Design Review at approximately 2290 S 1300 East**

**Request:** To approve development of two office buildings with an associated parking structure, and a mixed use building that includes multi-family residential and ground floor retail. The office buildings are each approximately 100 feet in height with some height variation due to a sloped grade. The associated parking structure is located under the office buildings and will accommodate approximately 1,200 vehicles. The mixed use building is expected to accommodate approximately 200 residential units and will include ground floor retail space. The development also includes a new through street (Stringham Avenue) that connects Highland Drive to 1300 East. The development must be reviewed as a Planned Development as two of the buildings will not have frontage on a public street. Other zoning requirements may be modified through the Planned Development process. The development also must be reviewed through Conditional Building and Site Design Review as the process is required for buildings that exceed 50 feet in height in the associated zone.

**Zoning District:** Sugar House Business District-1 (CBSD1)

**Staff Contact:** Daniel Echeverria at 801-535-7165 or [daniel.echeverria@slcgov.com](mailto:daniel.echeverria@slcgov.com)

**Application Numbers:** PLNSUB2017-00298 and PLNPCM2017-00300

#### **Early Engagement Proposed Process and Rule Changes (Changes to Recognized Community Organization Ordinance)**

**Request:** Salt Lake City strives to utilize best public engagement practices to educate, engage and receive input from the public. In the recent past, it has become clear that the way the rules are written may be confusing. The Mayor and City Council have requested that City staff review and identify proposed changes to clarify the language in the rules relating to the early notification process and the Recognized Community Organization Ordinance and find ways to increase participation by the public while balancing the needs of applicants to have a timely review process.

**Staff Contact:** Cheri Coffey at 801-535-6188 or [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com)

**Application Number:** PLNPCM2016-00300

### CAN'T MAKE IT TO THE OPEN HOUSE

Visit [www.slcgov.com/planning/planning-2017-open-houses](http://www.slcgov.com/planning/planning-2017-open-houses) for information related to these projects or feel free to contact our staff.



Salt Lake City Planning Division  
451 S. State Street Room 406  
PO Box 145480  
Salt Lake City, UT 84114  
801-535-7700

**OPEN HOUSE**  
**Early Engagement Process and Rule Changes**  
**ATTENDANCE ROLL**  
**May 18, 2017**

PRINT NAME DAVE HADERMAN

ADDRESS [REDACTED]

ZIP CODE 84102

EMAIL [REDACTED]

PRINT NAME Peg. Alderman

ADDRESS [REDACTED]

ZIP CODE 84103

EMAIL [REDACTED]

PRINT NAME LINDY CRONER

ADDRESS [REDACTED]

ZIP CODE 84102

EMAIL [REDACTED]

PRINT NAME Judi Grant

ADDRESS [REDACTED]

ZIP CODE 84106

EMAIL [REDACTED]

PRINT NAME Kim [REDACTED]

ADDRESS [REDACTED]

ZIP CODE 84103

EMAIL [REDACTED]

PRINT NAME

Wade Sarver

ADDRESS

~~1000 11th St SW~~ 500 11th St SW

ZIP CODE

84116

EMAIL

~~jsarver@jhs.com~~

PRINT NAME

ADDRESS

ZIP CODE

EMAIL

PRINT NAME

ADDRESS

ZIP CODE

EMAIL

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ADDRESS

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PRINT NAME

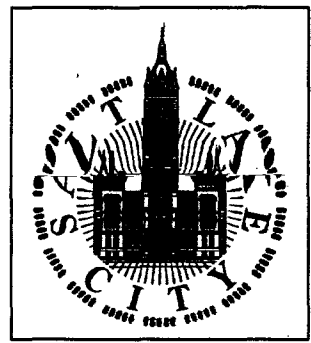
ADDRESS

ZIP CODE

EMAIL

**OPEN HOUSE  
DUDI IC COMMENT FORM**

**May 18, 2017**



Planning Division  
Department of Community and  
Neighborhoods

**Early Engagement / Changes to Recognition Ordinance**

Name: P. J. Nod...

Address:

Phone:

Comments:

ample time for notification gives every resident time to respond. Community Councils that set agendas and send newsletters <sup>weeks ahead of meetings</sup> need extra time to 'get the word out' to residents who normally wouldn't be apprised of a project that could impact them. Short notification times also work against residents who may be travelling.

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com) or via mail at the following address: Cheri Coffey, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480.

# OPEN HOUSE PUBLIC COMMENT FORM

May 10, 2017



Planning Division  
Department of Community and  
Neighborhoods

## Early Engagement / Changes to Recognition Ordinance

Name: DAVE ALDERMAN

Address: [REDACTED]

Zip Code 84103

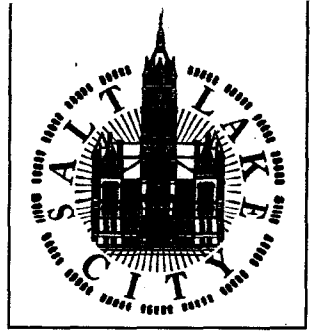
Phone: AVE ALDERMAN

Comments: \*THE CONCERN ABOUT A SPEEDY PROCESS IS MISPLACED. THE  
COMMUNITY COUNCIL WANTS A SPEEDY PROCESS, THEY SHOULD BUILD WITHIN THE CODE.  
\*SPECIAL EXCEPTIONS SHOULD ALSO TRIGGER COMMUNITY COUNCIL  
NOTIFICATIONS, EVEN IF THE SHORT TIME FRAME IS KEPT  
\*I STRONGLY SUPPORT COMMUNITY COUNCIL PRESENTATIONS OVER THE  
OPEN HOUSES. THE OPEN HOUSES VARY LOCATION + DATES TOO FREQUENTLY  
TO BE EFFECTIVE.

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com) or via mail at the following address: Cheri Coffey, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480.

# OPEN HOUSE PUBLIC COMMENT FORM

May 18, 2017



Planning Division  
Department of Community and

## Early Engagement / Changes to Recognition Ordinance

Name: John Becker / Terry Becker

Address: [Redacted] rawh Dr

Zip Code 84103

Phone: [Redacted]

Comments: ① Notification of neighbors when "special exceptions" are requested should be expanded beyond "abutting" neighbors to "affected" neighbors. Notices are not noticed adequately for appropriate neighbor input.

② Special Exceptions should be discussed at Community Councils. Current notice requirements are too short to

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com) or via mail at the following address: Cheri Coffey, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480.

permit a adequate discussion and input on these matters.

Only the beginning: We have talked about citizen participation in planning for years, but we now have a movement that is truly empowered to challenge planners' claims to expertise in land and environmental analysis. Citizens have ample evidence of the failure of experts in general, and planners in particular, and they have learned that, to assure being heard, they must take planning into their own hands if they want to be heard. The cacophony you report is only the beginning.

*Planning* – American Planning Association

-----  
The tension between and expanded public definition of property and its impact on ordinary small-scale landowners has been building for over three decades. At its base, the issue is a political one: We have and growth management schemes.

Harvey M. Jacobs

Associate Professor

Department of Urban and Regional Planning and Institute for Environmental Studies

University of Wisconsin-Madison

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*J Am Plann Assoc.* 1979 Apr;45(2):180-9.

**Citizen participation in planning: the relationship between objectives and techniques.**

Abstract

While citizen participation has become a commonplace element in many planning efforts, both this article is that not enough attention is being given to the design of participatory programs and that there is a particular failing in matching objectives to techniques. Five objectives of citizen participation are identified: information exchange, education, support building, supplemental decision making, and representational input. Then through the development of a typology of participatory mechanisms, techniques are matched with their most appropriate objectives. This relationship is further illustrated by examining four techniques in detail. The conclusions suggest that if the relationship between objectives and techniques is ignored in the design of a participatory program, the possibility of a successful program decreases.

**May 18, 2017**



Department of Community and  
Neighborhoods

## Name: \_\_\_\_\_

Jack Garner

**Address:**

**Phone:**

Comments: please clarify 2 ~~add~~. 60.050 A - How will the city educate the public?

DZ is a "bill number" but is  
online only in some cases?

Thank you for pulling this together!

Please provide color photos and a standard set of materials (actual color, etc. - transparent).

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com) or via mail at the following address: Cheri Coffey, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480.

developments



## Planning - Citizen Participation

### Current opportunities for notification and participation

The Planning Division values public participation and the Division will work constantly to provide opportunities for all stakeholders to participate in shaping the future of the City and its communities.

~~We strive to meet the following goals:~~

Seek numerous methods to involve stakeholders in the planning process.

Provide accurate and accessible information.

Provide educational opportunities for all of those involved in the planning process.

Current Projects

See what we are working on and then let us know your opinion.

### Public Meetings

Administrative Hearings, Planning Commission, Historic Landmark Commission and Open House

### Open City Hall

Open City Hall is an on-line forum for civic engagement. Read what others are saying about important Salt Lake City topics, then post your own statement. City officials will read the statements and incorporate them into their decision process

SpeakOutSLC is an informal discussion page where the community can comment on specific projects or discuss issues that are important to them.

### Open House

The Planning Division holds an Open House on upcoming issues the third Thursday of every month. Our Open Houses begin at 4:30 p.m. in the first floor hallway of the City and County Building unless otherwise noted. ~~\_\_\_\_\_~~

### Citizens Access Portal

The Citizens Access portal is a direct connection to Salt Lake City's permitting database. Here you can research property information, and view the progress of a petition in real-time. This is also the place for online application submissions.

### Planning Division's Public Input Process Policy

### News & feeds

Subscribe to RSS feeds

### Newsletter and Agenda Notifications Subscriptions

Subscribe to email notices

Cheri noticed that the Division's website indicates the Open Houses are at 4:30, instead of 5:00.

## ATTACHMENT D: Department Input

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## Coffey, Cheri

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**From:** Seelig, Jennifer  
**Sent:** Thursday, September 22, 2016 3:53 PM  
**To:** Coffey, Cheri  
**Cc:** Reberg, Mike; Shepard, Nora; Walkingshaw, Nole; Rojas, Matthew  
**Subject:** RE: Early Engagement Project

Does it get sent out to all the community councils though, as a notice of activity?

I think the focus groups are a great idea; I think that they should be one avenue of engagement as opposed to an early one. At one point there was discussion of having a special public group vet the draft before it went to the public. Is that the idea here? Thanks!

**Jennifer Seelig**  
Director of Community Relations  
O: 801-535-7117  
M: 801-558-9368

OFFICE of the MAYOR  
SALT LAKE CITY CORPORATION

[www.SLCMAYOR.COM](http://www.SLCMAYOR.COM)  
[www.SLCGOV.COM](http://www.SLCGOV.COM)

---

**From:** Coffey, Cheri  
**Sent:** Thursday, September 22, 2016 3:38 PM  
**To:** Seelig, Jennifer <Jennifer.Seelig@slcgov.com>  
**Cc:** Reberg, Mike <Mike.Reberg@slcgov.com>; Shepard, Nora <Nora.Shepard@slcgov.com>; Walkingshaw, Nole <Nole.Walkingshaw@slcgov.com>; Rojas, Matthew <Matthew.Rojas@slcgov.com>  
**Subject:** RE: Early Engagement Project

Jen,

The focus group is just one more way to get feedback. I see it as a group of about 10-15 people (split between former applicants and community types of people) where we can have a discussion of the existing and proposed process and any suggestions they have to afford adequate public input while still providing a timely review process for applicants. They would probably meet one or two times (it probably depends on how well the first meeting goes and whether we need additional time to talk about additional stuff).

We will also be doing an Open City Hall Topic with the topic but also survey questions  
Holding an Open House  
Attending the Salt Lake Network meeting (I've asked them if I can present to them)  
Any other methods you recommend☺

Thanks

Cheri

---

**From:** Seelig, Jennifer  
**Sent:** Thursday, September 22, 2016 3:23 PM  
**To:** Coffey, Cheri <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>  
**Cc:** Reberg, Mike <[Mike.Reberg@slcgov.com](mailto:Mike.Reberg@slcgov.com)>; Shepard, Nora <[Nora.Shepard@slcgov.com](mailto:Nora.Shepard@slcgov.com)>; Walkingshaw, Nole

<[Nole.Walkingshaw@slcgov.com](mailto:Nole.Walkingshaw@slcgov.com)>; Rojas, Matthew <[Matthew.Rojas@slcgov.com](mailto:Matthew.Rojas@slcgov.com)>

**Subject:** RE: Early Engagement Project

Cheri, We are happy to help. How do you envision the focus group fitting in with the rest of the public process? I can't confidently respond to #2 until I have an answer to that. Thank you!

**Jennifer Seelig**

Director of Community Relations

O: 801-535-7117

M: 801-558-9368

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[www.SLCGOV.COM](http://www.SLCGOV.COM)

---

**From:** Coffey, Cheri

**Sent:** Thursday, September 22, 2016 11:21 AM

**To:** Seelig, Jennifer <[Jennifer.Seelig@slcgov.com](mailto:Jennifer.Seelig@slcgov.com)>

**Cc:** Reberg, Mike <[Mike.Reberg@slcgov.com](mailto:Mike.Reberg@slcgov.com)>; Shepard, Nora <[Nora.Shepard@slcgov.com](mailto:Nora.Shepard@slcgov.com)>; Walkingshaw, Nole <[Nole.Walkingshaw@slcgov.com](mailto:Nole.Walkingshaw@slcgov.com)>; Rojas, Matthew <[Matthew.Rojas@slcgov.com](mailto:Matthew.Rojas@slcgov.com)>

**Subject:** Early Engagement Project

Jen,

As we get ready to "roll out" the proposed changes to the early engagement process and regulations, I have a couple of questions for you.

- 1) I want to create a focus group of community people and former applicants to obtain their feedback. Do you have recommendations of community people I should contact?
- 2) Is it appropriate at this time, to request that the City Council Members send information about this project out in their District Newsletters? If not, do you have other suggestions of how we can "blast" this out to the most / widest audience?

Please let me know what you think.

Thanks

Cheri

## Coffey, Cheri

---

**From:** Seelig, Jennifer  
**Sent:** Monday, September 05, 2016 9:06 AM  
**To:** Coffey, Cheri  
**Cc:** Reberg, Mike; Shepard, Nora; Walkingshaw, Nole  
**Subject:** Early Engagement Proposal

Cheri and Nole, I would greatly appreciate it if you would please help me articulate the way in which the proposal is indeed a first step reflection of feedback received from the community? I know it is, and I'm trying to respond to criticism that we just randomly invented this proposal. The pieces parts related to recognized organizations, for example originated directly from a case study in the Glendale community council. My request isn't related to the cabinet meeting; Its more in general. Thanks much for all you do, Jen

Sent from my iPhone

On Sep 1, 2016, at 4:55 PM, Coffey, Cheri <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)> wrote:

Mike and Jennifer,

I'm not sure if you are still planning to present information about the Early Engagement Ordinance to the Cabinet on Tuesday September 6<sup>th</sup> but I have attached the information in case you are. I would be happy to be there to present the information and answer any questions or just sit and listen to the feedback.

I would like to be able to start obtaining public feedback on this draft ordinance so we can move it through the review and adoption process but need your go ahead before doing that.

Please let me know what direction you want to take.

Thanks

Cheri

<Early Notification Current Initiatives Document.pdf>

<Proposed Changes to Early Notification Ordinance 9.1.16.pdf>

## Coffey, Cheri

---

**From:** Smedley, Nicole  
**Sent:** Tuesday, October 04, 2016 11:36 AM  
**To:** Coffey, Cheri  
**Cc:** Ferguson, Boyd; Plane, Margaret; Nielson, Paul; Mansell, Cindi  
**Subject:** FW: Proposed Changes to Recognized Community Based Ordinance  
**Attachments:** RE: Proposed Changes to Recognized Community Based Ordinance

Hi Cheri,

I have a few concerns with the rewrite of 2.60 – Recognized Community Organizations.

My first concern has to do with an issue that came up at the beginning of the year with an organization not following their bylaws. **The code does not state whether it is our office or the Mayor's office that should enforce and follow up on such violations** and the second concern is **what type of penalty there would be for non-compliance of the bylaws?** When an organization is not in good standing as a nonprofit or needs any other assistance with registration, I assist and address those issues.

I've talked with Margaret (see below) and Boyd and he agrees these are valid concerns. I've also talked with Nole as he was largely involved with the last revision to the code. His email is attached.

Do you know who I could talk to or how to go about possibly getting some clarification in the code regarding these issues in this rewrite?

Thanks,  
NICOLE SMEDLEY, CMC  
Assistant City Recorder

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FAX 801-535-7681

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---

**From:** Plane, Margaret  
**Sent:** Tuesday, September 06, 2016 2:39 PM  
**To:** Smedley, Nicole <Nicole.Smedley@slcgov.com>  
**Cc:** Mansell, Cindi <Cindi.Mansell@slcgov.com>  
**Subject:** Re: Proposed Changes to Recognized Community Based Ordinance

Good questions! I just found out this morning that CAN and the mayor's office were working on changes to 2.60. I was going to reach out to Paul and Boyd and see if either one of them has been involved. My gut is that we should address all of this now—is that your preference? Let me see what I can learn from my colleagues and get back to you. Thanks, mdp

---

**From:** "Smedley, Nicole" <[Nicole.Smedley@slcgov.com](mailto:Nicole.Smedley@slcgov.com)>  
**Date:** Tuesday, September 6, 2016 11:02 AM  
**To:** Margaret Plane <[margaret.plane@slcgov.com](mailto:margaret.plane@slcgov.com)>  
**Cc:** "Mansell, Cindi" <[Cindi.Mansell@slcgov.com](mailto:Cindi.Mansell@slcgov.com)>  
**Subject:** FW: Proposed Changes to Recognized Community Based Ordinance

Hi Margaret,

I am writing in regards to the Planning Department's proposed changes for early notification for various sections of the city code. This would include 2.60 – Recognized Community Organizations.

Among some notification changes, they added that an organization must submit their updated bylaws to our office within 30 days of any changes.

I like those changes, but my question has to do with an issue that came up at the beginning of the year of an organization not following their bylaws. The code does not state whether it is our office or the Mayor's office that should enforce and follow up on such violations or what type of penalty there would be for non-compliance.

When an organization is not in good standing as a nonprofit or needs any other assistance with registration, I assist and address those issues.

Would it be a good time to raise some of these questions now with these other proposed changes? What are your thoughts as to when other issues of non-compliance come up?

Thanks,

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---

**From:** Mansell, Cindi  
**Sent:** Thursday, September 01, 2016 4:32 PM  
**To:** Smedley, Nicole <[Nicole.Smedley@slcgov.com](mailto:Nicole.Smedley@slcgov.com)>  
**Subject:** FW: Proposed Changes to Recognition Ordinance

Do you have input?

*Cindi L. Mansell, MMC/CRM*  
Salt Lake City Recorder  
801-535-6223

---

**From:** Coffey, Cheri  
**Sent:** Thursday, September 01, 2016 4:27 PM  
**To:** Mansell, Cindi <[Cindi.Mansell@slcgov.com](mailto:Cindi.Mansell@slcgov.com)>  
**Subject:** Proposed Changes to Recognition Ordinance

Cindi,

At the Mayor and Council's request, the Planning Division is proposing changes to various sections of the City Code relating to early notification. This includes proposed changes to the Recognition Ordinance 2.60. Will you please review the attached draft ordinance and let me know if you have any comments/ concerns/ other changes that would be appropriate?

Paul Nelson in the Attorney's Office has also suggested that we put something in the ordinance that states it is the RO chairperson's responsibility to make sure that the city has current contact information and that if the information hasn't been provided or isn't current, the city will not be deemed to have violated any notice obligation for that organization. Is that already part of the annual renewal process or should we put something specific like that in the ordinance? What would help the process work better?

Thanks

Cheri



## Coffey, Cheri

---

**From:** Plane, Margaret  
**Sent:** Tuesday, October 04, 2016 2:32 PM  
**To:** Coffey, Cheri; Smedley, Nicole  
**Cc:** Ferguson, Boyd; Nielson, Paul; Mansell, Cindi; Walkingshaw, Nole  
**Subject:** Re: Proposed Changes to Recognized Community Based Ordinance

Thanks, Cheri! I also talked to Noel and Jen S. about this briefly before council meeting. Jen was happy to hear some options and for the mechanism to live in the Mayor's office if that's what we think makes the most sense. mdp

---

**From:** "Coffey, Cheri" <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>  
**Date:** Tuesday, October 4, 2016 1:42 PM  
**To:** "Smedley, Nicole" <[Nicole.Smedley@slcgov.com](mailto:Nicole.Smedley@slcgov.com)>  
**Cc:** "Ferguson, Boyd" <[boyd.ferguson@slcgov.com](mailto:boyd.ferguson@slcgov.com)>, Margaret Plane <[margaret.plane@slcgov.com](mailto:margaret.plane@slcgov.com)>, "Nielson, Paul" <[paul.nielson@slcgov.com](mailto:paul.nielson@slcgov.com)>, "Mansell, Cindi" <[Cindi.Mansell@slcgov.com](mailto:Cindi.Mansell@slcgov.com)>  
**Subject:** Re: Proposed Changes to Recognized Community Based Ordinance

We can certainly provide some specific language in the code about 'enforcement' but I'm hoping someone ( like the attorneys) could provide the language.

We can use the language from the first email below (about noticing wouldn't be deemed in violation if we didn't have correct info from RO) or we could say that the RO will be removed from the RO list until they come into compliance.

Sent from my iPhone

On Oct 4, 2016, at 11:36 AM, Smedley, Nicole <[Nicole.Smedley@slcgov.com](mailto:Nicole.Smedley@slcgov.com)> wrote:

Hi Cheri,

I have a few concerns with the rewrite of 2.60 – Recognized Community Organizations.

My first concern has to do with an issue that came up at the beginning of the year with an organization not following their bylaws. **The code does not state whether it is our office or the Mayor's office that should enforce and follow up on such violations** and the second concern is **what type of penalty there would be for non-compliance of the bylaws?** When an organization is not in good standing as a nonprofit or needs any other assistance with registration, I assist and address those issues.

I've talked with Margaret (see below) and Boyd and he agrees these are valid concerns. I've also talked with Nole as he was largely involved with the last revision to the code. His email is attached.

Do you know who I could talk to or how to go about possibly getting some clarification in the code regarding these issues in this rewrite?

Thanks,  
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FAX 801-535-7681

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<image001.jpg>

---

**From:** Plane, Margaret  
**Sent:** Tuesday, September 06, 2016 2:39 PM  
**To:** Smedley, Nicole <[Nicole.Smedley@slcgov.com](mailto:Nicole.Smedley@slcgov.com)>  
**Cc:** Mansell, Cindi <[Cindi.Mansell@slcgov.com](mailto:Cindi.Mansell@slcgov.com)>  
**Subject:** Re: Proposed Changes to Recognized Community Based Ordinance

Good questions! I just found out this morning that CAN and the mayor's office were working on changes to 2.60. I was going to reach out to Paul and Boyd and see if either one of them has been involved. My gut is that we should address all of this now—is that your preference? Let me see what I can learn from my colleagues and get back to you. Thanks, mdp

---

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**Date:** Tuesday, September 6, 2016 11:02 AM  
**To:** Margaret Plane <[margaret.plane@slcgov.com](mailto:margaret.plane@slcgov.com)>  
**Cc:** "Mansell, Cindi" <[Cindi.Mansell@slcgov.com](mailto:Cindi.Mansell@slcgov.com)>  
**Subject:** FW: Proposed Changes to Recognized Community Based Ordinance

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Among some notification changes, they added that an organization must submit their updated bylaws to our office within 30 days of any changes.

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When an organization is not in good standing as a nonprofit or needs any other assistance with registration, I assist and address those issues.

Would it be a good time to raise some of these questions now with these other proposed changes? What are your thoughts as to when other issues of non-compliance come up?

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<image003.jpg>

---

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**Sent:** Thursday, September 01, 2016 4:32 PM  
**To:** Smedley, Nicole <[Nicole.Smedley@slcgov.com](mailto:Nicole.Smedley@slcgov.com)>  
**Subject:** FW: Proposed Changes to Recognition Ordinance

Do you have input?

*Cindi L. Mansell, MMC/CRM*

Salt Lake City Recorder  
801-535-6223

---

**From:** Coffey, Cheri  
**Sent:** Thursday, September 01, 2016 4:27 PM  
**To:** Mansell, Cindi <[Cindi.Mansell@slcgov.com](mailto:Cindi.Mansell@slcgov.com)>  
**Subject:** Proposed Changes to Recognition Ordinance

Cindi,

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Thanks

Cheri

<image003.jpg>

<mime-attachment>

## Coffey, Cheri

---

**From:** Plane, Margaret  
**Sent:** Monday, October 10, 2016 2:42 PM  
**To:** Coffey, Cheri; Seelig, Jennifer  
**Cc:** Mansell, Cindi; Smedley, Nicole; Nielson, Paul  
**Subject:** RE: Suggestions for 2.60 Rewrite

Cheri and Jen,

Nicole and I talked about her office's concerns about how to handle allegations that community organizations are not following their own bylaws. She provided some language below, although ultimately we concluded it isn't necessary. We agreed that in the future, if members of community organizations call the recorder's office alleging that their organization is not following their own bylaws, the response will be that the recorder's office does not regulate that.

These organizations are independent and self-regulating, and it would be awkward and inappropriate for any City department (Mayor's office, recorder's office, attorney's office, wherever) to try to regulate compliance with bylaws. Practically speaking the Mayor's office may want to be involved or respond to such allegations. But that is a political decision, not a legal or regulatory decision. Again, thanks for considering additional language, but we don't think it is necessary.

One other comment: Paul and I recommend amending "city code amendments" in 2.60.050(C) to "zoning ordinance text amendments" or city code amendments concerning land use regulation" (which would capture subdivision code text amendments).

This subsection is about "projects," and it seems internally inconsistent to call all "city code amendments" a type of "project" that we would notify the organizations about. We do not currently follow this as written, and to do so would frustrate the legislative process, at best. We recommend amending it to better reflect what we do. As written, this section could be used against us, even though we clearly never intended to send all code amendments to these organizations.

Thanks for your work and for considering our input. Please let me know if you have questions or concerns about either issue above. Yours, Margaret

---

**From:** Smedley, Nicole  
**Sent:** Monday, October 10, 2016 10:16 AM  
**To:** Plane, Margaret <Margaret.Plane@slcgov.com>  
**Cc:** Mansell, Cindi <Cindi.Mansell@slcgov.com>  
**Subject:** FW: Suggestions for 2.60 Rewrite

Looping you in.

NICOLE SMEDLEY, CMC

---

**From:** Smedley, Nicole  
**Sent:** Monday, October 10, 2016 10:15 AM

**To:** Coffey, Cheri <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>

**Subject:** FW: Suggestions for 2.60 Rewrite

Hi Cheri,

I am following up regarding my email to you on 10/04/2016. I've included some on the below wording I've proposed to legal for my concerns regarding 2.60 – Recognized Community Organizations. Although these proposed changes would not be governed by the public, should they be allowed to comment on them on the Civic Engagement website?

