
MEMORANDUM

DATE: December 2, 2005

TO: Council Members

SUBJECT: Proposed Compatible Residential Infill Zoning Regulations
(Petition No. 400-05-25)

FROM: Cindy Gust-Jenson and Janice Jardine

The following is a summary of the key points that have been raised by Council Members and others and the Planning Division's response to the Fact Finding meeting . (This is not intended to be an all inclusive list.)

KEY POINTS

- A. Specific geographic areas versus citywide - Application of the proposed zoning regulations:
1. Some community representatives have suggested allowing neighborhoods or specific areas:
 - a. The option to create an overlay district that supersedes the proposed zoning regulations.
 - b. The option to be exempt (completely) from the proposed zoning regulations.
 2. Application of the proposed regulations by area would require the creation of either new zoning classifications or an overlay district.
- B. Incorporate the 'sketch plan review' concept raised by the American Institute of Architects AIA.
Planning Staff Response: The sketch plan review proposal could be incorporated in the building permit review process to assist architects and property owners to determine what the City would accept for the average front yard setback and building height. Staff would have to develop a specific process and guidelines to implement this approach.
- C. Confirm that current overlay zoning classifications would take precedence over the proposed zoning regulations.
- D. Add 'sunset date' to ordinance of one year (or does it work to establish a legislative action item that will be back in 4 months?)
- E. Adoption of a Legislative Action item asking that particular items be reviewed and an ordinance be returned to the Council within a 3-4 month period. Some of the items raised at the fact finding meeting would be investigated and prepared for inclusion during that time period.
1. Streamline the process, based upon experience.
 2. Building Volume Ratio - request that a random sample of applications be reviewed using this concept for a report back to the Council – evaluation on how this approach would have impacted the approval / denial / changes in processed project applications.
 3. Establish zoning districts so that after the 3/4-month period the ordinance isn't citywide.

F. Proposed regulations

1. Height

- a. Clarify through process and/or criteria that second stories could be approved in single story areas as long as they are sensitive. Perhaps some criteria could be established?
- b. **Planning Commission recommendation** – 23 feet to the crest of the roof.
- c. **Salt Lake Board of Realtors recommendation** - 27 feet.
- d. **American Institute of Architects AIA recommendation:**
 - o 28 feet and 20 feet for flat roofs
 - o If 23 feet, provide a preliminary 'sketch plan review' for acceptance of building height based on the average height of other dwellings on the block face.
- e. **Utah Heritage Foundation**
 - o Recommend including an administrative determination to allow additions that exceed the 23 foot building height standard if the addition:
 - o Does not exceed the existing roof ridge height
 - o Does not exceed a total length of 20 feet extending out from the existing building.
 - o Satisfies the building coverage standards
 - o Satisfies all setback requirements
 - **Planning Staff Response:** This approach would streamline the building permit process by eliminating the need for the tiered review of many additions. However, this approach may allow some additions which will create adverse impacts on adjoining property owners.
- f. **Yalecrest Compatible Infill Ordinance Committee recommendation:**
 - o 27 feet to the ridge as a baseline
 - o Average building height be based on the tallest 50% of the houses on a block face
 - o A maximum wall height that increases/decreases proportionately depending on the location of the exterior wall relative to the required setback.
 - **Planning Staff Response:** In some locations within the City a 27 feet building height could be incompatible with neighboring properties. The Planning Commission recommendation utilizes a conservative approach to regulating new construction because once an incompatible house is built; the negative impacts on the neighborhood persist for decades.

The Planning Commission recommendation has two base standards for building height: 23 feet to the ridge (18 feet for a flat roof) or the average height of other residences on the block face. This allows for greater building height when warranted by the development pattern on the block face. If a property owner proposes a building height which does not meet the base standards, the proposal may be considered through an administrative public hearing process.

The recommendation forwarded by the Planning Commission includes an 18 foot maximum height for a flat roof structure instead of a maximum wall height. This change was in response to comments that measuring wall height can be complicated and that utilizing an envelope system as used in the Foothill zoning districts may be easier for the public to understand.

A maximum wall height standard could be used effectively as utilized in the Yalecrest Compatible Infill Overlay district and could be implemented as part of the proposed Compatible Residential Infill proposal.

2. Garages and Accessory Structures

- a. Remove garage and accessory structures items and request additional review in a 3-4 month period.

- b. Review in a 3-4 month period but do not eliminate for proposed regulations.
- c. Eliminate from proposed regulations and do not ask for further review.
- d. Eliminate the 20 foot distance for garage or accessory structure from the residential building on an adjacent lot – additional review required, or do a quick interim fix?
- e. Garages –

Planning Staff Response: The YCI standard for measuring the width of an attached garage could be incorporated in the current proposal.

- f. Accessory structures –

Planning Staff Response: Recent experience within the City indicates that the height of accessory structures may create a significant negative impact on adjoining properties. The Planning Commission proposal does allow property owners to request additional height, but the proposal must be reviewed in a public process. Additional height for accessory structures may be reviewed as a routine and uncontested special exception taking into account the development pattern on the block face.

The accessory structure location standards recommended by the Planning Commission are intended to minimize the negative impacts of accessory structures on adjacent lots. The proposed standards allow for modification of these standards through public review processes based on the ability of the property owner to demonstrate that the alternate location is in keeping with the development pattern on the block face

3. Front Yard Setback

a. American Institute of Architects AIA recommendation - Averaging Front Yard Setbacks:

- What is acceptable for documentation of the average on the block face?
- Define average setback as the “average of developed properties on the same side of the street measured within 150 feet in either direction of the subject property, but not extending across intervening street.”
- Allow the use aerial photographs or Geographic Information System GIS information rather than requiring all property to be professionally surveyed.
- Incorporate a preliminary “sketch plan review” to allow property owners to receive a binding acceptance by the City of setbacks prior to full design.

- **Planning Staff Comment:** The Planning Commission recommendation proposes a front yard setback standard determined by averaging the front yard setbacks of all existing residences on the block face. The Planning Commission recommendation takes into account the entire frontage of a block face instead of properties within a certain distance of the subject property. **Using the smallest 50% of setbacks is an approach used in the YCI and could be incorporated into the proposed regulations.** In some cases the front setback could be determined using a small number of structures and in some cases, could produce a standard that is not truly representative of the block face.

4. Process

Planning Staff Response: The standards recommended by the Planning Commission are clearly defined and the minimum standards provide the property owner and design professional with certainty about what is expected to obtain an over-the-counter building permit. However, it is difficult to achieve compatible residential infill development city-wide with one-size fits all standards because of the variability found in Salt Lake City’s neighborhoods. The proposed standards allow design flexibility and will permit new construction that is in keeping with the development pattern on the block face. An administrative determination step is part of the Planning Commission’s recommendation under standards for attached garages and accessory structures (maximum setback and spacing requirements).

MEMORANDUM

451 South State Street, Room 406
Salt Lake City, Utah 84111
(801) 535-7757



Planning and Zoning Division
Department of Community Development

**TO: Cindy Gust-Jenson, Executive Director,
Office of the City Council**

FROM: Alexander Ikefuna, Planning Director

DATE: December 5, 2005

CC: Louis Zunguze, Brent Wilde, Cheri Coffey, Joel Paterson, Janice Jardine

**SUBJECT: City Council Fact Finding Meeting on Compatible Residential Infill
Development on December 1, 2005**

On December 1, 2005, the City Council held a fact finding meeting concerning the proposed Compatible Residential Infill Development zoning standards. The Council invited representatives of several organizations to comment on the proposed standards. Following the hearing, Eric Jergensen requested that the Planning Staff respond to comments from the Utah Heritage Foundation, the AIA proposal for "sketch plan review", and comments from Dave Gibson, representing the Yalecrest Compatible Infill Committee. The responses are included in the following summary.

Fred Diana, representing the Salt Lake Board of Realtors

1. Adopt the proposed approval and appeal process
2. In-line Additions in SR-1 and SR-3: eliminate the ability to approve in-line additions through the Routine and Uncontested Special Exception process and proceed directly to the Administrative Hearing process.
3. Establish a building height 27 feet.
4. Keep the demolition and Remodeling standards as proposed.
5. Eliminate all other proposed changes.
6. Adopt the recommended ordinance amendments with a sunset clause to ensure the ordinance provisions are revisited in six to twelve months.
7. Request that the City investigate and implement a building volume ratio standard.

Chris Gambvroulas, President of Ivory Development

1. Apply the proposed standards only in the SR Districts
2. Adopt a sunset clause to ensure future evaluation of the standards.
3. The permitting process already takes too long and the proposed standards would delay the granting of building permits even longer.

Beth Bowman, Wasatch Hollow Community Council Chair

1. Agrees with the proposed building height standard of 23 feet but recommends a maximum wall height.
2. Agrees with the 15 foot height standard for accessory structures but believes that the 20 foot spacing requirement between accessory structures and dwellings on adjacent lots may be too restrictive in areas with small lot sizes.

Kirk Huffacker, Utah Heritage Foundation

1. Recommend including an administrative determination to allow additions that exceed the 23 foot building height standard if the additions:
 - Does not exceed the existing roof ridge height
 - Does not exceed a total length of 20 feet extending out from the existing building.
 - Satisfies the building coverage standards
 - Satisfies all setback requirements

Staff Response: This approach would streamline the building permit process by eliminating the need for the tiered review of many additions. However, this approach may allow some additions which will create adverse impacts on adjoining property owners.

Shane Carlson, Greater Avenues Community Council

1. Supports the City's efforts to develop base standards with a tiered structure of review.

Lisa Whoolery and Soren Simonsen, representing the American Institute of Architects

1. AIA supports the following provisions:
 - Removing provisions allowing over-the-counter in-line additions
 - Establishing maximum lot size
 - Establishing maximum lot coverage
 - Standards for attached garages
2. Averaging Front Yard Setbacks:
 - What is acceptable for documentation of the average on the block face?
 - Define average setback as the "average of developed properties on the same side of the street measured within 150 feet in either direction of the subject property, but not extending across intervening street."
 - Incorporate a preliminary "**sketch plan review**" to allow property owners to receive a binding acceptance by the City of setbacks prior to full design.
3. Building Height
 - Recommend a 28 foot limit for pitched roofs measured to the crest of the roof
 - Recommend 20 foot height for flat roofs
 - If 23 foot building height is adopted, AIA recommends a preliminary "sketch plan review" for acceptance of building height based on the average height of other single-family dwellings on the block face.

Staff Response: The sketch plan review proposal could be incorporated in the building permit review process to assist architects and property owners to determine what the City would accept for the average front yard setback and building height. Staff would have to develop a specific process and guidelines to implement this approach.

4. Detached Garages/Accessory Buildings
 - Recommend keeping the existing zoning ordinance standards
5. Height of accessory structures
 - Recommend 15 feet to the mid-point of a sloped roof and keep the existing 12 feet for a flat roof.

6. AIA recommends that the City evaluate the effectiveness of the proposed amendments during a one year trial period and that the City Council consider adopting an expanded ordinance and/or design guidelines that may address the following:
 - Roof lines – appropriate heights, mass articulation, materials
 - Bulk and scale
 - Privacy – what are appropriate levels of privacy and what impacts do height and setback create
 - Grade – what level of grade changes are acceptable and grade retention in terms of visual impact
 - Daylight and views – what impacts to height and setback have on access to daylight and views
 - Style – what consideration should be given to style
 - Materials – what consideration should be given to use of materials
 - Administration – what is the best mechanism to administer design guidelines
7. Recommend formation of a committee of citizens, officials, and staff to develop the framework and possible solutions for an expanded compatible infill policy. AIA offers to assist in this process.

Warren Lloyd, representing the Historic Landmarks Commission (HLC)

1. Proposed standards would benefit from a two part process consisting of quantitative standards and design guidelines
2. The HLC could assist in a process to adapt the existing HLC Design Guidelines for use in neighborhoods outside of historic districts

Helen Peters, representing the Sugar House Community Council

1. Adopt compatible infill standards and review after one year
2. Consider adopting building volume ratio
3. Consider adopting landscape volume standards.

Dave Gibson, Yalecrest Community Council

1. Building Height
 - The proposed 23 foot building height limit would be too low for parts of the Yalecrest area.
 - Recommends that the city perform surveys of the ridge heights in different communities of the city. The Yalecrest committee is of the opinion that building heights differ greatly in different areas of the City and would require different height guidelines.
 - Recommends 27 feet to the ridge as a baseline. This allows for 3 feet to the first floor, a 9 foot first floor ceiling height, 12 inches of structure, an 8 foot 2nd floor ceiling height and 5 foot to the ridge.
 - Recommends a maximum wall height that increases or decreases proportionately depending on the location of the exterior relative to the required setback.
 - Recommends that average building height be based on the tallest 50% of the houses on a block face. To illustrate: There is a block with 4 two-story houses and 4 one-story houses. The average of the block is one and a half stories, in spite of the fact that half the block is two-story. Taking that half of the houses closest to the limit, a two-story house would be allowed.

Staff Response: In some locations within the City a 27 feet building height could be incompatible with neighboring properties. The Planning Commission recommendation utilizes a conservative approach to regulating new construction because once an incompatible house is built; the negative impacts on the neighborhood persist for decades.

The Planning Commission recommendation has two base standards for building height: 23 feet to the ridge (18 feet for a flat roof) or the average height of other residences on the block face. This allows for greater building height when warranted by the development pattern on the block face. Furthermore, if a

property owner proposes a building height which does not meet the base standards, the proposal may be considered through an administrative public hearing process.

The recommendation forwarded by the Planning Commission includes an 18 foot maximum height for a flat roof structure instead of a maximum wall height. This change was in response to comments that measuring wall height can be complicated and that utilizing an envelope system as used in the Foothill zoning districts may be easier for the public to understand. A maximum wall height standard could be used effectively as utilized in the Yalecrest Compatible Infill Overlay district and could be implemented as part of the proposed Compatible Residential Infill proposal.

2. Front Yard Setback

- Recommends adopting the Yalecrest approach of determining the front yard setback by averaging the setbacks of half of the houses on the block face with the smallest front yard setbacks.

Staff Comment: The Planning Commission recommendation proposes a front yard setback standard determined by averaging the front yard setbacks of all existing residences on the block face. The Planning Commission recommendation takes into account the entire frontage of a block face instead of properties within a certain distance of the subject property. Using the smallest 50% of setbacks is an approach used in the YCI and could be incorporated. In some cases the front setback could be determined using a small number of structures and in some cases, could produce a standard that is not truly representative of the block face.

3. Accessory Structures.

- Standards that are too restrictive may encourage more attached garages.
- Recommends no change to the existing 10 foot spacing requirement between accessory structures and dwellings on adjacent lots. If the 20 foot spacing regulation is adopted, relief should be granted on the one-half averaging concept use in the YCI for front yard setbacks.
- Recommends no change to the existing setback standards for accessory garages. Once again the half averaging concept should be applied for exceptions if the five foot maximum rear yard setback is adopted.
- Recommends further study on the proposed 15 foot height standard for accessory structures. Factors to consider are house size, lot size, neighborhood and possibly the YCI envelope rule.

Staff Response: Recent experience within the City indicates that the height of accessory structures may create a significant negative impact on adjoining properties. The Planning Commission proposal does allow property owners to request additional height, but the proposal must be reviewed in a public process. Additional height for accessory structures may be reviewed as a routine and uncontested special exception taking into account the development pattern on the block face.

The accessory structure location standards recommended by the Planning Commission are intended to minimize the negative impacts of accessory structures on adjacent lots. The proposed standards allow for modification of these standards through public review processes based on the ability of the property owner to demonstrate that the alternate location is in keeping with the development pattern on the block face

4. Attached Garages.

- Agrees with the proposed standard of limiting attached garages to 50% of the width of the front façade but recommends adopting the YCI measurement standard of measuring from the outside edges of the garage doors including a maximum wall width of 3 feet between garage doors.
- Recommends creating incentives for using single car garage door as opposed to a double-wide garage door.

Staff Response: The YCI standard for measuring the width of an attached garage could be incorporated in the current proposal.

5. Process

- The current citywide tiered approval process doesn't provide certainty in the building permit process.
- Recommends an over-the-counter determination review for projects which do not meet the stated limits of the proposed ordinance. The first tier would still be 'structure meets stated limits' over the counter approval. The second approval tier would be for applicants that wish to exceed the stated limits. This step would depend on the existence of tightly defined guidelines for exceeding the stated limit. This step could be done over the counter without the need to spend time and money creating expensive drawings that may not be used.

Staff Response: The standards recommended by the Planning Commission are clearly defined and the minimum standards provide the property owner and design professional with certainty about what is expected to obtain an over-the-counter building permit. However, it is difficult to achieve compatible residential infill development city-wide with one-size fits all standards because of the variability found in Salt Lake City's neighborhoods. The proposed standards allow design flexibility and will permit new construction that is in keeping with the development pattern on the block face. An administrative determination step is part of the Planning Commission's recommendation under standards for attached garages and accessory structures (maximum setback and spacing requirements).

Please let me know if you have any questions.

MEMORANDUM

DATE: December 2, 2005

TO: Council Members

SUBJECT: Proposed Compatible Residential Infill Zoning Regulations
(Petition No. 400-05-25)

FROM: Janice Jardine, Land Use and Policy Analyst

Potential Motion:

"I move that the Council" Close the public hearing and refer action on this item to Tuesday, December 13, and schedule an additional follow-up discussion for Thursday, December 8, 2005.

(For the Council discussion on Thursday, December 8, staff is preparing a list of key points raised by Council Members and others.)

The following information is provided for background purposes:

- A. Written information provided at the Council Fact-Finding meeting on December 1, 2005.
- B. Original transmittal from the Administration (dtd. Nov. 10, 2005) provided for the Council Work Session on November 17, 2005.
- C. The Administration's response to the proposal from Renovation Design Group.

SALT LAKE CITY CORPORATION

OFFICE OF THE CITY COUNCIL

Posted - November 29, 2005

SALT LAKE CITY COUNCIL WORK SESSION MEETING

4:30 p.m., Some Council Members may dine together in Room 304 at the City & County Building. (The room is open to the public.)

DATE: December 1, 2005

TIME: 5:00 p.m.

PLACE: City & County Building
451 South State Street, Room 326
Salt Lake City, Utah

AGENDA ITEM

1. The Council will hold a discussion regarding Fact Finding/Policy Discussion on aspects of the proposed Compatible Residential Infill zoning regulations and standards.
(Petition No. 400-05-25)
Fred Diana, Board of Realtors/Robin Riggs, Salt Lake Chamber of Commerce
Beth Bowman, Wasatch Hollows Community Council
Kirk Huffaker, Heritage Foundation
Shane Carlson, Greater Avenues Community Council
Lisa Whoolery, American Institute of Architects
Warren Lloyd, Historic Landmark Commission
 Representative, Liberty Wells Community Council (Tentative)
Helen Peters, Sugar House Community Council
David & Lisette Gibson, Yalecrest Community Council
2. Report of the Executive Director, including a review of Council information items and announcements.

Access agendas at www.slccgov.com/council/agendas/default.htm. A sound system for the hearing impaired is available and headphones can be obtained for all public meetings upon four hours advance notice. Arrangements can be made for sign language interpreters; please allow 72 hours advance notice. TDD Number is 535-6021. Assisted listening devices are available on Channel I. Large type and #2 Braille agendas are available upon 72 hours advance notice. After 5:00 p.m., please enter the City & County Building through the east entrance. Accessible route is located on the east side of the building. In accordance with State Statute, City Ordinance and Council Policy, one or more Council Members may be connected via speakerphone.

Statement

**Salt Lake City Council
December 1, 2005**

**Compatible Residential Infill
Zoning Regulations & Standards**

Council Members

I represent Mr. Bryan Kohler, President and CEO of the Salt Lake Board of Realtors. The Salt Lake Board has over 6,000 active and engaged members. We have had the opportunity to meet with some of you council members over the last few months to discuss the issues at hand tonight. We apologize for not meeting with each and every one of you. Time constraints simply would not allow it.

The cornerstone and mandate of our association is the protection of private property rights and to contest any action that would diminish such rights. To state the obvious, we are not wild or enthusiastic about a number of the changes being proposed here tonight. From that frame of reference, we asked if we could be involved in

the evolution and restructuring of the zoning ordinances we are discussing tonight. You have been most gracious not only to include us but, also, listen to our ideas and concerns. We hope that our contributions have been seen as proactive, positive and constructive.

The zoning changes that you are contemplating will have far-reaching effects not only on the real estate industry but will directly effect the home building industry, home design industry, the architectural industry, the trades and numerous other professions. We would like to be counted on as a partner in keeping Salt Lake City vibrant, attractive and diversified for both current and future home owners.

To that end, we would make the following recommendations for your consideration and adoption:

1. Adopt the Proposed Approval and Appeal Process.

2. In SR-1 and SR-3 neighborhoods – any **In-line additions or changes** would be immediately directed to the second step or the Administrative Hearing Process
3. Establish building height of 27 feet city-wide.
4. Keep the Demolition and Remodeling standards as proposed.
5. Eliminate all other proposed changes at this time.
6. Sunset these changes at 6 or 12 months to ensure the subject must be statutorily revisited.
7. **Most importantly** -- We would like to stress and implore the Council and Administration to immediately launch an investigation and implementation of a “Building-to Land Volume Solution” for future Infill Compatibility Issues. We are requesting and suggesting a 3 – 6 –

and 9 month summit meeting to review progress in attaining this solution.

We can live with and endorse some of these changes **with one thought in mind** – and that is to reach a better solution and process for the future. The Salt Lake Board stands ready to assist administratively and financially in reaching this solution.

In conclusion – we applaud the Councils mammoth effort to address the whole compatibility issue within Salt Lake City. One further note – we are assuming that all Planning & Zoning Issues such as Compatibility will be decided at the Council level to insure city-wide consistency and coherency. Thank you for a seat at the table.

**Utah Heritage Foundation
SALT LAKE CITY COUNCIL PRESENTATION
DECEMBER 1, 2005**

When we sat down to prepare for this presentation we asked ourselves: What can UHF add to this discussion? What have we as professional preservationists learned that can be useful here? We've learned a lot from this process and we'd like to let you know up-front that we will be showing you one new idea to consider including in the ordinance.

Utah Heritage Foundation has been working in the Salt Lake City neighborhoods for 40 years. In the late 1970s we purchased every house on the West side of Quince Street and resold them to young urban pioneers who wanted to restore a home close to downtown. We assisted in the creation of historic districts on Capitol Hill, the Avenues, the University District, and Central City. What have we learned that can be useful today?

HISTORIC DISTRICTS WORK

What we've learned is that compatibility that does not compromise makes a neighborhood work. So this ordinance is about compatibility, but it has some roots in the same foundations that created historic districts 30 years ago. There are tools that have been developed through the course of implementing historic districts, like design guidelines, that are good and relevant to this process and can be applied.

Neighborhoods do better economically, feel better when you are there, and provide a more stable environment to live in day-to-day when strife is minimized that next 'big thing' is *not* about to happen. You want to come home to the same place you left from when you went to work today.

Historic neighborhoods are some of our most diverse neighborhoods

The diversity of size, scale, architecture, and unit size help build-in diversity of the social, economic, and family scale in an area

We know that historic districts aren't bad for business.

We know that \$420,000 of residential tax credit projects in 2005 were processed by the state historic preservation office.

We know that UHF made \$173,000 in rehab loans in the last two years in SLC and we've had more requests than we can fill.

Contractors and architects make their living doing rehabilitation and building compatible additions for people who recognize the value of their house and neighborhood.

We know that some level of design review works

We've learned that if you don't allow major alterations to the façade of a building, and you do this over the course of a block, and then do it block by block, you maintain the true sense of place of a neighborhood

On a block face, one house is more important than you think

In preservation terms, we know that if we can make one rehab loan, that might trigger another rehab project on the block, and then maybe more. But when we talk about infill, we now know that if we get one incompatible infill house, that will likely trigger other incompatible infill projects on that same block and likely in that same neighborhood. It can also cause a decrease in adjoining property values for reasons that are obvious if you think about the neighbors of the Hubbard house or the 8th Avenue house.

That's why this ordinance levels the playing field for neighborhoods against speculators, developers, and potential owners that don't recognize established community standards.

THIS IS A GOOD ORDINANCE

This is a good ordinance.

What we like about it is that it lays out a logical process.

It has a first tier where there are specific values associated with obtaining an over the counter permit that no one can dispute. Nothing is denied at this level. A project that doesn't pass this level simply is forwarded on to the next review.

Two things can happen at this next review level where you have options for a quicker solution through a Routine and Uncontested process or an Administrative Decision; or you move onto the Administrative Public Hearing if you cannot meet the requirements for the quicker solutions.

We like the idea of the Administrative Public Hearing because that's exactly where a debate about specific neighborhood values should be taking place. This is part of the elegance that's built into this ordinance. It makes a conversation happen early enough in the process to have an impact on the design, yet is still part of the public process, without having it be part of a community council, planning commission, or board of adjustment meeting where it could take up arguably *more* valuable time of these community boards. But it also takes it away from being an angry exchange over the fence. Yes it may take some time to get to the hearing, but hopefully our neighborhoods are worth an applicant waiting rather than inconveniencing an entire radius of neighbors for the next generation with what that applicant built.

Then finally, as any good process does, it has an appeals process to the Board of Adjustment that as we understand it, anyone can be party to, not just the applicant or an adjoining neighbor.

We agree that in one year there should be a review by the Planning Commission and the staff as to how this is working in the neighborhoods, administratively, and for the architects and contractors.

Now. Let's talk about building height.

As I mentioned before, our years in preservation have taught us that on a block face one house is more important than you might think. The basic guideline for additions in historic districts is that additions should not change the character of the house **AS IT IS SEEN FROM THE STREET**. They should be nearly invisible. Thus, height by itself is not the test. The test is asking "what changes character?" In general, that creep above ridge in an addition do.

We have heard the growing concern about the proposed height restriction. Salt Lake's wealth of one-story bungalow neighborhoods justify the 23-foot height restriction for an over-the-counter permit.

But as we thought about this we wondered if this ordinance couldn't incorporate the 'invisibility principle' as a safe harbor exception to the 23-foot rule that could be granted administratively.

[SHOW SLIDE]

Such that an Administrative Determination section be added to **Building Height** and include the following provisions to be met by the applicant:

- a) the addition not exceed the existing roof ridge height
- b) the addition not exceed a total length of 20 feet extending out from the existing building

and if it meets the other ordinance requirements of:

- c) the addition not exceed the 40% lot coverage threshold
- d) the addition not exceed all setbacks

Having a safe harbor would do two things. First, it would make it easy and predictable to build additions that follow the good practice that has evolved in historic districts. Second, by creating a safe harbor it discourages more adventurous projects that try to add a second story on a block of bungalows, thus changing the character of the block.

As long as this continues to lay out a logical process for the sensitive nature of what we are dealing with here.

[SHOW SLIDES]

THIS ORDINANCE IS NOT OUT OF THE ORDINARY

So as you probably know, we are dealing with a new problem in Utah. But it's not a new problem nationally. I could list 50 other cites dealing with the same issues and all of them have come at it from different perspectives. So at the same time we are mainstream with this issue, I wanted to share some examples of what other progressive cities are doing that is similar to what is proposed here.

Chevy Chase, Maryland

In Chevy Chase, Maryland, they have been studying their community issues under a building moratorium since August,

But early in their discussions, one of their goals was to make sure there was earlier structured dialogue between builders and neighbors as to what was going to be constructed

- that is what is being proposed in our ordinance with the administrative public hearing

Chicago

In Chicago's *Historic Chicago Bungalow Initiative*, their building recommendations include promote additions to the rear and dormers first before any expansion up

Los Angeles

Los Angeles passed their first compatible infill ordinance last July. In this neighborhood of 4,000 square foot lots, they included a 40% lot coverage regulation.

- the same coverage that's proposed in our ordinance

For other similar lot coverages:

Denver, Durango, Colorado, and Arlington, Virginia, all in this last year reduced their lot coverages between 12 and 25%

-So us reducing our coverage 15% falls right in this range

Dallas and Denver are two other cities that have also passed citywide ordinances for compatible infill.

Dallas

In their new compatible infill ordinance, passed just two weeks ago, they provide a base height restriction of 20 feet for neighborhoods of shorter houses

CONCLUSION

There may well be a new trend moving toward quality over quantity now. Historic neighborhoods have always provided a high quality standard of living for its residents.

Well-designed additions have accommodated growth for families for decades now and enlivened these areas. Property values can, will and should continue to climb but the speculation and overbuilding needs to stop.

This ordinance needs to be in place for one year to see what its effects are. During that time, we can gather the data, work with the neighborhoods and the community councils to further refine their specific goals and issues.

We believe that this ordinance can provide the stability neighbors are looking for, yet allow the growth the families need, and drive business to architects and contractors, if we give it a chance.

City Council Fact Finding Hearing: December 1, 2005

Introduction

Thanks for allowing me to speak – Shane Carlson
I'm here to represent the Avenues
I am a GACC board member and more importantly,
I am a regular participant on the Avenues Housing Compatibility Committee.
We've been meeting for several months on a weekly and bi-weekly basis
We have a core group of about 12 people who attend regularly.

The Housing Committee consists of

- residents who have been affected by controversial projects
- committed community members
- interested Community Council Board members
- at least one real estate agent
- a prominent local architect
- and residents who want to ensure the protection of their property rights
- Many of us have recently completed, are in the middle of, or plan to soon undertake additions and renovations of our own.

We strongly support the proposed zoning ordinance

As you already know, our neighborhoods have been severely impacted by at least ten controversial projects started just this past summer.

We cannot bear another building season like the one we just endured.

Why do we support the city's proposed ordinance?

[Slide – Two elements -- Tiered structure and Dimensional limit for a counter permit]

We were asked to talk specifically about the proposed ordinance.

There are two key elements to the proposed ordinance;

- The tiered structure of the ordinance
- The specific dimensional limits that move a person from a counter permit to a routine and uncontested exception, an Administrative Public Hearing and then to a BOA hearing.

Keep in mind that if the dimensional limits are set at too high a level the inherent properties of the Tiered Structure are rendered useless.

In discussing what we see as the goal of a tiered approach to zoning it may be useful to review the process the Housing Committee went through in our attempts to address this issue in our diverse neighborhood.

As members of the Housing Committee, we met regularly to try and craft a zoning ordinance that would protect the character of our area, respect all property owners and their investment in the community and allow for the predictable and responsible growth needed in our area.

[Pictures – both sides of 8th Avenue between K and L]

We met numerous times this past summer trying to come up with a plan to address the divergent development patterns that exist side by side in our neighborhoods; patterns which often differed significantly from one side of the street to the other.

Our initial efforts were simply to arrive at a new set of dimensional building standards that would accurately reflect the developmental patterns found within each zoning district. After hours of discussion and several occasionally contentious meetings, this goal began to feel as though it were an impossible task.

It was at this point that we decided to explore other ways of achieving our objective.

[Three tiered summary]

Out of those efforts came our Three Tiered Proposal.

The three tiered approach to Avenues zoning is intended to encourage responsible growth and expansion while minimizing the impact of that expansion on the neighboring properties and the character of the area

[Tier One Goal]

Tier One Goal

The goal of the first tier is to encourage home owners interested in making exterior modifications to their houses and outbuildings to minimize the impact of those modifications on the neighboring properties and the character of the community. The first tier is also intended to provide a quick and efficient way for the permit office to approve what is hoped would be a majority of permit applications.

[Tier One Mechanism]

Tier One Mechanism

Tier one would define a relatively restrictive list of limits regarding building height, front, side and back setbacks, building volume, lot coverage, etc. Proposed projects that remain within these limits would be eligible for a “counter permit,” simply by showing that the modified buildings would remain within the tier one limits.

[Tier Two Goal]

Tier Two Goal

Tier Two provides a mechanism to gain approval for those projects that would exceed the strict limits of tier one but that would remain consistent with the structures already in existence on the street.

[Tier Two Mechanism]

Tier Two Mechanism

Tier two would require property owners to collect a clearly defined set of measurements from surrounding properties to show that the project they are proposing does not differ significantly from the structures already in existence.

[Tier Three Goal]

Tier Three Goal

Tier three would provide a thorough review of those projects that are likely to significantly impact neighboring properties and potentially change the character of the community.

[Tier Three Mechanism]

Tier Three Mechanism

By definition, tier three projects exceed the height, volume, setbacks, etc. of the surrounding buildings and community. Because of their potential to significantly impact neighboring properties and permanently change the character of the community, approval of tier three projects would be granted only after thorough review of all specifications and a complete hearing of the community members' comments and concerns.

The Housing Committee didn't get past the point of drawing up our draft of the Three Tier principles when the city proposed its' "Tiered" Zoning Ordinance.

Before I talk about the specific measures and restrictions of the proposed ordinance, I want to address what we feel are the essential elements and strengths of this tiered approach.

First, we never intended the dimensional restrictions associated with counter permits to be absolute limits.

As stated earlier, we wanted a mechanism that would allow applicants proposing smaller projects with little potential to negatively impact the community to get their permits quickly and easily. We feel that the counter permit process in the proposed ordinance accomplishes this goal.

[Picture – block face, all small houses]

A lot has been said about predictability.

I have heard comments that requiring a permit applicant to demonstrate that their project is consistent with the development pattern on a block face removes the element of predictability from the building process.

[Picture – block face, all small houses]

I would counter that allowing inappropriate development has a much greater and longer lasting impact on the ability of the surrounding home owners to anticipate and have a role in the future of their community.

[Picture – block face, large house amongst all small houses]

Projects that exceed the proposed counter permit restrictions have the potential to irreversibly modify the character of an area.

[Picture – Block face, one small house amongst large houses]

However, we also realize that many projects exceeding these restrictions will not be out of character.

Requiring applicants whose projects exceed the counter permit restrictions to take a close look at how their plans would impact an area is essential.

I have also heard the comment that nothing should be implemented until thorough large scale surveys can be conducted in each distinct neighborhood.

We feel that there are several problems with this approach:

- A comprehensive survey of an eclectic area (such as the SR-1 district) will produce a set of numbers that describes the average dimensions of an entire area well while failing to accurately describe a single street, let alone a given street.
- Large scale, chronologically fixed surveys are only capable of describing an area at the time of the survey. These averages start their slide towards obsolescence the moment the first tear down or addition is completed. A survey done just prior to a project reflects the development pattern at the time of the proposed project.
- Large scale surveys are time consuming and expensive – Many of the block faces within a given area will not experience any developmental pressure while other areas will experience significant pressure. The modest expense of a small scale survey addressing just those measurements of interest is not an unreasonable obligation when the typical second story addition will cost between \$100,000 and \$200,000.

The members of the Housing Committee feel very strongly that requiring the applicant whose project exceeds the dimensional restrictions for a counter permit to show that their project is appropriate places the burden of proof exactly where it belongs.

Neighboring property owners have no say over the proposed design nor do they get to chose when a given project is to commence. Many residents lack the expertise and the financial resources to initiate an investigation into whether or not a given project will detract from or enhance the neighborhood. Conversely, the project applicant has either undertaken the responsibility of designing an appropriate project or they have hired

someone with the experience to do so. The balance is already tipped in favor of the permit applicant.

And while a permit applicant may have invested a significant amount of time in a community, it is just as likely that the surrounding neighbors have a significantly greater collective commitment to the community and many of them may have moved to or stayed in the community because they liked it just the way it is. It is exactly this situation in which it must be the applicant's responsibility to demonstrate that a proposed project is both sensitive to, and respectful of, the surrounding community.

In order to be effective, a permit applicant's responsibility to demonstrate that their project is appropriate must be combined with counter permit limits that are meaningful. Raising the dimensional limits for a counter permit above what would be appropriate in many areas of the city effectively eliminates consideration of the community within which a project will reside.

Finally, the success or failure of the proposed zoning ordinance depends upon the ability of the zoning and permits office to manage those applications requiring an Administrative Public Hearing in an expedient and even handed manner. However, enforcement of the proposed ordinance and the balanced consideration of all parties must not be sacrificed in a rush to move an application through the process. There will be no suitable substitute for adequate personnel and training to administer this ordinance.

Comments concerning specific elements of the proposed ordinance
[Limits not intended to be absolute]

Before commenting on the specific elements of the proposed ordinance, I would like to emphasize that the dimensional figures (such as Building height) are not an absolute! They are restrictions on what an applicant can be granted an over the counter permit to build.

In-line Additions

[Slide]

Counter permits for in-line additions will no longer be granted in SR-1 and SR-3 districts.

This rule has caused more damage in our area than any other single rule.

Front and Corner Side Yard Setback

[Slide]

Minimum front yard setbacks - average of buildings on the block face.
(R-1-5000, SR-1, and SR-3 corner side yard remains at 10'. Existing minimum front setback established by existing subdivision plats would be respected).

This is another rule that we feel very strongly about. We would be opposed to any attempt to modify this such as only including the 50% of the properties with the shortest setbacks on a block face. While we do appreciate that one home with an excessively large setback could negatively impact a proposed project, we also feel that one home with an exceptionally short set back could negatively impact an entire community. We do feel that in these cases it should be left to the discretion of the APH officer to grant the exclusion of an exceptional home from the calculation of the average.

Primary Building Height (R-1, R-2, and SR Districts)

[Slide]

Counter permits for maximum building height of 23 feet at the crest
Counter permits for maximum exterior wall height of 18 feet.

Keeping in mind that the building height restrictions have only been proposed for a subset of the zoning districts, we feel strongly that the limit set for height in applying for a counter permit must be meaningful. We are an eclectic community and there places where buildings taller than 23 feet would be appropriate. However, we also have numerous block faces where every house is one story above grade and the average height is closer to 16 feet. On a street such as this, even a 23 foot tall house will significantly alter the character of the street. Twenty-three feet would allow for 1 ½ stories on almost all block faces. We feel this is a reasonable counter permit restriction.

We would strongly encourage the council to refrain from adjusting the height limit for a counter permit at this time. The impact of this ordinance will be highly dependant upon the performance of the zoning and permits office. We would encourage the City Council to heed the advice of the Planning Commission and reconsider the impact of this rule after 12 months.

Attached Garages

[Slide]

Counter permits for garages behind or in-line with front of principle building. Width of attached garage not to exceed 50% of front façade of house.

We would make one recommendation. It was suggested at the planning commission hearing that only the area of the garage doors be considered in calculating the 50% limit. If this were to change, we would recommend that when a project has two or more separate garage doors, the area of a garage be calculated from the outer edges of the two outermost doors.

Accessory Building Location

[Slide]

Counter permits for accessory buildings located at least 20 feet from principle buildings on adjoining lots. Accessory buildings must be one to five feet from the rear property line.

We support this ordinance with the Planning Commission recommendation that the developmental pattern of a block face be grounds for a routine and uncontested exception.

Maximum Height of Accessory Buildings

[Slide]

Counter permits for accessory buildings that:

- a) Do not exceed 15 feet from the established grade to the peak;**
- b) Have a maximum wall height of ten feet from the top plate to the established grade.**

We strongly support this proposed change. We would strongly oppose any attempt to modify the 15 foot limit, especially in favor of a measure using roof mid-point due to many recent cases of abuse.

Maximum Footprint of Accessory Buildings

Counter permits for accessory buildings that do not exceed 50% of the footprint of the principle building to 720 sq. ft. (up to 1000 sq. ft. for two-family; 480 sq. ft. garage allowed).

We strongly support the proposed change. Increasingly long commutes into Salt Lake City from the surrounding communities accompanied by rising fuel costs have resulted in rapidly escalating land values. The steep rise in housing costs has attracted some new residents to the area who are more interested in maximizing their building space than responsible development. Almost half of the most controversial projects started this past summer were garages. It is one thing to feel impinged upon by a principle structure. It is quite galling to have the impact of a garage exaggerated because the owner wanted more storage space. This is also the case regarding accessory building wall and roof height limits.

Maximum Lot Size

[Slide]

Counter permit when a new lot does not exceed 150% of the minimum required lot size in each zoning area (SR-3 limit would be 200%).

You just have to go see 14th and H Street.

[Picture]

Maximum Lot Coverage

[Picture of the CALL HOUSE]

Counter permits for SR-1 and R-1-5000 projects with max. lot coverage of 40% (reduced from existing 55%). R-2 max. coverage reduced from 45% to 40%.

This is absolutely essential.

Fines for Building Permit Violations

[Slide]

Building permit fine of 10% of the value of the proposed project or \$1000, which ever is greater.

Many members of the Housing Committee would like to see these fines made even stronger. More importantly, we feel that in order to have any meaning, they need to be imposed when appropriate.

Definition of Demolition/Teardown

[Slide]

Complete demolition - any act or process that destroys or removes 75% or more of the exterior walls and/or total floor area of a structure, improvement or object.

Many members of the Housing Committee would like to see this made more restrictive. Very little is left of a house when three out of four walls have been removed. There is no

requirement that the remaining wall be the front wall. Keeping only a rear or a side wall has served as cover for a complete scrape and new construction in the past.

Conclusion

We need zoning ordinances that we can live with as a community, not just as permit applicants or realtors and architects who leave once a project is completed. Many aspects of the proposed ordinance will encourage permit applicants to interact with their community. It will also provide them with the opportunity to do what any responsible community member would want to do, step back and take the time to look at the environment in which their proposed project will reside for decades to come.

Additions that negatively impact neighboring properties destabilize communities. Neighbors who have been impacted but who don't want to do the same thing to their neighbors often leave. Neighbors who don't care move into replace the ones who did and left.

Who will move in north and east of the Calls?

[Slide]

Projects done sensitively beget sensitive projects.

I have heard several project owners complain (very insincerely) that they would have loved to have accommodated the neighbors but they are just too far long in the process (often after having gone to great lengths to conceal the true nature of their project). This new proposal and the responsibility it places upon the applicant ensures that this will no longer be the case whether inadvertently or as a lame excuse.

This proposed ordinance is an attempt to move away from the often heard adage, it is easier to beg forgiveness than to ask for permission. Infringed upon neighbors often don't get over the anger, frustration, and the distance caused by an ever present, ever looming project. Unfortunately there are times when applicants don't ask because they really don't want to know about a problem until they can claim that it is too late to modify their plans. When this happens, they are saying that they care more about their selfish wants than their community.

Many of the questions that applicants will be asked to answer under the proposed ordinance will have significant impact on community:

- Does my proposed project have the potential to negatively impact my neighbors or the character of the community? Tier One -- Counter Permit
- Is the project that I am proposing consistent with other projects already completed in the community? Tier Two -- Administrative Public Hearing

- Does my project, because of the scale or location, have the potential to single-handedly and irreversibly damage the character of a community? Tier Three - BOA.

I have heard the argument that large projects increase everyone's property values. Well executed, sensitive, and appropriate maintenance, restoration, additions or remodels increase property values. The economic impact of larger houses for the sake of larger houses is a subject of much debate. What is not debatable is that the benefit of increased property values is negligible until a property owner is ready to sever ties with the community. A community is so much more than a sterile collection of investments. It is relationships with neighbors, it is the security of those relationships, it is having a place where every single person has value and it should be a place where what impacts one person, is of importance to everyone.

"The Avenues is a community that knows what it is."

Many communities share this same sense of place.

[Slide]

Please help us protect what we have come to value so dearly. Pass the proposed city ordinance as it is written!

Compatible Residential Infill Development Standards

**Greater Avenues Community Council –
Housing Compatibility Committee**

Shane Carlson

December 1, 2005

1 **Compatible Residential Infill Development Standards**

Greater Avenues Community Council – Housing Compatibility Committee

Shane Carlson

December 1, 2005

2 **Key Elements
of Proposed Ordinance**

- Tiered Permit Structure
- Dimensional Limits

3 **Diverse Development Pattern**

4 **Three Tiered Zoning Proposal**

- Encourage responsible growth and expansion while minimizing the impact of that expansion on the neighboring properties and the character of the area.

5 **Tier 1**

GOAL

Encourage home owners to minimize the impact of projects on the neighboring properties and the character of the community.

6 **Tier 1**

Mechanism

Projects that remain within a relatively restrictive list of limits regarding building height, front, side and back setbacks, building volume, lot coverage, etc. would be eligible for a "counter permit."

7 **Tier 2**

GOAL

Allow approval of projects that exceed the limits of Tier one but that remain consistent with development already in existence in the community.

8 **Tier 2**

Mechanism

Applicants required to collect a clearly defined set of measurements from surrounding properties to demonstrate that the project they are proposing does not differ significantly from the structures already in existence.

9 **Tier 3**

GOAL

Provide a thorough review of those projects that are likely to significantly impact neighboring properties and potentially change the character of the community.

10 **Tier 3**

Mechanism

Because of their potential to significantly impact neighboring properties and permanently change the character of the community, approval of tier three projects would be granted only after thorough review of all specifications by the BOA and a complete hearing of the community members' comments and concerns.



15 **Specific Dimensional Elements**

Dimensional limits associated with counter permits should not be absolute limits

16 **Zoning Standards**

- **In-line Additions**

- Remove Zoning Ordinance provisions allowing over-the-counter in-line additions in the SR-1 and SR-3 districts

17 **Zoning Standards**

Front and Corner

Side Yard Setback

18 **Zoning Standards**

Building Height

19 **Zoning Standards**

Attached Garages

20 **Zoning Standards**

Accessory Building Location



- Planning Commission recommendation – Developmental Pattern

21 **Zoning Standards**

Accessory Building

Max. Height & Footprint

22 **Zoning Standards**

Maximum Lot Size

23 **Zoning Standards**

Maximum Lot Coverage

24 

25 **Fines**

- Building Permit Fine equal to 10% of the valuation of the proposed construction, or \$1,000.00 whichever is greater.

To be effective, fines must be levied when warranted.

26 **Definition of Demolition**

- **Complete Demolition**
 - Any act or process that destroys or removes 75 percent or more of the exterior walls and/or total floor area of a structure, improvement or object.

