

Magna Township Planning Commission

Public Meeting Agenda

Thursday, December 17, 2015 6:30 P.M.

****AMENDED****

Location

SALT LAKE COUNTY MAGNA LIBRARY
8950 WEST MAGNA MAIN STREET
MAGNA, 84044
(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 the Planning Commission receives 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. Action may be taken which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

BUSINESS MEETING

- 1) Approval of Minutes from the September 17, 2015, October 15, 2015, and November 12, 2015 meetings.
- 2) Other Business Items (as needed)

PUBLIC HEARINGS

Administrative

29695 – Ryan Lusty representing the Magna Mosquito Abatement District, requests a change to the conditions of approval (for setbacks) in order to build an addition to the main office facility. **Location:** 2611 South 9080 West. **Zone:** R-2-6.5. **Community Council:** Magna. **Planner:** Tom Zumbado

Legislative

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

ADJOURN

MEETING MINUTE SUMMARY
MAGNA TOWNSHIP PLANNING COMMISSION MEETING
Wednesday, September 17, 2015 6:30 p.m.

Approximate meeting length: 1 hour 28 minutes

Number of public in attendance: 25

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Cripps

**NOTE: Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.*

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent
Dan Cripps	x	x	
Michael Brooks	x	x	
Paul Kunz	x	x	
Nathan Pilcher			x
Kim Gilbert	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Max Johnson		
Spencer Hymas	x	x
Tom Zumbado	x	x
Zach Shaw (DA)	x	x

BUSINESS MEETING

Meeting began at – 6:30 p.m.

- 1) Approval of Minutes from the June 11, 2015 meeting.

Motion: To approve minutes from the June 11, 2015 meeting as presented.

Motion by: Commissioner Gilbert

2nd by: Commissioner Kunz

Vote: Commissioners voted unanimously in favor (of commissioners present)

- 2) Upcoming Utah APA Fall Conference

County Township Services Planning Coordinator Wendy Gurr provided information regarding the fall APA Conference and suggests all planning commissioners in Salt lake County Township Services register for the conference.

- 3) Other Business Items (as needed)

County Township Services Planning Coordinator Wendy Gurr and County Counsel, Zach Shaw explained the purpose of the new email addresses provided to the planning commissioners.

PUBLIC HEARINGS

Hearings began at – 6:34 p.m.

29191 – Chris Drent is requesting approval of a Conditional Use for a PUD Subdivision. The project is proposing 50 units within the Planned Unit Development. The parcel is approximately 7.4 acres. **Location:** 3151 South 7900 West. **Zone:** R-4-8.5 (Medium Density Residential). **Community Council:** Magna. **Planner:** Spencer Hymas

County Township Services Planner Spencer Hymas provided an analysis of the staff report.

Commissioner Gilbert asked if this is a 55+ senior community. Mr. Hymas confirmed it was proposed as a 55+. Commissioner Gilbert said they don't see that stated anywhere. Mr. Hymas said that has to do with the CC&R's and that is how it is being marketed. Staff doesn't recommend waiving an amenity, but substituting for a different credit, other than a playground. The recommendation is to propose something from the list of substitutions, such as a bocce ball court or a putting green, where different amenities will cater to the 55+ community.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Chris Drent

Address: 10299 South Gemell Club, Copperton

Comments: Mr. Drent confirmed this is 55+ community and they want to do things different. The units are attached with garages and share a common wall. Amenities will include a putting green, pavilion, bocce ball court, and horseshoe pits. He provided information regarding percentage of stucco and finishes. They want to build simple square units of this style of architectural as they are cheaper and easier to build. Cost savings, with nicer finishes and an asphalt shingled roof. These units will be nice for the area.

Commissioner Cripps asked about fence preferences. Mr. Drent, the applicant, said you see a lot of precast rhino rock. He is looking at Simtek that looks like real stone, and possibly a composite fence or different options, possibly metal panel with concrete columns. These will not be a vinyl or chain link fence.

Speaker # 2: Citizen

Name: Jack Critchlow

Address: 3235 South 7900 West

Comments: Mr. Critchlow asked what the square footage living space is?

Mr. Drent said the square footage on the main level is one thousand fifty square feet and all units have basements. The smallest unit is twenty-one hundred square feet and the largest unit is twenty-nine hundred square feet. The garages will be twenty-four by twenty-four feet. Mr. Critchlow asked how big the putting green is and it would make more sense to have a clubhouse for socializing. Mr. Critchlow said on 7900 west, the county requires a parking strip, and asked if that can be waived, then just eliminate the parking strip to curb, gutter, and sidewalk? Mr. Drent said they will maintain anything that's theirs through the HOA. Doing a clubhouse costs a lot of money. They are trying to save on the HOA costs to around one hundred dollars per month.

Speaker # 3: Citizen

Name: Ken Olsen

Address: 10299 Spring Crest Lane, South Jordan

Comments: Mr. Olsen said he owns property with another gentleman. They had approval of that property in 2001 and were told they could not develop until this property did. If this goes in and is landlocked,

these could be issues with the storm drain. He wants to finish off his property. As far as design he really likes it and he has been involved in multi-family.

Speaker # 4: Applicant

Name: Chris Drent

Address: 10299 South Gemmell Club, Copperton

Comments: Mr. Drent said when they met with county council and others, landlock is not the issue, but it's the storm drain. If they want to pay a portion of the cost, they would do storm drain.