Thanks,

NICOLE SMEDLEY, CMC  
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FAX 801-535-7681

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---

**From:** Smedley, Nicole

**Sent:** Thursday, October 06, 2016 4:49 PM

**To:** Plane, Margaret <[Margaret.Plane@slcgov.com](mailto:Margaret.Plane@slcgov.com)>

**Subject:** Suggestions for 2.60 Rewrite

Hi Margaret,

Below are my suggestions for the rewrite of 2.60. I will be here all day tomorrow if you don't reach me today to discuss.

2.60.030 (5) **The Mayor's Office shall monitor compliance with this chapter. Failure to comply with this chapter will result in the removal of the community organization from the official registration.**

2.60.040(B) **It shall be the responsibility of the community organization to provide up and any changes to the items in subsection A of this section to the recorder's office ~~in~~ within 30 days.**

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## Coffey, Cheri

---

**From:** Smedley, Nicole  
**Sent:** Monday, October 10, 2016 10:15 AM  
**To:** Coffey, Cheri  
**Subject:** FW: Suggestions for 2.60 Rewrite  
**Attachments:** Re: Proposed Changes to Recognized Community Based Ordinance

Hi Cheri,

I am following up regarding my email to you on 10/04/2016. I've included some on the below wording I've proposed to legal for my concerns regarding 2.60 – Recognized Community Organizations. Although these proposed changes would not be governed by the public, should they be allowed to comment on them on the Civic Engagement website?

Thanks,  
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---

**From:** Smedley, Nicole  
**Sent:** Thursday, October 06, 2016 4:49 PM  
**To:** Plane, Margaret <Margaret.Plane@slcgov.com>  
**Subject:** Suggestions for 2.60 Rewrite

Hi Margaret,

Below are my suggestions for the rewrite of 2.60. I will be here all day tomorrow if you don't reach me today to discuss.

2.60.030 (5) The Mayor's Office shall monitor compliance with this chapter. Failure to comply with this chapter will result in the removal of the community organization from the official registration.

2.60.040(B) It shall be the responsibility of the community organization to provide up and any changes to the items in subsection A of this section to the recorder's office in within 30 days.

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## Coffey, Cheri

---

**From:** Smedley, Nicole  
**Sent:** Thursday, October 13, 2016 1:52 PM  
**To:** Coffey, Cheri; Seelig, Jennifer  
**Cc:** Mansell, Cindi; Shepard, Nora; Reberg, Mike; Salazar, Nate  
**Subject:** RE: Community Council Contacts  
**Attachments:** 2016\_CommunityOrgs Board Members.pdf

Hello all,

I've completed and attached a list of board members for the Recognized Community Organizations. I thought it would be good to have for tonight's open house regarding the proposed noticing changes.  
Keep me posted on updates.

Best,  
Nicole

---

**From:** Coffey, Cheri  
**Sent:** Wednesday, September 21, 2016 4:18 PM  
**To:** Seelig, Jennifer <Jennifer.Seelig@slcgov.com>; Smedley, Nicole <Nicole.Smedley@slcgov.com>  
**Cc:** Mansell, Cindi <Cindi.Mansell@slcgov.com>; Shepard, Nora <Nora.Shepard@slcgov.com>; Reberg, Mike <Mike.Reberg@slcgov.com>; Salazar, Nate <Nate.Salazar@slcgov.com>  
**Subject:** RE: Community Council Contacts

To Clarify,

The ordinance already requires that we receive the contact information for board officers so I don't need to make any changes relating to that.

Nicole will create a document that includes this information. Nate will send it out to the Community Councils to make sure it is updated.

Once the information is received, Planning will get a copy so that we can notify other Board members if we have a hard time contacting the chair in a reasonable timeframe.

Nicole- We would just like the information when it is ready. We don't mean to make this a rush project or anything. Once we have the information it will help make our process run a little more smoothly.

Cheri

---

**From:** Seelig, Jennifer  
**Sent:** Wednesday, September 21, 2016 3:22 PM  
**To:** Smedley, Nicole <[Nicole.Smedley@slcgov.com](mailto:Nicole.Smedley@slcgov.com)>; Coffey, Cheri <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>  
**Cc:** Mansell, Cindi <[Cindi.Mansell@slcgov.com](mailto:Cindi.Mansell@slcgov.com)>; Shepard, Nora <[Nora.Shepard@slcgov.com](mailto:Nora.Shepard@slcgov.com)>; Reberg, Mike

<[Mike.Reberg@slcgov.com](mailto:Mike.Reberg@slcgov.com)>; Salazar, Nate <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>

**Subject:** RE: Community Council Contacts

AND NICOLE WINS THE BRILLIANT PRIZE FOR THE DAY! Woot! Woot! Thanks! =0)

**Jennifer Seelig**

Director of Community Relations

O: 801-535-7117

M: 801-558-9368

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---

**From:** Smedley, Nicole

**Sent:** Wednesday, September 21, 2016 3:21 PM

**To:** Coffey, Cheri <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>; Seelig, Jennifer <[Jennifer.Seelig@slcgov.com](mailto:Jennifer.Seelig@slcgov.com)>

**Cc:** Mansell, Cindi <[Cindi.Mansell@slcgov.com](mailto:Cindi.Mansell@slcgov.com)>; Shepard, Nora <[Nora.Shepard@slcgov.com](mailto:Nora.Shepard@slcgov.com)>; Reberg, Mike <[Mike.Reberg@slcgov.com](mailto:Mike.Reberg@slcgov.com)>; Salazar, Nate <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>

**Subject:** FW: Community Council Contacts

Hello all-

I receive the Community Council Board Member names and contact information annually upon registration. I only have what was given to me in January 2016. Although it is required of Community Councils to notify our office with any updates/changes, they often do not. I will create a list of officers based off of the renewal applications. Cheri – How soon do you need this contact information? I propose Nate circulate the list to Community Council Chairs for updates? If there is a lot of outdated contact info, we could remind them of 2.60.040(B) - It shall be the responsibility of the community organization to provide updated information and any changes to the items in subsection A of this section to the recorder's office in a timely manner.

Subsection A:

A. The recorder's office shall maintain an official registration of community organizations recognized under this chapter. Any community organization meeting the requirements of section [2.60.030](#) of this chapter may register by filing with the recorder's office the following:

1. Official name;
2. Boundaries where applicable;
3. The names, mailing addresses, telephone numbers and e-mail addresses of its current officers;
4. The name, mailing address, e-mail address and telephone number to serve as the recipient for official communications from the city;
5. Methods used to communicate with membership;
6. A copy of the organization's articles of incorporation and bylaws;
7. Time and place of regular meetings; and

8. Schedule for electing officers.

Thanks,

NICOLE SMEDLEY, CMC  
Assistant City Recorder

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FAX 801-535-7681

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---

**From:** Mansell, Cindi  
**Sent:** Wednesday, September 21, 2016 2:55 PM  
**To:** Smedley, Nicole <[Nicole.Smedley@slcgov.com](mailto:Nicole.Smedley@slcgov.com)>  
**Subject:** FW: Community Council Contacts

*Cindi L. Mansell, MMC/CRM*  
Salt Lake City Recorder  
801-535-6223

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**From:** Seelig, Jennifer  
**Sent:** Wednesday, September 21, 2016 2:52 PM  
**To:** Coffey, Cheri <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>; Mansell, Cindi <[Cindi.Mansell@slcgov.com](mailto:Cindi.Mansell@slcgov.com)>  
**Cc:** Shepard, Nora <[Nora.Shepard@slcgov.com](mailto:Nora.Shepard@slcgov.com)>; Reberg, Mike <[Mike.Reberg@slcgov.com](mailto:Mike.Reberg@slcgov.com)>; Salazar, Nate <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>  
**Subject:** RE: Community Council Contacts

Absolutely. Nate will send out the request today or tomorrow and will ask them to get back to us asap. Thanks! Jen  
(Nate, please show me a draft before you hit "send.")

**Jennifer Seelig**  
Director of Community Relations  
O: 801-535-7117  
M: 801-558-9368

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---

**From:** Coffey, Cheri  
**Sent:** Wednesday, September 21, 2016 2:51 PM

**To:** Seelig, Jennifer <[Jennifer.Seelig@slcgov.com](mailto:Jennifer.Seelig@slcgov.com)>; Mansell, Cindi <[Cindi.Mansell@slcgov.com](mailto:Cindi.Mansell@slcgov.com)>  
**Cc:** Shepard, Nora <[Nora.Shepard@slcgov.com](mailto:Nora.Shepard@slcgov.com)>; Reberg, Mike <[Mike.Reberg@slcgov.com](mailto:Mike.Reberg@slcgov.com)>; Salazar, Nate <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>  
**Subject:** RE: Community Council Contacts

OK. I can add that. However, we also would like the information sooner than this ordinance may be passed because it would be very helpful to improve the process now. If we can get those from the existing Chairs now, it would be very helpful.

Thanks

---

**From:** Seelig, Jennifer  
**Sent:** Wednesday, September 21, 2016 2:50 PM  
**To:** Coffey, Cheri <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>; Mansell, Cindi <[Cindi.Mansell@slcgov.com](mailto:Cindi.Mansell@slcgov.com)>  
**Cc:** Shepard, Nora <[Nora.Shepard@slcgov.com](mailto:Nora.Shepard@slcgov.com)>; Reberg, Mike <[Mike.Reberg@slcgov.com](mailto:Mike.Reberg@slcgov.com)>; Salazar, Nate <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>  
**Subject:** RE: Community Council Contacts

Let's add that please. I think. Somebody tell me if that is a bad idea.....I often have them.

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**Cc:** Shepard, Nora <[Nora.Shepard@slcgov.com](mailto:Nora.Shepard@slcgov.com)>; Reberg, Mike <[Mike.Reberg@slcgov.com](mailto:Mike.Reberg@slcgov.com)>; Salazar, Nate <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>  
**Subject:** RE: Community Council Contacts

In the proposed recognition ordinance we made a proposed change that states anyone of their board members can file changes to their bylaws to meet the new proposed 30 day deadline after they make the changes. We didn't make any changes that state, they have to give the City the contact information for their board members.

---

**From:** Seelig, Jennifer  
**Sent:** Wednesday, September 21, 2016 2:43 PM  
**To:** Coffey, Cheri <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>; Mansell, Cindi <[Cindi.Mansell@slcgov.com](mailto:Cindi.Mansell@slcgov.com)>  
**Cc:** Shepard, Nora <[Nora.Shepard@slcgov.com](mailto:Nora.Shepard@slcgov.com)>; Reberg, Mike <[Mike.Reberg@slcgov.com](mailto:Mike.Reberg@slcgov.com)>; Salazar, Nate <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>  
**Subject:** RE: Community Council Contacts

Cindi –I don't think you all have that information. The rest of my response is based on that assumption.

Hey Cheri, our folks in the Community Engagement group (Nate) will send out an email to the chairs requesting board member lists and contact information. The response will be mixed I'm sure, but at least we will have more information than when we started.

Cheri – I think in the recognition ordinance proposed changes we added that we need that information going forward.....or did I just make that up? Thanks! Jen

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---

**From:** Coffey, Cheri  
**Sent:** Wednesday, September 21, 2016 11:59 AM  
**To:** Seelig, Jennifer <[Jennifer.Seelig@slcgov.com](mailto:Jennifer.Seelig@slcgov.com)>; Mansell, Cindi <[Cindi.Mansell@slcgov.com](mailto:Cindi.Mansell@slcgov.com)>  
**Cc:** Shepard, Nora <[Nora.Shepard@slcgov.com](mailto:Nora.Shepard@slcgov.com)>; Reberg, Mike <[Mike.Reberg@slcgov.com](mailto:Mike.Reberg@slcgov.com)>  
**Subject:** Community Council Contacts

Jen or Cindi,

Do either of you have a list of the contacts for additional Community Council Board members? Not all of the chairs are responsive when we send out requests for projects to be reviewed by their membership. It would be nice to have an additional contact (like the Vice Chair or Secretary), that we can also send the request to in the event that the Chair is not responsive.

Please let me know.

Thanks

Cheri

## Coffey, Cheri

---

**From:** Plane, Margaret  
**Sent:** Monday, November 28, 2016 3:26 PM  
**To:** Coffey, Cheri  
**Subject:** 2.60 updates?

Cheri, Jennifer Seelig and I met back in October (!) and she had some input on 2.60 that I wanted to make sure was shared. I haven't been in the loop on the rewrite and don't know the status.

Essentially, my notes show that she wanted the revisions to make clear that if a community organization fails to follow the requirements in what was 2.60.030 and .040, then they would be removed from the list of recognized organizations. Also, at that time she wanted the ordinance to include timeframes for organizations to meet these requirements, and a failure to meet the deadline would result in removal.

I hate to be in the middle of this because I'm probably three revisions behind;) what's the easiest way to sort this out? thanks, and sorry for any confusion. Happy to chat! mdp

MARGARET D. PLANE  
Salt Lake City Attorney

CITY ATTORNEY'S OFFICE  
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451 S. State Street, Ste. 505A  
Salt Lake City, Utah 84111  
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[Margaret.plane@slcgov.com](mailto:Margaret.plane@slcgov.com)

Mailing address:  
P.O. Box 145478  
Salt Lake City, Utah 84114-5478

## Coffey, Cheri

---

**From:** Plane, Margaret  
**Sent:** Thursday, February 09, 2017 4:35 PM  
**To:** Coffey, Cheri; Seelig, Jennifer  
**Cc:** Seelig, Jennifer; Salazar, Nate; Walkingshaw, Nole; Norris, Nick; Nielson, Paul  
**Subject:** Re: 2.60 updates?

Cheri, thanks for diligent follow up. I thought we decided not to put anything in the ordinance about enforcement, because it would be inappropriate for the city to try to police an independent organization's bylaws.

In terms of the provision below about early notification, I talked to Jennifer and reiterated our legal concerns that the current language is problematic. It requires all city code amendments to be sent to community organizations—that could cause us legal problems. For example, if we need to fix something asap to avoid legal problems, this would get in the way. If nothing else, it is a sword that will be used against us.

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Paul is probably the best contact on this—sorry for the confusion! Yours, Margaret

### **2.60.050: RESPONSIBILITIES OF CITY:**

A. Education: The city shall adequately educate the public on city policy, procedures, and actions.

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Alley vacations

**City code amendments to Title 20 and Title 21A**

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**To:** Margaret Plane <[Margaret.Plane@slcgov.com](mailto:Margaret.Plane@slcgov.com)>  
**Cc:** "Seelig, Jennifer" <[Jennifer.Seelig@slcgov.com](mailto:Jennifer.Seelig@slcgov.com)>, "Salazar, Nate" <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>  
**Subject:** FW: 2.60 updates?

Margaret,

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Thanks

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**To:** Plane, Margaret <[Margaret.Plane@slcgov.com](mailto:Margaret.Plane@slcgov.com)>  
**Subject:** RE: 2.60 updates?

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If I am to do what is noted in the November 28<sup>th</sup> email, please send me suggestions for appropriate language to include in the ordinance.

I have attached the latest draft of the ordinance.

Thanks

Cheri

#### October 10, 2016 email

Cheri and Jen,

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These organizations are independent and self-regulating, and it would be awkward and inappropriate for any City department (Mayor's office, recorder's office, attorney's office, wherever) to try to regulate compliance with bylaws. Practically speaking the Mayor's office may want to be involved or respond to such allegations. But that is a political decision, not a legal or regulatory decision. Again, thanks for considering additional language, but we don't think it is necessary.



One other comment: Paul and I recommend amending “city code amendments” in 2.60.050(C) to “zoning ordinance text amendments” or city code amendments concerning land use regulation” (which would capture subdivision code text amendments).

This subsection is about “projects,” and it seems internally inconsistent to call all “city code amendments” a type of “project” that we would notify the organizations about. We do not currently follow this as written, and to do so would frustrate the legislative process, at best. We recommend amending it to better reflect what we do. As written, this section could be used against us, even though we clearly never intended to send all code amendments to these organizations.

Thanks for your work and for considering our input. Please let me know if you have questions or concerns about either issue above. Yours, Margaret

CHERI COFFEY, AICP  
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**From:** Plane, Margaret  
**Sent:** Monday, November 28, 2016 3:26 PM  
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P.O. Box 145478  
Salt Lake City, Utah 84114-5478

## Coffey, Cheri

---

**From:** Seelig, Jennifer  
**Sent:** Friday, February 10, 2017 9:02 AM  
**To:** Norris, Nick  
**Cc:** Walkingshaw, Nole; Plane, Margaret; Coffey, Cheri; Salazar, Nate; Nielson, Paul  
**Subject:** Re: 2.60 updates?

I agree with both Nole and Nick and Margaret and I discussed this yesterday. As I read the proposed changes, they did not eliminate the section on the other departments. Perhaps I am wrong - it happens.

Sent from my iPhone

On Feb 10, 2017, at 8:13 AM, Norris, Nick <[Nick.Norris@slcgov.com](mailto:Nick.Norris@slcgov.com)> wrote:

I agree with Nole. Is there a way to address Margaret's concern by putting an out in the notice that lets the council make ordinance changes in certain situations (to address legal issues, public safety, etc?)

Also the changes to LUDMA may make more than just subdivision and zoning ordinances go through the PC. That could impact a number of sections of city code outside of those two titles. We should consider that as well.

Sent from my iPhone

On Feb 10, 2017, at 7:23 AM, Walkingshaw, Nole <[Nole.Walkingshaw@slcgov.com](mailto:Nole.Walkingshaw@slcgov.com)> wrote:

Here is my two cents, The original intent while maybe too broad by saying city code amendments was to try and hold other departments feet to the fire of involving the public and encouraging better practices across the city when developing policies, code and other recommendations. The section requiring all departments to develop an engagement policy has largely been ignored with only Public Utilities, Engineering and Planning developing one. I think if this policy is to be successful there needs to be something in here that makes this chapter more than just a Planning requirement.

---

**From:** Seelig, Jennifer  
**Sent:** Thursday, February 9, 2017 4:58 PM  
**To:** Plane, Margaret <[Margaret.Plane@slcgov.com](mailto:Margaret.Plane@slcgov.com)>; Coffey, Cheri <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>  
**Cc:** Salazar, Nate <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>; Walkingshaw, Nole <[Nole.Walkingshaw@slcgov.com](mailto:Nole.Walkingshaw@slcgov.com)>; Norris, Nick <[Nick.Norris@slcgov.com](mailto:Nick.Norris@slcgov.com)>; Nielson, Paul <[paul.nielson@slcgov.com](mailto:paul.nielson@slcgov.com)>  
**Subject:** RE: 2.60 updates?

From my perspective, I like the amendments if everyone else is ok with that. Thanks! Jen

**Jennifer Seelig**  
Director of Community Empowerment  
O: 801-535-7117  
M: 801-558-9368

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Salt Lake City, Utah 84114-5478

## Coffey, Cheri

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**From:** Seelig, Jennifer  
**Sent:** Saturday, February 11, 2017 7:14 PM  
**To:** Nielson, Paul; Norris, Nick; Walkingshaw, Nole  
**Cc:** Plane, Margaret; Coffey, Cheri; Salazar, Nate  
**Subject:** RE: 2.60 updates?

Who wants to get together on this in addition to myself, Paul, Nick, and Nole? Please let me know Monday morning, and I'll have Jodi figure out something. Thanks all. Best, Jen

**Jennifer Seelig**  
Director of Community Empowerment  
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---

**From:** Nielson, Paul  
**Sent:** Friday, February 10, 2017 10:05 AM  
**To:** Norris, Nick <Nick.Norris@slcgov.com>; Walkingshaw, Nole <Nole.Walkingshaw@slcgov.com>  
**Cc:** Seelig, Jennifer <Jennifer.Seelig@slcgov.com>; Plane, Margaret <Margaret.Plane@slcgov.com>; Coffey, Cheri <Cheri.Coffey@slcgov.com>; Salazar, Nate <Nate.Salazar@slcgov.com>  
**Subject:** RE: 2.60 updates?

I don't think we could include a bypass for "legal issues", since we can claim anything to be a legal issue. I discussed the impact of LUDMA changes on this with Margaret yesterday and I think that for the same reasons that we don't think a planning commission is equipped to competently discuss technical specifications and fees a community organization would also not likely be interested in or capable of discussing those types of issues, though I may be completely wrong.

The concern that Margaret and I keep coming back to are the situations where we discover there's a glitch in our contracts ordinance or we discover potential liability in parking enforcement regulations or similar concerns that require prompt corrections. Most of the time I don't think that the community organizations will care about many of the non-land use code amendments, but the difficulty in this exercise is picking which subjects besides development-related regulations would be beneficial for broader public discourse and balancing that against effective governance. It also seems like getting groups other than utilities, engineering and planning to participate will require some education and hand holding.

I'm happy to meet to kick around some ideas.

PAUL C. NIELSON  
SENIOR CITY ATTORNEY  
801.535.7216

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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.

---

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**Cc:** Seelig, Jennifer <[Jennifer.Seelig@slcgov.com](mailto:Jennifer.Seelig@slcgov.com)>; Plane, Margaret <[Margaret.Plane@slcgov.com](mailto:Margaret.Plane@slcgov.com)>; Coffey, Cheri <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>; Salazar, Nate <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>; Nielson, Paul <[paul.nielson@slcgov.com](mailto:paul.nielson@slcgov.com)>

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Sent from my iPhone

On Feb 10, 2017, at 7:23 AM, Walkingshaw, Nole <[Nole.Walkingshaw@slcgov.com](mailto:Nole.Walkingshaw@slcgov.com)> wrote:

Here is my two cents, The original intent while maybe too broad by saying city code amendments was to try and hold other departments feet to the fire of involving the public and encouraging better practices across the city when developing policies, code and other recommendations. The section requiring all departments to develop an engagement policy has largely been ignored with only Public Utilities, Engineering and Planning developing one. I think if this policy is to be successful there needs to be something in here that makes this chapter more than just a Planning requirement.

---

**From:** Seelig, Jennifer

**Sent:** Thursday, February 9, 2017 4:58 PM

**To:** Plane, Margaret <[Margaret.Plane@slcgov.com](mailto:Margaret.Plane@slcgov.com)>; Coffey, Cheri <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>

**Cc:** Salazar, Nate <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>; Walkingshaw, Nole <[Nole.Walkingshaw@slcgov.com](mailto:Nole.Walkingshaw@slcgov.com)>; Norris, Nick <[Nick.Norris@slcgov.com](mailto:Nick.Norris@slcgov.com)>; Nielson, Paul <[paul.nielson@slcgov.com](mailto:paul.nielson@slcgov.com)>

**Subject:** RE: 2.60 updates?

From my perspective, I like the amendments if everyone else is ok with that. Thanks! Jen

**Jennifer Seelig**

Director of Community Empowerment

O: 801-535-7117

M: 801-558-9368

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---

**From:** Plane, Margaret

**Sent:** Thursday, February 09, 2017 4:35 PM

**To:** Coffey, Cheri <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>; Seelig, Jennifer <[Jennifer.Seelig@slcgov.com](mailto:Jennifer.Seelig@slcgov.com)>

**Cc:** Seelig, Jennifer <[Jennifer.Seelig@slcgov.com](mailto:Jennifer.Seelig@slcgov.com)>; Salazar, Nate <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>;

Walkingshaw, Nole <[Nole.Walkingshaw@slcgov.com](mailto:Nole.Walkingshaw@slcgov.com)>; Norris, Nick <[Nick.Norris@slcgov.com](mailto:Nick.Norris@slcgov.com)>; Nielson, Paul <[paul.nielson@slcgov.com](mailto:paul.nielson@slcgov.com)>

**Subject:** Re: 2.60 updates?

Cheri, thanks for diligent follow up. I thought we decided not to put anything in the ordinance about enforcement, because it would be inappropriate for the city to try to police an independent organization's bylaws.

In terms of the provision below about early notification, I talked to Jennifer and reiterated our legal concerns that the current language is problematic. It requires all city code amendments to be sent to community organizations—that could cause us legal problems. For example, if we need to fix something asap to avoid legal problems, this would get in the way. If nothing else, it is a sword that will be used against us.

I'll let Jennifer speak for herself, but I thought she was comfortable that subsection B encourages us to use public engagement, but that we should amend the provision I'm worried about regarding "city code amendments." We recommend either deleting the highlighted provision or amending it as suggested.

Paul is probably the best contact on this—sorry for the confusion! Yours, Margaret

## **2.60.050: RESPONSIBILITIES OF CITY:**

A. Education: The city shall adequately educate the public on city policy, procedures, and actions.

B. Public Engagement: Each city department shall strive to utilize best public engagement practices to educate, engage, and receive input from the public at a level that is consistent with the scope of impact of a proposal or project.

C. Early Notification to Recognized Community Organizations ~~Notification~~ And Response: The city shall send a notice to the applicable recognized community organization chair(s) for the following types of projects listed below:

Alley vacations

City code amendments to Title 20 and Title 21A

---

**From:** "Coffey, Cheri" <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>

**Date:** Thursday, February 9, 2017 at 11:49 AM

**To:** Margaret Plane <[Margaret.Plane@slcgov.com](mailto:Margaret.Plane@slcgov.com)>

**Cc:** "Seelig, Jennifer" <[Jennifer.Seelig@slcgov.com](mailto:Jennifer.Seelig@slcgov.com)>, "Salazar, Nate" <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>

**Subject:** FW: 2.60 updates?

Margaret,

Will you please respond and let me know whether I need to put language in the proposed ordinance relating to enforcement of the Recognition Ordinance?

Thanks

---

**From:** Coffey, Cheri

**Sent:** Wednesday, December 28, 2016 2:49 PM

**To:** Plane, Margaret <[Margaret.Plane@slcgov.com](mailto:Margaret.Plane@slcgov.com)>

**Subject:** RE: 2.60 updates?

Margaret,

Please clarify what you want me to do. In the email directly below (from October 10, 2016), you state that the Attorney's Office doesn't think we need to add "enforcement" language to Section 2.60 relating to Recognized Organizations but in the November 28, 2016 email it sounds like you do want me to add enforcement language.

If I am to do what is noted in the November 28<sup>th</sup> email, please send me suggestions for appropriate language to include in the ordinance.

I have attached the latest draft of the ordinance.

Thanks

Cheri

**October 10, 2016 email**

Cheri and Jen,

Nicole and I talked about her office's concerns about how to handle allegations that community organizations are not following their own bylaws. She provided some language below, although ultimately we concluded it isn't necessary. We agreed that in the future, if members of community organizations call the recorder's office alleging that their organization is not following their own bylaws, the response will be that the recorder's office does not regulate that.