27 **Projects Done Sensitive**
Beget Sensitive Projects

28 **Help us protect our community.**

Diverse Development Pattern

8th Avenue – Between K and L Streets

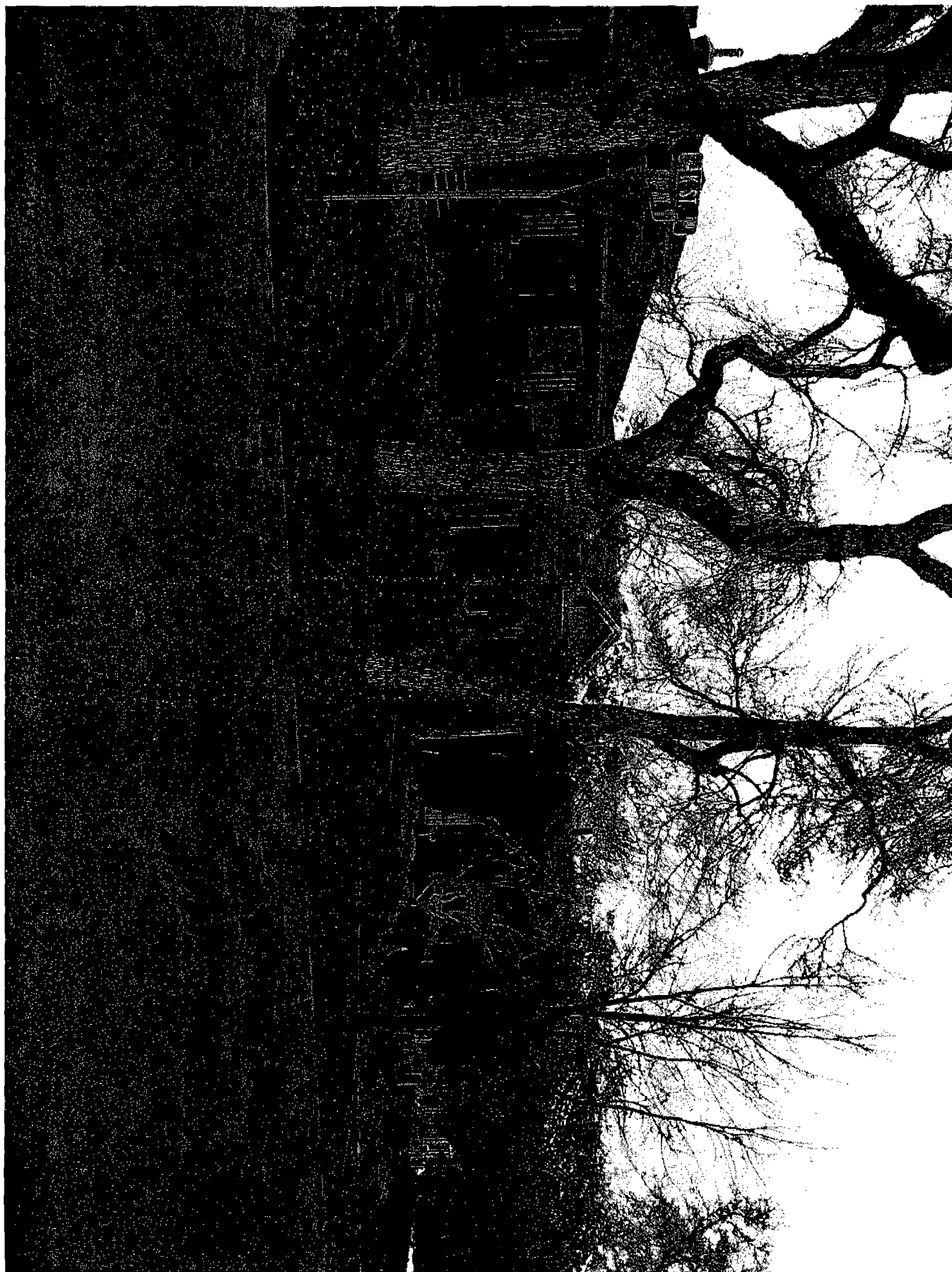


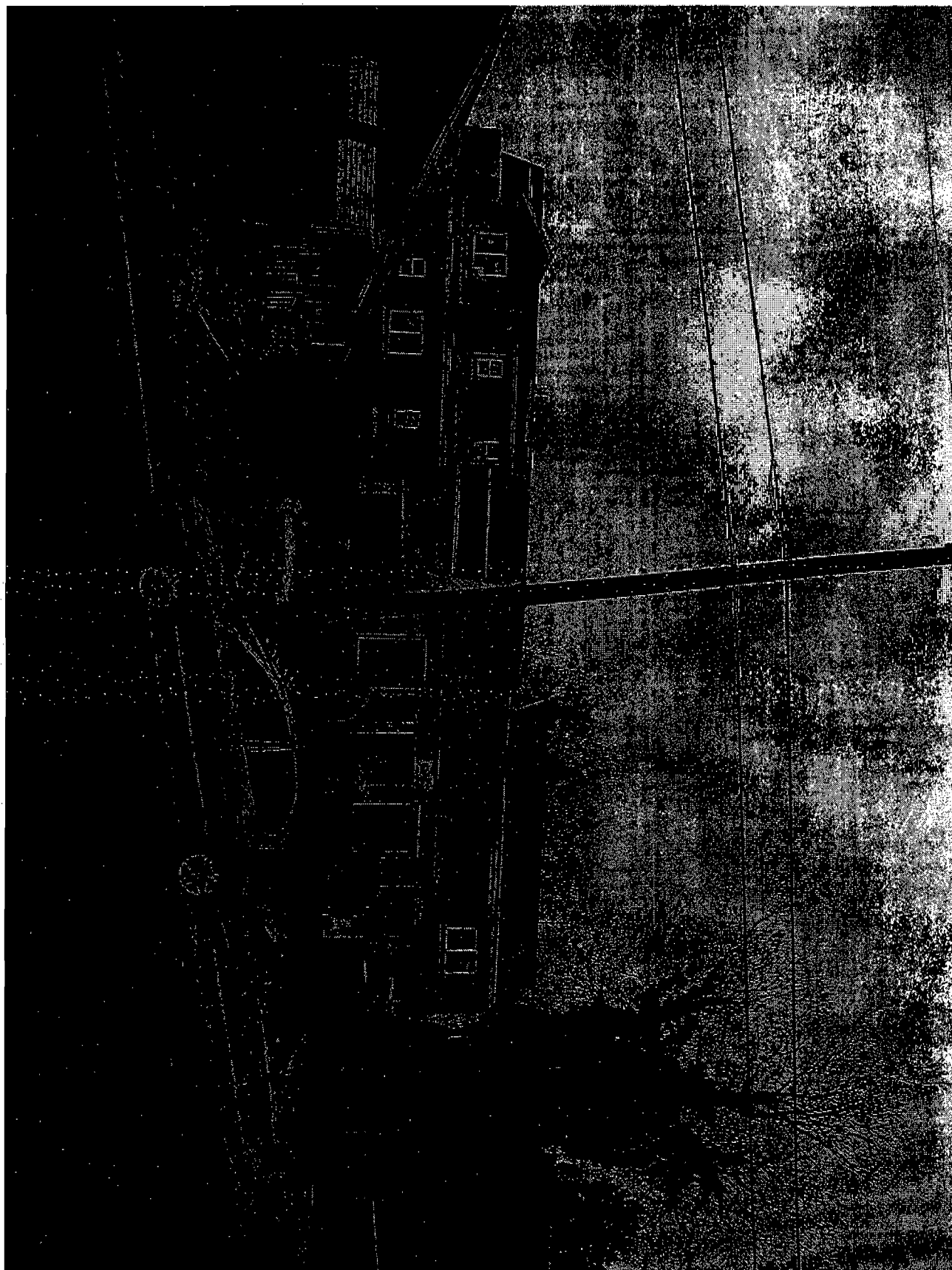
South side

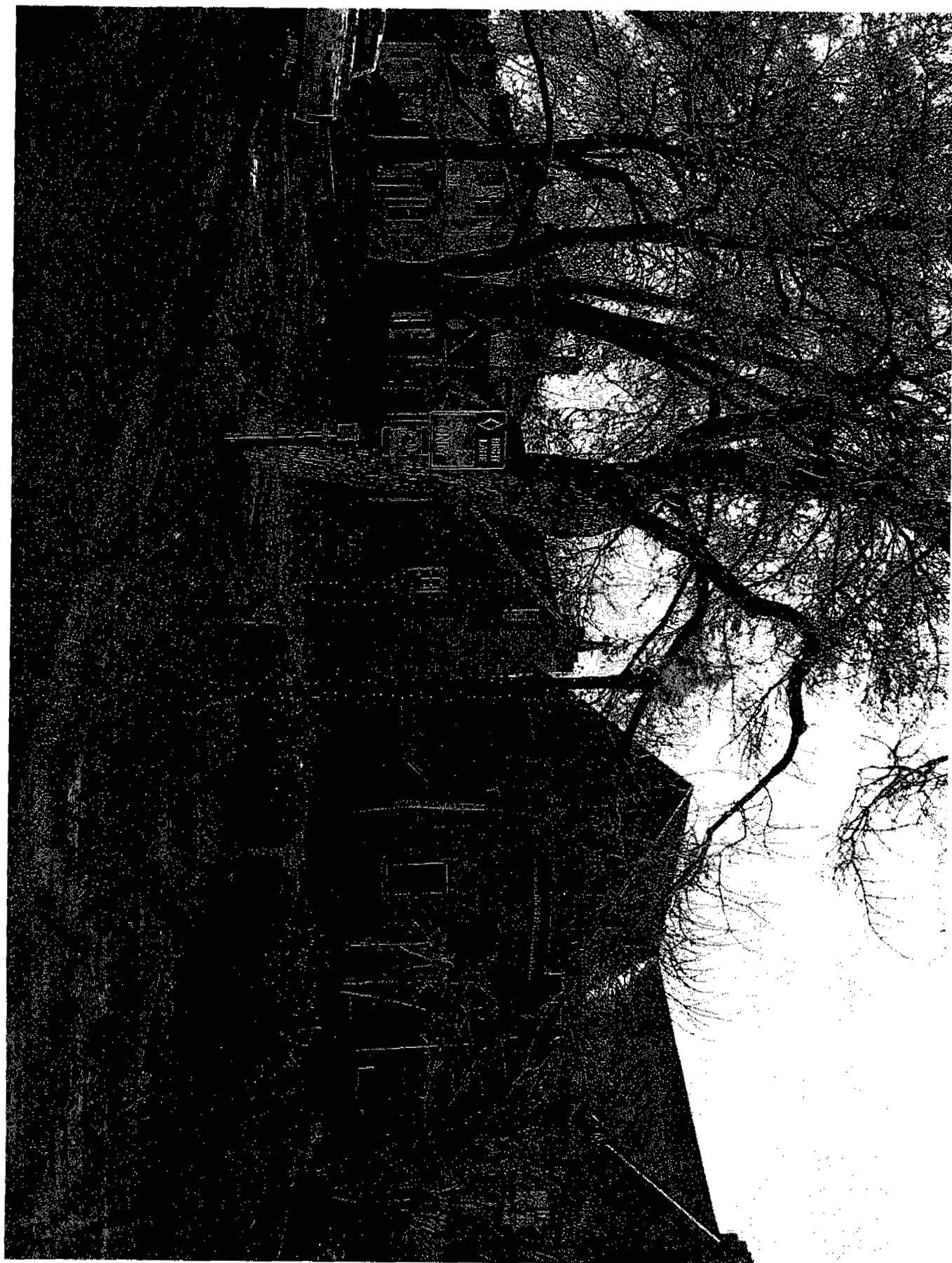


North side









AIA Salt Lake

A Chapter of The American Institute of Architects

December 1, 2005



Members of the Salt Lake City Council:

On behalf of the members of AIA Salt Lake, we appreciate the opportunity to respond to the Compatible Residential Infill Development Standards proposed by the Salt Lake City Planning Department. We understand the need to review and make changes to the existing regulations, and commend the Planning Department for looking into this issue. However, we feel more thought and consideration is needed to provide appropriate benefit for individual homeowners, as well as entire neighborhoods.

We would like to address the proposed amendments that have been put forth, with the proposal of volunteering our services in the next year to help craft a proposal that would be more appropriate for creating and enhancing the quality of the built environment in our residential neighborhoods.

We agree with the following Amendments:

- Remove provisions allowing in-line additions through the building permit process.
- Establishing maximum lot size.
- Establishing maximum lot coverage.
- Standards for attached garages.

The following are our recommendations for the remaining amendments:

1. **Front yard setback for FR, R-1, and SR Zoning Districts – Minimum setback determined by averaging.**
 - The “averaging” of setbacks needs to be better defined. What is an acceptable method of documentation? Aerial photography or GIS information should be adequate, rather than requiring all properties to be professionally surveyed.
 - We recommend the block face be defined as: “average of developed properties on the same side of the street measured within 150’ in either direction of the subject property, but not extending across intervening streets.”
 - We also recommend a preliminary “Sketch Plan Review” for acceptance of setbacks prior to full design. This would prevent



owners from proceeding on a design and investing money for a solution that may not be acceptable.

2. Building Height – Maximum building height lowered to twenty-three feet (23') measured to the crest of the roof, flat roofs lowered to eighteen feet (18').

- We agree that the existing ordinance, which allows 30' to the midpoint of the roof, is too high for single family homes in most residential neighborhoods.
- Twenty three feet (23') to the crest of the roof is too restrictive. This essentially limits all houses to less than two full stories and Salt Lake City is not a one-story city. This restriction could be a prescription for bad design, if an owner wants to build a two story house under these limitations. (See attachment A1)
- We recommend a **twenty-eight foot (28')** limit to the crest of the roof, which limits the overall height but allows flexibility in the design. This would allow for a more attractively pitched roof for a two-story home.
- We recommend that **flat roofs to be limited to 20'**. Again, 18' does not allow for a well-designed two-story home.
- Limiting most homes to one-story could adversely affect many neighborhoods. There is not a market for single-story homes in many urban areas. Residents cannot justify buying some of these properties without the opportunity to build additional square footage. This could discourage people from remaining or investing in the neighborhood.
- If the ordinance remains so restrictive, we recommend a preliminary **"Sketch Plan Review"** for acceptance of building height based on "average height of a single-family dwellings on the block face" prior to full design. This would prevent asking an owner to invest money in a design that may or may not be allowed.

3. Detached Garages and Accessory Buildings – Accessory structure to be located 20' from principal buildings on adjacent lots. Located 1' but not more than 5' from the rear property line.

- We recommend keeping the existing ordinance for accessory buildings such as sheds and detached garages.
- On deep lots, the proposed requirement could create an excessively long driveway. This creates more runoff, maintenance problems in

*Examine review
move request through
I like neighbor
22 ft*



the winter months and less convenience for the homeowner. (See attachment A3).

- On small lots, the proposed requirement for the garage to be 20' from principal buildings could push the garage to the center of the lot, reducing open/usable space in the back yard.

4. Standards for maximum height of accessory buildings – Maximum height reduced from 17' measured to the mid-point, to 15' measured to the peak of the roof. Flat roofs to remain at 12'.

- Accessory structures and garages are part of the character of the neighborhood. This restriction could force designs to not be compatible with the residence or the surrounding neighborhood. (See attachment A4).
- We recommend a requirement of 15' to the midpoint of a sloped roof and 12' for a flat roof.

In addition to these specific considerations regarding the proposed legislation, we wish to convey our desire to continue to work over the next year to resolve additional qualitative design issues not fully addressed in the proposed legislation. We feel that in addition to regulation of the height and setback, that many of the issues with "monster homes" are in fact not issues of size alone, but also issues of design.

Consider, for example, the McCune Mansion on Main Street, which is much larger than other residences on the same block and if built today would not likely be approved, but is considered one of our cherished landmarks because of its elegance and outstanding design qualities (articulation of mass, scale, roof form, materials, details, etc.). Conversely, a small structure that may meet the prescriptive requirements of the ordinance can still have a very negative impact if qualities of design are not appropriately addressed (a pre-manufactured metal building could meet the prescriptive requirement of the ordinance as proposed, but may still not be considered an appropriate improvement in many existing neighborhoods).

We believe that over the next year, as we evaluate the effectiveness of the current proposed legislation through its "trial" period, that the Council also consider an expanded ordinance and/or design guidelines that may address the following items:

- Roof lines – what are appropriate heights, mass, articulation, materials, etc.?
- Bulk and scale – what are appropriate height and mass, as well expressions and articulation of scale, texture, shadow lines, orientation, etc.?



- Privacy – what are appropriate levels of privacy, and what impacts do height and setback have on privacy?
- Grade – what amount of modifications to grade are reasonable, and what are acceptable mechanisms for grade retention in terms of visual impacts (i.e. retaining walls, etc.)?
- Daylight and views – what are reasonable expectations for levels of daylight and views that should be addressed for adjoining properties, and what impacts do height and setback have on access to daylight and views?
- Style – what consideration should be given to style in terms of addition/alteration to existing buildings, and the relative impact of new buildings on surrounding structures, and what guidance should be given to consistency of styles in a district and consistency of style and design applications on a specific building?
- Materials – what consideration may be given to the use of certain materials, their visual and aesthetic impacts, durability, and articulation of details consistent with the material?
- Administration – what is the best mechanism to administer design guidelines effectively, and by whom?

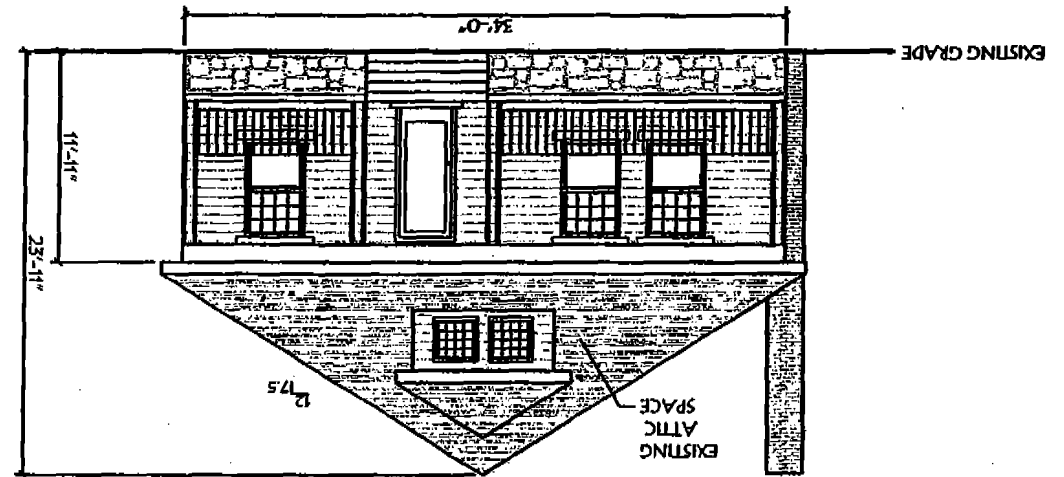
Salt Lake City is not the only city that has attempted to regulate the development impacts that have led us to this legislation. We hope that in the process of evaluating and addressing these additional design elements, that we might also observe and learn from the successes and failures of other similar initiatives, both locally and abroad.

We ask that the City Council allow the formation of a group of citizens, officials, and staff, to help develop the framework and possible solutions for an expanded policy. We hope that the AIA and its members, many of whom are quite adept in these areas of expertise, may more fully contribute to this process in a way that will allow growth and development to occur, while preserving the quality and character of our city's cherished neighborhoods.

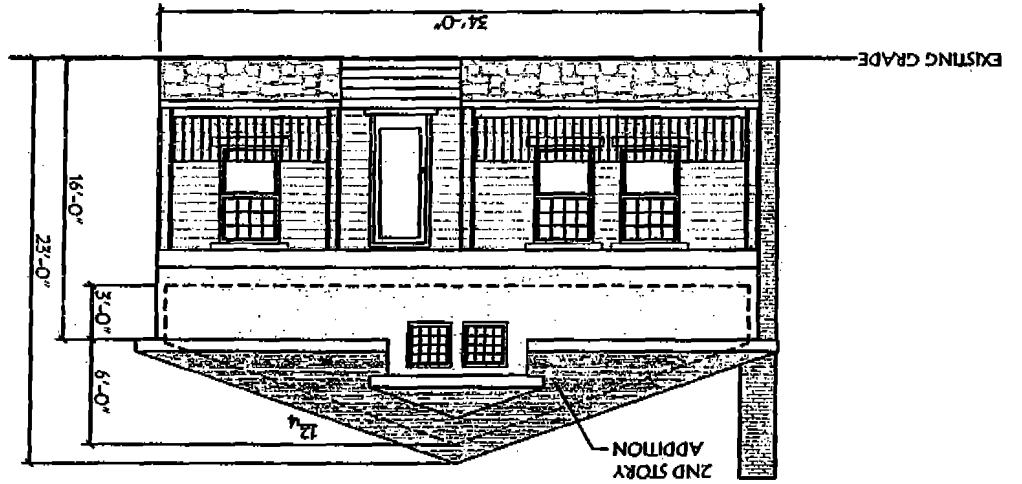
Sincerely,

Lisa Whoolery, AIA
President, AIA Salt Lake

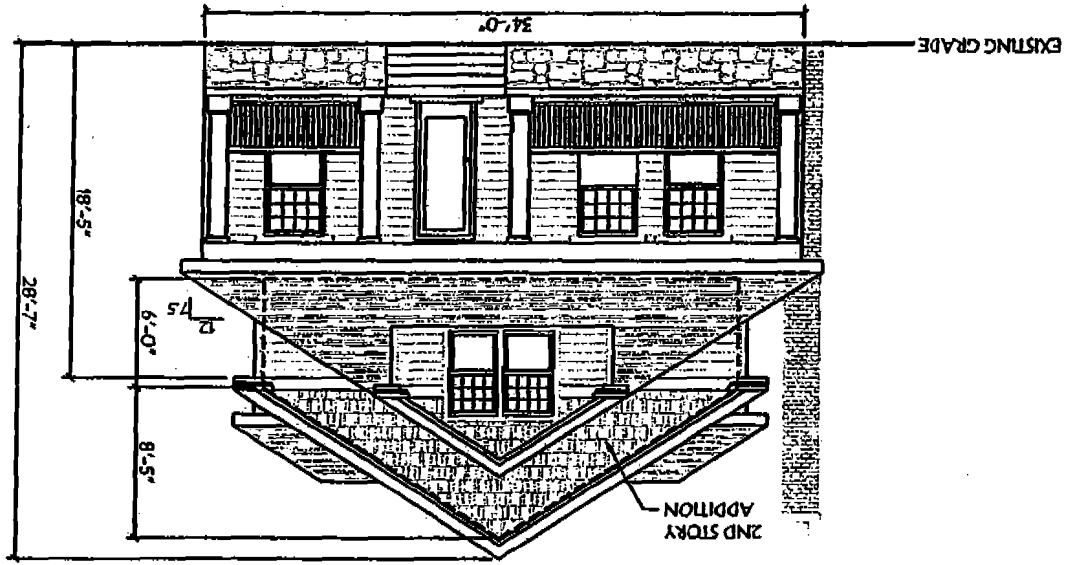
ATTACHMENT A1



EXISTING HOUSE
50' PROPERTY WIDTH W/ 6' &
10' SETBACKS



CONFORMING 2ND STORY
50' PROPERTY WIDTH W/ 6' & 10'
SETBACKS. WALL HEIGHT AT
MAXIMUM ALLOWED, AS WELL AS
THE MAXIMUM ROOF HEIGHT.



NON-CONFORMING 2ND STORY
50' PROPERTY WIDTH W/ 6' & 10' SETBACKS



CONFORMING GARAGE

EXISTING HOUSE

1376 MICHIGAN AVE, SALT LAKE CITY

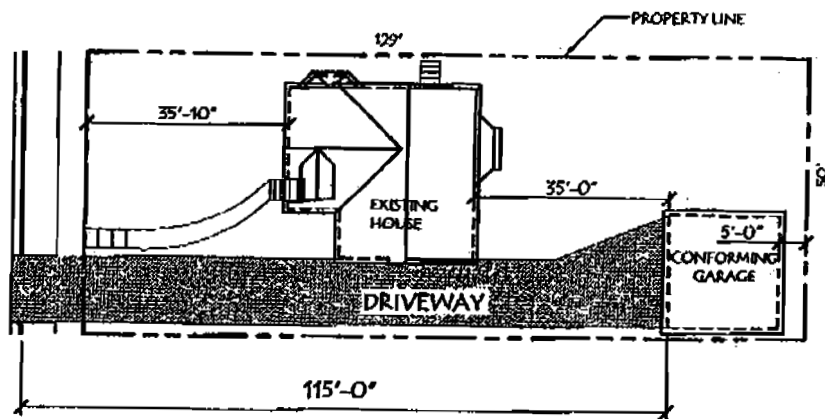


NON-CONFORMING GARAGE
CONFORMS TO EXISTING ZONING
REGULATIONS

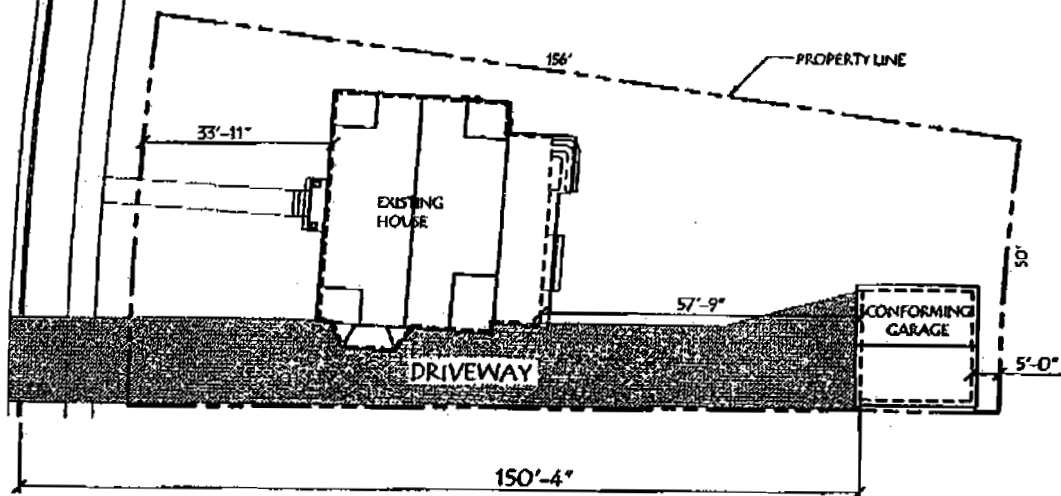
EXISTING HOUSE

1376 MICHIGAN AVE, SALT LAKE CITY

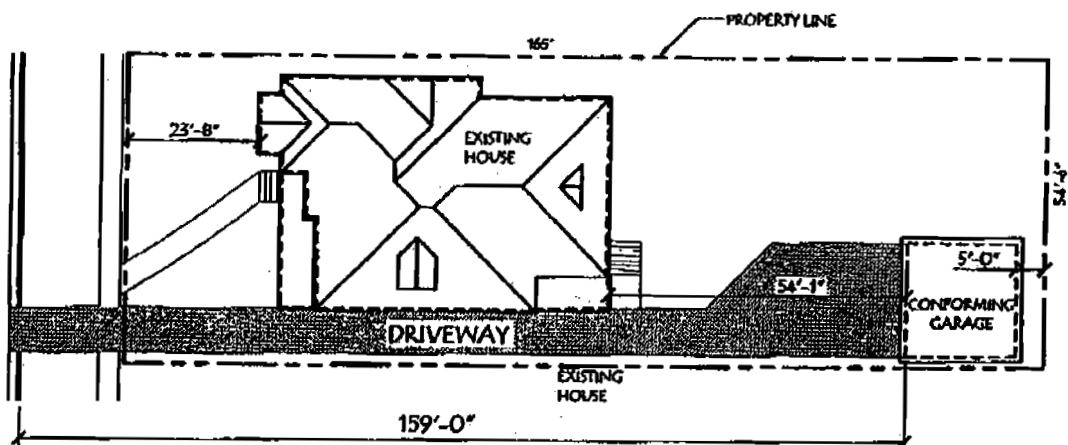
ATTACHMENT A4



907 DIESTEL ROAD



1379 E 3RD AVENUE



174 B STREET

David & Lisette Gibson Yalecrest Compatible Infill Ordinance Committee

Presentation to City Council Dec 01, 2005

Thank you for inviting us this evening to represent the Yalecrest Compatible Infill committee.

The Infill committee expresses our appreciation to Salt Lake City for continuing to pursue solutions to the genuine problem of incompatible residential structures. The proposed citywide infill ordinance offers proposals in many different areas. We support many of them. We do however have a number of issues and questions.

Primary structure, the house.

HOUSE HEIGHT

The citywide ordinance proposes that the maximum house height be reduced from 30 feet to roof midpoint to 23 feet to the roof ridge, which depending on the roof slope, is approximately 13 feet lower than the current maximum. This proposed height would have been too low for parts of the Yalecrest area. It would probably be too low for the area just to the East of Yalecrest and for the Gilmer Park area. **The Yalecrest committee strongly recommends that the city perform surveys of the ridge heights** of various story structures in the different communities of the city as the YCI did. Hard numbers would help in your decision-making. It is our experience that the various neighborhoods in Salt Lake differ greatly and would require different height guidelines. If the city wishes to drop the height dramatically, we would recommend 27 feet to the ridge as a baseline. This allows for 3 feet to the first floor, a 9 foot first floor ceiling height, 12 inches of structure, an 8 foot 2nd floor ceiling height and 5 foot to the ridge.

ENVELOPE RULE

We are surprised that the City did not take advantage of the Yalecrest Infill envelope rule, for controlling height. The envelope rule's guiding principle is house size proportional to lot size.

AVERAGING

But in the event of a citywide restrictive height limitation, **remedy** becomes important. One suggested remedy to many of the proposals is the idea of averaging the houses on the block face and using that as the new limit. The YCI proposes instead, using that 50% of the structures that come closest to the limit in question. To illustrate: There is a block with 4 two-story houses and 4 one-story houses. The average of the block is one and a half stories, in spite of the fact that half the block is two-story. Taking that half of the houses closest to the limit, a two-story house would be allowed.

FRONT YARD SETBACK

The citywide ordinance proposes that the front yard setback be revised from 20 feet to the average of the front setback of the houses on the same side of the block. The YCI ordinance contains a similar proposal, except instead of using all of the houses on a street side, it uses that half of the houses with the smallest front yard setback. This is based on the principle that houses far from the limit shouldn't be the ones setting the limit. **We recommend adopting Yalecrest approach.**

Accessory structures.

The Yalecrest Infill ordinance committee had as one of its main principles the encouragement of rear yard accessory structures, being, in the view of the committee, more conducive to walkable neighborhoods than attached garages in front. More regulations on rear yard detached structures will encourage homeowners to go to attached garages as a solution. (Attached garages can be as tall as the house can include living space above).

The citywide ordinance proposes that accessory structures be located at least 20 feet from principle buildings on adjacent lots. 10 feet is currently allowed which matches up well with the required side yard setbacks of 10 feet and 4 to 6 feet. Requiring a 20-foot offset could push some detached garages into the middle of some backyards effectively ruining them. If it is adopted, exceptions should be determined based on the closest half averaging concept. **The YCI recommends no change to the existing ordinance.**

The citywide ordinance proposes that accessory structures be at least 1 foot and no further than 5 feet from the rear property line. Many of the complaints that the YCI heard regarding detached garages were garages up against the rear property line of an adjoining property, which this requirement encourages. With a deep lot, under this proposal, a much longer driveway would be required, entailing more hard surfacing of the lot. Once again the half averaging concept should be applied for exceptions if this is adopted. **The YCI does not support this particular proposal.**

The citywide ordinance proposes that the maximum building height for accessory structures be reduced from 17 feet to roof midpoint to 15 to roof peak. This is quite restrictive. It could not have been adopted in the Yalecrest area. Even the YCI reduction to 15 feet to roof midpoint was controversial in our area. We recommend further study of this. Factors to consider are house size, lot size, neighborhood and possibly the YCI envelope rule.

Attached Garages.

The citywide ordinance proposes that attached garages occupy no more than 50% of the total house front. The YCI adopted a similar approach, but as part of the width calculation for garage width included up to 3 feet of wall between garage doors. **We recommend adopting this approach.**

We might also suggest incentives for single car garage doors as opposed to garage doors accommodating more cars, so a two-car garage would have 2 single doors instead of one double door. The incentive could be an increased allowable width percentage for single car garage doors, say 50% for single car garage doors and 35% for more than single car garage doors.

Maximum Lot Size.

The citywide ordinance limits lot size increase except with lots created by subdivision plat etc. The Yalecrest community is created substantially this way and so unfortunately this ordinance would have little effect on the Yalecrest area. We think limiting lot size is a good idea and wonder if there is any way to apply the concept to the subdivision category. We also wonder how this proposed section would overlay on the remainder of the City.

Process

We have a few additional comments regarding the tiered approval process. The YCI committee, during its long process, was always mindful of the need to balance the interests of the homeowners, the neighborhood, and development concerns. It was expressed to us many times that certainty in building limits was absolutely necessary for healthy development to occur. The current citywide tiered approval process doesn't seem to allow for this.

We propose that the second step in the tiered approval process be a simple 'over the counter' determination step. The first tier would still be 'structure meets stated limits' over the counter approval. The second approval tier would be for applicants that wish to exceed the stated limits. This step would depend on the existence of tightly defined guidelines for exceeding the stated limit. The applicant would conduct a determination of whether those factors existed, in the quantities required on the block/neighborhood they wish to build on. The applicant would then take this to the counter, and get either a restricted approval to proceed with the revised limit or a denial. This step could be done over the counter without the need to spend time and money creating expensive drawings that may not be used and without the necessity of owning the property in question. This would be helpful if the applicant was trying to decide whether to purchase a particular property, but the purchase was contingent on whether a certain type of building would be allowed. This would bring certainty to the system and save both the City and applicant time and expense.

Council Members,

Please note that at the bottom of Ms. Rauh's letter, her architect has outlined how the proposed changes will impact their remodeling project. We have shared this email with Planning staff.

From: Dolly Rauh [mailto:dolly@cjohnson.aros.net]

Sent: Monday, November 28, 2005 10:17 PM

To: Lambert, Dale

Cc: Council Comments; Soren Simonsen

Subject: Concern with new infill-zoning proposal

Dear Mr. Lambert,

My husband and I are residents of the Highland Park area of Sugar House. We are currently working with architect Annie Vernon of Renovation Design Group on a remodeling project. We began the process in August, 2005, and have paid for designs based upon current ordinances. We are simply trying to utilize space in our attic to add one bedroom and bath to our home. We hired Ms. Vernon because we were impressed with her firm's consciousness of blending remodel work into the neighborhood, and their idea of focusing on redesigning existing space rather than expanding through unsightly, unwieldy additions. We are by no means in favor of "monster houses" and support efforts to restrain infill building and remodels that change the basic character of a neighborhood.

We recently met Ms. Vernon to finalize our plans, and were told that the project is on hold until a City Council vote is held on a new infill-zoning ordinance. After reading the proposed ordinance, it is our belief that this measure is more restrictive than necessary, making many if not most redesign projects in Salt Lake City untenable. Furthermore, it is our understanding that the proposed appeals process will be confusing, expensive, and time consuming, for no new City position will be created to coordinate matters. As long-term residents of Salt Lake City, we find this proposition quite troubling, both personally and for our community. In neighborhoods like Highland Park, houses are generally small compared with those in Salt Lake County, and as one walks through the area, it is quickly evident that many homeowners have already redesigned or added on to their homes. To disallow this option is a burden on current and prospective City homeowners. In addition to the capital required to purchase our home, we have several thousand dollars invested in our redesign project, a financial decision we made after carefully reviewing all our options, including moving out of Salt Lake City.

It is our understanding that a counter proposal has been made by Salt Lake City architects, and is under review by the City Council. We urge you to consider this more moderate suggestion in our city's efforts to preserve both the wonderful character of our neighborhoods and the investment made by taxpayers in their homes.

Below is a detailed exposition of the impact of the City's proposed ordinance on our particular project, as written by our architect. We hope it is useful in the deliberation process over this issue.

Thank you for your time and consideration of this matter. If we can be of any further assistance to the Council, we would be happy to oblige.

Sincerely,

Dolly Rauh and Chad Johnson

From Annie Vernon, Renovation Design:

I have been asked by Dolly Rauh to write you a brief summary about how the proposed zoning ordinance will affect their anticipated home remodel.

Their house is located at 2672 S. Melbourne Street, in an R-1/7000 zone.

Lot = 50'x118' = 5900 SF or .135 acres

Existing house = 920 SF on the main level & 920 SF on the lower level

Existing exterior wall height = 10'-0"

Existing roof height (to ridge) = 19'-0" above existing grade (average)

Existing roof pitch = 6/12 front gable and 8/12 cross gable

They would like to add a half story to their house which would make it:

Proposed upper level = +735 SF w/ exterior knee walls at 5'-0" high

Proposed exterior wall height = 11'-6"

Proposed roof height (to ridge) = 25'-6" above existing grade (average)

Proposed roof pitch = 12/12 front gable and 10/12 cross gable

The proposed zoning that was forwarded by the Planning Commission on Nov. 9th to the City Council for approval on Dec. 6th contains the following language:

Building Height - R-1/7000: Because the existing maximum building height of thirty feet (30') measured to the mid-point of the roof does not reflect the existing character in most of the City's neighborhoods the Administration is proposing to amend residential building height standards as follows:

Standards:

- The maximum building height is proposed to be lowered to twenty-three feet (23') measured to the crest of the roof with a maximum exterior wall height of sixteen feet (16'); or
- The average height of single-family dwellings on the block face.

Approval and Appeal Process:

1. Over-the-Counter Permits: Any proposed projects that meet the maximum building height standards listed above will receive an over-the-counter building permit.

2. Administrative Public Hearing: Additional building and exterior wall height may be approved through the administrative public hearing process if the proposal is in keeping with the development pattern of the block face.

3. Board of Adjustment: Appeals of the Administrative Hearing Officer's decision and referrals from the Administrative Hearing Officer shall be heard by the Board of Adjustment which may approve additional building or exterior wall height if the proposal is in keeping with the development pattern of the block face.

In the case of Dolly's home, because the proposed roof height is 25'-6" which exceeds the allowable 23', they could hire a surveyor to determine the average height of the single-family dwellings on their block. Based on my discussion with them yesterday, they don't think the average will increase their options significantly because there are only 1 or 2 two-story houses on their block. Their next option would be to pay \$100 to go through the administrative hearing process and try to prove that their proposed design "is in keeping with the development pattern of the block face" - whatever that means. If they are denied they could pay another \$200 to go to the board of adjustments to try and get the decision reversed, or they could redesign (additional design cost) to meet the new requirement. At a 23'-0" ridge height, their upper level would be 642 SF (w/ exterior knee walls at 5'-0" high), a reduction of 100 SF (or 14%) from the proposed design. This obviously has functional and aesthetic affects on the interior and the exterior.

We agree that monster homes are a problem, but we are anxious to come up with a revision to the zoning that is reasonable and workable for everyone. If we can be of any further assistance, please let us know.

Thanks for your time & consideration-
Annie Vernon

Annie Vernon, AIA
Principal
Renovation Design Group, LLC
252 South 1300 East, Suite A
Office 801.533.5331
Mobile 801.560.7171
Fax 801.533.5111
<http://www.renovationdesigngroup.com>

DEC 01 2005

CJ

Nicole Walker
423 G. Street
Salt Lake City, UT 84103

November 28, 2005

Eric Jergensen
District 3 City Councilman
Room 304
451 South State Street
Salt Lake City, UT 84111

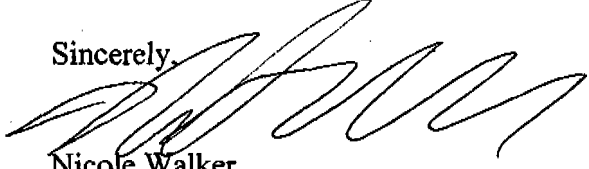
Dear Eric Jergensen,

The morning I woke up to see the lot next door to me up for sale, I panicked. I quickly called my real estate agent to see if there was any way we could buy the parcel. The \$259,000 asking price was beyond prohibitive—our house and extra-large lot aren't even valued at that much. I planned to send a letter to Rocky Anderson, asking if there was any way the city could buy the lot. Imagine a community garden there, even a neighborhood swimming pool. This land functions as it is for so many purposes—dog walkers enjoy the uncrowded lot (imagine the quality of the soil after so many years of mulch and manure!), birds I've seen only in the shrubbery behind—woodpeckers, finches, quail, flickers, a screech owl and even a hawk live there. It is, to me, a piece of wildness that I can't replicate in my own backyard.

My dreams of open space were shattered when I heard the lot was already under contract. I presume this buyer will come in, raze the shrubs and trees and build a house that will justify spending that amount for only the lot. My only hope left is that you and the rest of the city council vote on Proposal 400-05-25. If nothing else, the house there built will preserve the character of the Avenues. If a gigantic, suburb-like home is built there, not only will it block our views, destroy the wildlife, and ruin what most of us like best about the Avenues—the ability to make smaller, older homes work for young and growing families.

I've lived directly south of that lot for almost eight years. To see it marked for development breaks my heart. As my family grows in our 972 square foot home, I see how very cozy our house has become. Our family can't be spread out across many wings of the house—I believe we're closer for it. The gigantic houses use so much more energy to heat and to cool, so much more water, so many more resources to build. I believe that the attitude of the Avenues suggests that one can make so much home from smaller houses. If the council could see there way to making that argument official by voting on Proposal 400-05-25, I would regret the development of my small parcel of wildness a little less.

Sincerely,



Nicole Walker
(801) 537-1683

DEC 01 2005

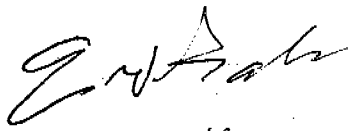
November 14, 2005

Eric Jergensen
District 3 City Councilman
Room 304
451 South State Street
Salt Lake City, Utah 84111

Dear Eric Jergensen,

I am contacting you to encourage a prompt vote on Proposal 400-05-25. This is of utmost importance to me and my neighbors in the Avenues because an empty lot on our block is under contract to be sold. We need the proposal to pass before the plans for construction are submitted or risk having a Monster House next door. I have seen you at community council meetings and know how hard you work for the people of this district. This is such a personal concern but so many of us share it. The future of this single lot could have a negative effect on the wellbeing of entire neighborhood. You have our support, as was shown in the recent election, so please encourage the council to hurry. We do not have much time.

Sincerely,


Erik Sather
423 G St
SLC UT 84103

To Members of the City Council
From Cindy Cromer
Re Compatible Infill Ordinance
December 1, 2005

Dear Members of City Council,

I am pleased that you have called a special meeting to consider the Compatible Infill Ordinance but disappointed that the East Central Neighborhood is NOT represented on the panel. Here are the reasons that I believe East Central should have representation.

The first extensive discussion of compatible residential infill was in the East Central Neighborhood Plan authored by Brent Wilde and adopted by the City in 1984.

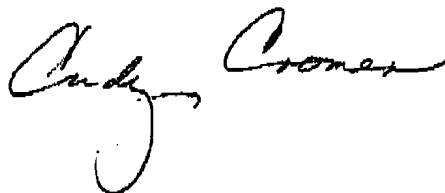
East Central, specifically Lake Street in the East Liberty Neighborhood, was the location of the City's **first attempt at specific guidelines** for compatible infill.

East Central contains the City **highest concentration of National Historic Register** areas with the following distinct neighborhoods either already listed or pending: Bryant, University, Douglas, Bennion, Gilmer Park, and East Liberty. The National Register status recognizes the historic integrity of these neighborhoods **BUT provides NO protection from demolition and NO guidelines for new construction or remodeling.**

East Central contains **diverse zones** ranging from single family to high density residential with numerous instances of zones with very discrepant heights being close together. Additionally, the Bryant neighborhood has the City's highest concentration of nonconforming business properties, extensive commercial zoning within residential development, and abundant institutional zoning. Together with the East Downtown, Bryant is the most complex portion of the City's zoning map.

East Central does contain **opportunities for infill development.** These opportunities were recognized as far back as the 1974 Central Community Master Plan and provided the basis for Brent Wilde's description of a process for compatible infill in the 1984 East Central Neighborhood Plan.

There is no place in the City where guidelines for infill development would be better suited than East Central, specifically the north end of East Central from 400 S to South Temple, 700 E to 1100 E.

A handwritten signature in cursive script, reading "Cindy Cromer". The signature is written in dark ink and is positioned at the bottom right of the letter.

A. LOUIS ZUNGUZE
DIRECTOR

BRENT B. WILDE
DEPUTY DIRECTOR

SALT LAKE CITY CORPORATION
DEPT. OF COMMUNITY DEVELOPMENT
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON
MAYOR

CITY COUNCIL TRANSMITTAL

TO: Rocky Fluhart, Chief Administrative Officer

Date: November 10, 2005

FROM: Louis Zunguze, Community Development Director

RE: Petition 400-05-25 by the City Council requesting that the Planning Division review the City's zoning standards for single- and two-family dwellings and propose amendments which will promote residential infill development that is compatible with the scale and character of the surrounding residential neighborhoods

STAFF CONTACTS: Joel Paterson, Planning Programs Supervisor, at 535-6141 or joel.paterson@slcgov.com

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: Adoption of the proposed Zoning Ordinance text amendments may increase the workload within the Planning Division because of the number of residential new construction and addition projects required to be reviewed under the special exception, administrative public hearing, Planning Commission and Board of Adjustment processes.

DISCUSSION:

ISSUE ORIGIN: On June 21, 2005, the City Council requested that the Planning Division review the City's zoning standards for single and two-family dwellings and propose amendments which will promote residential infill development that is compatible with the scale and character of the surrounding residential neighborhoods.