Speaker # 5: Citizen

Name: Ken Olsen

Address: 10299 Spring Crest Lane, South Jordan

Comments: Mr. Olsen said the stub road has storm drain and a condition of their approval was that they don't accommodate an outfall that was unreasonable. He doesn't think it would be too much of a change.

Speaker # 6: Applicant

Name: Chris Drent

Address: 10299 South Gemmell Club, Copperton

Comments: Mr. Drent said the entire property sheet flows, as there is no storm drain. He let Mr. Olsen's ex-wife know if they were interested, they would have to share the cost. It is too late now and their plans are getting approved.

Speaker # 7: Citizen

Name: Rob Sanders

Address: 1356 South 1300 East, Provo

Comments: Mr. Sanders asked what the height is?

Mr. Drent said nineteen feet on one side and fourteen feet on the other, depending on the width. Maximum height would be fifteen and a half feet. Mr. Sanders appreciates managing vehicle traffic. He is concerned about the downstream connectivity.

PUBLIC PORTION OF MEETING CLOSED

Motion: To Approve application #29191 as presented, with staff recommendations.

Motion by: Commissioner Kunz

2nd by: Commissioner Brooks

Vote: Commissioners voted unanimously in favor (of commissioners present)

29595 – Jose Rodriguez is seeking approval for a conditional use to sell Used Cars. **Location:** 2660 South 7200 West. **Zone:** C-3. **Community Council:** Magna. **Planner:** Spencer Hymas

County Township Services Planner Spencer Hymas provided an analysis of the staff report.

Commissioner Cripps asked about the trees along the south side. Mr. Hymas said they have a really nice fence and will add trees.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Jose Rodriguez

Address: 2660 South 7200 West

Comments: Mr. Rodriguez said it will be to sale used cars.

Commissioner Cripps asked about the issues of concern regarding proposed mitigating factors.

Speaker # 2: Magna Town Council

Name: Todd Richards

Address: 2783 South 8400 West

Comments: Mr. Richards said the Magna Town Council heard this item and they recommend approval.

PUBLIC PORTION OF MEETING CLOSED

Commissioner Kunz asked about landscaping, adding that this isn't new construction and the landscaping on the side of the field is ridiculous.

Motion: to Approve application #29595 with proposed mitigations and staff concerns.

Motion by: Commissioner Brooks

2nd by: Commissioner Cripps

Vote: Commissioners voted unanimously in favor (of commissioners present)

28933 – Steve Glezos is requesting preliminary approval of the redesigned Preliminary Plat for phase 3 of Oquirrh View Estates. This subdivision has been amended from 40 lots to 26 lots. As part of this application, the applicant is applying for an exception from roadway standards. The property is 7.74 Acres. **Location:** 3848 South 8000 West. **Zone:** R-1-5 (Residential Single Family - 5,000 Square Foot min. lot size). **Community Council:** Magna. **Planner:** Spencer Hymas

County Township Planner Spencer Hymas provided an analysis of the staff report.

Commissioner Brooks asked if there was a time limit or if this was a temporary solution. Mr. Hymas advised it would be ten years and bonding. Commissioner Cripps asked if that was the only access to the property and asked if the applicant owns that property. Mr. Hymas said he does own the access. Commissioner Cripps said he is concerned that being the only access into the subdivision. Mr. Hymas said the access will be brought forward with subsequent phases. The rest of the project will have curb, gutter, and sidewalk and eventually meet all of the standards required for road width. Mr. Hymas said the applicant has done his best to connect to adjacent properties, but that's something the county doesn't control.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Citizen

Name: Mark Eliesen

Address: 2845 South Buccaneer Drive

Comments: Mr. Eliesen asked if the 24 foot access road is a realistic access for emergency equipment, since that is the only access.

Mr. Hymas said the requirement for the UFA is twenty feet. Typical roadway is twelve and a half feet of asphalt. As far as emergency vehicles, this would be adequate and hopefully this is a temporary solution.

Commissioner Kunz said he has a concern with the road in front of the lots. Mr. Glezos, applicant said this is a full twenty-five feet. He asked UFA for two feet of property, but they said no as it is public land. There is only one adjacent property refusing to sale five feet of their property. He is dealing with all of the drainage from 8000 west and connection to curb and gutter. Commissioner Kunz said his concern is people parking on street and not having access.

Speaker # 2: Applicant

Name: Steve Glezos

Address: 796 East 5900 South

Comments: Mr. Glezos said he started this in 2007-2008 and this has all been on hold. He wants to finish and have it asphalted. UDOT wants to determine his permit different than what he wants to.

Speaker # 3: Magna Town Council

Name: Todd Richards

Address: 2783 South 8400 West

Comments: Mr. Richards said they were not aware of this application until last week, and do not have an opinion at this time.

Speaker # 4: Citizen

Name: Terry George

Address: 3904 South 8000 West

Comments: Mr. George said he owned all the property and apparently used the access road to get semitrucks in and out. If they're going to develop Magna, let's do it now. Let's not wait ten years. He said Mr. Glezos can buy his property, which is for sale, but he doesn't want to pay for it. The waterflow flows back to the north on the property and into his property unless they cut that road down. Do it right for the community as it will be a thorough fare from 8400 west to 8000 west. He has no objection, but will sale his property for what it's worth.