These organizations are independent and self-regulating, and it would be awkward and inappropriate for any City department (Mayor's office, recorder's office, attorney's office, wherever) to try to regulate compliance with bylaws. Practically speaking the Mayor's office may want to be involved or respond to such allegations. But that is a political decision, not a legal or regulatory decision. Again, thanks for considering additional language, but we don't think it is necessary.

One other comment: Paul and I recommend amending “city code amendments” in 2.60.050(C) to “zoning ordinance text amendments” or city code amendments concerning land use regulation” (which would capture subdivision code text amendments).

This subsection is about “projects,” and it seems internally inconsistent to call all “city code amendments” a type of “project” that we would notify the organizations about. We do not currently follow this as written, and to do so would frustrate the legislative process, at best. We recommend amending it to better reflect what we do. As written, this section could be used against us, even though we clearly never intended to send all code amendments to these organizations.

Thanks for your work and for considering our input. Please let me know if you have questions or concerns about either issue above. Yours, Margaret

CHERI COFFEY, AICP  
Assistant Planning Director

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[Cheri.coffey@slcgov.com](mailto:Cheri.coffey@slcgov.com)

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---

**From:** Plane, Margaret  
**Sent:** Monday, November 28, 2016 3:26 PM  
**To:** Coffey, Cheri <[Cheri.Coffey@slcgov.com](mailto:Cheri.Coffey@slcgov.com)>  
**Subject:** 2.60 updates?

Cheri, Jennifer Seelig and I met back in October (!) and she had some input on 2.60 that I wanted to make sure was shared. I haven’t been in the loop on the rewrite and don’t know the status.

Essentially, my notes show that she wanted the revisions to make clear that if a community organization fails to follow the requirements in what was 2.60.030 and .040, then they would be removed from the list of recognized organizations. Also, at that time she wanted the ordinance to include timeframes for organizations to meet these requirements, and a failure to meet the deadline would result in removal.

I hate to be in the middle of this because I’m probably three revisions behind;) what’s the easiest way to sort this out? thanks, and sorry for any confusion. Happy to chat! mdp

MARGARET D. PLANE  
Salt Lake City Attorney

CITY ATTORNEY'S OFFICE  
SALT LAKE CITY CORPORATION

451 S. State Street, Ste. 505A  
Salt Lake City, Utah 84111  
801.535.7610  
801.535.7640 (fax)  
[Margaret.plane@slcgov.com](mailto:Margaret.plane@slcgov.com)

Mailing address:  
P.O. Box 145478  
Salt Lake City, Utah 84114-5478

## Coffey, Cheri

---

**From:** Seelig, Jennifer  
**Sent:** Tuesday, February 14, 2017 5:27 PM  
**To:** Salazar, Nate; Coffey, Cheri  
**Cc:** Norris, Nick; Buehler, Elizabeth  
**Subject:** RE: Community Council Survey

I think this sounds great. Nate, do you have anything to add? Thanks, Jen

**Jennifer Seelig**  
Director of Community Empowerment  
O: 801-535-7117  
M: 801-558-9368

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---

**From:** Salazar, Nate  
**Sent:** Tuesday, February 14, 2017 8:43 AM  
**To:** Coffey, Cheri <Cheri.Coffey@slcgov.com>; Seelig, Jennifer <Jennifer.Seelig@slcgov.com>  
**Cc:** Norris, Nick <Nick.Norris@slcgov.com>; Buehler, Elizabeth <Elizabeth.Buehler@slcgov.com>  
**Subject:** RE: Community Council Survey

Cheri,

Thank you for putting this together and sending it over. Jen and I will review this today and provide any feedback we have. Thanks!

Best,

**Nate Salazar, MSW**  
Community Liaison  
O: 801-535-7976  
M: 385-775-8406

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[www.SLCGOV.COM](http://www.SLCGOV.COM)

---

**From:** Coffey, Cheri  
**Sent:** Monday, February 13, 2017 4:39 PM  
**To:** Seelig, Jennifer <[Jennifer.Seelig@slcgov.com](mailto:Jennifer.Seelig@slcgov.com)>; Salazar, Nate <[Nate.Salazar@slcgov.com](mailto:Nate.Salazar@slcgov.com)>  
**Cc:** Norris, Nick <[Nick.Norris@slcgov.com](mailto:Nick.Norris@slcgov.com)>; Buehler, Elizabeth <[Elizabeth.Buehler@slcgov.com](mailto:Elizabeth.Buehler@slcgov.com)>  
**Subject:** Community Council Survey

Jen and Nate,

As part of the Early Notification project, I'd like to send a survey to the executive board members of each recognized organization. I have attached a copy of the proposed questions. Please review and let me know if you think these are ok. Also, I have drafted an introductory paragraph that would accompany the survey.

Introductory Paragraph- Salt Lake City is currently analyzing changes to the Recognized Community Organization ordinance. As part of that analysis, the City is sending a survey to all members of Executive Boards of Community Councils to learn about what community council members believe is the role of community councils and the purpose of the community council's role is in the development proposal process. The survey consists of 16 questions and should take less than five (5) minutes to complete. Your cooperation in filling out the survey will help the City have a better understanding of how the different community councils operate.

Please let me know if you are ok with this language as well.

Once I have it all ready to go, I would like to coordinate with you so it can be sent from your office.

Thanks

Cheri

CHERI COFFEY, AICP  
Assistant Planning Director

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## Coffey, Cheri

---

**From:** Coffey, Cheri  
**Sent:** Wednesday, April 12, 2017 11:44 AM  
**To:** Mikolash, Gregory; Young, Kevin; Castle, Carly; Jensen, Melissa; Snelling, Jeff; Ewell, Lamar; Riker, Kristin; Gliot, Tony; McCandless, Allen; Butterfield, Edward; Nielson, Paul; Buehler, Elizabeth; Stanczyk, Robyn; Steele, Trent; Strayer, Kyle; Rushton, Corey; Shearer, Brandon; Heiden, Robin; Pate, Elias; Rand, John; Neibel, Brandon; Bednarik, Mark; Volmer, Nancy; Farmer, Molly; Mullen, Holly; Perez, Blake; Verson, Alexis; Weist, Dan; Salazar, Nate; Beck, Anne; Judd, Christina; Green, Melissa; Nicholas, Sophia; Seelig, Jennifer; Jones, David; Duer, Stephanie; 'Diane Tran'; Coffey, Cheri; Young, Bryan; Olson, Tara; Holty, Amanda; Schlegel, Ryan; Kumar, Poonam; Ellis, Kelsey; Halvorsen, Davin; Chipping, Richard; Oman, Jenni; Rojas, Matthew; Sorensen, Audra; Lindsley, Cara; Eggertsen-Goff, Lani; Davis, Annie; Lyons, Debbie; Park, Randi; Egbert, Darby; 'david.halverson@slcgov.com'; Bier, David; Rene, Kenya; Asay, Jasen; Uluave-Hafoka, Moana  
**Cc:** Goff, Orion; Briefer, Laura; Shaffer, Lisa; Walkingshaw, Nole; Dale, Brian; Brown, Mike; Krieger, Karen; Riley, Maureen; Reberg, Mike; Fritts, Lara; Plane, Margaret; Norris, Nick  
**Subject:** Proposed Changes to Early Engagement Regulations  
**Attachments:** Proposed Changes to Early Notification Ordinance .docx

All,

At the request of Mayor Biskupski and the Salt Lake City Council, the Planning Division has been working on proposed changes to City regulations relating to Early Notification of the public about various projects. Most of the proposed changes relate to amendments of Section 2.60 of the City Code (Recognized Community Organization Ordinance) but there are also some proposed changes to the Subdivision and Zoning Ordinance. The Recognized Community Organization was initially adopted in the 1980s and has been updated as late as 2012. The Mayor and Council are requesting that the ordinance be reviewed and revised to encourage increased awareness and participation by the public while still affording a timely review process for projects.

Attached is the final draft ordinance. Please review the draft and send me any comments you have by Friday April 28, 2017.

The Planning Commission is tentatively scheduled to hold a public hearing on the matter at the end of May or beginning of June.

Please let me know if you have any comments or questions.

Thanks

Cheri

CHERI COFFEY, AICP  
Assistant Planning Director

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## Coffey, Cheri

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**Sent:** Wednesday, April 12, 2017 11:44 AM  
**To:** Mikolash, Gregory; Young, Kevin; Castle, Carly; Jensen, Melissa; Snelling, Jeff; Ewell, Lamar; Riker, Kristin; Gliot, Tony; McCandless, Allen; Butterfield, Edward; Nielson, Paul; Buehler, Elizabeth; Stanczyk, Robyn; Steele, Trent; Strayer, Kyle; Rushton, Corey; Shearer, Brandon; Heiden, Robin; Pate, Elias; Rand, John; Neibel, Brandon; Bednarik, Mark; Volmer, Nancy; Farmer, Molly; Mullen, Holly; Perez, Blake; Verson, Alexis; Weist, Dan; Salazar, Nate; Beck, Anne; Judd, Christina; Green, Melissa; Nicholas, Sophia; Seelig, Jennifer; Jones, David; Duer, Stephanie; 'Diane Tran'; Coffey, Cheri; Young, Bryan; Olson, Tara; Holty, Amanda; Schlegel, Ryan; Kumar, Poonam; Ellis, Kelsey; Halvorsen, Davin; Chipping, Richard; Oman, Jenni; Rojas, Matthew; Sorensen, Audra; Lindsley, Cara; Eggertsen-Goff, Lani; Davis, Annie; Lyons, Debbie; Park, Randi; Egbert, Darby; 'david.halverson@slcgov.com'; Bier, David; Rene, Kenya; Asay, Jasen; Uluave-Hafoka, Moana  
**Cc:** Goff, Orion; Briefer, Laura; Shaffer, Lisa; Walkingshaw, Nole; Dale, Brian; Brown, Mike; Krieger, Karen; Riley, Maureen; Reberg, Mike; Fritts, Lara; Plane, Margaret; Norris, Nick  
**Subject:** Proposed Changes to Early Engagement Regulations  
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Please let me know if you have any comments or questions.

Thanks

Cheri

CHERI COFFEY, AICP  
Assistant Planning Director

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## Coffey, Cheri

---

**From:** Eggertsen-Goff, Lani  
**Sent:** Friday, April 28, 2017 4:19 PM  
**To:** Coffey, Cheri  
**Cc:** Snelling, Jeff  
**Subject:** RE: Proposed Changes to Early Engagement Regulations

Hello Cheri,

I have circulated this within Engineering. We do not object to any of the updates. We will endeavor to meet the requirements for notification and public engagement process listed in Section C and early notification under D. 1. and 2.

Thank you for the opportunity to review.

### LANI EGGERTSEN-GOFF

Construction Program Manager & Project Liaison  
Engineering Division

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CEL 801-608-4931

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---

**From:** Coffey, Cheri

**Sent:** Wednesday, April 12, 2017 11:44 AM

**To:** Mikolash, Gregory <gregory.mikolash@slcgov.com>; Young, Kevin <Kevin.Young@slcgov.com>; Castle, Carly <Carly.Castle@slcgov.com>; Jensen, Melissa <Melissa.Jensen@slcgov.com>; Snelling, Jeff <Jeff.Snelling@slcgov.com>; Ewell, Lamar <Lamar.Ewell@slcgov.com>; Riker, Kristin <Kristin.Riker@slcgov.com>; Gliot, Tony <Tony.Gliot@slcgov.com>; McCandless, Allen <Allen.McCandless@slcgov.com>; Butterfield, Edward <Edward.Butterfield@slcgov.com>; Nielson, Paul <paul.nielson@slcgov.com>; Buehler, Elizabeth <Elizabeth.Buehler@slcgov.com>; Stanczyk, Robyn <Robyn.Stanczyk@slcgov.com>; Steele, Trent <Trent.Steele@slcgov.com>; Strayer, Kyle <Kyle.Strayer@slcgov.com>; Rushton, Corey <Corey.Rushton@slcgov.com>; Shearer, Brandon <Brandon.Shearer@slcgov.com>; Heiden, Robin <Robin.Heiden@slcgov.com>; Pate, Elias <Elias.Pate@slcgov.com>; Rand, John <John.Rand@slcgov.com>; Neibel, Brandon <Brandon.Neibel@slcgov.com>; Bednarik, Mark <Mark.Bednarik@slcgov.com>; Volmer, Nancy <Nancy.Volmer@slcgov.com>; Farmer, Molly <Molly.Farmer@slcgov.com>; Mullen, Holly <Holly.Mullen@slcgov.com>; Perez, Blake <Blake.Perez@slcgov.com>; Verson, Alexis <Alexis.Verson@slcgov.com>; Weist, Dan <Dan.Weist@slcgov.com>; Salazar, Nate <Nate.Salazar@slcgov.com>; Beck, Anne <Anne.Beck@slcgov.com>; Judd, Christina <Christina.Judd@slcgov.com>; Green, Melissa <Melissa.Green@slcgov.com>; Nicholas, Sophia <Sophia.Nicholas@slcgov.com>; Seelig, Jennifer <Jennifer.Seelig@slcgov.com>; Jones, David <David.Jones@slcgov.com>; Duer, Stephanie <stephanie.duer@slcgov.com>; 'Diane Tran' <trandian@gmail.com>; Coffey, Cheri <Cheri.Coffey@slcgov.com>; Young, Bryan <Bryan.Young@slcgov.com>; Olson, Tara <Tara.Olson@slcgov.com>; Holty, Amanda <Amanda.Holty@slcgov.com>; Schlegel, Ryen <Ryen.Schlegel@slcgov.com>; Kumar, Poonam <Poonam.Kumar@slcgov.com>; Ellis, Kelsey <Kelsey.Ellis@slcgov.com>; Halvorsen, Davin <Davin.Halvorsen@slcgov.com>; Chipping, Richard <Richard.Chipping@slcgov.com>; Oman, Jenni <Jenni.Oman@slcgov.com>; Rojas, Matthew <Matthew.Rojas@slcgov.com>; Sorensen, Audra <Audra.Sorensen@slcgov.com>; Lindsley, Cara <Cara.Lindsley@slcgov.com>; Eggertsen-Goff, Lani <Lani.Eggertsen-goff@slcgov.com>; Davis, Annie <Annie.Davis@slcgov.com>; Lyons, Debbie <debbie.lyons@slcgov.com>; Park, Randi <Randi.Park@slcgov.com>; Egbert, Darby <Darby.Egbert@slcgov.com>; 'david.halverson@slcgov.com'

<david.halverson@slcgov.com>; Bier, David <David.Bier@slcgov.com>; Rene, Kenya <Kenya.Rene@slcgov.com>; Asay, Jasen <Jasen.Asay@slcgov.com>; Uluave-Hafoka, Moana <Moana.Uluave-Hafoka@slcgov.com>  
**Cc:** Goff, Orion <Orion.Goff@slcgov.com>; Briefer, Laura <Laura.Briefer@slcgov.com>; Shaffer, Lisa <Lisa.Shaffer@slcgov.com>; Walkingshaw, Nole <Nole.Walkingshaw@slcgov.com>; Dale, Brian <Brian.Dale@slcgov.com>; Brown, Mike <Mike.Brown@slcgov.com>; Krieger, Karen <Karen.Krieger@slcgov.com>; Riley, Maureen <Maureen.Riley@slcgov.com>; Reberg, Mike <Mike.Reberg@slcgov.com>; Fritts, Lara <Lara.Fritts@slcgov.com>; Plane, Margaret <Margaret.Plane@slcgov.com>; Norris, Nick <Nick.Norris@slcgov.com>  
**Subject:** Proposed Changes to Early Engagement Regulations

All,

At the request of Mayor Biskupski and the Salt Lake City Council, the Planning Division has been working on proposed changes to City regulations relating to Early Notification of the public about various projects. Most of the proposed changes relate to amendments of Section 2.60 of the City Code (Recognized Community Organization Ordinance) but there are also some proposed changes to the Subdivision and Zoning Ordinance. The Recognized Community Organization was initially adopted in the 1980s and has been updated as late as 2012. The Mayor and Council are requesting that the ordinance be reviewed and revised to encourage increased awareness and participation by the public while still affording a timely review process for projects.

Attached is the final draft ordinance. Please review the draft and send me any comments you have by Friday April 28, 2017.

The Planning Commission is tentatively scheduled to hold a public hearing on the matter at the end of May or beginning of June.

Please let me know if you have any comments or questions.

Thanks

Cheri

CHERI COFFEY, AICP  
Assistant Planning Director

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## Coffey, Cheri

---

**From:** McCandless, Allen  
**Sent:** Friday, September 16, 2016 11:23 AM  
**To:** Coffey, Cheri  
**Cc:** Riley, Maureen  
**Subject:** RE: Early Engagement

Cheri,

Thank you for speaking with me regarding the Early Engagement process. As with other SLC proposals my task is to see if there would be any future impacts to the airport. From your description and reviewing the proposed ordinance changes, I do not see that there would be impacts to the airport. The proposed changes deal with alley vacations, conditional uses, demolition in historic districts, street changes, zone changes etc. as listed in the ordinance. If the airport occasionally has zoning amendments, this ordinance probably apply in those cases. –Allen McCandless

---

**From:** Coffey, Cheri  
**Sent:** Monday, September 12, 2016 2:54 PM  
**To:** Goff, Orion <Orion.Goff@slcgov.com>; Young, Kevin <Kevin.Young@slcgov.com>; Akerlow, Michael <Michael.Akerlow@slcgov.com>; Snelling, Jeff <Jeff.Snelling@slcgov.com>; Teerlink, Scott <scott.teerlink@slcgov.com>; Riker, Kristin <Kristin.Riker@slcgov.com>; McCandless, Allen <Allen.McCandless@slcgov.com>; Nielson, Paul <paul.nielson@slcgov.com>; Ferguson, Boyd <boyd.ferguson@slcgov.com>; Krieger, Karen <Karen.Krieger@slcgov.com>; Belliveau, Justin <Justin.Belliveau@slcgov.com>; Walkingshaw, Nole <Nole.Walkingshaw@slcgov.com>; Buehler, Elizabeth <Elizabeth.Buehler@slcgov.com>  
**Cc:** Cabinet Members <CabinetMembers@slcgov.com>  
**Subject:** Early Engagement

All,

Please find a draft of the proposed ordinance changes relating to the Early Engagement process. The Planning Division has been asked by the Mayor and Council to revise the existing ordinance to clarify, and improve early engagement rules and participation while balancing the communities need for public input on projects with an applicant's right to a timely review process.

I would appreciate your comments back by Friday September 30<sup>th</sup>.

Please let me know if you have any questions or comments.

Thanks

Cheri

CHERI COFFEY, AICP  
Assistant Planning Director

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## Recognition Ordinance

### 2.60.030: MINIMUM REQUIREMENTS:

A. All community organizations seeking recognition pursuant to this chapter must comply with the following:

1. Properly register as a nonprofit corporation in good standing with the state of Utah;
2. Adopt bylaws which include the following provisions:
  - a. A clear definition of membership;
  - b. A policy of open participation of all persons who are members of the organization;
  - c. A policy against discrimination;
  - d. Attendance to meetings is open to the general public;
  - e. Meetings will provide an opportunity for public input.

3. Revision of Bylaws. If the Recognized Organization adopts changes to its bylaws, the Recognized Organization has thirty (30) days to shall file a copy of the amended bylaws with the Salt Lake City Recorder's Office within thirty (30) days of such changes. The changes can be filed with the Salt Lake City Recorder's Office by any member of the Executive Board of the Recognized Organization.

4. Organizations must hold at least one meeting of their membership each year.

### 2.60.050: RESPONSIBILITIES OF CITY:

A. Education: The city shall adequately educate the public on city policy, procedures, and actions.

B. Public Engagement: Each city department shall strive to utilize best public engagement practices to educate, engage, and receive input from the public at a level that is consistent with the scope of impact of a proposal or project.

C. Early Notification to Recognized Community Organizations Notification And Response: The city will shall send a notice to the applicable recognized community organization chair(s) for the following types of projects listed below:

Alley vacation



relating to land use

Section

City code amendments

Conditional Building and Site Design Review for new principal structures

Conditional uses except Administrative Conditional Uses as identified in 21A.54.155 B

Demolition of contributing structures located within a local historic district or landmark sites

Major changes to street capacity or travel modes

Major upgrades to public facilities and structures

Master plan amendment or policy amendments to be adopted by the city council

Master plan or policies to be adopted by the city council

New construction of major public facilities and structures

New construction of principal structures within local historic districts or on landmark sites, except for single family and two family dwellings.

Planned development

Zoning map amendment

#### D. Methods for Early Notification

1. The recognized community organization chair(s) shall notify the applicable City Department / Division within fourteen (14) calendar days of receiving the original notice from the City to let the City know whether they want to review the project. If the organization decides to review the project, it shall have a maximum of forty five (45) days to provide comments to the applicable City Department / Division, from the date the original notice informing them of the project was sent. A public hearing will not be held, nor will a final decision will not be made about the project within the forty five (45) day period. If the recognized organization does not respond within fourteen (14) days as to whether it wants to review the matter, decides not to hear the matter, or completes its review prior to the forty five (45) day time period, the public hearing can be scheduled matter can be scheduled for a decision prior to the end of the forty five (45) day time limit, or

- E-2. Where a project is within six hundred feet (600') of the boundaries of another recognized community organization's district, when more than one recognized organization has requested a presentation of the matter, when the subject property is located west of 2200 West, when the recognized organization will not meet within forty five (45) days of receiving the notice from the City, when the project is a master plan or when the project is a text amendment to the city code, the city will schedule the item for an open house and notify the public, including those recognized community organizations who may be affected by the project or who have specifically requested notification of the public open house. The Open House process

community

relating to land use

before

community

comment

recognized

before the end of period

*used*

*subsection*

will be followed instead of, not in addition to, the process outlined in D.1. A final decision will not be made about the project until after the public open house has occurred.

*and*

**D E.** Notice Procedures: The city departments shall develop policies and procedures to show how they will provide notice and early participation opportunities for pending major city actions. These include, but are not limited to, public meetings, development projects, planning activities, grant and funding opportunities, which may have a significant impact on the membership of a registered community organization. Notice shall be given to affected community-based organizations in a timely manner, including information on the time frame for a response.

*recognized*

**E F.** Reregistration Notification: The recorder's office shall notify each registered community organization of pending requirement for reregistration by December 31 of each year.

**F G** List Of Organizations: In an effort to notify the public about the existence of community based organizations and encourage participation in these organizations, at least once a year the city shall make a reasonable attempt to provide a list of all community-based organizations and their contact information to all residents, property owners, business owners, schools and nonprofit agencies in Salt Lake City. (Ord. 58-13, 2013)

*Recognized*

**2.60.060: RESPONSIBILITIES OF COMMUNITY ORGANIZATIONS:**

- A. Renew registration with the recorder's office on an annual basis.
  - B. Establish orderly and democratic means for forming representative public input through civil and respectful dialogue.
  - C. Establish and follow a clear method for reporting to the city actions which accurately reflect their position. Include the means by which a recommendation or decision was reached, how many members were involved and what the outcome was.
  - D. By interaction with its members, residents, and the city, foster open and respectful communication between the community organization and representatives of city departments on plans, proposals and activities affecting the interests of the community organization.
- that*
- recognized*

*Each recognized community organization shall:*

## ATTACHMENT E: Original Petition Information

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## Coffey, Cheri

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**From:** Shepard, Nora  
**Sent:** Monday, April 25, 2016 12:58 PM  
**To:** Coffey, Cheri; Paterson, Joel  
**Subject:** FW: Legislative Intent - Changes to Various Boards & Commissions - Noticing

Nora Shepard, AICP  
Planning Director

PLANNING DIVISION  
COMMUNITY and ECONOMIC DEVELOPMENT  
SALT LAKE CITY CORPORATION

TEL 801-535-7226  
FAX 801-535-6174

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From: Mansell, Cindi  
Sent: Monday, April 25, 2016 12:55 PM  
To: Mansell, Cindi; Crandall, Scott; Gust-Jenson, Cindy; Weaver, Lehua; Bruno, Jennifer; Litvack, David; Leary, Patrick; Tarbet, Nick; Shepard, Nora; Norris, Nick; Oktay, Michaela; Reberg, Mike; DeLaMare-Schaefer, Mary  
Cc: Plane, Margaret; Nielson, Paul  
Subject: Legislative Intent - Changes to Various Boards & Commissions - Noticing

Good Afternoon-

At the April 19, 2016 City Council meeting, the Council adopted Ordinance 10 of 2016 providing for fine tuning of City Code related to public hearings and the operations of various board and commissions.

The following intent language was also adopted.

Please take appropriate action and forward this message to anyone else that needs to be involved.

8:30:14 PM Councilmember Penfold moved and Councilmember Rogers seconded to **support a Legislative Intent** requesting the Administration review the City's noticing requirements related to land use issues in an effort to enhance transparency and community engagement. The Council is interested in reviewing appropriate early notification standards to ensure that the neighborhoods around proposed projects are afforded adequate notification and have sufficient time to provide feedback. The review should consider ways to improve notification and participation at community Council meetings and open houses, while balancing the needs of applicants to have a timely review process. The motion passed unanimously, all members voted aye.

(P 16-4)

*Cindi L. Mansell, MMC/CRM*

Salt Lake City Recorder  
801-535-6223

**3b. PLANNING COMMISSION BRIEFING – NOVEMBER 14, 2018**  
**i. AGENDA AND MINUTES**



# **SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA**

## **AMENDED**

**In Room 326 of the City & County Building**

**November 14, 2018, at 5:30 p.m.**

**(The order of the items may change at the Commission's discretion)**

**FIELD TRIP** - The field trip is scheduled to leave at 4:00 p.m.

**DINNER** - Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room 126 of the City and County Building. During the dinner break, the Planning Commission may receive training on city planning related topics, including the role and function of the Planning Commission.

