

## **Kearns Township Planning Commission**

### **Public Meeting Agenda**

**Monday, January 11, 2016 4:00 P.M.**

#### **Location**

SALT LAKE COUNTY GOVERNMENT CENTER  
2001 SOUTH STATE STREET, ROOM N1-110  
NORTH BUILDING, THIRD FLOOR  
(385) 468-6700

*UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.*

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

#### **BUSINESS MEETING**

- 1) Approval of Minutes from the July 29, 2015 meeting.
- 2) Election of Chair and Vice Chair for 2016.
- 3) Other Business Items (as needed)

#### **PUBLIC HEARINGS**

#### **Legislative**

**29748** – Amend Chapter 19.78 of the Salt Lake County Zoning Ordinance – Planned Unit Developments (PUD). **Presenter:** Max Johnson

#### **ADJOURN**





## Committee / Board Member Contact Information

Please take a moment to complete the following so that we can ensure we have the most updated contact information for you.

**Ben McAdams**  
Salt Lake County Mayor

**Committee / Board Name:** \_\_\_\_\_

**Patrick Leary**  
Township Executive

**Member Name:** \_\_\_\_\_

**PLANNING &  
DEVELOPMENT  
SERVICES**

**Home Address:** \_\_\_\_\_

**Rolen Yoshinaga**  
Planning & Development  
Division Director

**Mailing Address:** (if different from above) \_\_\_\_\_

**E-mail Address:** \_\_\_\_\_

**Work Phone Number:** \_\_\_\_\_

**Cell Phone Number:** \_\_\_\_\_

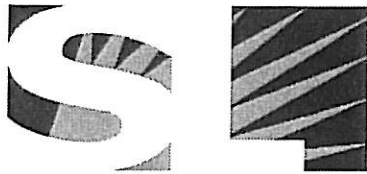
**Home Phone Number:** \_\_\_\_\_

**Fax Number:** \_\_\_\_\_

Thank you very much,

Planning & Development Services





# SALT LAKE COUNTY

## SALT LAKE COUNTY DISCLOSURE STATEMENT

**TO:** ALL SALT LAKE COUNTY OFFICERS, VOLUNTEERS, AND EMPLOYEES  
**FROM:** OFFICE OF THE DISTRICT ATTORNEY FOR SALT LAKE COUNTY  
**SUBJECT:** STATUTORY ETHICAL AND DISCLOSURE REQUIREMENTS

All Salt Lake County employees, elected and appointed officials, and volunteer board members be aware of and abide by two significant statutes in Utah law which prohibit, or require disclosure of, certain actual or potential conflicts of interest between their public duties and private business interests, if any. The Utah Public Officers' and Employees' Ethics Act (§§ 67-16-1, et seq., U.C.A., 1953 as amended) and the County Officers and Employees Disclosure Act (§§ 17-16a-1, et seq., U.C.A., 1953 as amended) set the following requirements:

### PROHIBITED ACTS:

1. No employee, officer or board member shall (1) use County office or employment for private advantage by revealing confidential, controlled, private or protected information gained through that office or employment, (2) use his/her County position to secure special privileges, or (3) accept other employment that would reasonably be expected to interfere with the ethical performance of his public duties.
2. No employee, officer or board member shall knowingly receive, accept, take, seek or solicit, directly or indirectly, any gift or loan for him/herself or another person.
3. No employee, officer or board member, acting in an official capacity, may accept payment for helping a private person or business in any transaction with the county. Payment may be accepted if the transaction is not in the employee's official capacity and disclosure is made as set forth hereafter.
4. Employees may not be involved with any private business which is regulated by the county, may not be involved in any transaction between their private business interests and the county, and may not be involved in any other actual or potential conflict of interest unless the nature and extent of the private business interest(s) are disclosed as explained below.

### DISCLOSURE:

1. Any county officer, employee or board member who receives payment for helping a private person or business in a transaction with the county must disclose the payment.
2. Any county officer, employee or board member involved in a private business which is subject to county regulation must disclose that involvement. If the regulation is made by the agency or board of which the officer or employee is a member, disclosure must be made annually, and again at each meeting in which the officer's or employee's business is discussed. Such oral disclosures shall be made part of the minutes of the meeting.
3. Any county officer, employee or board member involved with a private business that does or anticipates doing business with the county must disclose that involvement.
4. Any county officer, employee or board member who has a personal or business interest of any kind which raises an actual or potential conflict of interest with county duties must disclose that interest.
5. All written disclosures must be sworn statements containing the information required above and be in a form similar to that on the reverse side of this document. All such statements are public records, open to public inspection. All disclosures must be made as follows: Orally, in any meeting of a county agency, board or division where a transaction is discussed involving a matter in which the officer, employee, or board member has an interest; and again in writing when the conflict arises. The general written disclosure must also be re-filed every January of each year that the outside interest persists and must be filed with the officer's, employee's or board member's immediate supervisor, division director, department head or elected official, and county council.



**SALT LAKE  
COUNTY**

**SALT LAKE COUNTY  
DISCLOSURE STATEMENT**

Violation of these provisions may subject the officer, employee or board member to disciplinary action, in addition to the possibility of criminal prosecution. Any violations will be thoroughly investigated and prosecuted. Please be aware that this document is a shortened and simplified statement of the legal requirements involved in this area. **YOUR CONDUCT WILL BE GOVERNED BY THE LAW, NOT THIS REVIEW.** Feel free to direct any questions regarding the law's ethical and disclosure requirements to the Civil Division of the Office of the District Attorney.