Speaker # 5: Citizen

Name: Elaine George

Address: 3904 South 8000 West

Comments: Mrs. George said she has a concern with the subdivision and the children walking through there. Once there is a sidewalk, there will be a lot of kids and three businesses. She doesn't object but the road needs to be bigger or protect the children in the new homes. Second best would be to do it right.

Speaker # 6: Applicant

Name: Steve Glezos

Address: 796 East 5900 South

Comments: Mr. Glezos said the reason for curb and gutter on north side is to make sure water doesn't drain on to anyone's property. The road the businesses are using is a dirt road, twenty-five feet wide. He will buy twelve feet of Mr. George's property and will put in the sidewalk. He doesn't want to buy four acres of land to put in sidewalk.

Commissioner Cripps asked if it is to be a private road.

Speaker # 7: Citizen

Name: Terry George

Address: 3904 South 8000 West

Comments: Mr. George said if that will remain as a private road, Mr. Glezos will deny him access to his property.

Commissioners had a brief discussion.

Commissioner Kunz said phase three would not be permitted until there was a proper County road and would not be permitted until there was a proper access. Commissioner Kunz asked Mr. Glezos how many homes are in the two phases. Mr. Glezos confirmed phase one has thirty and phase two has fifteen, and phase three will have twenty-six. Mr. Hymas said he isn't proposing or looking to approve the other phases, and they will still have access onto 8400. He is only looking for twenty-six lots when UDOT approves, and nothing will be approved until he has that access. Mr. Glezos said if it isn't approved, he will take the remaining two acres and turn into open space. Mr. George said if he isn't going to do it then he should dedicate that as a park today for the community. If that phase is developed all that traffic will end up on 8400 west. Mr. Hymas said we are not allowing that connection to take place until he has a secondary access. Commissioner Kunz said with phase one and two they had a problem getting a secondary access. Mr. Hymas said if this was a separate property owner separate from the existing phases, would they allow this.

PUBLIC PORTION OF MEETING CLOSED

Commissioners and Staff had a brief discussion.

Motion: To Continue application #28933 to the October 15th meeting to allow agencies to meet regarding curb, gutter, and sidewalk.

Motion by: Commissioner Brooks

2nd by: Commissioner Gilbert

Vote: Commissioners voted unanimously in favor (of commissioners present)

29599 – Halim Kurti is requesting preliminary plat approval for a 2 lot subdivision. **Location:** 8829 West 3100 South. **Zone:** R-1-6. **Planner:** Spencer Hymas

County Township Planner Spencer Hymas provided an analysis of the staff report.

Commissioner Cripps asked if there were two foundations on the property. Mr. Hymas said his understanding is they have been removed.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Magna Town Council

Name: Todd Richards

Address: 2783 South 8400 West

Comments: Mr. Richards said it is their information that anything under five lots would not come before the Town Council.

Speaker # 2: Applicant

Name: Halim Kurti

Address: 8829 West 3100 South

Comments: Mr. Kurti said he bought this vacant lot to build two homes, one in front and one in the rear. The garage in the rear yard is around eight feet from the neighbor on the east side.

PUBLIC PORTION OF MEETING CLOSED

Motion: To Approve application #29599 as presented, with staff recommendations and agency response.

Motion by: Commissioner Kunz

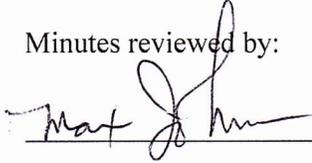
2nd by: Commissioner Brooks

Vote: Commissioners voted unanimously in favor (of commissioners present)

MEETING ADJOURNED

Time Adjourned – 7:58 p.m.

Minutes reviewed by:



12-11-15

MEETING MINUTE SUMMARY
MAGNA TOWNSHIP PLANNING COMMISSION MEETING
Wednesday, October 15, 2015 6:30 p.m.

Approximate meeting length: 42 minutes

Number of public in attendance: 7

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Cripps

**NOTE: Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.*

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent
Dan Cripps	x	x	
Carl Duckworth	x	x	
Michael Brooks	x	x	
Paul Kunz			x
Nathan Pilcher			x
Kim Gilbert	x	x	
Mark Eliesen	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Max Johnson	x	x
Spencer Hymas	x	x
Jeff Miller	x	x
Zach Shaw (DA)	Tele-conference	Tele-conference

BUSINESS MEETING

Meeting began at – 6:36 p.m.

- 1) Approval of Minutes from the September 17, 2015 meeting.

The minutes from the September 17, 2015 meeting were not available to approve.

- 2) Other Business Items (as needed)

No other business items to discuss.

PUBLIC HEARINGS

Hearings began at – 6:37 p.m.

Administrative

28933 – (Continued from 09/17/2015) Steve Glezos is requesting preliminary approval of the redesigned Preliminary Plat for phase 3 of Oquirrh View Estates. This subdivision has been amended from 40 lots to 26 lots. As part of this application, the applicant is applying for an exception from roadway standards. The property is 7.74 Acres. **Location:** 3848 South 8000 West. **Zone:** R-1-5 (Residential Single Family -

5,000 Square Foot min. lot size). **Community Council:** Magna. **Planner:** Spencer Hymas

County Township Services Planner Spencer Hymas provided an analysis of the staff report.