### **PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326**

**APPROVAL OF MINUTES FOR OCTOBER 24, 2018**

**REPORT OF THE CHAIR AND VICE CHAIR**

**REPORT OF THE DIRECTOR**

### **PUBLIC HEARINGS**

- 1. Planned Development and Conditional Building and Site Design Review for the Union Pacific Hotel at 2 S. 400 West** - The Athens Group and HKS Architects, on behalf of Vestar Gateway, LLC, have requested the above-mentioned planning petitions to accommodate the development of an 8-story, 225-room hotel on the west side of the existing Union Pacific Railroad Station. The hotel project is in conjunction with the adaptive reuse of the historic train station itself, which entails the preservation of the existing Grand Train Hall in the center of the station and the addition of other hotel amenities. All new construction in the Gateway-Mixed Use zoning district must be reviewed as a planned development. Additionally, the applicants have elected to go through the Conditional Building and Site Design Review process to accommodate approximately 99 feet of building height in lieu of 75 feet that is permitted outright. However, the building will be no taller than the existing train station. The subject property is located in Council District 4, represented by Derek Kitchen. (Staff Contact - Lauren Parisi at 801-535-7226 or [lauren.parisi@slcgov.com](mailto:lauren.parisi@slcgov.com)) **Case numbers PLNPCM2018-00617 & PLNSUB2018-00618**
- 2. Single Room Occupancy (SRO) Text Amendments** - A request by Mayor Jackie Biskupski to amend sections of the zoning ordinance to better define the Single Room Occupancy (SRO) housing type and determine appropriate locations within the city for this use. The intent of the proposed amendments is to implement the recently-adopted Growing SLC: A Five-Year Housing Plan (2017-2021). The amendments will affect the following sections of the Zoning Ordinance: 21A.62.040 Definitions of Terms, 21A.33 Land Use Tables, 21A.36 General Provisions, and 21A.44.030 Number of Off-Street Parking Spaces Required. Related provisions of Title 21A (Zoning) may also be amended as part of this petition. (Staff Contact: Ashley Scarff (801) 535-7660 or [ashley.scarff@slcgov.com](mailto:ashley.scarff@slcgov.com)) **Case number PLNPCM2018-00066** (Legislative Matter)
- 3. Partial Street Vacation at 239 N East Capitol Street** - A request by Brian and Jennifer Reuben for a Partial Street Vacation of a portion of East Hillside Avenue adjacent to their property at 239 N East Capitol Street. The purpose of the vacation is to reconcile the location of two accessory buildings and a masonry wall in the public right-of-way. The subject property is located in RMF-35 (Moderate Density Multi-Family Residential District) zoning district and is located in Council District 3, represented by Chris Wharton. (Staff contact: Molly Robinson at (801) 535-7261 or [molly.robinson@slcgov.com](mailto:molly.robinson@slcgov.com)) **Case number PLNPCM2018-00121**

4. **Guadalupe Row Houses** - A request by Jarod Hall, on behalf of the owner, Riley Rogers, to develop residential row houses on seven parcels at approximately 529 West 500 north via planned development and subdivision petitions. The proposed development will consist of two residential buildings with a total of 13 units. The zoning standards in that area specify that no more than 6 dwellings may be attached together. Consequently, the planned development petition is for one building containing 6 units and a second building with 7 units, as well as allowing for lots not fronting on a street, and reductions to front and side yard setbacks and lot dimensions. The subdivision is to reapportion the land to provide a lot for each unit. The subject parcels are located in the SR-3 (Special Development Pattern Residential) zoning district within City Council District 3, represented by Chris Wharton. (Staff contact: Chris Lee at 801-535-7706 or [chris.lee@slcgov.com](mailto:chris.lee@slcgov.com)). **Case numbers PLNSUB2018-00496 & PLNSUB2018-00668**
5. **The Birdie (218 S 200 E)** - A request by Jake Williams at C.W. Urban to build a 70-unit apartment building with a building height of 82-feet, which is below the 100-foot minimum building height for a corner building in the D-1 Central Business District and requires planned development review. The applicant seeks to achieve the objective of fulfilling the goals of the Downtown Community Plan. The subject property is located in D-1 (Central Business District) zoning district and is located in Council District 4, represented by Derek Kitchen. (Staff contact: Molly Robinson at (801) 535-7261 or [molly.robinson@slcgov.com](mailto:molly.robinson@slcgov.com)) **Case number PLNSUB2018-00519**

## **WORK SESSION**

1. **Early Notification Text Amendment** – A petition by the City Council to review regulations and processes related to early notification and public participation in planning processes. The Planning Commission reviewed this request in May 2017 and tabled this item for additional information. The purpose of the proposed changes is to clarify the language in the ordinance as well as increase awareness and participation by the public while affording a timely review process for applicants and projects. The proposed regulation changes will affect various sections of the City Code including Section 2.60, Recognized Community Organizations, Title 20, Subdivisions and Title 21A, Zoning Ordinance. Related provisions of the City Code may also be amended as part of this petition. (Staff contact: Tracy Tran at (801) 535-7645 [tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com)). **Case number: PLNPCM2016-00300**

*The files for the above items are available in the Planning Division offices, room 406 of the City and County Building. Please contact the staff planner for information, Visit the Planning Division's website at [www.slcgov.com/planning](http://www.slcgov.com/planning) for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at [www.slctv.com](http://www.slctv.com). The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.*

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**City & County Building**  
**451 South State Street, Room 326, Salt Lake City, Utah**  
**Wednesday, November 14, 2018**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:33:45 PM](#). Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Chairperson Maurine Bachman, Vice Chairperson Sara Urquhart; Commissioners Amy Barry, Adrienne Bell, Weston Clark,Carolynn Hoskins, Andres Paredes and Clark Ruttinger. Commissioners Brenda Scheer and Matt Lyon were excused.

Planning Staff members present at the meeting were Wayne Mills, Planning Manager; Molly Robinson, Planning Manager; Paul Nielson, Attorney; Tracy Tran, Senior Planner; Lauren Parisi, Principal Planner; Ashley Scarff, Principal Planner and Marlene Rankins, Administrative Secretary.

**Field Trip**

A field trip was held prior to the work session. Planning Commissioners present were: Maurine Bachman, Weston Clark, Carolynn Hoskins and Sara Urquhart. Staff members in attendance was Wayne Mills.

- **239 N East Capitol Street** - Staff summarized request.
- **529 West 500 North** - Staff summarized the project.

**APPROVAL OF THE OCTOBER 24, 2018, MEETING MINUTES** [5:34:09 PM](#)  
**MOTION** [5:34:20 PM](#)

Commissioner Hoskins moved to approve the October 24, 2018, meeting minutes. Commissioner Bell seconded the motion. Commissioners Barry, Bell, Hoskins, Clark, Urquhart and Ruttinger voted “Aye”. Commissioner Paredes abstained from voting. The motion passed.

**REPORT OF THE CHAIR AND VICE CHAIR** [5:34:56 PM](#)

Chairperson Bachman stated she had nothing to report.

Vice Chairperson Urquhart stated she had nothing to report.

**REPORT OF THE DIRECTOR** [5:35:04 PM](#)

Mr. Wayne Mills, Planning Manager, stated he had nothing to report.

[5:35:13 PM](#)

**Planned Development and Conditional Building and Site Design Review for the Union Pacific Hotel at 2 S. 400 West** - The Athens Group and HKS Architects, on behalf of Vestar Gateway, LLC, have requested the above-mentioned planning petitions to accommodate the development of an 8-story, 225-room hotel on the west side of the existing Union Pacific Railroad Station. The hotel project is in conjunction with the adaptive reuse of the historic train station itself, which entails the preservation of the existing Grand Train Hall in the center of the station and the addition of other hotel amenities. All new construction in the Gateway-Mixed Use zoning district must be reviewed as a planned development. Additionally, the applicants have elected to go through the Conditional Building and Site Design Review process to accommodate approximately 99 feet of building height in lieu of 75 feet that is permitted outright. However, the building will be no taller than the existing train station. The subject property is



Molly Robinson, Planning Manager, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended the Planning Commission approve the petition with the conditions listed in the staff report.

Jake Williams, Applicant, provided a presentation along with further details regarding the proposed project.

**PUBLIC HEARING** [9:30:02 PM](#)

Chairperson Bachman opened the public hearing;

The Commission and staff discussed whether an anonymous comment can be heard.

Seeing no one wished to speak, Chairperson Bachman closed the public hearing.

The Commission, Staff and Applicant discussed the following:

- Height of the building
- Permitted building height

**MOTION** [9:49:39 PM](#)

**Commissioner Urquhart stated, based on the information in the staff report, public testimony, and discussion by the Planning Commission, I move that the Planning Commission approve the Planned Development PLNSUB2018-00519. In order to comply with the applicable standards as listed in the staff report 1-6.**

**Commissioner Barry Second. Commissioners Barry, Hoskins, Clark, Urquhart, Ruttinger, and Paredes voted “Aye”. The motion passed unanimously.**

[9:52:13 PM](#)

**WORK SESSION**

**Early Notification Text Amendment** – A petition by the City Council to review regulations and processes related to early notification and public participation in planning processes. The Planning Commission reviewed this request in May 2017 and tabled this item for additional information. The purpose of the proposed changes is to clarify the language in the ordinance as well as increase awareness and participation by the public while affording a timely review process for applicants and projects. The proposed regulation changes will affect various sections of the City Code including Section 2.60, Recognized Community Organizations, Title 20, Subdivisions and Title 21A, Zoning Ordinance. Related provisions of the City Code may also be amended as part of this petition. (Staff contact: Tracy Tran at (801) 535-7645 [tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com)). **Case number: PLNPCM2016-00300**

Tracy Tran, Senior Planner, briefed the Commission regarding the proposed petition.

The Commission and Staff discussed the following:

- Considering a mechanism to provide a better platform for the public to access information
- Suggestion to provide notices in Spanish for the Spanish speaking community
- Outreach with social media

**The meeting adjourned at** [10:09:17 PM](#)





# MEMORANDUM

PLANNING DIVISION  
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Tracy Tran, Senior Planner  
801-535-7645, [tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com)

Date: November 14, 2018

Re: PLNPCM2016-00300 – Early Notification Text Amendments

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## Early Notification Text Amendments

### ACTION REQUIRED

**No action required.** Planning staff would like the Planning Commission's input on the direction staff is taking with the Early Notification Text Amendments.

### BACKGROUND

In 2016, The City Council and the Mayor initiated this petition to clarify provisions to City regulations relating to early notification to the public about various types of projects. The purpose of the amendment is to increase awareness and participation by the public of various types of projects the City works on while still affording a timely review for applicants.

### REASON FOR CHANGE

Currently, the City has rules to provide notification to recognized community organizations about specific types of projects within the City in Chapter 2.60 of the City Code. The current language is confusing and other rules may be appropriate to meet the intent of the early engagement process. In addition, this section of the code impacts multiple City departments and is not focused only on the Zoning ordinance.

For additional information related to the purpose of the code amendments, please refer to the Early Notification Code Amendments – [Planning Commission Staff Report](#) dated May 24, 2017.

### PROPOSED ORDINANCE

Planning Staff presented proposed amendments and a public hearing was held at the Planning Commission meeting on [May 24, 2017](#). Here are the [minutes](#) from the meeting. The Planning Commission tabled the item and asked staff to follow up with additional considerations that include:

- Adding a definition of engagement activity and what constitutes input
- Assessing whether to include other applications such as special exceptions and variances
- Creating a public engagement ordinance and not one focused just on recognized organizations

- Discussing the proposal **with City's Civic Engagement Team**

Since that time, staff has reconsidered the structure of the ordinance and has re-organized and re-written the proposed amendments. The purpose of this change is to focus on public engagement and not only on engaging recognized community organizations. The proposed ordinance is structured as follows and includes the following changes:

1. Re-organized and placed within the Zoning Ordinance (Chapter 21A) instead of within the Recognized Community Organizations (Chapter 2.60).

The current provisions regarding early notification only address Recognized Community Organizations, located within Chapter 2.60 of the City Code. Since the proposal is focused on land use applications and the goal is to encourage public engagement overall and not just on engaging the recognized organizations, Planning Staff has created a new section within Chapter 21A.10 to address early notification requirements. Chapter 2.60 impacts multiple City departments and divisions. Making changes to that section may add requirements for various departments to follow planning practices, which may not work for various departments. Moving the section to within the zoning ordinance will focus only on planning applications, which meets the intent of the petition.

2. Includes purpose statement of the early notification process.

The current language in the ordinance includes a purpose statement for recognized organizations but it does not include language about the purpose of public engagement and early notification. This language was added to:

- highlight the importance of informing the public early on in the process;
- allow a reasonable timeframe for feedback; and
- establish a process for decision makers to hear from the public before a decision is made on a proposal.

3. Clarifies and adds the application types that require early notification. The list of applicable application types is similar to the existing zoning applications that require early notification with the addition of the two items in blue:

- a. Alley/street closure or vacation
- b. Amendment to the City Zoning Code
- c. Conditional use
- d. Design Review when required to be reviewed by the Planning Commission as listed in chapter 21A.59.020(B)
- e. Demolition of landmark site or contributing structures located within a local historic district
- f. Master plans, including amendments, to be adopted by the city council
- g. New construction of principal structures within local historic districts or on Landmark Sites except for single family and two family dwellings.
- h. Planned development
- i. Zoning Map Amendment

4. Lists exceptions that may not require early notification. Although city code amendments are included in this list, it is important to note, that for legal reasons, there may be some city code amendments that are exempt from meeting the Early Notification

Requirements. These circumstances include amendments that are subject to an adoption deadline or action date set forth in the legislation; related to funding city-related projects; or are necessary for essential city functions.

5. **Allow 45 Days for Public Engagement.** The current ordinance language is unclear and only states a public hearing cannot be held within 45 days. Planning staff clarified this section to allow for an overall 45 day public engagement period in which a decision cannot be made within this time frame. However, a public hearing can be held within this time frame to identify any issues that may arise from a proposal. Public hearings provide a good opportunity for the Planning Commission to hear issues early in the process and provide direction on a project.
6. **Early Notification to Stakeholders.** Notices will be provided to various stakeholders listed in the bulleted list below when a complete application is received. Notices will include information about the proposal, the location, how to obtain more information, how to provide comments, and a date for when the 45-day comment period ends.
  - *Notices to recognized community organizations.* Notices will be provided to recognized community organizations and will allow them 14 days to decide whether they would like to place an application on an upcoming agenda within the 45 day public engagement period.
  - *Notices to properties within 300 feet.* These notices will inform neighboring properties of the proposal. Currently, the ordinance only requires notices to be sent 12 days before a public hearing. The proposed change would inform neighboring properties early on in the process and would provide a 45-day comment period for the public to provide feedback.
  - *Sign posted on property.* A sign will be posted on the property that allows the public to obtain more information regarding the proposal. Currently, the ordinance requires a sign to be posted on the subject property 10 days before a public hearing. The proposed change would provide 45 days for the public to provide feedback at the beginning of the process.
7. **Engagement Activity.** Based on the response from the recognized community organization, an application will either be presented at a community council meeting or at a City-sponsored outreach event. One of these meetings will be held given the below circumstances.
  - *Community council meeting.* A community council meeting will be held when the community council responds within 14 days of receiving the notice and requests the application be presented at a community council meeting that will be held within the 45 day public engagement period.
  - *Outreach event.* A city-sponsored outreach event will be held when:
    - 1). A recognized community organization does not respond as to whether it wants to review the matter or it does not schedule the subject item for a community council meeting within fourteen (14) days of receiving the original city notice
    - 2). The recognized community organization will not meet within forty-five (45) days of receiving the notice from the city;
    - 3). The project is within six hundred feet (600') of the boundaries of another recognized community organization's district;

- 4). The subject property is located west of 2200 West;
- 5). The project is a master plan or master plan amendment that impacts multiple recognized organizations;
- 6). The project is a text amendment to the zoning ordinance.

8. **Change open house requirement to “outreach event”.**

The current ordinance uses the term open house, but it is not defined and has been used to denote a particular activity. This term was updated to outreach event to allow for more flexibility and additional types of public engagement that may be more effective. The term outreach event is defined: Outreach events are used to expand involvement opportunities for community members by providing a chance to ask questions and provide comments on an issue or have involvement in the decision-making process. Outreach events should encourage participation, make the public feel welcome, and provide a clear understanding of the public’s role in the process.

This change will allow other forms of engagement activity to occur, which may be identified as more effective in notifying the public and receiving input.

9. Other minor clarifications

Other minor language clarifications and references were updated to simplify and reduce conflicts with various sections of the code.

10. Subdivision clarifications

The ordinance contains some conflicting language regarding notification. Subdivision reviews are technical in nature and if an application meets the technical requirements, the city must approve it. The proposed changes clean up conflicting references within the code.

## PLANNING COMMISSION BRIEFING CONSIDERATIONS

### May 24, 2017 Planning Commission Meeting

Planning Staff presented a version of the proposed amendments and a public hearing was held at the Planning Commission meeting on May 24, 2017. The Planning Commission tabled the item and asked staff to follow up with additional considerations that include:

- Adding a definition of engagement activity and what constitutes input
- Assessing whether to include other applications such as special exceptions and variances
- Creating a public engagement ordinance and not one focused just on recognized organizations
- **Discussing the proposal with City’s Civic Engagement Team**

### Follow up information

Staff addressed the following items as requested:

- **Definition of “Outreach Event”** was added to the proposal to allow for flexibility in the format of obtaining public input. The definition of **“outreach events”** is defined: Outreach events are used to expand involvement opportunities for community members by providing a chance to ask questions and provide comments on an issue or have involvement in the decision-making process. Outreach events should encourage participation, make the public feel welcome, and provide a clear understanding of the public’s role in the process.

The broader nature of the definition allows for more flexibility for planning staff to determine the most appropriate medium for public engagement and use current best practices.

- **Special Exceptions and Variances:** The nature of special exceptions and variances are very specific to what is requested and where it is located and do not typically have City-wide implications. Special exceptions generally include minor dimensional requests that may impact adjacent properties, not the entire community. The current special exception process requires notice to adjacent property owners and property owners across the street with a 12 day public comment period.

**The City's variances rules reflect requirements in the Utah Code.** Variances are held to strict standards and must be approved if they meet circumstances that show the property faces unreasonable hardship, as well as other standards related specifically to the property. Special exceptions and variances applications were not added to the list of applications subject to early notification.

- **Create an Overall Public Engagement Ordinance:** The current provisions regarding early notification only address Recognized Community Organizations, located within Chapter 2.60 of the City Code. Since the proposal is focused on land use applications and the goal is to encourage public engagement overall and not just on engaging the recognized organizations, Planning Staff has created a new section within Chapter 21A.10 to address early notification requirements. The below changes were made to focus on overall public engagement and not only on recognized community organizations:
  - Sign posted on property and notices sent to properties within 300 feet of proposal when application is received
  - **If a community council is not held, the City will hold an "Outreach Event"**
  - 45 days before a decision can be made (but a public hearing can be held in this time to identify issues and concerns upfront)
- **Input from the City's Civic Engagement Team:** Planning staff reached out to the City's Civic Engagement Team (CET) to obtain their feedback on the proposed ordinance. CET stated that they are creating an overall engagement guide and then individual division engagement policies. CET had concerns about making changes to the existing Recognized Organizations chapter in 2.60 of the City Code. Changes made in Chapter 2.60 would impact various City Departments and may require other departments to follow Planning engagement practices, which may not work for the various departments. Because of these comments, Planning staff is focusing the proposed changes on only applicable zoning applications. Planning staff has moved the proposed changes from Chapter 2.60 of the City Code to within the zoning ordinance in Chapter 21A.10 to avoid making changes that could impact other City departments.

## PUBLIC PROCESS

Since the last Planning Commission meeting on May 24, 2017, Planning staff reached out to all recognized community organizations informing them of the updated proposal. An Open House was held on July 19, 2018. Staff provided the proposed changes at the meeting and was available to answer questions. Five individuals showed up at the Open House. There was general support for the proposal with some additional comments **asking for a specific list of what an "outreach event" would be and** another comment requested that other applications that do not require this early notification process, such as a special exception, should still notify the community council to allow them to raise any issues. Additional comment was made about how the posted signs need to be bigger.

Staff also presented the proposed changes at the Salt Lake Community Network meeting on August 9, 2018. Representatives from various community councils attended the meetings. There was some discussion about requiring individual mailed notices for city-wide proposals. Staff discussed the difficulty and expense that would be associated with such a requirement.

#### SUMMARY OF CHANGES COMPARISON CHART

Below is a simplified comparison chart of the current (codified) code and the most recent proposal.

Topic	Current Language	Proposed Changes
<i>Notification requirements for land use applications</i>	The current ordinance is vague and is not clear on land use notification requirements	Create new section within Chapter 21A.10 to address public engagement/early notification requirements
<i>What Requires Early Notification?</i>	The following applications currently require early notification: <ul style="list-style-type: none"> <li>• Alley Vacations</li> <li>• Changes to City Regulations</li> <li>• Conditional Uses</li> <li>• Demolition of contributing structures in local historic districts and Landmark Sites</li> <li>• Master Plans and Master Plan Amendments</li> <li>• Planned Developments</li> <li>• Re-zonings</li> </ul>	Proposed changes include the existing list with the addition of the following: <ul style="list-style-type: none"> <li>• Conditional Building and Site Design Review (depending on scope of review)</li> <li>• New Construction of principal structures for multi-family and non-residential uses in local historic districts</li> </ul>
<i>Engagement Period</i>	No public hearing or decision can be held/made within the 45 day period.	No decision could be made within 45 day period, but a public hearing could be held.
<i>Notice to stakeholders</i>	Only requires notice to recognized community organizations	Requires notice to: <ul style="list-style-type: none"> <li>• Applicable recognized community organization(s)</li> <li>• Property owners within 300 feet of subject property</li> <li>• Additional stakeholders may be noticed given type of application and potential impacts</li> </ul>



<i>Posting of property</i>	Sign posting is not required when an application is received.	Once a complete application is received, City would post a sign on the subject property giving notice of the pending land use application with instructions on how to obtain additional information
<i>Response from recognized organizations</i>	Recognized organizations are not required to notify the city whether or not they would like to review the project.	Recognized organizations would be required to let the City know within 14 days of receiving the notice whether they would like to review the project.
<i>Engagement activity (recognized organization meeting v. open house/outreach event)</i>	A recognized organization meeting or open house would be held for certain projects. If a recognized organization does not schedule the item for a meeting, no additional engagement activity is required.	A recognized organization meeting or open house would be held for certain projects. If a recognized organization does not schedule the item for a meeting within 14 days, the item would be scheduled for a city-sponsored outreach event.
<i>Outreach event</i>	Current language states an open house can be held in certain circumstances.	Updates “open house” to “outreach event”. New definition created for an “outreach event” that will allow city staff to use best engagement practices given the scope of the project and will not limit the City to only hold “open houses”.
<i>Open House/Outreach Event Notices</i>	Open house notices are not required to be sent to property owners and tenants within 300 feet of the subject project.	Outreach event notices would be sent to all property owners and tenants within 300 feet of the subject project.
<i>Exceptions</i>		List of exceptions added such as items subject to adoption deadline, items responding to emergency situations.
<i>Language clarification</i>		Minor changes to clarify language in various chapters in zoning code. Language clarification and reference changes.
<i>Subdivision clarifications</i>	Regulations are unclear regarding notice to recognized organizations.	Remove this requirements for subdivision processes. Subdivisions under state law

		are very technical in nature, if they meet technical aspects, it must be approved. Street/alley closures or vacations will require notice to recognized community organizations.
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ATTACHMENTS:

- A. Proposed Ordinance Language

# ATTACHMENT A: PROPOSED ORDINANCE

## Early Notification Text Amendment – Proposed Text Changes

### **Chapter 21A.10 GENERAL APPLICATION, PUBLIC ENGAGEMENT, AND PUBLIC ~~HEARING~~ NOTICING PROCEDURES**

#### **21A.10.010: GENERAL APPLICATION PROCEDURES:**

#### **21A.10.015: PUBLIC ENGAGEMENT:**

#### **21A.10.020: PUBLIC ~~HEARING~~ NOTICE REQUIREMENTS:**

#### **21A.10.030: PUBLIC HEARING PROCEDURES:**

#### **21A.10.010: GENERAL APPLICATION PROCEDURES:**

All applications required by the provisions of this title shall be processed in accordance with the following procedures:

- A. Determination Of Completeness Of Application: After receipt of an application, the zoning administrator shall determine whether the application is complete. If the zoning administrator determines that the application is not complete, the zoning administrator shall notify the applicant in writing, specifying the deficiencies of the application, including any additional information which must be supplied and advising the applicant that no further action will be taken by the city on the application until the deficiencies are corrected.
- ~~B. Notification Of Community Organizations: Notification to recognized community organizations shall be provided, where applicable, as set forth in section [2.60.050](#) of this code.~~
- €. B. Remedy Of Deficiencies: If the applicant fails to correct the specified deficiencies within thirty (30) days of the notification of deficiency, the application for development approval shall be deemed withdrawn and will be returned to the applicant. Application fees shall not be refunded.
- Ð. C. Extensions Of Time: The zoning administrator, upon written request, may, for good cause shown and without any notice or hearing, grant extensions of any time limit imposed on an applicant or permittee by this title. An extension of time may also be granted by any body acting pursuant to this title unless this title expressly provides otherwise. The total period of time granted by such extension or extensions shall not exceed twice the length of the original period.
- £. D. 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.10.020](#) 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. (Ord. 54-14, 2014; Ord. 58-13, 2013)

## **21A.10.015: PUBLIC ENGAGEMENT:**

The purpose of the public engagement process is to inform the public of the project early in the process; provide a reasonable timeframe for the feedback on a proposal; and establish a process for decision makers to hear from the public prior to making a decision on the project.

~~A. Notification Of Recognized Community Organizations: For the purpose of this section, a recognized community organization is as defined in section 2.60 of this code.~~

A. Land Use Applications Subject to Public Engagement: The following land use applications are subject to the public engagement process stated in this section:

1. Alley/street closure or vacation
2. Amendment to the City Zoning Code
3. Conditional use
4. Design Review when required to be reviewed by the Planning Commission as listed in chapter 21A.59.020(B)
5. Demolition of landmark site or contributing structures located within a local historic district
6. Master plans, including amendments, to be adopted by the city council
7. New construction of principal structures within local historic districts or on Landmark Sites except for single family and two family dwellings.
8. Planned development
9. Zoning Map Amendment

B. Early Notification: The City shall provide notice of a pending land use application to the individuals stated in this section. The city shall provide at least forty-five (45) days for the recipients of the notice to provide comment on the pending land use application before a decision approving or denying the application is made by the applicable land use authority, or recommendation is made if the approval authority is the city council.

1. Stakeholders. The city shall provide written notice to the following:

- a. Property owners and tenants within three hundred (300) feet of property subject to a pending land use application. City-wide zoning amendments are exempt from this requirement.
- b. Chair of the recognized community organization(s) in which the subject property is located and the chair of any recognized community organization whose boundary is located within three hundred (300) feet of the subject property. In the case of city-wide zoning amendments, the chairs of all recognized community organizations will receive a notice.

c. Additional stakeholders may be noticed given the type of application and potential impacts of the proposal.

2. Content of Notice: The notice shall generally describe:

- a. the subject matter of the application,
- b. the location of the proposed project if applicable,
- c. how to obtain further information,
- d. how to submit comments about the application, and
- e. the date that the forty-five (45) day comment period ends.