ANALYSIS: Although the Planning Commission is forwarding a positive recommendation to the City Council to adopt the proposed amendments to regulate residential infill development, the Administration does not intend to convey any negative impressions of infill development as a whole. The Administration recognizes the importance and the benefits of residential infill housing development. However, residential infill development can have a lasting negative impact on the character of a neighborhood if important attributes of the neighborhood are not considered in the design and construction of new residential infill development.

The following list identifies elements of the City Code that contribute to the problem of incompatible residential infill development:

- Over-the-Counter in-line additions
- Building height
- Front yard setback
- Garage and accessory building standards
- Building coverage
- Definition of demolition/teardown
- Fines for building permit violation

PROPOSED ZONING ORDINANCE AMENDMENTS: The proposed amendments modify several existing Zoning Ordinance provisions and create a hierarchy for approvals which allows for the issuance of over-the-counter permits, approvals through an administrative process and review by the Planning Commission or the Board of Adjustment.

The proposed Zoning Ordinance amendments, approval and appeal processes, and definitions are summarized below:

- A. Remove provisions allowing in-line additions through the building permit process:** The Administration proposes to eliminate the over-the-counter permit option for in-line additions. If this amendment is adopted, property owners in the SR-1 and SR-3 districts may still request in-line additions through the existing special exception process.

APPROVAL AND APPEAL PROCESS

1. **Over-the-Counter Permit:** An over-the-counter permit may be issued if the proposed addition meets the required minimum setback requirements.
2. **Routine and Uncontested Special Exception:** If a proposed in-line addition does not meet the minimum setback requirements, the proposal may be reviewed as a routine and uncontested special exception if the property owner obtains signatures of 100% of the abutting property owners.
3. **Administrative Public Hearing:** If an applicant cannot obtain 100% of the signatures required for the Routine and Uncontested Special Exception or if the Zoning Administrator finds that the proposal is not routine and uncontested, the proposed in-line addition may be considered at an administrative public hearing.
4. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

- B. Front Yard Setback for FR, R-1, and SR Zoning Districts – Minimum setback determined by averaging:** This provision would eliminate the Zoning Ordinance's current minimum front and corner side yard setback requirement of twenty feet (20').

STANDARD

The minimum front and corner side yard setback shall be based on the average setback of other dwellings on the same block face. The corner side yard setback in the R-1-5000, SR-1 and SR-3 would remain unchanged at 10 feet. However, the minimum front yard setback established by existing subdivision plats would be respected. For example, in the Foothill Residential districts, many subdivision plats include a defined buildable area for

each lot that establishes the required yards. In such cases, the front yard setback established by the subdivision plat would be maintained. For new subdivisions or blocks where there are no developed properties along the block face, the front yard setback would be 20 feet.

- C. Building Height – R-1/5000, R-1/7000, R-1/12,000, R-2, SR-1, and SR-3:** Because the existing maximum building height of 20 feet measured to the mid-point of the roof does not reflect the existing character in most of the City’s neighborhoods, the Administration is proposing to amend residential building height standards as follows:

STANDARDS

- The maximum building height is proposed to be lowered to 23 feet measured to the crest of the roof. This proposal introduces a building height envelope similar to the method used in the Foothill residential districts. Homes with flat roofs are limited to 18 feet; or
- The average height of single-family dwellings on the block face.

APPROVAL AND APPEAL PROCESS FOR BUILDING HEIGHT

1. Over-the Counter Permits: Any proposed projects that meet the maximum building height standards listed above will receive an over-the-counter building permit.
2. Administrative Public Hearing: Additional building and exterior wall height may be approved through the administrative public hearing process if the proposal is in keeping with the development pattern on the block face.
3. Board of Adjustment: Appeals of the Administrative Hearing Officer’s decision and referrals from the Administrative Hearing Officer shall be heard by the Board of Adjustment which may approve additional building or exterior wall height if the proposal is in keeping with the development pattern of the block face.

- D. Attached Garages and Accessory Buildings:** Standards are proposed for the location and width of attached garages and the location, height, and maximum footprint of accessory buildings, such as detached garages. The proposed standards are summarized below.

STANDARDS FOR ATTACHED GARAGES

- Attached garages must be located behind or in-line with the front line of the principal building unless the development pattern on the block face consists of more than 50 percent (50%) of homes with garages located forward of the front line of the principal building. Existing non-conforming attached garages may be rebuilt to the same dimensions.
- The width of an attached garage facing the street may not exceed 50 percent (50%) of the width of the front façade of the house.

APPROVAL AND APPEAL PROCESS FOR ATTACHED GARAGES

1. Over-the-Counter Permit: Any proposed projects that meet the attached garage standards listed above will receive an over-the-counter building permit.

2. Administrative Determination: Building permits may be authorized by the Planning Director or designee for attached garages located forward of the front-line of the principal building if the applicant can demonstrate that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage which is being replaced.
3. Administrative Public Hearing: Appeals of the administrative determination process are heard by the Administrative Hearing Officer.
4. Board of Adjustment: Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

ACCESSORY BUILDINGS

The Zoning Ordinance currently allows accessory buildings to be located in the rear yard (behind the principal structure) provided that the accessory structure is at least four feet (4') from the principal building on the lot, 10 feet (10') from principal buildings on adjacent lots and if the accessory building is at least one foot (1') from the property lines. In order to minimize the negative impacts that accessory garages may have on adjacent lots, the Administration is proposing the following standards summarized below:

STANDARDS FOR ACCESSORY BUILDINGS

- Accessory structures must be located at least 20 feet (20') from principal buildings on adjacent lots.
- Accessory structures must be located at least one foot (1') but not more than five feet (5') from the rear property line. This minimum distance from the rear property line may be increased to allow the driveway design to meet the Transportation Division's minimum required turning radius and other maneuvering standards. If it can be demonstrated that more than 50 percent (50%) of other properties on the block face have accessory structures located more than five feet (5') from the rear property line, the accessory building may be located a distance from the rear property line that is equal to the average setback from the rear property line of the other accessory structures on the block face.

APPROVAL AND APPEAL PROCESSES FOR ACCESSORY BUILDINGS

1. Over-the-Counter Permit: Any proposed projects that meet the standards for accessory buildings listed above will receive an over-the-counter building permit.
2. Administrative Determination: The Planning Director or designee may authorize the issuance of building permits if the property owner demonstrates that other accessory structures on lots along the same block face are located closer than 20 feet (20') from a principal structure on an adjacent lot or more than five feet (5') from the rear property line. In this case, the proposed accessory structure may be located more than five feet (5') from the rear property line up to a distance that is equal to the average setback of other accessory structures from their respective rear property lines.
3. Administrative Public Hearing: Appeals of the administrative determination process are heard by the Administrative Hearing Officer.

4. Board of Adjustment: The Board of Adjustment may approve an alternate location through the special exception process based on hardships created by topography or mature vegetation.
5. Board of Adjustment: Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

STANDARDS FOR MAXIMUM HEIGHT OF ACCESSORY BUILDINGS

The maximum building height of accessory structures shall be reduced from 17 feet (17') measured to the midpoint of the roof to 15 feet (15') measured to the peak of the roof using an envelope system. The height of accessory structures with a flat roof will remain at 12 feet (12').

APPROVAL AND APPEAL PROCESS FOR MAXIMUM HEIGHT STANDARDS

1. Over-the-Counter Permit: Any proposed projects that meet the standards for maximum height of accessory buildings listed above will receive an over-the-counter building permit.
2. Routine and Uncontested Special Exception: Accessory structures which exceed the maximum wall or accessory building height provisions may be approved as a routine and uncontested special exception if the accessory building is in keeping with the development pattern on the block face subject to the additional standards found in the Zoning Ordinance under Section 21A. 40.050.
3. Administrative Public Hearing Process: If an applicant cannot obtain 100% of the signatures required for the routine and uncontested special exception or if the Zoning Administrator finds that the proposal is not routine and uncontested, the proposed in-line addition may be considered at an administrative public hearing.
4. Board of Adjustment: The Board of Adjustment may approve accessory structures which exceed the maximum wall or accessory building height provisions as a special exception if the accessory building is in keeping with the development pattern on the block face.
5. Board of Adjustment: Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

STANDARD FOR MAXIMUM FOOTPRINT OF ACCESSORY STRUCTURES

The combined maximum footprint of all accessory structures on a lot in single family and two family residential districts is proposed to be limited to a maximum size not to exceed 50 percent (50%) of the size of the footprint of the principal structure on the lot up to a maximum size of 720 square feet for single family dwellings and 1,000 square feet for two-family dwellings. Regardless of the size of the footprint of the principal building, a 480 square foot garage will be allowed. The current Zoning Ordinance standard that limits the footprint of accessory structures to 50 percent (50%) or less of the yard area between the rear of the principal building and the rear property line will remain in place.

APPROVAL AND APPEAL PROCESS OF MAXIMUM FOOTPRINT

1. **Over-the-Counter Permit:** Any proposed projects that meet the standard for maximum footprint of an accessory building listed above will receive an over-the-counter building permit.
2. **Routine and Uncontested Special Exception:** The footprint of an accessory structure between 720 square feet and 900 square feet may be approved as a routine and uncontested special exception subject to the size of the accessory structure being in keeping with the development pattern on the block face.
3. **Administrative Public Hearing:** If an applicant cannot obtain 100% of the signatures required for the routine and uncontested special exception or if the Zoning Administrator finds that the proposal is not routine and uncontested, the proposed in-line addition may be considered at an administrative public hearing.
4. **Board of Adjustment:** The Board of Adjustment may approve an accessory structure with a footprint in excess of 900 square feet as a special exception if the accessory structure is in keeping with the development pattern on the block face.
5. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

E. Maximum Lot Size

STANDARD

With the exception of lots created by a subdivision plat or notices of minor subdivision or minor subdivision amendment recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 150% (except in the SR-3 District where the maximum lot size shall not exceed 200%) of the minimum lot size required by the base zoning district.

APPROVAL AND APPEAL PROCESS

1. **Over-the-Counter Permit:** Any proposed projects that meet the standard for maximum lot size listed above will receive an over-the-counter building permit.
2. **Administrative Public Hearing Process:** Lots in excess of the maximum lot size shall be allowed only if created through the subdivision process and approved by the Planning Commission, subject to the following standards:
 - The square footage of the new lot is compatible with other lots on the same block face.
 - The configuration of the lot is compatible with other lots on the same block.
 - The relationship of the lot width to lot depth is compatible with other lots on the same block face.
3. **Planning Commission:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Planning Commission.

F. Maximum Lot Coverage – New Construction and Additions: The existing lot coverage standards for the SR-1, R-1-5000 and the R-2 districts allow principal and accessory

buildings to occupy a significant area of land beyond the buildable area of a standard 5,000 square foot lot. Other single family residential zoning districts are more restrictive in this respect and limit lot coverage to an area that is equal to or less than the buildable area of a lot meeting the minimum lot size.

For example, a typical 5,000 square foot lot in the R-1-5000 District has a buildable area of approximately 2,000 square feet (40% of the minimum lot size). However, the existing lot coverage standard of 55% equates to 2,750 square feet.

STANDARDS

- R-1-5000 and SR-1 – reduce maximum building coverage from 55% to a base of 40% of lot area.
- R-2 – reduce maximum building coverage for single family dwelling (minimum 5,000 square foot lot) from 45% to a base of 40%

APPROVAL AND APPEAL PROCESS

1. **Over-the-Counter Permit:** Any proposed projects that meet the maximum lot coverage and maximum building height standards will receive an over-the-counter building permit.
2. **Administrative Public Hearing:** The maximum building coverage standard shall decrease as a function of the building height for R-1, R-2 and SR districts for buildings in excess of the maximum building height subject to the development pattern on the block face.
3. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

G. Fines: The Administration proposes that a more substantial penalty be imposed for construction activity undertaken in violation of the ordinance. Currently, the City Code allows the Building Services and Licensing Division to impose a fine that doubles the building permit fee.

STANDARD

- Building Permit Fine equal to ten percent (10%) of the valuation of the proposed construction as determined by the Building Official, or \$1,000.00 whichever is greater.

H. Definition of Demolition: Complete Demolition means any act or process that destroys or removes 75 percent (75%) or more of the exterior walls and or total floor area of a structure, improvement or object.

PLANNING COMMISSION RECOMMENDATION: On November 9, 2005, the Salt Lake City Planning Commission held a public hearing on Petition 400-05-25. Following input from the public, the Commission voted 6-2 to forward a positive recommendation to the City Council to adopt the proposed Zoning Ordinance text amendments. The Planning Commission motion is summarized below:

The Planning Commission recommends forwarding a positive recommendation to the City Council to adopt Petition 400-05-25 requesting to amend the Zoning Ordinance as presented with the following conditions:

1. Review the ordinance after one year to evaluate the effectiveness of the ordinance amendments and assess availability of adequate resources to ensure that applications are being processed in a timely manner so that delays in the review process do not deter investment in communities.
2. The Planning Commission supports the ability of neighborhoods to request neighborhood based compatible residential infill zoning standards on a neighborhood by neighborhood basis.
3. Provide an administrative public hearing option to allow relief from the 20 foot (20') spacing requirement between accessory structures and residential structures on adjacent lots.

PUBLIC PROCESS

- **July 6, 2005** – The Planning Division made a presentation to the Greater Avenues Community Council regarding the compatible residential infill process.
- **September 20, 2005** – The Planning Division briefed the City Council on the progress made to date on the legislative action relating to compatible residential infill development.
- **September 29, 2005** – The Planning Division made a presentation to the Wasatch Hollow/Bonneville Hills Community Councils.
- **October 18, 2005** – The Planning Division presented another briefing to the City Council and proposed specific amendments to Zoning Ordinance provisions that directly affect compatible residential infill development.
- **October 24, 2005** – The Planning Staff presented the proposed zoning amendments to a subcommittee of the Planning Commission. Commissioners John Diamond and Prescott Muir attended the briefing.
- **October 24, 2005** – Planning Staff made a presentation to the Greater Avenues Community Council's committee on compatible infill development.
- **October 25, 2005** – The Planning Division hosted a public open house to obtain public comment on the proposed amendments to the Zoning Ordinance. Approximately 35 people attended.
- **November 2, 2005** – The Planning Division made a presentation to the Yalecrest Neighborhood Council.
- **November 9, 2005** – The Planning Commission held a public hearing to consider the proposed text amendments. Approximately 40 people addressed the Planning Commission during the hearing. The Planning Commission voted 6-2 to forward a positive recommendation to the City Council.

CITY COUNCIL POLICY AND MASTER PLAN CONSIDERATIONS: The issues of neighborhood character and compatible infill development are addressed in several Salt Lake City master plans and other policy documents.

- **Avenues Community Master Plan:** includes a goal that encourages private property improvements that are visually compatible with the surrounding neighborhood.

- **Capitol Hill Master Plan:** includes a goal that encourages development of appropriate housing through renovation of existing structures and construction of compatible residential infill development and redevelopment.
- **Central Community Development Plan:** recommends protecting and enhancing existing neighborhoods through the establishment and enforcement of architectural controls to preserve the scale and character of neighborhoods.
- **East Bench Master Plan:** recognizes that a strong sense of neighborhood identity and zoning regulations play a role in establishing the community's character. The Plan suggests that new construction and additions that are not compatible with the surrounding neighborhood detract from the residential character of the area.
- **East Downtown Neighborhood Plan:** recommends new development to reflect the character of the neighborhood and develop citywide design criteria to insure such compatibility.
- **Northwest Community Master Plan:** recognizes the importance of constructing new housing but also recognizes that the preservation of the character of the existing housing stock is also of paramount importance.
- **Sugar House Master Plan:** includes goals and policies that support creating and sustaining quality residential neighborhoods through new regulations and design guidelines.
- **West Salt Lake Master Plan:** discusses the importance of conserving, revitalizing and generally upgrading neighborhoods by protecting views, architectural forms and styles, and site design characteristics.
- **The Salt Lake City Comprehensive Housing Plan:** includes policy statements that address a variety of housing issues including quality design, public and neighborhood participation, housing preservation, rehabilitation and replacement.
- **The Urban Design Element:** includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities.
- **The Salt Lake City Strategic Plan and the Futures Commission Report:** expresses concepts such as maintaining a prominent sustainable city and ensuring the City is designed to the highest aesthetic standards.
- **The City Council's Growth Policy:** notes that growth in Salt Lake City will be deemed the most desirable if it is aesthetically pleasing; contributes to a livable community environment; yields no negative net fiscal impact unless an overriding public purpose is served; and forestalls negative impacts associated with inactivity.

RELEVANT ORDINANCES: Zoning Ordinance section 21A.50.050 General Amendments

Petition 400-05-25: Residential Infill Compatibility

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Exhibit 1

CHRONOLOGY

CHRONOLOGY

PETITION 400-05-25

June 9, 2005	The City Council adopted an ordinance establishing city-wide temporary zoning regulations associated with compatible residential infill development. This ordinance created new standards regulating the issuance of building permits for any new single family or two-family residential structures and any remodeling, demolition, rebuilding, or expansion of existing single family and two-family residential structures.
June 14, 2005	The City Council repealed the temporary zoning standards adopted on June 9, 2005.
June 21, 2005	The City Council adopted a legislative action requesting that the Planning Division review the City's ordinances relating to infill housing.
July 12, 2005	The City Council adopted Ordinance 44 of 2005 creating the Yalecrest Compatible Infill Overlay District.
September 20, 2005	The Planning Division briefs the City Council on the progress made to date on the legislative action relating to compatible residential infill development.
September 29, 2005	The Planning Division made a presentation to the Wasatch Hollow/Bonneville Hills Community Councils.
October 18, 2005	The Planning Division presents another briefing to the City Council and proposes specific amendments to Zoning Ordinance provisions that directly affect compatible residential infill development.
October 24, 2005	The Planning Staff presented the proposed zoning amendments to a subcommittee of the Planning Commission. Commissioners John Diamond and Prescott Muir attended the briefing.
October 24, 2005	Planning Staff made a presentation to the Greater Avenues Community Council's committee on compatible infill development.
October 25, 2005	The Planning Division hosted a public open house to obtain public comment on the proposed amendments to the Zoning Ordinance. Approximately 35 people attended.
November 2, 2005	The Planning Division made a presentation to the Yalecrest Neighborhood Council.
November 9, 2005	The Planning Commission held a public hearing to consider the proposed text amendments. Approximately 40 people addressed the Planning Commission during the hearing. The Planning Commission voted 6-2 to forward a positive recommendation to the City Council.

Exhibit 2

PROPOSED ORDINANCE

DRAFT

SALT LAKE CITY ORDINANCE
No. _____ of 2005
(Compatible Residential Infill Development Ordinance)

AN ORDINANCE AMENDING SECTION 18.20.090, *SALT LAKE CITY CODE*,
PERTAINING TO PENALTIES FOR STARTING WORK WITHOUT A PERMIT, AND
AMENDING CHAPTER 21A OF THE SALT LAKE CITY ZONING CODE, PURSUANT TO
PETITION NO. 400-05-25.

WHEREAS, the Planning Commission and City Council of Salt Lake City, Utah, have held public hearings and have taken into consideration citizen testimony, filing, and demographic details of the area, the long range general plans of the City, and any local master plan as part of their deliberations. Pursuant to these deliberations, the City Council has concluded that the amendments contained herein are in the best interest of the City.

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

SECTION 1. That Section 18.20.090 of the Salt Lake Code shall be and hereby is amended as set forth on Exhibit A.

SECTION 2. That Chapter 21A of the Salt Lake City Zoning Code shall be and hereby is amended as set forth on Exhibit B.

SECTION 3. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____,
2004.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

ATTEST:

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2004.

Published: _____.

I:\Ordinance 05\Compatible Residential Infill Development Ordinance - 11-09-05 draft.doc

Exhibit A

18.20.090 Start of work without permit-Penalty fees-Emergencies.

- A. Fee Increase When. Whenever any construction or work for which a permit is required by this title is started or commenced without obtaining the prescribed permit, the fees specified in this title may be increased by the building official up to a ~~double~~ fee **of ten percent (10%) of the valuation of the proposed construction as determined by the Building Official, or \$1,000.00, whichever is greater**, but the payment of such increased fees shall not relieve any persons from fully complying with the requirements of this title in the execution of the work nor from any other penalties prescribed herein.

EXHIBIT B

21A.14.060 Procedure For Review And Decision:

- B. **Abutting Property Owners' Signatures:** Application must include signatures of approval of all abutting property owners on a form provided by the Zoning Administrator. If the Zoning Administrator determines it to be appropriate, due to the nature of the application, signatures of approval of property owners across the street(s) may also be required.
1. If all of the required signatures cannot be obtained, the Zoning Administrator shall refer the application to the ~~Board of Adjustment~~ **Administrative Hearing Officer** to be considered as a special exception pursuant to Part V, Chapter 21A.52 of this Title.
 2. If all required signatures are obtained, the Zoning Administrator will approve, approve with conditions, deny or refer the application to the ~~Board of Adjustment~~ **Administrative Hearing Officer** to be considered as a special exception pursuant to Part V, Chapter 21A.52 of this Title.

21A.14.070 Appeal Of Decision:

Any person adversely affected by a decision of the Zoning Administrator or the Administrative Hearing Officer on an application for a routine and uncontested matter may appeal the decision to the Board of Adjustment pursuant to the provisions in Chapter 21A.16 of this Part.

21A.16.010 Authority:

As described in Section 21A.06.040 of this Part, the Board of Adjustment should hear and decide appeals alleging an error in any administrative decision made by the Zoning Administrator or the Administrative Hearing Officer in the administration or enforcement of this Title.

~~U. **Building Height Controls Based On Topography Outside Foothill Districts:** The maximum height of single family, two family or twin home buildings and building additions or structural modifications on any sloping lot in any zoning district, may be measured as the vertical distance between the top of the roof and the finished grade at any given point of building coverage. The maximum building height, when determining height by this method, shall be the same as the maximum height for the FR 2 and FR 3 zoning districts. For the purpose of this section, a lot shall be considered "sloping" if the average grade from side to side or front to back is twelve percent (12%) or greater.~~

VU. Residential Building Foundation Standard: Each dwelling shall have poured concrete footings, the top of which must be placed below the applicable frost line. Except as otherwise authorized by the planning director and the chief building official in foothill districts, each dwelling shall have a site built concrete or masonry foundation/perimeter skirting constructed around the entire perimeter with interior supports as necessary to meet applicable building codes and adopted seismic loading requirements. The dwelling shall be permanently tied to the foundation system in accordance with applicable building codes and adequately weatherproofed.

WY. Entrance Landing: At each exit door, there must be a concrete or wood landing that is a minimum of thirty six inches by thirty six inches (36" x 36"), constructed to meet the minimum requirements of the uniform building code with adequate foundation support and permanent attachment to the building.

W. Any construction work in residential zoning districts shall comply with City Code section 9.28.040 Noises Prohibited.

E. **Minimum Yard Requirements:**

1. Front Yard: ~~Twenty feet (20')~~. The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.
2. Corner Side Yard: ~~Twenty feet (20')~~. The minimum depth of the corner side yard for all principal buildings shall be the average of the existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum corner side yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.

- J. Maximum Lot Size: With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 65,340 square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:
1. The size of the new lot is compatible with other lots on the same block face;
 2. The configuration of the lot is compatible with other lots on the same block face; and
 3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

K. **Standards for Attached Garages:**

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

21A.24.030

FR-2/21,780

E. Minimum Yard Requirements:

1. Front Yard: Twenty feet (20'). The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.
2. Corner Side Yard: Twenty feet (20'). The minimum depth of the corner side yard for all principal buildings shall be the average of the existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum corner side yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.

- J. Maximum Lot Size:** With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 32,670 square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:
1. The size of the new lot is compatible with other lots on the same block face;
 2. The configuration of the lot is compatible with other lots on the same block face; and
 3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

K. Standards for Attached Garages:

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

21A.24.040

FR-3/12,000

E. Minimum Yard Requirements:

1. Front Yard: Twenty feet (20'). The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.
2. Corner Side Yard: Twenty feet (20'). The minimum depth of the corner side yard for all principal buildings shall be the average of the existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum corner side yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.

J. Maximum Lot Size: With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 18,000 square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

K. Standards for Attached Garages:

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

R-1-12,000

21A.24.050

D. Maximum Building Height:

- 1. ~~The maximum building height permitted in this district is thirty feet (30') or two and one-half (2 1/2) stories, whichever is less~~ The maximum building height shall be:**
 - a. twenty-three feet (23') for buildings with pitched roofs and eighteen feet (18') for buildings with flat roofs; or**
 - b. the average height of other principal buildings on the block face.**
- 2. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in part VI, chapter 21A.62 of this title.**
- 3. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').**
- 4. Additional Building Height: Additional building height may be granted as a special exception by an Administrative Hearing Officer subject to the special exception standards in 21A.52 and if the proposed building height is in keeping with the development pattern on the block face.**

E. Minimum Yard Requirements:

- 1. Front Yard: Twenty feet (20'). The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20').**
- 2. Corner Side Yard: Twenty feet (20'). The minimum depth of the corner side yard for all principal buildings shall be the average of the existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20').**

G. Maximum Lot Size: With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 18,000 square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

- 1. The size of the new lot is compatible with other lots on the same block face;**

2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

H. Standards for Attached Garages:

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

R-1-7,000
21A.24.060

D. Maximum Building Height:

1. ~~The maximum building height permitted in this district is thirty feet (30') or two and one-half (2-1/2) stories, whichever is less~~ The maximum building height shall be:
 - a. twenty-three feet (23') for buildings with pitched roofs and eighteen feet (18') for buildings with flat roofs; or
 - b. the average height of other principal buildings on the block face.
2. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in part VI, chapter 21A.62 of this title.
3. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').
4. Additional Building Height: Additional building height may be granted as a special exception by an Administrative Hearing Officer subject to the special exception standards in 21A.52 and if the proposed building height is in keeping with the development pattern on the block face.

E. Minimum Yard Requirements:

1. Front Yard: Twenty feet (20'). The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20').
2. Corner Side Yard: Twenty feet (20'). The minimum depth of the corner side yard for all principal buildings shall be the average of the existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20').

- G. Maximum Lot Size in the FR districts, R-1 districts, R-2 district and SR districts:** With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 10,500 square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:
1. The size of the new lot is compatible with other lots on the same block face;
 2. The configuration of the lot is compatible with other lots on the same block face; and

3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

H. Standards for Attached Garages:

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

R-1-5,000
21A.24.070

D. Maximum Building Height:

- 1. ~~The maximum building height permitted in this district is thirty feet (30') or two and one-half (2 1/2) stories, whichever is less~~ The maximum building height shall be:**
 - a. twenty-three feet (23') for buildings with pitched roofs and eighteen feet (18') for buildings with flat roofs; or**
 - b. the average height of other principal buildings on the block face.**
- 2. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in part VI, chapter 21A.62 of this title.**
- 3. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').**
- 4. Additional Building Height: Additional building height may be granted as a special exception by an Administrative Hearing Officer subject to the special exception standards in 21A.52 and if the proposed building height is in keeping with the development pattern on the block face.**

E. Minimum Yard Requirements:

- 1. Front Yard: Twenty feet (20'). ~~For buildings legally existing on April 12, 1995, the required front yard shall be no greater than the established setback line of the building.~~ The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20').**
- 2. Corner Side Yard: Ten feet (10').**
- 3. Interior Side Yard:**
 - a. Corner Lots: Four feet (4').**
 - b. Interior Lots: Four feet (4') on one side and ten feet (10') on the other.**

F. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed ~~fifty-five percent (55%)~~ **forty percent (40%)** of the lot.

G. Maximum Lot Size: With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 7,500 square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

H. Standards for Attached Garages:

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

D. Maximum Building Height:

1. The maximum building height permitted in this district is thirty feet (30') or two and one-half (2 1/2) stories, whichever is less. The maximum building height shall be:
 - a. twenty-three feet (23') for buildings with pitched roofs and eighteen feet (18') for buildings with flat roofs; or
 - b. the average height of other principal buildings on the block face.
2. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in part VI, chapter 21A.62 of this title.
3. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').
4. Additional Building Height: Additional building height may be granted as a special exception by an Administrative Hearing Officer subject to the special exception standards in 21A.52 and if the proposed building height is in keeping with the development pattern on the block face.

E. Minimum Yard Requirements:

1. Front Yard: Twenty percent (20%) of the lot depth, or twenty five feet (25') whichever is less. For buildings legally existing on April 12, 1995, the required front yard shall be no greater than the established setback line of the existing building. The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.
2. Corner Side Yard: Ten feet (10'). For buildings legally existing on April 12, 1995, the required corner side yard shall be no greater than the established setback line of the existing building.
3. Interior Side Yard:
 - e. Existing Lots: For buildings legally existing on April 12, 1995, the required interior side yard shall be no greater than the established setback line of the existing building.

- G. Maximum Lot Size:** With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 150% of the minimum lot size allowed by the base zoning district. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:
- 1. The size of the new lot is compatible with other lots on the same block face;**
 - 2. The configuration of the lot is compatible with other lots on the same block face; and**
 - 3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.**

H. Standards for Attached Garages:

- 1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.**
- 2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.**
- 3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.**
- 4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.**

SR-3

21A.24.100

D. Maximum Building Height:

1. ~~The maximum building height permitted in this district is thirty feet (30') or two and one-half (2 1/2) stories, whichever is less~~ The maximum building height shall be:
 - a. twenty-three feet (23') for buildings with pitched roofs and eighteen feet (18') for buildings with flat roofs; or
 - b. the average height of other principal buildings on the block face.
2. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in part VI, chapter 21A.62 of this title.
3. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').
4. Additional Building Height: Additional building height may be granted as a special exception by an Administrative Hearing Officer subject to the special exception standards in 21A.52 and if the proposed building height is in keeping with the development pattern on the block face.

E. Minimum Yard Requirements:

1. ~~Front Yard: Ten feet (10'). For buildings legally existing on April 12, 1995, the required front yard shall be no greater than the established setback line of the existing building. The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.~~
2. ~~Corner Side Yard: Ten feet (10'). For buildings legally existing on April 12, 1995, the required corner side yard shall be no greater than the established setback line of the existing building.~~
3. **Interior Side Yard:**
 - a. ~~Single-Family Detached Dwellings: Four feet (4'), provided that for buildings legally existing on April 12, 1995, the required interior side yard(s) shall be no greater than the established setback line of the building.~~
 - b. **Single-Family Attached And Twin Home Dwellings:** When abutting a single-family dwelling, a four foot (4') yard is required, otherwise no interior

yard is required. Where a yard is provided, it shall be not less than four feet (4'), ~~or result in a minimum four foot (4') separation between buildings when combined with an existing yard on an adjacent lot.~~

- H. Maximum Lot Size:** With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 200% of the minimum lot size allowed by the base zoning district. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:
1. The size of the new lot is compatible with other lots on the same block face;
 2. The configuration of the lot is compatible with other lots on the same block face; and
 3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

I. Standards for Attached Garages:

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

R-2

21A.24.110

D. Maximum Building Height:

- 1. ~~The maximum building height permitted in this district is thirty feet (30') or two and one half (2 1/2) stories, whichever is less~~ The maximum building height shall be:**
 - a. twenty-three feet (23') for buildings with pitched roofs and eighteen feet (18') for buildings with flat roofs; or**
 - b. the average height of other principal buildings on the block face.**
- 2. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in part VI, chapter 21A.62 of this title.**
- 3. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').**
- 4. Additional Building Height: Additional building height may be granted as a special exception by an Administrative Hearing Officer subject to the special exception standards in 21A.52 and if the proposed building height is in keeping with the development pattern on the block face.**

E. Minimum Yard Requirements.

- 1. Front Yard. ~~Twenty percent of the lot depth, but need not exceed twenty feet.~~ The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20').**

F. Maximum Building Coverage. The surface coverage of all principal and accessory buildings shall not exceed forty-five percent (45%) of the lot **for two-family dwellings and forty percent (40%) for single family dwellings.** For lots with buildings legally existing on April 12, 1995, the coverage of existing buildings shall be considered legal conforming.

- G. Maximum Lot Size:** **With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 150% of the minimum lot size allowed by the base zoning district. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:**
- 1. The size of the new lot is compatible with other lots on the same block face;**
 - 2. The configuration of the lot is compatible with other lots on the same block face; and**

3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

H. Standards for Attached Garages:

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

A. Location Of Accessory Buildings In Required Yards:

3. **Rear Yards:** Location of accessory buildings in a rear yard shall be as follows:
 - a. In residential districts, no accessory building shall be closer than one foot (1') to a side or rear lot line except when sharing a common wall with an accessory building on an adjacent lot. In nonresidential districts, buildings may be built to side or rear lot lines in rear yards, provided the building complies with all applicable requirements of the adopted building code; and
 - b. No portion of the accessory building shall be built closer than four feet (4') to any portion of the principal building.
 - c. Garages on two (2) or more properties that are intended to provide accessory building use for the primary occupants of the properties, in which the garage is located, may be constructed in the rear yards, as a single structure subject to compliance with adopted building code regulations and the size limits for accessory buildings on each property as indicated herein.
 - d. In the R-1 Districts, R-2 District and SR Districts accessory structures shall be located a maximum of five feet (5') from the rear property line subject to the following exceptions:
 - i. The maximum setback from the rear property line may be increased to meet the Transportation Division minimum required turning radius and other maneuvering standards.
 - ii. The Planning Director or designee may authorize the issuance of building permits for an accessory structure with a maximum setback of more than five feet (5') from the rear property line if the property owner demonstrates that fifty percent (50%) or more of the properties on the block face have accessory structures located more than five feet (5') from the rear property line. In this case, the accessory structure may be setback from the rear property line a distance equal to the average setback of the other accessory structures on the block face. An appeal of this administrative decision shall be heard by an Administrative hearing officer subject to the provision of 21A.52 of this Title.
 - iii. The Board of Adjustment may approve an alternate location for an accessory structure as a special exception based on hardships created by topography or the location of mature vegetation.
4. **Accessory Or Principal Lot:** No portion of an accessory building on either an accessory or principal lot may be built closer than ~~ten feet (10')~~ **twenty feet (20')** to any portion of a principal residential building on an adjacent lot when that adjacent lot is in a residential zoning district.
 - a. Exception: The Planning Director or designee may authorize the issuance of building permits for an accessory structure that is less than twenty feet (20') but more than ten feet (10') to any portion of a principal residential building on an adjacent lot if the property owner demonstrates that fifty percent (50%) or more of the properties on the block face have accessory structures located between ten feet (10') and twenty feet (20')

from any portion of a principal residential building on an adjacent lot. In this case, the accessory structure may be setback from the principal residential building on an adjacent lot a distance equal to the average setback of the other accessory structures on the block face. An appeal of this administrative decision shall be heard by an Administrative hearing officer subject to the provision of 21A.52 of this Title.

B. Maximum Coverage:

1. **Yard Coverage:** In residential districts, any portion of an accessory building shall occupy not more than fifty percent (50%) of the total area ~~of the required rear yard located between the rear façade of the principal building and the rear lot line.~~
2. **Building Coverage:** In residential districts the maximum building coverage of all accessory buildings shall not exceed fifty percent (50%) of the building footprint of the principal structure up to a maximum of 720 square feet for a single family dwelling and 1,000 square feet for a two-family dwelling. Regardless the size of the footprint of the principal building, at least 480 square feet of accessory building coverage shall be allowed subject to the compliance with subsection 21A.40.050.B.1 of this section.
 - ~~a. Seven hundred twenty (720) square feet for a single family dwelling; and~~
 - ~~b. One thousand (1,000) square feet for a two-family dwelling.~~

C. Maximum Height Of Accessory Buildings/Structures:

1. **Accessory To Residential Uses in the RMF districts, RB, R-MU districts, and the RO District:** The height of accessory buildings/structures in residential districts shall conform to the following:
 - a. The height of accessory buildings with flat roofs shall not exceed twelve feet (12');
 - b. The height of accessory buildings with pitched roofs shall not exceed seventeen feet (17'); and
 - c. Accessory buildings with greater building height may be approved as a special exception, pursuant to part V, chapter 21A.52 of this title
2. **Accessory To Residential Uses in the FR districts, R-1 districts, R-2 district and SR districts:** The height of accessory buildings/structures in the FR districts, R-1 district, R-2 district and SR districts shall conform to the following:
 - a. The height of accessory buildings with flat roofs shall not exceed twelve feet (12');
 - b. The height of accessory buildings with pitched roofs shall not exceed fifteen feet (15') measured as the vertical distance between the top of the roof and the finished grade at any given point of building coverage; and
 - c. Accessory buildings with greater building height may be approved as a special exception, pursuant to part V, chapter 21A.52 of this title if the proposed accessory building is in keeping with other accessory buildings on the block face.

4. **Accessory Or Principal Lot:** No portion of an accessory building on either an accessory or principal lot may be built closer than ~~ten feet (10')~~ twenty feet (20') to any portion of a principal residential building on an adjacent lot when that adjacent lot is in a residential zoning district.

21A.62.040

"Building Height – ~~Foothills Districts~~: In the FR-1, FR-2, FR-3, ~~and the FP, R-1/5,000, R-1/7,000, R-1/12,000, R-2, SR-1 and SR-3~~ districts," building height shall be the vertical distance between the top of the roof and the grade of the site, as described in subsection of this title, measured at any given point of building coverage. (See illustration in section 21A.62.050 of this chapter.)

"Building height – outside ~~foothills~~ FR FP, R-1, R-2 and SR districts" means the vertical distance, measured from the average elevation of the finished lot grade at each face of the building, to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof. (See illustration in section 21A.62.050 of this chapter.)

"Complete Demolition" means any act or process that destroys or removes seventy-five percent (75%) or more of the exterior walls and or total floor area of a structure, improvement or object.

21A.62.050 Illustrations Of Selected Definitions:

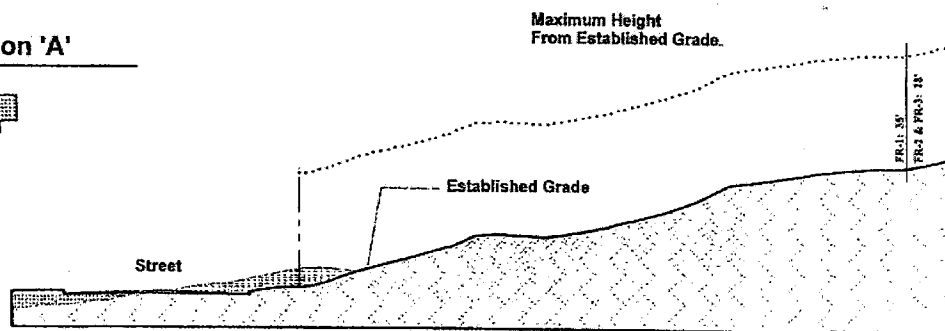
The definitions listed below are illustrated on the following pages:

- A. Building Height In Foothills Districts, R-1 Districts, R-2 District and SR Districts.
- B. Building Height (Outside Foothills Districts, R-1 Districts, R-2 District and SR Districts).

Illustration 'A'

BUILDING HEIGHT IN FOOTHILLS DISTRICTS, R-1 DISTRICTS, R-2 DISTRICT AND SR DISTRICTS.

Illustration 'A'

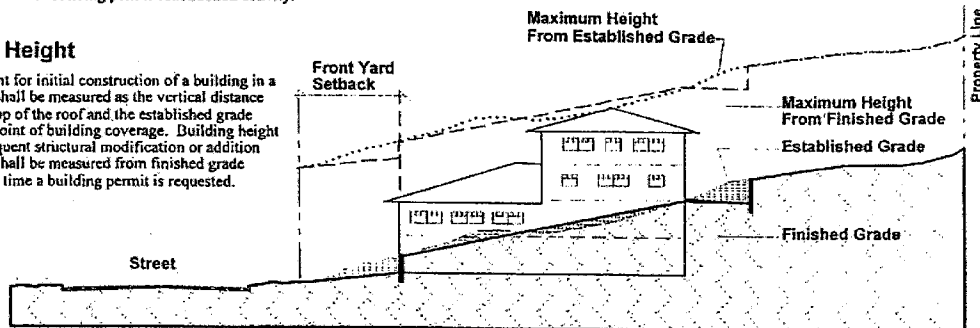


Established Grade

"The natural topographic grade of undisturbed areas on a site or the grade that exists after approved subdivision site development activity has been completed prior to approval for building permit construction activity."

Building Height

Building height for initial construction of a building in a foothill zone shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested.



Finished Grade

"The finished grade of a site after reconfiguring grades according to an approved re-grading plan related to the initial building permit activity on a site."

Illustration – B

BUILDING HEIGHT (OUTSIDE FOOTHILL DISTRICTS, R-1 DISTRICTS, R-2 DISTRICT AND SR DISTRICTS)

DEFINITION :

Building Height

The vertical distance measured from the average elevation of the finished lot grade at each face of the building, to the highest point of the coping of a flat roof; the deck line of a mansard roof, or the average height of the gable on a pitched, gambrel, hip or shed roof.

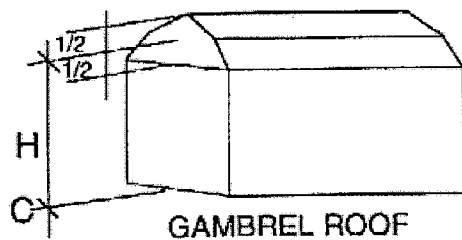
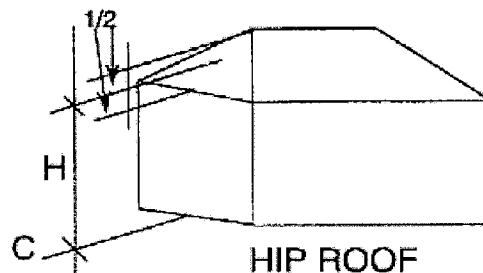
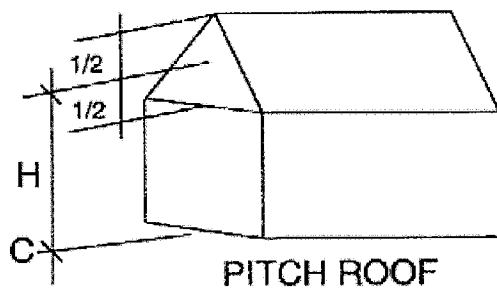
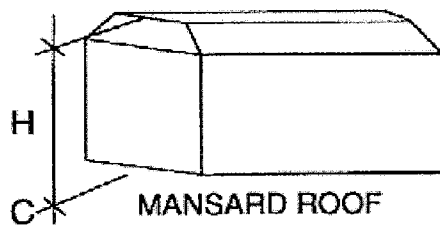
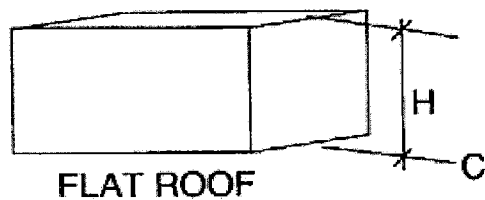


Exhibit 3

**CITY COUNCIL
HEARING NOTICE**

NOTICE OF PUBLIC HEARING

The Salt Lake City Council will hold a public hearing concerning Petition 400-05-25 and consider adopting an ordinance to amend provisions of the Salt Lake City Code that may contribute to residential infill development that is not compatible with the surrounding development within various single and two-family residential zoning districts. The City Council will consider recommending amendments to provisions of the Chapter 21A of the City Code dealing with in-line additions, building height, yard requirements, garage placement and accessory building standards, lot size, building coverage, definition of the term "demolition" and Chapter 18.20.090 of the City Code pertaining to fines assessed for construction activity undertaken in violation of the proposed standards.

The City Council will hold a public hearing:

Date:

Time: 7:00 p.m.

Place: Room 315 (City Council Chambers)
Salt Lake City and County Building
451 S. State Street
Salt Lake City, UT

Please enter the building from the east side

You are invited to attend this hearing, ask questions or provide input concerning the topic listed above. If you have any questions, contact Joel Paterson at 535-6141 between the hours of 8:00 a.m. and 5:00 p.m., or send e-mail to joel.paterson@slcgov.com

We comply with all ADA guidelines. Accessible parking and entrance are located on the east side of the building. Hearing impaired who wish to attend the above meeting should contact Salt Lake City's TDD service number at 535-6021, a minimum of four days in advance so that an interpreter can be provided.