**DISCLOSURE OF PRIVATE BUSINESS INTERESTS** (Use one form for each business entity or person involved.)

Under the provisions of the Utah Public Employees' and Officers' Ethics Act, §§ 67-16-1 et seq., U.C.A., 1953 as amended and the County Officers and Employees Disclosure Act, §§ 17-16a-1 et seq., U.C.A., 1953 as amended, I, the undersigned, under penalties of perjury, make the following statement regarding my private business interests. *(Type or print all information.)*

A. \_\_\_\_\_  
County Employee    Employed in (County Division)    County Phone

\_\_\_\_\_  
Employee's Address

B. \_\_\_\_\_  
Outside institution, entity, private business or person involved

\_\_\_\_\_  
Describe county employee's position or investment in the outside institution, entity, private business, or personal contract

\_\_\_\_\_  
Outside institution, entity, business or person's address and phone number

C. Describe below the nature of the assistance you are providing to the institution, entity, private business or person named above, or describe the nature of the economic interest or employment you hold in the private business. Also describe the relationship with, or transaction between, the business, institution, person, etc. and Salt Lake County. Use more sheets if necessary. *(This disclosure statement will not be accepted as valid unless this section is completed.)*

\_\_\_\_\_  
Employee Signature

SUBSCRIBED and SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
NOTARY PUBLIC, Residing in

[SEAL]

\_\_\_\_\_  
County    State

*This statement is a public document. It must be filed with the officer's, employee's, or board member's immediate supervisor, division director, department director or elected official, and the COUNTY COUNCIL. It must be filed when the potential conflict arises.*



## SALT LAKE COUNTY VOLUNTEER CONTRACT

If I am accepted as a Salt Lake county volunteer, I agree to perform the volunteer duties (as specified in my selected job description) to the best of my ability and in a professional manner. I will appreciate constructive feedback. If problems arise such as scheduling, I will notify my supervisor as soon as possible before my assigned shift.

### **CONFIDENTIALITY:**

I agree to maintain the same strict confidentiality regarding my duties that is expected of the paid staff.

### **RELEASE:**

While performing volunteer work assignments and duties, the undersigned volunteer (unpaid worker), authorized by the Division Director, shall be deemed an employee of Salt Lake County only for the purpose of the following liabilities and insurance coverage.

- A. Medical Benefits under Worker's Compensation for any injury sustained by him/her while engaged in performance of any service;
- B. Properly licensed operation of County vehicles or equipment;
- C. Liability protection normally afforded salaried employees.

If I, as a Salt Lake County volunteer, will be driving on county business or transporting clients while using my personal vehicle, in the event of a car accident, I shall immediately contact my own insurance carrier and report the accident; damages due to accidents must be covered by my own insurance carrier. If involved in an accident while on County business I must also file a report with County Risk Management according to Salt Lake County Wide Policy 1011, Accident Reporting. Upon request, the Volunteer Coordinator will provide assistance to complete this report. (Refer to Volunteer Policy #4009 on Volunteer Auto Use.)

With this knowledge, the undersigned volunteer hereby releases Salt Lake County, its agents and employees from any liability or obligation arising from, or in connection with, the undersigned's Volunteer Activities with Salt Lake County other than stated above.

I have read the sexual harassment and discrimination information \_\_\_\_\_ (Initial)

If necessary, I have submitted a Statutory Ethical and Disclosure form \_\_\_\_\_ (Initial)

I have read and understand the above conditions.

Volunteer Signature: \_\_\_\_\_

Parent or Guardian signature if under 18: \_\_\_\_\_

Signature of Agency Representative: \_\_\_\_\_

Date: \_\_\_\_\_

## SEXUAL HARASSMENT AND DISCRIMINATION PREVENTION FOR VOLUNTEERS

Harassment is a form of discrimination which is prohibited by federal law and Salt Lake County policy. Discrimination and harassment on the basis of a person's Race, Color, Religion, National Origin, Sexual Orientation, Marital Status or Sex is prohibited under County policy. Sexual harassment is a form of sex discrimination.

**Volunteers,  
Sexual Harassment or Discrimination is NOT to be taken lightly, anyone engaging in conduct prohibited by law could be held personally liable!**

Sexual harassment is defined under Federal Law and County Policy 5730 as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- (2) submission to or rejection of such conduct by such individual is used as the bases for employment decisions affecting such individual, or
- (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The three elements are:

**FIRST**, the conduct must be of a sexual nature. This means either words, physical contact or gestures.

**SECOND**, the conduct must be unwelcome.

**THIRD**, a job related factor must also be present:

- A. Submission to the unwelcome conduct is a condition of employment.
- B. Submission to the unwelcome sexual activities results in a positive or negative employment decision.
- C. The unwelcome sexual conduct may also interfere with work performance and create a hostile, intimidating or offensive working environment.

In summary, sexual harassment is unwelcome sexual conduct that affects the victim's working conditions.

### Preventing Harassment-

The first line of prevention is to avoid doing or saying anything that might offend someone.

The second line of prevention is to report incidents of harassment or discrimination under County policy.

You may report to: Any supervisor in your area, the County EEO Manager 468-2622, the County Personnel Director, your Volunteer Coordinator, the County Mayor, any County Council member, or Utah Anti-discrimination Division.

Salt Lake County will not tolerate any sexual harassment in the workplace and policy provides for immediate investigation with appropriate discipline for anyone who engages in harassment.



**KEARNS TOWNSHIP  
PLANNING  
COMMISSION**

**POLICY ON  
ELECTRONIC MEETINGS**

**Purpose –**

The purpose of this policy is to establish the means and procedures by which the Kearns Township Planning Commission (“Commission”) may conduct electronic meetings in accordance with the provisions of the Public Meetings Act ("Act"), and particularly § 52-4-207 (UCA, as amended).

1.0 Application of the Act – definitions.

1.1 The Commission hereby adopts those definitions of specific terms which appear in the Act at § 52-4-103 for application in this policy.

2.0 Electronic Meetings

2.1 The Commission hereby determines that it may, from time to time as needed, convene and conduct Commission meetings in which one or more Commission members attend and participate in the meeting through electronic means.

2.2 Commission electronic meetings may include meetings conducted by means of telephone, telecommunications, electronic mail, or by other computerized, electronic, or teleconferencing means and media.

3.0 Notice

3.1 Prior to conducting an electronic meeting, the Commission shall, through its staff, provide advance written and electronic notice of the meeting, including agenda items, 24 hours in advance.

3.2 Notice shall be provided to all Commission members, as well as to members of the public and the news media in accordance with the provisions of the Act.

