SALT LAKE COUNTY
TOWNSHIPS

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

Millcreek Township Planning Commission

Public Meeting Agenda

Wednesday, May 11, 2016 4:00 P.M.

****AMENDED****

Location

SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, ROOM N1-110
NORTH BUILDING, MAIN 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 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) Neffs Creek Flood Plain Map Amendment – Rolen (With Mapping Flood Risks Pamphlet)

PUBLIC HEARING

29663 – Jacob Ballstaedt is requesting a rezone from R-1-8 to R-1-4 on 1.37 acres. **Location:** 3511 South 1100 East. **Community Council**: Millcreek. **Planner:** Tom C. Zumbado

29851 – Decker & Robyn Adams are requesting approval for an exception under RCOZ Option C development standards regarding lot coverage. **Location:** 3110 South Metropolitan Way. **Zone:** R-1-8. **Community Council**: Canyon Rim. **Planner:** Tom Zumbado

29819 – (Continued from April 13, 2016) - Aaron Grennon is requesting a new conditional use for a parking lot. The parcel is 0.26 acres, and is currently occupied by a duplex. **Location:** 4043 South 300 East. **Zone:** R-M. **Community Council:** Millcreek. **Planner:** Spencer Hymas

BUSINESS MEETING (Cont.)

2) Approval of Minutes from the March 16, and April 13, 2016 meetings.
3) Ordinance Issues from today's meeting
4) Other Business Items (as needed)

ADJOURN

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FREQUENTLY ASKED QUESTIONS

Neff's Creek Flood Mapping Study

MAY 2016

WHY ARE FLOOD MAPS FOR NEFF'S CREEK BEING REVISED?

The Utah Division of Emergency Management (DEM), the Federal Emergency Management Agency (FEMA), and Salt Lake County are updating flood maps for the Jordan Watershed, which includes Neff's Creek, located in Millcreek Township. The flood maps are being updated so residents near Neff's Creek can understand their flood risk more accurately. Area maps are being updated for two reasons. First, we now have better flood-mapping technology and data at our disposal. Second, flood risk changes over time due to land development, erosion, increasing storm intensity, wildfires, and other causes.

WHAT IS THE FLOOD RISK FOR NEFF'S CREEK?

Preliminary (draft) flood maps for the Jordan Watershed study, which includes Neff's Creek, are anticipated to be released in 2017. These preliminary maps will show that the Neff's Creek area is an active alluvial fan. An alluvial fan is a fan-shaped area where silt, sand, gravel, boulders, and woody debris are deposited by rivers and streams over a long period of time. Active alluvial fans are prone to sudden and unpredictable flood events and lack a defined flow path. The new maps will help residents better understand their flood risk so they can take steps to protect their community and their homes.

WHAT ARE FLOOD INSURANCE RATE MAPS (FIRMS)? WHY ARE THEY CHANGING FOR NEFF'S CREEK?

FEMA creates Flood Insurance Rate Maps (FIRMs), which show varying levels of risk. Preliminary (draft) flood maps for the Neff's Creek area, which will be part of the larger Jordan Watershed study, are anticipated to be released in 2017. These maps will designate the following flood risk areas:

High Risk Areas (Special Flood Hazard Area)—There is at least a one-in-four (or 26%) chance of flooding during a 30-year mortgage in these areas. Homeowners with mortgages from federally regulated or insured lenders are required to buy flood insurance to be protected from this risk. These areas are shown on flood maps as A and AO (alluvial fan hazards with water depth and velocity shown) zones.

Moderate- to Low-Risk Areas (Non-Special Flood Hazard Area)—Flood risk in these areas is lower but still exists. Homeowners in these areas are not federally required to buy flood insurance, but it is highly recommended. These areas are shown on flood maps as X (or shaded X) zones.

HOW WILL THIS AFFECT INSURANCE FOR MY HOME?

The new flood maps will be used for flood insurance rating purposes once they become effective. Preliminary (draft) maps for the Jordan Watershed study are anticipated to be released in 2017 and are estimated to become effective in 2018 or 2019. If your home has been designated as an A or AO zone, you will be required to purchase flood insurance if you have a mortgage from a federally regulated or insured lender. If you purchase flood insurance before the final FIRMs go into effect, you may be eligible for reduced insurance rates.