Exhibit 4

MAILING LABELS

ORGANIZATIONS:

Updated: 4/1/2005 sj

DOWNTOWN ALLIANCE
BOB FARRINGTON, DIRECTOR
175 EAST 400 SOUTH, #100
SALT LAKE CITY, UT 84111

S.L. CHAMBER OF COMMERCE
175 EAST 400 SOUTH, SUITE #100
SALT LAKE CITY, UT 84111

ATTN: CAROL DIBBLEE
DOWNTOWN MERCHANTS ASSN.
10 W. BROADWAY, SUITE #420
P.O. BOX
SALT LAKE CITY, UT 84101

HISPANIC CHAMBER OF
COMMERCE
P.O. BOX 1805
SALT LAKE CITY, UT 84110

VEST POCKET BUSINESS
COALITION
P.O. BOX 521357
SALT LAKE CITY, UT 84152-1357

SUGAR HOUSE MERCHANTS ASSN.
c/o BARBARA GREEN
SMITH-CROWN
2000 SOUTH 1100 EAST
SALT LAKE CITY, UT 84106

WESTSIDE ALLIANCE
c/o NEIGHBORHOOD HOUSING SVS.
MARIA GARCIA
622 WEST 500 NORTH
SALT LAKE CITY, UT 84116

Joel Paterson
2450 E. Lamborne
SLC, UT 84109

Clint Johnson
1555 S. Wasatch Dr.
SLC, UT 84108

Clint Johnson
1116 S. Richards St.
SLC, UT 84101

Joel Paterson
451 S. State St. Rm 406
SLC, UT 84101

COMMUNITY COUNCIL CHAIRS:

Updated: 7/19/2005 sj

KEN FUTZ, CHAIR
WEST POINTE COMM. COUNCIL
1217 NO. BRIGADIER CIRCLE
SALT LAKE CITY, UT 84116

KENNETH L. NEAL, CHAIR
ROSE PARK COMMUNITY COUNCIL
1071 NO. TOPAZ DR.
SALT LAKE CITY, UT 84116

ANGIE VORHER, CHAIR
JORDAN MEADOWS COMM. COUNCIL
1988 SIR JAMES DRIVE
SALT LAKE CITY, UT 84116

VICKY ORME, CHAIR
FAIRPARK COMM. COUNCIL
159 NORTH 1320 WEST
SALT LAKE CITY, UT 84116

MIKE HARMAN, CHAIR
POPLAR GROVE COMM. COUNCIL
1044 WEST 300 SOUTH
SALT LAKE CITY, UT 84104

RANDY SORENSON, CHAIR
GLENDALE COMMUNITY COUNCIL
1184 SO. REDWOOD DRIVE
SALT LAKE CITY, UT 84104-3325

PETER VON SIVERS, CHAIR
CAPITOL HILL COMMUNITY COUNCIL
223 WEST 400 NORTH
SALT LAKE CITY, UT 84103

JILL VAN LANGEVELD, CHAIR
GRTR. AVENUES COMM. COUNCIL
807 E. NORTHCLIFFE DRIVE
SALT LAKE CITY, UT 84103

BILL DAVIS, CHAIR
RIO GRANDE COMMUNITY COUNCIL
329 E. HARRISON AVENUE
SALT LAKE CITY, UT 84115

BILL PLASTOW, CHAIR
PEOPLES FREEWAY COMM. COUNCIL
1625 SOUTH WEST TEMPLE
SALT LAKE CITY, UT 84115

THOMAS MUTTER, CHAIR
CENTRAL CITY COMMUNITY COUNCIL
228 EAST 500 SOUTH, #100
SALT LAKE CITY, UT 84111

DENNIS GUY-SELL, CHAIR
EAST CENTRAL COMMUNITY
COUNCIL
P.O. BOX 520473
SALT LAKE CITY, UT 84152-0473

BRIAN WATKINS, CHAIR
LIBERTY WELLS COMM. COUNCIL
1744 SOUTH 600 EAST
SALT LAKE CITY, UT 84106

JIM WEBSTER, CHAIR
YALECREST COMMUNITY COUNCIL
938 MILITARY DRIVE
SALT LAKE CITY, UT 84108-1326

MARYDELLE GUNN, CHAIR
WASATCH HOLLOW
COMMUNITY COUNCIL
1595 SOUTH 1300 EAST
SALT LAKE CITY, UT 84105

LARRY SPENDLOVE, CHAIR
SUNNYSIDE EAST ASSOCIATION
2114 E. HUBBARD AVENUE
SALT LAKE CITY, UT 84108

ELLEN REDDICK, CHAIR
BONNEVILLE HILLS
COMMUNITY COUNCIL
2177 ROOSEVELT AVE.
SALT LAKE CITY, UT 84108

DAVE MORTENSEN, CHAIR
ARCADIA HEIGHTS/BENCHMARK
COMMUNITY COUNCIL
2278 SIGNAL POINT CIRCLE
SALT LAKE CITY, UT 84109

MARK HOLLAND, CHAIR
SUGAR HOUSE COMM. COUNCIL
1942 BERKELEY STREET
SALT LAKE CITY, UT 84105

PAM PEDERSEN, CHAIR
EAST LIBERTY PARK
(e-mail) 1165 Windsor St.
SLC UT 84106

MICHAEL AKERLOW
FOOTHILL/SUNNYSIDE
COMMUNITY COUNCIL
1940 E. HUBBARD AVENUE
SALT LAKE CITY, UT 84108

PAUL TAYLER, CHAIR
OAK HILLS COMMUNITY COUNCIL
1165 SO. OAKHILLS WAY
SALT LAKE CITY, UT 84108

MIKE ZUHL, CHAIR
INDIAN HILLS COMMUNITY COUNCIL
2676 E. COMANCHE DRIVE
SALT LAKE CITY, UT 84108

DOUG FOXLEY, CHAIR
ST. MARY'S COMMUNITY COUNCIL
1449 DEVONSHIRE DRIVE
SALT LAKE CITY, UT 84108

TIM DEE, CHAIR
SUNSET OAKS COMMUNITY COUNCIL
1575 DEVONSHIRE DRIVE
SALT LAKE CITY, UT 84108

SHAWN McMILLEN, CHAIR
H ROCK COMMUNITY COUNCIL
1855 SOUTH 2600 EAST
SALT LAKE CITY, UT 84108

WATERWORKS
2394 E SUNDOWN CIRCLE
SALT LAKE CITY , UT 84121

WATTCO ENTERPRISES INC
9550 NORTH 6800 WEST
HIGHLAND , UT 84003

WATTS ENTERPRISES INC
5200 S HIGHLAND DR
SALT LAKE CITY , UT 84117

WAYMAN, C L PIPING LC
260 W. PLYMOUTH AVENUE
SALT LAKE CITY , UT 84115

WEBB BROTHERS
CONSTRUCTION INC
8738 S SANDY PKWY
SANDY , UT 84070

WERNLI INC
264 SOUTH GLENDALE
SALT LAKE , UT 84104

WESTERN AUTOMATIC
SPRINKLER IN
2510 S WEST TEMPLE
SALT LAKE CITY , UT 84115

WESTERN DEVELOPMENT &
CONST
1958 E 900 S
SALT LAKE CITY , UT 84108

WESTERN STATES FIRE
PROTECTION
39 W TRUMAN AVE
SLC , UT 84115

WEYHER CONSTRUCTION CO
P O BOX 16717
SLC , UT 84116

WHITE, RAY ROOFING INC
3954 S 6990 W
SALT LAKE CITY , UT 84120

YACK, MARTIN CONSTR INC
12815 S 300 E
DRAPER , UT 84020

YEAGLE & SONS PLUMBING
181 LAKEVIEW
STANSBURY PARK , UT 84074

YOUNG ELECTRIC SIGN CO
1148 S 300 W
SALT LAKE CITY , UT 84101

ZARBOCK, JOHN PLUMBING,
INC
P.O.BOX 65098
SO. SLC , UT 84165

ZIONS SECURITIES CORP
102 E SOCIAL HALL AVE
SALT LAKE CITY , UT 84111

Joel Paterson
2450 E. Lambourne Ave
SLC , UT 84109

Joel Paterson
451 S. State St. Rm 406
SLC , UT 84111

Lisa Eisenberg
1856 Downingtown Ave.
Salt Lake City, UT 84108

Jill Van Langeveld
807 E Northcliffe Drive
Salt Lake City, UT 84103

David Richardson
510 S. 600 E.
SLC UT 84102

Dave Richards
1399 S. 700 E.
SLC UT 84105

Max Smith
MJSA
357 W. Pierpont Ave.
SLC UT 84101

Kirk Huffacker
Utah Heritage Foundation
485 N. Canyon Rd.
SLC UT 84103

Dave and Lisette Gibson
1764 E. Hubbard Ave.
SLC UT 84108

Sydney Fannesbeck
50 S. 600 E.
SLC UT 84102

Soren Simonsen
700 N. 200 W.
SLC UT 84103

Helen Peters
2803 Beverly Street
SLC UT 84106

Thomas Ellison
Stoel Rives
201 S. Main Street
SLC UT 84111

Cindy Cromer
250 S. 1000 E.
SLC UT 84102

TINGEY PLUMBING &
HEATING
1801 S 900 W
SALT LAKE CITY, UT 84104

TOLBOE CONSTRUCTION
COMPANY
1363 S MAJOR ST
SLC, UT 84115

TOPP CONSTRUCTION INC
P.O. BOX 57191
MURRAY, UT 84107

TOTAL RESTORATION
3565 S WEST TEMPLE
SLC, UT 84115

TOWERS, HERB MURRAY PLBG
5757 SOUTH STATE
SALT LAKE CITY, UT 84107

TRI-SHAMROCK INC
340 W 500 N
NORTH SALT LAKE, UT 84054

TRIAANTAFILLOU REMODEL &
WOODWO
1448 S 10TH E
SALT LAKE CITY, UT 84105

TROJAN ROOFING COMPANY
P O BOX 1508
WEST JORDAN, UT 84084

TUFF SHED, INC
1777 S HARRISON ST #600
DENVER, CO 80210

TURNER & CO
P O BOX 520904
SLC, UT 84152

UEAC, INC
145 WEST 2950 SOUTH
SALT LAKE CITY, UT 84115

UNI-WEST INC
2896 E 3300 S
SALT LAKE, UT 84109

UNITED FENCE COMPANY
2525 SOUTH 2700 WEST PO
BOX 26933
SALT LAKE CITY, UT 84126

UNITED FURNACE
P.O. BOX 17397
SALT LAKE CITY, UT 84121

UTAH CLEANING SYSTEMS
INC
13081 S MINUTEMAN DR
DRAPER, UT 84020

UTAH COMMERCIAL
CONTRACTORS
748 S 5300 W #A
SALT LAKE CITY, UT 84104

UTAH HOME BUILDING
COMPANY
4682 SOUTH 150 WEST
MURRAY, UT 84107

UTAH OUTDOOR
ADVERTISING INC
1675 NORTH BECK ST
SALT LAKE CITY, UT 84116

UTAH TILE CORP
11286 S 675 W
S JORDAN, UT 84095

VANKEIZERWAARD
CARPENTRY
1234 SOUTH 1800 EAST
SLC, UT 84108

VANNCO ARCH & CONSTR INC
3893 W BETH PARK DR
WVC, UT 84120

VARSITY CONTRACTORS INC
6012 SIERRA GRANDE DR
TAYLORSVILLE, UT 84118

VIKING ROOFING, LLC
5136 W. GASKILL WY.
W.JORDAN, UT 84088

W E CORP
2770 SOUTH MAIN ST
SLC, UT 84115

W F ENGINEERING INC
PO BOX 271100
SLC, UT 84127

WADMAN CORPORATION
PO BOX 1458
OGDEN, UT 84402

WADSWORTH BROS CONST
CO, INC &
13526 S 110 W
DRAPER, UT 84020

WADSWORTH, CALVIN L
CONST
14912 S. HERITAGECREST WAY
BLUFFDALE, UT 84065

WAGSTAFF CONSTRUCTION
INC
6300 N SAGEWOOD DR H235
PARK CITY, UT 84098

WASATCH SUMMIT
CONSTRUCTION
P.O. BOX 441
OAKLEY, UT 84055

SPECTRUM DYNAMICS, INC
2806 S 2000 E
SALT LAKE CITY , UT 84109

STAKER PAVING & CONST CO
INC
1000 W CENTER
NORTH SALT LAKE, UT 84054

STEEL ENCOUNTERS
525 EAST 300 SOUTH
SALT LAKE CITY , UT 84102

STIRLING CONSTRUCTION INC
15 W. 4800 S.
MURRAY , UT 84107

SUBURBAN PROPERTY
MAINTENANCE
2785 W 9000 S
W JORDAN , UT 84088

T S ELECTRIC INC
6220 S. 300 W.
MURRAY , UT 84107

TECHNICAL AIR SPECIALISTS
INC
226 W 3620 S
SALT LAKE CITY , UT 84115

TERRAN-OMNI GROUP INC
388 EAST 2000 NORTH
OGDEN , UT 84414

THIEDE CONSTRUCTION CORP
4183 WEST 2100 SOUTH
SALT LAKE CITY , UT 84120

THORNTON PLUMBING &
HEATING CO
6790 S 400 W
Midvale , UT 84047

SPEIRS, ROBERT W PLUMBING
INC
PO BOX 345
KAYSVILLE , UT 84037

STALLINGS CONSTRUCTION
CO
5280 S. COMMERCE DR E-150
MURRAY , UT 84107

STEEL SHADE
948 EAST 7145 SO. #C102
MIDVALE , UT 84047

STREAMLINE CONSTR. DESIGN
320 W 200 S #280-B
SLC , UT 84101

SUGAR HOUSE
AWNING/CANVAS PROD
2005 S 1100 E
SALT LAKE CITY , UT 84106

T.H.R. CONSTRUCTION, LLC
300 E GORDON LN
MURRAY , UT 84107

TEMPERATURE
TECHNOLOGIES
4850 S. 500 W.
MURRAY , UT 84123

THE ELM GROUP INC
1809 SOUTH 900 WEST
SALT LAKE , UT 84119

THOLEN, PRESTON
CONSTRUCTION
813 W HOYTSVILLE RD
COALVILLE , UT 84017

THORUP BROTHERS
CONSTRUCTION
3048 THORUP CIR
WEST VALLEY CIT, UT 84119

SQUIRES CONSTRUCTION INC
350 S 100 E
FARMINGTON , UT 84025

STAPP CONSTRUCTION, INC
649 W 250 S
FARMINGTON , UT 84025

STEVENS, TOM
CONSTRUCTION
2662 VERONA CIRCLE
SALT LAKE CITY , UT 84117

STUART, TOM CONSTRUCTION
INC
100 N 700 W UNIT C
NORTH SALT LAKE, UT 84054

SUNUP BUILDING CO
968 DUPLER ROAD
SANDY , UT 84094

TEAM MECHANICAL INC
P O BOX 287
KAYSVILLE , UT 84037

TEMPORARY SERVICE &
RENTAL
9861 S. AMBER LN.
SANDY , UT 84094

THEY INC
6482 S 2520 E
SLC , UT 84121

THOMPSON, M K CNST
2164 LAKELINE DRIVE
SALT LAKE CITY , UT 84109

TINGEY CONSTRUCTION CO
INC
301 S. MAIN
CENTERVILLE , UT 84014

RICHINS GENERAL
ENGINEERING
1568 WEST LAUREL CHASE CIR
RIVERTON , UT 84065

ROBBINS CENTRAL ELECTRIC
PO BOX 17897
SALT LAKE CITY , UT 84117

ROYAL CONST &
RESTORATION INC
4112 W HARVEST MOON DR
SOUTH JORDAN , UT 84095

S L NEIGHBORHOOD HOUSING
SERV
622 WEST 500 NORTH
SALT LAKE CITY , UT 84116

SALT LAKE CITY CONST CO
5139 S. COMMERCE DR.
SALT LAKE CITY , UT 84107

SAVAGE CONSTRUCTION INC
8070 S 700 E
SANDY , UT 84070

SHEET METAL SYSTEMS
12659 S 125 E
DRAPER , UT 84020

SIEVERTS LUXAIRE SUNBEAM
1881 EAST 8325 S
SANDY 84093

SL COMMUNITY ACTION
PROGRAM
764 SOUTH 200 WEST
SLC , UT 84101

SORENSEN, CRAIG F
CONSTRUCTION
918 SOUTH 2000 WEST
SYRACUSE , UT 84075

RIDGES, R A CO, INC
425 WEST 400 SOUTH
SALT LAKE CITY , UT 84101

ROCKY MOUNTAIN
MECHANICAL
3412 SOUTH WEST TEMPLE
SALT LAKE CITY , UT 84115

ROYAL SEAL CONSTRUCTION
INC
3207 JUSTING RD
FLOWER MOUND , TX 75028

SAHARA INC
801 N. 500 W #300
W. BOUNTIFUL , UT 84087

SALT LAKE VALLEY HABITAT
716 E 4500 S #N160
SALT LAKE CITY , UT 84107

SERVICE EXPERTS OF S L C
LLC
7682 S MAPLE ST
MIDVALE , UT 84047

SHELTER CONSTRUCTION CO,
INC
851 SO. RICHARDS ST.
SALT LAKE CITY , UT 84101

SIGNATURE BUILDERS, INC
3335 S 2070 E #28
SALT LAKE CITY , UT 84109

SMITH & ISOM BUILDERS INC
2580 E 3210 S
SALT LAKE CITY , UT 84109

SOUVALL BROTHERS, INC
3701 S 700 W
SALT LAKE CITY , UT 84119

RIGBY REMODEL INC
3415 SOUTH 2700 EAST
SALT LAKE CITY , UT 84109

ROMNEY CORPORATION
4425 SOUTH 500 WEST
MURRAY , UT 84123

S C C CONSTRUCTION INC
4824 WALLACE LANE
HOLLADAY , UT 84117

SALMON ELECTRICAL CONTR
INC
1116 W 500 S
W. BTFL , UT 84087

SANDOVAL, A B
1715 WEST 4TH NORTH
SALT LAKE CITY , UT 84116

SHAW ROOFING & GEN
CONTRACTING
1182 E LAIRD AVE
SLC , UT 84105

SIERRA CONSTRUCTION LLC
P.O. BOX 571467
SLC , UT 84157

SKYLINE ELECTRIC COMPANY
1190 SOUTH PIONEER ROAD
SALT LAKE CITY , UT 84104

SMOLKA CONSTRUCTION INC
43 A SMOKEY LANE
SLC , UT 84108

SPECTEC UNIVERSAL
SERVICES INC
225 W COTTAGE
SANDY , UT 84070

P B CONSTRUCTION INC
310 NORTH 400 EAST
CENTERVILLE , UT 84014

PACKER, TOD R HTG & AC
5940 COPPERCITY CR
KEARNS , UT 84118

PAGE ELECTRIC SERVICE INC
P O Box 540505
North Salt Lake, UT 84054

PALMER-CHRISTIANSEN CO
2510 SOUTH WEST TEMPLE
SALT LAKE CITY , UT 84115

PARAGON BUILDERS INC
1010 E 12340 S
DRAPER , UT 84020

PAULSEN ENG & CONST CO IN
3075 S 230 W
SALT LAKE CITY , UT 84115

PEARSON, ROBERT
P O BOX 526001
SALT LAKE CITY , UT 84152

PENDLETON BUILDERS INC
12132 S 1950 E
Draper , UT 84020

PENHALL COMPANY
1801 PENHALL WAY
ANAHEIM , CA 92803

PENTALON CONSTRUCTION
INC
132 E 13065 S SUITE 175
DRAPER , UT 84020

PETERSON, GARY L
881 EAGLE RIDGE DRIVE
N SALT LAKE , UT 84054

PHILIPOOM CONSTRUCTION
5952 SOUTH WALQUIST
SALT LAKE CITY , UT 84123

PHILLIP WINSTON
CONSTRUCTION
1645 E WASATCH CR
SALT LAKE CITY , UT 84105

PINNACLE BLDG GROUP INC
4877 SOUTH TAYLORS PARK
DR
TAYLORSVILLE , UT 84123

PIONEER ROOFING COMPANY
7041 S 2700 E
SALT LAKE CITY , UT 84121

PLUMBING PLUS
2021 SOUTH 1100 EAST
SALT LAKE CITY , UT 84106

POWELL DEMOLITION INC
10TH SOUTH OAK STREET #4
MIDVALE , UT 84047

POWER AND LIGHT ELECTRIC
LC
PO BOX 95291
SOUTH JORDAN , UT 84095

PRECEPT PROPERTY
MANAGEMENT
4600 HOLLADAY BLVD
SALT LAKE CITY , UT 84117

PRIMARY CHILDRENS
MEDICAL CNTR
100 NORTH MEDICAL DRIVE
SALT LAKE CITY , UT 84113

PRINCE BUILDERS
307 W. 200 S. SUITE 3004
SLC , UT 84101

PROGRESSIVE BUILDERS
7966 MAYOR VISTA COVE
SANDY , UT 84093

R & O CONSTRUCTION CO
933 WALL AVE
OGDEN , UT 84401

RAINBOW NEON SIGN
COMPANY
257 WEST 3300 SOUTH
SALT LAKE CITY , UT 84115

RAYS COMMERCIAL KITCHEN
INSTL
4095 W PASKAY DR
WEST VALLEY CIT, UT 84120

RC HUNT ELECTRIC, INC
2064 W. ALEXANDER ST. STE
#E
SALT LAKE , UT 84119

RCON INCORPORATED
1625 W 700 N SUITE J
SALT LAKE CITY , UT 84116

REAGAN OUTDOOR
ADVERTISING
1775 N WARM SPRINGS RD
SALT LAKE CITY , UT 84116

REYNOLDS FIRE PROTECTION
P.O. BOX 16172
SALT LAKE CITY , UT 84116

RICHARDSON VANLEEUEWEN
CONSTR
510 S 600 E
SALT LAKE CITY , UT 84102

M S T BUILDERS INC
1452 W. HEATHER DOWNS
S. JORDAN , UT 84095

MANWILL PLUMBING &
HEATING LC
385 E 3900 S
SLC , UT 84107

MASTER PROTECTION CORP
ATT. ROGER FREEMAN 1761
SOUTH 900 WEST #25
SALT LAKE CITY , UT 84104

MECHANICAL SERVICE &
SYSTEMS
6906 SOUTH 300 WEST
MIDVALE , UT 84047

MIDWEST ELECTRIC, INC
427 W 800 N
SALT LAKE CITY , UT 84103

NARNIA PAINT &
REMODELING
3353 SOUTH MAIN #294
SLC , UT 84115

NEW LOOK SIDING LLC
10947 SOUTH SEQUOIA CIR
SANDY , UT 84094

NORTHERN ELECTRIC
COMPANY
1308 S 1700 E #203
SALT LAKE CITY , UT 84108

NORWOOD CONSTRUCTION &
REMODEL
180 EAST 2100 SOUTH # 202
SALT LAKE CITY , UT 84115

OKLAND CONSTRUCTION CO
1978 SOUTH WEST TEMPLE
SALT LAKE CITY , UT 84115

MACKAY, GRANT CO INC
250 West Berger Lane
Murray , UT 84107

MARKIM CONSTRUCTION, LLC
P O BOX 58024
SLC , UT 84158

MCBRIDE, MARK H PLUMBING
5948 SO 350 WEST
MURRAY , UT 84107

MERIT STRUCTURES &
RESTORATION
204 WEST 9210 SOUTH
SANDY , UT 84070

MUGLESTONS, THE
4537 WELLINGTON
SALT LAKE CITY , UT 84117

NELSON CONTRACTORS
P.O. BOX 571129
MURRAY , UT 84157

NEW STAR GENERAL
CONTRACTORS
2610 W 2590 S
WVC , UT 84119

NORTHWEST ROOFING L L C
P O Box 16028
SLC , UT 84116

OASIS PLUMBING, INC
1963 SOUTH BLUFF ROAD
SYRACUSE , UT 84075

OLIVER, JIM
1053 E 3RD AVE
SLC , UT 84103

MAINLINE CONSTRUCTION
INC
1598 N 352 W SUITE B
LAYTON , UT 84041

MARSALA, DUANE CONST
LLC
11239 MIDAS VIEW CIR
S JORDAN , UT 84095

MCCULLOUGH ENG &
CONTRACTING
1567 EAST STRATFORD AVE
SALT LAKE CITY , UT 84106

MIDGLEY CONSTRUCTION INC
7644 S STATE ST
MIDVALE , UT 84047

NAILSETTER CONST, INC
P.O. BOX 9539
SALT LAKE CITY , UT 84109

NEW CONCEPTS
CONSTRUCTION INC
31 W GREGSON AVE
SALT LAKE CITY , UT 84115

NILSSON, KEVAN
CONSTRUCTION
855 EAST 4800 SOUTH
SALT LAKE CITY , UT 84107

NORTONS SIDING & WINDOWS
621 WEST 9TH AVENUE
MIDVALE , UT 84084

ODYSSEY HOUSE INC
68 SOUTH 600 EAST
SLC , UT 84102

OVERHEAD ROOFING
3150 S 6400 W
WEST VALLEY CIT, UT 84120

K O H MECHANICAL
CONTRACTORS
1273 WEST 12400 SOUTH
RIVERTON , UT 84065

KAPP CONSTRUCTION &
DEVELOPMNT
1595 W 3300 S
OGDEN , UT 84401

KBR SYSTEMS INC
9500 S 500 W #108
SANDY , UT 84070

KEITH SUPPLY INC
3380 S 1325 W
OGDEN , UT 84402

KELLER CONSTRUCTION INC
2412 SOUTH 3400 WEST
SALT LAKE CITY , UT 84119

KENDRICK BROTHERS
CONSTRUCTION
4015 SOUTH 300 WEST
SALT LAKE CITY , UT 84107

KIDSTON ENGINEERING & CO
2304 EAST 4680 SOUTH
SALT LAKE CITY , UT 84117

KIER CONSTRUCTION CORP
3710 QUINCY AVENUE
OGDEN , UT 84403

KIM, MACKAY INC
937 WEST 1760 SOUTH
SALT LAKE CITY , UT 84104

KIMBALL ROOFING
8490 S STATE ST
MIDVALE , UT 84047

KIMCO FIRE PROTECTION INC
P O BOX 1916
OREM , UT 84059

KING CONSTRUCTION INC
456 SEGO AVE
SALT LAKE CITY , UT 84111

KLR CONSTRUCTION INC
1983 EAST FOREST CREEK LN
SALT LAKE , UT 84121

KNIGHT BROTHERS
CONSTRUCTION
2590 W 2660 S
WEST VALLEY , UT 84119

LA PORTE CONSTRUCTION
525 S 900 E
SLC , UT 84102

LAKE ELECTRIC, INC
3520 W 8600 S
WEST JORDAN , UT 84088

LAYTON CONSTRUCTION CO
INC
9090 S SANDY PKWY
SANDY , UT 84070

LAYTON ROOFING CO, INC
14745 HERRITAGECREST WAY
BLUFFDALE , UT 84065

LEAVITT RESTORATION
SRVCS INC
4662 S 200 W
MURRAY , UT 84107

LEBEQUE BROTHERS
CONSTRUCTION
916 WEST SOUTH TEMPLE
SLC , UT 84104

LEGACY CONSTRUCTORS
P O BOX 11525
SLC , UT 84115

LEGACY SIGNS & SERVICE
1939 S 300 W
SLC , UT 84115

LEHRMAN CONSTRUCTION
1410 E 8085 S
SANDY , UT 84093

LIGHTING MAINTENANCE &
SERVICE
663 W 4330 S
SALT LAKE CITY , UT 84123

LIVE WIRE SERVICE
2846 HARTFORD STREET
SALT LAKE CITY , UT 84106

LLOYD, TODD A
1432 EAST SHOSHONE AVE
SANDY , UT 84092

LONE PEAK ELECTRIC INC
P O BOX 1133
DRAPER , UT 84020

LONG, R J & CO
6514 W SUNFLOWER DR
HIGHLAND , UT 84003

LOWELL CONSTRUCTION
COMPANY
1035 SOUTH 800 WEST
SALT LAKE CITY , UT 84104

LUTTMER CONSTRUCTION
746 ASPEN DR
PARK CITY , UT 84098

HUSBAND, CHAD CONST INC
875 SOUTH CHESTNUT STREET
SALT LAKE CITY , UT 84104

HVAC INSTALLATION
4841 S 3400 W
TAYLORSVILLE , UT 84118

HY-BAR WINDOWS & DOORS
INC
6417 SOUTH COTTONWOOD ST.
MURRAY , UT 84107

I D ELECTRIC CO
3690 SOUTH 500 WEST #101
SALT LAKE CITY , UT 84115

ICON REMODELING
3336 SOUTH PIONEER STREET
SALT LAKE CITY , UT 84109

IDEAL HOMES &
DEVELOPMENT INC
8464 S 4800 W
W JORDAN , UT 84088

IHC HEALTH SERVICES IN
36 S STATE ST 13TH FL
SLC , UT 84111

IMAGE SIGN & LIGHTING
945 Gale Street
SLC , UT 84101

IMPACT SIGNS INC
2236 SOUTH 3270 WEST
WEST VALLEY , UT 84119

INGERSOLL, MEL
5758 WASATCH BLVD
HOLLIDAY , UT 84121

INNOVATIVE HOMES &
DEVELOPMENT
11626 S 4205 W
S JORDAN , UT 84095

INTERIOR CONSTRUCTION
SPEC INC
9090 S SANDY PARKWAY
SANDY , UT 84070

INTERMOUNTAIN AQUATECH
INC
9435 SOUTH 255 WEST
SANDY , UT 84070

INTERSTATE BUILDING &
PRODUCTS
3159 South 3075 East
SLC , UT 84109

IRVING UNLIMITED SERVICES
INC
838 E ROOSEVELT
SALT LAKE CITY , UT 84105

ISAAC, JIM CONSTRUCTION
3451 S. 1320 W. #B
WVC , UT 84119

IVERSON HOMES L.C.
2225 E MURRAY HOLLADAY
RD
HOLLADAY , UT 84117

IVIE ELECTRIC SERVICE
560 W 9450 S
SANDY , UT 84070

IVORY HOMES INC
970 E WOODOAK LN
SALT LAKE CITY , UT 84117

IVY LEAGUE BUILDER INC
357 E 3300 S #9
SALT LAKE CITY , UT 84115

J R REMODELING
824 EAST 2700 SOUTH
SALT LAKE CITY , UT 84106

J R SETTLE ELECTRIC INC
71 EAST 135 NORTH
OREM , UT 84057

JACOBSEN CONSTRUCTION CO
P O BOX 27608
SALT LAKE CITY , UT 84127

JOHNSON CONTROLS INC
P. O. BOX 27487
SALT LAKE CITY , UT 84127

JOHNSON ELECTRIC MOTOR
INC
2925 S COMMERCE WAY
OGDEN , UT 84401

JORDAN VALLEY ELECTRIC
INC
4225 W NIKE DR # A
WEST JORDAN , UT 84088

JUAB ENTERPRISES INC
3872 PARKVIEW CIRCLE
SALT LAKE CITY , UT 84124

JUSTIN-CASE INCORPORATED
1436 W 8040 S
WEST JORDAN , UT 84088

K E SYSTEMS, INC
3959 SOUTH WEST TEMPLE
SALT LAKE CITY , UT 84107

K L R CONSTRUCTION
1983 E FOREST CREEK LANE
SALT LAKE CITY , UT 84121

GARN-TEE ROOFING INC
P.O. BOX 714
WEST JORDAN , UT 84084

GEIS ELECTRIC, INC
P O BOX 651098
SALT LAKE CITY , UT 84165

GIC CONSTRUCTION
9261 PEACH BLOSSOM DR.
SANDY , UT 84094

GILLIES SIGN & DESIGN, INC
1760 S REDWOOD RD
SALT LAKE CITY , UT 84104

GRANITE ELECTRIC, INC
3449 S WEST TEMPLE
SALT LAKE CITY , UT 84115

GREEN, WESLEY ROOFING
239 PARAMOUNT AVENUE
SALT LAKE CITY , UT 84115

GREENWOOD CONST
COMPANY
12637 S 265 W #100
DRAPER , UT 84020

GRINNELL CORPORATION -
TAX DEPARTMENT
3 TYCO PARK
EXETER , NH 3833

GSL ELECTRIC
8540 S SANDY PARK WAY
SANDY , UT 84070

GUEST, CF JR
1855 EAST 3990 SOUTH
HOLLADAY , UT 84124

GUNN CONSTRUCTION/AIRCO
HEATIN
784 EAST 8080 SOUTH
SANDY , UT 84094

GUNTHERS INC
81 SOUTH 700 EAST
AMERICAN FORK , UT 84003

GUSTAFSON CONSTRUCTION
INC
2638 W 9435 S
S JORDAN , UT 84095

H & C COMPANY
5180 S 300 W # H
MURRAY , UT 84107

H V A C CONSTRUCTION INC
694 W. 900 N.
NSL , UT 84054

HALSTEAD CONSTRUCTION
CORP
3583 VIA TERRA
SALT LAKE CITY , UT 84115

HALVERSON MECHANICAL,
INC
2488 S 1620 W
OGDEN , UT 84401

HARDY, J L CONSTR CORP
1800 SO W TEMPLE, A330, BOX 6
SALT LAKE CITY , UT 84115

HARRIS-DUDLEY PLUMBING
CO
221 WEST 400 SOUTH
SALT LAKE CITY , UT 84101

HATT PLUMBING & HEATING
14432 S CAMP WILLIAMS RD
RIVERTON , UT 84065

HEATON ROOFING INC
3480 SOUTH 500 WEST
SALT LAKE CITY , UT 84115

HEBERT, E D CONSTRUCTION
CORP
3150 SOUTH WASHINGTON ST
SALT LAKE CITY , UT 84115

HIDDEN PEAK ELECTRIC
4586 SOUTH CHERRY ST #A
MURRAY , UT 84123

HOJ ENGINEERING & SALES
3960 SOUTH 500 WEST
SALT LAKE CITY , UT 84123

HOLBROOK, TODD PLUMBING
&
165 W GREGSON AVE
SALT LAKE CITY , UT 84115

HOME-TECH, INC
PO BOX 526396
SALT LAKE CITY , UT 84106

HORNE CONSTRUCTION &
DEVEL CO
525 SOUTH 300 WEST
SALT LAKE CITY , UT 84101

HOWA CONSTRUCTION, INC
P O BOX 2406
SALT LAKE CITY , UT 84110

HUGHES GENERAL
CONTRACTORS INC
900 N REDWOOD RD
NORTH SALT LAKE, UT 84054

HUGHES, HERM & SONS INC
900 NORTH REDWOOD RD
NORTH SALT LAKE, UT 84054

E J MARTIN ROOFING
4199 WEST 5780 SOUTH
KEARNS , UT 84118

EAGLE ELECTRIC INC
7000 S Commerce Park
Midvale , UT 84047

ELECTRACOR INC
1040 W. MARGARET AVE
SLC , UT 84104

ELECTRICAL CONTRACTORS
PLUS
1473 JOEY CIRCLE
SANDY , UT 84092

ELLSWORTH-PAULSEN
CONSTRUCTION
240 WEST MAIN
AMERICAN FORK , UT 84003

ENMAN CONSTRUCTION CO
INC
2209 W ALEXANDER
WEST VALLEY CIT, UT 84119

ENTELEN DESIGN-BUILD
730 PACIFIC AVE
SLC , UT 84104

ENVIRONMENTAL SYSTMS &
CONTROL
2496 SOUTH WEST TEMPLE
SALT LAKE CITY , UT 84115

ESPRIT CONSTRUCTION
1474 SOUTH 700 WEST
SALT LAKE CITY , UT 84104

EVERGREENE CONSTRUCTION
LC
132 S 600 E
SALT LAKE CITY , UT 84102

EYRE ELECTRIC LLC
11538 SOUTH STATE STREET
#200
DRAPER , UT 84020

F I R E RESTORATIONS
5106 W LAMAR WAY
WVC , UT 84120

FALSONE ROOFING
3846 SOUTH VILLA DRIVE
SALT LAKE CITY , UT 84109

FAR WEST BUILDERS
1363 S MAJOR ST
SALT LAKE CITY , UT 84115

FASTSIGNS OF UTAH
6570 SOUTH STATE ST
MURRAY , UT 84107

FAUCET FIXERS
488 EAST 3RD AVENUE
SALT LAKE CITY , UT 84103

FERRIN, R A COMP, INC
5288 HAVENWOOD LANE
SALT LAKE CITY , UT 84117

FINCO BROTHERS INC
5971 W. DANNON
WEST JORDAN , UT 84088

FIRE ENGINEERING CO INC
4717 SOUTH 500 WEST
SALT LAKE CITY , UT 84123

FIREPLACES, INC
755 WEST 800 SOUTH
SALT LAKE CITY , UT 84104

FIRETROL PROTECTION
SYSTEMS
142 WEST 2260 SOUTH
SALT LAKE CITY , UT 84115

FIRST ALTERNATIVE INC
2401 EXETER CIR.
SANDY , UT 84093

FIRST WESTERN
CONSTRUCTION
619 EAST COATSVILLE
SALT LAKE CITY , UT 84105

FIX IT WRIGHT INC
2037 LINCOLN CIR
SLC , UT 84124

FOSS ROOFING COMPANY
2695 South 1500 East
Salt Lake City , UT 84106

FOX DANIELS & BENNETT CON
3826 SOUTH 2300 EAST # 100
SALT LAKE CITY , UT 84109

FURST CONSTRUCTION CO INC
5125 WEST 2100 SOUTH
WEST VALLEY , UT 84120

G & I INC
1785 SOUTH 4130 WEST #J
SALT LAKE , UT 84104

GARDINER BUILDERS INC
10518 S HIGHLINE CR
SOUTH JORDAN , UT 84095

GARFF CONSTRUCTION CORP
2820 W 500 S
SLC , UT 84104

COMMERCIAL DESIGN &
CONST INC
P O BOX 26541
SALT LAKE CITY , UT 84126

COMMERCIAL GENERAL
CONSTRUCTION
P O BOX 51039
IDAHO FALLS , ID 83405

CONELCO-CONRAD ELECTRIC
INC
2785 WEST 9000 SOUTH
WEST JORDAN , UT 84088

CONELY COMPANY
4000 S WEST TEMPLE
SALT LAKE CITY , UT 84107

CONJOY ENTERPRISE INC
3820 W 5400 S
SALT LAKE CITY , UT 84118

CONSTRUCTION PLUS
9487 S 500 W
SANDY , UT 84070

CONSTRUCTION WEST
1197 SOUTH 800 EAST
SALT LAKE CITY , UT 84105

COPIER, HENRY CONTR INC
P.O. BOX 711562
SLC , UT 84171

COPPER STATE ELECTRIC
5180 SOUTH 300 WEST # H
SALT LAKE CITY , UT 84107

COPPER TECH ELECTRIC, INC
4885 SOUTH 300 WEST
SALT LAKE CITY , UT 84107

CORP OF THE PRES OF LDS
CHURCH
50 E NO TEMPLE
SALT LAKE CITY , UT 84150

COSTELLO COMPANY INC
1240 PRINCETON AVENUE
SALT LAKE CITY , UT 84105

COTTONWOOD BUILDERS, INC
3804 HIGHLAND DRIVE
SALT LAKE CITY , UT 84106

CROWNSTONE DEVELOPMENT
437 N CENTER ST
SLC , UT 84103

CULP CONSTRUCTION
COMPANY
2320 SOUTH MAIN STREET
SALT LAKE CITY , UT 84115

CUSTOM CARPORT DESIGNS
INC
11182 S IVY CREEK COVE
SOUTH JORDAN , UT 84095

D S THAYNE, INC
1766 NORTH 400 EAST
OREM , UT 84057

D Z HOME IMPROVEMENT
3648 W. 3900 SO.
SALT LAKE CITY , UT 84120

DANCO ELECTRIC
3565 S WEST TEMPLE #13
SLC , UT 84115

DATWYLER ELECTRIC &
CONST
5803 HOLLADAY BLVD
SALT LAKE CITY , UT 84121

DAVIS, PAUL SYSTEMS OF
CTRL UT
P O BOX 5
MIDVALE , UT 84047

DAYT CONSTRUCTION INC
410 S 10 W
FARMINGTON , UT 84025

DELTA FIRE SYSTEMS INC
P O BOX 26587
SALT LAKE CITY , UT 84126

DEWBURY HOMES
PO BOX 26491
SALT LAKE CITY , UT 84126

DIAMANT ELECTRIC
6948 HOLLOW MILL DRIVE
SALT LAKE CITY , UT 84121

DIMENSION DEVELOPMENT
LLC
501 E 1700 S
SLC , UT 84115

DOLPHIN POOLS INC
4678 S HIGHLAND DRIVE
SALT LAKE CITY , UT 84117

DOWSETT CONSTRUCTION INC
2607 E. VERONA CIR.
HOLLADAY , UT 84117

DRECHSEL, BRUCE ELECTRIC
INC
2181 W 11400 S
SOUTH JORDAN , UT 84095

DRS MOBILE HOME SERVICE
4290 S 3150 W
SALT LAKE CITY , UT 84119

CALL CLIMATE SERVICE LLC
905 S. FRONTAGE
CENTERVILLE , UT 84014

CAMBRIA PROPERTY
MANAGEMENT LC
P.O. BOX 444
SANDY , UT 84123

CAMCO CONSTRUCTION INC
1106 E 6600 S
SALT LAKE CITY , UT 84121

CAMERON & COMPANY INC
573 WEST 3560 SOUTH #1
SLC , UT 84115

CARD SIGNS, INC
960 WEST 2100 SO.
SALT LAKE CITY , UT 84119

CARLI, T R CONSTRUCTION C
3338 EAST CREEK ROAD
SALT LAKE CITY , UT 84121

CARLSON KITCHENS, INC
2261 EAST 3300 SOUTH
SALT LAKE CITY , UT 84109

CARLSTON, C V HEAT & A/C
INC
164 W BERGER LANE
MURRAY , UT 84107

CARMAN REFRIG
COMMERCIAL SERVICE INC
633 NORTH 300 WEST
SALT LAKE CITY , UT 84103

CARRIER CORP
400 IRONWOOD DR
SALT LAKE CITY , UT 84115

CASE, RON ROOF & ASPHALT
PAVIN
P O BOX 70161
SALT LAKE CITY , UT 84120

CAULFIELD CARPENTRY
8968 NORTH COVE DRIVE
PARK CITY , UT 84060

CAVALIER PLUMBING
4222 Edward Dr
Salt Lake City , UT 84124

CAZIER ELECTRIC CO INC
262 COTTAGE AVE
SANDY , UT 84070

CAZIER EXCAVATING INC
132 W 13490 S
DRAPER , UT 84020

CC TILE & REMODELING INC
1742 EAST OAKRIDGE
SLC , UT 84106

CELEBRITY BUILDERS INC
3341 S 4000 W
WEST VALLEY CIT, UT 84120

CENCO INC
45 EAST COLUMBIA AVENUE
SALT LAKE CITY , UT 84107

CHAMPION WINDOW OF SLC
INC
3181 WEST 2270 SOUTH
WVC , UT 84119

CHAPARRAL FIRE
PROTECTION
71 N HWY 89
NORTH SALT LAKE, UT 84054

CHAPARRAL INTERMOUNTAIN
PACIFI
8680 Monroe #A
SANDY , UT 84070

CHAPPELL, M H
CONSTRUCTION
2092 BRENT LANE
SALT LAKE CITY , UT 84121

CHATELAIN BUILDING CO
2325 NEFFS LANE
SALT LAKE CITY , UT 84109

CHERRINGTONS, INC
3035 SOUTH 3600 WEST
SALT LAKE CITY , UT 84119

CHRISTENSEN & GRIFFITH CO
30 SOUTH TOOEELE BLVD.
TOOELE , UT 84074

CHRISTIANSSEN OUTDR ADV &
CNST
228 BRIDGECREEK WAY
DRAPER , UT 84020

CIESLAK PLUMBING &
HEATING INC
1495 W MIDAS CREEK DR
S JORDAN , UT 84095

CLARKS QUALITY ROOFING
INC
334 W ANDERSON (5715)
SALT LAKE CITY , UT 84107

COLORADO STRUCTURES INC
4720 FORGE RD # 106
COLORADO SPRING, CO 80907

COMFORT SYSTEMS USA, INC
2035 SOUTH MILESTONE DR
SALT LAKE CITY , UT 84104

BEST ROOFING LLC
376 EAST 10560 SOUTH
SANDY , UT 84070

BIG BEAR HEATING &
COOLING
4045 S 6780 W
WEST VALLEY CIT, UT 84120

BIG D CONSTRUCTION CORP
420 E. SOUTH TEMPLE #500
SALT LAKE CITY , UT 84111

BINGHAM HEATING & AIR
CONDNG
3760 W 3100 S
WEST VALLEY CIT, UT 84120

BIRD CONSTRUCTION (USA),
INC
5525 SOUTH 900 EAST #135
SALT LAKE , UT 84107

BLACK KITE ELECTRIC
6867 PINE ROCK DR.
SLC , UT 84121

BLAND BROTHERS INC
8630 S REDWOOD RD
WEST JORDAN , UT 84088

BLAZE MASTER FIRE
PROTECTION
336 North 200 East
Payson , UT 84651

BO CONSTRUCTION
1779 RAMONA AVE
SLC , UT 84108

BOARDWALK REMOD &
DESIGN
PO BOX 520164
SALT LAKE CITY , UT 84152

BODELL CONSTRUCTION CO
INC
586 WEST FINE DRIVE
SALT LAKE CITY , UT 84115

BONA SIGNS INC
1852 N 1300 W
Springville , UT 84663

BOYD ENTERPRISES UTAH
LLC
3739 W 2270 S Unit F
WVC , UT 84120

BPM MANAGEMENT LLC
P.O. BOX 510006
SLC , UT 84151

BRODERICK, RALPH
PLUMBING
626 EAST 12100 SOUTH
DRAPER , UT 84020

BROKEN ARROW INC
P O BOX 580
TOOELE , UT 84074

BRUBAKER CONSTRUCTION
INC
PO BOX 17626
SALT LAKE CITY , UT 84117

BRUNDLE & BRUNDLE INV &
CONSTR
3589 W. 500 S.
SLC , UT 84104

BUILDERS CHOICE
2242 W 5400 S
SALT LAKE CITY , UT 84118

BUILDWEST, INC
P O BOX 17316
SLC , UT 84117

C & F DISTRIBUTORS, INC
BOX 1859
SALT LAKE CITY , UT 84110

C C I MECHANICAL INC
758 SOUTH REDWOOD RD
SALT LAKE CITY , UT 84125

C C TILE & REMODELING INC
2331 E HAWK LN
EAGLE MTN , UT 84043

C D C RESTORATION & CONST,
LC
130 E GORDON LANE
SALT LAKE CITY , UT 84107

C P H RESTORATION
390 WEST 6500 SOUTH
MURRAY , UT 84107

C R C CONSTRUCTION INC
7011 S. 700 W.
MIDVALE , UT 84047

C R FINISHING TOUCH
216 N 200 W
SLC , UT 84103

C.C. CARTER CONSTRUCTION
LLC
1810 W. INDIANA AVE
SLC , UT 84104

CACHE VALLEY ELECTRIC CO
2345 S. JOHN HENRY
SLC , UT 84119

CALIBER CONST & ELECT LLC
111 S 1200 E
LEHI , UT 84003

ARCHITECH CONSTRUCTION
INC
9776 S SITZMARK DR
SANDY , UT 84092

ARCO ELECTRIC INC
597 WEST 9320 SOUTH
SANDY , UT 84070

ARNELL-WEST INC
3441 SOUTH 2200 WEST
SALT LAKE CITY , UT 84119

ASCENT CONSTRUCTION INC
25 S MAIN #200
CENTERVILLE , UT 84014

AURORA FIRE PROTECTION
INC
P O Box 171074
SLC , UT 84117

B P M MANAGEMENT LLC
PO BOX 510006
SLC , UT 84151

BAILEY BUILDERS INC
1881 WEST 900 NORTH
LEHI , UT 84045

BAND FIRE PROTECTION
SYSTEM, I
539 WEST 9460 SOUTH
SANDY , UT 84070

BARTON, KEITH
CONSTRUCTION
2 COURTSIDE LANE
SANDY , UT 84092

BEACON ENG & ELECT INC
1406 S. 400 W.
SLC , UT 84115

ARCHITECTURAL DESIGN
WEST
230 E SOUTH TEMPLE ST
SALT LAKE , UT 84110

ARCON CONSTRUCTION CO
1930 E ARLEN WAY
SANDY , UT 84093

ARROWHEAD REMODELING
6287 S SMOKEY CIR
WEST JORDAN , UT 84084

ASHCO CONSTRUCTION INC
227 WEST 600 SOUTH
SLC , UT 84101

AVALON CONSTRUCTION INC
2985 S. MAIN
SLC , UT 84115

BABCOCK, PHILLIP L
6231 South 1280 East
Salt Lake City , UT 84121

BAILEY, BUD CONSTRUCTION
INC
244 West 300 North
SLC , UT 84127

BANGERTER & SONS
3925 S 3200 W
WEST VALLEY CIT, UT 84119

BAS PLUMBING & HEATING
8455 S 4300 W SUITE D
W JORDAN , UT 84088

BELNAP PLUMBING CO
6404 GLEN OAKS
MURRAY , UT 84107

ARCHULETA, IVO CONCRETE
922 SOUTH 800 EAST
SALT LAKE CITY , UT 84105

ARETE CONSTRUCTION INC
175 N "O" ST
SLC , UT 84103

ARTHUR, JIM INC
1426 SOUTH 400 EAST
SALT LAKE CITY , UT 84115

ATLANTIS POOLS
1705 MERRIBEE WAY
SALT LAKE CITY , UT 84121

B & L ELECTRIC CO INC
2295 S 2000 E
SALT LAKE CITY , UT 84106

BADHAM CONSTRUCTION INC
P.O. BOX 540180
N SALT LAKE , UT 84054

BAILEY, E K CONSTRUCTION,
INC
1243 N. WASHINGTON BLVD
OGDEN , UT 84414

BARNES & HOGAN
CONSTRUCTION
P O BOX 702
MAGNA , UT 84044

BATEMAN BROTHERS
ELECTRIC INC
3685 W 8850 S
WEST JORDAN , UT 84088

BENCHMARK RENOVATION
P.O. BOX 581154
SALT LAKE CITY , UT 84158

20TH CENTURY LITES INC
560 WEST 2300 NORTH
SALT LAKE CITY, UT 84116

3-B CONSTRUCTION INC
9915 S FLORENCE WAY
S JORDAN, UT 84095

A 2 Z BUILDERS CONSTR &
REMODE
P O BOX 1767
SANDY, UT 84091

A A BETTER ROOFING
7330 S LAUNA ST
MIDVALE, UT 84047

A J SHEET METAL
9554 SOUTH 560 WEST
SANDY, UT 84070

A OK ELECTRIC
81 SOUTH 100 WEST
TOOELE, UT 84074

A QUALITY PLUMBING &
HTNG
P.O. BOX 755
MIDVALE, UT 84047

A R M CONSTRUCTION, LLC
4643 TINA WAY
SALT LAKE CITY, UT 84107

A S A P RESTORATION &
CONST
579 EAST 300 NORTH
KAYSVILLE, UT 84037

A U CONSTRUCTION, INC
1045 MILLBERT AVENUE
SALT LAKE CITY, UT 84106

A-SHED USA, LLC
2870 S 400 W
SLC, UT 84115

ABLE CONTRACTORS INC
159 W 1300 N
SUNSET, UT 84015

ACE HOME & BUSINESS
IMPROVEMEN
3970 SOUTH 300 WEST
SLC, UT 84104

ADVANCED INTERIOR
SYSTEMS INC
55 W 2860 S
SALT LAKE CITY, UT 84115

AIM BUILDERS INC
1719 S MAIN ST
SALT LAKE CITY, UT 84115

ALARM CONTROL COMPANY
2166 SOUTH 900 EAST
SALT LAKE CITY, UT 84106

ALDER CONSTRUCTION
COMPANY
3939 S 500 WEST
SALT LAKE CITY, UT 84123

ALL PRO ARTISTIC CONST LLC
5633 S TOPOWA DR
MURRAY, UT 84107

ALL SEASONS MAINTENANCE
INC
2445 PROGRESS DR
WEST VALLEY CIT, UT 84119

ALL SEASONS ROOFING INC
5247 SOUTH SPRING VALLEY
CT
SALT LAKE, UT 84117

ALL TYPES ROOFING
P.O. BOX 70734
SALT LAKE CITY, UT 84170

ALLSTATE CONTRACTING &
DESIGN
585 WEST 9400 SOUTH
SANDY, UT 84070

ALTA FIRE PROTECTION CO
206 W 3620 S
SALT LAKE CITY, UT 84115

ALTA RESTORATION &
REMODEL INC
14330 S 2200 W
BLUFFDALE, UT 84065

ALTERNATIVES
CONSTRUCTION
1278 E BRIDLE TRAIL RD
DRAPER, UT 84020

ALUMINUM LOCK INC
840 WEST 1700 SOUTH #10
SLC, UT 84114

AMCO AMERICAN ROOFING
CO
3637 SOUTH 300 WEST
SALT LAKE CITY, UT 84115

AMERICAN FIRST BUILDERS
INC
533 W 2600 S
BOUNTIFUL, UT 84010

ARAGORN CONSTRUCTION L C
1329 REBECCA CIRCLE
SALT LAKE CITY, UT 84117

ARAPAHOE PROPERTY
MAINTENANCE
476 E SOUTH TEMPLE ST #177
SLC, UT 84111



Exhibit 5

PLANNING COMMISSION

Exhibit 5a

**PLANNING COMMISSION
HEARING NOTICE
AND POSTMARK**

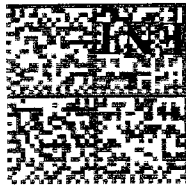
US POSTAGE
Mailed From 84111

10/25/2005

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NOTICE OF A HEARING AMENDMENT

