

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JANUARY 15, 2008

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, January 15, 2008 at 7:00 p.m. in Room 315, City Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Carlton Christensen	Van Turner	Søren Simonsen
J T Martin	Luke Garrott	Eric Jergensen
Jill Remington Love		

Cindy Gust-Jenson, Executive Council Director; Lyn Creswell, Acting Mayor, Lynn Pace, Deputy City Attorney; and Chris Meeker, Acting City Recorder; were present.

Councilmember Love presided at and conducted the meeting.

7:04:49 PM OPENING CEREMONY

#1. The Council led the Pledge of Allegiance.

#2. 7:07:26 PM Mayor Ralph Becker presented the annual State of the City report.

#3. 7:28:15 PM Adopting a Grantee Resolution of Foreign Trade Zone (FTZ) #30 to reorganize and expand General-Purpose Zone #30. See Attachments

Councilmember Jergensen moved and Councilmember Christensen seconded to approve Resolution 2 of 2008, which motion carried, all members voted aye.

#4. 7:28:50 PM Councilmember Turner moved and Councilmember Simonsen seconded to approve the minutes for the Salt Lake City Council meeting held January 8, 2008, which motion carried, all members voted aye.

PUBLIC HEARINGS

#1. 7:29:06 PM Accept public comment and consider adopting ordinances amending the Salt Lake City Code, Section 21A, zoning relating to permitted and conditional uses, conditional use standards and limitations, and building and site design review regulations pursuant to Petition Nos. 400-05-16 and 400-07-19. (The ordinance and information relating to Petition 400-05-16 Building and Site Design Review process, regulations and standards will be considered by the Council at a future Council meeting.) See Attachments
(O 07-29)

The following citizens spoke in opposition of the ordinance:

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Ellen Reddick, Vest Pocket Business Coalition President; Mary Corporo Business Advisory Chair; Jay Ingleby, Glendale Community Council; Lori Gutierrez and Steve Morgan, Westminster College.

Cindy Cromer asked the Council to continue to adopt positive changes to the ordinance including gas stations next residents, recognition of the concentration of conditional uses in parts of the City, viewing conditional uses in the context of other uses and recognizing that the use of conditional uses in small areas undermines the stated goals of the City Council regarding housing for families and those on modest income.

Shane Carlson asked that intent statements be included in City ordinances. He asked that delegation of authority of boards and commissions be specific. He said he was concerned about notices getting to residents.

Sharon Pritchett said she was concerned with the notification processes.

7:47:00 PM Council Members speak to the motion.

7:44:57 PM Councilmember Jergensen moved and Councilmember Christensen seconded to adopt Ordinance 2 of 2008 and continue the Public Hearing to a future Council meeting within 180 days at which time further refinements to the ordinance be made; adopt an initial ordinance amending the City Zoning Ordinance, Chapter 21A.54, Conditional Uses relating to:

- a. The conditional use process, purpose statement, definitions, and standards of review that includes sections from the proposed amendments recommended by the Planning Commission, and
- b. Changes identified by the Council removing conditional uses from the Residential Zoning Districts and specifying that conditional use applications may not be considered on properties that abut residentially zoned properties, and
- c. Amend Section 1 and 2 of the proposed ordinance to delete the words "additional building height" and replace them with "educational facilities".
- d. Amend Section 2 of the proposed ordinance to delete the words "is located adjacent to" and replace them with the word "abuts".

I further move that the Council refine the conditional use regulations and reevaluate the Zoning District Purpose Statements and the Tables of Permitted and Conditional Uses for all zoning districts by:

1. Establishing a Council subcommittee
2. Retaining the assistance of a consultant
3. Inviting public comment throughout the 180 day period and scheduling the continued hearing date within that 180 day period.