3.3 Each notice shall describe the means of communication and the procedures by which members of the public will be able to monitor and, when appropriate, participate in the electronic meetings.

3.4 The notice shall designate which anchor location will be available for public monitoring and participation.

3.4.1.1 Commission electronic meeting anchor locations may include the following: the Salt Lake County Council Conference room, N2-800 or the Salt Lake County Council Chambers, N1-110. All anchor locations are located at the Salt Lake County Government Center, 2001 South State Street, Salt Lake City, Utah.

3.4.1.2 The Commission may establish other anchor locations for electronic meetings by majority vote.

4.0 Public Attendance

4.1 Commission staff shall provide sufficient and necessary space, equipment and other means as required by the Act, to allow members of the public and the news media to attend, monitor and, where appropriate, participate in the public portion of any electronic meeting conducted by the Commission.

APPROVED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_.

Kearns Township Planning Commission

\_\_\_\_\_  
John A. Glines, Chair

APPROVED AS TO FORM:

\_\_\_\_\_  
District Attorney's Office      Date



**OFFICE OF TOWNSHIP SERVICES**

Planning and Development Services  
2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050  
Phone: (385) 468-6700 • Fax: (385) 468-6674  
[www.pwpds.slco.org](http://www.pwpds.slco.org)

File # 0000029748

## Staff Report Summary and Recommendation

**Public Body:** Kearns TPC

**Meeting Date:** January 11, 2016

**Parcel ID:** N/A

**Current Zone:** N/A    **Proposed Zone:** N/A

**Property Address:** N/A

**Request:** Amend Planned Unit Development (PUD) Ordinance

**Community Council:** Kearns

**Township/Unincorporated:** Kearns

**Planner:** Max Johnson

**Community Council Recommendation:** Recommend Approval

**Planning Staff Recommendation:** Recommend Approval

**Applicant Name:** PUD Ordinance Amendment

**Applicant Address:** SL County Government Center, 2001 South State Street, Suite #N3-600, SLC, UT 84109

**Applicant Email:** [mrjohnson@slco.org](mailto:mrjohnson@slco.org)

**Phone:** (385) 468-6699

### PROJECT DESCRIPTION

This project serves to update the PUD ordinance throughout unincorporated Salt Lake County. The proposed ordinance has undergone significant change as it has been several years since major updates to this ordinance have occurred.

### EXECUTIVE SUMMARY

Neighborhood compatibility has been of paramount importance throughout the process to create this update to PUD developments. Significant changes include:

- 1) Reduced impacts on existing neighborhoods:
  - a. Height limitations, particularly in R-M zones (28' on the perimeter, otherwise 35')
  - b. Refined setbacks for perimeter dwelling structures (15')
- 2) A greater predictability for developers, staff, planning commission, and the community
- 3) Refuse collection station requires a ten foot setback from residential properties
- 4) All garages to be 22 feet in width by 20 feet long or 20 feet in width by 22 feet long

### GENERAL PLAN CONSIDERATIONS

Neighborhood quality and impact to existing neighborhoods are important considerations for all communities.

## ZONE CONSIDERATIONS

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Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with Landscaping Requirements Verified.	Yes
Compliance with the General Plan.	Yes

## ISSUES OF CONCERN/PROPOSED MITIGATION

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The existing PUD ordinance has proved difficult to protect existing neighborhoods when developing adjacent property, specifically R-M zoned property due to extensive height and density allowances available in R-M zones that prove incompatible while transitioning to additional residential development as PUD's. Also, ancillary issues regarding street presence, building materials, parking space size, open space, placement of trash receptacles, etc., have been refined to improve PUD quality, aesthetics, location, and overall neighborhood improvement.

## NEIGHBORHOOD RESPONSE

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No neighborhood response has been received to date as the public process has been informational at the community council level. Staff expects neighborhood comment at the planning commission level in December.

## COMMUNITY COUNCIL RESPONSE

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The Kearns Community Council recommended approval at their meeting on December 1, 2015.

## REVIEWING AGENCIES RESPONSE

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AGENCY: N/A

DATE: N/A

RECOMMENDATION: N/A

Compliance with current building, construction, engineering, fire, health, landscape and safety standards will be required prior to final approval of all future PUD's.

## PLANNING STAFF ANALYSIS

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Extensive research, public outreach, specific public comment on various projects throughout the past few years, as well as several stakeholder working groups have yielded results indicative that the resulting modifications and adjustments to the PUD ordinance are desired in the hopes of limiting detrimental impacts to communities, especially when R-M zoned properties are developed.

## PLANNING STAFF RECOMMENDATION

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Staff recommends approval as this request is an update that has been initiated and supported by planning commissions in support of concerns and public comment from various communities in the county as they become impacted by developments that are deemed intrusive, or out of neighborhood character, by the public.

## **CHAPTER 19.78 PLANNED UNIT DEVELOPMENTS**

- 19.78.010 PURPOSE**
  - 19.78.020 APPLICABILITY AND AREA REQUIREMENTS**
  - 19.78.030 DEVELOPMENT REQUIREMENTS**
  - 19.78.040 PLANNED UNIT DEVELOPMENT MIXED-USE**
  - 19.78.050 MAINTENANCE OF COMMON FACILITIES**
  - 19.78.060 REVIEW PROCESS**
  - 19.78.070 PRELIMINARY REVIEW**
  - 19.78.080 PLANNING COMMISSION REVIEW**
  - 19.78.090 VALIDITY OF PRELIMINARY REVIEW**
  - 19.78.100 POST-PLANNING COMMISSION APPROVAL**
  - 19.78.110 AMENDMENTS TO THE DEVELOPMENT PLAN**
  - 19.78.120 FAILURE TO BEGIN DEVELOPMENT**
  - 19.78.130 PHASED PLANNED UNIT DEVELOPMENT**
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### **19.78.010 PURPOSE**

The purpose of a planned unit development (PUD) is:

1. To provide a high quality living environment, and to utilize and incorporate natural features in the land development design.
2. To provide a more efficient use of the land and the preservation of greater proportions of open space for recreation and visual use than is otherwise provided for in the zoning regulations.
3. To provide good and compatible neighborhood and housing design by utilizing a variety of dwelling types and site arrangement plans to allow for greater flexibility and diversity in the physical pattern of the development.
4. To provide developments compatible with existing residential uses while maintaining a harmonious environment within the community.
5. To create mixed use areas designed to be beneficial to the neighborhood.
6. To ensure substantial compliance with the intent of this chapter related to the public health, safety and general welfare, while securing the efficient use of the land for residential or commercial development or combinations thereof.