WHAT IS AN ALLUVIAL FAN?

Alluvial fans are created as flowing water interacts with mountains, hills, or steep canyon walls. Silt, sand, gravel, boulders, and woody debris can be deposited over time by powerful rivers or small creeks. The top, or narrow point, of the alluvial fan is called the “apex,” and the wider portion is called the “apron” or “cone.” Alluvial fans can be small or large, depending on the historical water flows. Alluvial fans formed on a steep slope, like the one at Neff’s Creek, are narrow, and thus more cone than fan-shaped.

WHY IS THE NEFF’S CREEK ALLUVIAL FAN A RISK TO MILLCREEK TOWNSHIP AND OLYMPUS COVE?

Active alluvial fans like the one at Neff’s Creek can be prone to sudden, unpredictable flood events. Active alluvial fan flooding is characterized by a sudden torrent of water, capable of carrying debris and sediment. The unpredictability of the flood path is what makes them so potentially hazardous. The Olympus Cove community, built on this active alluvial fan, is at risk of sudden and unpredictable flooding in the case of heavy rains or excess snowmelt.

HOW CAN PROPERTY OWNERS AT NEFF’S CREEK PROTECT THEIR HOMES AND BUSINESSES FROM FLOOD RISK?

Communities and residents in the vicinity of an active alluvial fan should take action to understand and reduce their risk. While each fan is different, solutions could include comprehensive mitigation measures and master drainage plans. These steps range from integrated solutions, such as structural flood control (channels and/or basins), to compatible individual property fixes, such as residential retrofitting. This also includes the purchase of flood insurance, as most homeowners’ insurance policies do not cover floods.

WILL YOU KEEP US UPDATED ON NEXT STEPS AND FUTURE FINDINGS?

In the next several months, the Utah Division of Emergency Management, in collaboration with Salt Lake County and FEMA, will hold a series of public meetings for residents and property owners to obtain more information about the new maps and proposed changes. In the meantime, please visit the Salt Lake County Office of Township Services Neff’s Creek Floodplain website (http://slco.org/townships/Neffs-Creek-Floodplain/) for more information. For flood risk and insurance information, please visit www.FloodSmart.gov.

FEMA

SALT LAKE COUNTY

Neff's Creek Flood Mapping Study

AN OVERVIEW

MAY 2016

THE NEFF'S CREEK FLOOD MAPPING STUDY

The Utah Division of Emergency Management (DEM), the Federal Emergency Management Agency (FEMA), and Salt Lake County are updating flood maps for the Jordan Watershed, which includes Neff's Creek, located in Millcreek Township.

The flood maps are being updated using the most advanced methods and technologies available so residents near Neff's Creek can understand their flood risk more accurately.

Preliminary (draft) flood maps for the Neff's Creek segment of the Jordan Watershed study are anticipated to be released in 2017. These preliminary (draft) maps will show that the Neff's Creek area is an active alluvial fan.

ALLUVIAL FAN FLOOD RISKS

An alluvial fan is a fan-shaped area where silt, sand, gravel, boulders, and woody debris are deposited by rivers and streams over a long period of time. **Active alluvial fans, like the one at Neff's Creek, are prone to sudden and unpredictable flood events.** Flood risk on an active alluvial fan can also increase over time due to land development, erosion, increasing storm intensity, wildfires, and other causes. The new maps for Neff's Creek, updated using the newest mapping technologies, will help residents better understand their flood risk so they can take steps to protect their community and their homes.

REDUCING FLOOD RISK ON AN ACTIVE ALLUVIAL FAN

Communities and residents living in the vicinity of an active alluvial fan should take action to understand and reduce their risk. While each fan is different, solutions could include comprehensive mitigation measures and master drainage plans. These steps range from integrated solutions, such as structural flood control (channels and/or basins), to compatible individual property fixes, such as residential retrofitting. This also includes the purchase of flood insurance, as most homeowners' insurance policies do not cover floods.