3. Posting of Subject Property: The land subject to an application that requires early notification shall be posted by the City with a sign giving notice that the City has received such application and include instructions on how to obtain more information about the project. The sign shall be posted within ten (10) calendar days of receiving a complete application.

a. Location: One (1) notice shall be posted for each five hundred feet (500') of frontage, or portion thereof, along a public street. At least one (1) sign shall be posted on each public street. The sign(s) shall be located on the property subject to the request or petition and shall be set back no more than twenty-five feet (25') from the front property line and shall be visible from the street. Where the land does not have frontage on a public street, signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land subject to the application.

b. Removal: If the sign is removed through no fault of the applicant, property owner or the city, such removal shall not be deemed a failure to comply with the standards, or be grounds to challenge the validity of any decision made on the application.

4. Exception from Early Notification Process: The following city code amendments are exempt from the processes set forth in subsections 21A.10.015C.1 and 2 of this section. The city may still opt to notify recognized community organizations of proposed city code amendments listed in this section, but not providing notice of an exempt city code amendment shall not negate any action taken.

a. City code amendments related to recently-enacted legislation if the code amendments:

- (1) Are subject to an adoption deadline or action date set forth in the legislation;
- (2) Are related to funding city-related projects; or
- (3) Are necessary for essential city functions.

b. A temporary land use regulation meeting the requirements of Utah Code Section 10-9a-504 or its successor.

c. City code amendments proposed to respond to a natural disaster or other emergency situation potentially affecting the safety or well-being of individuals.

- d. City code amendments to mitigate the city's exposure to liability where prompt action is reasonably necessary.
- e. The timeframe for the early notification process identified in section 21A.10.015C 1 and 2 may be modified where a land use applicant requests in writing that a decision be made as per section 10-9a.509.5 (or its successor) of the Utah State Code.

C. Engagement Activity. Following city notification of an application listed in subsection 21.10.015.B of this section the city shall conduct an engagement activity as set forth in either subsection 21A.10.15.C1 or 21A.10.015.C2 of this section, whichever may be applicable, in addition to other processes required by law. The Planning Division may conduct additional public engagement activities beyond those listed below. The public engagement process may occur during the forty-five (45) day public comment period.

#### 1. Recognized Community Organization Meeting

a. A recognized community organization meeting may be held at the request of the recognized community organization when the proposal is located within the boundaries of one recognized community organization.

1). The recognized community organization chair(s) shall notify the planning division within fourteen (14) calendar days of receiving the notice of pending land use application from the city to let the city know whether they want to review the project.

a). If the recognized community organization decides to hold a meeting to review the project, the recognized organization shall hold a meeting and provide comments on the project within forty-five calendar (45) days of when the notice of pending land use application was sent.

b.) If the recognized community organization does not respond as to whether it wants to review the matter or does not schedule the item for a recognized community meeting within fourteen (14) days of when the notice of pending land use application was sent, the city shall schedule the item for a community outreach event.

#### 2. Community Outreach Event:

a. The city will schedule the item for an outreach event to educate, engage and receive input from the public at a level that is consistent with the scope of impact of a proposal or project. An outreach event will be held when:

1). A recognized community organization does not respond within fourteen (14) days of when the notice of pending land use application was sent as to whether it wants to review the matter,

2) Within fourteen (14) days of receiving the notice of pending land use application, the recognized community organization does not schedule the item for a recognized community organization meeting;

3). The recognized community organization will not meet within forty-five (45) days of receiving the notice from the city;

- 4). The project is within six hundred feet (600') of the boundaries of another recognized community organization's district;
- 5). The subject property is located west of 2200 West;
- 6). The project is a master plan or master plan amendment that impacts multiple recognized organizations;
- 7). The project is a text amendment to the zoning ordinance.
- b. The City will also notify the public, property owners and tenants within three hundred (300) feet of property subject, and recognized community organizations who may be affected by the project or who have specifically requested notification of the outreach event for those situations noted in section 2a. of this subsection.
3. Public Hearing: a public hearing may be held within the forty-five (45) day engagement period provided that no final decision regarding the land use application is made within the forty-five (45) day engagement period.

## **21A.10.020: PUBLIC HEARING NOTICE REQUIREMENTS:**

Providing all of the information necessary for notice of all public hearings required under this title shall be the responsibility of the applicant and shall be in the form established by the zoning administrator and subject to the approval of the zoning administrator pursuant to the standards of this section.

A. Public Hearing Required: Projects requiring a public hearing as required by this title shall be held after the following public notification:

1. Mailing For Public Hearing: Notice by first class mail shall be provided; a minimum of twelve (12) calendar days in advance of the public hearing to all owners and tenants of the land as shown on the Salt Lake City geographic information system records within three hundred feet (300') from the periphery of land subject to the application, inclusive of streets and rights of way, or one thousand feet (1,000') of the periphery of land subject to application for sexually-oriented business requiring conditional site plan review pursuant to Chapter 21A.36 if this title. Mailing labels shall be generated by the city at the time of application submittal and created using the Salt Lake City geographic information system records unless as stated otherwise in this title. Notice by first class mail for zoning text amendments shall only be required if a notice requesting the mailing is received by the Planning Director.

a. ~~A minimum of twelve (12) calendar days in advance of the public hearing;~~

b. ~~To all owners and tenants of the land as shown on the Salt Lake City geographic information system records. Mailing labels shall be generated by the city at the time of application submittal and created using the Salt Lake City geographic information system records unless as stated otherwise in this title;~~

- ~~c. Within three hundred feet (300') from the periphery of land subject to the application, inclusive of streets and rights of way, or one thousand feet (1,000') of the periphery of the land subject to application for sexually oriented businesses requiring conditional site plan review pursuant to chapter 21A.36 of this title; and~~
  - ~~d. Notice by first class mail for zoning text amendments shall only be required if a notice requesting the mailing is received by the Planning Director.~~
2. Notification To Recognized Organizations: The City shall give e-mail notification, or other form of notification chosen by the Planning Director, a minimum of twelve (12) calendar days in advance of the public hearing to any recognized community organization which is entitled to receive notice pursuant to [title 2, chapter 2.60](#) of this Code.
  3. Contents Of Mailing Notice For Public Hearing: The first class mailing notice for any public hearing required pursuant to this title shall generally describe the subject matter of the application and the date, time and place of the public hearing, and the place where such application may be inspected by the public. The notice shall also advise that interested parties may appear at the public hearing and be heard with respect to the application.
  4. Posting For Public Hearing: The land subject to an application for a public hearing shall be posted by the City with a sign giving notice of the public hearing, providing the date of the hearing including contact information for more information, at least ten (10) calendar days in advance of the public hearing.
    - a. Location: One (1) notice shall be posted for each five hundred feet (500') of frontage, or portion thereof, along a public street. At least one (1) sign shall be posted on each public street. The sign(s) shall be located on the property subject to the request or petition and shall be set back no more than twenty five feet (25') from the front property line and shall be visible from the street. Where the land does not have frontage on a public street, signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land subject to the application.
    - b. Removal: If the sign is removed through no fault of the applicant, property owner, or the City before the hearing, such removal shall not be deemed a failure to comply with the standards, or be grounds to challenge the validity of any decision made on the application.
    - c. Exemption: This posting requirement shall not apply to applications for amendments involving an H Historic Preservation Overlay District, applications for an administrative certificate of appropriateness or applications for comprehensive rezonings of areas involving multiple parcels of land, including boundaries of a historic district, or for text amendments to this title.



5. Publication: As required by State law, at least twelve (12) calendar days in advance of the first public hearing for an application for an amendment to the text of this title or other processes as required by State law, the City shall publish a notice of such public hearing in a newspaper of general circulation in Salt Lake City.

B. Special Noticing Requirements For Administrative Approvals:

1. ~~Conditional Building And Site Design Review: The Planning Commission shall consider requests for conditional building and site design review at a public hearing if there is an expression of interest after providing notice as follows:~~

- ~~a. Notification: The City shall provide written notice by first class mail a minimum of twelve (12) calendar days in advance of the requested action to all owners of the land and tenants subject to the application, as shown on the Salt Lake City geographic information system records, adjacent to and contiguous with the land subject to the application. Recognized organizations are also entitled to receive notice pursuant to of this Code by e-mail or other form chosen by the Planning Director.~~

~~At the end of the twelve (12) calendar day notice period, if there are requests for a public hearing, the Planning Commission will schedule a public hearing and consider the issue; if there are no requests for a public hearing, the Planning Director may decide the issue administratively.~~

1. Notice Of Application for Design Review:

- a. Notification: Prior to the approval of an administrative decision for Design Review application as authorized in chapter 21A.59 of this title, the Planning Director shall provide a minimum of twelve (12) days notice in advance of the requested action to the following:

- 1). Abutting property owners and tenants: written notice by first class mail to all abutting properties and those properties located directly across the street from the subject property, and to all property owners and tenants of the land subject to the application as shown on the Salt Lake City geographic information system records.

- 2). Recognized community organization(s) in which the subject property is located.

At the end of the twelve (12) calendar day notice period, if there are issues identified that relate to the proposal not complying with a standard of review found in 21A.59, the Planning Director may refer the matter to the Planning Commission.

- b. Contents of the Notice of Application: The notice for mailing shall generally describe the subject matter of the application, the place where such application may be inspected by the public, and the date when the Planning Director will authorize a final administrative decision and include the procedures to appeal and administrative decision.

2. ~~Determination Of~~ Notice of Demolition of a Noncontributing ~~Status~~Structure Within An H Historic Preservation Overlay District: Prior to the approval of an administrative decision for a certificate of appropriateness for demolition of a noncontributing structure, the City shall provide written notice by first class mail a minimum of twelve (12) calendar days of the request to demolish the structure and to identify that a determination of has been made that the building has been identified as a noncontributing building. status of the property This notice will be sent to all owners of the land and tenants, within eighty-five feet (85') of the land subject to the application as shown on the Salt Lake City geographic information system records. At the end of the twelve (12) day notice period, the Planning Director shall either issue a certificate of appropriateness for demolition or refer the application to the Historic Landmark Commission.
3. Notice Of Application For Special Exceptions: Prior to the approval of an administrative decision for special exceptions as authorized in chapter 21A.52 of this title, the Planning Director shall provide written notice by first class mail a minimum of twelve (12) days in advance of the requested action to all abutting properties and those properties located across the street from the subject property, and to all property owners and tenants of the land subject to the application, as shown on the Salt Lake City geographic information system records.
  - a. Contents Of The Mailing Notice Of Application: The notice for mailing shall generally describe the subject matter of the application, the place where such application may be inspected by the public, the date when the Planning Director will authorize a final administrative decision, and include the procedures to appeal an administrative decision set forth in chapter 21A.16 of this title.
4. Notice Of Application For TSA Development Reviews: Prior to the approval of a development review score as authorized in section [21A.26.078](#) of this title, the Planning Director shall provide written notice by first class mail a minimum of twelve (12) days in advance of the requested action to all abutting properties and those properties located across the street from the subject property, and to all property owners and tenants of the land subject to the application, as shown on the Salt Lake City geographic information system records.
  - a. Contents Of The Mailing Notice Of Application: The notice for mailing shall generally describe the subject matter of the application, the place where such application may be inspected by the public, the date when the Planning Director will authorize a final administrative decision, and include the procedures to appeal an administrative decision set forth in chapter 21A.16 of this title. (Ord. 25-17, 2017: Ord. 10-16, 2016: Ord. 58-13, 2013)

## **Chapter 21A.12**

### **ADMINISTRATIVE INTERPRETATIONS**

#### **21A.12.040: PROCEDURES:**

A. Application: An application for an interpretation 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 is sought;
2. Facts: The facts of the specific situation giving rise to the request for an interpretation;
3. Interpretation: The precise interpretation claimed by the applicant to be correct;
4. Statement: When a use interpretation is sought, a statement of what use permitted under the current zoning classification of the property that the applicant claims either includes the proposed use, or is most similar to the proposed use; and
5. Evidence: When a use interpretation is sought, documents, statements, and other evidence demonstrating that the proposed use will comply with all use limitations established for the district in which it is proposed to be located.
6. Fees: Nonrefundable fees shown on the Salt Lake City consolidated fee schedule shall accompany the application.
7. Notification To Recognized Organizations: The city shall give notification, by e-mail or other form chosen by the planning director to any recognized community organization in which the subject property is located. ~~which is entitled to receive notice pursuant to Title 2, Chapter 2.60 of this code, that a use interpretation has been determined.~~

## **Chapter 21A.16**

### **APPEALS OF ADMINISTRATIVE DECISIONS**

#### **21A.16.030: PROCEDURE:**

Appeals of administrative decisions by the zoning administrator, historic landmark commission or planning commission to the appeals hearing officer shall be taken in accordance with the following procedures:

- A. Filing Of Appeal: An appeal shall be made in writing within ten (10) days of the administrative decision by the zoning administrator, historic landmark commission or planning commission and shall be filed with the zoning administrator. The appeal shall specify the decision appealed, the alleged error made in connection with the decision being appealed, and the reasons the appellant claims the decision to be in error, including every theory of relief that can be presented in district court.
- B. 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 chapter 21A.10 of this title.

C. Stay Of Proceedings: An appeal to the appeals hearing officer shall stay all further proceedings concerning the matter about which the appealed order, requirement, decision, determination, or interpretation was made unless the zoning administrator certifies in writing to the appeals hearing officer, after the appeal has been filed, that a stay would, in the zoning administrator's opinion, be against the best interest of the city.

D. Notice Required:

1. Public Hearing: Upon receipt of an appeal of an administrative decision by the zoning administrator, the appeals hearing officer shall schedule and hold a public hearing in accordance with the standards and procedures for conduct of the public hearing set forth in chapter 21A.10 of this title.
2. Notice Of Appeals Of Administrative Decisions Of The Historic Landmark Commission Or Planning Commission: Appeals from a decision of the historic landmark commission or planning commission are based on evidence in the record. Therefore, testimony at the appeal meeting shall be limited to the appellant and the respondent.
  - a. Upon receipt of an appeal of a decision by the historic landmark commission or planning commission the appeals hearing officer shall schedule a public meeting to hear arguments by the appellant and respondent. Notification of the date, time and place of the meeting shall be given to the appellant and respondent a minimum of twelve (12) calendar days in advance of the meeting.
  - b. The city shall give e-mail notification, or other form of notification chosen by the appeals hearing officer, a minimum of twelve (12) calendar days in advance of the hearing to any recognized community organization, in which the subject property is located, ~~entitled to receive notice pursuant to [title 2, chapter 2.60](#) of this code.~~
3. Time Limitation: All appeals shall be heard within one hundred eighty (180) days of the filing of the appeal. Appeals not heard within this time frame will be considered void and withdrawn by the appellant.

**Chapter 21A.38**  
**NONCONFORMING USES AND NONCOMPLYING STRUCTURES**

**21A.38.025: PROCEDURES:**

- A. Application: An application for an administrative interpretation relating to a noncomplying 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 chapter 21A.10 of this title.
5. Notification To Recognized Organizations: The city shall give notification, by e-mail or other form chosen by the planning director to any recognized community organization in which the subject property is located is to receive notice pursuant to in [title 2, chapter 2.60](#) of this code, that an administrative interpretation or determination of nonconforming use has been made.

## Chapter 21A.60 LIST OF TERMS

### Outreach Events

#### 21A.62 Definitions

##### 21A.62.040 Definition of Terms

OUTREACH EVENTS: Outreach events are used to expand involvement opportunities for community members by providing a chance to ask questions and provide comments on an issue or have involvement in the decision-making process. Outreach events should encourage participation, make the public feel welcome, and provide a clear understanding of the public's role in the process.

## Chapter 2.60

### RECOGNIZED COMMUNITY ORGANIZATIONS

#### 2.60.010: PURPOSE:

#### 2.60.020: DEFINITION:

#### 2.60.030: MINIMUM REQUIREMENTS:

#### 2.60.040: REGISTRATION:

#### 2.60.050: RESPONSIBILITIES OF CITY:

#### 2.60.060: RESPONSIBILITIES OF COMMUNITY ORGANIZATIONS:

## **2.60.070: VOLUNTEER STATUS AND PARTIAL INDEMNIFICATION:**

### **2.60.010: PURPOSE:**

It is the policy of Salt Lake City to create a framework by which the people of the city may effectively organize into community organizations representing a geographic area or field of interest, and use this as one way to participate in civic affairs and improve the livability and character of the city and its neighborhoods. Salt Lake City values the benefits these organizations bring to the community and holds each in equal regard.

This chapter sets out the basis for city recognition of such community organizations and the associated responsibilities and benefits. (Ord. 58-13, 2013)

### **2.60.020: DEFINITION:**

**COMMUNITY ORGANIZATION:** A voluntary group of individuals organized around a particular community interest for the purpose of collectively addressing issues and interests common to that group. A community organization is not a subsidiary of Salt Lake City government. (Ord. 58-13, 2013)

### **2.60.030: MINIMUM REQUIREMENTS:**

A. All community organizations seeking recognition pursuant to this chapter must comply with the following:

1. Properly register as a nonprofit corporation in good standing with the state of Utah;
2. Adopt bylaws which include the following provisions:
  - a. A clear definition of membership;
  - b. A policy of open participation of all persons who are members of the organization;
  - c. A policy against discrimination;
  - d. Attendance to meetings is open to the general public;
  - e. Meetings will provide an opportunity for public input;
3. Revision of Bylaws. If the recognized community organization adopts changes to its bylaws, the recognized community organization shall file a copy of the amended bylaws with the Salt Lake City Recorder's Office within thirty (30) days of such changes. The changes can be filed with the recorder's office by any member of the executive board of the recognized community organization.

4. Organizations must hold at least one meeting of their membership each year. (Ord. 58-13, 2013)

#### **2.60.040: REGISTRATION:**

A. The recorder's office shall maintain an official registration of community organizations recognized under this chapter. Any community organization meeting the requirements of section [2.60.030](#) of this chapter may register by filing with the recorder's office the following:

1. Official name;
2. Boundaries where applicable;
3. The names, mailing addresses, telephone numbers and e-mail addresses of its current officers;
4. The name, mailing address, e-mail address and telephone number to serve as the recipient for official communications from the city;
5. Methods used to communicate with membership;
6. A copy of the organization's articles of incorporation and bylaws;
7. Time and place of regular meetings; and
8. Schedule for electing officers.

The recorder's office shall make this information available to the public on the city website.

B. It shall be the responsibility of the community organization to provide updated information and any changes to the items in subsection A of this section to the recorder's office in a timely manner.

C. Annual renewal of registration of community organization is required. By January 31 of each year, each registered community organization must submit a request for renewal of registration with current information required in subsection A of this section. Failure to submit such a request by January 31 will result in removal of the community organization from the official registration. (Ord. 58-13, 2013)

#### **2.60.050: RESPONSIBILITIES OF CITY:**

- A. Education: The city shall adequately educate the public on city policy, procedures, and actions.
- B. Public Engagement: Each city department shall strive to utilize best public engagement practices to educate, engage, and receive input from the public at a level that is consistent with the scope of impact of a proposal or project.
- C. Recognized Community Organization Notification And Response: The city will send a notice to the applicable recognized community organization chair(s) for the following types of projects:

~~Alley vacation~~

City code amendments

~~Conditional use~~

~~Demolition of contributing structures located within a local historic district or landmark sites~~

Major changes to street capacity or travel modes

Major upgrades to public facilities and structures

~~Master plan amendment or policy amendments to be adopted by the city council~~

~~Master plan or policies to be adopted by the city council~~

New construction of major public facilities and structures

~~Planned development~~

~~Zoning map amendment~~

See title 21A. for process related to master plans, zoning amendments, and land use applications

The recognized community organization chair(s) have forty five (45) days to provide comments, from the date the notice was sent. A public hearing will not be held, nor will a final decision be made about the project within the forty five (45) day period. Where a project is within six hundred feet (600') of the boundaries of another recognized community organization's district, when more than one recognized organization has requested a presentation of the matter, when the subject property is located west of 2200 West, or when the project is a text amendment to the city code, the city will schedule the item for an open house and notify the public, including those recognized community organizations who may



be affected by the project or who have specifically requested notification of the public open house.

- D. Notice Procedures: The city departments shall develop policies and procedures to show how they will provide notice and early participation opportunities for pending major city actions. These include, but are not limited to, public meetings, development projects, planning activities, and grant and funding opportunities, which may have a significant impact on the membership of a registered community organization. Notice shall be given to affected community based organizations in a timely manner, including information on the time frame for a response.
- E. Reregistration Notification: The recorder's office shall notify each registered community organization of pending requirement for reregistration by December 31 of each year.
- F. List Of Organizations: In an effort to notify the public about the existence of recognized community ~~based~~ organizations and encourage participation in these organizations, at least once a year the city shall make a reasonable attempt to provide a list of all recognized community ~~based~~ organizations and their contact information to all residents, property owners, business owners, schools and nonprofit agencies in Salt Lake City. (Ord. 58-13, 2013)

#### **2.60.060: RESPONSIBILITIES OF COMMUNITY ORGANIZATIONS:**

Each recognized community organization shall:

- A. Renew registration with the recorder's office on an annual basis.
- B. Establish orderly and democratic means for forming representative public input through civil and respectful dialogue.
- C. Establish and follow a clear method for reporting to the city actions ~~which~~ that accurately reflect their position. Include the means by which a recommendation or decision was reached, how many members were involved and what the outcome was.
- D. By interaction with its members, residents, and the city, foster open and respectful communication between the recognized community organization and representatives of city departments on plans, proposals and activities affecting the interests of the recognized community organization. (Ord. 58-13, 2013)

#### **2.60.070: VOLUNTEER STATUS AND PARTIAL INDEMNIFICATION:**

Recognized community organization members shall be considered volunteers and not employees, officials or officers of Salt Lake City. Recognized community organizations and their officers, trustees and directors shall be indemnified by the city pursuant to the Utah governmental immunities act in any civil action which may arise from determinations and recommendations made within the scope of performance of their duties under this chapter. This

defense and indemnification obligation on behalf of the city shall be limited to only those determinations and recommendations and shall not extend to any physical activities of the community organization or its members. These provisions shall not be deemed a waiver of any claim for immunity from suit on behalf of the volunteer. (Ord. 58-13, 2013)

## **Subdivision Ordinance**

**20A.04.130 AMENDMENTS TO THIS TITLE:** The process to amend this title shall follow the process outlined in section 21A.50 and include early notification requirements found in section 21A.10.

### **Chapter 20.36**

#### **NOTICING REQUIREMENTS**

20.36.010: REQUIRED NOTICING FOR PLANNING DIRECTOR DECISION ON PRELIMINARY PLAT APPLICATIONS:

20.36.020: REQUIRED NOTICING FOR PUBLIC HEARING:

20.36.030: SIGNPOSTING; LOCATION AND REMOVAL:

~~20.36.040: NOTIFICATION TO RECOGNIZED ORGANIZATIONS:~~

20.36.010: REQUIRED NOTICING FOR PLANNING DIRECTOR DECISION ON PRELIMINARY PLAT APPLICATIONS:

When the review process involves a preliminary decision by the planning director the application shall be noticed as follows:

#### **A. Subdivisions:**

1. Mailing: Written notice of subdivision application shall be provided by first class mail a minimum of twelve (12) calendar days in advance of the pending decision to all owners and tenants of the land subject to the application, and all abutting property owners, as shown on the Salt Lake City geographic information system records.
2. Posting: Notice by sign, in accordance with section 20.36.030 of this chapter, shall also be posted on the property at least ten (10) days prior to the scheduled administrative decision.
3. ~~3. Notification To Recognized Organizations: The city shall give notification in accordance with section 20.36.040 of this chapter.~~

#### **B. Subdivision amendments not involving vacating or altering a public street, right of way, or easement:**

1. Mailing: Written notice of subdivision application shall be provided by first class mail a minimum of twelve (12) calendar days in advance of the pending decision to all property owners or tenants, as shown on the city's computerized geographic information system, of land contained in the entire original or previously amended subdivision plat and all

property owners whose property abuts the land being amended and is located outside of the subject subdivision.

2. Posting: Notice by sign, in accordance with section 20.36.030 of this chapter, shall also be posted on the property at least ten (10) days prior to the scheduled administrative decision.
3. ~~Notification To Recognized Organizations: The city shall give notification in accordance with section 20.36.040 of this chapter (Ord 7-14, 2014)~~

#### 20.36.020: REQUIRED NOTICING FOR PUBLIC HEARING:

When the review process involves a public hearing, the application and hearing shall be noticed as follows:

A. Subdivisions: Excluding subdivision amendments involving a public street, right of way, or easement, which have different noticing requirements as specified in subsection B of this section, whenever a public hearing with the planning commission is required for preliminary plat decision, the following public noticing is required:

1. Mailing: Notice by first class mail shall be provided a minimum of twelve (12) calendar days in advance of the public hearing, to all abutting property owners of the subject land, as shown on the Salt Lake City geographic information system records.
2. Posting: The land subject to an application shall be posted by the city with a sign, in accordance with section 20.36.030 of this chapter, giving notice of the public hearing a minimum of ten (10) calendar days in advance of the public hearing.
3. ~~Notification To Recognized Organizations: The city shall give notification in accordance with section 20.36.040 of this chapter.~~

B. Subdivision amendments involving vacating or altering a public street, right of way, or easement:

1. Mailing And Publishing: Notice of the public hearing shall be provided in the following manner at least twelve (12) days before the hearing:
  - a. Mailed to the record owner of each parcel that is accessed by the subject portion of public street, right of way, or easement;
  - b. Mailed to each affected entity;
  - c. Published in a newspaper of general circulation in the municipality in which the land subject to the petition is located; and
  - d. Published on the Utah public notice website created in section 63F-1-701 of the Utah code.
2. Posting: The land subject to an application shall be posted by the city with a sign, in accordance with section 20.36.030 of this chapter, giving notice of the public hearing a minimum of ten (10) calendar days in advance of the public hearing.
3. ~~Notification To Recognized Organizations~~Public Engagement: The city shall give notification in accordance with section 21A.10.015~~20.36.040 of this chapter~~ (Ord. 7-14, 2014)

#### 20.36.030: SIGNPOSTING; LOCATION AND REMOVAL:

- A. Location: One notice sign shall be posted for each five hundred feet (500') of frontage, or portion thereof, along a public street. At least one sign shall be posted on each public street. The sign(s) shall be located on the property subject to the request or petition and shall be set back no more than twenty five feet (25') from the front property line and shall be visible from the street. Where the land does not have frontage on a public street, signs shall be erected on the nearest street right of way with an attached notation indicating generally the direction and distance to the land subject to the application.
- B. Removal: If the sign is removed through no fault of the applicant before the hearing, such removal shall not be deemed a failure to comply with the standards, or be grounds to challenge the validity of any decision made on the application. (Ord. 7-14, 2014)

~~20.36.040 NOTIFICATION TO RECOGNIZED ORGANIZATIONS: When it is required, notification to recognized organizations shall be given by e-mail notification, or other form of notification chosen by the planning director, a minimum of twelve (12) calendar days in advance of a planning director decision and / or a public hearing to any organization which is entitled to receive notice pursuant to title 2, chapter 2.60 of this code (Ord. 7-14, 2014)~~

**3c. PLANNING COMMISSION PUBLIC HEARING – JANUARY 23, 2019**  
**i. AGENDA AND MINUTES**

## **SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA**

**In Room 326 of the City & County Building**

**January 23, 2019, at 5:30 p.m.**

**(The order of the items may change at the Commission's discretion)**

**FIELD TRIP** - The field trip is scheduled to leave at 4:00 p.m.

**DINNER** - Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room 126 of the City and County Building. During the dinner break, the Planning Commission may receive training on city planning related topics, including the role and function of the Planning Commission.