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4. Scheduling a consideration date within the 180 day period for refinements to the ordinance. I further move that the Council adopt the following Legislative Intent Statements:

It is the City Council's intent in initiating action to further refine the City's Zoning Ordinance relating to the Conditional Use process and the Tables of Permitted and Conditional Uses for all zoning districts that:

- A. The City Council appropriate funding for a consultant to:
- Reevaluate the Zoning District Tables of Permitted and Conditional Uses,
 - Consider further refinement of the conditional use permitted and conditional use zoning regulations, and
 - Review the appropriateness of zoning district purpose statements in relation to the ordinance.
 - This study should be completed within approximately 150-days of the adoption of the amendment to City Code, Title 21A. Zoning, Chapter 21A.54 Conditional Use.
 - The study will include a broad public outreach element in preparing the desired future condition.
- B. The City Council to create a subcommittee to address conditional use issues from all aspects.
- C. The creation of an ad hoc business task force to be involved with the City Council small business subcommittee, the Business Advisory Board, Vest Pocket, and other appropriate organizations, to address conditional use issues 7:58:54 PM, which motion carried, all Council Members voted aye except Councilmember Simonsen who voted nay.

(O 07-29)

#2. 8:00:39 PM Accept public comment and consider adopting ordinances enacting Section 21A.34.130, *Salt Lake City Code*, to create a Riparian Corridor Overlay District (RCO), applying RCO Riparian Corridor Overlay Zone to all properties within one hundred feet (100') of the annual high water level of non-ephemeral above ground streambed corridors, and amending the Salt Lake City Zoning Map accordingly and amending Section 21A.34.050, *Salt Lake City Code*, pertaining to the Lowland Conservancy Overlay District (LC) pursuant to Petition No. 400-07-18. (Streambed Corridors) See Attachments

The following citizens spoke in support of the issue: Ann Cannon, Rick Thornton, Scott Rassmussen, Dan Potts, Fred Reimnerr, Dan Duggleby, Amy Defreese, Utah Rivers Council; Arthur Morris, Ecology PHD; Tim Komlos, Carl Fisher, Mel Thatcher, Melissa Stamp and Dan Jensen.

The following citizens spoke in opposition of the issue: Edmund

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Evans, John Taylor, Dorothy Sigvardt, Ronald Woodhead, George Haley, Susan Webster; Edwin Remund, Kristen Oliver, Marjie Brown, Barbara Spark, Tom Hulbert' Rachel Bradley, Scott Bradley, Tamara Bradley, Jeena Nilson, Tom Kurrus, Alan Condie, Vince Rampton, Emily Bradley, Sharon Pritchett, Randy and Ronalee Baker, Rheim Penman, Jon Penman, Vu Cao and Ruth Price.

Cindy Cromer asked for studies for each stream corridor.

Susan Whitney asked for help to save animal species along stream corridors.

Don Edwards said the ordinance should have been sooner. He said in the lower foothill streams did not need a Riparian Corridor Overlay Zone because it was to late.

Rawlins Young asked the City Council to follow City policy and Master Plans.

The following citizens did not speak but submitted a comment card in support of the issue: Dan Potts, Brandon Burningham, James Comeford, Natalie Rees, Emil Kmet.

The following citizens did not speak but submitted a comment card in opposition of the issue: Ryan Thompson, Dawn Curtis, Tana Davis, Daniel Carroll, Morgan Wimber, Glen Decker, David Curtis, Jon Scoville, Robert Madsen and Megan Sessions.

9:45:37 PM Brad Stewart, Public Utilities Development Engineer said Miller Park would remain natural and the ordinance was for new development. He said there were no conflicts with regard to uses of the park.

9:46:21 PM Councilmember Martin moved and Councilmember Jergensen seconded to adopt Ordinance 3 of 2008 and continue the Public Hearing to a future Council meeting within 180 days at which time further refinements to the ordinance may be made;

Adopt an initial ordinance that will:

Establish a Riparian Corridor Overlay District that includes sections from the proposed amendments recommended by the Planning Commission and additional changes identified by the Council. (Salt Lake City Code, Section 21A.34.130)

Amend the Lowland Conservancy Overlay District (Salt Lake City Code, Section 21A.34.050)

Amend the section referencing outdoor residential uses, open patios and decks to add the word permeable (Sec. 21A.34.130.C.1.b.2)

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I further move that the Council refine the ordinance by:

Establishing a Council subcommittee
Retaining the assistance of a consultant
Inviting public comment throughout the 180 day period and scheduling the continued hearing date within that 180 day period.
Scheduling a consideration date within the 180 day period for refinements to the ordinance.