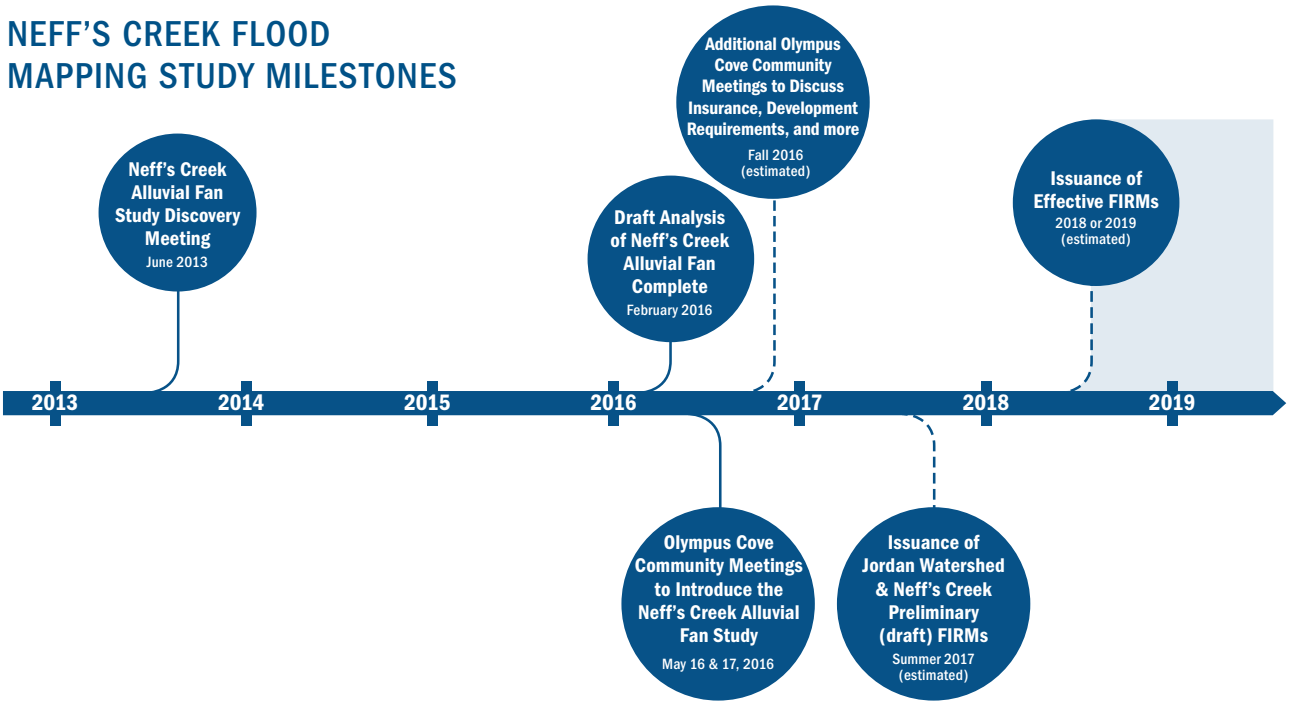
INSURANCE IMPLICATIONS

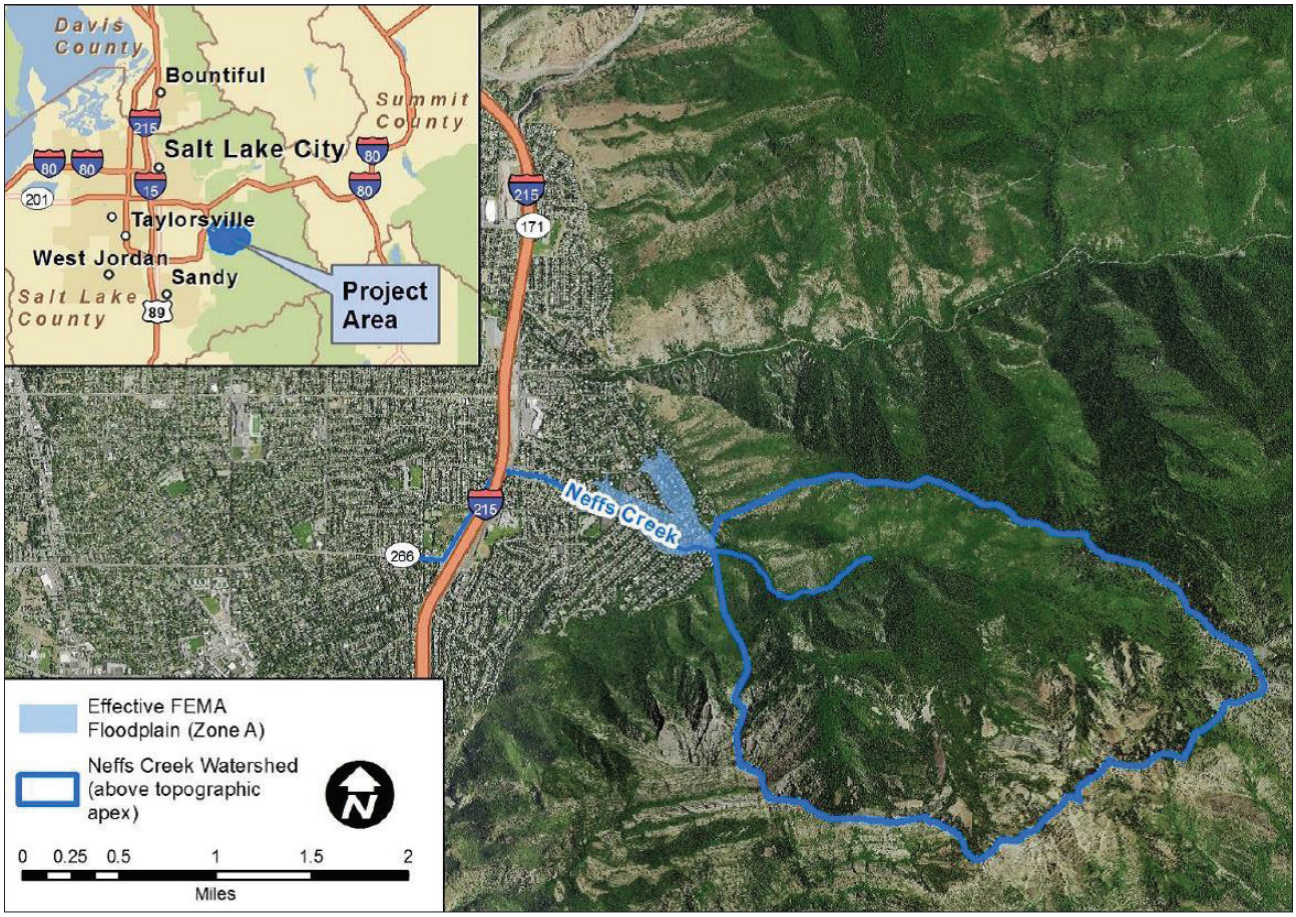
The new flood maps will be used for flood insurance rating purposes once they become effective. Preliminary (draft) maps for the Jordan Watershed study, which includes Neff's Creek, are anticipated to be released in 2017. **Based on the current study schedule, the updated Flood Insurance Rate Maps (FIRMs) are not anticipated to become effective until sometime in 2018 or 2019.**

HOW TO LEARN MORE

In the next several months, the Utah Division of Emergency Management, in collaboration with Salt Lake County and FEMA, will hold a series of public meetings for residents and property owners to obtain more information about the new maps, proposed changes, and how they affect property owners. In the meantime, please visit the Salt Lake County Office of Township Services website for the Neff's Creek Floodplain (http://slco.org/townships/Neffs-Creek-Floodplain/) for more information. For flood risk and insurance information, please visit www.FloodSmart.gov.