Commissioner Cripps asked if there was additional concrete along the north side. Mr. Hymas said it is curb and gutter and the water runoff from the street would be collected and runoff to curb and gutter, then off to the storm drain.

Commissioners and Planning Staff had a brief discussion.

Commissioner Cripps asked if they have made any traffic calming measure requests. Mr. Hymas said traffic suggested a reduction of speed limit, speed bumps and stop sign. Commissioner Cripps asked which school this subdivision would go to. Mr. Hymas isn't certain and the County's hope and intent is that the rest of the area continues to develop. Commissioner Cripps said he is concerned where the school aged children would come from. Commissioner Eliesen said he still has a concern with no sidewalks and kids walking to school and that there aren't any sidewalks, safety measures need to be put in place.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Steve Glezos

Address: 796 East 5900 South

Comments: Mr. Glezos said he doesn't have a problem with the ten feet. He thought it was Unified Fire Authorities job, though they don't want sidewalk there. It impacts the development. There is a thirty foot easement that can't be built on that doesn't impact anything. Back in 2008, the old fire chief signed off on this.

Commissioner Cripps asked on the south side if the asphalt is going up to the fence and wonders about the water. Mr. Glezos said that's why they put curb and gutter on the north side. If he calls it a PUD, the twenty-five feet is acceptable. Commissioner Cripps asked what the thickness would be on the asphalt road. Mr. Glezos said this would be per specifications. Mr. Hymas said it will be held to all county specifications on 8000 West.

Speaker # 2: Citizen

Name: Steve Perkopis

Address: 7880 West 3100 South

Comments: Mr. Perkopis asked how close he is to having a variance and what he needs.

Mr. Glezos said ten feet, five feet for sidewalk and five feet for curb and gutter. Mr. Perkopis said he works for a fire department and has been on a planning commission. He knows they didn't want residential next to these commercial properties.

Speaker # 3: Magna Town Council

Name: Todd Richards

Address: 2783 South 8400 West

Comments: Mr. Richards said they heard this last month and recommended denial of the exception and subdivision plat.

Commissioner Cripps asked if they had any discussion. Mr. Richards said there was discussion regarding those houses and the children having to walk out on 8000 West. The major issue was a concern for safety.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion.

PUBLIC PORTION OF MEETING REOPENED

Commissioner Cripps asked about lighting. Mr. Hymas said there are requirements for lighting on a private street. If he does it as a private street, Mr. Glezos would need to provide specifications. Mr. Glezos said lights are typically spaced at five hundred feet. County Township Services Planning Supervisor Max Johnson said he isn't sure you can alter specifications. Commissioner Cripps said the plan shows three hundred sixty-eight feet without houses and it doesn't appear to have lighting. Mr. Glezos said there is a light at the tracks and there is a pole, but can't determine if there is a light on it.

Commissioner Duckworth motioned to close the Public Hearing, Commissioner Brooks seconded the motion.

PUBLIC PORTION OF MEETING CLOSED

Commissioners and County Counsel had a brief discussion.

Motion: To recommend Application #28933 to the Mayor for an exception from roadway standards, accept Staff Recommendations with Unified Fire Authority, including additional traffic calming safety requirements per engineering, and additional enhanced lighting requirements.

Motion by: Commissioner Cripps

2nd by: Commissioner Brooks

Vote: Commissioner Gilbert voted nay, all other commissioners were in favor (of commissioner present). Motion Approved.

Motion: To preliminarily approve Application #28933 for the redesigned Preliminary Plat for phase 3 of Oquirrh View Estates from forty lots down to twenty-six lots, with staff recommendations.

Motion by: Commissioner Duckworth

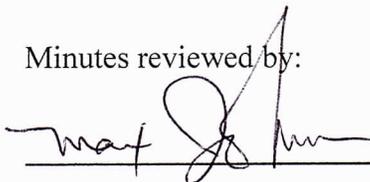
2nd by: Commissioner Brooks

Vote: Commissioners voted unanimously in favor (of commissioners present)

MEETING ADJOURNED

Time Adjourned – 7:17 p.m.

Minutes reviewed by:



12-11-15

MEETING MINUTE SUMMARY
MAGNA TOWNSHIP PLANNING COMMISSION MEETING
Thursday, November 12, 2015 6:30 p.m.

Approximate meeting length: 19 minutes

Number of public in attendance: 1

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Cripps

**NOTE: Staff Reports* referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent
Dan Cripps	x	x	
Carl Duckworth			x
Michael Brooks	x	x	
Paul Kunz	x	x	
Nathan Pilcher			x
Kim Gilbert			x
Mark Eliesen	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Max Johnson		
Spencer Hymas	x	x
Brittany Allen	x	x
Zach Shaw (DA)	x	x

BUSINESS MEETING

Meeting began at – 6:38 p.m.

- 1) Approval of Minutes from the September 17, 2015 meeting.
Motion: To Continue approval of the September 17, 2015 meeting Minutes to the December 17th meeting.
Motion by: Commissioner Eliesen
2nd by: Commissioner Brooks
Vote: Commissioners voted unanimously in favor (of commissioners present)

- 2) Approval of Minutes from the October 15, 2015 meeting.
Motion: To Continue approval of the October 15, 2015 meeting Minutes to the December 17th meeting.
Motion by: Commissioner Eliesen
2nd by: Commissioner Brooks
Vote: Commissioners voted unanimously in favor (of commissioners present)

- 3) Other Business Items (as needed)
No other business items to discuss.