### **PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326**

**APPROVAL OF MINUTES FOR JANUARY 9, 2019**

**REPORT OF THE CHAIR AND VICE CHAIR**

**REPORT OF THE DIRECTOR**

### **PUBLIC HEARINGS**

1. **Early Notification Text Amendment** - A petition by the City Council to review regulations and processes related to early notification and public participation in planning processes. The Planning Commission reviewed this request in May 2017 and tabled this item for additional information. The purpose of the proposed changes is to clarify the language in the ordinance as well as increase awareness and participation by the public while affording a timely review process for applicants and projects. The proposed regulation changes will affect various sections of the City Code including Section 2.60, Recognized Community Organizations, Title 20, Subdivisions and Title 21A, Zoning Ordinance. Related provisions of the City Code may also be amended as part of this petition. (Staff contact: Tracy Tran at (801) 535-7645 [tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com)). **Case number: PLNPCM2016-00300**
2. **Foothills Trails Master Plan** - Representatives from the Parks and Public Lands Division of the City will provide an overview of the Foothill Trails Master Plan and ask the Planning Commission to forward a recommendation to the city council regarding adopting the plan. The Plan provides guidance on the location of future trails, trail management, and trail maintenance for trails located in the foothills of the mountains on the eastern and northern portions of the City. The Foothill Trails Master Plan includes lands that are located in parts of City Council District 3 (represented by Chris Wharton) and City Council District 6 (represented by Charlie Luke). Staff Contact: Lewis Kogan at 801-972-7828 or [lewis.kogan@slcgov.com](mailto:lewis.kogan@slcgov.com)
3. **Spy Hop Planned Development** - Peter Corroon, is requesting Planned Development approval for a new digital media student center/community event center at 208 W 900 S. The proposal is for a 3-story building that will have classrooms and studio space as well as an indoor/outdoor community event space on the 3rd floor. The building is approximately 20,000 square feet and will be located on a .4- acre parcel. The applicant seeks relief from 3rd level setback requirements in the FB-UN2 zone in that the building

includes a mechanical room and portions of an indoor/outdoor Community and Performance space that encroach into that setback. Additionally, the applicant seeks to reduce the 60% 1st level glass requirements by activating the street in other ways. The property is in the FB-UN2 (Form-based Urban Neighborhood) zone and is located in Council District #4, represented by Derek Kitchen. (Staff contact: Eric Daems at 801-535-7236 or [eric.daems@slcgov.com](mailto:eric.daems@slcgov.com)) **Case number PLNSUB2018-00875**

- 4. Alliance House Zoning Map Amendment at approximately 1805 S. Main Street -** Alliance House, Inc. is requesting that the City amend the zoning map for their property located at 1805 S. Main Street. The property is zoned BP – Business Park and contains an old motel building that is currently being used for multi-family housing. The applicant is requesting to amend the zoning designation of the property to CC – Corridor Commercial in order to replace the existing building with a new multi-family apartment building. No specific site development proposal has been submitted at this time. The property is located within Council District 5, represented by Erin Mendenhall. (Staff contact: David J. Gellner at (801-535-6107 or [david.gellner@slcgov.com](mailto:david.gellner@slcgov.com) ) **Case number PLNPCM2018-00904**

*The files for the above items are available in the Planning Division offices, room 406 of the City and County Building. Please contact the staff planner for information, Visit the Planning Division's website at [www.slcgov.com/planning](http://www.slcgov.com/planning) for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at [www.slctv.com](http://www.slctv.com). The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.*

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**City & County Building**  
**451 South State Street, Room 326, Salt Lake City, Utah**  
**Wednesday, January 23, 2019**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:35:45 PM](#). Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Chairperson Maurine Bachman, Vice Chairperson Sara Urquhart; Commissioners Amy Barry, Adrienne Bell, Weston Clark,Carolynn Hoskins, Matt Lyon, and Brenda Scheer. Commissioners Clark Ruttinger and Andres Paredes were excused.

Planning Staff members present at the meeting were Nick Norris, Planning Director; Paul Nielson, Attorney; Tracy Tran, Senior Planner; Eric Daems, Principal Planner; David Gellner, Principal Planner; and Marlene Rankins, Administrative Secretary.

**Field Trip**

A field trip was held prior to the work session. Planning Commissioners present were: Maurine Bachman, Adrienne Bell, Weston Clark, Carolynn Hoskins and Sara Urquhart. Staff members in attendance were Nick Norris, David Gellner, and Eric Daems.

- **208 W 900 S** - Staff gave an overview of the proposal.
- **1805 S Main St** - Staff gave an overview of the proposal.

**APPROVAL OF THE JANUARY 9, 2019, MEETING MINUTES.** [5:35:53 PM](#)

**MOTION** [5:35:58 PM](#)

**Commissioner Barry moved to approve the January 9, 2019, meeting minutes. Commissioner Hoskins seconded the motion. Commissioners Barry, Hoskins, Scheer, Bell, Clark, Urquhart, and Lyon voted “Aye”. The motion passed unanimously.**

**REPORT OF THE CHAIR AND VICE CHAIR** [5:36:24 PM](#)

Chairperson Bachman stated she had nothing to report.

Vice Chairperson Urquhart stated she had nothing to report.

**REPORT OF THE DIRECTOR** [5:36:30 PM](#)

Nick Norris, Planning Director, updated the Commission with some upcoming City initiative projects for this year. He also informed the Commission regarding the City Council electing Analia Valdemoros to fill vacant seat in Council District 4.

[5:44:32 PM](#)

**Early Notification Text Amendment** - A petition by the City Council to review regulations and processes related to early notification and public participation in planning processes.



The Planning Commission reviewed this request in May 2017 and tabled this item for additional information. The purpose of the proposed changes is to clarify the language in the ordinance as well as increase awareness and participation by the public while affording a timely review process for applicants and projects. The proposed regulation changes will affect various sections of the City Code including Section 2.60, Recognized Community Organizations, Title 20, Subdivisions and Title 21A, Zoning Ordinance. Related provisions of the City Code may also be amended as part of this petition. (Staff contact: Tracy Tran at (801) 535-7645 [tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com)). **Case number: PLNPCM2016-00300**

Tracy Tran, Senior Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission transmit a positive recommendation to the City Council.

#### **PUBLIC HEARING** [5:53:27 PM](#)

Chairperson Bachman opened the Public Hearing;

Judi Short, Community Council Representative – Stated overall the Council was general in favor of the proposal but also addressed her concerns. She provided suggestions regarding language and notices.

Cindy Cromer – Raised her concerns regarding the proposal and provided a letter in writing.

Seeing no one else wished to speak; Chairperson Bachman closed the Public Hearing.

The Commission and Staff discussed the following:

- Language in which notices are provided
- Accessibility of documents of proposed project for the public
- Notice requirement for standard demolition
- Current types of signage that is placed on properties
- Whether there is a map service for the public to use
- Whether staff has considered simplifying the public engagement process
- Tracking time of application process
- Clarification on standard block face notice requirements of 300 feet

#### **MOTION** [6:21:25 PM](#)

**Commissioner Barry stated, based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission recommend that the City Council approve PLNPCM2016-00600, Early Notification Text Amendments. Commissioner Clark seconded the motion. Commissioners Lyon, Urquhart, Clark, Bell, Scheer, Hoskins, and Barry voted “Aye”. The motion passed unanimously.**

**3c. PLANNING COMMISSION PUBLIC HEARING – JANUARY 23, 2019**  
**ii. HEARING NOTICE**

4770 S. 5600 W.  
WEST VALLEY CITY, UTAH 84118  
FED.TAX I.D.# 87-0217663  
801-204-6910

Deseret News

Utah  
Media  
Group

Notice of Public Hearing

On Wednesday, January 23, 2019, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations to the City Council regarding the following petitions:

1. **Foothills Trails Master Plan** - Representatives from the Parks and Public Lands Division of the City will provide an overview of the Foothills Trails Master Plan and ask the Planning Commission to forward a recommendation to the city council regarding adopting the plan. The Plan provides guidance on the location of future trails, trail management, and trail maintenance for trails located in the foothills of the mountains on the eastern and northern portions of the City. The Foothills Trails Master Plan includes lands that are located in parts of City Council District 3 (represented by Chris Wharton) and City Council District 6 (represented by Charlie Luke). Staff Contact: Lewis Kogan at 801-972-7828 or [lewis.kogan@slcgov.com](mailto:lewis.kogan@slcgov.com)

2. **Alliance House Zoning Map Amendment** at approximately 1805 S. Main Street - Alliance House, Inc. is requesting that the City amend the zoning map for their property located at 1805 S. Main Street. The property is zoned BP - Business Park and contains an old motel building that is currently being used for multi-family housing. The applicant is requesting to amend the zoning designation of the property to CC - Corridor Commercial in order to replace the existing building with a new multi-family apartment building. No specific site development proposal has been submitted at this time. The property is located within Council District 5, represented by Erin Wenderhall. (Staff contact: David J. Gellner at 801-535-6107 or [david.gellner@slcgov.com](mailto:david.gellner@slcgov.com)) Case number: PUNPCM2018-00904

3. **Early Notification Text Amendment** - A petition by the City Council to review regulations and processes related to early notification and public participation in planning processes. The Planning Commission reviewed this request in May 2017 and tabled this item for additional information. The purpose of the proposed changes is to clarify the language in the ordinance as well as increase awareness and participation by the public while affording a timely review process for applicants and projects. The proposed regulation changes will affect various sections of the City Code including Section 2.60, Recognized Community Organizations, Title 20, Subdivisions and Title 21A, Zoning Ordinance. Related provisions of the City Code may also be amended as part of this petition. (Staff contact: Tracy Tran at 801-535-7645 [tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com)). Case number: PUNPCM2016-00300

The public hearing will begin at 5:30 p.m. in room 326 of the City County Building, 451 South State Street, Salt Lake City, UT.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.  
1239803 UAPXLP

PROOF OF PUBLICATION CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS

PLANNING DIVISION,

PO BOX 145480

SALT LAKE CITY UT 84114

ACCOUNT NUMBER

9001394298

DATE

1/14/2019

ACCOUNT NAME

PLANNING DIVISION,

TELEPHONE

8015357759

ORDER # / INVOICE NUMBER

0001239803 /

PUBLICATION SCHEDULE

START 01/12/2019 END 01/12/2019

CUSTOMER REFERENCE NUMBER

Planning Commission Meeting 01/23/2019

CAPTION

Notice of Public Hearing On Wednesday, January 23, 2019, the Salt Lake City Planning C

SIZE

69 LINES

2 COLUMN(S)

TIMES

2

TOTAL COST

177.50

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF Notice of Public Hearing On Wednesday, January 23, 2019, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations t FOR PLANNING DIVISION, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

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DATE 1/14/2019

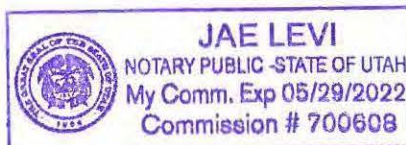
SIGNATURE

STATE OF UTAH )

COUNTY OF SALT LAKE )

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 12TH DAY OF JANUARY IN THE YEAR 2018

BY LORAIN GUDMUNDSON



*Jae Levi*  
NOTARY PUBLIC SIGNATURE





# Staff Report

PLANNING DIVISION  
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Tracy Tran, Senior Planner  
801-535-7645, [tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com)

Date: January 23, 2019

Re: PLNPCM2016-00300 – Early Notification Text Amendments

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## Early Notification Text Amendments

**APPLICABILITY:** City-wide

**REQUEST:** The City Council initiated this petition to clarify the provisions to City regulations relating to early notification of the public about various types of projects. Most of the proposed changes relate to amendments of Title 21A – Zoning Code, Title 2, Chapter 2.60 (Recognized Community Organization Ordinance) and the Title 20 - Subdivision Ordinance. The purpose of the proposed changes is to increase awareness and participation by the public of various types of projects the City works on while still affording a timely review process for applicants.

**RECOMMENDATION:** Based on the information in this staff report and the standards to consider for zoning amendments, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council regarding this proposal.

**ATTACHMENTS:**

- A. [Proposed Ordinance Language](#)
- B. [Flow Chart](#)
- C. [Analysis of Standards](#)
- D. [Public Process and Comments](#)
- E. [Department Comments](#)
- F. [Original Petition](#)

**REASON FOR CHANGE**

The overall intent of this petition is to increase awareness but also provide a timely review process for applicants. Currently, the City has rules to provide notification to recognized community organizations about specific types of projects within the City in Chapter 2.60 of the City Code. Recognized community organizations include all community councils and city-wide groups that are registered with the City. The current language is confusing and other processes may be appropriate to meet the intent of the early engagement process.



In addition, this section of the code (Chapter 2.60) impacts multiple City departments and is not focused only on the Zoning ordinance. Requiring all City departments to follow these rules may add on requirements for other departments to follow planning practices, which may not work for various departments. This ordinance looks at clarifying the requirements for land use applications within Title 21A.

For additional information related to the purpose of the code amendments, please refer to the Early Notification Text Amendments – [Planning Commission Staff Report](#) dated May 24, 2017 and [Planning Commission Memo](#) dated November 14, 2018.

## **BACKGROUND**

In 2016, The City Council initiated this petition to clarify provisions to City regulations relating to early notification to the public about various types of projects. The purpose of the amendments are to increase awareness and participation by the public of various types of projects the City works on while still affording a timely review for applicants.

Planning staff brought this petition in front of the Planning Commission on [May 24, 2017](#) and more recently on [November 14, 2018](#). Planning Staff presented proposed amendments and a public hearing on May 24, 2017. Here are the [minutes](#) from the meeting. The Planning Commission tabled the item and asked staff to follow up with additional considerations that include:

- Adding a definition of engagement activity and what constitutes input
- Assessing whether to include other applications such as special exceptions and variances
- Creating a public engagement ordinance and not one focused just on recognized organizations
- Discussing the proposal with the City's Civic Engagement Team

Planning Staff presented a new draft of proposed changes and briefed the Planning Commission on the proposed changes on [November 14, 2018](#). Here are the [minutes](#) from the meeting. The draft presented at the November 14, 2018 meeting addressed the questions and follow up items Planning Commission had requested. The Planning Commission provided staff with positive feedback related to the proposed changes.

## **PROPOSED ORDINANCE CONSIDERATIONS**

Staff has reconsidered the structure of the ordinance and has re-organized and re-written the proposed amendments since the first public hearing that was held on May 24, 2017. The purpose of this change is to focus on public engagement and not only on engaging recognized community organizations. The proposed ordinance is structured as follows and includes the following changes:

### **1. Re-organize and place within the Zoning Ordinance (Title 21A) instead of within Administration and Personnel (Title 2)**

The current provisions regarding early notification only address Recognized Community Organizations, located within Chapter 2.60 of the City Code. Since the proposal is focused on land use applications and the goal is to encourage public engagement overall and not just on engaging the recognized organizations, Planning Staff has created a new section within Chapter 21A.10 to address early notification requirements. Chapter 2.60 impacts multiple City departments and divisions. Making changes to that section may add requirements for various departments to follow planning practices, which may not work for various

departments. Moving the section to within the zoning ordinance will focus only on planning applications, which meets the intent of the petition.

**2. Includes purpose statement of the early notification process.**

The current language in the ordinance includes a purpose statement for recognized organizations but it does not include language about the purpose of public engagement and early notification. In response, language was added to:

- highlight the importance of informing the public early on in the process;
- allow a reasonable timeframe for feedback; and
- establish a process for decision makers to hear from the public before a decision is made on a proposal.

**3. Clarifies and adds the application types that require early notification.** The list of applicable application types is similar to the existing zoning applications that require early notification with the addition of the two items in blue:

- a. Alley/street closure or vacation
- b. Amendment to the City Zoning Code
- c. Conditional use
- d. Design Review when required to be reviewed by the Planning Commission as listed in chapter 21A.59.020(B)
- e. Demolition of landmark site or contributing structures located within a local historic district
- f. Master plans, including amendments, to be adopted by the city council
- g. New construction of principal structures within local historic districts or on Landmark Sites except for single family and two family dwellings.
- h. Planned development
- i. Zoning Map Amendment

**4. Lists exceptions that may not require early notification.** Although city code amendments are included in this list, it is important to note, that for legal reasons, there may be some city code amendments that are exempt from meeting the Early Notification Requirements. These circumstances include amendments that are subject to an adoption deadline or action date set forth in the legislation; related to funding city-related projects; or are necessary for essential city functions.

**5. Allows 45 Days for Public Engagement.** The current ordinance language is unclear and only states a public hearing cannot be held within 45 days. Planning staff clarified this section to require an overall 45 day public engagement period in which a decision cannot be made within this time frame. However, a public hearing can be held within this time frame to identify any issues that may arise from a proposal. Public hearings provide a good opportunity for the Planning Commission to hear issues early in the process and provide direction on a project.

**6. Early Notification to Stakeholders.** Notices will be provided to various stakeholders listed in the bulleted list below when a complete application is received. Notices will include information about the proposal, the location, how to obtain more information, how to provide comments, and a date for when the 45-day comment period ends.

- *Notices to recognized community organizations.* Notices will be provided to recognized community organizations and will allow them 14 days to decide whether they would like to place an application on an upcoming agenda within the 45 day public engagement period.
- *Notices to properties within 300 feet.* These notices will inform neighboring properties of the proposal. Currently, the ordinance only requires notices to be sent 12 days before a public hearing. The proposed change would inform neighboring properties early on in the process and would provide a 45-day comment period for the public to provide feedback.
- *Sign posted on property.* A sign will be posted on the property that allows the public to obtain more information regarding the proposal. Currently, the ordinance requires a sign to be posted on the subject property 10 days before a public hearing. The proposed change would provide 45 days for the public to provide feedback at the beginning of the process.

**7. Engagement Activity.** Based on the response from the recognized community organization, an application will either be presented at a community council meeting or at a City-sponsored outreach event. One of these meetings will be held given the below circumstances.

- *Community council meeting.* A community council meeting will be held when the community council responds within 14 days of receiving the notice and requests the application be presented at a community council meeting that will be held within the 45 day public engagement period.
- *Outreach event.* A city-sponsored outreach event will be held when:
  - 1). A recognized community organization does not respond as to whether it wants to review the matter or it does not schedule the subject item for a community council meeting within fourteen (14) days of receiving the original city notice
  - 2). The recognized community organization will not meet within forty-five (45) days of receiving the notice from the city.
  - 3). The project is within six hundred feet (600') of the boundaries of another recognized community organization's district.
  - 4). The subject property is located west of 2200 West.
  - 5). The project is a master plan or master plan amendment that impacts multiple recognized organizations;
  - 6). The project is a text amendment to the zoning ordinance.

**8. Changes open house requirement to “outreach event”.**

The current ordinance uses the term open house; it is not defined but has been used to denote a particular activity. This term was updated to outreach event to allow for more flexibility and additional types of public engagement that may be more effective. The term outreach event is defined:

Outreach events are used to expand involvement opportunities for community members by providing a chance to ask questions and provide comments on an issue or have involvement in the decision-making process. Outreach events should



encourage participation, make the public feel welcome, and provide a clear understanding of the public's role in the process.

This change will allow other forms of engagement activity to occur, which may be identified as more effective in notifying the public and receiving input.

## 9. Other minor clarifications

Other minor language clarifications and references were updated to simplify and reduce conflicts with various sections of the code.

## 10. Subdivision clarifications

The ordinance currently contains some conflicting language regarding notification. Subdivision reviews are technical in nature and if an application meets the technical requirements, the city must approve it. The proposed changes clean up conflicting references within the code which require notification to Recognized Community Organizations.

## SUMMARY OF CHANGES COMPARISON CHART

Below is a simplified comparison chart of the current (codified) code and the most recent proposal.

Topic	Current Language	Proposed Changes
<i>Notification requirements for land use applications</i>	The current ordinance is vague and is not clear on land use notification requirements	Create new section within Chapter 21A.10 to address public engagement/early notification requirements
<i>What Requires Early Notification?</i>	The following applications currently require early notification: <ul style="list-style-type: none"><li>• Alley Vacations</li><li>• Changes to City Regulations</li><li>• Conditional Uses</li><li>• Demolition of contributing structures in local historic districts and Landmark Sites</li><li>• Master Plans and Master Plan Amendments</li><li>• Planned Developments</li><li>• Re-zonings</li></ul>	Proposed changes include the existing list with the addition of the following: <ul style="list-style-type: none"><li>• Conditional Building and Site Design Review (depending on scope of review)</li><li>• New Construction of principal structures for multi-family and non-residential uses in local historic districts</li></ul>
<i>Engagement Period</i>	No public hearing or decision can be held/made within the 45 day period.	No decision could be made within 45 day period, but a public hearing could be held.
<i>Notice to stakeholders</i>	Only requires notice to recognized community organizations	Requires notice to: <ul style="list-style-type: none"><li>• Applicable recognized</li></ul>

		<p>community organization(s)</p> <ul style="list-style-type: none"> <li>• Property owners within 300 feet of subject property</li> <li>• Additional stakeholders may be noticed given type of application and potential impacts</li> </ul>
<i>Posting of property</i>	Sign posting is not required when an application is received.	Once a complete application is received, City would post a sign on the subject property giving notice of the pending land use application with instructions on how to obtain additional information
<i>Response from recognized organizations</i>	Recognized organizations are not required to notify the city whether or not they would like to review the project.	Recognized organizations would be required to let the City know within 14 days of receiving the notice whether they would like to review the project.
<i>Engagement activity (recognized organization meeting v. open house/outreach event)</i>	A recognized organization meeting or open house would be held for certain projects. If a recognized organization does not schedule the item for a meeting, no additional engagement activity is required.	A recognized organization meeting or open house would be held for certain projects. If a recognized organization does not schedule the item for a meeting within 14 days, the item would be scheduled for a city-sponsored outreach event.
<i>Outreach event</i>	Current language states an open house can be held in certain circumstances.	Updates “open house” to “outreach event”. New definition created for an “outreach event” that will allow city staff to use best engagement practices given the scope of the project and will not limit the City to only hold “open houses”.
<i>Open House/Outreach Event Notices</i>	Open house notices are not required to be sent to property owners and tenants within 300 feet of the subject project.	Outreach event notices would be sent to all property owners and tenants within 300 feet of the subject project.
<i>Exceptions</i>		List of exceptions added such as items subject to adoption deadline, items

		responding to emergency situations.
<i>Language clarification</i>		Minor changes to clarify language in various chapters in zoning code. Language clarification and reference changes.
<i>Subdivision clarifications</i>	Regulations are unclear regarding notice to recognized organizations.	Remove this requirements for subdivision processes. Subdivisions under state law are very technical in nature, if they meet technical aspects, it must be approved. Street/alley closures or vacations will require notice to recognized community organizations.

#### **DISCUSSION:**

The proposed changes clarify existing language related to early notification of land use projects, including how much is provided. The proposal complies with the standards for zoning text amendments (see [Attachment C](#)). After analyzing the proposal and the applicable standards, Planning Staff recommends that the Planning Commission forward a positive recommendation to City Council for this request.

#### **NEXT STEPS:**

The Planning Commission's recommendation for these proposed zoning text amendments will be forwarded on to the City Council for their action. The City Council is the decision-making body for zoning text amendments.

# **ATTACHMENT A: PROPOSED ORDINANCE**

## Early Notification Text Amendment – Proposed Text Changes

### **Chapter 21A.10 GENERAL APPLICATION, PUBLIC ENGAGEMENT, AND PUBLIC ~~HEARING~~ NOTICING PROCEDURES**

#### **21A.10.010: GENERAL APPLICATION PROCEDURES:**

#### **21A.10.015: PUBLIC ENGAGEMENT:**

#### **21A.10.020: PUBLIC ~~HEARING~~ NOTICE REQUIREMENTS:**

#### **21A.10.030: PUBLIC HEARING PROCEDURES:**

#### **21A.10.010: GENERAL APPLICATION PROCEDURES:**

All applications required by the provisions of this title shall be processed in accordance with the following procedures:

A. Determination Of Completeness Of Application: After receipt of an application, the zoning administrator shall determine whether the application is complete. If the zoning administrator determines that the application is not complete, the zoning administrator shall notify the applicant in writing, specifying the deficiencies of the application, including any additional information which must be supplied and advising the applicant that no further action will be taken by the city on the application until the deficiencies are corrected.

~~B. Notification Of Community Organizations: Notification to recognized community organizations shall be provided, where applicable, as set forth in section [2.60.050](#) of this code.~~

€. B. Remedy Of Deficiencies: If the applicant fails to correct the specified deficiencies within thirty (30) days of the notification of deficiency, the application for development approval shall be deemed withdrawn and will be returned to the applicant. Application fees shall not be refunded.

Đ. C. Extensions Of Time: The zoning administrator, upon written request, may, for good cause shown and without any notice or hearing, grant extensions of any time limit imposed on an applicant or permittee by this title. An extension of time may also be granted by any body acting pursuant to this title unless this title expressly provides otherwise. The total period of time granted by such extension or extensions shall not exceed twice the length of the original period.

£. D. 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.10.020](#) 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. (Ord. 54-14, 2014; Ord. 58-13, 2013)

## **21A.10.015: PUBLIC ENGAGEMENT:**

The purpose of the public engagement process is to inform the public of the project early in the process, provide a reasonable timeframe for feedback on a proposal, and establish a process for decision makers to hear from the public prior to making a decision on the project.

~~A. Notification Of Recognized Community Organizations: For the purpose of this section, a recognized community organization is as defined in section 2.60 of this code.~~

A. Land Use Applications Subject to Public Engagement: The following land use applications are subject to the public engagement process stated in this section:

1. Alley/street closure or vacation
2. Amendment to the City Zoning Ordinance
3. Conditional use
4. Design Review when required to be reviewed by the Planning Commission as listed in chapter 21A.59.
5. Demolition of landmark site or contributing structures located within a local historic district
6. Master plans, including amendments, to be adopted by the city council
7. New construction of principal structures within local historic districts or on Landmark Sites except for single family and two family dwellings.
8. Planned development
9. Zoning Map Amendment

B. Early Notification: The City shall provide notice of a pending land use application to the individuals stated in this section. The city shall provide at least forty-five (45) days for the recipients of the notice to provide comment on the pending land use application before a decision approving or denying the application is made by the applicable land use authority, or recommendation is made if the approval authority is the city council.