SALT LAKE CITY PLANNING DIVISION
451 SOUTH STATE STREET, ROOM 406
SALT LAKE CITY, UT 84111

1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. In order to be considerate of everyone attending the meeting, public comments are limited to 3 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting. Written comments should be sent to:

Salt Lake City Planning Director
451 South State Street, Room 406
Salt Lake City, UT 84111
4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unusual circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. Salt Lake City Corporation complies with all ADA guidelines. If you are planning to attend the public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the Planning Office 48 hours in advance of the meeting and we will try to provide whatever assistance may be required. Please call 535-7757 for assistance.

UT

**AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, November 09, 2005, at 5:45 p.m.**

The Planning Commission will be having dinner at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting will be open to the public.

1. APPROVAL OF MINUTES FROM WEDNESDAY, OCTOBER 26, 2005.

2. REPORT OF THE CHAIR AND VICE CHAIR

3. REPORT OF THE DIRECTOR

4. PUBLIC NOTICE AGENDA

None

5. PUBLIC HEARINGS

- a) **Petition No. 400-05-32**, a request initiated by the Planning Commission to amend the zoning ordinance to expand multiple family dwelling opportunities in the downtown and commercial zoning districts. This request would amend Tables 21A.26.080 and 21A.30.050 of the Salt Lake City Zoning Ordinance to allow multiple family dwellings, as permitted uses, in all downtown and commercial zones and remove the restriction that these units must be above or below first story office, retail and commercial uses or not adjacent to the street. (Staff: Sarah Carroll at 535-6260 or sarah.carroll@slcgov.com)
- b) **Petition 400-05-25**, initiated by the City Council requesting to amend provisions of the Salt Lake City Code that may contribute to residential infill development that is not compatible with the surrounding development within various single and two-family residential zoning districts. The Planning Commission will consider recommending amendments to provisions of the City Code dealing with in-line additions, building height, yard requirements, garage placement and accessory building standards, lot size building coverage, definition of the term "demolition" and fines assessed for construction activity undertaken in violation of the proposed standards. (Staff: Joel Paterson, 535-6141 or joel.paterson@slcgov.com)

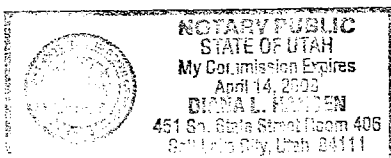
6. UNFINISHED BUSINESS

On Wednesday, October 25, 2005, I personally posted copies of the foregoing notice within the City and County Building at 451 South State Street at the following locations: Planning Division, Room 406; City Council Bulletin Board, Room 315; and Community Affairs, Room 345. A copy of the agenda has also been faxed/e-mailed to all Salt Lake City Public Libraries for posting and to the Salt Lake Tribune and Deseret News.

Signed: Margaret A. Tow

STATE OF UTAH)
) : SS
COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN to before me this 25th day of October, 2005.



Diana L. Hansen
NOTARY PUBLIC residing in Salt Lake County, Utah

Exhibit 5b

PLANNING COMMISSION
STAFF REPORT

DATE: November 3, 2005

TO: Salt Lake City Planning Commission

FROM: Joel G. Paterson, AICP
Planning Programs Supervisor
Telephone: 535-6141
E-mail: joel.paterson@slcgov.com

RE: Staff Report for the November 9, 2005 Planning Commission Meeting

CASE NUMBER: 400-05-25

APPLICANT: City Council

STATUS OF APPLICANT: Zoning Ordinance Section 21A.06.20 authorizes the City Council to initiate petitions to amend the Zoning Ordinance.

PROJECT LOCATION: City-wide

COUNCIL DISTRICT: The proposed Zoning Ordinance text amendments affect all City Council Districts.

**PROPOSED ZONING
TEXT AMENDMENT:**

On June 21, 2005, the City Council requested that the Planning Division review the City's zoning standards for single and two-family dwellings and propose amendments which will promote residential infill development that is compatible with the scale and character of the surrounding residential neighborhoods. This staff report defines the scope of issues associated with infill development and proposes specific amendments to the Zoning Ordinance.

Although the staff report recommends that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed amendments to regulate residential infill development, the Administration does not intend to convey any negative impressions of infill development as a whole. The Administration recognizes the importance and the benefits of

residential infill housing development. However, residential infill development can have a lasting negative impact on the character of a neighborhood if important attributes of the neighborhood are not considered in the design and construction of new residential infill development.

The following list identifies elements of the City Code that contribute to the problem of incompatible residential infill development:

- Over-the-Counter in-line additions
- Building height
- Front yard setback
- Garage and accessory building standards
- Building coverage
- Definition of demolition/teardown
- Fines for building permit violation

RATIONAL FOR THE

PROPOSED AMENDMENT: Salt Lake City is a mature community consisting of many diverse and well established residential neighborhoods. Perhaps, with the exception of the Northwest Quadrant, the construction of new large-scale residential subdivisions within Salt Lake City is a notion of the past because suitable land for new large residential subdivisions is a scarce commodity within the City limits. As a result, the number of new single family homes being constructed in Salt Lake City is steadily declining. Instead of large tracts of land being developed as part of new subdivisions, new housing is being constructed on a much smaller scale, often on individual lots within established neighborhoods.

Infill development manifests itself in three ways. Through new residential construction on a vacant lot; or increasingly, as the result of a tear-down – demolition of an older dwelling to allow the construction of a new dwelling; or through additions to existing dwellings.

Many of the City's neighborhoods developed with a continuity of architectural styles, similar building height and site characteristics. However, the size of homes being built in a number of established neighborhoods, as a result of changing needs of today's families, is a cause of concern. Recent examples of such tear-downs and additions can be found in the Avenues and East Bench areas, but other examples may be found throughout the City. The typical size of a single-family residence has grown significantly over the past fifty years and new homes are often much larger than the original homes found in established neighborhoods.

Nationally, the average house size has more than doubled between 1950 and 2000. As a result, existing residents are becoming increasingly concerned that some new infill developments are having a significant negative effect on the character of older neighborhoods. The concern of residents stems from the fact that most new homes or additions to existing houses are out of scale; have much steeper roof pitches; greater building height; and significantly different architectural styles than traditionally found in the neighborhood.

With a scarcity of buildable lots and an abundance of successful neighborhoods that are desirable places to live, the value of property tends to increase. Increasing property values facilitate real estate speculation and leads to an increase in tear-downs. The combination of desirable neighborhoods and rising property values is therefore creating a challenge of maintaining the unique character of the City's neighborhoods while accommodating new infill development. Given such pressures, it is important to strike a balance between the competing needs in order to maintain the vitality of the City's neighborhoods.

This problem is not unique to Salt Lake City; many cities are developing regulations to assure compatible infill development. The approaches vary considerably from general design criteria to very complex systems. Some cities, such as Boston, Massachusetts and Memphis, Tennessee have established design review boards, similar to historic landmark commissions, which are charged with preserving neighborhood character, while others such as Palo Alto, California; have developed over-the-counter permitting processes that include the use of design guidelines relating to streetscape, massing and privacy. The City Council recently adopted the YCI Overlay District to address this problem in the Yalecrest neighborhood.

CAUSES OF THE PROBLEM

There are many factors which contribute to tear-downs and construction of new larger homes and additions to residential dwellings. The factors are organized in three categories: Economic Factors, Societal Factors, and Regulatory Factors.

A. Economic Factors

1. **Desirable Neighborhoods:** Salt Lake City has a variety of healthy, successful and mature neighborhoods that are desirable places to live. The attractiveness of these neighborhoods arises from many factors including: neighborhood character, mature landscaping, proximity to places of employment, cultural and recreational amenities and a renewed public interest in urban living.
2. **Limited Developable Land:** As the need for additional housing continues to grow in Salt Lake City, the availability of suitable land for construction of new large residential dwellings is diminishing. Most of the land suitable for residential development within Salt Lake City has already developed. Constraints such as the mountains, the Great Salt Lake and abutting cities limit the City's ability to grow beyond its current boundaries. As such, new residential development occurs at a smaller scale, often on individual lots within existing neighborhoods.
3. **Rising Land Values:** Limited developable land coupled with desirable neighborhoods contributes to the escalation of land values. As property values continue to rise, real estate speculation increases and property owners often find it profitable to demolish existing homes and take advantage of the value of the lot and desirability of the location. Alternatively, the rising cost of property may preclude a family from moving into a larger house, so an addition becomes the most effective way to satisfy space needs, cost and the desire to live in an urban setting.

- B. Societal Factors:** The size of the average single family homes is growing. A house built in 1950 may not meet the desired floor plan and room size needs of today's typical family or homeowner. Today, homes are being built with much larger bedrooms, kitchens, additional storage areas and garages. As a result of such trends, new residential infill houses tend to be larger than other homes in older traditional neighborhoods.
- C. Zoning Standards:** Salt Lake City adopted a Zoning Ordinance Rewrite in 1995 to simplify regulatory standards and create a Zoning Ordinance that was intended to better reflect the existing development in residential neighborhoods. However, it is now evident that some provisions of the 1995 Zoning Ordinance Rewrite are contributing to the problem of incompatible infill housing. This petition was initiated by the City Council to address these provisions.

APPLICABLE LAND USE REGULATIONS: City Code section 21A.50 Amendments

MASTER PLAN AND POLICY CONSIDERATIONS: The issues of neighborhood character and compatible infill development are addressed in several Salt Lake City master plans and other policy documents.

- **Avenues Community Master Plan:** includes a goal that encourages private property improvements that are visually compatible with the surrounding neighborhood.
- **Capitol Hill Master Plan:** includes a goal that encourages development of appropriate housing through renovation of existing structures and construction of compatible residential infill development and redevelopment.
- **Central Community Development Plan:** recommends protecting and enhancing existing neighborhoods through the establishment and enforcement of architectural controls to preserve the scale and character of neighborhoods.
- **East Bench Master Plan:** recognizes that a strong sense of neighborhood identity and zoning regulations play a role in establishing the community's character. The Plan suggests that new construction and additions that are not compatible with the surrounding neighborhood detract from the residential character of the area.
- **East Downtown Neighborhood Plan:** recommends new development to reflect the character of the neighborhood and develop citywide design criteria to insure such compatibility.
- **Northwest Community Master Plan:** recognizes the importance of constructing new housing but also recognizes that the preservation of the character of the existing housing stock is also of paramount importance.
- **Sugar House Master Plan:** includes goals and policies that support creating and sustaining quality residential neighborhoods through new regulations and design guidelines.

- **West Salt Lake Master Plan:** discusses the importance of conserving, revitalizing and generally upgrading neighborhoods by protecting views, architectural forms and styles, and site design characteristics.
- **The Salt Lake City Comprehensive Housing Plan:** includes policy statements that address a variety of housing issues including quality design, public and neighborhood participation, housing preservation, rehabilitation and replacement.
- **The Urban Design Element:** includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities.
- **The Salt Lake City Strategic Plan and the Futures Commission Report:** expresses concepts such as maintaining a prominent sustainable city and ensuring the City is designed to the highest aesthetic standards.
- **The City Council's Growth Policy:** notes that growth in Salt Lake City will be deemed the most desirable if it is aesthetically pleasing; contributes to a livable community environment; yields no negative net fiscal impact unless an overriding public purpose is served; and forestalls negative impacts associated with inactivity.

SUBJECT PROJECT HISTORY:

- **June 9, 2005** – The City Council adopted an ordinance establishing city-wide temporary zoning regulations associated with compatible residential infill development. This ordinance created new standards regulating the issuance of building permits for any new single family or two-family residential structures and any remodeling, demolition, rebuilding, or expansion of existing single family and two-family residential structures.
- **June 14, 2005** – The City Council repealed the temporary zoning standards adopted on June 9, 2005.
- **June 21, 2005** – The City Council adopted a legislative action requesting that the Planning Division review the City's ordinances relating to infill housing.
- **July 12, 2005** – The City Council adopted Ordinance 44 of 2005 creating the Yalecrest Compatible Infill Overlay District.
- **September 20, 2005** – The Planning Division briefs the City Council on the progress made to date on the legislative action relating to compatible residential infill development.
- **October 18, 2005** – The Planning Division presents another briefing to the City Council and proposes specific amendments to Zoning Ordinance provisions that directly affect compatible residential infill development.
- **October 24, 2005** – The Planning Staff presented the proposed zoning amendments to a subcommittee of the Planning Commission. Commissioners John Diamond and Prescott Muir attended the briefing.

- **October 25, 2005** – The Planning Division hosted a public open house to obtain public comment on the proposed amendments to the Zoning Ordinance. Approximately 35 people attended.

COMMENTS, ANALYSIS AND FINDINGS:

1. COMMENTS:

- **Planning Commission Subcommittee:** The proposed compatible residential infill development standards were presented to a Planning Commission subcommittee on October 24, 2005. Commissioners Muir and Diamond were present at the meeting and provided the following comments.
 - **Front yard setback:** Steep topography on a lot may make it difficult to meet the average front yard standard. Existing provisions in the Zoning Ordinance would allow a property owner to seek relief from this standard through the Board of Adjustment if there is a property related hardship.
 - **Building height:** The Subcommittee initially expressed concern that the base standard for building height is too restrictive. However, the subcommittee understood that the proposed standards do allow for additional building height through the building height averaging provision and the tiered review process.
 - **Accessory Structures:** concern was raised that the proposed standards will create problems by requiring detached garages to be located within five feet of the rear property line. The Subcommittee felt that on deep lots, this standard will create very long driveways which may not represent an efficient use of the property.
- **Permits and Licensing:** Comments from the Permits and Licensing Division are attached in Attachment 1 – Departmental Comments. The comments received from the Permits and Licensing Division are technical in nature and where appropriate, changes have been made to the proposed regulations.
- **Transportation Division:** – The Transportation Division suggested allowing a 2-car garage exception (which could also be a maximum) for a narrow home. Otherwise, such homes would not have a way of developing more than a one-car garage. The proposal limits the width of attached garages to fifty percent (50%) of the width of the façade of the building.
- **Public Open House:** Approximately 35 people attended the public open house on October 25, 2005. Comments received at the open house are presented in Attachment 2. The following is a general overview of comments made during the open house:
 - **Building Height:** Some thought that this standard is too restrictive and may not allow a 1-1/2 story home. Others supported this standard considering the processes designed to allow taller dwellings.
 - **Garage Standards:** Concern was raised that the standard limiting garages to 50% of the width of the façade may only allow a one-car garage.

- **Accessory Structures:** Concern was raised about the location standards forcing accessory structures to the rear of the lot because of the long driveways this will create and that there may be a long distance between the house and the garage.

Concern was raised about the height standard for accessory structures. Some believe the standard is too restrictive and that the twenty foot separation from homes on adjoining lots may eliminate the ability to construct a garage on some lots.

- **Lot Coverage:** Concern was raised about the proposed reduction in the maximum lot coverage provision.
- **Fines:** Comments were made that the increased building permit fine for construction work without permits or in violation of the building permit is too restrictive. Others felt that the fine was not enough to prevent illegal construction.
- General concern was raised about the standards being too restrictive and creating too much public process which will increase the costs and time to construction projects.
- General comments were provided in support of the proposed standards.

2. ANALYSIS

PROPOSED ZONING ORDINANCE AMENDMENTS

The proposed amendments modify several existing Zoning Ordinance provisions and create a hierarchy for approvals which allows for the issuance of over-the-counter permits, approvals through an administrative process and review by the Planning Commission or the Board of Adjustment.

The proposed Zoning Ordinance amendments, approval and appeal processes, and definitions are summarized below:

- A. REMOVE PROVISIONS ALLOWING IN-LINE ADDITIONS THROUGH THE BUILDING PERMIT PROCESS:** The Administration proposes to eliminate the over-the-counter permit option for in-line additions. If this amendment is adopted, property owners in the SR-1 and SR-3 districts may still request in-line additions through the existing special exception process.

APPROVAL AND APPEAL PROCESS

1. **Over-the-Counter Permit:** An over-the-counter permit may be issued if the proposed addition meets the required minimum setback requirements.
2. **Routine and Uncontested Special Exception:** If a proposed in-line addition does not meet the minimum setback requirements, the proposal may be reviewed as a routine and uncontested special exception if the property owner obtains signatures of 100% of the abutting property owners.

3. **Administrative Public Hearing:** If an applicant cannot obtain 100% of the signatures required for the Routine and Uncontested Special Exception or if the Zoning Administrator finds that the proposal is not routine and uncontested, the proposed in-line addition may be considered at an administrative public hearing.
4. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

B. FRONT YARD SETBACK FOR, FR, R-1 AND SR ZONING DISTRICTS – MINIMUM SETBACK DETERMINED BY AVERAGING: This provision would eliminate the Zoning Ordinance's current minimum front and corner side yard setback requirement of twenty feet (20').

STANDARD: The minimum front and corner side yard setback shall be based on the average setback of other dwellings on the same block face. The corner side yard setback in the R-1-5000, SR-1 and SR-3 would remain unchanged at ten feet (10'). However, the minimum front yard setback established by existing subdivision plats would be respected. For example, in the Foothill Residential districts, many subdivision plats include a defined buildable area for each lot that establishes the required yards. In such cases, the front yard setback established by the subdivision plat would be maintained. For new subdivisions or blocks where there are no developed properties along the block face, the front yard setback would be twenty feet (20 feet).

C. BUILDING HEIGHT – R-1/5000, R-1/7000, R-1/12,000, R-2, SR-1, SR-3: Because the existing maximum building height of thirty feet (30') measured to the mid-point of the roof does not reflect the existing character in most of the City's neighborhoods, the Administration is proposing to amend residential building height standards as follows:

STANDARDS:

- The maximum building height is proposed to be lowered to twenty-three feet (23') measured to the crest of the roof. This proposal introduces a building height envelope similar to the method used in the Foothill residential districts. Homes with flat roofs are limited to eighteen feet; or
- The average height of single-family dwellings on the block face.

APPROVAL AND APPEAL PROCESS

1. **Over-the Counter Permits:** Any proposed projects that meet the maximum building height standards listed above will receive an over-the-counter building permit.
2. **Administrative Public Hearing:** Additional building and exterior wall height may be approved through the administrative public hearing process if the proposal is in keeping with the development pattern on the block face.

3. **Board of Adjustment:** Appeals of the Administrative Hearing Officer's decision and referrals from the Administrative Hearing Officer shall be heard by the Board of Adjustment which may approve additional building or exterior wall height if the proposal is in keeping with the development pattern of the block face.

D. ATTACHED GARAGES AND ACCESSORY BUILDINGS: Standards are proposed for the location and width of attached garages; and the location, height and maximum footprint of accessory buildings, such as detached garages. The proposed standards are summarized below:

STANDARDS FOR ATTACHED GARAGES:

- Attached garages must be located behind or in-line with the front line of the principal building unless the development pattern on the block face consists of more than fifty percent (50%) of homes with garages located forward of the front line of the principal building. Existing non-conforming attached garages may be rebuilt to the same dimensions.
- The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the front façade of the house.

APPROVAL AND APPEAL PROCESS

1. **Over-the-Counter Permit:** Any proposed projects that meet the attached garage standards listed above will receive an over-the-counter building permit.
2. **Administrative Public Hearing:** permits may be authorized by the Planning Director or designee for attached garages located forward of the front-line of the principal building if the applicant can demonstrate that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage which is being replaced.
3. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

ACCESSORY BUILDINGS: The Zoning Ordinance currently allows accessory buildings to be located in the rear yard (behind the principal structure) provided that the accessory structure is at least four feet (4') from the principal building on the lot, ten feet (10') from principal buildings on adjacent lots and if the accessory building is at least one foot (1') from the property lines.

In order to minimize the negative impacts that accessory garages may have on adjacent lots, the Administration is proposing the following standards summarized below:

STANDARDS FOR ACCESSORY BUILDINGS:

- Accessory structures must be located at least twenty feet (20') from principal buildings on adjacent lots.

- Accessory structures must be located at least one foot (1') but not more than five feet (5') from the rear property line. This minimum distance from the rear property line may be increased to allow the driveway design to meet the Transportation Division's minimum required turning radius and other maneuvering standards. If it can be demonstrated that more than fifty percent (50%) of other properties on the block face have accessory structures located more than five feet (5') from the rear property line, the accessory building may be located a distance from the rear property line that is equal to the average setback from the rear property line of the other accessory structures on the block face.

APPROVAL AND APPEAL PROCESSES

1. **Over-the-Counter Permit:** Any proposed projects that meet the standards for accessory buildings listed above will receive an over-the-counter building permit.
2. **Administrative Public Hearing:** The Planning Director or designee may authorize the issuance of building permits if the property owner demonstrates that other accessory structures on lots along the same block face are located more than five feet (5') from the rear property line. In this case, the proposed accessory structure may be located more than 5 feet from the rear property line up to a distance that is equal to the average setback of other accessory structures from their respective rear property lines.
3. **Board of Adjustment:** The Board of Adjustment may approve an alternate location through the special exception process based on hardships created by topography or mature vegetation.
4. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

STANDARDS MAXIMUM HEIGHT OF ACCESSORY BUILDINGS: The maximum building height of accessory structures shall be reduced from seventeen feet (17') measured to the midpoint of the roof to fifteen feet (15') measured to the peak of the roof using an envelope system. The height of accessory structures with a flat roof will remain at twelve feet.

APPROVAL AND APPEAL PROCESS

1. **Over-the-Counter Permit:** Any proposed projects that meet the standards for maximum height of accessory buildings listed above will receive an over-the-counter building permit.
2. **Routine and Uncontested Special Exception:** Accessory structures which exceed the maximum wall or accessory building height provisions may be approved as a routine and uncontested special exception if the accessory building is in keeping with the development pattern on the block face subject to the additional standards found in the Zoning Ordinance under Section 21A.40.050.
3. **Administrative Public Hearing Process:** If an applicant cannot obtain 100% of the signatures required for the routine and uncontested special exception or

if the Zoning Administrator finds that the proposal is not routine and uncontested, the proposed in-line addition may be considered at an administrative public hearing.

4. **Board of Adjustment:** The Board of Adjustment may approve accessory structures which exceed the maximum wall or accessory building height provisions as a special exception if the accessory building is in keeping with the development pattern on the block face.
5. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

Standard for Maximum Footprint of Accessory Structures: The combined maximum footprint of all accessory structures on a lot in single family and two family residential districts is proposed to be limited to a maximum size not to exceed fifty percent (50%) of the size of the footprint of the principal structure on the lot up to a maximum size of 720 square feet. Regardless of the size of the footprint of the principal building, a 440 square foot garage will be allowed. The current Zoning Ordinance standard that limits the footprint of accessory structures to fifty percent (50%) or less of the yard area between the rear of the principal building and the rear property line will remain in place.

APPROVAL AND APPEAL PROCESS

1. **Over-the-Counter Permit:** Any proposed projects that meet the standard for maximum footprint of an accessory building listed above will receive an over-the-counter building permit.
2. **Routine and Uncontested Special Exception:** The footprint of an accessory structure between 720 square feet and 900 square feet may be approved as a routine and uncontested special exception subject to the size of the accessory structure being in keeping with the development pattern on the block face.
3. **Administrative Public Hearing:** If an applicant cannot obtain 100% of the signatures required for the routine and uncontested special exception or if the Zoning Administrator finds that the proposal is not routine and uncontested, the proposed in-line addition may be considered at an administrative public hearing.
4. **Board of Adjustment:** The Board of Adjustment may approve an accessory structure with a footprint in excess of 900 square feet as a special exception if the accessory structure is in keeping with the development pattern on the block face.
5. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

E. MAXIMUM LOT SIZE

STANDARD: With the exception of lots created by a subdivision plat or notices of minor subdivision or minor subdivision amendment recorded in the Office of the Salt

Lake County Recorder, the maximum size of a new lot shall not exceed 150% (except in the SR-3 District where the maximum lot size shall not exceed 200%) of the minimum lot size required by the base zoning district.

APPROVAL AND APPEAL PROCESS

1. **Over-the-Counter Permit:** Any proposed projects that meet the standard for maximum lot size listed above will receive an over-the-counter building permit.
2. **Administrative Public Hearing Process:** Lots in excess of the maximum lot size shall be allowed only if created through the subdivision process and approved by the Planning Commission, subject to the following standards:
 - The square footage of the new lot is compatible with other lots on the same block face.
 - The configuration of the lot is compatible with other lots on the same block.
 - The relationship of the lot width to lot depth is compatible with other lots on the same block face.
3. **Planning Commission:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Planning Commission.

F. **MAXIMUM LOT COVERAGE – NEW CONSTRUCTION AND ADDITIONS:** The existing lot coverage standards for the SR-1, R-1-5000 and the R-2 districts allow principal and accessory buildings to occupy a significant area of land beyond the buildable area of a standard 5,000 square foot lot. Other single family residential zoning districts are more restrictive in this respect and limit lot coverage to an area that is equal to or less than the buildable area of a lot meeting the minimum lot size.

For example, a typical 5,000 square foot lot in the R-1-5000 District has a buildable area of approximately 2,000 square feet (40% of the minimum lot size). However, the existing lot coverage standard of 55% equates to 2,750 square feet.

STANDARDS:

- R-1-5000 and SR-1 – reduce maximum building coverage from 55% to a base of 40% of lot area.
- R-2 – reduce maximum building coverage for single family dwelling (minimum 5,000 square foot lot) from 45% to a base of 40%

APPROVAL AND APPEAL PROCESS

1. **OVER-THE-COUNTER PERMIT:** Any proposed projects that meet the maximum lot coverage and maximum building height standards will receive an over-the-counter building permit.
2. **ADMINISTRATIVE PUBLIC HEARING:** The maximum building coverage standard shall decrease as a function of the building height for R-1, R-2 and SR districts for buildings in excess of the maximum building height subject to the development pattern on the block face.

3. **BOARD OF ADJUSTMENT:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

G. FINES: The Administration proposes that a more substantial penalty be imposed for construction activity undertaken in violation of the ordinance. Currently, the City Code allows the Building Services and Licensing Division to impose a fine that doubles the building permit fee.

STANDARD:

- Building Permit Fine equal to ten percent (10%) of the valuation of the proposed construction as determined by the Building Official, or \$1,000.00, whichever is greater.

H. DESCRIPTION OF APPROVAL AND APPEAL PROCESSES

1. **OVER-THE-COUNTER PERMIT:** Over-the-counter building permits may be issued if the standards of the base zoning district are met.
2. **ROUTINE AND UNCONTESTED SPECIAL EXCEPTION:** Routine and Uncontested Special Exceptions may be approved by the Zoning Administrator subject to the provision of Section 21A.52 of the Zoning Ordinance. This process requires an applicant to obtain 100% of abutting property owner's signatures for the Zoning Administrator to consider the request. The Administration is proposing that where an applicant is not able to obtain 100% of the signatures of abutting property owners, or when the project is not routine and uncontested, an administrative hearing occur rather than a Board of Adjustment hearing taking place. Any appeals to the decision rendered by the Administrative Hearing Officer in the administrative public hearing process may be appealed to the Board of Adjustment. This process requires a 14 day public notice mailed to property owners within 300 feet (excluding streets and alleys) of the subject property and to chairs of affected community councils.
3. **ADMINISTRATIVE PUBLIC HEARING PROCESS:** The administrative public hearing process is administered by an Administrative Hearing Officer under the direction of the Planning Director. This process allows greater scheduling flexibility than the Planning Commission or the Board of Adjustment but still requires a fourteen day public notice mailed to property owners within 300 feet (excluding streets and alleys) of the subject property and to chairs of affected community councils.
4. **BOARD OF ADJUSTMENT:** Under the current proposal, the Board of Adjustment is generally designated as the final appeal body. Public notice of Board of Adjustment consideration must be mailed to property owners within 300 feet (exclusive of streets and alleys) when considering new construction of principal buildings and 85 feet (exclusive of streets and alleys) for other types of projects

- I. **DEFINITION OF DEMOLITION:** Complete Demolition means any act or process that destroys or removes 75 percent or more of the exterior walls and or total floor area of a structure, improvement or object.

3. FINDINGS

A decision to amend the text of the zoning ordinance or the zoning map is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment, the Planning Commission and the City Council must consider the following factors:

21A.50.050 Standards for General Amendments

A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.

Discussion: Several Salt Lake City master plans and other policy documents discuss the importance of compatible residential infill development and its effect on maintaining the character of existing neighborhoods (see the “Master Plan Specifications” section of this report).

Findings: The proposed amendments are consistent with the purposes, goals, objectives, and policies of the City’s various community master plans, City Council policies and other planning documents.

B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.

Discussion: The proposed text amendments are designed specifically to promote single and two-family residential infill development that is compatible with surrounding development by creating regulations that relate to compatibility of setbacks, building height, garage/accessory structure standards, lot coverage and lot size. Implementation of the proposed amendments may have a significant impact on the character of a neighborhood.

Findings: The proposed amendments were created to ensure that new construction and additions in residentially zoned areas of the City are compatible with the character of the surrounding neighborhood.

C. The extent to which the proposed amendment will adversely affect adjacent properties.

Discussion: The proposed text amendments are designed to encourage infill development that is compatible with the surrounding development. The purpose is to establish standards that encourage compatibility between new construction, additions or alterations and the existing character and scale of the surrounding neighborhood.

Findings: The proposed zoning standards are intended to minimize adverse impacts of new residential construction and additions on adjacent properties.

D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.

Discussion: The proposed amendments affect base zoning district standards and will not impact the administration of existing overlay zoning districts. If there is a conflict between the base zoning standards and an overlay zoning district, the overlay zoning district standards prevail. The Yalecrest Compatible Infill Overlay District standards will remain in force as will Historic Preservation Overlay District standards. Both of these overlays include standards and processes designed to consider the impact of new construction on the surrounding neighborhood.

Findings: The proposed amendments are consistent with the provisions of existing overlay zoning district which may impose additional standards on new development.

E. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

Discussion: The proposed amendments will not change the land use patterns, densities or types of land uses allowed within the various planning communities in Salt Lake City. Consequently, the proposed amendments will have no impact on the adequacy of public facilities and services.

Findings: The adequacy of public facilities and services criteria does not directly relate to the proposed amendments.

RECOMMENDATION: Based on the analysis and the findings presented in this report, the Staff recommends that the Planning Commission forward a positive recommendation to the City Council to approve Petition 400-05-25 to amend the zoning ordinance as presented.

Attachments:

1. Departmental Comments
2. Public Comments

ATTACHMENT 1

DEPARTMENTAL COMMENTS

Draft Compatible Infill Comments / Building Services

Second Review

November 2, 2005

Section B

Consider language that would clarify the required setback for new subdivisions

Some block faces in the City are longer than 600'. Consider including a maximum measurement distance from property for setback averaging as noted in previous draft.

Section C

The Permits Office assumes that limiting the number of stories would be eliminated from the Code. We support the removal of "stories" from the building height section.

Section D

Attached garages – the Administrative Public Hearing section mentions the re-construction of an attached garage in the same location. Section 38.120 permits the complete replacement of single and two family dwellings without special approval. Consider clarifying language citing additions or extensions that do not meet location standards.

In some cases the width of an alley access to a detached garage is not sufficient to meet the required back out area for a vehicle. Example: Suppose an alley is 16' wide. The required back out area for a standard 9' wide stall is 22'-7". This means that the garage must be setback from the rear property line 6'-7" to meet Transportation maneuvering standards. Consider allowing greater setbacks than 5' to meet this requirement.

The distance between the home and an accessory building could present a functional problem for an owner. On a 165' deep lot the distance between the rear of the home and the garage could be plus or minus 70'. Consider allowing a greater setback from the rear property line based upon the maintenance or functional impact to the owner (snow removal, loading distance from the garage to home)

Note: The Routine and Uncontested standards of approval for additional height of accessory buildings may need revision by the Board of Adjustment depending upon the final language of the ordinance.

The Code currently limits the rear yard coverage by an accessory structure to 50%. The proposed language allows a 400 sq. ft. garage in all cases. Suggest language to clarify if a 400 sq. ft. garage is subject to the 50% coverage limitation.

Current code addresses accessory building size by means of the associated principal use. (single family-720, duplexes-1000, and multi-family accessory structures are not limited in size). Consider limiting accessory building size by district and possibly the associated use. In the past, legal nonconforming multi-dwelling uses have been able to build large accessory structures in low density residential districts without a special review process. Limiting the size of an accessory structure by district would remove the “over the counter” approval for accessory structures serving these nonconforming higher density uses and permit the higher density districts to construct the necessary accessory structures without the need for a special review process. For the purposes of discussion, let’s say uses in the single family districts and/or single family dwellings could remain at the 720 sq. ft maximum. Two family districts could allow 720 sq. ft. for single family uses and duplexes could remain at the 1000 sq. ft. maximum. Multi-family districts could have up to 50% of the size of the principal building footprint. Other uses in residential districts could be approved for larger accessory structures through the special exception or conditional use process.

Section G

Contractor licensing is administered by the Utah State Department of Professional Licensing (DOPL). Revoking a contractor’s license would require action by DOPL.

Section I

Consider including “wall or floor area” in the demolition definition. This would prohibit someone from doing the “California” thing where they leave one wall standing and demolish everything else. Suggest including language that defines the 75% as a square footage area assessment.

From: Harpst, Tim
Sent: Monday, October 31, 2005 1:34 PM
To: Paterson, Joel
Cc: Young, Kevin; Ikefuna, Alexander
Subject: FW: Draft Compatible Infill Ordinance

Attachments: Summary of Ord Proposal 10 18 05.doc

Joel - My only comment has to do with Section D which refers to the width of an attached garage facing the street which says it may not exceed fifty percent (50%) of the width of the front façade of the house. You may wish to consider allowing a 2-car garage exception (which could also be a maximum) for a narrow home. Otherwise, such homes would not have a way of developing more than a one-car garage.

Timothy P. Harpst, P.E., PTOE

Transportation Director

Salt Lake City Transportation Division Phone: 801 535-6630
349 South 200 East, Suite 450 Fax: 801 535-6019
Salt Lake City, Utah 84111 email: tim.harpst@ci.sl.c.ut.us

From: Ikefuna, Alexander
Sent: Tuesday, October 25, 2005 5:50 PM
To: Harpst, Tim; Clark, Luann; Oka, Dave; Goff, Orion; Boskoff, Nancy; McFarlane, Alison
Cc: Zunguze, Louis; Wilde, Brent; Coffey, Cheri; Paterson, Joel
Subject: Draft Compatible Infill Ordinance

Per the request at the Director's meeting today, I am forwarding the attached draft to you for review and comment. Please provide your comments to Planning no later than October 31, 2005. Please forward your comments to Joel Paterson.

Thanks for your time.

Alexander C. Ikefuna, Planning Director
Planning and Zoning Division
Salt Lake City Corporation
451 South State Street, Suite 406
Salt Lake City, UT 84111
PH: (801) 535-7757
Fax: (801) 535 - 6174

ATTACHMENT 2

PUBLIC COMMENTS

From: Kirk Huffaker [Kirk@utahheritagefoundation.org]

Sent: Tuesday, September 13, 2005 11:46 AM

To: Paterson, Joel

Subject: Closing zoning loopholes for monster houses

Attachments: Kirk Huffaker (kirk@utahheritagefoundation.org).vcf
Joel

UHF held a board meeting last week and there was a lengthy discussion about the teardowns / monster houses issues. I let them know that you are working on an analysis of the zoning codes right now and that was going to be presented to city council on Sept. 20th. I hope that's correct in what I heard at community council last week.

The UHF board wanted me to also let you know that we are here to help in the process and that you would hope to include UHF in the discussion and keep us in the loop during it.

Lastly, I was at the Avenues subcommittee meeting last night. It went pretty well as there seems to be a good group of knowledgeable people working on it. They will need input from planning very soon! I hope you (as we are hoping you are the one from the division we can get expertise from) can plan on attending in the near future.

Thanks,

KIRK

From: Rex Sears [RSears@WNLaw.com]
Sent: Tuesday, October 25, 2005 10:33 AM
To: Paterson, Joel
Cc: Lambert, Dale; Council Comments
Subject: Compatible Infill Open House
Joel,

I thought there was going to be an open house regarding compatible infill tonight, but I was unable to get any confirmation either via the city's website or the planning division general number. If the open house has been rescheduled, please let me know the date, time, and location.

If the open house is going forward tonight, I will not be able to make it, so I am emailing my comments. As you may recall, you and I had a brief discussion after last week's City Council meeting, and my comments here are along the same lines as the comments I made last week.

Planning had earlier recommended design review for all construction that would result in a structure of increased size or different footprint as an interim measure, until neighborhood-by-neighborhood standards for over-the-counter permitting could be developed. Now, the plan is to modify the city-wide requirements for over-the-counter permits, leaving open the possibility of more localized requirements being developed and implemented down the road. I am deeply concerned with how the inevitable over- and under-inclusion problems resulting from pursuing a city-wide solution will be resolved.

To frame the issue and my concern, it is helpful to think of principles that could guide the development of city-wide standards as being of three flavors. The first minimizes unnecessary appeals from denial of an over-the-counter permit. Followed through to its conclusion, this principle would support the implementation of standards under which so long as there is some place in the city where a house would fit in its particular zone, it should be given an over-the-counter permit. The second goes to the opposite end of the spectrum, minimizing imprudent over-the-counter permitting. Followed through to its conclusion, this principle would support the implementation of standards under which an over-the-counter permit would not be given unless the house would fit anywhere in the city (that is, anywhere in the city with the same zoning). The third tries to strike a balance between minimizing unnecessary appeals and minimizing imprudent over-the-counter permitting.

I am not inclined to extremism, but here I think there is no place for balancing. If we are to have city-wide standards for over-the-counter permitting, then the standards should not authorize an over-the-counter permit unless the structure would fit anywhere in the city. That is because the harm done by an imprudent grant of an over-the-counter permit reaches the entire neighborhood, and it is for all practical purposes irreversible. The harm done by an imprudent denial of an over-the-counter permit, on the other hand, is localized and transitory: only one property owner is impacted, and that he can mitigate his harm by pursuing an appeal.

Implementing more restrictive standards at the outset also makes a better allocation of responsibility for subsequent neighborhood-by-neighborhood adjustments, by placing that burden on those who want to liberalize over-the-counter permitting standards for particular neighborhoods. That allocation serves two beneficial purposes: first, it minimizes the risk of lasting harm while neighborhood-specific adjustments are being pursued; second, it encourages a more thoughtful, deliberative approach to neighborhood adjustments, because there will not be a panicked rush to get those adjustments made.

Turning from generalities to particulars, I do not believe that the city-wide standards currently under consideration pass muster. As we discussed, the height limitations will permit second stories, and there are neighborhoods where two-story construction would be highly detrimental.

L. Rex Sears
Workman Nydegger
1000 Eagle Gate Tower
60 East South Temple Street
Salt Lake City, Utah 84111
801/533-9800 (switchboard)
801/328-1707 (fax)

This e-mail is sent by a law firm and may contain information that is privileged or confidential. If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.

From: Miller, Margaret A. [MMiller@FDIC.gov]

Sent: Tuesday, October 25, 2005 1:40 PM

To: Paterson, Joel; Eric Jergensen

Cc: Kirk Huffaker; Bob Greely; David Richardson; Jim Jenkin; Kat Kivett; Kelly Q. Stevens; Lester Aoki; Lon Richardson; Marc Wintriss; Shane Carlson; Theresa Lowe; Earl Miller

Subject: Meeting last night

Attachments: callhouseon8thavenue.JPG; callhouseon8thavenue3.JPG;
callhouseon8thavenue2.JPG

Dear Joel ☐

Thanks for the information you provided to our Avenues group last night. I am looking forward to hearing more tonight.