PUBLIC HEARINGS

Hearings began at – 6:41 p.m.

Legislative

29748 – Amend Chapter 19.18 of the Salt Lake County Zoning Ordinance – Planned Unit Developments (PUD). **Presenter:** Max Johnson

Salt Lake County Planner Spencer Hymas provided an analysis of the Draft Planned Unit Developments Ordinance.

Commissioners and Staff had a brief discussion.

Commissioner Cripps asked for a redline version of the ordinance. County Counsel, Zach Shaw advised this is Sandy City’s ordinance and a redlined version would not be helpful. He suggested pull up the four page current ordinance and look at this draft ordinance. Mr. Shaw advised currently going through and updating the zoning ordinance, but this is being pushed forward before the whole ordinance is reorganized. Commissioner Eliesen said he tried to compare this draft to 19.78, but saw many differences and would like more time to compare the two.

PUBLIC PORTION OF MEETING OPENED

No one from the public present to speak.

PUBLIC PORTION OF MEETING CLOSED

Motion: To continue this item to the December 17th meeting, to allow for noticing.

Motion by: Commissioner Kunz

2nd by: Commissioner Brooks

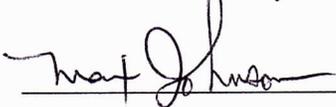
Vote: Commissioners voted unanimously in favor (of commissioners present)

Commissioner Kunz asked about the repaving or repairing the two bad spots on Main Street. Mr. Hymas said he will look into it and respond.

MEETING ADJOURNED

Time Adjourned – 6:57 p.m.

Minutes reviewed by:



12-11-15

File # 29695

Change Conditions of Approval Summary and Recommendation

Public Body: Magna Planning Commission

Parcel ID: 1419454013

Property Address: 2611 South 9080 West

Request: Change Conditions of Approval for Setbacks

Meeting Date: December 17, 2015

Current Zone: R-2-6.5

Community Council: Magna Township Council

Planner: Tom C. Zumbado

Community Council Recommendation:

Planning Staff Recommendation: Approved with conditions

Applicant Name: Keith Sorensen

Applicant Address: 1332 Duehl Circle, Taylorsville UT 84123

Applicant Email: keith@sgps.com

Township/Unincorporated: Magna Township

Phone: (801)262-4464

PROJECT DESCRIPTION

Keith Sorensen, representing the Magna Mosquito Abatement District, requests a change to the conditions of approval (for setbacks) in order to build an addition to the main office facility.

SITE & VICINITY DESCRIPTION (see attached map)

The Magna Mosquito Abatement District (MMAD) was organized to protect the public in and around the district from mosquitoes and mosquito borne disease. They are located on a 6 lot compound at the intersection of 2600 South and South 9040 West.



GENERAL PLAN CONSIDERATIONS

Magna General Plan

Objective 6.2: Encourage development that provides services in a logical, orderly manner such that adequate streets, water, sewer, drainage facilities, schools, and other essential services can be economically provided.

LAND USE CONSIDERATIONS

Requirement	Standard	Existing	Compliance Verified
Height	30 feet	16 feet	Yes
Front Yard Setback	25 feet	25 feet	Yes
Side Yard Setback	20 feet	15 feet	No
Rear Yard Setback	30 feet	15 feet	No
Lot Width	25 feet	47 feet	Yes
Lot Area	8000 square feet	5227 square feet	No
Parking	1 space/employee on shift	1 space/employee on shift	Yes
Lot Coverage	≤ 25% rear yard	n/a	Yes

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

Concern 1:

The MMAD facility is bisected by an unused alley spanning nearly the entire block length from north-south. By law, the entire length of the alley is still property of the county and is susceptible to being reclaimed as a public thoroughfare. In addition, the unvacated alley takes away precious feet that could be factored into aiding this project meet setback accommodations.

Mitigation: It is the recommendation of Staff that the Planning Commission mandate the MMAD to seek a vacation of the alley as a condition of approval, thus correcting the situation of an alley running through the middle of their facility and allowing them additional buffering distance to assist in meeting the setback.

Concern 2:

The MMAD facility is situated on six different contiguous parcels that come together to form their compound. This limits the range of disturbance for the construction of an MMAD building addition as the zoning requirements for setbacks and yards will be measured according to the (smaller) individual parcel where the building is situated. In other words, the ability for the MMAD to build an addition may be hindered as it may be "too much structure" for the 1 parcel (of 6) that it rests upon.

Mitigation: It is the recommendation of Staff that the Planning Commission mandate the MMAD to perform a lot consolidation as a condition of approval. If the MMAD were to perform a simple lot consolidation as recommended by the Township Services Subdivision Engineer, then the combined lot dimensions would increase exponentially, granting the MMAD all the space they needed to build their addition and leaving only the setback obstacle to be mitigated by the Planning Commission.

Concern 3:

The building addition proposed by File #29695 does not meet the setback requirements for the R-2-6.5 zone as dictated by 19.32.050(c) of county ordinance.

Mitigation: County ordinance 19.76.065 states that requirements "*as to minimum lot area and minimum yards may be reduced by the planning commission for a public use. The planning commission shall not authorize a reduction in the lot area or yard requirements unless the evidence presented is such as to establish that the reduction will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.*" As such, it is the recommendation of Staff that the Planning Commission enact this clause to reduce the minimum yard and setback distances preventing the MMAD to build their main office addition. This is a service of great importance to the community and this much-needed addition will improve the general welfare of their employees and increase their standards of service.