It is the intent of this chapter that the development plan for a planned unit development shall be prepared by a designer(s) having professional competence in urban planning.

### **19.78.020 APPLICABILITY AND AREA REQUIREMENTS**

A planned unit development is only allowed for residential uses, except as provided in section 19.78.040, and in zones that allow residential uses. The provisions in this chapter shall govern over the chapters relating to these other zones. A planned unit development in these zones shall have a minimum area of three acres, with the following exceptions:

1. Existing condominium developments that cannot be sold or refinanced without the common area adjoining the homes in the development being divided up into individual lots that include the adjoining homes, and where these newly created lots would not qualify as traditional subdivision lots under County ordinance. In such cases, the newly created lots may qualify as a planned unit development if the development is at least one acre in size. Such a development shall be exempt from the provisions of this chapter, except sections 19.78.090 – 19.78.130 relating to review of the development.
2. Developments abutting or contiguous to a corridor or major or minor arterial as defined in the general plan shall have a minimum area of one acre. To qualify as a development that is abutting or contiguous to a corridor or major or minor arterial, said development shall have a minimum frontage of the sum of the required minimum lot width of two lots as determined by the current zoning designation.

### 19.78.030 DEVELOPMENT REQUIREMENTS

The following are required for all developments:

1. **Ownership.** The property shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property.
2. **Open Space.** Common and private open space shall be provided and shall cover no less than 40 percent of the gross site area. Common open space shall be provided in the amount of at least 20 percent of the gross site area.

The required common open space shall be land areas that are not occupied by buildings dwellings, structures, parking areas, streets, curb-gutter-sidewalk, driveways, or alleys and shall be accessible by all residents of the development. Buildings erected for the purpose of providing an amenity may be included as open space. Said open space may be an area of land or water set aside, or reserved for use by residents of the development, including an expanse of lawn, trees, plants, or other natural areas. Common open space also includes common walkways (but not curb-gutter-sidewalk), formal picnic areas, and recreational areas. Common open space may be distributed throughout the development and need not be in a single large area. Common open space may include sensitive areas, such as areas with 30 percent or greater slope, fault zones, flood plains, high water tables, and wetlands, if they have been designed as an integral element of the project.

Private open space (that is provided for each dwelling unit for personal use, including a balcony) shall be located immediately adjacent to, attached to, or within the dwelling unit it is designed to serve and shall be for the exclusive use of the residents of the dwelling unit. Landscaped roof areas or decks attached to individual units may not be calculated as part of required common open space.

3. **Interior Streets.** The design of public and private streets within a development shall follow County standards for roadway development outlined in the general plan. Private streets shall be subject to the same inspections and construction standards as required for public streets. The County shall be granted a utility easement of the entire interior street system in a development project. All private streets shall be conveyed to a private association.
4. **Garbage and Recycling.** The development shall be designed to accommodate and efficiently manage the collection, storage, and removal of garbage in harmony with the neighborhood so as to minimize detrimental effects of the collection, storage, and

removal on any residence within the development or abutting neighborhoods. Dumpster enclosures shall be provided for the development and no refuse dumpster or dumpster enclosure structure shall be located closer than 10 feet to any perimeter property line. Enclosure structures must have a minimum of three sides that reflect or emulate the materials, design, and quality of the overall development. All developments shall provide recycling services.

**5. Parking.** The following minimum parking shall be provided for all multi-family projects under this ordinance:

a. Table of Parking Ratios

One bedroom unit	1.5 parking spaces per unit
Two or more bedroom units	2.0 parking spaces per unit
Guest parking spaces	0.33 parking spaces per unit (min. of 6)
Storage parking spaces for recreational vehicle storage	Not Allowed

b. The parking requirements identified in this section supersede other parking requirements in this Title.

c. All parking areas, covered or open, shall have a landscaped buffer in accordance with chapter 19.77, Water Efficient Landscape Design and Development Standards.

d. Parking ratios may be modified by the planning commission with support of a traffic study, or as follows:

**Eligible Parking Rate Reductions**

Amenity	Recommended Reduction (stalls/unit)
Car Sharing (minimum 100 dwelling units)	0.05 per car share vehicle
Bicycle Lockers/Storage (1 space per unit required)	0.05
Bicycle Share (on-site self-serve bike station)	0.05
Development Supplied Transit Passes for all residents	0.15
Senior Housing	0.20
Housing for students (< .25 miles from campus)	0.10

e. Parking is prohibited within approved fire access and turn-around facilities.

f. Garages are encouraged. There shall be no less than one covered parking stall per unit. The Planning Commission may consider the following criteria in determining whether or not the number of garages/carports should be increased or reduced:

- (1) Garage parking (with a minimum unobstructed size of 22 feet wide by 20 feet in length, or 20 feet wide by 22 feet in length) throughout the development would allow for a five percent density bonus, while installation of underground parking throughout, would allow a ten percent density bonus. Developments with carports shall not be allowed a density bonus under this chapter.