If I could just say one thing to the people that oppose having more regulation, it would be that ☐buying a lot or house doesn't give you the right to infringe on the neighbors around you. It isn't fair to live in a 100 year old neighborhood and have the whole character of the block ruined by one rude homeowner.☐

Case in point, here are some photos of the house on 8th Avenue that I took this morning. I will bring copies tonight. And this is without the top story or roof!

Thanks again for understanding what we're trying to accomplish.

<<callhouseon8thavenue.JPG>> <<callhouseon8thavenue3.JPG>>

<<callhouseon8thavenue2.JPG>>

SALT LAKE CITY PLANNING COMMISSION
Compatible Residential Infill Development
Open House
Meeting Roll October 25, 2005

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PRINT NAME: ERVIN HORROCKS	PRINT NAME: ELLEN HORROCKS
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E-MAIL:	E-MAIL:
NAME:	NAME: Beth Bowman
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SALT LAKE CITY PLANNING COMMISSION
Compatible Residential Infill Development
Open House
Meeting Roll October 25, 2005

NAME:	NAME: <i>Shane Carlson</i>
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NAME: <i>Carl Richardson</i>	NAME: <i>Margaret Miller</i>
PRINT NAME:	PRINT NAME: <i>Margaret Miller</i>
ADDRESS: <i>1280 4th Ave</i>	ADDRESS: <i>653 9th Ave</i>
ZIP CODE: <i>84103</i>	ZIP CODE: <i>84103</i>
E-MAIL:	E-MAIL: <i>mmiller@edc.gov</i>
NAME: <i>Shane</i>	NAME: <i>Earl Miller</i>
PRINT NAME:	PRINT NAME: <i>Earl Miller</i>
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SALT LAKE CITY PLANNING COMMISSION
Compatible Residential Infill Development
Open House
Meeting Roll October 25, 2005

NAME: Catherine Lunn	NAME: Dave
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NAME: Cheryl Carr	NAME: Wynn Johnson
PRINT NAME: 748 Hilltop Rd	PRINT NAME
ADDRESS: SLC	ADDRESS: 852 Northlife Dr
ZIP CODE: 84103	ZIP CODE: 84103
E-MAIL: ccarr@comcast.net	E-MAIL: wynnjohn@aol.com
NAME: Jill VanLangel	NAME: Jill VanLangel
PRINT NAME: 946 J St	PRINT NAME
ADDRESS: SLC	ADDRESS: 807 Northlife Dr
ZIP CODE: 84103	ZIP CODE: 84103
E-MAIL:	E-MAIL: JAVANL2@softcom.net
NAME: Robert Cook	NAME: Jim Webster
PRINT NAME: 748 Hilltop Rd	PRINT NAME
ADDRESS: SLC	ADDRESS: 938 Military BL
ZIP CODE: 84103	ZIP CODE: 84108
E-MAIL:	E-MAIL:
NAME: MARK LUNDGREN	NAME: JESSE BEACON
PRINT NAME:	PRINT NAME 1CON REMODELING
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COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS
PETITION 400-05-25

Open House
October 25, 2005

MAIL COMMENTS TO:
JOEL PATERSON, PLANNING PROGRAMS SUPERVISOR
451 S. STATE STREET, ROOM 406
SALT LAKE CITY, UT 84111
OR SEND E-MAIL TO: joel.paterson@slcgov.com

Name:

Jim Webster

Address:

938 Military Dr 84108

COMMENTS:

THE MOST SIGNIFICANT VARIABLE
IS LOT DEPTH. IN THE SPIRIT OF
AVERAGING (I.E. FRONT SETBACK, ROOF
HEIGHT, ETC.), WHY NOT ALSO CONSIDER
AVERAGE LOT DEPTH IN THE ADJOINING
NEIGHBORHOOD FOR ~~THE~~ DEEP LOTS, ETC.
PLACEMENT OF GARAGES SO DEEP ON
SUCH LOTS IMPROVES MUCH MORE LANDSCAPE
AND THEREFORE RUNOFF AS AN IMPACT TO
NEIGHBORS, POSSIBLE ENVELOPE W/
DASHED LINE AS AVG. REAR LOT LINE,

COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS
PETITION 400-05-25

Open House
October 25, 2005

MAIL COMMENTS TO:
JOEL PATERSON, PLANNING PROGRAMS SUPERVISOR
451 S. STATE STREET, ROOM 406
SALT LAKE CITY, UT 84111
OR SEND E-MAIL TO: joel.paterson@slcgov.com

Name: Kat Kinnett

Address: 620 H St email: gaccnewsletter@hotmail.com

COMMENTS:

There are two things that I would like to see expanded in the Summary:

- 1) In the Fines section, 10% is not much of a deterrent perhaps increase to 15%. Also requiring to tear down unapproved work and rebuild/replace may stop rampant disregard for ordinance.
- 2) There is not a specific reference to Protection of View for Building Ht and accessory Bldg Ht. I would like to see this issue addressed for SR-1 since view has a tangible value to property. (In Seattle, neighbors buy AIRSPACE to protect their views, I think we could avoid this if addressed now.)

One last thing is if the applicants must supply the street averages for setbacks, max heights, who will check behind Builders etc. to see if the average is correct? I'm afraid this standard will be abused by unscrupulous property owners.

Thank you Joel

Kat Kinnett

COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS
PETITION 400-05-25

Open House
October 25, 2005

MAIL COMMENTS TO:
JOEL PATERSON, PLANNING PROGRAMS SUPERVISOR
451 S. STATE STREET, ROOM 406
SALT LAKE CITY, UT 84111
OR SEND E-MAIL TO: joel.paterson@slcgov.com

Name:

LESTER AOKI

Address:

351 'L' Street SLC. 84103

COMMENTS:

The "fine" for a ~~perm~~ "remodel" permit holder who ends up with a demolition, whether by accident or due to engineering or construction problems needs to be very high.

Without the high fine, there is an incentive to the builder to end up with a total demolition and new construction rather than a "remodel" - if the demolition passes the threshold set, whether it is 50%-75%-or whatever, they should be forced to go back into the permit process ~~for~~ for "NEW" const. rather than continuing on a remodel permit.

Exhibit 5c

PLANNING COMMISSION
DRAFT MINUTES

Petition 400-05-25, Initiated by the City Council requesting to amend provisions of the Salt Lake City code that may contribute to residential infill that is not compatible with the surrounding development with various single and two family residential zoning districts. The Planning Commission will consider recommending amendments to the city code regarding inline additions, building height, yard requirements, garage placement, accessory building standards, lot size, building coverage, definition of the term demolition, and the fines assessed for construction activity in violation of the proposed standards. (Staff – Mr. Joel Paterson at 535-6141 or joel.paterson@slcgov.com)

(This item was heard at 6:12:45 p.m.)

Mr. Paterson made a PowerPoint presentation followed by questions from the Planning Commission and the public.

A full description of this proposal is found in the Staff Report. The proposal is briefly described as:

- A. Remove provisions allowing in-line additions through the over-the-counter building permit process.
- B. Modification to front yard setbacks in the FR, R-1, R-2 and SR Zoning Districts – In that the minimum setback should be determined by the average neighborhood setback.
- C. Modifications in building heights in the R-1/5000, R-1/7000, R-2, SR-3 zoning districts.
- D. Attached garages and accessory buildings.
- E. Maximum lot size.
- F. Maximum lot coverage for new construction and additions.
- G. Fines

Mr. Paterson responded to a question and example cited by Commissioner De Lay. The standard of twenty-three feet for maximum building height (C) had been selected because, even though this would result in a bungalow type home, Staff concluded that a house at a height of twenty-three feet would have little opportunity to tower over other neighboring houses.

He stated the height standard is not an absolute; there is a twenty-three foot envelope or an averaging height of other single-family and two-family dwellings on the block face. In the example cited, a street that had six Victorian homes with an average height of thirty feet, a new home could be built up to thirty feet, but it would be a problem if it was thirty-five feet, which would be above the average building heights on the block face.

In response to a question posed by Commissioner Chambless, Mr. Paterson explained that the height restriction would not apply to chimneys. Chimneys must have a certain amount of clearance from the roof of the house to meet the fire code.

Mr. Paterson explained that most standards would have a tiered approach. If base standards can be met, a building permit can be issued over-the-counter. If the applicant can demonstrate that the proposal outside of the base zoning standard is in keeping with the development pattern within the block: it enters the tiered Public Review process.

Commissioner Chambless asked what the penalties for violations to the ordinance were and how strictly they would be enforced.

Mr. Paterson and Ms. Coffey explained how the typical fine was enforced, and Ms. Coffey stated that there are examples where the owner has been required to take elements off of a structure that were in violation of the code.

Commissioner Diamond confirmed with Mr. Paterson that neighborhoods could adopt more restrictive regulations by using an overlay. When there is a conflict between existing standards and an overlay, the overlay prevails.

Commissioner Seelig commented that she would like the Administrative Hearing process to be added to issues regarding the twenty foot setback standard between an accessory structure and an abutting principle structure in order to be consistent with the other processes.

Mr. Paterson explained the fine process at Commissioner Galli's request. There is no appeal on a penalty imposed. Commissioner Galli asked Mr. Paterson to double check to be certain that there was no appeal on a penalty.

Commissioner Muir stated he would prefer to see the width of an attached garage be determined by a measurement of the width of the garage doors.

Commissioner De Lay commented that she believed this was allowed under the new ordinance. She went on to state that this was one of the largest public turnout at a Planning Commission Meeting that she has attended. She asked the Commission Members if they were completely opposed to the ordinance or just objected to sections of the proposed ordinance.

It is noted that the Planning Commission received comments in writing regarding the proposed ordinance change. These were discussed in the meeting and entered into the record. The letters will be attached to the minutes.

Commissioner Diamond did not agree with the proposed standards height on accessory structures. He stated that limiting the size of garages could lead to additional accessory buildings. He preferred the existing pattern. He also stated that he believes twenty-three feet for a residence is too low and it should be reviewed. He felt that it would not allow diversity of design and wondered how the department would police the size of property and what should and should not be a standard exception within the developmental pattern of a neighborhood. Once one homeowner in a neighborhood received an exception, would his neighbors be required to also apply for an exception?

In response, Commissioner De Lay reminded the Commission that individual neighborhoods do have the option of implementing stricter regulations if they want to go through the overlay process.

Commissioner Galli reminded the Commission that they do not have final approval authority to amend the Zoning Ordinance, but only to forward the recommendation to City Council.

Seeing no further comments by the Commission, Chairperson Noda opened the public hearing.

Many members of the Community Council and public commended Mr. Paterson's work on the proposed ordinance.

Wayne Woolsey said that he was required to go through a hearing process when he constructed his home, but across the street at 675 8th Avenue, a large house was built, which he

thinks exceeds the limit. He opposed the process, objecting to the height limit. He believes it should be thirty feet at the crest.

Mr. Ikefuna agreed to follow up on the inconsistency with his neighbor across the street and will send a Planning Commission letter to Mr. Woolsey in follow up to his concern.

Mr. Paterson stated that he was familiar with the background of the issue Mr. Woosley presented. The Call house structure at 675 8th Avenue was three feet from the property side lot line. This house has been reviewed by the Building and Licensing Division and meets the current regulations.

Mr. Paterson went on to explain how the house was constructed without violating the current Zoning Ordinance. The builder obtained a permit to remodel the structure. He then tore down the unimproved portion of the house using a second remodeling permit. In this two step process, the builder was able to construct a new house which towers over the neighborhood.

In response to public comment and a question posed by Commissioner De Lay, Mr. Paterson clarified that some homes will not be able to construct accessory buildings. Commissioner De Lay suggested that everyone in Utah wanted a garage because it snows.

Cindy Cromer requested that the ordinance be passed and then a specific date set for review of how it was working.

Ann Robinson, Licensed Architect with Renovation Design, sent her comments via e-mail, which were added to the record as instructed by Commissioner De Lay. Ms. Robinson presented an alternate proposal to keep the current zoning ordinance regulations.

Concerns were expressed by the public regarding the current lengthy process of acquiring a permit and the fear that the processing time would increase.

Concern was also expressed by the public were that the houses may become anonymous houses without diversity and creativity due to the height restrictions. The height restriction is too low for some neighborhoods.

Comments were made that a proposed remodel should not be allowed as an excuse to demolish a structure such as was the case with the house at 675 8th Avenue.

Sidney Fonnesbeck, Avenues resident, was strongly in favor of the proposal. She expressed disappointment that it did not happen five years ago. It is frightening that the Call house meets the Zoning Ordinance. They were allowed to use the existing walls to get around the current Zoning Ordinance and then they were allowed to tear those walls down. It was called a remodel with 100 percent of the house rebuilt. As soon as the rest of the house was built, the walls of which were the bases for the inline permit were torn down. No longer does a two-story house exist, it is now a four- or five-story house. Five years ago the Board of Adjustment was told a compatibility ordinance was in the works. Ms. Fonnesbeck also explained that the hard-surfacing in conjunction with the overbuild has caused drainage problems on adjacent properties. Drainage has always been important because of the topography of the neighborhood.

Commissioner Seelig asked whether or not drainage was part of the permit process.

Mr. Paterson confirmed that drainage must be confined to its own yard.

The following were speakers or individuals who had comments read by Chairperson Noda at the meeting.

In opposition:

Michael Bradley (Designer), Jared Bullock (Renovation Design Group), John Donner (Tuff Shed), Thaddeus Halls, Claudio Holzner, Chris Humbert, Jim Jenkin, Clint Johnson, Ron Price (Yalecrest resident), Dave Richards (East Central resident and Architect), David Rose, Annie Vernon, and Andie William.

In favor:

Mauricio Agramont, Marie Anthony, Lester Aoki, Shane Carlson, Cheryl Cook (Avenues Infill Committee), Cindy Cromer, Cody Curtis (Avenues resident), Christian Fannesbeck, Bob Greely, Kurt Huffaker (Utah Heritage Foundation), Clint Johnson (Boardwalk Remodeling Design), Ann Kelsey, Janet McCullough, Earl Miller, Margaret Miller (Avenues resident), Ruth Morgan, Jill Mortensen, William Petrick, Kimberly Pilger, Lon Richards (Greater Avenue Community Council), L. Rex Sears, Margaret Utermoehlen (Sugar House Community Council), Jill Van Windervelt (Avenues Community Council Member), Tracy Wake, Spike (Daniel) Weiser and Rob White (Utah Heritage Foundation).

Commissioner Chambless and Commissioner Diamond asked Mr. Paterson how he quantified development averages.

Mr. Paterson explained it was by determining heights and mass, not building materials or style.

Commissioner De Lay asked if the term "development pattern" was defined.

Mr. Paterson said it was not.

Commissioner De Lay and Commissioner Galli agreed that it should be determined on a case by case basis. She also requested an explanation of the tiered approach.

Rob White stated that if the proposed construction meets the Zoning Ordinance and there is no objection, the permit can be issued over the counter. If it does not pass, then there is recourse in an administrative hearing and then a full commission hearing.

Commissioner Scott was impressed with the number of people who came and shared recommendations. She explained that Commissioners are charged to uphold standards; the findings show that the proposed ordinance supports the standards. One concern expressed by the public was that of cookie-cutter homes. Infill Development is one house at a time and is not cookie cutter. Salt Lake City needs to get something in place now. She was in favor of proceeding with a motion.

Commissioner Diamond was concerned that other neighborhoods were not represented and that the ordinance might not be appropriate for some of those neighborhoods. He declined to support an ordinance that would be implemented for the entire City. He stated that this ordinance is not appropriate for all neighborhoods.

Commissioner Seelig wanted to discuss the twenty-foot setback and to add an administrative hearing process to the proposal that might allow an accessory structure to be located closer than twenty feet from a dwelling on an adjacent lot.

Commissioner McDonough agreed with Commissioner Diamond who stated the three tiered system was administration heavy and wondered if it was an effective method. She wondered if builders would take the least path of resistance or will they try to go through the process to promote infill compatible with the neighborhood. Bad building comes in all sizes. One blanketed ordinance is potentially ineffectual.

Commissioner De Lay expected more dissent. She supported the proposal even though there is an issue with the height restriction. She supports a review of the ordinance in one year. She asked why the permit process was getting longer.

Mr. Paterson stated there is a lot of building construction activity and neighbors are challenging over-the-counter permits. The building permit process is not routine anymore. With these standards, the Planning Division is trying to add some reasonableness to the system.

Chairperson Noda commended Mr. Paterson and acknowledged the public comments did support the ordinance. The Avenues were strongly supported and other Community Councils were missing, but she believed the ones affected the most by these changes, were present. She noted there was flexibility. There is a tier process, but it was not an impediment. She supported the building height and a one year review of the proposed ordinance. The Chairperson expressed support for the ordinance and thanked the public for comments.

Commissioner Diamond voiced the opinion that there were enough changes that both Staff and the Commission needed to take more time and then readdress the issue at a later date. He defended this position by reminding the Commission that the proposed ordinance would result in major changes.

Commissioner Galli commented that Staff had never been more prepared. He recommended that the Commission advance it with the list of amendments since they were not the ultimate decision makers.

Commissioner Chambless thanked the public for participating. Overall, 75 percent of those who spoke had a favorable opinion of the proposed ordinance. He agreed with Cindy Cromer who recommended a review in twelve months. He also agreed with Commissioner Galli that the Commission should not table, but forward the proposal with a favorable recommendation.

Commissioner Galli asked Commissioner Muir if he would support the Commission advancing the proposed ordinance with the direction that neighborhoods be allowed to opt out.

Commissioner Muir felt it would be better if they could opt in rather than opt out. The ordinance may dampen investor interest in neighborhoods that are starved for investments.

Commissioner Galli stated in response to a public speaker's proposal that we follow the pattern that has been set in Dallas. The Commissioner responded that he did not want Salt Lake City to be Dallas and that action was needed to prevent it from becoming that way. He proposed a standard to opt in; stating that inaction on the proposal posed a risk to those who have the most at stake in the form of potential delay. He also stated there was a benefit to the opting in

amendment. It would allow choice and this could be a catalyst to energize neighborhoods to become more active participants in the planning process. It would be good for the entire city.

Commissioner Scott believed the reason people from Central City and East Central did not show strong attendance was that people have been demoralized by incompatible infill. It is hard to get energized people when there is no sense of community, no sense of neighborhood. Sometimes incompatible infill is promoted by those that have the greatest capacity to make an economic investment in a neighborhood and they may not be the neighbors that have been there a long time. She believed the capacity to opt out or opt in would not encourage neighborhood attendance, but that of investors who do not reside in the neighborhood.

Commissioner Galli was in favor of an opting out amendment to allow neighborhoods, with guidance from the Planning Division, to opt out of the new proposed ordinance. He further proposed better education and advertising efforts on behalf of the Planning Division to encourage more community involvement.

Commissioner Seelig acknowledged she had full faith that Staff followed all noticing requirements. She stated that the issue has come up before and believes fliers with technical language are not adequate to reflect to the public the true impact proposed changes have on their lives. She used the example of the "Country Club" house. She was in agreement with what Commissioner Galli had to recommend, but she favored the opportunity to opt in.

Commissioner Galli reminded the Commission that this was an emergency. He urged moving the proposal forward with a positive recommendation to avoid more monster homes which were allowed under the current system. He warned that opting in could delay the process by months. He reminded the Commission that the market was moving quickly in the City, allowing opportunity for both good and bad infill. He acknowledged that Commissioner Muir made a good point; the ordinance is not a good fit for everyone.

Commissioner Seelig asked how the Planning Commission was going to guarantee that the outreach occurs.

Mr. Ikefuna explained that the City Council rejected the original presentation and asked Staff, due to the emergency, to identify the deficiencies in the current base zoning and then make a recommendation. The Avenues, Yalecrest and the areas that are considered in danger were closely examined. A lengthy discussion took place regarding the pros and cons of restrictions. The issue of opting in and opting out was also explored. Staff generally agreed that it would be in the best interest of the City to simply change the base zoning. It was acknowledged that areas on the West side do not have a need for the changes, but will in the future, so the decision was made to implement it city wide.

The proposal was then taken back to City Council and they were pleased with the product. It was the Council who asked the Planning Department to proceed with the public review process and subsequent submission to the Planning Commission.

The public process has been widely conducted, there has been input from the public. The majority of public comments have reflected the City Council's position that the current ordinance is inadequate to protect the integrity of established neighborhoods. There is no consistency, especially regarding Building Services. He urged the Planning Commission to take action and forward a favorable recommendation to the City Council. He indicated that doing so would basically restore order to the process. He added that the City Council and Mayor would like to see some kind of resolute action on this issue.

Mr. Ikefuna agreed with Commissioner Galli's assumption that even though the Planning Division was willing to work with the neighborhoods, additional resources may be needed to oversee these changes if they were to take place irrespective of any opt in or opt out condition. He informed the Commission that his department already plans to ask the City Council for additional resources to implement the ordinance, if it becomes necessary in the future.

Commissioner De Lay addressed the process used to inform the public. She stated that she had faith that the Planning Division had followed policy and advertised adequately. She went on to comment, There are very vocal people who reside in these other neighborhoods and the fact that they are not here, tells her that it is a non issue to them.

Commissioner Seelig suggested adding a sunset clause to make the proposed changes disappear after a year unless people come forward.

The Planning Commission as a whole rejected the suggestion.

Commissioner Diamond requested that the proposed ordinance be tabled.

Commissioner Galli was not in favor of tabling the proposed change to create an amendment to opt in or opt out. He expressed the opinion that time was important and the changes should be moved forward with a favorable recommendation. The decision to take this path would allow the Planning Staff to react to the public and adjust accordingly. He favored language that acknowledged that the ordinance might not fit every neighborhood and might need adjustments in the future. These adjustments could be accommodated by approaching the Planning Commission.

Commissioner Muir acknowledged that he would be favorable to moving forward with a one-year evaluation with input from neighborhoods in the City.

Commissioner Muir asked Mr. Paterson which was the easier process; opting out or opting in. Mr. Paterson replied that it was easier to opt in. He said that the Planning Division expected the proposed ordinance to act as a template for other communities if they choose to go a different direction.

Commissioner Muir expressed the opinion that the proposed ordinance was obviously warranted in certain neighborhoods that are being overrun by incompatible infill. But, he was not in favor of more restrictions, predicting it would make life impossible for some investors, contractors and architects.

Chairperson Noda stated that she believed the Commission needed to look city wide in the beginning stages. She supported Commissioner Galli's idea of an opt-out solution. She recommended transmitting a favorable recommendation of the proposed ordinance and allowing other communities to withdraw. She further supported review of the city wide ordinance in one year. She disagreed that the changes would be an impediment. Stating that, "Sometimes when we get more standards we get more creativity."

Commissioner Seelig stated that she would be in favor of allowing neighborhoods to opt out and revert back to the original ordinance.

Commissioner Diamond wanted neighborhoods to create their own overlays rather than reverting back.

Commissioner Galli stated that the neighborhoods should, if they chose to opt out, have the choice to create an overlay or revert back to the original Ordinance.

Commissioner Diamond reflected Commissioner Muir's opinion that the Planning Division is not currently adequately staffed to police the new process and provide timely service. He instructed Mr. Paterson to address the problem with a specific plan when the proposed ordinance is presented before the City Council.

Motion for Petition 400-05-25

Commissioner Scott moved that based on the analysis and findings presented in the Staff Report, the Staff recommendation, and community comments and discussions during this meeting, the Planning Commission forward a positive recommendation to the City Council to approve Petition 400-05-25 to amend the Zoning Ordinance as presented with the following amendments:

- A review of the ordinance at the end of one year to analyze its effectiveness, and that the City Council note that the Planning Commission recommended the proposal with the ability of communities to opt out of the ordinance if they proceed through the overlay approach.
- Commissioner Seelig requested a second amendment to include the tiered approval process concerning the location of accessory structures twenty feet from the principle buildings on adjacent lots.
- Commissioner Galli requested a third amendment that at one year they evaluate the administration of the ordinance city wide to ensure that the Planning Division has sufficient resources to administer the ordinance in a timely fashion and in a manner that does not encumber development or create too many obstacles to developers, architects and builders. The review includes sufficient resources to provide the community outreach.

Commissioner Scott accepted the amendments.

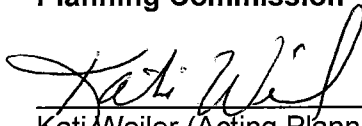
The motion was seconded by Commissioner De Lay. Commissioners Chambless, De Lay, Diamond, Galli, Scott, and Seelig voted "aye". Commissioners McDonough and Muir opposed the motion. The motion passed with a 6-2 vote.

UNFINISHED BUSINESS

(This item was heard at 10:05 p.m.)

There were no issues to be discussed.

There being no further business, the meeting adjourned 10:06 p.m.



Kati Weiler (Acting Planning Commission Secretary)

DRAFT

Exhibit 6
PUBLIC COMMENT

Paterson, Joel

From: Kirk Huffaker [Kirk@utahheritagefoundation.org]
Sent: Tuesday, September 13, 2005 11:46 AM
To: Paterson, Joel
Subject: Closing zoning loopholes for monster houses
Attachments: Kirk Huffaker (kirk@utahheritagefoundation.org).vcf

Joel

UHF held a board meeting last week and there was a lengthy discussion about the teardowns / monster houses issues. I let them know that you are working on an analysis of the zoning codes right now and that was going to be presented to city council on Sept. 20th. I hope that's correct in what I heard at community council last week.

The UHF board wanted me to also let you know that we are here to help in the process and that you would hope to include UHF in the discussion and keep us in the loop during it.

Lastly, I was at the Avenues subcommittee meeting last night. It went pretty well as there seems to be a good group of knowledgeable people working on it. They will need input from planning very soon! I hope you (as we are hoping you are the one from the division we can get expertise from) can plan on attending in the near future.

Thanks,

KIRK

10/30/2005



Greater Avenues Community Council
C/O Salt Lake Association of Community Councils
PO Box 522038
Salt lake City, UT 84152

Salt Lake City Planning and Zoning Department
451 South State Street Room 406
Salt Lake City, Utah 84111

Gentlemen and Ladies:

I am alarmed and concerned about the seeming attempt by a few people in the Greater Avenues Community Council to restrict the freedom to enjoy and improve the living conditions of the majority of the Avenues residents.

I have been an avenues resident at for over 25 years. I lived in 416 8th Ave and own and rent 422 8th Avenue. I enjoy living in the avenues because of the tolerance and diversity of the residents and the architecture. Now it appears that the tolerance aspect is diminishing.

Regarding the GACC newsletter of October 2005. First of all I question the contention that 94% of avenues residents want to regulate building volume relative to size. But in general I question all the percentages the group printed in the October 2005 newsletter. I was never asked my opinion and the few people that can get into the Avenues Sweet Branch Library for the GACC meetings do not constitute a majority of the Avenues Residents. I would like the GACC to explain its methodology used to arrive at these percentages. I seriously doubt if it had any resemblance to a scientific survey.

Lets face facts. The avenues area is an older area and many many houses are in need of significant additional investment to bring them back to an attractive and sound condition. Additionally often older retired people on fixed incomes occupy these homes and they cannot afford to upgrade their homes for example look at the house on the northwest corner of 8th Ave. and I street this house has been deteriorating for the past 15 years. These homes are not improved until these older residents die or move out. Some houses do not justify an investment because the high investment needed would not be recovered by the market value of the house. Often the only way to justify this needed investment is to add additional square feet and make it suitable for a family. This was the situation I was faced with

P.O. BOX 2584

SALT LAKE CITY, UTAH 84110-2584

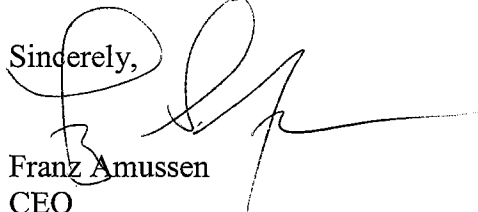
when I ended up building my house at 416. The house I lived in at 422 was too small for my family, its floor plan was not efficient, the plumbing and wiring were not what I would like etc. I looked at fixing these problems but the high investment needed did not justify the market value. My choice was to build a larger more useable house at 416. Effectively building the maximum size house I could for the lot. If the new rules are passed it appears that I would not be able to do this in the future!

I am in favor of high-density neighborhoods and that is exactly what the avenues are. The avenues population is older, and slowly new families are moving in. These older homes often are not suitable to a growing family and a few people that have the time to attend GACC meetings should not stop the improvement of these homes.

I think the GACC would be much better advised to see that proper sidewalks are put in place. Somehow there are many houses and several streets that have no sidewalks. As I walk around a neighborhood suddenly a sidewalk ends and I am forced to walk into the street. Areas I am referring to specifically are on 10th Ave. between F and G Street and G Street between 10th and 11th Ave. I would like the zoning department to require that any house in the avenues that does not have a sidewalk in front of the house to install one to encourage safe pedestrian traffic.

I am strongly against any change in the current zoning rules for the Avenues area that would restrict the improvement of the neighborhood or change the current allowed size for houses in the Avenues.

Sincerely,



Franz Amussen
CEO

Paterson, Joel

From: Rex Sears [RSears@WNLaw.com]
Sent: Tuesday, October 25, 2005 10:33 AM
To: Paterson, Joel
Cc: Lambert, Dale; Council Comments
Subject: Compatible Infill Open House

Joel,

I thought there was going to be an open house regarding compatible infill tonight, but I was unable to get any confirmation either via the city's website or the planning division general number. If the open house has been rescheduled, please let me know the date, time, and location.

If the open house is going forward tonight, I will not be able to make it, so I am emailing my comments. As you may recall, you and I had a brief discussion after last week's City Council meeting, and my comments here are along the same lines as the comments I made last week.

Planning had earlier recommended design review for all construction that would result in a structure of increased size or different footprint as an interim measure, until neighborhood-by-neighborhood standards for over-the-counter permitting could be developed. Now, the plan is to modify the city-wide requirements for over-the-counter permits, leaving open the possibility of more localized requirements being developed and implemented down the road. I am deeply concerned with how the inevitable over- and under-inclusion problems resulting from pursuing a city-wide solution will be resolved.

To frame the issue and my concern, it is helpful to think of principles that could guide the development of city-wide standards as being of three flavors. The first minimizes unnecessary appeals from denial of an over-the-counter permit. Followed through to its conclusion, this principle would support the implementation of standards under which so long as there is some place in the city where a house would fit in its particular zone, it should be given an over-the-counter permit. The second goes to the opposite end of the spectrum, minimizing imprudent over-the-counter permitting. Followed through to its conclusion, this principle would support the implementation of standards under which an over-the-counter permit would not be given unless the house would fit anywhere in the city (that is, anywhere in the city with the same zoning). The third tries to strike a balance between minimizing unnecessary appeals and minimizing imprudent over-the-counter permitting.

I am not inclined to extremism, but here I think there is no place for balancing. If we are to have city-wide standards for over-the-counter permitting, then the standards should not authorize an over-the-counter permit unless the structure would fit anywhere in the city. That is because the harm done by an imprudent grant of an over-the-counter permit reaches the entire neighborhood, and it is for all practical purposes irreversible. The harm done by an imprudent denial of an over-the-counter permit, on the other hand, is localized and transitory: only one property owner is impacted, and that he can mitigate his harm by pursuing an appeal.

Implementing more restrictive standards at the outset also makes a better allocation of responsibility for subsequent neighborhood-by-neighborhood adjustments, by placing that burden on those who want to liberalize over-the-counter permitting standards for particular neighborhoods. That allocation serves two beneficial purposes: first, it minimizes the risk of lasting harm while neighborhood-specific adjustments are being pursued; second, it encourages a more thoughtful, deliberative approach to neighborhood adjustments, because there will not be a panicked rush to get those adjustments made.

Turning from generalities to particulars, I do not believe that the city-wide standards currently under consideration pass muster. As we discussed, the height limitations will permit second stories, and there are neighborhoods where two-story construction would be highly detrimental.

L. Rex Sears
Workman Nydegger
1000 Eagle Gate Tower
60 East South Temple Street

10/30/2005

Salt Lake City, Utah 84111
801/533-9800 (switchboard)
801/328-1707 (fax)

This e-mail is sent by a law firm and may contain information that is privileged or confidential. If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.

10/30/2005

VIA E-MAIL (planning@slc.gov) AND U.S MAIL

Sugar House Community Council
c/o L. Rex Sears, First Vice Chair
2126 Yuma Street
Salt Lake City, Utah 84109

November 3, 2005

Salt Lake City Planning Commission
451 South State Street, Room 406
Salt Lake City, Utah 84111

Re: Compatible Infill Ordinance, Petition No. 400-05-25

Commissioners,

The Board of Trustees (the "Board") of the Sugar House Community Council (the "Council"), at its regularly scheduled and noticed meeting for the month of November, took up the subject matter of Petition No. 400-05-25 (the "Petition"). After deliberation and by a large supermajority, the Board reached several conclusions, which I have been asked to convey to you.

First, the Board considers the incompatible infill problem addressed by the Petition to be both serious and pressing. The integrity and character of numerous neighborhoods within the Council's boundaries have already been compromised by the introduction of structures that are out of scale or otherwise inconsistent with the existing homes.

Second, corrective action should be taken as quickly as possible. The damage inflicted by incompatible construction is essentially permanent and irreversible. Effective corrective action should be taken before more harm is done.

Third, while the Board recognizes the value of neighborhood renewal and does not desire to see it stifled, the Board is of the view that the first and highest priority in fashioning an effective remedy must be to eliminate or at least minimize the risk of improvident over-the-counter permitting. Where an improvident over-the-counter permit is given for construction that results in an incompatible structure, the harm is much greater both in extent and in duration than any burden imposed on an individual property owner (and hence on neighborhood renewal) when an over-the-counter permit is improvidently denied. An individual property owner denied a permit for a proposed structure that is in fact compatible with its contemplated surroundings has effective recourse through an administrative appeal; but neighbors of incompatible structures for

which over-the-counter permits are given have none, and the resulting injuries are permanent.

For your information, the primary comment of the small minority of the Board that dissented from the foregoing was to the effect that any regulation of property use constitutes an unconstitutional governmental taking. The dissenting minority also opined that overly restrictive zoning would have inhibited or prevented what is retrospectively regarded as the positive renewal of the Harvard-Yale neighborhood, which was perceived to have been effected largely through the successive replacement of single-story structures with two-story dwellings.

Although conducted against the backdrop of the Petition, the Board's deliberation was conceptual in nature, and did not address specific elements of the Petition in detail. However, it is the Board's strong desire and hope that the Commission will pursue a prompt and effective remedy, and that in so doing it will emphasize the avoidance of improvident over-the-counter permitting in its evaluation of the Petition and of any other competing or subsequent proposal addressing the issue.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Rex Sears", with a long horizontal flourish extending to the right.

L. Rex Sears

LRS/jw

cc: Dale Lambert

Joel Paterson

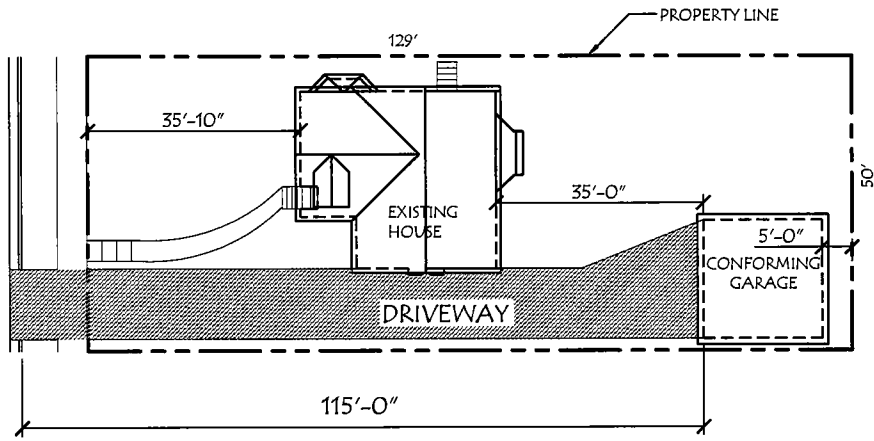
COMMENTS REGARDING THE COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS
November 8, 2005

While we appreciate the concern and effort being made to address the issue of 'monster homes' and do not advocate their construction, we are concerned that the proposed changes to the zoning ordinance will have an adverse effect on residential construction in general in Salt Lake City. Our specific comments follow:

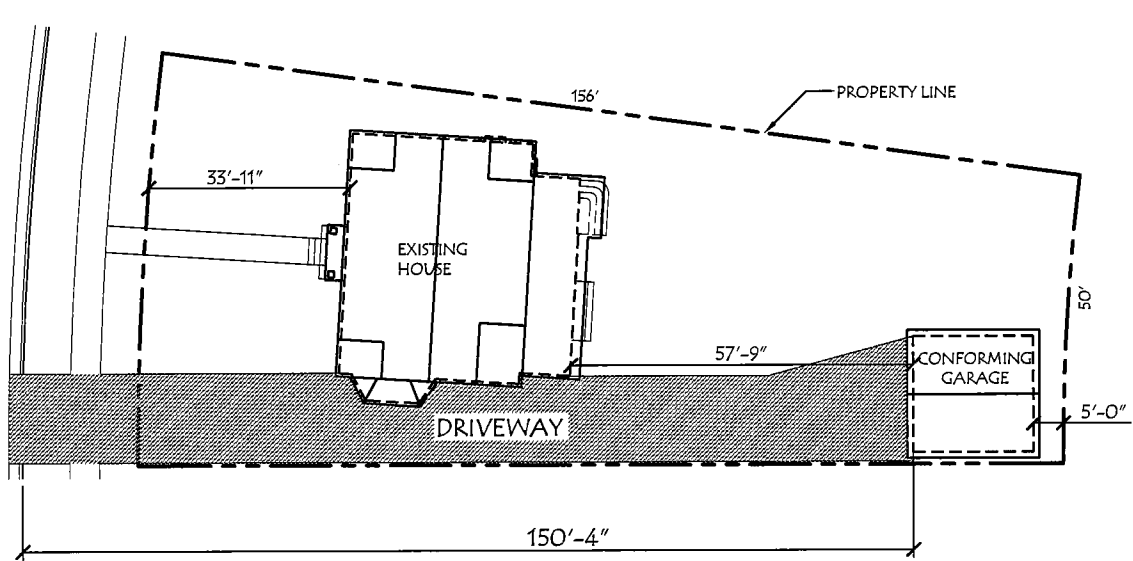
1. **Homeowners and design professionals deserve zoning standards that are well defined and objective.** Having a standard based on the "average of the properties on the block face" puts an undue burden on those applying for building permits. Unless the City is willing to supply the standard for each block, this is an impractical requirement. An accurate setback measurement for a home on a sloped site or street is only obtainable with surveying equipment. Obtaining the height of a gable may be dangerous and difficult for a homeowner, but it is could be possible. It is not possible, however, to get the ridge height of a home with a hipped roof unless a homeowner a.) hires a surveyor, or b.) climbs up to the roof or enters the attic to get the exact slope, measures and draws the footprint of the home, and draws the roof plan and the exterior elevations of the home. Any other method is imprecise and inaccurate.
2. **Imposing extremely restrictive requirements with the caveat that there is an option for an additional review process is an evasion of regulatory responsibility.** The effect of this ordinance is to either sanction designs that conform to a very undesirable design standard (see items 4 and 5 below) or require that the majority of projects submit to hearings to obtain a building permit. This adds time, money, and uncertainty to each renovation project. A review process based on a standard of "existing development patterns" is subjective and arbitrary. Homeowners are being asked to invest money in a design that may or may not be allowed. In addition, this ordinance interferes with the livelihood of design professionals when they can no longer guarantee that they will provide the client with a product that will be buildable. Taking a project to a review hearing should be the exception, not the rule.
3. **Requiring detached garages to be built a maximum of 5' from the rear property line is ecologically unsound and a hardship to the homeowner.** This will result in increased driveway lengths resulting in additional run-off, higher concrete costs, and maintenance issues in the winter. Long distances between houses and garages are also undesirable in terms of convenient day-to-day living. Attachment A1 shows the effect this ordinance would have on three typical residences in Salt Lake City.
4. **The size and height restriction for accessory buildings (garages specifically) is a poor design standard.** A maximum height of 15' for detached garages will result in all new two-car garages being basically the same massing with the only difference being the applied facades. Garages will be compatible with some abstract development infill standard, but not with the home they associated with. Attachment A2 shows the resulting design implications of this ordinance.
5. **The new height restrictions for residential roofs is a poor design standard.** With the stipulation of an exterior wall height of 16 feet and a roof ridge of 23 feet, the result will be that most two-story additions will have basically the same massing with the only difference being the applied facades. Additions will be compatible with some abstract development infill standard, but not with the style of the existing home nor with most existing Salt Lake neighborhoods. Attachment A3 shows the design implications of this ordinance.
6. **By setting the existing development pattern as the standard for all future design, the ordinance thwarts the natural evolution and development of city neighborhoods to grow and change as society itself evolves.** It imposes the judgment that the existing development pattern of a city block takes precedence over the developing pattern of twenty-first century families and society. While buildings are significant and

RENOVATION DESIGN GROUP PROPOSES THE FOLLOWING AS A CONCEPTUAL ALTERNATE:

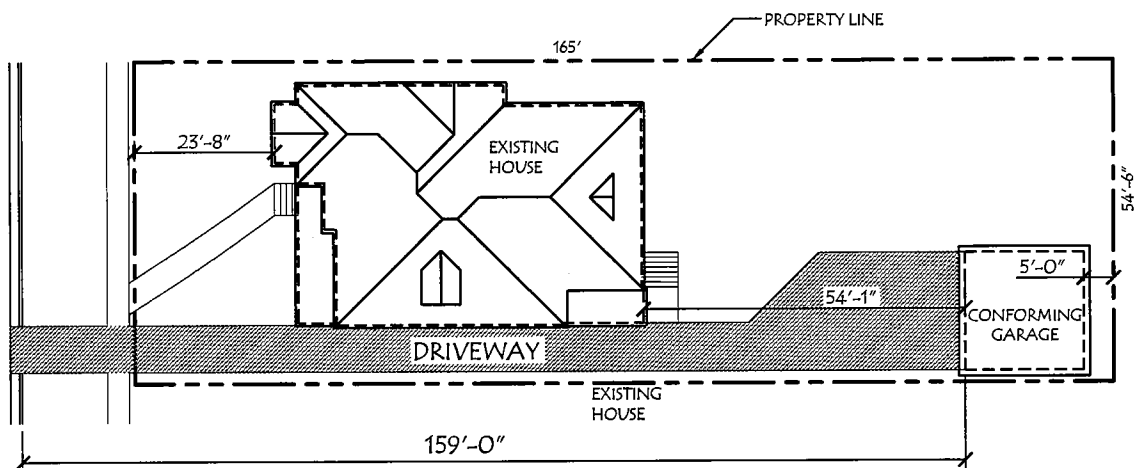
1. If any part of the design does not comply with the current Salt Lake City Zoning Code (with the exception of in-line variances), application will be made to the Board of Adjustments for a variance. SAME PROCEDURE AS CURRENTLY EXISTS.
2. If all parts of the proposed design comply with the current Salt Lake City Zoning Code (with the exception of in-line variances), prior to obtaining a building permit the homeowner will be required to review the project with the neighbors within 300' of their property, or a minimum of 12 abutting property owners, whichever is greater. They must provide each property owner with a dimensioned site plan of the existing site and the proposed change and dimensioned exterior elevations of the existing home and the proposed changes for their consideration.
3. The neighbors have two weeks to file an objection with the Planning Department.
4. If 50% of the neighbors have a concern that the project is not compatible with the existing development pattern, an administrative public hearing will be scheduled and held. A decision to either issue or deny the building permit will be made. In case of denial, specific issues will be identified to be addressed in the redesign.
5. Any party can appeal the decision of the hearing to the Board of Adjustments.