NEIGHBORHOOD RESPONSE

As of November 30, 2015, there has been no neighborhood response to File #29695.

COMMUNITY COUNCIL RESPONSE

As of November 30, 2015, File #29695 has not been presented to the Magna Township Council for recommendation.

REVIEWING AGENCIES RESPONSE

AGENCY: Geology

DATE: October 28, 2015

RECOMMENDATION: Approved with conditions

1. Property is located in a moderate liquefaction zone.
2. Need to record disclosure for natural hazards on the property.

AGENCY: Grading

DATE: October 28, 2015

RECOMMENDATION: Approved with conditions

1. Need to provide a copy of the Geotechnical engineer report for review and comment.
2. Need to provide grading and drainage plans for review and comment at the technical review stage.
3. Need to provide Erosion Control plans for the construction of the building on the plans, including BMP's (Best Management Practices) for but not limited to storm water runoff, concrete washout, tracking, and restroom facilities, etc.

AGENCY: Hydrology

DATE: November 3, 2015

RECOMMENDATION: Approved with conditions

1. Provide plan showing how storm water will be handled on site during construction of new building.
2. Provide plan on how storm water from the roof will be handled.

AGENCY: Health Department

DATE: November 9, 2015

RECOMMENDATION: Approved with conditions

1. Please provide sewer and water availability letters during the Technical Review phase.

AGENCY: Planning

DATE: November 9, 2015

RECOMMENDATION: Approved with conditions

1. Neighboring alley needs to be vacated to facilitate land use application.
2. This application may require an accompanying lot consolidation.

AGENCY: Subdivision Engineer

DATE: October 28, 2015

RECOMMENDATION: Approved with conditions

1. Does not appear that alley was ever vacated, require applicants portion of alley to be vacated. Require the subdivision to be amended to consolidate lots into one lot. Alley may be able to be vacated via a subdivision amendment plat; Real Estate may need to look at it to see if that will be OK to do it in that fashion. At the very least the lots must be consolidated via a metes and bounds description recorded after Township Services approves the description and the alley must be vacated by ordinance, County Attorney may need to be involved to see if a consolidation can be done legally without a subdivision amendment.

AGENCY: Fire Department

DATE: October 29, 2015

RECOMMENDATION: Approved with conditions

1. Fire Extinguishers each floor and every 75 feet of travel. (2A10BC classification)

AGENCY: Building

DATE: October 29, 2015

RECOMMENDATION: Approved with conditions

1. At time of building permit application, provide complete building plans showing compliance with current building code.
2. At time of building permit application, provide fire flow verification and/or show how compliance is going to be made with any Unified Fire District Guidelines

Compliance with current building, construction, engineering, fire, health, landscape and safety standards will be verified prior to final approval.

PLANNING STAFF ANALYSIS

19.04.440 - Public use:

Public use" means a use operated exclusively by a public body, or quasi-public body, such use having the purpose of serving the public health, safety or general welfare, and including uses such as public schools, parks, playgrounds and other recreational facilities, administrative and service facilities, and public utilities.

Staff has verified that the Magna Mosquito Abatement District qualifies as a public entity and therefore, qualifies for all allowances eligible to public entities.

19.32.040 - Lot areas and widths:

Minimum lot width in the R-2-6.5 Zone for a non-residential main building is 8000 square feet.

On its current unconsolidated parcel, staff has verified that the MMAD main building does not meet the minimum lot width for the R-2-6.5 zone.

19.32.050.C – Yard Requirements:

The minimum yard requirements in the R-2-6.5 Zone for a main building other than residential are as follows:

Front – 25 feet Side – 20 feet Rear – 30 feet

Staff has verified that the MMAD main building parcel does not meet the minimum yard requirements for the side and rear yards.

19.32.060 - Building height:

Except as otherwise specifically provided in this title, no building or structure shall exceed the following height (see Section 19.04.095(A) for definition of "height"):

A. Main Buildings.

1. Thirty feet on property where the slope of the original ground surface exceeds fifteen percent or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. Said box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet.

2. Thirty-five feet on other properties.

3. No dwelling shall contain less than one story.

B. Accessory Buildings.

1. No building which is accessory to a one-family or two-family dwelling shall exceed twenty feet in height. For each foot of height over fourteen feet, accessory buildings shall be set back from property lines an additional foot to allow a maximum height of twenty feet.

Staff has verified that the MMAD main building meets height allowances.

19.32.070 - Coverage of rear yards:

No accessory building or group of accessory buildings shall cover more than twenty-five percent of the rear yard.

Staff has verified that the MMAD main building parcel does not house an accessory building.

14.48.030 - Conditions for vacation.

Petitions for vacation of public streets shall be considered on the basis of the following:

A. Alleys, Walkways and Trails. Alleys, walkways and trails are not generally within the current planning and maintenance policies of the county. Vacation of an alley, walkway or trail relieves the county from present or future obligations to maintain such alley, walkway or trail. This benefit to the county is declared to be adequate compensation for the county's interest. Where appropriate, the county may require conditions precedent to the vacation of any alley, walkway or trail such as installation of landscaping, fencing or other improvements which must be completed or bonded for prior to the transfer of county property interests.