- (2) Covered parking shall be placed in locations adjacent or convenient to the buildings that they are intended to serve.
  - (3) Tandem spaces may be allowed with a minimum size requirement of 20 feet long by 9 feet wide per parking space, up to a maximum of two contiguous spaces per unit.
- 6. Building Materials.** Exterior materials of a durable or resilient nature such as brick, stone, stucco, prefinished panel, composite materials, or other materials of similar quality, hardness, and low maintenance characteristics shall be used. Other materials may be considered as an accent or architectural feature. Twenty-five year guarantee, architectural shingles and/or other longer lasting roof materials are required.
- 7. Landscaping on Public Right-of-Way.** Where a development is adjacent to a public right-of-way, a permanent open space shall be required along any front, side, or rear yard adjacent to said right-of-way. This area shall be kept free of buildings and structures (except fences, as per chapter 19.77, and approved by the Planning Commission), and permanently maintained with street trees and other landscaping, screened or protected by natural features, as per chapter 19.77. If such areas are the result of double frontage lot designs with inadequate access to the street, such areas shall be landscaped as per chapter 19.77 with a five foot landscaped area. Aesthetic entrance features are encouraged. Additional landscape treatments or buffers may also be required with width and landscaping specifications as per chapter 19.77.
- 8. Perimeter Fencing.** Fencing around the perimeter of all developments shall be provided as illustrated on the approved development plan. Acceptable fencing materials include architecturally designed brick or block, pre-cast concrete, post and rail of wood construction, or the highest quality vinyl. Unless otherwise allowed by the Planning Commission, exterior fencing along a public right of way shall be limited to brick, block, pre-cast concrete, or post and rail of wood construction materials. Interior fencing shall comply with section 19.78.030(11) (f).
- 9. Street Lights.** Street and pedestrian lighting is required. All lighting fixtures shall be directed downward with mechanisms to prevent dark sky illumination. The applicant shall submit a plan which indicates the type and location of lights in relation to the development and designed for pedestrian safety.
- 10. Signage.** Only low profile signs with a maximum size of 50 square feet, and 5 feet in height are allowed. No temporary signs are allowed other than for sale or rent signs with a maximum of 6 square feet in area per side. Only three such signs are allowed per 300 feet of frontage. The size, location, design and nature of signs, if any, and the intensity and direction of any associated lighting shall be detailed in the application, and be consistent with the characteristics of the community and chapter 19.82, Signs.
- 11. Site Plan.** All developments shall be guided by a total design plan in which the following development standards may be varied to allow flexibility and creativity in site design and building location. The Planning Commission may require such arrangements of structures, open spaces, landscaping, buffering, and access within the site development plan so that adjacent properties will not be adversely affected. The following criteria shall be used by the Planning Commission principally to assure the design objectives of this section are met.

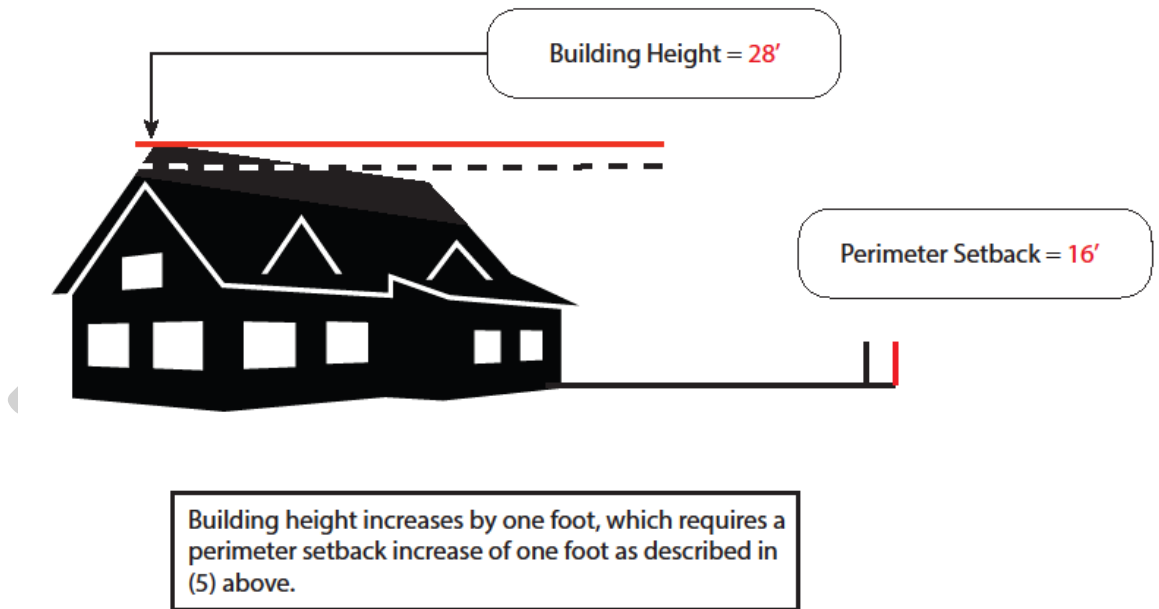
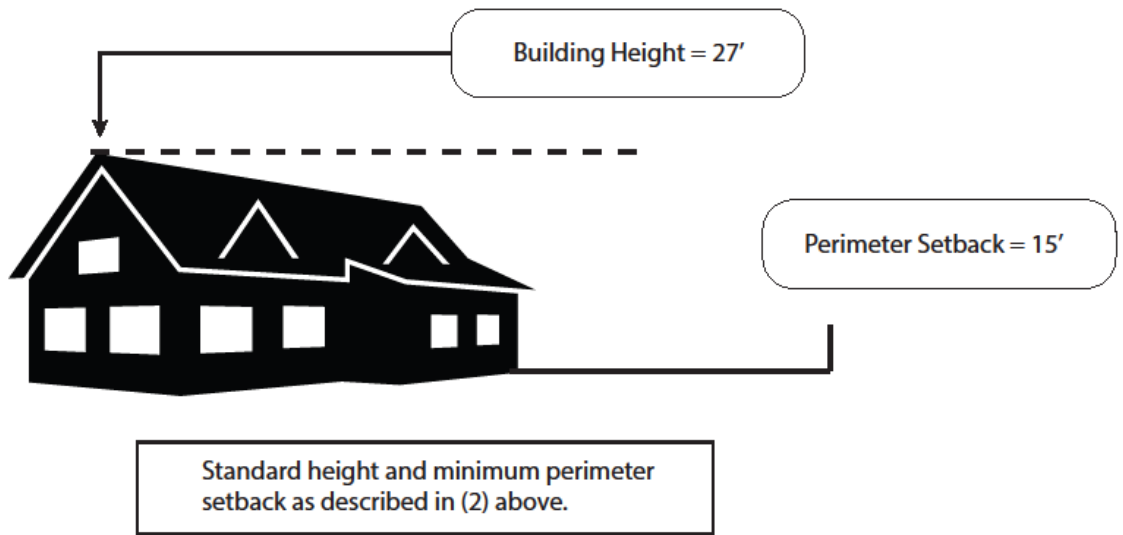


a. **Density.** The density allowed for a development shall be no greater than that allowed in the zone in which it is located, except that a density bonus in the following amounts is allowed if either or both of the following conditions exist:

- (1) For developments on corridors as defined in the general plan, a density bonus of 10 percent is allowed; and/or
- (2) For developments within one-half mile (improved walking distance) of a rail or Bus Rapid Transit (BRT) station, a density bonus of 10 percent is allowed.

b. **Maximum Height.** For the purpose of this chapter, building height is to be measured from the lowest point of original grade to the highest ridge.

- (1) Height for developments located in the R-1, R-2, A-1, and A-2 zones shall be limited to 28 feet for all structures when the gross area of the development is less than three acres. When the gross area of the development exceeds three acres, the maximum height shall be 28 feet for all structures on the perimeter and 35 feet for all structures not on the perimeter.
- (2) Height for developments located in the R-M zone where said development is contiguous with any single family residential, R-2, R-3, and R-4, or agricultural zone shall be limited to 28 feet for all structures located on the perimeter, and 35 feet for all structures not on the perimeter.
- (3) Developments located in all other zones that allow a planned unit development shall conform to the otherwise applicable ordinances.
- (4) Rooftop patios or rooftop living spaces are not allowed on perimeter units contiguous with any single family residential, R-2, R-3, and R-4, or agricultural zone.
- (5) The height of buildings along the perimeter of a development may be increased to the maximum height allowed in this Title by one foot increments, with each additional one foot height increment requiring an additional one foot in setback from the perimeter (see table below for graphical rendering).
- (6) Notwithstanding the above, the Planning Commission may at its discretion reduce or increase the otherwise stated maximum heights if mitigation is warranted in cases where unusual topographical or other exceptional conditions or circumstances exist, such as the height of surrounding buildings.



Meaghan Fox  
 Planning and Development Services  
 10/19/15  
 House icon by Archi-Rus on Noun Project

**SL** SALT LAKE COUNTY  
 TOWNSHIPS

**Table 1.** An Illustration of height allowance, when approved by the Planning Commission, where for every foot increase in height requires a foot increase in minimum setback. This provision is designed to soften the impact to adjacent properties while allowing for increases in height where appropriate.

- c. **Perimeter Setbacks.** Buildings (including covered decks or patios, or decks or patios in excess of 18 inches above existing grade) located on lots on the perimeter (excluding the public frontage defined in chapter 19.78.040. of the

development), shall have a 15 foot setback from the perimeter lot line, and shall have a setback from a right-of-way as prescribed by the underlying zone and chapter 19.77. Otherwise, no specific yard, setback, or lot size requirement is imposed by this chapter. However, the purpose and design objectives of this chapter must be complied with in the final development plan, and the Planning Commission may require specific setbacks within all or a portion of the development to maintain harmony with the existing character of the neighborhood.

- d. **Site Calculations.** Specific calculations which address the percentage of open space, impervious versus pervious surfaces, and site improvements shall be submitted by the applicant with all project applications.
- e. **Traffic Circulation.** Points of primary vehicular access to the development shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Minor streets within the development shall not be connected to streets outside the development in such a manner as to encourage their use by through traffic. Adequate emergency vehicle access shall be provided. Internal circulation systems shall include pedestrian and bicycle paths, preferably separated from vehicular traffic. Where recreational facilities exist or are planned adjacent to the proposed development, such pedestrian and bicycle paths shall connect to these facilities.
- f. **Privacy.** Each development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, walks, barriers, landscaping, and sound reducing construction techniques shall be used as appropriate to enhance the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.
- g. **Sidewalks.** As required elements of a development, interior sidewalks shall be installed to serve the units and connect to the public street.
- h. **Utilities.** All utilities shall be located underground, except as may be provided for in State law. Utility equipment shall be screened from view and not located on a public street.
- i. **Private outdoor spaces.** Each residential unit shall be required to have an outdoor patio/rear yard space with a minimum of 100 square feet, or a balcony with a 50 square foot minimum.

**12. Desirable Amenities.** Amenities that are identified in the *Salt Lake County Recreation and Open Space Standards Policy* shall be installed in accordance with that Policy. Where conflicts exist with this chapter and the *Salt Lake County Recreation and Open Space Standards Policy*, requirements identified in this chapter shall supersede.

**13. Miscellaneous.** Installation of xeriscaping is encouraged as an alternative to excessive lawn areas or other landscaping treatments that excessively consume water. Low impact / water retention development techniques are encouraged to manage stormwater onsite including but not limited to planter boxes, rain gardens, and bioswales in the open spaces.

Parking areas, service areas, buffers, entrances, exits, yards, courts, landscaping, graphics, and lighting for both residential and non-residential development shall be

designed as integrated portions of the total development and shall project the residential character.

#### **19.78.040 PLANNED UNIT DEVELOPMENT MIXED-USE**

Planned Unit Development mixed-use is allowed, provided it meets the following requirements:

- A. The property is abutting or contiguous to a corridor or major or minor arterial (“street”) as defined in the general plan.
- B. Commercial uses shall be allowed on the first floor of buildings fronting on the street. Office uses shall be allowed on the first and second floor of buildings fronting on the street. Entrances to the first floor of these buildings shall front on the street. Windows shall make up at least 50% of street-facing facades of these floors. These floors shall have architectural differentiation from the other floors in the building.
- C. Parking is not allowed between the building(s) and the street.
- D. The front yard setback shall be 15 feet, except as provided in subsection (E), and the side and rear yards shall be 20 feet minimum. Corner lots are deemed to have two front yards.
- E. The front yard setback is the build-to-line. At least 50% of the front elevation of the building(s) must be built within 10 feet of the build-to-line or as approved by the planning commission.
- F. Landscaping along the street shall comply with this chapter and chapter 19.77.
- G. Signage for commercial or office uses shall be limited to signs on the building that comply with chapter 19.82, or temporary A-frame signs and painted murals on the inside of a storefront window.