1. Stakeholders. The city shall provide written notice to the following:

- a. Property owners and tenants within three hundred (300) feet of property subject to a pending land use application. City-wide zoning amendments are exempt from this requirement.
- b. Chair of the recognized community organization(s) in which the subject property is located and the chair of any recognized community organization whose boundary is located within three hundred (300) feet of the subject property. In the case of city-wide zoning amendments, the chairs of all recognized community organizations will receive a notice.

c. Additional stakeholders may be noticed given the type of application and potential impacts of the proposal.

2. Content of Notice: The notice shall generally describe:

- a. the subject matter of the application,
- b. the location of the proposed project if applicable,
- c. how to obtain further information,
- d. how to submit comments about the application, and
- e. the date that the forty-five (45) day comment period ends.

3. Posting of Subject Property: The land subject to an application that requires early notification shall be posted by the City with a sign giving notice that the City has received such application and include instructions on how to obtain more information about the project. The sign shall be posted within ten (10) calendar days of receiving a complete application.

a. Location: One (1) notice shall be posted for each five hundred feet (500') of frontage, or portion thereof, along a public street. At least one (1) sign shall be posted on each public street. The sign(s) shall be located on the property subject to the request or petition and shall be set back no more than twenty-five feet (25') from the front property line and shall be visible from the street. Where the land does not have frontage on a public street, signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land subject to the application.

b. Removal: If the sign is removed through no fault of the applicant, property owner or the city, such removal shall not be deemed a failure to comply with the standards, or be grounds to challenge the validity of any decision made on the application.

4. Exception from Early Notification Process: The following city code amendments are exempt from the processes set forth in subsections 21A.10.015.C.1 and 2 of this section. The city may still opt to notify recognized community organizations of proposed city code amendments listed in this section, but not providing notice of an exempt city code amendment shall not negate any action taken.

a. City code amendments related to recently-enacted legislation if the code amendments:

- (1) Are subject to an adoption deadline or action date set forth in the legislation;
- (2) Are related to funding city-related projects; or
- (3) Are necessary for essential city functions.

b. A temporary land use regulation meeting the requirements of Utah Code Section 10-9a-504 or its successor.

c. City code amendments proposed to respond to a natural disaster or other emergency situation potentially affecting the safety or well-being of individuals.

d. City code amendments to mitigate the city's exposure to liability where prompt action is reasonably necessary.

e. The timeframe for the early notification process identified in section 21A.10.015.C 1 and 2 may be modified where a land use applicant requests in writing that a decision be made as per section 10-9a.509.5 (or its successor) of the Utah State Code.

C. Engagement Activity. Following city notification of an application listed in subsection 21.10.015.B of this section the city shall conduct an engagement activity as set forth in either subsection 21A.10.15.C1 or 21A.10.015.C2 of this section, whichever may be applicable, in addition to other processes required by law. The Planning Division may conduct additional public engagement activities beyond those listed below. The public engagement process may occur during the forty-five (45) day public comment period.

1. Recognized Community Organization Meeting

a. A recognized community organization meeting may be held at the request of the recognized community organization when the proposal is located within the boundaries of one recognized community organization.

(1) The recognized community organization chair(s) shall notify the planning division within fourteen (14) calendar days of receiving the notice of pending land use application from the city to let the city know whether they want to review the project.

a). If the recognized community organization decides to hold a meeting to review the project, the recognized organization shall hold a meeting and provide comments on the project within forty-five calendar (45) days of when the notice of pending land use application was sent.

b.) If the recognized community organization does not respond as to whether it wants to review the matter or does not schedule the item for a recognized community meeting within fourteen (14) days of when the notice of pending land use application was sent, the city shall schedule the item for a community outreach event.

2. Community Outreach Event:

a. The city will schedule the item for an outreach event to educate, engage and receive input from the public at a level that is consistent with the scope of impact of a proposal or project. An outreach event will be held when:

(1) A recognized community organization does not respond within fourteen (14) days of when the notice of pending land use application was sent as to whether it wants to review the matter,

(2) Within fourteen (14) days of receiving the notice of pending land use application, the recognized community organization does not schedule the item for a recognized community organization meeting;

(3) The recognized community organization will not meet within forty-five (45) days of receiving the notice from the city;

(4) The project is within six hundred feet (600') of the boundaries of another recognized community organization's district;

- (5) The subject property is located west of 2200 West;
- (6) The project is a master plan or master plan amendment that impacts multiple recognized organizations;
- (7) The project is a text amendment to the zoning ordinance.
- b. The City will also notify the public, property owners and tenants within three hundred (300) feet of subject property, and recognized community organizations who may be affected by the project or who have specifically requested notification of the outreach event for those situations noted in section 2a. of this subsection.
- 3. Public Hearing: a public hearing may be held within the forty-five (45) day engagement period provided that no final decision regarding the land use application is made within the forty-five (45) day engagement period.

#### **21A.10.020: PUBLIC HEARING NOTICE REQUIREMENTS:**

Providing all of the information necessary for notice of all public hearings required under this title shall be the responsibility of the applicant unless otherwise specifically stated by this chapter and shall be in the form established by the zoning administrator and subject to the approval of the zoning administrator pursuant to the standards of this section.

A. Public Hearing Required: Projects requiring a public hearing as required by this title shall be held after the following public notification:

1. Mailing For Public Hearing: Notice by first class mail shall be provided: a minimum of twelve (12) calendar days in advance of the public hearing to all owners and tenants of the land as shown on the Salt Lake City geographic information system records within three hundred feet (300') from the periphery of land subject to the application, inclusive of streets and rights of way, or one thousand feet (1,000') of the periphery of land subject to application for sexually-oriented business requiring conditional site plan review pursuant to Chapter 21A.36 if this title. Mailing labels shall be generated by the city at the time of application submittal and created using the Salt Lake City geographic information system records unless as stated otherwise in this title. Notice by first class mail for zoning text amendments shall only be required if a notice requesting the mailing is received by the Planning Director.

~~a. A minimum of twelve (12) calendar days in advance of the public hearing;~~

~~b. To all owners and tenants of the land as shown on the Salt Lake City geographic information system records. Mailing labels shall be generated by the city at the time of application submittal and created using the Salt Lake City geographic information system records unless as stated otherwise in this title;~~



- c. ~~Within three hundred feet (300') from the periphery of land subject to the application, inclusive of streets and rights of way, or one thousand feet (1,000') of the periphery of the land subject to application for sexually oriented businesses requiring conditional site plan review pursuant to chapter 21A.36 of this title; and~~
  - d. ~~Notice by first class mail for zoning text amendments shall only be required if a notice requesting the mailing is received by the Planning Director.~~
2. Notification To Recognized Organizations: The City shall give e-mail notification, or other form of notification chosen by the Planning Director, a minimum of twelve (12) calendar days in advance of the public hearing to any recognized community organization which is entitled to receive notice pursuant to [title 2, chapter 2.60](#) of this Code.
  3. Contents Of Mailing Notice For Public Hearing: The first class mailing notice for any public hearing required pursuant to this title shall generally describe the subject matter of the application and the date, time and place of the public hearing, and the place where such application may be inspected by the public. The notice shall also advise that interested parties may appear at the public hearing and be heard with respect to the application.
  4. Posting For Public Hearing: The land subject to an application for a public hearing shall be posted by the City with a sign giving notice of the public hearing, providing the date of the hearing including contact information for more information, at least ten (10) calendar days in advance of the public hearing.
    - a. Location: One (1) notice shall be posted for each five hundred feet (500') of frontage, or portion thereof, along a public street. At least one (1) sign shall be posted on each public street. The sign(s) shall be located on the property subject to the request or petition and shall be set back no more than twenty five feet (25') from the front property line and shall be visible from the street. Where the land does not have frontage on a public street, signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land subject to the application.
    - b. Removal: If the sign is removed through no fault of the applicant, property owner, or the City before the hearing, such removal shall not be deemed a failure to comply with the standards, or be grounds to challenge the validity of any decision made on the application.
    - c. Exemption: This posting requirement shall not apply to applications for amendments involving an H Historic Preservation Overlay District, applications for an administrative certificate of appropriateness or applications for comprehensive rezonings of areas involving multiple parcels of land, including boundaries of a historic district, or for text amendments to this title.

5. Publication: As required by State law, at least twelve (12) calendar days in advance of the first public hearing for an application for an amendment to the text of this title or other processes as required by State law, the City shall publish a notice of such public hearing in a newspaper of general circulation in Salt Lake City.

B. Special Noticing Requirements For Administrative Approvals:

1. ~~Conditional Building And Site Design Review: The Planning Commission shall consider requests for conditional building and site design review at a public hearing if there is an expression of interest after providing notice as follows:~~

- ~~a. Notification: The City shall provide written notice by first class mail a minimum of twelve (12) calendar days in advance of the requested action to all owners of the land and tenants subject to the application, as shown on the Salt Lake City geographic information system records, adjacent to and contiguous with the land subject to the application. Recognized organizations are also entitled to receive notice pursuant to of this Code by e-mail or other form chosen by the Planning Director.~~

~~At the end of the twelve (12) calendar day notice period, if there are requests for a public hearing, the Planning Commission will schedule a public hearing and consider the issue; if there are no requests for a public hearing, the Planning Director may decide the issue administratively.~~

1. Notice Of Application for Design Review:

- a. Notification: Prior to the approval of an administrative decision for Design Review application as authorized in chapter 21A.59 of this title, the Planning Director shall provide a minimum of twelve (12) days notice in advance of the requested action to the following:

- (1) Abutting property owners and tenants: written notice by first class mail to all abutting properties and those properties located directly across the street from the subject property, and to all property owners and tenants of the land subject to the application as shown on the Salt Lake City geographic information system records.

- (2) Recognized community organization(s) in which the subject property is located.

- b. Contents of the Notice of Application: The notice for mailing shall generally describe the subject matter of the application, the place where such application may be inspected by the public, and the date when the Planning Director will authorize a final administrative decision and include the procedures to appeal an administrative decision.

- c. End of Notification Period: At the end of the twelve (12) calendar day notice period, if there are issues identified that relate to the proposal not complying with a standard of review found in 21A.59, the Planning Director may refer the matter to the Planning Commission.

2. ~~Determination Of~~ Notice of Demolition of a Noncontributing ~~Status~~Structure Within An H Historic Preservation Overlay District: Prior to the approval of an administrative decision for a certificate of appropriateness for demolition of a noncontributing structure, the City shall provide written notice by first class mail a minimum of twelve (12) calendar days of the request to demolish the structure and to identify that a determination of has been made that the building has been identified as a noncontributing building. status of the property This notice will be sent to all owners of the land and tenants, within eighty-five feet (85') of the land subject to the application as shown on the Salt Lake City geographic information system records. At the end of the twelve (12) day notice period, the Planning Director shall either issue a certificate of appropriateness for demolition or refer the application to the Historic Landmark Commission.
3. Notice Of Application For Special Exceptions: Prior to the approval of an administrative decision for special exceptions as authorized in chapter 21A.52 of this title, the Planning Director shall provide written notice by first class mail a minimum of twelve (12) days in advance of the requested action to all abutting properties and those properties located across the street from the subject property, and to all property owners and tenants of the land subject to the application, as shown on the Salt Lake City geographic information system records.
  - a. Contents Of The Mailing Notice Of Application: The notice for mailing shall generally describe the subject matter of the application, the place where such application may be inspected by the public, the date when the Planning Director will authorize a final administrative decision, and include the procedures to appeal an administrative decision set forth in chapter 21A.16 of this title.
4. Notice Of Application For TSA Development Reviews: Prior to the approval of a development review score as authorized in section [21A.26.078](#) of this title, the Planning Director shall provide written notice by first class mail a minimum of twelve (12) days in advance of the requested action to all abutting properties and those properties located across the street from the subject property, and to all property owners and tenants of the land subject to the application, as shown on the Salt Lake City geographic information system records.
  - a. Contents Of The Mailing Notice Of Application: The notice for mailing shall generally describe the subject matter of the application, the place where such application may be inspected by the public, the date when the Planning Director will authorize a final administrative decision, and include the procedures to appeal an administrative decision set forth in chapter 21A.16 of this title. (Ord. 25-17, 2017: Ord. 10-16, 2016: Ord. 58-13, 2013)

## **Chapter 21A.12**

### **ADMINISTRATIVE INTERPRETATIONS**

#### **21A.12.040: PROCEDURES:**

A. Application: An application for an interpretation 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 is sought;
2. Facts: The facts of the specific situation giving rise to the request for an interpretation;
3. Interpretation: The precise interpretation claimed by the applicant to be correct;
4. Statement: When a use interpretation is sought, a statement of what use permitted under the current zoning classification of the property that the applicant claims either includes the proposed use, or is most similar to the proposed use; and
5. Evidence: When a use interpretation is sought, documents, statements, and other evidence demonstrating that the proposed use will comply with all use limitations established for the district in which it is proposed to be located.
6. Fees: Nonrefundable fees shown on the Salt Lake City consolidated fee schedule shall accompany the application.
7. Notification To Recognized Organizations: The city shall give notification, by e-mail or other form chosen by the planning director to any recognized community organization in which the subject property is located. ~~which is entitled to receive notice pursuant to Title 2, Chapter 2.60 of this code, that a use interpretation has been determined.~~

## **Chapter 21A.16**

### **APPEALS OF ADMINISTRATIVE DECISIONS**

#### **21A.16.030: PROCEDURE:**

Appeals of administrative decisions by the zoning administrator, historic landmark commission or planning commission to the appeals hearing officer shall be taken in accordance with the following procedures:

- A. Filing Of Appeal: An appeal shall be made in writing within ten (10) days of the administrative decision by the zoning administrator, historic landmark commission or planning commission and shall be filed with the zoning administrator. The appeal shall specify the decision appealed, the alleged error made in connection with the decision being appealed, and the reasons the appellant claims the decision to be in error, including every theory of relief that can be presented in district court.
- B. 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 chapter 21A.10 of this title.

C. Stay Of Proceedings: An appeal to the appeals hearing officer shall stay all further proceedings concerning the matter about which the appealed order, requirement, decision, determination, or interpretation was made unless the zoning administrator certifies in writing to the appeals hearing officer, after the appeal has been filed, that a stay would, in the zoning administrator's opinion, be against the best interest of the city.

D. Notice Required:

1. Public Hearing: Upon receipt of an appeal of an administrative decision by the zoning administrator, the appeals hearing officer shall schedule and hold a public hearing in accordance with the standards and procedures for conduct of the public hearing set forth in chapter 21A.10 of this title.
2. Notice Of Appeals Of Administrative Decisions Of The Historic Landmark Commission Or Planning Commission: Appeals from a decision of the historic landmark commission or planning commission are based on evidence in the record. Therefore, testimony at the appeal meeting shall be limited to the appellant and the respondent.
  - a. Upon receipt of an appeal of a decision by the historic landmark commission or planning commission the appeals hearing officer shall schedule a public meeting to hear arguments by the appellant and respondent. Notification of the date, time and place of the meeting shall be given to the appellant and respondent a minimum of twelve (12) calendar days in advance of the meeting.
  - b. The city shall give e-mail notification, or other form of notification chosen by the appeals hearing officer, a minimum of twelve (12) calendar days in advance of the hearing to any recognized community organization, in which the subject property is located, ~~entitled to receive notice pursuant to [title 2, chapter 2.60](#) of this code.~~
3. Time Limitation: All appeals shall be heard within one hundred eighty (180) days of the filing of the appeal. Appeals not heard within this time frame will be considered void and withdrawn by the appellant.

**Chapter 21A.38**  
**NONCONFORMING USES AND NONCOMPLYING STRUCTURES**

**21A.38.025: PROCEDURES:**

- A. Application: An application for an administrative interpretation relating to a noncomplying 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 chapter 21A.10 of this title.
5. Notification To Recognized Organizations: The city shall give notification, by e-mail or other form chosen by the planning director to any recognized community organization in which the subject property is located is to receive notice pursuant to in [title 2, chapter 2.60](#) of this code, that an administrative interpretation or determination of nonconforming use has been made.

## Chapter 21A.60 LIST OF TERMS

### Outreach Events

#### 21A.62 Definitions

##### 21A.62.040 Definition of Terms

OUTREACH EVENTS: Outreach events are used to expand involvement opportunities for community members by providing a chance to ask questions and provide comments on an issue or have involvement in the decision-making process. Outreach events should encourage participation, make the public feel welcome, and provide a clear understanding of the public's role in the process.

## Chapter 2.60 RECOGNIZED COMMUNITY ORGANIZATIONS

### 2.60.010: PURPOSE:

### 2.60.020: DEFINITION:

### 2.60.030: MINIMUM REQUIREMENTS:

### 2.60.040: REGISTRATION:

### 2.60.050: RESPONSIBILITIES OF CITY:

### 2.60.060: RESPONSIBILITIES OF COMMUNITY ORGANIZATIONS:

## **2.60.070: VOLUNTEER STATUS AND PARTIAL INDEMNIFICATION:**

### **2.60.010: PURPOSE:**

It is the policy of Salt Lake City to create a framework by which the people of the city may effectively organize into community organizations representing a geographic area or field of interest, and use this as one way to participate in civic affairs and improve the livability and character of the city and its neighborhoods. Salt Lake City values the benefits these organizations bring to the community and holds each in equal regard.

This chapter sets out the basis for city recognition of such community organizations and the associated responsibilities and benefits. (Ord. 58-13, 2013)

### **2.60.020: DEFINITION:**

**COMMUNITY ORGANIZATION:** A voluntary group of individuals organized around a particular community interest for the purpose of collectively addressing issues and interests common to that group. A community organization is not a subsidiary of Salt Lake City government. (Ord. 58-13, 2013)

### **2.60.030: MINIMUM REQUIREMENTS:**

A. All community organizations seeking recognition pursuant to this chapter must comply with the following:

1. Properly register as a nonprofit corporation in good standing with the state of Utah;
2. Adopt bylaws which include the following provisions:
  - a. A clear definition of membership;
  - b. A policy of open participation of all persons who are members of the organization;
  - c. A policy against discrimination;
  - d. Attendance to meetings is open to the general public;
  - e. Meetings will provide an opportunity for public input;
3. Revision of Bylaws. If the recognized community organization adopts changes to its bylaws, the recognized community organization shall file a copy of the amended bylaws with the Salt Lake City Recorder's Office within thirty (30) days of such changes. The changes can be filed with the recorder's office by any member of the executive board of the recognized community organization.

4. Organizations must hold at least one meeting of their membership each year. (Ord. 58-13, 2013)

#### **2.60.040: REGISTRATION:**

- A. The recorder's office shall maintain an official registration of community organizations recognized under this chapter. Any community organization meeting the requirements of section [2.60.030](#) of this chapter may register by filing with the recorder's office the following:
  1. Official name;
  2. Boundaries where applicable;
  3. The names, mailing addresses, telephone numbers and e-mail addresses of its current officers;
  4. The name, mailing address, e-mail address and telephone number to serve as the recipient for official communications from the city;
  5. Methods used to communicate with membership;
  6. A copy of the organization's articles of incorporation and bylaws;
  7. Time and place of regular meetings; and
  8. Schedule for electing officers.

The recorder's office shall make this information available to the public on the city website.

- B. It shall be the responsibility of the community organization to provide updated information and any changes to the items in subsection A of this section to the recorder's office in a timely manner.
- C. Annual renewal of registration of community organization is required. By January 31 of each year, each registered community organization must submit a request for renewal of registration with current information required in subsection A of this section. Failure to submit such a request by January 31 will result in removal of the community organization from the official registration. (Ord. 58-13, 2013)

#### **2.60.050: RESPONSIBILITIES OF CITY:**



- A. Education: The city shall adequately educate the public on city policy, procedures, and actions.
- B. Public Engagement: Each city department shall strive to utilize best public engagement practices to educate, engage, and receive input from the public at a level that is consistent with the scope of impact of a proposal or project.
- C. Recognized Community Organization Notification And Response: The city will send a notice to the applicable recognized community organization chair(s) for the following types of projects:

~~Alley vacation~~

City code amendments

~~Conditional use~~

~~Demolition of contributing structures located within a local historic district or landmark sites~~

Major changes to street capacity or travel modes

Major upgrades to public facilities and structures

~~Master plan amendment or policy amendments to be adopted by the city council~~

~~Master plan or policies to be adopted by the city council~~

New construction of major public facilities and structures

~~Planned development~~

~~Zoning map amendment~~

See title 21A. for process related to master plans, zoning amendments, and land use applications

The recognized community organization chair(s) have forty five (45) days to provide comments, from the date the notice was sent. A public hearing will not be held, nor will a final decision be made about the project within the forty five (45) day period. Where a project is within six hundred feet (600') of the boundaries of another recognized community organization's district, when more than one recognized organization has requested a presentation of the matter, when the subject property is located west of 2200 West, or when the project is a text amendment to the city code, the city will schedule the item for an open house and notify the public, including those recognized community organizations who may

be affected by the project or who have specifically requested notification of the public open house.

- D. Notice Procedures: The city departments shall develop policies and procedures to show how they will provide notice and early participation opportunities for pending major city actions. These include, but are not limited to, public meetings, development projects, planning activities, and grant and funding opportunities, which may have a significant impact on the membership of a registered community organization. Notice shall be given to affected community based organizations in a timely manner, including information on the time frame for a response.
- E. Reregistration Notification: The recorder's office shall notify each registered community organization of pending requirement for reregistration by December 31 of each year.
- F. List Of Organizations: In an effort to notify the public about the existence of recognized community ~~based~~ organizations and encourage participation in these organizations, at least once a year the city shall make a reasonable attempt to provide a list of all recognized community ~~based~~ organizations and their contact information to all residents, property owners, business owners, schools and nonprofit agencies in Salt Lake City. (Ord. 58-13, 2013)

#### **2.60.060: RESPONSIBILITIES OF COMMUNITY ORGANIZATIONS:**

Each recognized community organization shall:

- A. Renew registration with the recorder's office on an annual basis.
- B. Establish orderly and democratic means for forming representative public input through civil and respectful dialogue.
- C. Establish and follow a clear method for reporting to the city actions ~~which~~ that accurately reflect their position. Include the means by which a recommendation or decision was reached, how many members were involved and what the outcome was.
- D. By interaction with its members, residents, and the city, foster open and respectful communication between the recognized community organization and representatives of city departments on plans, proposals and activities affecting the interests of the recognized community organization. (Ord. 58-13, 2013)

#### **2.60.070: VOLUNTEER STATUS AND PARTIAL INDEMNIFICATION:**

Recognized community organization members shall be considered volunteers and not employees, officials or officers of Salt Lake City. Recognized community organizations and their officers, trustees and directors shall be indemnified by the city pursuant to the Utah governmental immunities act in any civil action which may arise from determinations and recommendations made within the scope of performance of their duties under this chapter. This

defense and indemnification obligation on behalf of the city shall be limited to only those determinations and recommendations and shall not extend to any physical activities of the community organization or its members. These provisions shall not be deemed a waiver of any claim for immunity from suit on behalf of the volunteer. (Ord. 58-13, 2013)

## **Subdivision Ordinance**

**20A.04.130 AMENDMENTS TO THIS TITLE:** The process to amend this title shall follow the process outlined in section 21A.50 and include early notification requirements found in section 21A.10.

### **Chapter 20.36**

#### **NOTICING REQUIREMENTS**

20.36.010: REQUIRED NOTICING FOR PLANNING DIRECTOR DECISION ON PRELIMINARY PLAT APPLICATIONS:

20.36.020: REQUIRED NOTICING FOR PUBLIC HEARING:

20.36.030: SIGNPOSTING; LOCATION AND REMOVAL:

~~20.36.040: NOTIFICATION TO RECOGNIZED ORGANIZATIONS:~~

20.36.010: REQUIRED NOTICING FOR PLANNING DIRECTOR DECISION ON PRELIMINARY PLAT APPLICATIONS:

When the review process involves a preliminary decision by the planning director the application shall be noticed as follows:

#### **A. Subdivisions:**

1. Mailing: Written notice of subdivision application shall be provided by first class mail a minimum of twelve (12) calendar days in advance of the pending decision to all owners and tenants of the land subject to the application, and all abutting property owners, as shown on the Salt Lake City geographic information system records.
2. Posting: Notice by sign, in accordance with section 20.36.030 of this chapter, shall also be posted on the property at least ten (10) days prior to the scheduled administrative decision.
3. ~~3. Notification To Recognized Organizations: The city shall give notification in accordance with section 20.36.040 of this chapter.~~

#### **B. Subdivision amendments not involving vacating or altering a public street, right of way, or easement:**

1. Mailing: Written notice of subdivision application shall be provided by first class mail a minimum of twelve (12) calendar days in advance of the pending decision to all property owners or tenants, as shown on the city's computerized geographic information system, of land contained in the entire original or previously amended subdivision plat and all

property owners whose property abuts the land being amended and is located outside of the subject subdivision.