NEFF'S CREEK FLOOD MAPPING STUDY MILESTONES





FEMA

SALT LAKE COUNTY

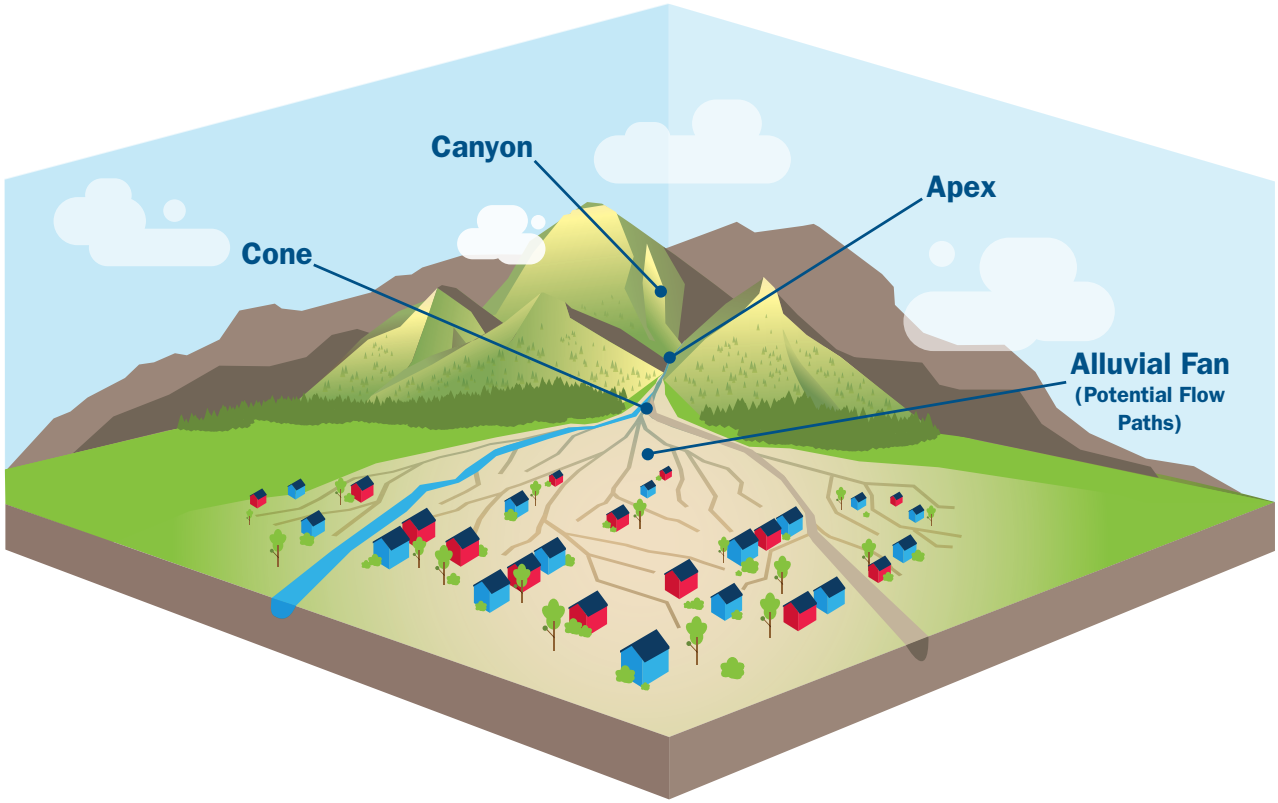
What Is An Alluvial Fan?

FOR NEFF'S CREEK

MAY 2016

WHAT IS AN ALLUVIAL FAN?

An alluvial fan is a fan-shaped area where silt, sand, gravel, boulders, and woody debris are deposited by rivers and streams over a long period of time. Alluvial fans are created as flowing water interacts with mountains, hills, or steep canyon walls. Sediment and debris can be deposited over time by powerful rivers or small creeks. The top, or narrow point, of the alluvial fan is called the "apex," and the wider portion is called the "apron" or "cone." Alluvial fans can be small or large, depending on the historical water flows. Alluvial fans formed on a steep slope, like the one at Neff's Creek, are narrow, and thus more cone than fan-shaped.



COMMON IN THE WESTERN UNITED STATES

In the United States, alluvial fans are typically found along the base of mountain fronts in Utah, California, Arizona, Nevada, Colorado, Idaho, New Mexico, Wyoming, Montana, Oregon, and Washington. Here, infrequent but intense storms typical of arid climates, plus abrupt changes in topography, create the necessary conditions for alluvial fan formation.