Staff has verified that the MMAD facility meets the conditions for an alley vacation.

19.76.065 - Public use—Reduced lot area and yards:

The requirements of this title as to minimum lot area and minimum yards may be reduced by the planning commission for a public use. The planning commission shall not authorize a reduction in the lot area or yard requirements unless the evidence presented is such as to establish that the reduction will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

As the MMAD main building is a public use facility, the Planning Commission may reduce yard and lot area requirements for their project.

PLANNING STAFF RECOMMENDATION

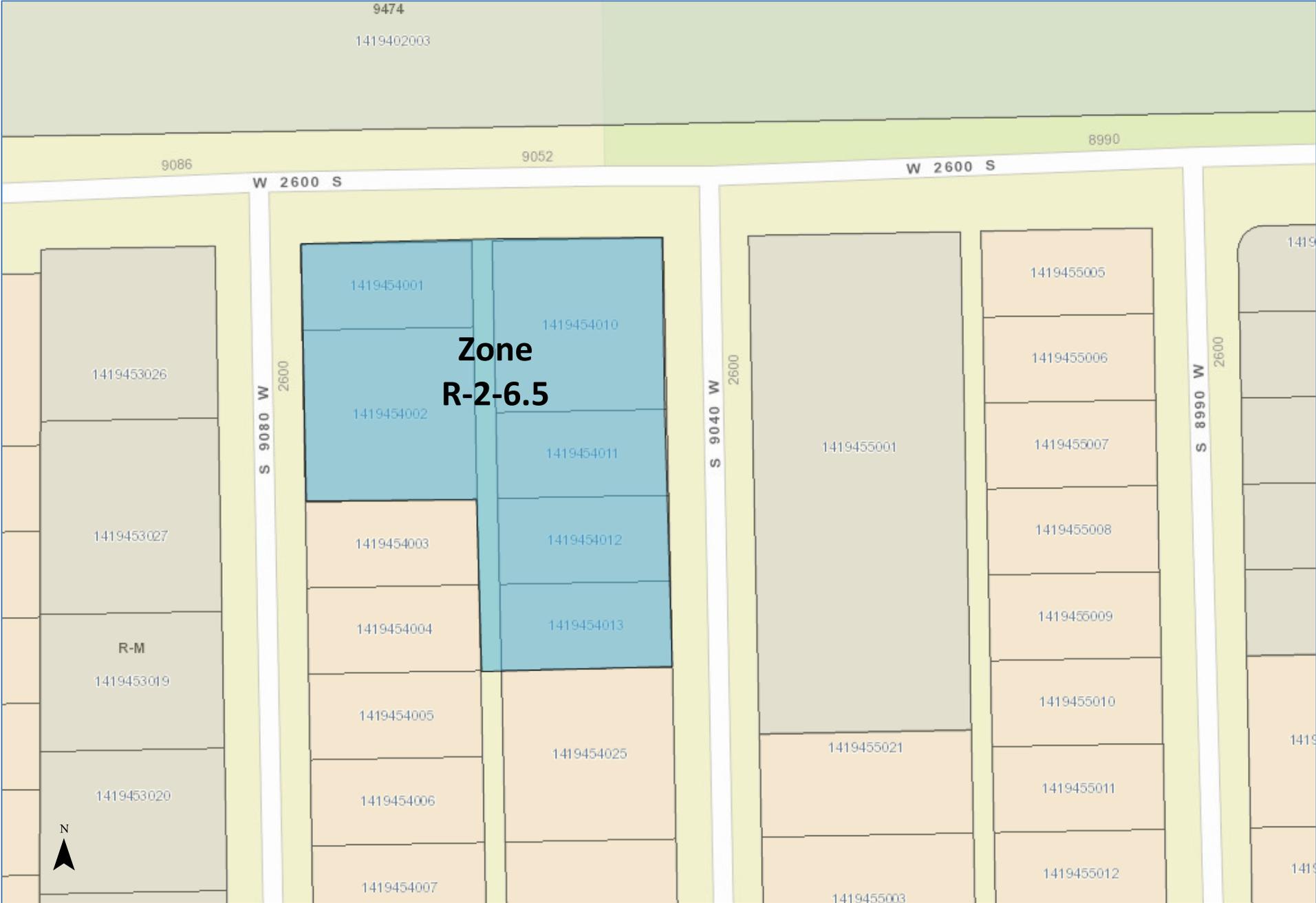
Planning Staff recommends approval with the following conditions:

1. That the applicant goes through procedures to vacate the alley bisecting the MMAD facility.
2. That the applicant performs a lot consolidation turning the 6 individual lots composing the MMAD compound into one single parcel.

Planning Staff also recommends that any motions for approval clearly state conditions #1 and #2, so that they may be entered into the meeting minutes.

ZONING MAP: Magna Mosquito Abatement District

2611 South 9080 West, Magna UT



File # 29695

Magna Mosquito Abatement District







UNITED
Fence Co





File # 0000029748

Staff Report Summary and Recommendation

Public Body: Magna TPC

Meeting Date: December 17, 2015

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: Magna Town Council & Magna CC

Township/Unincorporated: Magna

Planner: Max Johnson

Community Council Recommendation: Both community councils 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

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

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

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

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

The Magna Town Council recommended approval on December 3, 2015, while the Magna Community Council recommended approval on November 19, 2015.