907 DIESTEL ROAD



1379 E 3RD AVENUE



174 B STREET



CONFORMING GARAGE

EXISTING HOUSE

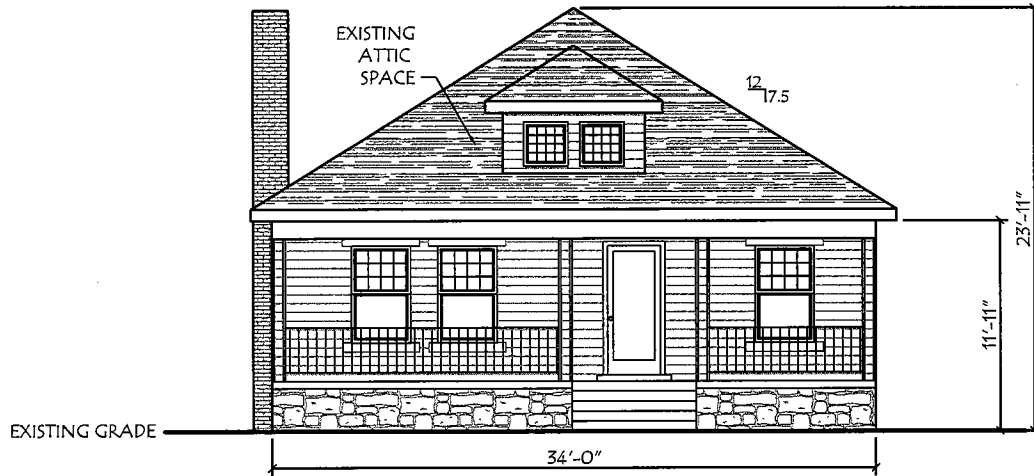
1376 MICHIGAN AVE, SALT LAKE CITY



NON-CONFORMING GARAGE
CONFORMS TO EXISTING ZONING
REGULATIONS

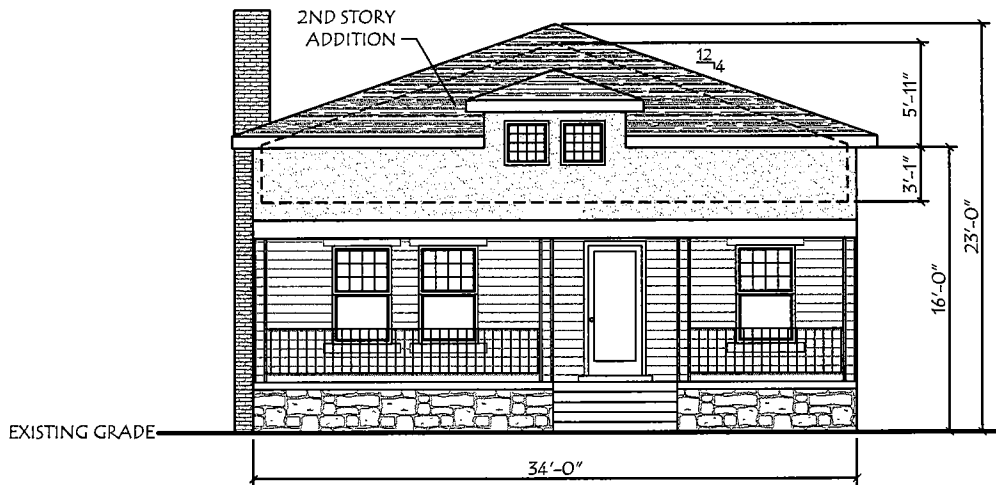
EXISTING HOUSE

1376 MICHIGAN AVE, SALT LAKE CITY



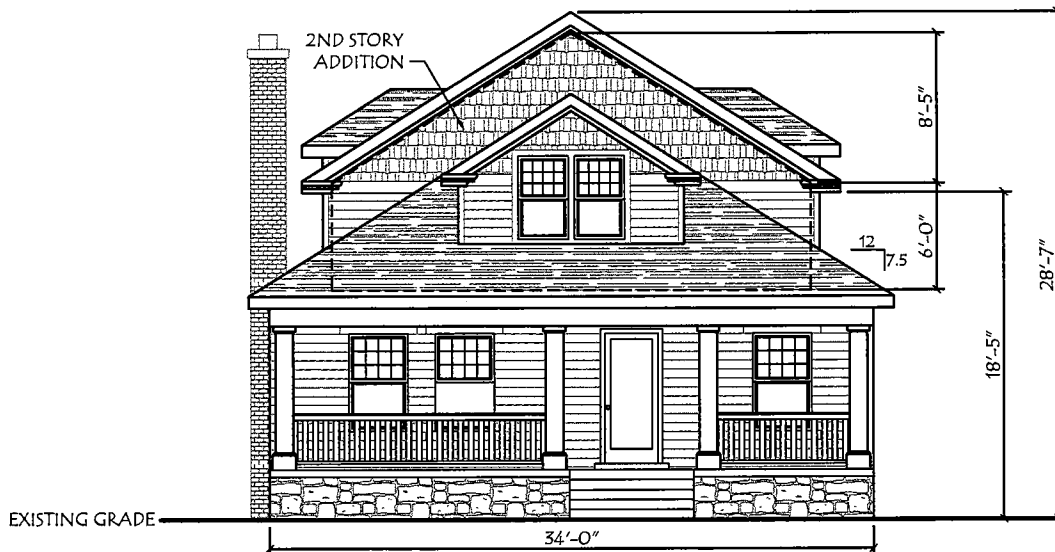
EXISTING HOUSE

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS



CONFORMING 2ND STORY

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS, WALL HEIGHT AT MAXIMUM ALLOWED, AS WELL AS THE MAXIMUM ROOF HEIGHT.



NON-CONFORMING 2ND STORY

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS

Paterson, Joel

From: Carleton DeTar [detar@physics.utah.edu]
Sent: Tuesday, November 08, 2005 4:42 PM
To: Paterson, Joel
Cc: detar@physics.utah.edu
Subject: Infill recommendations: Petition 400-05-25

Hi Joel,

My wife and I will not be able to attend the meeting tomorrow at 5:45 PM, because both of us are teaching, but I wanted to lend my enthusiastic support to the proposed amendments to the City Code that would limit out-of-line development in Salt Lake City residential neighborhoods and redefine demolition.

I hope this statement of support can be added to the hearing record.

Thank you,
Carleton DeTar

and Laurel Casjens
953 Little Valley Rd
Salt Lake City, UT 84103

Paterson, Joel

From: WynnJoh@aol.com
Sent: Wednesday, November 09, 2005 9:10 AM
To: Paterson, Joel
Cc: Jergensen, Eric; Springmeyer, Gwen
Subject: Comments on proposed infill standards

November 9, 2005

Dear Joel:

First, thanks for all the good work you and the rest of the Planning Department do in behalf of the quality of our living environment in Salt Lake City. You did a nice job a few weeks ago in explaining the proposed standards to the group of us attending the public meeting in city hall.

I have been a member of the Greater Avenues Community Council for ten years and, in behalf of my friends and neighbors, I am extremely concerned about the proposal, including both its basic intent and specific limitations and public knowledge thereof.

1. As I mentioned in the meeting, there are 9000 households in the Greater Avenues Community Council area. There are two new homes going up which have been the source of complaints by neighbors. Two of 9000 do not represent any kind of trend or general community "problem" requiring hasty and draconian measures in a form that affects thousands of homeowners.
2. The restrictions as drafted will tend to eliminate two-story homes. Since when are two-story homes in the Avenues out of character?
3. Homeowners have purchased dwellings and paid property taxes for decades based on the values implicit in not only the homes as they exist now, but also in the potential for remodeling and or selling to people who want to remodel or enlarge homes to fit different family sizes. I believe the imposition of the proposed restrictions will constitute a **"taking"** by the city of property values bought and paid for by the current owners. There is no proof that larger homes decrease property values. On the contrary, I believe the opposite is true. This whole effort is being fueled by **the opinions and fears of a few rather than facts** based on studies, surveys and appraisals.
4. I think it is highly irresponsible to rush into this draft ordinance, which is more restrictive than the Yalecrest ordinance that resulted from four years of study and careful inventory of the existing characteristics of 700 homes. **I urge a slower and more empirical approach** which will include notifying the thousands of impacted landowners by registered mail. As you know, postal notification is required for all owners within a few hundred feet of the relevant properties. **Absent mailed notices there will only be small meetings** of affected professionals, activists who may represent a minority, and very few owners. Many of our Avenues residents are elderly, do not attend public meetings and are not well-informed on such movements as represented by this proposed rezoning. Also, many owners live out of the area. I am firmly convinced that a majority of the affected owners in the Avenues are unaware of both the details of the proposed ordinance and its effects. Those who do know about it aren't aware of the boundaries of the neighborhoods involved. There were about 50 people at the meeting in City Hall, and about 90 people (our recent attendance) in the Greater Avenues Council and sub-committee meetings. That's a pretty small slice of the community. I realize that there are appeal opportunities built in, but that just raises the costs and time for owners to remodel the homes many have owned for scores of years under present zoning restrictions. It is unjust and more than a little suspicious for the City to try and ram this through without sufficiently airing the issues to the less informed. I think you might, in fairness, even consider a city-wide referendum.

Thanks again for the invitation to comment on the proposed ordinance.

Sincerely,

11/9/2005

L. Wynn Johnson, Board Member
Greater Avenues Community Council

cc: Eric Jergensen
Mayor Ross Anderson (c/o Gwen Springmeyer)

Exhibit 7

ORIGINAL PETITION

Petition No. 400-05-25

By City Council

Is requesting to adopt a motion/legislative action item requesting the Planning Division review the City's ordinances relating to infill housing.

Date Filed

Address

Coffey, Cheri

From: Paterson, Joel
Sent: Thursday, June 23, 2005 8:37 AM
To: Coffey, Cheri
Subject: FW: legislative action item
Categories: Program/Policy

Cheri,

FYI – see the legislative action listed below. The Council adopted this on 6/22/05

Joel G. Paterson, AICP
Planning Programs Supervisor
Salt Lake City Planning Division
Tel. (801) 535-6141
Fax (801) 535-6174
E-mail: joel.paterson@slcgov.com

From: Crandall, Scott
Sent: Thursday, June 23, 2005 8:21 AM
To: Zunguze, Louis; Wilde, Brent; Jardine, Janice; Paterson, Joel
Subject: legislative action item

The attached motion was adopted by the City Council on June 21, 2005. Please take appropriate action. If you know of anyone else who needs to be involved with this issue, please forward e-mail. Thanks.

Action: Adopting a motion/legislative action item requesting that the Planning Division review the City's ordinances relating to infill housing.

6/24/2005

COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS
PETITION 400-05-25

Open House
October 25, 2005

MAIL COMMENTS TO:
JOEL PATERSON, PLANNING PROGRAMS SUPERVISOR
451 S. STATE STREET, ROOM 406
SALT LAKE CITY, UT 84111
OR SEND E-MAIL TO: joel.paterson@slcgov.com

Name:

Jim Webster

Address:

938 MILITARY DR 84108

COMMENTS:

THE MOST SIGNIFICANT VARIABLE
IS LOT DEPTH. IN THE SPIRIT OF
AVERAGING (I.E. FRONT SETBACK, ROOF
HEIGHT, ETC.), WHY NOT ALSO CONSIDER
AVERAGE LOT DEPTH IN THE ADJOINING
NEIGHBORHOOD FOR ~~THE~~ DEEP LOTS, ETC.
PLACEMENT OF GARAGES SO DEEP ON
SUCH LOTS IMPOSES MUCH MORE LANDSCAPE
AN THEREFORE RUNOFF AS AN IMPACT TO
NEIGHBORS, POSSIBLE ENVIEWS W/
DASHED LINE AS AVG. REAR LOT LINE,

COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS
PETITION 400-05-25

Open House
October 25, 2005

MAIL COMMENTS TO:
JOEL PATERSON, PLANNING PROGRAMS SUPERVISOR
451 S. STATE STREET, ROOM 406
SALT LAKE CITY, UT 84111
OR SEND E-MAIL TO: joel.paterson@slcgov.com

Name: Kat Kinett

Address: 620 H St email: jaccnewsletter@hotmail.com

COMMENTS:

There are two things that I would like to see expanded in the Summary:

- 1) In the Fines section, 10% is not much of a deterrent perhaps increase to 15%. Also requiring to tear down unapproved work and rebuild/replace may stop rampant disregard for ordinance.
- 2) There is not a specific reference to Protection of View for Building Ht and accessory Bldg Ht. I would like to see this issue addressed for SR-1 since view has a tangible value to property. (In Seattle, neighbors buy AIRSPACE to protect their views, I think we could avoid this if addressed ^{now.})

One Last thing is if the applicants must supply the street averages for setbacks, max heights, who will check behind Builders etc. to see if the average is correct? I'm afraid this standard will be abused by unscrupulous property owners.

Thank you Joel

Kat Kinett

COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS
PETITION 400-05-25

Open House
October 25, 2005

MAIL COMMENTS TO:
JOEL PATERSON, PLANNING PROGRAMS SUPERVISOR
451 S. STATE STREET, ROOM 406
SALT LAKE CITY, UT 84111
OR SEND E-MAIL TO: joel.paterson@slcgov.com

Name: LESTER AOKI

Address: 351 'L' Street SLC. 84103

COMMENTS:

The "fine" for a ~~perm~~ "remodel" permit holder who ends up with a demolition, whether by accident or due to engineering or construction problems needs to be very high. Without the high fine, there is an incentive to the builder to end up with a total demolition and new construction rather than a "remodel" - if the demolition passes the threshold set, whether it is 50%-75%-or whatever, they should be forced to go back into the permit process ~~for~~ ~~new~~ "NEW" const. rather than continuing on a remodel permit.

RENOVATION DESIGN GROUP

November 14, 2005

Response to the Compatible Residential Infill Development Standards proposed by the Salt Lake City Planning Department 11/11/05

SUMMARY STATEMENT

Currently there are problems with the existing zoning ordinances and review procedures.

Changes need to be made to the zoning ordinance to tighten it up in terms of minimum allowable **standards**.

Changes need to be made in the **process** to both widen the circle and streamline the sequence of official and public review.

PHILOSOPHICAL CONSIDERATIONS

Are growth, development, and change a natural part of any living organism—even a city?

If so, how should neighborhoods grow, develop and evolve?

What is the relationship of change to the 'existing development pattern'?

What level of control should exist regarding the change—individual, neighborhood, community or city?

REQUIRED DEFINITION

The *existing development pattern* is the standard based on the size (lot coverage), height, and location on the lot of existing structures within 300 feet of the subject property. Neither the style of the home nor the finish materials are considered part of the existing development pattern.

STANDARDS

The City has the responsibility to define minimum acceptable building standards for residential new construction and renovations to existing structures.

The minimum standards should allow for reasonable expansion and development of residential neighborhoods while attempting to maintain a connection with the existing development pattern and preventing the construction of 'monster homes'.

Minimum standards will have a significant impact on the building patterns in the city and should be carefully considered. Setting the minimum standards to please the most restrictive areas of the city can be detrimental to other areas. Many people will build to the minimum standards rather than go to the expense and hassle of collecting averages.

Failing to set minimum measurable standards and replacing these with 'averaging' existing conditions puts an undue burden on the homeowner to collect the information. This adds a burden of expense and time in having to hire a surveyor (estimates vary from \$1000 to \$2000).

Neighborhoods or communities have the ability to further restrict the minimum standards by implementing overlay zoning ordinances.

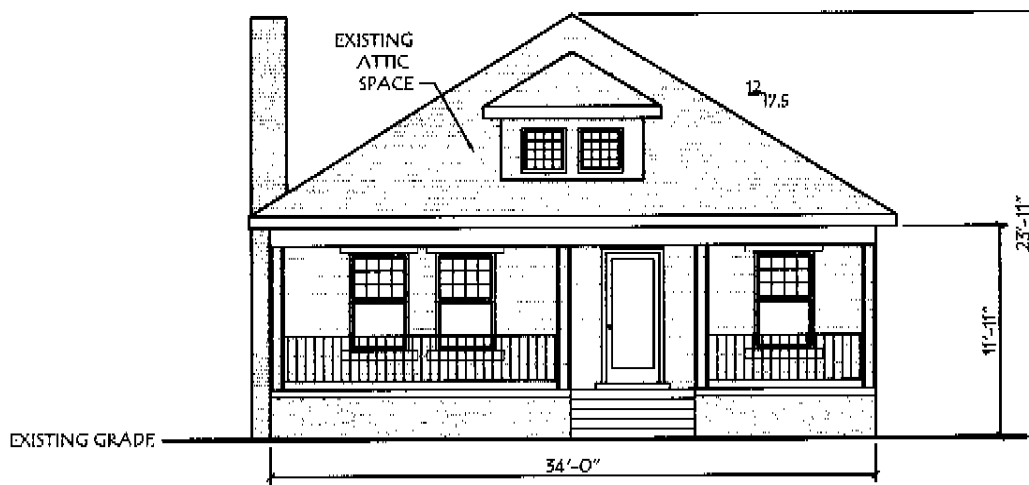
COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS RECOMMENDATIONS

14-Nov-05

SUBJECT	EXISTING ORDINANCE R1-5000 & R1-7000	PROPOSED ORDINANCE	RECOMMENDATION	COMMENTS
Maximum Roof Height	Pitched roof: 30' to the mid-point of the roof Flat roof: None Measured from existing grade	Pitched roof: 23' to the ridge of the roof Flat roof: None Measured from existing grade	Pitched roof: 30' to the ridge of the roof Flat roof: 20' Measured from existing grade	The current ordinance measures to the mid-point of the roof which allows for roofs to be over 40' high in some cases. This is too high. The proposed restriction of 23' to the ridge is too low because it allows only a very low pitch on a two-story house. This legislates bad design. See Attachment A1. A compromise that limits the overall height but still allows for some design flexibility is recommended.
Maximum Wall Height	None.	16 feet	18.5' which may increase 1 foot in height for each foot of increased setback beyond the minimum	A 18' maximum is too low because the main floor of most homes is 2' - 3' above grade to begin with. Allowing for 12 inches for main floor structure and another 12 inches for upper level structure, a home with typical 8' high ceilings would have only 3' of wall before the roof structure starts. Once again this prohibits the design of most two-story homes. See Attachment A2.
Front Yard Setback	20 feet	Average of block face	Average of the smallest 50% of developed properties on the same side of the street measured within 300 feet of the subject property but not extending across intervening streets Keep existing	Need to clarify how measurements are to be made--i.e., how do you measure a slope?
Side Setback	R1-5000: 4' on one side, 10' on the other R1-7000: 6' on one side, 10' on the other	None	None	
In-line Additions	Approved over the counter by administrative approval	Require new projects to conform to required setbacks or apply for a special exception	Agree with the proposed change: Require new projects to conform to required setbacks or apply for a special exception	
Maximum Height for Accessory Structures	Pitched roof: 17' to mid point Flat roof: 12'	Pitched roof: 15' to the ridge Flat roof: 12'	Pitched roof: 15' to the mid-point Flat roof: 12'	Accessory structures contribute to the character of the development pattern. Garages should relate to the home as well as the neighborhood. A 15' maximum

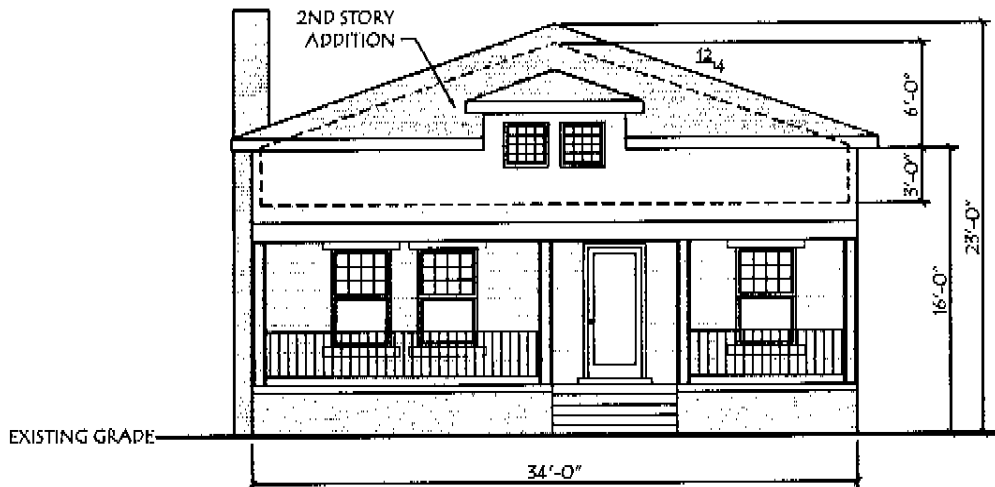
SUBJECT	EXISTING ORDINANCE R1-5000 & R1-7000	PROPOSED ORDINANCE	RECOMMENDATION	COMMENTS
Location of Accessory Structures	Anywhere in the rear setback placed to within 2 feet of the lot line. Must be 10' from principal residential buildings on adjacent lots.	Only 1' - 5' from the rear lot line. Must be 20' from principal residential buildings on adjacent lots.	Keep existing ordinance.	height on a two-car garage does not even allow for a 6-in-12 slope. See Attachment A3. For deep lots: Requiring garages to be on the rear lot line results in the distance to the house and the length of the driveway to be potentially excessive. See Attachment A4. For small lots: Requiring the garage to be 20' away from the neighbor's house may put the garage in the middle of the rear yard, thus making it impossible to have a useable back yard.
Maximum lot coverage	R1-5000: 55% R1-7000: 40%	R1-5000: 40% R1-7000: 40%	Agree with the proposed change: Reduce the R1-5000 percentage to 40%	Keeping the homes in proportion to the lot obviously makes sense. Reducing the percentage on the R1-5000 will help keep the building from overwhelming the lot.
Attached garages	None	Must be located behind or in-line with the front of the principal building. The width facing the street may not exceed 50% of with width of the front facade of the house.	Agree with the proposed change.	

ATTACHMENT A1



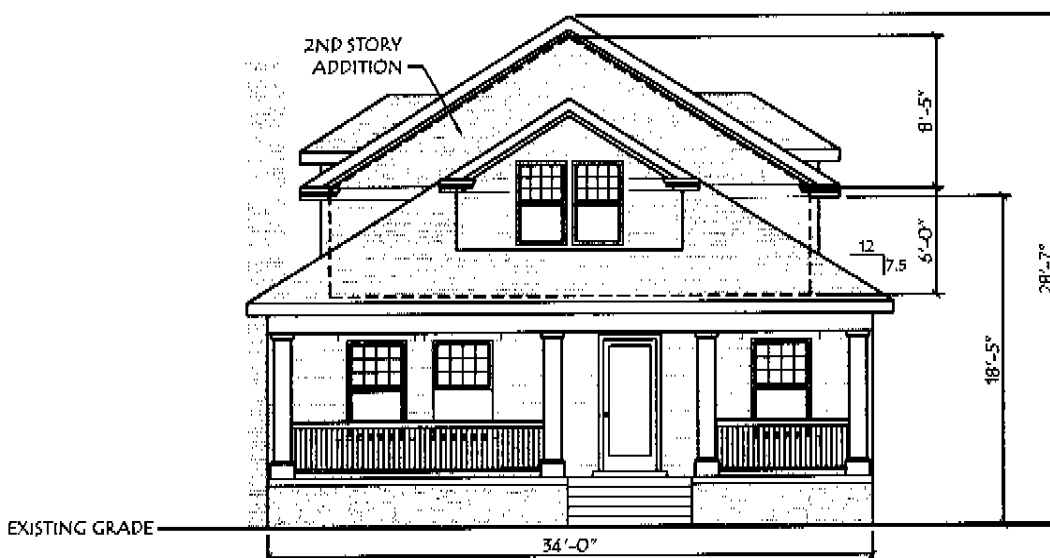
EXISTING HOUSE

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS



CONFORMING 2ND STORY

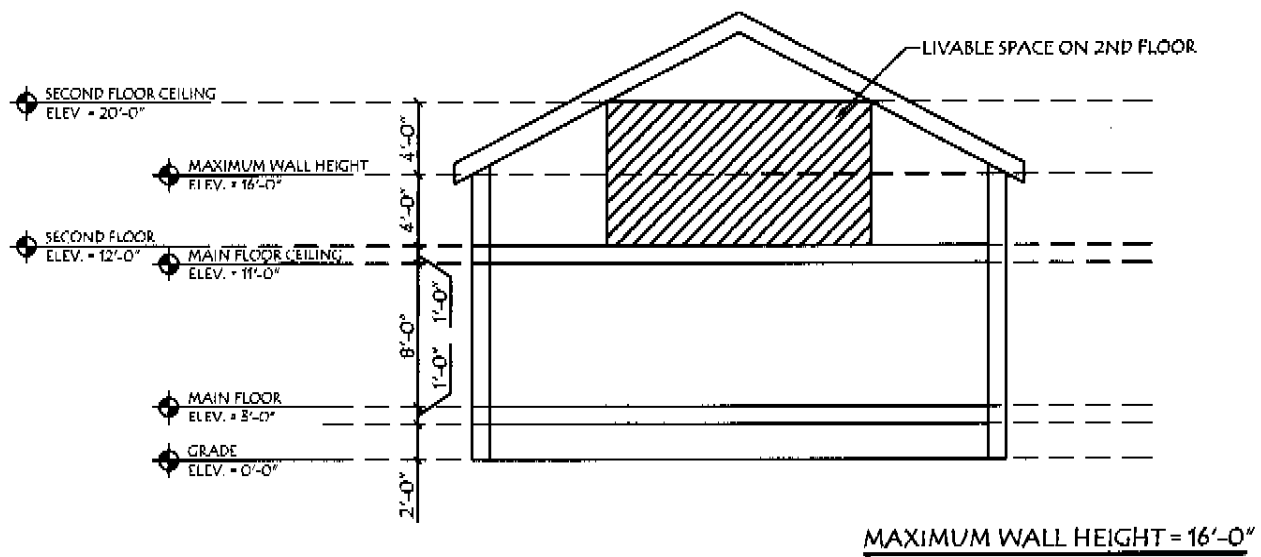
50' PROPERTY WIDTH W/ 6' & 10' SETBACKS. WALL HEIGHT AT MAXIMUM ALLOWED, AS WELL AS THE MAXIMUM ROOF HEIGHT.



NON-CONFORMING 2ND STORY

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS

ATTACHMENT A2



ATTACHMENT A3



CONFORMING GARAGE

EXISTING HOUSE

1376 MICHIGAN AVE, SALT LAKE CITY

PITCH DERIVED
FROM THE HOUSE'S
CROSS GABLE



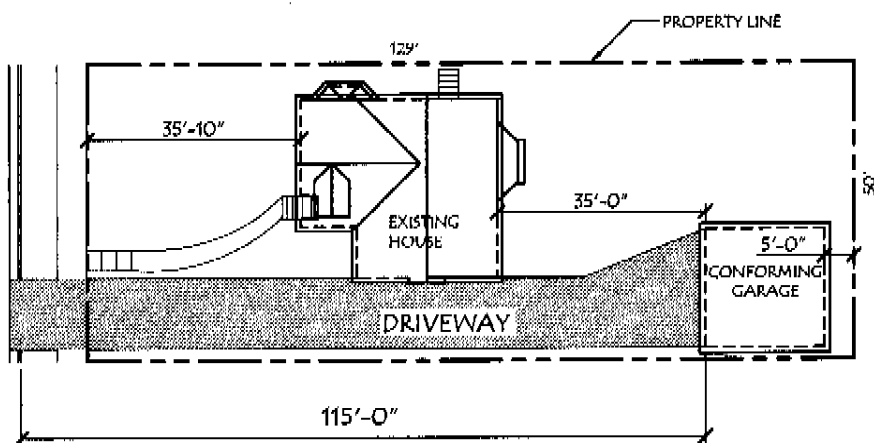
NON-CONFORMING GARAGE

CONFORMS TO EXISTING ZONING
REGULATIONS

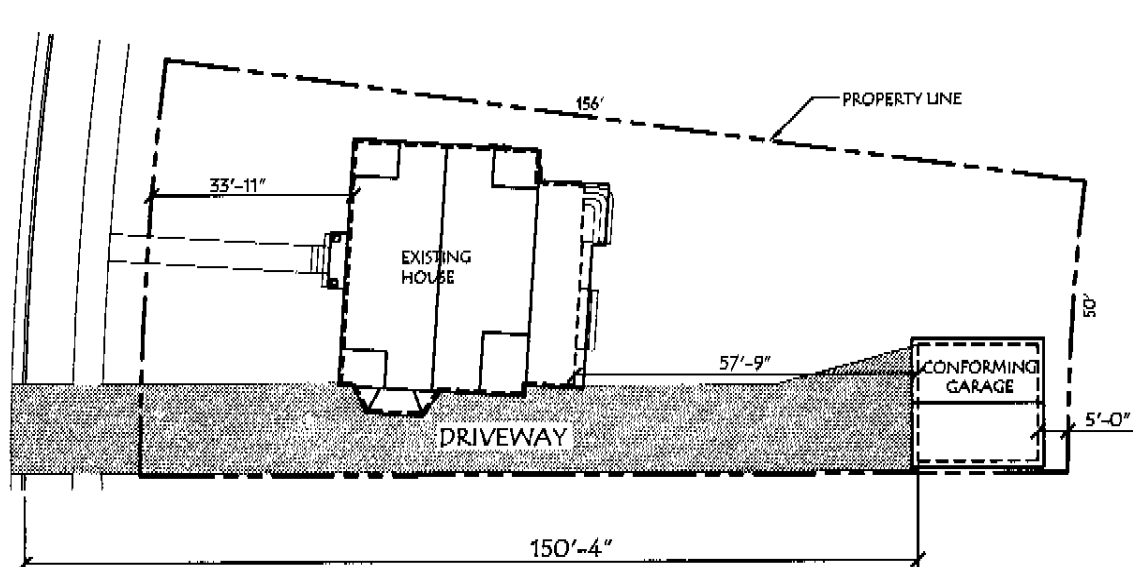
EXISTING HOUSE

1376 MICHIGAN AVE, SALT LAKE CITY

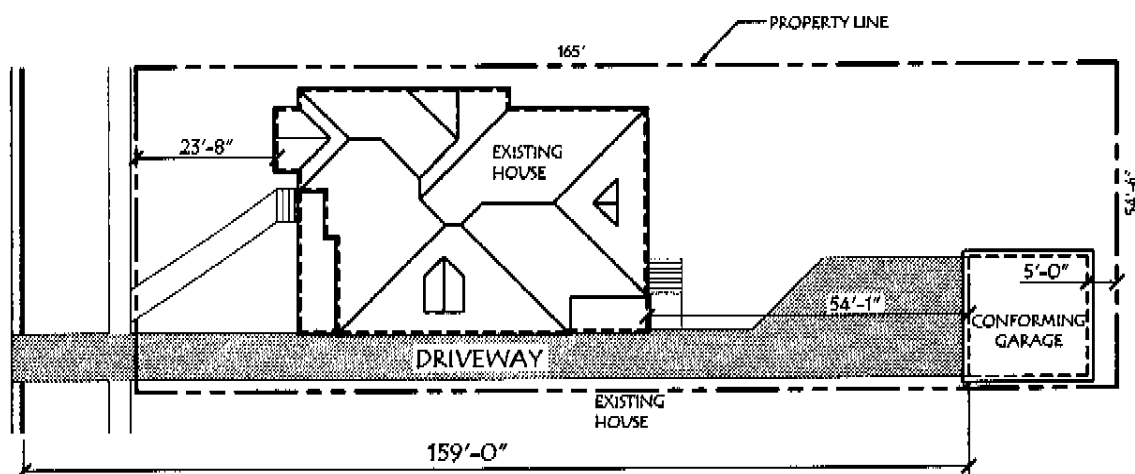
ATTACHMENT A4



907 DIESTEL ROAD



1379 E 3RD AVENUE



174 B STREET

PROCESSES

A multi-tiered process for obtaining a building permit is not inherently bad if all tiers offer real options for acceptable construction. The minimum tier requirements must be valid and result in projects that reflect good design principles. Setting standards that are too restrictive in the first tier will have the following results:

1. People will design to these standards no matter what the project will look like in order to avoid having to incur the extra time and expense involved in administrative or Board of Adjustment hearings. Just because projects are smaller doesn't mean they can't be ugly!

2. If little or no good design can come out of the first tier, then the intent must be that most projects should be channeled into administrative hearings. This will be a burden on the City Administration. Currently, there are no plans for extra personnel or training to accommodate this significant increase of the work load in the Planning Department.

Standards should be absolute and clearly defined so the homeowner or design professional knows exactly what is expected in order to qualify for a building permit. However, because standards alone cannot set limits that will result in good design that will result in 'compatible infill' that will please everyone, the review or permitting process must also contribute to achieving the community's development goals. The process should be as clearly defined as possible

PEER REVIEW COMPONENT

RENOVATION DESIGN GROUP PROPOSES THE FOLLOWING AS A CONCEPTUAL ALTERNATE FOR ANY BUILDING PROJECT THAT WILL ALTER THE EXTERIOR OF A RESIDENCE IN TERMS OF THE EXISTING DEVELOPMENT PATTERN:

1. If any part of the design does not comply with the current Salt Lake City Zoning Code application will be made to the Board of Adjustments for a variance. **SAME PROCEDURE AS CURRENTLY EXISTS.**
2. If all parts of the proposed design comply with the current Salt Lake City Zoning Code, **prior to obtaining a building permit** the homeowner will be required to review the project with the neighbors within 300' of their property, or a minimum of 12 abutting property owners, whichever is greater. They must provide each property owner with an **information packet** which contains the following:
 - a. Two dimensioned site plans--one of the existing site and one showing the proposed change.
 - b. Dimensioned exterior elevations of the existing home and dimensioned exterior elevations showing the proposed changes.
3. The neighbors have **two weeks** to review the information and notify the Planning Department of any objections relative to the *existing development pattern*.
4. If **51%** of the neighbors have a concern that the project is not compatible with the existing development pattern, an administrative public **hearing** will be scheduled and held to discuss this issue. A decision to either issue or deny the building permit will be made. In case of denial, specific issues will be identified to be addressed in the redesign.
5. Any party can **appeal** the decision of the hearing to the Board of Adjustments. The appealing party will pay all associated fees. The decision of the board will be based on either a hardship situation or the existing development pattern.

Advantages of this approach:

1. First, it brings control down to the grass-roots level—i.e., the neighborhood itself. Those parties that will be most affected by any renovation project will have an opportunity for input. At the same time, by involving more than just immediate neighbors, the review should have some objectivity; personal grudges or long-standing animosities will be balanced by those whose concern is for the neighborhood as a whole.
2. Second, many projects will meet with the approval of the neighbors and will thus save both the homeowner and the City the time and expense of having to go through the review process.
3. Finally, this process will inform concerned neighbors of what is happening prior to commencement of any construction. It will also prohibit interference with the building process once construction has begun.

SAMPLE LETTER

Name
Address
City

Dear _____,

You are hereby notified that the property located at _____,
owned by _____ is applying for a building permit.

Because your property is within 300' of the subject property, you are being notified of this project and you are being given the opportunity to submit comments to the Salt Lake City Planning Department. The owner is providing you with the following information:

1. Two dimensioned site plans: One showing the property as it now exists and one showing how it will change as a result of the pending construction project.
2. Dimensioned exterior elevations (drawings of each outside wall of the house) showing the house as it is currently and showing how it will change as a result of the pending construction.

The design of the project complies with all current Salt Lake City Zoning Ordinances. The intent of distributing this information is 1) to inform you of what is happening in your neighborhood and 2) to allow you to review the proposed project in terms of compliance with the *existing development pattern* of your neighborhood.

The *existing development pattern* is the standard based on the size (lot coverage), height, and location on the lot of existing structures within 300 feet of the subject property. The *style* of the home and the *finish materials* are NOT considered part of the existing development pattern and are not open to comment from the neighbors.

If you have concerns that this project will not be compatible with the existing development pattern of your neighborhood, please call the Planning Department (XXX-XXXX) to register your comments before _____, 200_. If concerns are expressed by 51% of the neighbors, you will be notified of an administrative hearing to be held by the Planning Department prior to the issuance of a building permit. You will have an opportunity to express your views at this hearing. A judgment will then be made by the Planning Department as to whether the building permit will be issued. Appeals to this decision can be made to the Board of Adjustments. All fees associated with the appeal will be the responsibility of the person or party filing the appeal.

If you have any questions regarding this procedure, please call XXX-XXXX. Thank you for your attention in this matter.

RENOVATION DESIGN GROUP

November 14, 2005

Response to the Compatible Residential Infill Development Standards proposed by the Salt Lake City Planning Department 11/11/05

SUMMARY STATEMENT

Currently there are problems with the existing zoning ordinances and review procedures.

Changes need to be made to the zoning ordinance to tighten it up in terms of minimum allowable **standards**.

Changes need to be made in the **process** to both widen the circle and streamline the sequence of official and public review.

PHILOSOPHICAL CONSIDERATIONS

Are growth, development, and change a natural part of any living organism—even a city?

If so, how should neighborhoods grow, develop and evolve?

What is the relationship of change to the 'existing development pattern'?

What level of control should exist regarding the change—individual, neighborhood, community or city?

REQUIRED DEFINITION

The *existing development pattern* is the standard based on the size (lot coverage), height, and location on the lot of existing structures within 300 feet of the subject property. Neither the style of the home nor the finish materials are considered part of the existing development pattern.

STANDARDS

The City has the responsibility to define minimum acceptable building standards for residential new construction and renovations to existing structures.

The minimum standards should allow for reasonable expansion and development of residential neighborhoods while attempting to maintain a connection with the existing development pattern and preventing the construction of 'monster homes'.

Minimum standards will have a significant impact on the building patterns in the city and should be carefully considered. Setting the minimum standards to please the most restrictive areas of the city can be detrimental to other areas. Many people will build to the minimum standards rather than go to the expense and hassle of collecting averages.

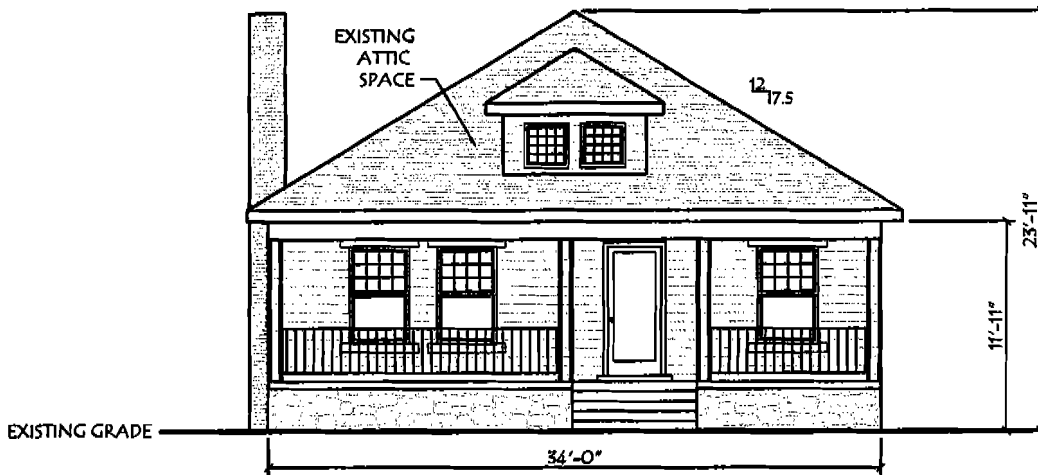
Failing to set minimum measurable standards and replacing these with 'averaging' existing conditions puts an undue burden on the homeowner to collect the information. This adds a burden of expense and time in having to hire a surveyor (estimates vary from \$1000 to \$2000).

Neighborhoods or communities have the ability to further restrict the minimum standards by implementing overlay zoning ordinances.

RENOVATION DESIGN GROUP
 COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS RECOMMENDATIONS
 14-Nov-05

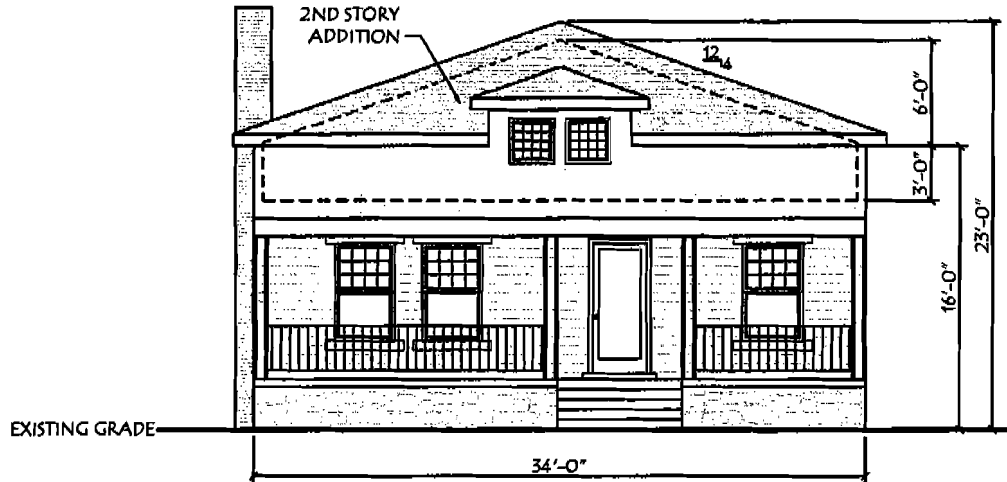
SUBJECT	EXISTING ORDINANCE R1-5000 & R1-7000	PROPOSED ORDINANCE	RECOMMENDATION	COMMENTS
Maximum Roof Height	Pitched roof: 30' to the mid point of the roof Flat roof: None Measured from existing grade	Pitched roof: 23' to the ridge of the roof Flat roof: None Measured from existing grade	Pitched roof: 30' to the ridge of the roof Flat roof: 20' Measured from existing grade	The current ordinance measures to the mid-point of the roof which allows for roofs to be over 40' high in some cases. This is too high. The proposed restriction of 23' to the ridge is too low because it allows only a very low pitch on a two-story house. This legislates bad design. See Attachment A1. A compromise that limits the overall height but still allows for some design flexibility is recommended.
Maximum Wall Height	None.	16 feet	18.5' which may increase 1 foot in height for each foot of increased setback beyond the minimum	A 16' maximum is too low because the main floor of most homes is 2' - 3' above grade to begin with. Allowing for 12 inches for main floor structure and another 12 inches for upper level structure, a home with typical 8' high ceilings would have only 3' of wall before the roof structure starts. Once again this prohibits the design of most two-story homes. See Attachment A2.
Front Yard Setback	20 feet	Average of block face	Average of the smallest 50% of developed properties on the same side of the street measured within 300 feet of the subject property but not extending across intervening streets	Need to clarify how measurements are to be made—i.e., how do you measure a slope?
Side Setback	R1-5000: 4' on one side, 10' on the other R1-7000: 6' on one side, 10' on the other	None	Keep existing	
In-line Additions	Approved over-the counter by administrative approval	Require new projects to conform to required setbacks or apply for a special exception	Agree with the proposed change: Require new projects to conform to required setbacks or apply for a special exception	

SUBJECT	EXISTING ORDINANCE R1-5000 & R1-7000	PROPOSED ORDINANCE	RECOMMENDATION	COMMENTS
Maximum Height for Accessory Structures	Pitched roof: 17' to mid point Flat roof: 12'	Pitched roof: 15' to the ridge Flat roof: 12'	Pitched roof: 15' to the mid-point Flat roof: 12'	Accessory structures contribute to the character of the development pattern. Garages should relate to the home as well as the neighborhood. A 15' maximum height on a two-car garage does not even allow for a 6-in-12 slope. See Attachment A3.
Location of Accessory Structures	Anywhere in the rear setback placed to within 2 feet of the lot line. Must be 10' from principal residential buildings on adjacent lots.	Only 1' - 5' from the rear lot line. Must be 20' from principal residential buildings on adjacent lots.	Keep existing ordinance.	For deep lots: Requiring garages to be on the rear lot line results in the distance to the house and the length of the driveway to be potentially excessive. See Attachment A4. For small lots: Requiring the garage to be 20' away from the neighbor's house may put the garage in the middle of the rear yard, thus making it impossible to have a useable back yard.
Maximum lot coverage	R1-5000: 55% R1-7000: 40%	R1-5000: 40% R1-7000: 40%	Agree with the proposed change: Reduce the R1-5000 percentage to 40%	Keeping the homes in proportion to the lot obviously makes sense. Reducing the percentage on the R1-5000 will help keep the building from overwhelming the lot.
Attached garages	None	Must be located behind or in-line with the front of the principal building. The width facing the street may not exceed 50% of the width of the front façade of the house.	Agree with the proposed change.	



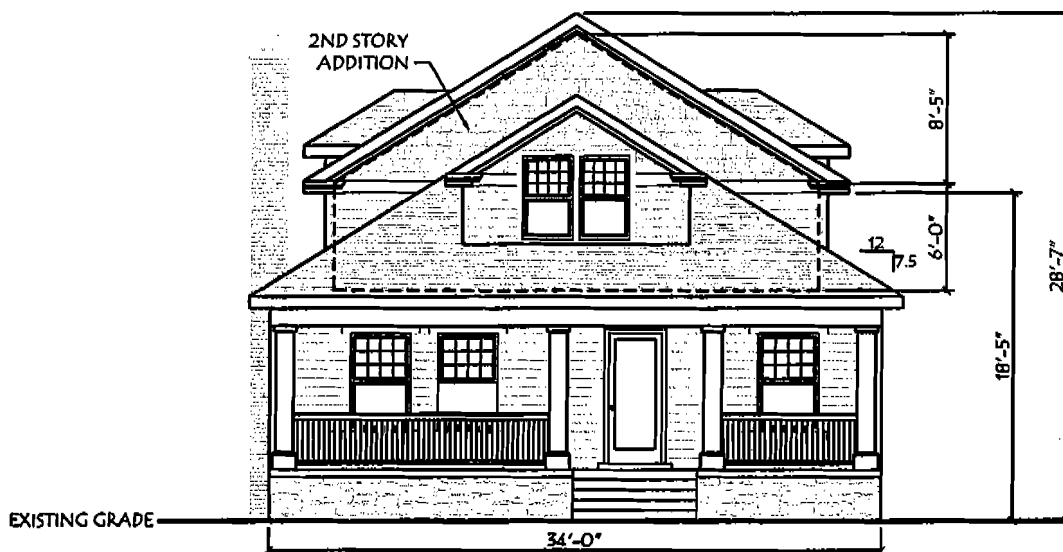
EXISTING HOUSE

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS



CONFORMING 2ND STORY

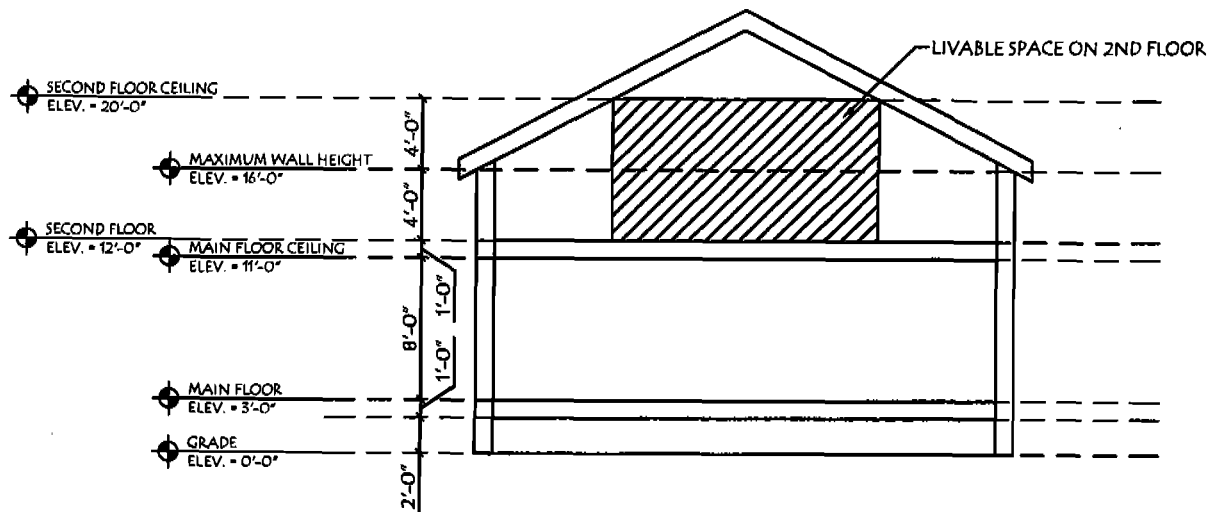
50' PROPERTY WIDTH W/ 6' & 10' SETBACKS, WALL HEIGHT AT MAXIMUM ALLOWED, AS WELL AS THE MAXIMUM ROOF HEIGHT.