HOW ALLUVIAL FANS ARE IDENTIFIED

Alluvial fans can be difficult to identify by the untrained eye. Many homeowners don't realize the panoramic views of the valley below are due to their elevated location on an alluvial fan. They may also be unaware that the large boulders which dot their landscape were once carried downhill by powerful floodwaters. Alluvial fans are visible by air, satellite, and mapping technology.

ALLUVIAL FAN RISKS

Active alluvial fans are prone to sudden and unpredictable flood events. Alluvial fan flooding is characterized by sudden water flows, capable of carrying sediment and debris. Each fan, and each flood on a fan, exhibits different flood characteristics. The unpredictability of the flood path is what makes active alluvial fans so potentially hazardous for homeowners and communities. Flood risk also changes over time due to land development, erosion, increasing storm intensity, wildfires, and other causes.

PROTECTING AGAINST ALLUVIAL FAN RISK

Communities and residents in the vicinity of an active alluvial fan should take action to understand and reduce their risk. While each fan is different, solutions could include comprehensive mitigation measures and master drainage plans. These steps range from integrated solutions, such as structural flood control (channels and/or basins), to compatible individual property fixes, such as residential retrofitting. This also includes the purchase of flood insurance, as most homeowners' insurance policies do not cover floods.

HOW TO LEARN MORE

In the next several months, the Utah Division of Emergency Management, in collaboration with Salt Lake County and FEMA, will hold a series of public meetings for residents and property owners to obtain more information about the new maps, proposed changes, and how they affect property owners. In the meantime, please visit the Salt Lake County Office of Township Services Neff's Creek Floodplain website (http://slco.org/townships/Neffs-Creek-Floodplain/) for more information. For flood risk and insurance information, please visit www.FloodSmart.gov.

FEMA

SALT LAKE COUNTY

An Introduction to Flood Risk

FOR NEFF'S CREEK

MAY 2016

FEMA

SALT LAKE COUNTY

FLOODS AND FLASHFLOODS DEFINED

Flooding is a condition where water or mud overflows onto land that is normally dry. Flooding is the most common and widespread weather-related natural disaster in the U.S. and can occur with little or no warning. Active alluvial fans, like the one at Neff's Canyon, lack a single defined flow path and are prone to sudden, fast, and unpredictable floods, called flash floods. Flash floods most often occur following intense rainfall when excessive water from creeks and rivers fills dry creeks and river beds.

DETERMINING FLOOD RISK

To identify a community's flood risk, the Federal Emergency Management Agency (FEMA) conducts and manages a Flood Insurance Study. These studies include data for water flow rate and flow velocity, as well as surveys of rainfall and area topography. Flood Insurance Studies are then used to create flood hazard maps that outline a community's flood risk areas.