REVIEWING AGENCIES RESPONSE

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

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

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**
-

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.

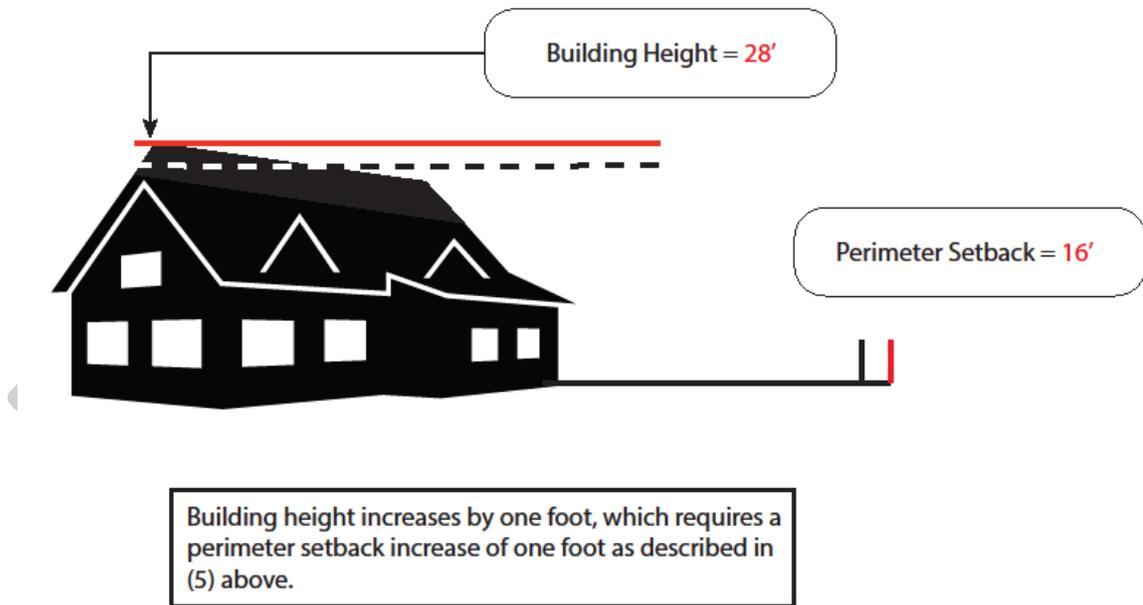
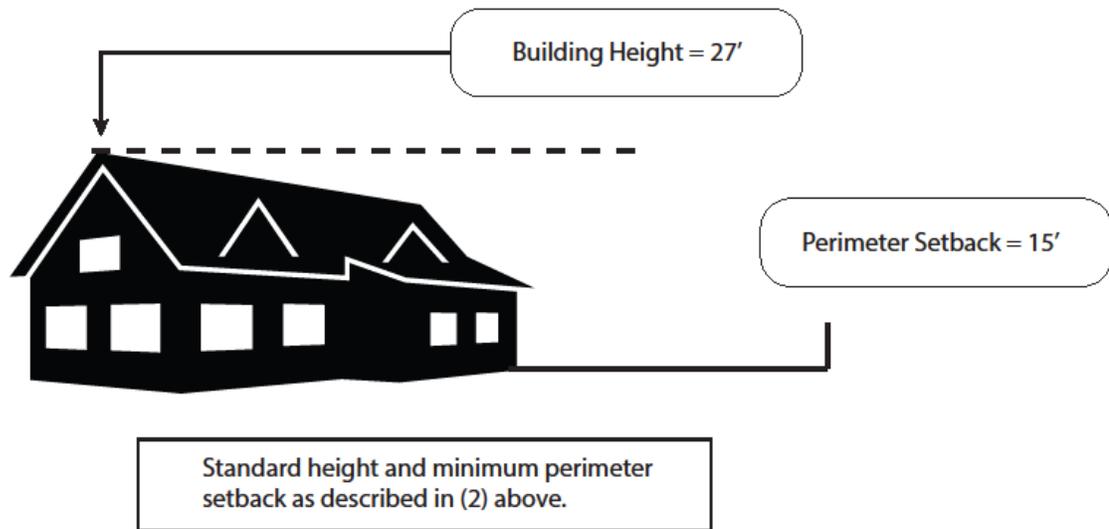
- (2) Covered parking shall be placed in locations adjacent or convenient to the buildings that they are intended to serve.
 - (3) Tandem spaces may be allowed with a minimum size requirement of 20 feet long by 9 feet wide per parking space, up to a maximum of two contiguous spaces per unit.
- 6. Building 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, walls, 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
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.

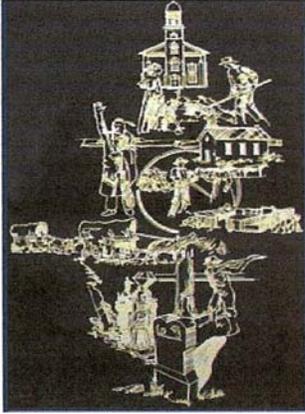
We also would like to commend the Planning Commission for its efforts in rewriting the PUD ordinance and for its upcoming work to address a rewrite of the RM Zone and C-1 and C-2 Zones. Rewrites of these zoning ordinances are long overdue in Salt Lake County and we are hopeful that your work will be 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", is written over the printed name.

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 4th 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. 2nd 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