NON-CONFORMING 2ND STORY

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS

ATTACHMENT A2



MAXIMUM WALL HEIGHT = 16'-0"



CONFORMING GARAGE

EXISTING HOUSE

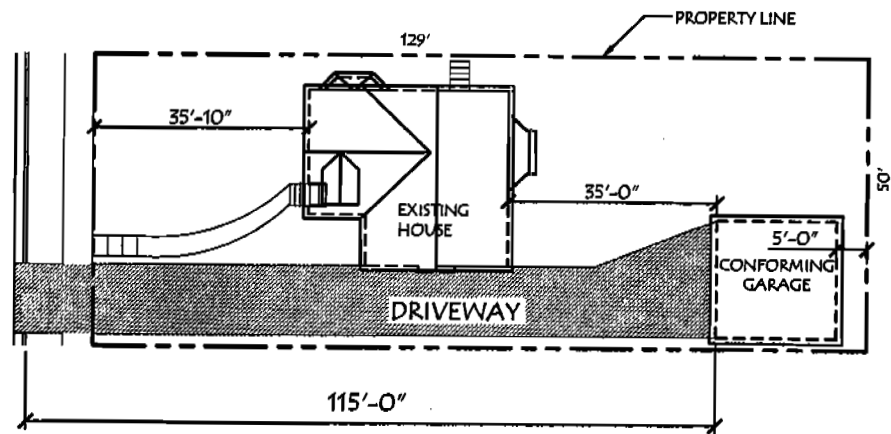
1376 MICHIGAN AVE, SALT LAKE CITY



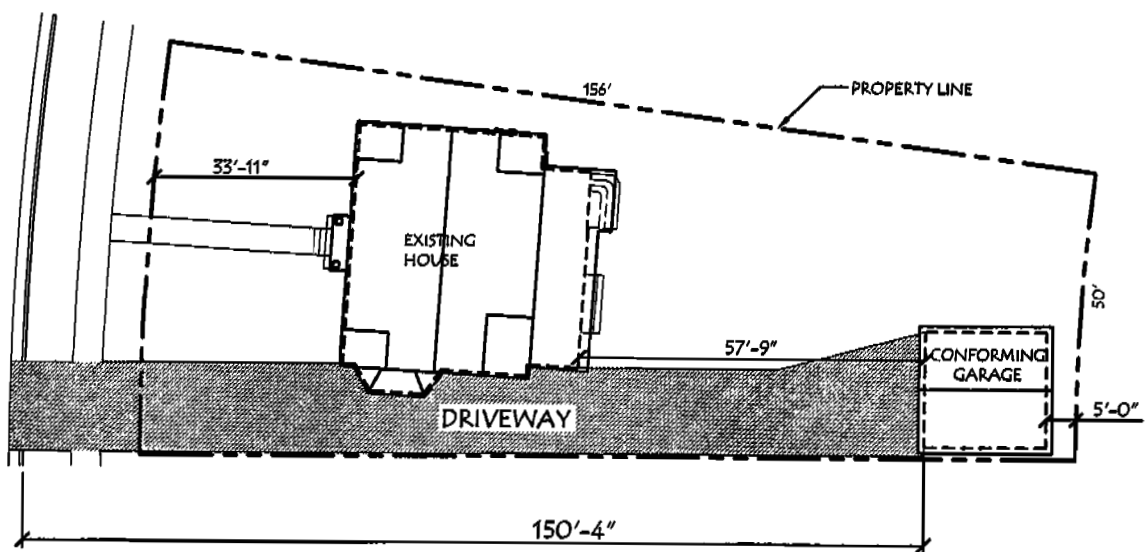
NON-CONFORMING GARAGE
CONFORMS TO EXISTING ZONING
REGULATIONS

EXISTING HOUSE

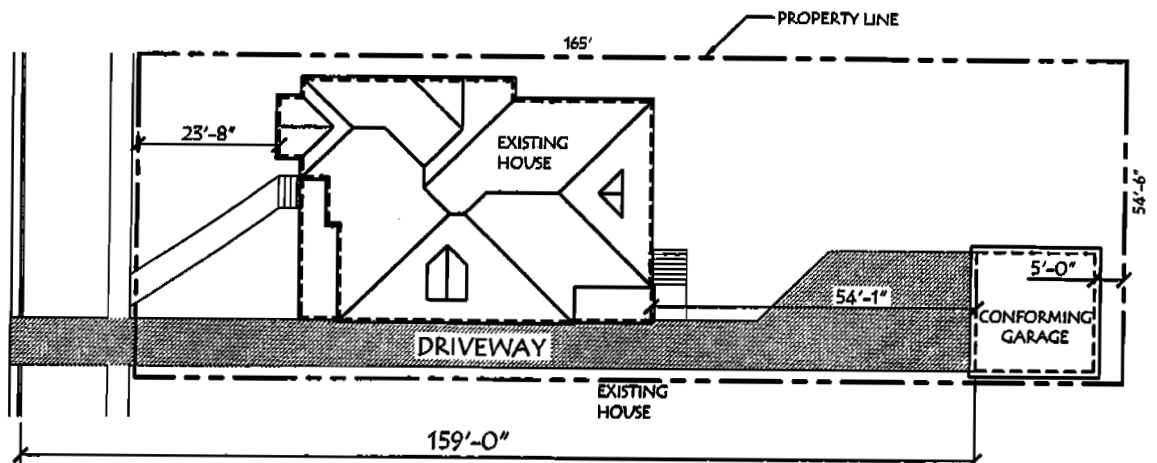
1376 MICHIGAN AVE, SALT LAKE CITY



907 DIESTEL ROAD



1379 E 3RD AVENUE



174 B STREET

PROCESSES

A multi-tiered process for obtaining a building permit is not inherently bad if all tiers offer real options for acceptable construction. The minimum tier requirements must be valid and result in projects that reflect good design principles. Setting standards that are too restrictive in the first tier will have the following results:

1. People will design to these standards no matter what the project will look like in order to avoid having to incur the extra time and expense involved in administrative or Board of Adjustment hearings. Just because projects are smaller doesn't mean they can't be ugly!

2. If little or no good design can come out of the first tier, then the intent must be that most projects should be channeled into administrative hearings. This will be a burden on the City Administration. Currently, there are no plans for extra personnel or training to accommodate this significant increase of the work load in the Planning Department.

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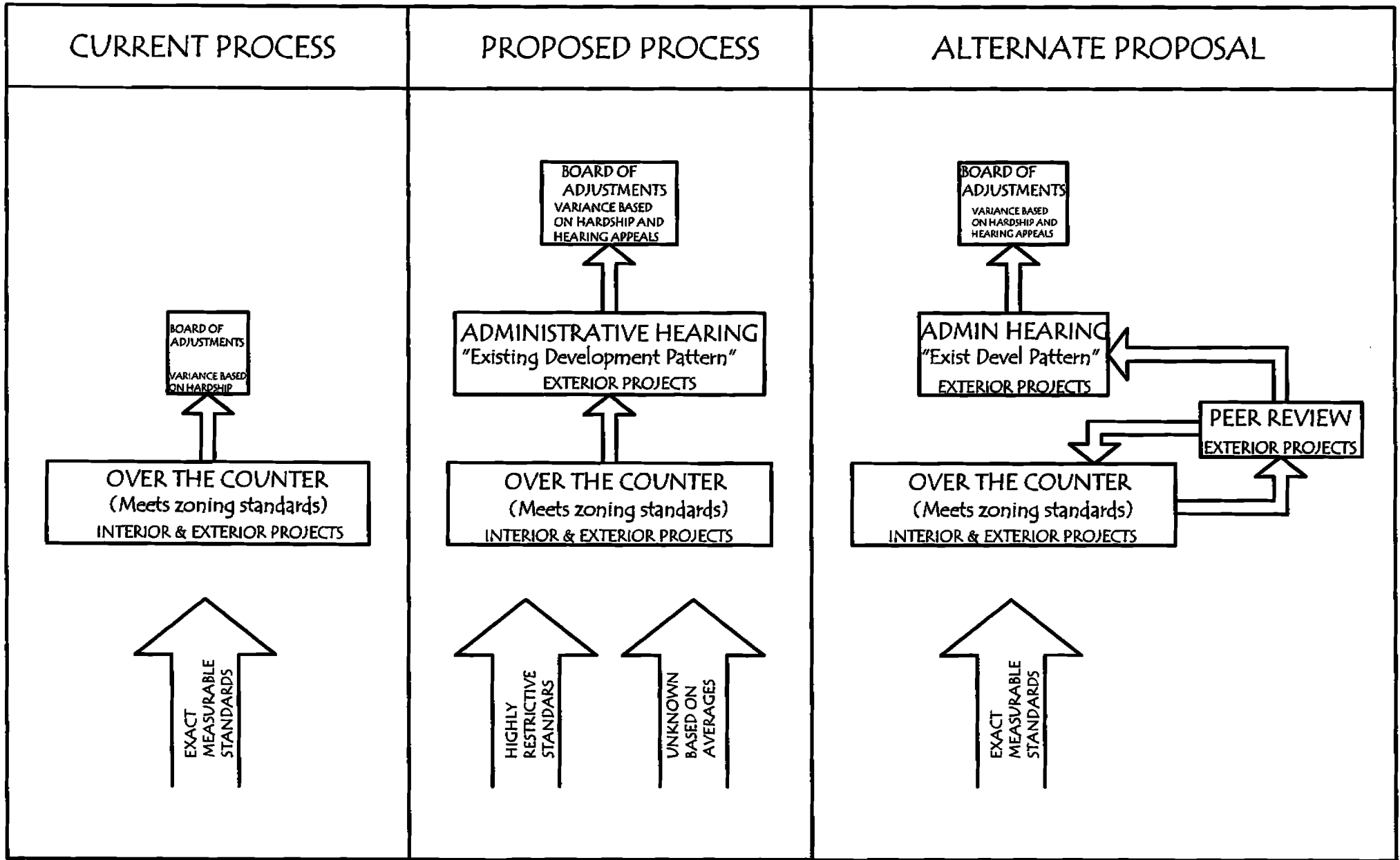
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Advantages of this approach:

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SAMPLE LETTER

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The *existing development pattern* is the standard based on the size (lot coverage), height, and location on the lot of existing structures within 300 feet of the subject property. The *style* of the home and the *finish materials* are NOT considered part of the existing development pattern and are not open to comment from the neighbors.

If you have concerns that this project will not be compatible with the existing development pattern of your neighborhood, please call the Planning Department (XXX-XXXX) to register your comments before _____, 200_. If concerns are expressed by 51% of the neighbors, you will be notified of an administrative hearing to be held by the Planning Department prior to the issuance of a building permit. You will have an opportunity to express your views at this hearing. A judgment will then be made by the Planning Department as to whether the building permit will be issued. Appeals to this decision can be made to the Board of Adjustments. All fees associated with the appeal will be the responsibility of the person or party filing the appeal.

If you have any questions regarding this procedure, please call XXX-XXXX. Thank you for your attention in this matter.

DEC 01 2005

A. LOUIS ZUNGUZE
DIRECTOR

SALT LAKE CITY CORPORATION

DEPT. OF COMMUNITY DEVELOPMENT
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON
MAYOR

BRENT B. WILDE
DEPUTY DIRECTOR

CITY COUNCIL TRANSMITTAL

TO: Rocky Fluhart, Chief Administrative Officer **DATE:** November 28, 2005

FROM: Louis Zunguze, Community Development Director

RE: Petition 400-05-25: A petition initiated by the City Council requesting that the Planning Division review the City's zoning standards for single- and two-family dwellings and propose amendments which will promote residential infill development that is compatible with the scale and character of the surrounding residential neighborhoods

STAFF CONTACTS: Joel Paterson, Planning Programs Supervisor, at 535-6141 or joel.paterson@slcgov.com

DOCUMENT TYPE: Response to an alternate Compatible Residential Infill Development proposal by Renovation Design Group

BUDGET IMPACT: None

DISCUSSION:

At the City Council Briefing held on November 17, 2005, Renovation Design Group, a local architectural firm, presented an alternative approach to address problems with the current Zoning Ordinance and associated review procedures relative to the proposed compatible residential infill development standards. At the request of the City Council, the Planning Division has reviewed the alternate proposal submitted by Renovation Design Group (attached as Exhibit 1) and prepared the following responses:

1. **Required Definition:** The Renovation Design Group (RDG) proposal suggests defining "existing development pattern" to clarify the geographic area used to determine the existing development pattern and to be clear that architectural style and finish materials are not considered as a part of the development pattern.

Response: The standards recommended by the Planning Commission consider the development pattern on the "block face" which as defined in the Zoning Ordinance means all of the lots facing one side of a street between two (2) intersecting streets. Corner properties shall be considered part of two (2) block faces, one for each of the two (2) intersecting streets.

Both proposals define a specific geographic area which is to be considered to determine the development pattern. The proposal by RDG uses a wider area, (properties within 300 feet) that would include development on other streets and block faces. This approach could include more variety in development pattern than the Planning Commission recommendation but it may include properties which do not directly relate to the subject property being considered for new infill development.

The RDG proposal lists specific items that make up the development pattern, such as lot coverage, height, and location of existing structures on a lot, and specifically excludes architectural style and finish materials. The Planning Commission recommendation does not specifically define development pattern nor does it recommend regulating architectural style or materials. The Planning Commission discussed the possibility of including a definition of "development pattern" but chose not to do so.

2. **General Comments Regarding Zoning Ordinance Standards:** The RDG suggests that:

- Zoning Ordinance standards should allow for reasonable expansion and development within residential neighborhoods while attempting to maintain a connection with the existing development pattern and preventing the construction of "monster homes."

Response: The Planning Commission recommendation is consistent with this statement.

- Setting minimum standards to please the most restrictive areas of the City can be detrimental to other areas.

Response: The Planning Commission recommendation, while imposing strict base standards, allows for modification of the standards through certain public processes, such as a routine and uncontested Special Exception or an Administrative Hearing. The Planning Commission and the City Council have also expressed support to allow Community Councils to propose specific neighborhood compatible residential infill development standards, like the Yalecrest Compatible Infill Overlay district, as the means of addressing issues that are unique to that neighborhood.

- Many people will build to the minimum standards rather than go to the expense and hassle of collecting averages.

Response: Salt Lake City neighborhoods are very desirable places to live and property owners will continue to take advantage of the rising property values, market conditions, and scarcity of developable land within the City by constructing housing that will maximize value. In most neighborhoods, this means that a property owner will use the proposed standards and processes to accomplish their goal of developing housing that is compatible with the development pattern in the immediate vicinity.

- Failing to set minimum measurable standards and replacing these with "averaging" existing conditions puts an undue burden on the homeowner to collect the information.

Response: The Planning Commission proposal does establish minimum standards. In some cases, averaging is used to determine the minimum standard (e.g., front yard

setbacks which have been widely supported by the public, including RDG). Even with building height, a property owner has the option of utilizing the base building height standard of 23 feet or the average building height on the block face. In some neighborhoods this would allow a property owner to obtain an over-the-counter building permit for a house that is taller than 23 feet measured to the crest of the roof.

The standards do place the burden of proof on the property owner to demonstrate how their project is compatible with the development pattern on the block face, but it also provides property owners with protection. The proposal attempts to balance the burden of extra costs for individuals with the protection afforded by the proposed standards and public notification processes. For all permits, the burden of proof has always been given to the property owner.

3. Specific Zoning Ordinance Standards:

- **Maximum Building Height:** RDG suggests a building height standard of 30 feet measured to the ridge of the roof and a flat roof height of 20 feet. They argue that the 23-foot building height standard proposed by the Planning Commission allows only a very low pitch roof and that the standard legislates bad design while a building height of 30 feet to the ridge of the roof provides more design flexibility.

Response: In some locations within the City, a 30-foot building height could be incompatible with neighboring properties. The Planning Commission recommendation utilizes a conservative approach to regulating new construction because once an incompatible house is built, the negative impacts on the neighborhood persist for decades.

The Planning Commission recommendation has two base standards for building height: 23 feet to the ridge (18 feet for a flat roof) or the average height of other residences on the block face. This allows for flexibility and greater building height when warranted by the development pattern on the block face. Furthermore, if a property owner proposes a building height which does not meet the base standards, the proposal may be considered through an Administrative Public Hearing process.

- **Maximum Wall Height:** RDG proposes a maximum wall height of 18.5 feet which may increase incrementally with increased setbacks beyond the minimum. This is a standard similar to the maximum wall height included in the Yalecrest Compatible Infill Overlay District (YCI).

Response: The Planning Commission recommendation includes a flat roof standard of 18 feet and no maximum wall height. Following input at the Open House and comments from the Building Services Division, the building height standard was modified to include a maximum height of 18 feet for flat roof structures and the maximum wall height was removed.

- **Front Yard Setback:** RDG proposes an averaging provision similar to that utilized in the YCI where the average setback is determined by calculating the average of the

smallest 50% of developed properties within 300 feet of the subject property (not extending beyond intervening streets).

Response: The Planning Commission recommendation proposes a front yard setback standard determined by averaging the front yard setbacks of all existing residences on the block face. The Planning Commission recommendation takes into account the entire frontage of a block face which will provide a more consistent setback along the street.

- **Maximum Height of Accessory Structures:** RDG proposes a standard of 15 feet measured to the mid-point of the roof as opposed to the Planning Commission recommendation of 15 feet to the ridge of the roof. RDG argues that measuring to the mid-point allows for steeper pitched roofs which may better relate to the design of the principal structure on the lot and may contribute to the existing development pattern.

Response: Recent experience within the City indicates that the height of accessory structures may create a significant negative impact on adjoining properties. The Planning Commission recommendation does allow property owners to request additional height, but the proposal must be reviewed in a public process. Additional height for accessory structures may be reviewed as a routine and uncontested Special Exception taking into account the development pattern on the block face.

- **Location of Accessory Structures:** RDG proposes keeping the existing standards for locating accessory structures on a lot. They argue that the maximum rear yard setback of 5 feet for accessory structures may require excessive driveway length and separation between the residence and the accessory structure. RDG also contends that the 20 feet spacing requirement between accessory structures and dwellings on adjacent properties may eliminate usable rear yard space by forcing accessory structures into the middle of lots.

Response: The accessory structure location standards recommended by the Planning Commission are intended to minimize the negative impacts of accessory structures on adjacent lots. The proposed standards allow for modification of these standards through public review processes based on the ability of the property owner to demonstrate that the alternate location is in keeping with the development pattern on the block face.

4. Planning Commission Recommended Review Processes:

- RDG suggests that a multi-tiered review process for obtaining a building permit is acceptable if the minimum requirements are valid and promote good design. However, they argue that some of the base standards recommended by the Planning Commission are too restrictive and that property owners will be encouraged to design to the minimum standard to avoid extra time and expense involved in the public review processes recommended by the Planning Commission.

Response: The Planning Commission recommendation includes base standards that are intended to be restrictive to protect neighborhoods from incompatible residential infill development. The recommended standards allow for flexibility in design through public processes like Administrative Public Hearings. RDG suggests that smaller projects can be ugly. Structures of any size may be ugly, but the recommended standards allow for creative design. The proposed regulations do not promote bad design.

- RDG suggests that the Planning Commission recommended standards will force most residential construction projects into Administrative Hearing processes and that this will be a burden on the City Administration because there are no plans to add extra personnel to administer the standards.

Response: The Planning Commission recommended that the proposed Compatible Residential Infill Development standards be evaluated after one year to determine if the standards have been effective and whether adequate staff resources are available to avoid undue delays in the project review process.

- RDG argues that standards should be absolute and clearly defined so property owners and design professionals know exactly what is expected to qualify for a building permit.

Response: The standards recommended by the Planning Commission are clearly defined, and the minimum standards provide the property owner and design professional with certainty about what is expected to obtain an over-the-counter building permit. However, it is difficult to achieve compatible residential infill development City-wide with an over-the-counter process with one-size-fits-all standards because of the variability found in Salt Lake City's neighborhoods. The proposed standards allow design flexibility and will permit new construction that is in keeping with the development pattern on the block face. The permitting process proposed by RDG includes a process for the public to protest and force a project into an Administrative Hearing process. It could be argued that their proposal does not provide the certainty that they desire.

5. **Renovation Design Group Peer Review Proposal:** The RDG proposes a review system that requires a property owner to present building plans to other property owners within 300 feet of a proposed infill project. If a majority of the surrounding property owners object to the proposed project within two weeks, an Administrative Hearing process would be initiated. An Administrative Hearing officer would approve or deny the proposal based on the ordinance standards and the existing development pattern in the vicinity of the proposed project. Appeals would be heard by the Board of Adjustments. The listed advantages include:

- Surrounding property owners who would be most affected by a project have an opportunity to provide input. By noticing property owners within 300 feet of the proposed project, existing personal grudges or animosities between property owners

will be balanced by those who are concerned about the compatible infill development in the neighborhood.

- Many projects will meet with the approval of the surrounding property owners and will not require an Administrative Hearing to obtain a building permit.
- The process requires notification of surrounding property owners prior to the issuance of building permits and prohibits interference with the building process once construction has begun.

Response: Under the proposal by RDG, the applicant is responsible for administering the public notification process, which requires before and after plans to be delivered and explained to the surrounding property owners. A project would be required to receive approval through an Administrative Public Hearing process if a majority of property owners object to the proposed project even if the base zoning standards are met. This will be more onerous on permit applicants and will require an accounting system that tracks the response of surrounding property owners. It is inevitable that some surrounding property owners will claim that the project being built is not what was presented or expected and puts neighbors in a difficult position with their permit applicant neighbors attempting to obtain building permits.

The standards recommended by the Planning Commission allow a property owner to obtain a building permit without a public process if the base zoning standards are met. Relief from the base standards may be proposed by the applicant but would require public notification and input through various administrative procedures such as an administrative public hearing. This process does not put the burden on the surrounding property owners to force a public review process.

EXHIBIT 1

RENOVATION DESIGN GROUP ALTERNATE PROPOSAL FOR COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT

RENOVATION DESIGN GROUP

November 14, 2005

Response to the Compatible Residential Infill Development Standards proposed by the Salt Lake City Planning Department 11/11/05

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Changes need to be made in the **process** to both widen the circle and streamline the sequence of official and public review.

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If so, how should neighborhoods grow, develop and evolve?

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What level of control should exist regarding the change—individual, neighborhood, community or city?

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The City has the responsibility to define minimum acceptable building standards for residential new construction and renovations to existing structures.

The minimum standards should allow for reasonable expansion and development of residential neighborhoods while attempting to maintain a connection with the existing development pattern and preventing the construction of 'monster homes'.

Minimum standards will have a significant impact on the building patterns in the city and should be carefully considered. Setting the minimum standards to please the most restrictive areas of the city can be detrimental to other areas. Many people will build to the minimum standards rather than go to the expense and hassle of collecting averages.

Failing to set minimum measurable standards and replacing these with 'averaging' existing conditions puts an undue burden on the homeowner to collect the information. This adds a burden of expense and time in having to hire a surveyor (estimates vary from \$1000 to \$2000).

Neighborhoods or communities have the ability to further restrict the minimum standards by implementing overlay zoning ordinances.

PROCESSES

A multi-tiered process for obtaining a building permit is not inherently bad if all tiers offer real options for acceptable construction. The minimum tier requirements must be valid and result in projects that reflect good design principles. Setting standards that are too restrictive in the first tier will have the following results:

1. People will design to these standards no matter what the project will look like in order to avoid having to incur the extra time and expense involved in administrative or Board of Adjustment hearings. Just because projects are smaller doesn't mean they can't be ugly!
2. If little or no good design can come out of the first tier, then the intent must be that most projects should be channeled into administrative hearings. This will be a burden on the City Administration. Currently, there are no plans for extra personnel or training to accommodate this significant increase of the work load in the Planning Department.

Standards should be absolute and clearly defined so the homeowner or design professional knows exactly what is expected in order to qualify for a building permit. However, because standards alone cannot set limits that will result in good design that will result in 'compatible infill' that will please everyone, the review or permitting process must also contribute to achieving the community's development goals. The process should be as clearly defined as possible

PEER REVIEW COMPONENT

RENOVATION DESIGN GROUP PROPOSES THE FOLLOWING AS A CONCEPTUAL ALTERNATE FOR ANY BUILDING PROJECT THAT WILL ALTER THE EXTERIOR OF A RESIDENCE IN TERMS OF THE EXISTING DEVELOPMENT PATTERN:

1. If any part of the design does not comply with the current Salt Lake City Zoning Code application will be made to the Board of Adjustments for a variance. SAME PROCEDURE AS CURRENTLY EXISTS.
2. If all parts of the proposed design comply with the current Salt Lake City Zoning Code, **prior to obtaining a building permit** the homeowner will be required to review the project with the neighbors within 300' of their property, or a minimum of 12 abutting property owners, whichever is greater. They must provide each property owner with an **information packet** which contains the following:
 - a. Two dimensioned site plans--one of the existing site and one showing the proposed change.
 - b. Dimensioned exterior elevations of the existing home and dimensioned exterior elevations showing the proposed changes.
3. The neighbors have **two weeks** to review the information and notify the Planning Department of any objections relative to the *existing development pattern*.
4. If **51%** of the neighbors have a concern that the project is not compatible with the existing development pattern, an administrative public **hearing** will be scheduled and held to discuss this issue. A decision to either issue or deny the building permit will be made. In case of denial, specific issues will be identified to be addressed in the redesign.
5. Any party can **appeal** the decision of the hearing to the Board of Adjustments. The appealing party will pay all associated fees. The decision of the board will be based on either a hardship situation or the existing development pattern.

Advantages of this approach:

1. First, it brings control down to the grass-roots level—i.e., the neighborhood itself. Those parties that will be most affected by any renovation project will have an opportunity for input. At the same time, by involving more than just immediate neighbors, the review should have some objectivity; personal grudges or long-standing animosities will be balanced by those whose concern is for the neighborhood as a whole.
2. Second, many projects will meet with the approval of the neighbors and will thus save both the homeowner and the City the time and expense of having to go through the review process.
3. Finally, this process will inform concerned neighbors of what is happening prior to commencement of any construction. It will also prohibit interference with the building process once construction has begun.

SAMPLE LETTER

Name
Address
City

Dear _____,

You are hereby notified that the property located at _____, owned by _____ is applying for a building permit.

Because your property is within 300' of the subject property, you are being notified of this project and you are being given the opportunity to submit comments to the Salt Lake City Planning Department. The owner is providing you with the following information:

1. Two dimensioned site plans: One showing the property as it now exists and one showing how it will change as a result of the pending construction project.
2. Dimensioned exterior elevations (drawings of each outside wall of the house) showing the house as it is currently and showing how it will change as a result of the pending construction.

The design of the project complies with all current Salt Lake City Zoning Ordinances. The intent of distributing this information is 1) to inform you of what is happening in your neighborhood and 2) to allow you to review the proposed project in terms of compliance with the *existing development pattern* of your neighborhood.

The *existing development pattern* is the standard based on the size (lot coverage), height, and location on the lot of existing structures within 300 feet of the subject property. The *style* of the home and the *finish materials* are **NOT** considered part of the existing development pattern and are not open to comment from the neighbors.

If you have concerns that this project will not be compatible with the existing development pattern of your neighborhood, please call the Planning Department (XXX-XXXX) to register your comments before _____, 200_. If concerns are expressed by 51% of the neighbors, you will be notified of an administrative hearing to be held by the Planning Department prior to the issuance of a building permit. You will have an opportunity to express your views at this hearing. A judgment will then be made by the Planning Department as to whether the building permit will be issued. Appeals to this decision can be made to the Board of Adjustments. All fees associated with the appeal will be the responsibility of the person or party filing the appeal.

If you have any questions regarding this procedure, please call XXX-XXXX. Thank you for your attention in this matter.

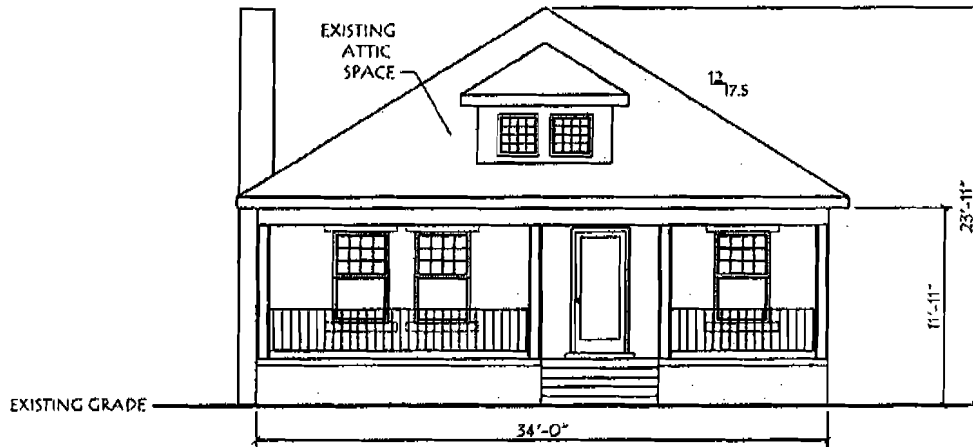
COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS RECOMMENDATIONS

14-Nov-05

SUBJECT	EXISTING ORDINANCE R1-5000 & R1-7000	PROPOSED ORDINANCE	RECOMMENDATION	COMMENTS
Maximum Roof Height	Pitched roof: 30' to the mid point of the roof Flat roof: None Measured from existing grade	Pitched roof: 23' to the ridge of the roof Flat roof: None Measured from existing grade	Pitched roof: 30' to the ridge of the roof Flat roof: 20' Measured from existing grade	The current ordinance measures to the mid-point of the roof which allows for roofs to be over 40' high in some cases. This is too high. The proposed restriction of 23' to the ridge is too low because it allows only a very low pitch on a two-story house. This legislates bad design. See Attachment A1. A compromise that limits the overall height but still allows for some design flexibility is recommended.
Maximum Wall Height	None.	16 feet	18.5' which may increase 1 foot in height for each foot of increased setback beyond the minimum	A 16' maximum is too low because the main floor of most homes is 2' - 3' above grade to begin with. Allowing for 12 inches for main floor structure and another 12 inches for upper level structure, a home with typical 8' high ceilings would have only 3' of wall before the roof structure starts. Once again this prohibits the design of most two-story homes. See Attachment A2.
Front Yard Setback	20 feet	Average of block face	Average of the smallest 50% of developed properties on the same side of the street measured within 300 feet of the subject property but not extending across intervening streets	Need to clarify how measurements are to be made--i.e., how do you measure a slope?
Side Setback	R1-5000: 4' on one side, 10' on the other R1-7000: 6' on one side, 10' on the other	None	Keep existing	
In-line Additions	Approved over-the counter by administrative approval	Require new projects to conform to required setbacks or apply for a special exception	Agree with the proposed change: Require new projects to conform to required setbacks or apply for a special exception	
Maximum Height for Accessory Structures	Pitched roof: 17' to mid point Flat roof: 12'	Pitched roof: 15' to the ridge Flat roof: 12'	Pitched roof: 15' to the mid-point Flat roof: 12'	Accessory structures contribute to the character of the development pattern. Garages should relate to the home as well

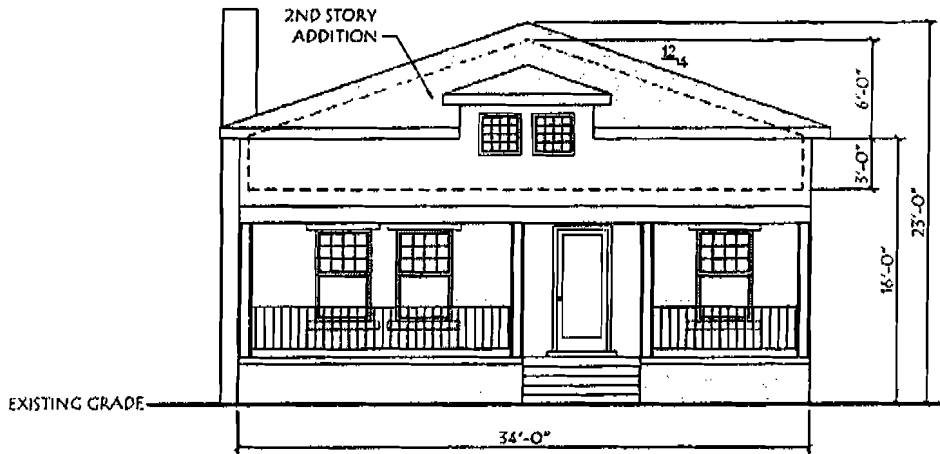
SUBJECT	EXISTING ORDINANCE R1-5000 & R1-7000	PROPOSED ORDINANCE	RECOMMENDATION	COMMENTS
				as the neighborhood. A 15' maximum height on a two-car garage does not even allow for a 6-in-12 slope. See Attachment A3.
Location of Accessory Structures	Anywhere in the rear setback placed to within 2 feet of the lot line. Must be 10' from principal residential buildings on adjacent lots.	Only 1' - 5' from the rear lot line. Must be 20' from principal residential buildings on adjacent lots.	Keep existing ordinance.	For deep lots: Requiring garages to be on the rear lot line results in the distance to the house and the length of the driveway to be potentially excessive. See Attachment A4. For small lots: Requiring the garage to be 20' away from the neighbor's house may put the garage in the middle of the rear yard, thus making it impossible to have a useable back yard.
Maximum lot coverage	R1-5000: 55% R1-7000: 40%	R1-5000: 40% R1-7000: 40%	Agree with the proposed change: Reduce the R1-5000 percentage to 40%	Keeping the homes in proportion to the lot obviously makes sense. Reducing the percentage on the R1-5000 will help keep the building from overwhelming the lot.
Attached garages	None	Must be located behind or in-line with the front of the principal building. The width facing the street may not exceed 50% of the width of the front façade of the house.	Agree with the proposed change.	

ATTACHMENT A1



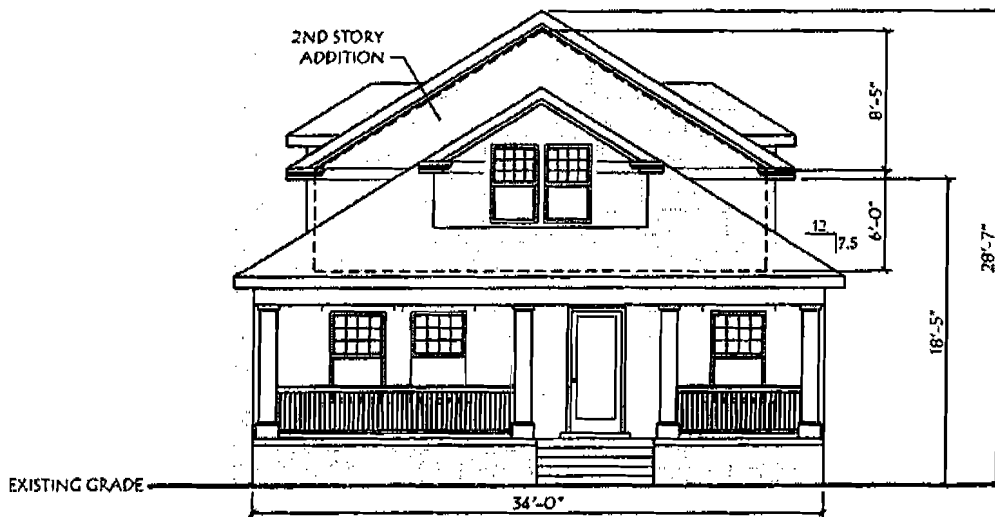
EXISTING HOUSE

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS



CONFORMING 2ND STORY

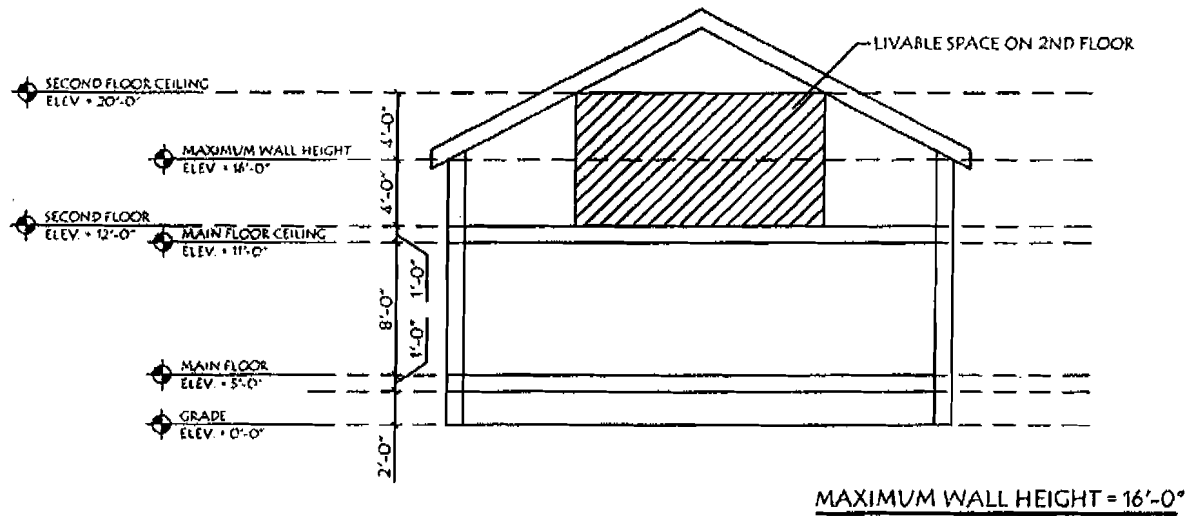
50' PROPERTY WIDTH W/ 6' & 10' SETBACKS, WALL HEIGHT AT MAXIMUM ALLOWED, AS WELL AS THE MAXIMUM ROOF HEIGHT.



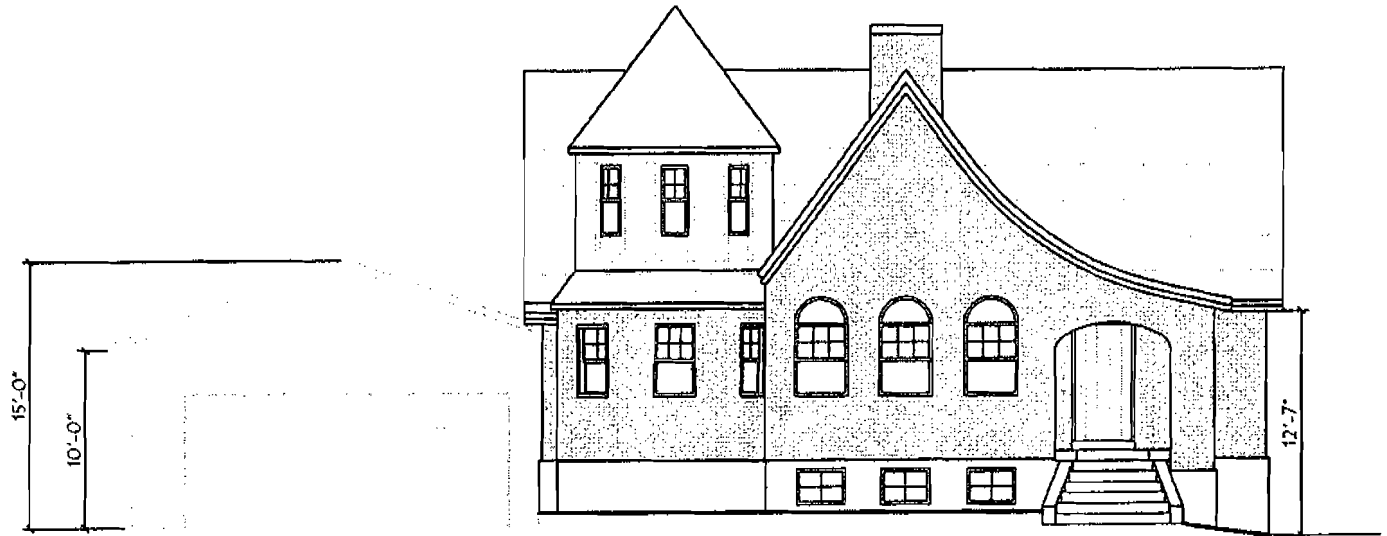
NON-CONFORMING 2ND STORY

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS

ATTACHMENT A2



ATTACHMENT A3



CONFORMING GARAGE

EXISTING HOUSE

1376 MICHIGAN AVE. SALT LAKE CITY

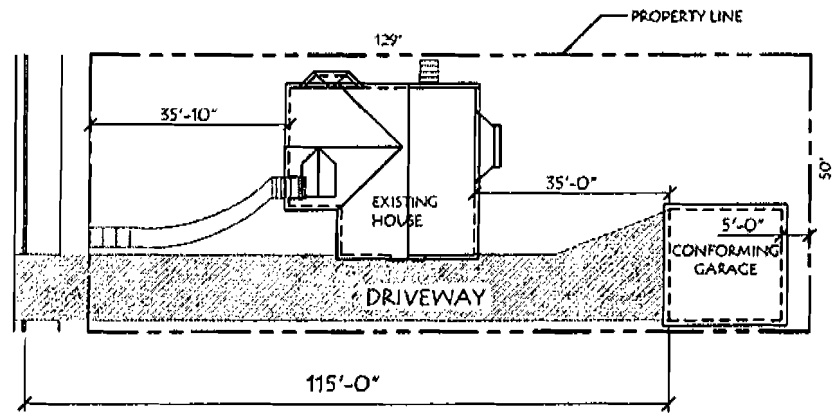


NON-CONFORMING GARAGE
CONFORMS TO EXISTING ZONING
REGULATIONS

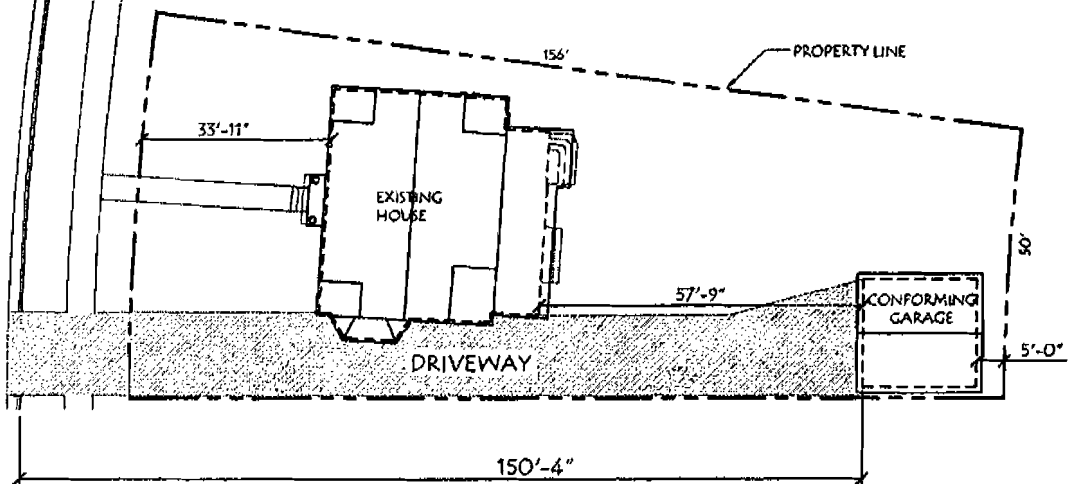
EXISTING HOUSE

1376 MICHIGAN AVE. SALT LAKE CITY

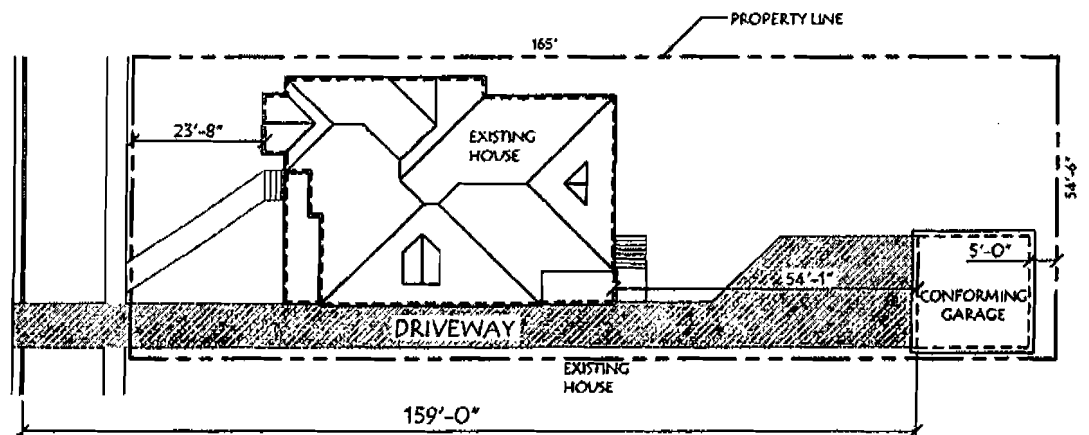
ATTACHMENT A4



907 DIESTEL ROAD



1379 E 3RD AVENUE



174 B STREET