INSURANCE IMPLICATIONS OF FLOOD RISK FOR NEFF'S CANYON

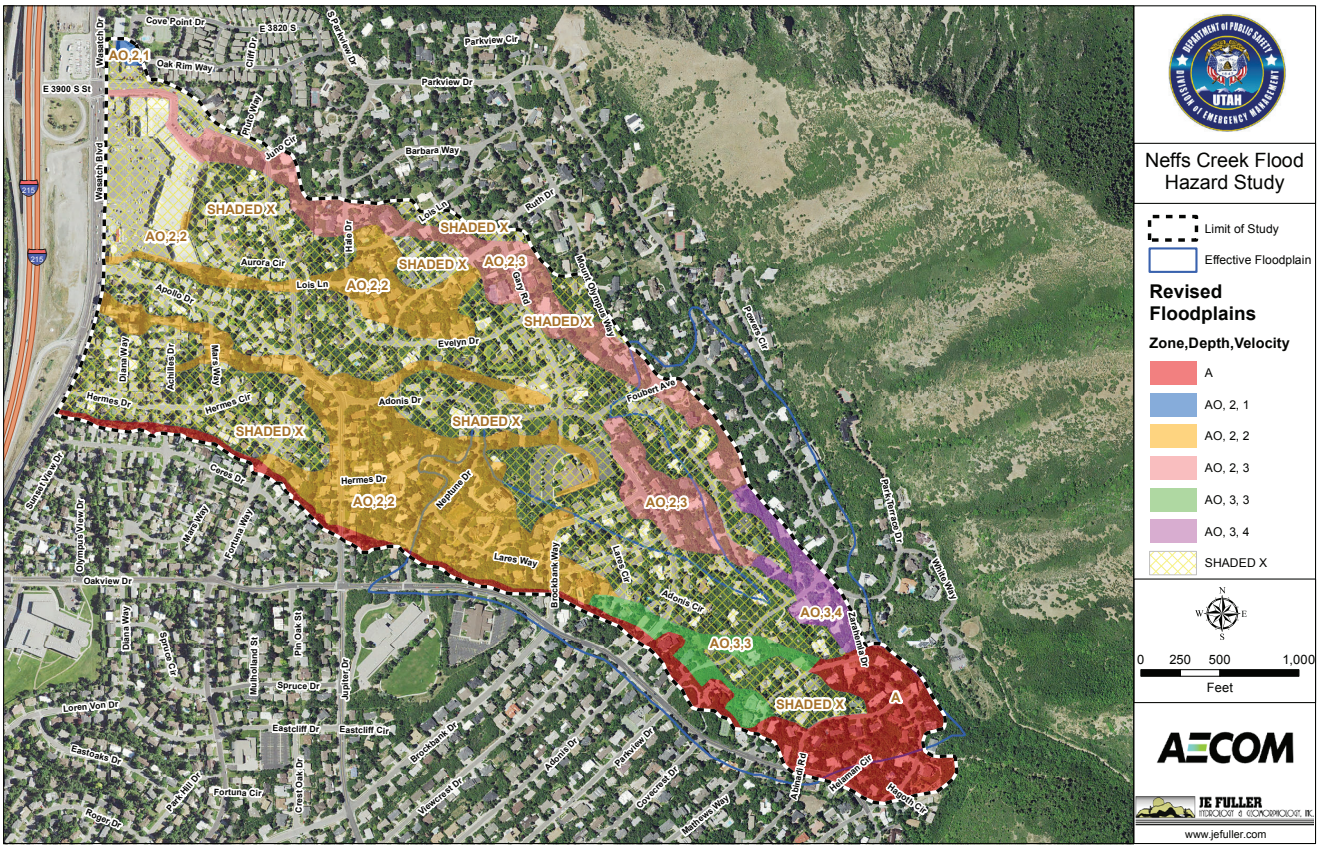
FEMA creates Flood Insurance Rate Maps (FIRMs), which show varying levels of risk. Preliminary (draft) flood maps for the Neff's Creek area, which will be part of the larger Jordan Watershed study, are anticipated to be released in 2017. These maps will designate the following flood risk areas:

High Risk Areas (Special Flood Hazard Area)—There is at least a one-in-four (or 26%) chance of flooding during a 30-year mortgage in these areas. Homeowners with mortgages from federally regulated or insured lenders are required to buy flood insurance to be protected from this risk. These areas are shown on flood maps as A and AO (alluvial fan hazards with water depth and velocity shown) zones.

Moderate- to Low-Risk Areas (Non-Special Flood Hazard Area)—Flood risk in these areas is lower but still exists. Homeowners in these areas are not federally required to buy flood insurance, but it is highly recommended. These areas are shown on flood maps as X (or shaded X) zones.