#### **19.78.050 MAINTENANCE OF COMMON FACILITIES**

1. A development shall be approved subject to the submission and recordation of legal instruments setting forth a plan or manner of permanent care and maintenance of all common open space and other facilities provided in the final development plan.
2. Terms in the final development plan governing maintenance of common open space and other facilities shall comply with applicable provisions of the Utah Condominium Ownership Act, Title 57-8-101, et seq., or the Utah Community Association Act, Title 57-8a-101, et seq.

#### **19.78.060 REVIEW PROCESS**

1. **Pre-Submittal Development Review.** To help expedite review of a development proposal, prior to submitting a complete application for development, persons interested in undertaking development shall meet with a member(s) of the planning staff for a planner / applicant meeting, to become acquainted with the substantive and procedural requirements of this chapter.

2. **Standard Operating Procedure (SOP).** Staff creates, revises, and adheres to a Development Review Standard Operating Procedure, to assist in the management and processing of applications. Applicants are encouraged to obtain a copy of the current SOP from Planning and Development Services staff, and to seek guidance with respect to the review and understanding of the Development Review SOP from staff.
3. **Application.** An application for a development must be submitted to Planning and Development Services. As each development application is different and unique, application documents will vary with respect to content and need for specific reports and/or studies. Consultation with staff and examination of the Development Review SOP will guide the applicant through the review process and identify all submittal documents that will be required to formalize a complete application.
  - a. Site Plan that satisfies the requirements of section 19.78.030(11).
  - b. Landscaping plan. A landscape plan is to be prepared in accordance with chapter 19.77 of this title. Staff can ask for justification of elements included in the landscape plan.
  - c. Architectural building elevations. The location and floor area of all existing and proposed buildings, structures, and other improvements including heights, types of dwelling units, non-residential structures including commercial facilities, preliminary elevations and architectural renderings of typical structures and improvements, shall be prepared by a licensed architect or other qualified professional.

#### **19.78.070 PRELIMINARY REVIEW**

When a complete application has been accepted by staff, reviews completed by staff and related agencies, and subsequent comments identified by staff and substantially addressed by the applicant, the application is scheduled for a public hearing before the appropriate Planning Commission for their review and decision. Additional adjustments, revisions, or re-submittals may be required during this process to identify all concerns related to conformance with the intent of this chapter. Failure to submit complete information will result in written notification to the applicant that the review cannot proceed further until all required, necessary, and requested information is submitted.

#### **19.78.080 PLANNING COMMISSION REVIEW**

When preliminary review of the site plan, building elevations, and preliminary subdivision plat has been determined to be complete and in compliance with all requirements, the plans and preliminary plat together with all supporting information, will be forwarded to the Planning Commission for review. If the property is to be subdivided, all requirements set forth in Title §18, Subdivisions, must be met.

In accordance with chapter 19.05.040 and Utah Code §17-27a-506, the Planning Commission shall review the proposed development plan to hear and receive public input and to determine if all reasonably anticipated detrimental effects have been substantially mitigated. The Planning Commission may require additional studies or analyses to enable it to determine how impacts should be addressed and may establish reasonable conditions of approval to address those anticipated impacts, as per chapter 19.84.060.

**19.78.090 VALIDITY OF PRELIMINARY REVIEW**

1. Once the Planning Commission determines that preliminary review is complete, the preliminary plat or approved site plan is valid (12 months for the preliminary plat and 12 months for the site plan). The Division Director may grant a one year extension of the preliminary plat or approved site plan, provided the plat still complies with all applicable ordinances.
2. If a PUD subdivision will be recorded in phases, a final plat for the first phase must be recorded within one year of the initial Planning Commission approval or one year extension thereof, the validity of the unrecorded portions of the approved preliminary plat will extend for one year from the recording date of the plat for the previous phase. Extensions of time beyond three years from the date of initial approval require review and approval of the Planning Commission prior to the then current expiration of the preliminary plat.

**19.78.100 POST-PLANNING COMMISSION APPROVAL**

After completing the preliminary review by the departments, agencies, and Planning Commission, the applicant shall submit a final site plan and preliminary subdivision plat together with all supporting documents which comply with all requirements, corrections, additions, etc. required by the departments, agencies, and Planning Commission to the Planning and Development Services Division (hereinafter known as the “development plan”).

1. The Planning and Development Services Division, along with the other reviewing departments and agencies, shall review the proposed development plan to verify compliance with all requirements, corrections, additions, etc.
2. After such review, the item may be scheduled for review by the Planning Commission upon referral by the Division Director or at the request of the Planning Commission. The final development plan shall include all of the information required in the preliminary development plan in its finalized detailed form.

**19.78.110 AMENDMENTS TO THE DEVELOPMENT PLAN**

The Division Director or designee may authorize minor changes in the location, siting, or character of buildings and structures if required to resolve an engineering or other technical issue, or other circumstances not identified at the time the final development plan was approved. No change authorized under this section may cause any of the following:

1. A change in the use and/or character of the development.
2. An increase in the overall density and/or intensity of use.
3. An increase of more than one percent in overall coverage of structures.
4. A reduction or change in character of approved open space.
5. A reduction of required off-street parking by more than five percent.
6. A detrimental alteration to the pedestrian, vehicular, bicycle, circulation, or utility networks.
7. A reduction in required street pavement widths.

Any major changes in use or rearrangement of lots, blocks, building tracts or groupings, or any changes in the provision of open space and significant changes as noted above, must be made by the Planning Commission after receipt of a recommendation by planning staff, and after applicant has filed a new application. Such amendments may be made only if they are shown to be required by changes in conditions that have occurred since the final development plan was approved. Generally speaking, any major changes must be recorded as amendments in accordance with the procedure established for adopting the final development plan.