9:48:19 PM Council Members speak to the motion.

I further move that the Council adopt the proposed Legislative Intent Statements:

The City Council appropriate funding for a consultant to:

- Develop criteria for an exception process in the event a Riparian Protection Permit is denied,
 - Evaluate further refinement of the riparian corridor zoning regulations, and
 - Review the appropriateness of the purpose statement in relation to the ordinance.
 - This study should be completed within approximately 150-days of the adoption of the Riparian Corridor Overlay Zoning District ordinance.
- D. The City Council appropriate funding for stream/riparian corridor studies for Red Butte Creek and Emigration Creek to be followed by Parleys Creek and City Creek. The studies are intended to define a baseline condition of the stream corridors and develop a desired future condition plan. The plan will identify current environmental issues such as erosion, pollution sources, invasive species and other issues that need to be addressed to achieve the desired future condition. The study will include a broad public outreach element in preparing the desired future condition. The plan will be detailed in nature such that specific identifiable projects to restore the stream corridors are presented. Budget estimates for the recommended projects will be developed and provided in the plan. The study effort will be administered by the Department of Public Utilities.
- E. The City investigate and address City contributions to stream bank erosion.
- F. The City Council appropriate funding for an education/stewardship program for property owners affected by the Riparian Corridor Overlay District zoning regulations.

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- G. The City investigates options for citywide control of pollutants and runoff from impermeable surfaces as well as materials used for fertilization and snow removal.
- H. The City will work with State of Utah and Salt Lake County to understand the water quality impairments to Emigration Creek water coming into the City and work to develop viable plans to improve the water quality to meet the stream's State of Utah beneficial use classification of Class 2B. The Department of Public Utilities will coordinate the effort.
- I. The City post signage at the boundaries of public access points indicating private property is beyond.
- J. Public Utilities develop best management practices and standards for permitted development with the Riparian Corridor Overlay Zoning District as part of the permit process.
- K. The City evaluate applying the Riparian Corridor Overlay District provisions as part of any future proposal to bring creek corridors to the surface (day lighting of creeks).

Councilmember Love call for the question, which motion carried, all members voted aye except Councilmember Turner who voted nay.
(O 07-21)

COMMENTS

10:14:43 PM Comments to the City Council:

Russ Callister was opposed to the Sugar House Business District and Historic Preservation resolution. Jim Garside spoke about caring about water users agreements. Shane Carlson spoke regarding the Mayor's Office and the City Council intent. Laurie Bray, Susie Petheram and Rawlins Young spoke in support of Sugar House Business District and Historic Preservation resolution.

Douglas Cotant and Rhea Bouman submitted a speaker card but did not speak.

UNFINISHED BUSINESS

#1. 10:29:26 PM Adopting a resolution relating to the Sugar House Business District and Historic Preservation. See Attachments

Councilmember Simonsen moved and Councilmember Turner seconded to adopt Ordinance 4 of 2008, which motion carried, all members voted aye
(R 07-15)

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#2. 10:33:02 PM Adopting a resolution authorizing the issuance and sale of up to \$20,000,000 aggregate principal amount of water and sewer improvement and refunding revenue bonds of the City; fixing certain maximum terms for the Bonds; and providing for related matters. See Attachments

Councilmember Jergensen moved and Councilmember Turner seconded to adopt Ordinance 3 of 2008, which motion carried, all members voted aye (Q 08-2)

The meeting adjourned at 10:33 p.m.

Council Chair

Acting City Recorder

This document along with the digital recording constitute the official minutes of the City Council Regular Session meeting held January 15, 2008.

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