2. Posting: Notice by sign, in accordance with section 20.36.030 of this chapter, shall also be posted on the property at least ten (10) days prior to the scheduled administrative decision.
3. ~~Notification To Recognized Organizations: The city shall give notification in accordance with section 20.36.040 of this chapter (Ord 7-14, 2014)~~

#### 20.36.020: REQUIRED NOTICING FOR PUBLIC HEARING:

When the review process involves a public hearing, the application and hearing shall be noticed as follows:

A. Subdivisions: Excluding subdivision amendments involving a public street, right of way, or easement, which have different noticing requirements as specified in subsection B of this section, whenever a public hearing with the planning commission is required for preliminary plat decision, the following public noticing is required:

1. Mailing: Notice by first class mail shall be provided a minimum of twelve (12) calendar days in advance of the public hearing, to all abutting property owners of the subject land, as shown on the Salt Lake City geographic information system records.
2. Posting: The land subject to an application shall be posted by the city with a sign, in accordance with section 20.36.030 of this chapter, giving notice of the public hearing a minimum of ten (10) calendar days in advance of the public hearing.
3. ~~Notification To Recognized Organizations: The city shall give notification in accordance with section 20.36.040 of this chapter.~~

B. Subdivision amendments involving vacating or altering a public street, right of way, or easement:

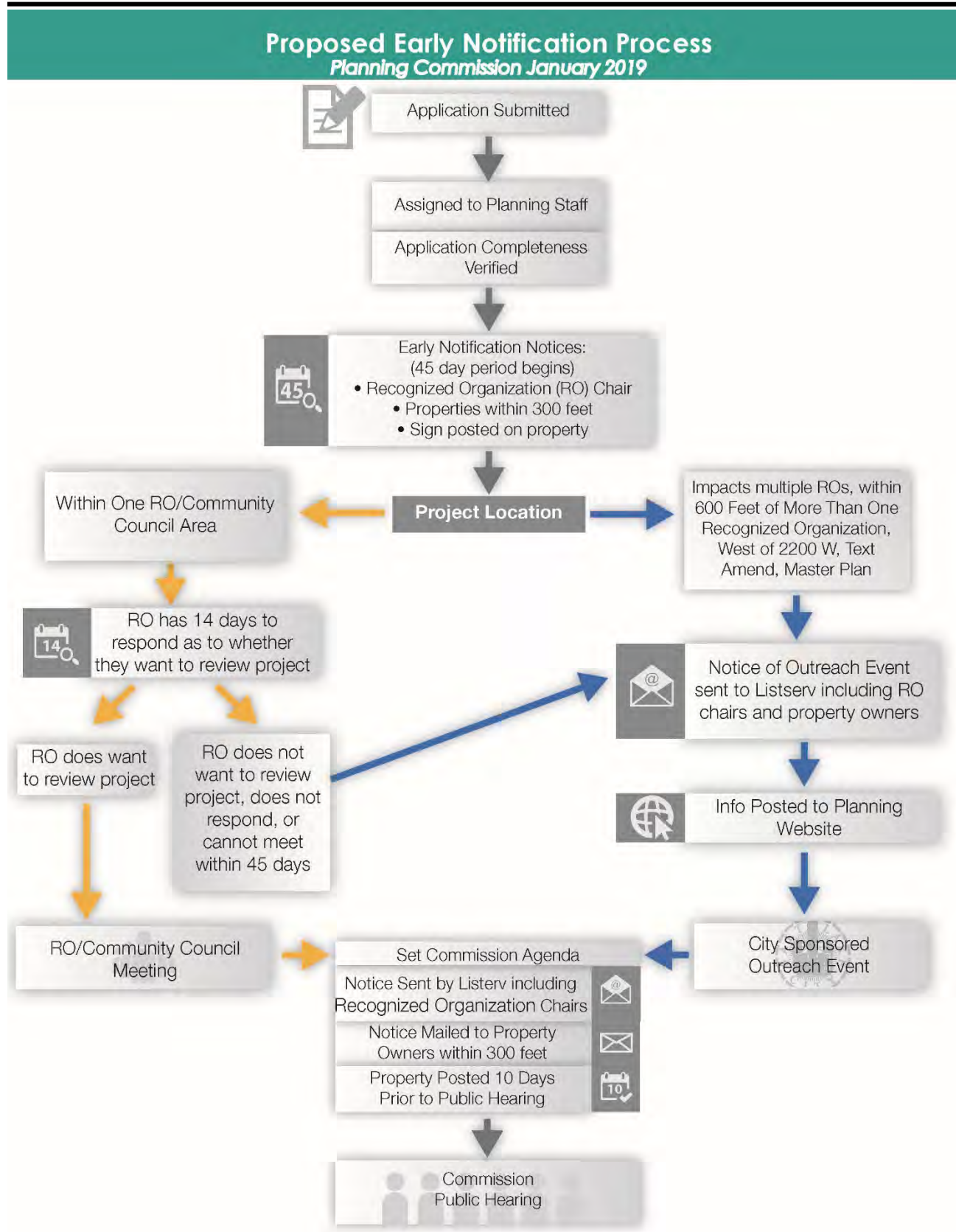
1. Mailing And Publishing: Notice of the public hearing shall be provided in the following manner at least twelve (12) days before the hearing:
  - a. Mailed to the record owner of each parcel that is accessed by the subject portion of public street, right of way, or easement;
  - b. Mailed to each affected entity;
  - c. Published in a newspaper of general circulation in the municipality in which the land subject to the petition is located; and
  - d. Published on the Utah public notice website created in section 63F-1-701 of the Utah code.
2. Posting: The land subject to an application shall be posted by the city with a sign, in accordance with section 20.36.030 of this chapter, giving notice of the public hearing a minimum of ten (10) calendar days in advance of the public hearing.
3. ~~Notification To Recognized Organizations~~Public Engagement: The city shall give notification in accordance with section 21A.10.015~~20.36.040 of this chapter~~ (Ord. 7-14, 2014)

#### 20.36.030: SIGNPOSTING; LOCATION AND REMOVAL:

- A. Location: One notice sign shall be posted for each five hundred feet (500') of frontage, or portion thereof, along a public street. At least one sign shall be posted on each public street. The sign(s) shall be located on the property subject to the request or petition and shall be set back no more than twenty five feet (25') from the front property line and shall be visible from the street. Where the land does not have frontage on a public street, signs shall be erected on the nearest street right of way with an attached notation indicating generally the direction and distance to the land subject to the application.
- B. Removal: If the sign is removed through no fault of the applicant before the hearing, such removal shall not be deemed a failure to comply with the standards, or be grounds to challenge the validity of any decision made on the application. (Ord. 7-14, 2014)

~~20.36.040 NOTIFICATION TO RECOGNIZED ORGANIZATIONS: When it is required, notification to recognized organizations shall be given by e-mail notification, or other form of notification chosen by the planning director, a minimum of twelve (12) calendar days in advance of a planning director decision and / or a public hearing to any organization which is entitled to receive notice pursuant to title 2, chapter 2.60 of this code (Ord. 7-14, 2014)~~

## ATTACHMENT B: FLOW CHART



# ATTACHMENT C: ANALYSIS OF STANDARDS

## ZONING TEXT AMENDMENTS

As per section 21A.50.050, 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.

Factor	Finding	Rationale
<b>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;</b>	Complies	<p>The proposed amendments aim to clarify regulations and processes for early engagement in City land use processes. Proposed changes will increase notification requirements to try and increase participation. In addition, the proposed changes will provide flexibility in how engagement activities are conducted to allow City staff the ability to use the most effective types of engagement based on the type of project. All of these changes are supported by adopted policies and resolutions of the City including:</p> <ul style="list-style-type: none"> <li>• Salt Lake City's Policy on Open Government</li> <li>• Plan Salt Lake: Guiding Principle: "A local government that is collaborative, responsive, and transparent." Including the following initiative: <ul style="list-style-type: none"> <li>○ Provide opportunities for public participation, input, and engagement throughout the decision making process</li> </ul> </li> </ul>
<b>2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;</b>	Complies	<p>The zoning ordinance purpose statements are silent on the issue of early engagement. However, the purpose statement of the Recognized Community Organization, section of the City Code, Chapter 2.60.010, which is referenced in the Zoning Ordinance, notes that "It is the policy of Salt Lake City to create a</p>

		<p>framework by which the people of the city may effectively organize into community organizations representing a geographic area or field of interest, and use this as one way to participate in civic affairs and improve the livability and character of the city and its neighborhoods. Salt Lake City values the benefits these organizations bring to the community and holds each in equal regard.”</p> <p>The proposed text amendment strives to clarify and improve the regulations and processes for early engagement in order to increase participation by number and diversity to better reflect the City’s population.</p>
<b>3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;</b>	Complies	The proposed amendments relate to public noticing and engagement. It does not relate to regulations relating to land use or standards that would be identified in any specific overlay zoning district.
<b>4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.</b>	Complies	The proposed amendments help clarify and improve public engagement in the planning process. It is anticipated that the proposed changes will help increase participation and provide flexibility in the engagement techniques and tools used to promote participation which is in keeping with best current professional practices.



## **ATTACHMENT D: PUBLIC PROCESS & COMMENTS**

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### **PUBLIC PROCESS**

Since the last Planning Commission meeting on May 24, 2017, planning staff reached out to all recognized community organizations informing them of the updated proposal. An Open House was held on July 19, 2018. Staff provided the proposed changes at the meeting and was available to answer questions. Five individuals showed up at the Open House. There was general support for the proposal with some additional comments asking for a specific list of what an “outreach event” would be and another comment requested that other applications that do not require this early notification process, such as a special exception, should still notify the community council to allow them to raise any issues. Additional comment was made about how the posted signs need to be bigger.

Staff also presented the proposed changes at the Salt Lake Community Network meeting on August 9, 2018. Representatives from various community councils attended the meetings. There was some discussion about requiring individual mailed notices for city-wide proposals. Staff discussed the difficulty and expense that would be associated with such a requirement.

At the briefing on November 14, 2018, the Planning Commissioners provided positive comments regarding the direction of the proposed ordinance. Some additional comments were made about other methods to improve public engagement that did not require changes to the ordinance. These comments included considering a better platform for the public to access information, providing notices in Spanish, and whether social media will be used.

Public comments received since the Planning Commission meeting on May 24, 2017 can be found below.

From: [LYNN.Pershing](#)  
To: [Tran, Tracy](#)  
Subject: Re: PLNPCM2016-00300  
Date: Tuesday, January 15, 2019 6:48:39 PM

---

Thanks Tracy

I understand the current City activity. I have met with City Council, Mayor Chief of Staff, City Planning and Building Services requesting that City code be amended to inform abutting property owners to a requested demolition receive advance notification for health and safety issues in an ESTABLISHED residential neighborhood

Doesn't require conditional use process just simple respect for neighbors by owner. Further the cost of such can be charged in the permitting fees to the responsible owner

All proposed changes are text amendments, the I propose is simple good manners and consideration to abutting property owners

Lynn K Pershing

Sent from my iPhone

On Jan 15, 2019, at 12:59 PM, Tran, Tracy <[Tracy.Tran@slcgov.com](mailto:Tracy.Tran@slcgov.com)> wrote:

Hi Lynn,

I will include your comment within the staff report, which will eventually be reviewed by the Planning Commission, Mayor, and City Council.

Planning Staff would not support this change as applications that require early notification include items that require a decision from either the Planning Commission, Historic Landmark Commission, or the City Council. Residential demolitions not included in a local historic district are not subject to any special review process. If they meet the zoning regulations, they are not subject to any additional process. Because of this, we do not think this would make sense to require early notification of these applications as early notification cannot prevent a project from moving forward if they meet the zoning regulations.

Also, I wanted to clarify that the term "Recognized Community Organizations" as used within the City's Code includes all community councils that are registered with the City.

Please let me know if you have any questions.

Thanks,

TRACY TRAN  
Senior Planner

PLANNING DIVISION  
DEPARTMENT OF COMMUNITY *and* NEIGHBORHOODS  
SALT LAKE CITY CORPORATION

TEL 801-535-7645  
FAX 801-535-6174

WWW.[SLC.GOV/PLANNING](http://SLC.GOV/PLANNING)

**From:** LYNN Pershing [REDACTED]  
**Sent:** Tuesday, January 15, 2019 11:49 AM  
**To:** Tran, Tracy <[Tracy.Tran@slcgov.com](mailto:Tracy.Tran@slcgov.com)>  
**Subject:** Re: PLNPCM2016-00300

Thank you for the clarification. I encourage advance notification of ALL residential demolitions independent of historic district status. This is an infill zoning issue.

Advance notification of ANY residential demolition in an established residential neighborhood should be made to the appropriate 1) Community Council and 2) RCO.

Please share this comment with City Council and Mayor

Thanks  
Lynn

On Tue, Jan 15, 2019 at 11:39 AM Tran, Tracy <[Tracy.Tran@slcgov.com](mailto:Tracy.Tran@slcgov.com)> wrote:

Hi Lynn,

Early notification to recognized community organizations of the demolition of landmark or contributing structures located within a local historic district is currently required. This requirement will remain with the other proposed changes.

Let me know if you have additional questions.

Thank you,

TRACY TRAN  
Senior Planner

PLANNING DIVISION  
DEPARTMENT OF COMMUNITY *and* NEIGHBORHOODS  
SALT LAKE CITY CORPORATION

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FAX 801-535-6174

WWW.[SLC.GOV/PLANNING](http://SLC.GOV/PLANNING)

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

From: LYNN Pershing [REDACTED]  
Sent: Monday, January 14, 2019 6:21 PM  
To: Tran, Tracy <[Tracy.Tran@slcgov.com](mailto:Tracy.Tran@slcgov.com)>  
Subject: PLNPCM2016-00300

Tracey

Do these text changes to City code include advance notification of residential demolition to Community Councils and RCO?

I vote YES

Lynn K Pershing

District 6

Sent from my iPhone

--

Lynn K. Pershing, Ph.D.  
tel: [REDACTED]  
[REDACTED]

From: [Tran, Tracy](#)  
To: [REDACTED]  
Subject: RE: PLNPCM2016-00300 early notification  
Date: Tuesday, November 6, 2018 3:21:00 PM

---

Hi Lynn,

I am currently working on the memo for the Planning Commission briefing next week, but in the meantime, the links below should give you an idea of the proposal. This item was in front of the Planning Commission on May 24, 2017. The Planning Commission tabled the item for additional information. The proposal has since been re-organized for clarity. The proposal does not lessen the duration or the scope of the property owners impacted.

- [Info Sheet](#)
- [Revision Summary](#)
- [Proposed Text Changes](#)

Let me know if you have any questions.

Thanks,

TRACY TRAN  
Senior Planner

PLANNING DIVISION  
DEPARTMENT OF COMMUNITY *and* NEIGHBORHOODS  
SALT LAKE CITY CORPORATION

TEL 801-535-7645  
FAX 801-535-6174

[WWW.SLC.GOV/PLANNING](http://WWW.SLC.GOV/PLANNING)

**From:** [REDACTED]  
**Sent:** Tuesday, November 6, 2018 12:28 PM  
**To:** Tran, Tracy <Tracy.Tran@slcgov.com>  
**Subject:** PLNPCM2016-00300 early notification

Hi Tracy

Please provide information about early notification. I am AGAINST lessening the duration of time required (45 days) or the scope of property owners impacted (300 ft in all directions)

--

Lynn K. Pershing, Ph.D.  
tel: [REDACTED]  
email: [REDACTED]  
District 6  
Yalecrest

From: [Tran, Tracy](#)  
To: [REDACTED]  
Subject: RE: Early Notification Text Amendments - Open House Materials  
Date: Tuesday, July 17, 2018 2:58:00 PM

---

**Hi Peter,**

**Thanks for your comments. I will add the comments to the file and take them into account throughout the process.**

**TRACY TRAN**  
**Senior Planner**

PLANNING DIVISION  
DEPARTMENT OF COMMUNITY *and* NEIGHBORHOODS  
SALT LAKE CITY CORPORATION

TEL 801-535-7645  
FAX 801-535-6174

[WWW.SLC.GOV/PLANNING](http://WWW.SLC.GOV/PLANNING)

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**From:** [REDACTED]  
**Sent:** Thursday, July 12, 2018 6:23 PM  
**To:** Tran, Tracy <[Tracy.Tran@slcgov.com](mailto:Tracy.Tran@slcgov.com)>  
**Subject:** RE: Early Notification Text Amendments - Open House Materials

Tracy,

The City Planning Process is already incredibly long. The current timetable can already take a year individually for a rezone, planned development, plan review, etc. Anything to increase the review time would be another hardship for developers. It took me over two years to go through the city process for an affordable housing project plus another \$800,000 in city-required improvements and fees. In addition, these delays took place during an increasing construction cost environment. This added another \$500,000 plus to our costs.

Please do not add any additional burdens to development projects. We are already drowning in the bureaucracy of the city processes.

Sincerely,

Peter Corroon

---

**From:** Tran, Tracy <[Tracy.Tran@slcgov.com](mailto:Tracy.Tran@slcgov.com)>  
**Sent:** Thursday, July 12, 2018 6:06 PM  
**To:** Tran, Tracy <[Tracy.Tran@slcgov.com](mailto:Tracy.Tran@slcgov.com)>  
**Subject:** Early Notification Text Amendments - Open House Materials

## **ATTACHMENT E: DEPARTMENT COMMENTS**

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Building/Zoning: No comments received

Civic Engagement: This a great draft. I have a minor suggestion but overall you did a great job. My one suggestion is under 21A.10.015.B1.b. I'd notify the entire Community Council board and not just the Chair. It's a practice of Community Empowerment. It helps in case the Community Council leadership changes and they haven't updated the City Recorder yet or if a Chair is out of town, etc.

Engineering: No comments

Fire: No comments received

Public Services: The changes seem to be very Land Use oriented and not broader for engagement in policy development or significant policy/ordinance and plan development. Maybe I am missing the subtlety of that or maybe that dropped from the scope. If it does intend to impact groups beyond Land-use we may want some more specific language.

Public Utilities: No comments received

Sustainability: No comments received

Transportation: No comments received

# **ATTACHMENT F: ORIGINAL PETITION INFORMATION**

Page 1 of 2

**From:** Shepard, Nora  
**Sent:** Monday, April 25, 2016 12:58 PM  
**To:** Coffey, Cheri; Paterson, Joel  
**Subject:** FW: Legislative Intent - Changes to Various Boards & Commissions - Noticing

Nora Shepard, AICP  
Planning Director

PLANNING DIVISION  
COMMUNITY and ECONOMIC DEVELOPMENT  
SALT LAKE CITY CORPORATION

TEL 801-535-7226  
FAX 801-535-6174

---

**From:** Mansell, Cindi  
**Sent:** Monday, April 25, 2016 12:55 PM  
**To:** Mansell, Cindi; Crandall, Scott; Gust-Jenson, Cindy; Weaver, Lehua; Bruno, Jennifer; Litvack, David; Leary, Patrick; Tarbet, Nick; Shepard, Nora; Norris, Nick; Oktay, Michaela; Reberg, Mike; DeLaMare-Schaefer, Mary  
**Cc:** Plane, Margaret; Nielson, Paul  
**Subject:** Legislative Intent - Changes to Various Boards & Commissions - Noticing

Good Afternoon-

At the April 19, 2016 City Council meeting, the Council adopted Ordinance 10 of 2016 providing for fine tuning of City Code related to public hearings and the operations of various board and commissions.

The following intent language was also adopted.

Please take appropriate action and forward this message to anyone else that needs to be involved.

8:30:14 PM Councilmember Penfold moved and Councilmember Rogers seconded to **support a Legislative Intent** requesting the Administration review the City's noticing requirements related to land use issues in an effort to enhance transparency and community engagement. The Council is interested in reviewing appropriate early notification standards to ensure that the neighborhoods around proposed projects are afforded adequate notification and have sufficient time to provide feedback. The review should consider ways to improve notification and participation at community Council meetings and open houses, while balancing the needs of applicants to have a timely review process. The motion passed unanimously, all members voted aye.  
(P 16-4)

Page 2 of 2

*Cindi L. Mansell, MMC/CRM*  
**Salt Lake City Recorder**  
**801-535-6223**



**3c. PLANNING COMMISSION PUBLIC HEARING – JANUARY 23, 2019**  
**iv. PUBLIC COMMENTS NOT INCLUDED IN STAFF REPORT**

To Members of the Planning Commission  
From cindy cromer  
Re amendments to the notification ordinance  
1/23/19

Former deputy director Cheri Coffey was working on the revisions to this ordinance at the time of her death last year. As was often the case, Cheri was dealing with a project without glamour which was unlikely to generate gratitude from anyone.

The current ordinance is written in marginal English. It was the Achilles heel when Trolley Square Ventures proposed expanding on the block south of the shopping center. There were plenty of problems with the proposal:

- The 4 structures in the way, all identified at the time as contributory.
- The proposal to mimic Disneyland in a style which is definitely not a product of its own time.
- The use of a zone which had never been contemplated outside the RDA's redevelopment area.
- The absence of any buffering for a low density edge of the historic district.
- I could go on.

But the most likely way to slow the process was to ask the State Ombudsman for Property Rights to intervene regarding the failure to follow the requirements of the notification ordinance. We did. The Ombudsman agreed with us. Here we are.

Many, but not all, of the issues with the proposal from Trolley Square Ventures have now been modified or mitigated.

I am fully supportive of **looking at engagement more inclusively**. The City cannot delegate its responsibility for notification to independent community organizations. The revision provides for outreach when a community organization fails to respond. I am also **supportive of moving the notification requirements to Chapter 21A**, where citizens interested in land use can locate them.

I remain **opposed to the 300 ft. distance for notification** because of the extensive land banking in Salt Lake. That distance frequently engages the applicant and his or her immediate family members. I recognize the costs associated with notification over a greater distance. Based on my experience with ownership patterns, I think the length of a block face is an appropriate distance or 660 ft, whichever one is less.

From: [REDACTED]  
To: [Tran, Tracy](#)  
Subject: RE: Early Notification Text Amendments - Planning Commission Public Hearing  
Date: Thursday, January 10, 2019 3:29:47 PM

---

Thanks for sending. The new notice requirement will add time and additional dollars to every project proposed within SLC. Let me know how the new codification goes.

Regards,

~~~~~

Rinaldo Hunt

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

~~~~~

Please consider the environment before printing this email!

NOTICE: This e-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521, is confidential and may be legally privileged. It is intended to be conveyed only to the designated recipient(s). If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution or copying of this communication is strictly prohibited and that use, dissemination, distribution or reproduction of this message by unintended recipients is not authorized and may be unlawful. Please reply to sender that you have received the message in error, then delete it, then delete it from your deleted files folder. Thank you.

---

**From:** Tran, Tracy <Tracy.Tran@slcgov.com>  
**Sent:** Thursday, January 10, 2019 3:20 PM  
**To:** Tran, Tracy <Tracy.Tran@slcgov.com>  
**Subject:** Early Notification Text Amendments - Planning Commission Public Hearing

Hi folks,

I wanted to inform you that the Early Engagement Text Amendments (PLNPCM2016-00300) item is scheduled for a public hearing and potential recommendation at the upcoming Planning Commission meeting. Details can be found below:

[Salt Lake City Planning Commission Meeting](#)  
[Wednesday, January 23, 2019.](#)  
[Meeting begins at 5:30 PM \(please check \[agenda\]\(#\) for details\)](#)  
[City and County Building, Room 326](#)  
[451 S State Street](#)

The staff report and details of the proposed changes will be on the website about one week before the meeting.

The City Council initiated this petition to clarify provisions to City regulations related to

From: [REDACTED]  
To: [Tran, Tracy](#)  
Subject: Re: PLNPCM2016-00300 Early Notification  
Date: Tuesday, January 22, 2019 12:40:45 PM

---

Thanks for the clarifications. I'm glad to know postcards can be forwarded. I have heard many property owners claim they didn't know about something, and never quite sure how that happens.

I think our concern about the signs is a general one. The ones we have been noticed about are not an issue. The ones I (or anyone else) sees as they drive down a street while in traffic, or even walking, are the issue. Depending on where the sign is, it may or may not be seen because of the distance from the roadway, or the speed of the traffic. It is often difficult to find a place to stop, park and get out to go read a sign. That makes it difficult to know what is proposed or who the planner is. Think of all those big empty lots along 700 East. How would a person even know the address of a lot, much less who to call? Just trying to get all of you to think about options. Even in the downtown area, all of a sudden a lot is empty and there is a proposal. Without a street number, there is no way to track it down. It may sit vacant for years before development starts, but in the meantime, who remembers what is supposedly going in.

Building Salt Lake was very helpful, but now that is gone.

Accela is an option, but I have never had much luck, unless I have a petition number or an actual address, but that doesn't always work either and I bet 98% of citizens don't know about that.

And your answer about 2200 West was exactly what I thought. Maybe an extra sentence in there would help.

On Tue, Jan 22, 2019 at 11:34 AM Tran, Tracy <[Tracy.Tran@slcgov.com](mailto:Tracy.Tran@slcgov.com)> wrote:

Hi Judi,

I wanted to clarify some of items related to the letter form the Sugar House Community Council.

### *Notices*

In terms of the notice, all of the postcards/mailers are sent first class and can be forwarded, granted the property owners have signed up to have their mail forwarded. Whether they are postcards or letters, they are all sent first class and can be forwarded.

### *Signs*

The current language in the ordinance states that notices must be placed within 25' of the front property line. It is common practice for the Planning Division to place those as close to the right of way as possible and to place them in a visible location. This language is existing and we did not propose any changes to this section. This provision provides flexibility for properties that may have a unique situation in which the best place to place for a sign on the property may not be as simple to place in the front. Let us know if you have a suggestion to change the language of this section. In terms of the size of signs and information on the signs, I believe that is something the Planning Division can work on internally to improve upon that does not require a code change.

Although it is not perfect, we do think the best method to obtain all the information related to a project is to speak to the directly speak to the planner assigned to the project as he/she is most familiar with the project and he/she has all the application materials/plans that they can share with the public or direct them to exactly where the application materials can be found.

### *2200 West*

The area west of the 2200 West includes most of the City's industrial land. This area of Salt Lake City does not contain any residential uses, which is why it is listed specifically listed (this is also an existing provision in Chapter 2.60). For this reason, properties west of 2200 West would be subject to an outreach event as opposed to a community council meeting.

Let me know if you have any questions.

Thank you,

TRACY TRAN

Senior Planner

PLANNING DIVISION

DEPARTMENT OF COMMUNITY *and* NEIGHBORHOODS

SALT LAKE CITY CORPORATION

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[WWW.SLC.GOV/PLANNING](http://WWW.SLC.GOV/PLANNING)

#### **4. ORIGINAL PETITION**

## Coffey, Cheri

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**From:** Shepard, Nora  
**Sent:** Monday, April 25, 2016 12:58 PM  
**To:** Coffey, Cheri; Paterson, Joel  
**Subject:** FW: Legislative Intent - Changes to Various Boards & Commissions - Noticing

Nora Shepard, AICP  
Planning Director

PLANNING DIVISION  
COMMUNITY and ECONOMIC DEVELOPMENT  
SALT LAKE CITY CORPORATION

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FAX 801-535-6174

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From: Mansell, Cindi  
Sent: Monday, April 25, 2016 12:55 PM  
To: Mansell, Cindi; Crandall, Scott; Gust-Jenson, Cindy; Weaver, Lehua; Bruno, Jennifer; Litvack, David; Leary, Patrick; Tarbet, Nick; Shepard, Nora; Norris, Nick; Oktay, Michaela; Reberg, Mike; DeLaMare-Schaefer, Mary  
Cc: Plane, Margaret; Nielson, Paul  
Subject: Legislative Intent - Changes to Various Boards & Commissions - Noticing

Good Afternoon-

At the April 19, 2016 City Council meeting, the Council adopted Ordinance 10 of 2016 providing for fine tuning of City Code related to public hearings and the operations of various board and commissions.

The following intent language was also adopted.

Please take appropriate action and forward this message to anyone else that needs to be involved.

8:30:14 PM Councilmember Penfold moved and Councilmember Rogers seconded to **support a Legislative Intent** requesting the Administration review the City's noticing requirements related to land use issues in an effort to enhance transparency and community engagement. The Council is interested in reviewing appropriate early notification standards to ensure that the neighborhoods around proposed projects are afforded adequate notification and have sufficient time to provide feedback. The review should consider ways to improve notification and participation at community Council meetings and open houses, while balancing the needs of applicants to have a timely review process. The motion passed unanimously, all members voted aye.  
(P 16-4)

*Cindi L. Mansell, MMC/CRM*

Salt Lake City Recorder  
801-535-6223