#### **19.78.120 FAILURE TO BEGIN DEVELOPMENT**

If no substantial construction has occurred in the development pursuant to the final development plan within 12 months from final approval, the approved plan shall become null and void and a new development plan and application shall be required for any development on the subject property. The Planning Commission, upon a determination of good cause based on evidence submitted by the applicant, may extend the time for beginning construction a maximum period of 12 months for one time only.

#### **19.78.130 PHASED PLANNED UNIT DEVELOPMENT**

If the sequence of construction of various portions of the final development plan is to occur in stages, then the open space and/or recreational facilities shall be developed in proportion to the number of dwelling units intended to be developed during any given stage of construction. A phasing plan, including size and order of phases, shall be approved by staff to ensure that individual phases of the development comply with all requirements, including that the open space and/or recreational facilities are installed proportionately with the approved phasing plan. The approved phasing plan shall be submitted to the Salt Lake County Recorder for recordation as a covenant to run with the land, or a "notice of compliance" once the development has been built.



November 18, 2015

*Via Email and U.S. Mail*

Millcreek Township Planning Commission  
[mrjohnson@slco.org](mailto:mrjohnson@slco.org)  
2001 S. State Street, #N3600  
Salt Lake City, Utah 84190-3050

Re: Request for Recommendation Regarding Proposed Plan Unit Development Ordinance Revision

Dear Honorable Commission and Council Members:

The Mount Olympus Community Council considered the proposed PUD revision (or more accurately rewrite) at its regularly scheduled meeting on November 17, 2015. The ordinance was presented by John Jansen, Chair of the Millcreek Township Planning Commission, together with Max Johnson from Salt Lake County Planning and Development Services. Notably, David Baird of our Council participated in the working group which wrote the ordinance. After discussing the ordinance with Mr. Jansen, Mr. Johnson and David Baird, our council believes that the rewritten ordinance is an improvement over the current ordinance which provides little guidance to the Planning Commission with respect to PUD applications. The new ordinance improves upon that. Based upon the presentation and our review of the ordinance, we recommend that the Planning Commission approve the ordinance and recommend it to the Salt Lake County Council for passage.

We also would like to commend the Planning Commission for its efforts in rewriting the PUD ordinance and for its upcoming work to address a rewrite of the RM Zone and C-1 and C-2 Zones. Rewrites of these zoning ordinances are long overdue in Salt Lake County and we are hopeful that your work will be a benefit to the new city planning commission and city council when they are selected next year. We encourage you to continue your work on these endeavors.

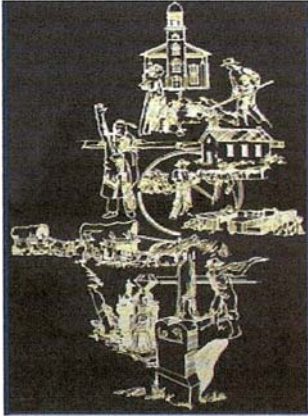
Very truly yours,

MOUNT OLYMPUS COMMUNITY COUNCIL

A handwritten signature in blue ink, appearing to read "Jeff Silvestrini".

Jeff Silvestrini  
Chair





1.

## GRANITE COMMUNITY COUNCIL

Dec. 4, 2015

Max Johnson  
Planning & Development Services  
Salt Lake County  
2001 S State  
Salt Lake City, Utah 84190

Dear Max:

The Granite Community Council appreciated the opportunity to review and comment on the proposed Planned Unit Development (PUD) ordinance change. As was noted at our November 4<sup>th</sup> meeting, which you attended, these ordinance changes are the best written and edited set of ordinances that some Council members have seen.

We discussed the ordinance change again at this month's meeting, once more Council members had had time to review it. The Council is generally in favor of the amendments being proposed to the Salt Lake County ordinance defining and controlling the development of Planned Unit Developments.

I also read your email response of Dec. 2<sup>nd</sup> to the concern first addressed by resident Robert Grow. In case you need this recommendation for your records, it follows:

The proposed PUD ordinance change was provided to Granite residents and one concern was particularly noteworthy. Mr. Robert Grow of Envision Utah asked: "Does the PUD ordinance allow density off undevelopable land for the developer? A very bad use of a PUD." He further noted that "A PUD ordinance which has this flaw allows undevelopable land to increase the value of the property substantially more than it's really worth under the regular residential zones and also radically increases the density above the norm in the surrounding neighborhoods. Neither is a good outcome...Counting unbuildable area for density in a PUD increases density along the urban-wildland interface in the foothills, along dangerous areas like fault lines, and away from transit service. Density "in all the wrong places"... There is no reason to increase developer profits by giving density credits and more units for land that should not or could not be developed in any case... Let's get density in centers where it improves everything and not scattered along foothills and in other sensitive areas. I see no reasonable logical argument to the contrary. It's just good planning."

Your response of agreement to this change was highly welcomed by our Council and particularly by Mr. Grow. We based our unanimous support for the ordinance change on the expectation that it will include verbiage that will address this concern.

In addition, the Council believes that the use of the PUD designation should not be allowed to be used to permit property owners to circumvent the rezoning process or to allow development of a property to increase density or to obviate the setback or other development requirements that would be applicable to the subject property in the absence of the PUD designation.

The Council recommends that the County also incorporate requirements into the new ordinance that (a) restrict the development density of a PUD to a density less than or equal to the density that would be permitted under the existing zoning applicable to the subject property in the absence of a PUD designation, and (b) PUDs shall comply with all setback and other development requirements that would be applicable to the subject property in the absence of a PUD designation.

Additional comments follow:

Section 19.18.040, par. E. It might be easier to understand this requirement if a figure were included.

Section 19.18.060, par. 1. This is explained so well that a similar paragraph might be included in the Foothill Canyon Overlay Zone (FCOZ) ordinance changes, which were somewhat confusing.

Section 19.18.110, par. 2 and 3: Suggest that terms such as “intensity of use” and “overall coverage of structures” be defined.

Thank you very much for your consideration of these issues.

Sincerely,

Mary J. Young  
Chairman, Granite Community Council