FLOOD RISK REVISIONS AND FLOOD MAPPING CHANGES

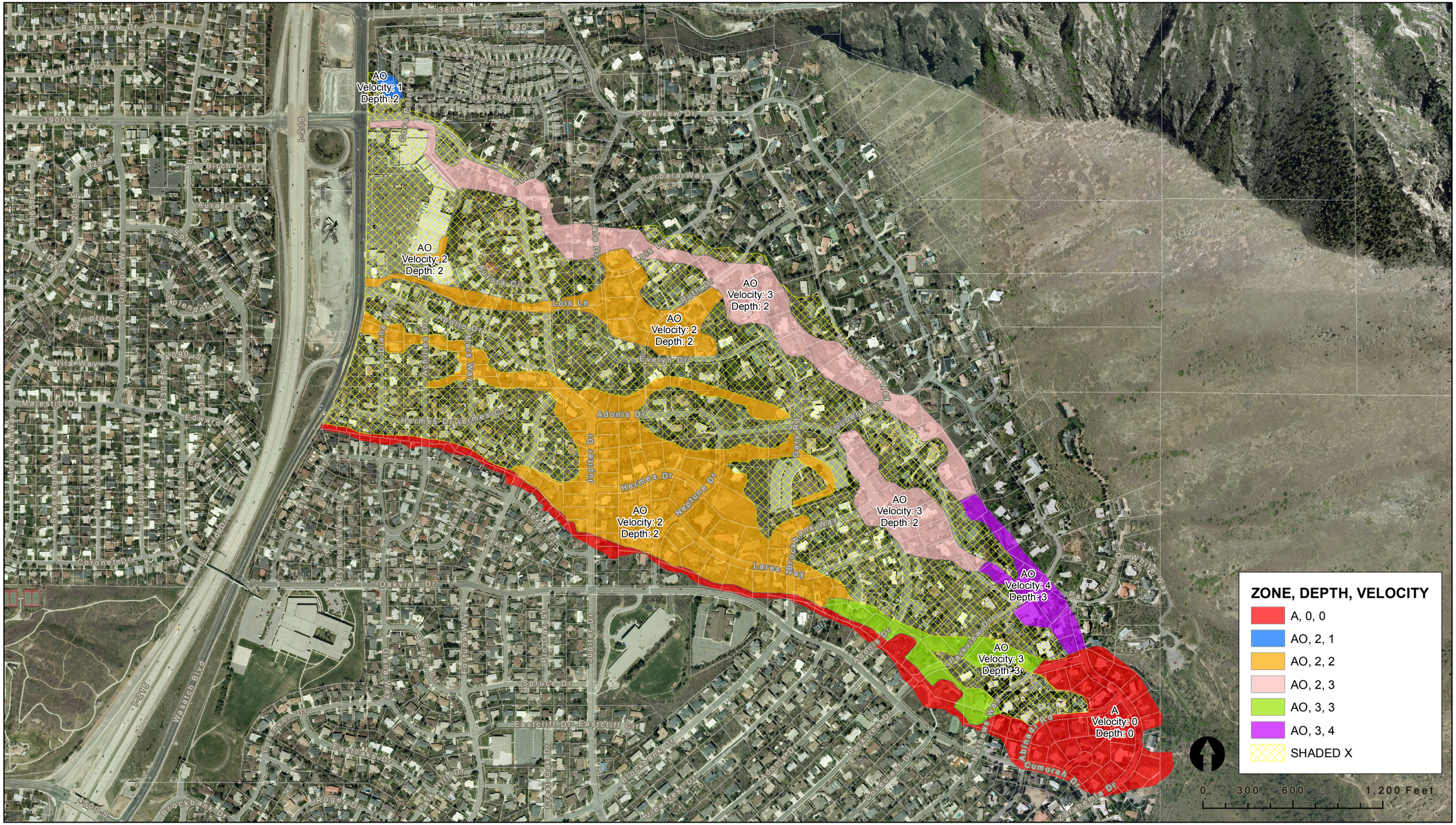
Flood risk can, and does, change over time. Flood risk can change for many reasons, including land development, erosion, increasing storm intensity, wildfires, and other causes. As a result, FEMA is using the newest technologies to update flood maps across the country. The new maps will help residents in the vicinity of Neff's Creek better understand their flood risk so they can take steps to protect their community and their homes. Once effective, the new maps will be used for community floodplain management and flood insurance rating purposes.



FEMA

SALT LAKE COUNTY

Neffs Creek Flood Hazard Study



SALT LAKE COUNTY
TOWNSHIPS

Meaghan B. Fox
Planning & Development Services
5/3/16

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Phone: (385) 468-6700 • Fax: (385) 468-6674
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File # 29663

Rezoning Summary and Recommendation

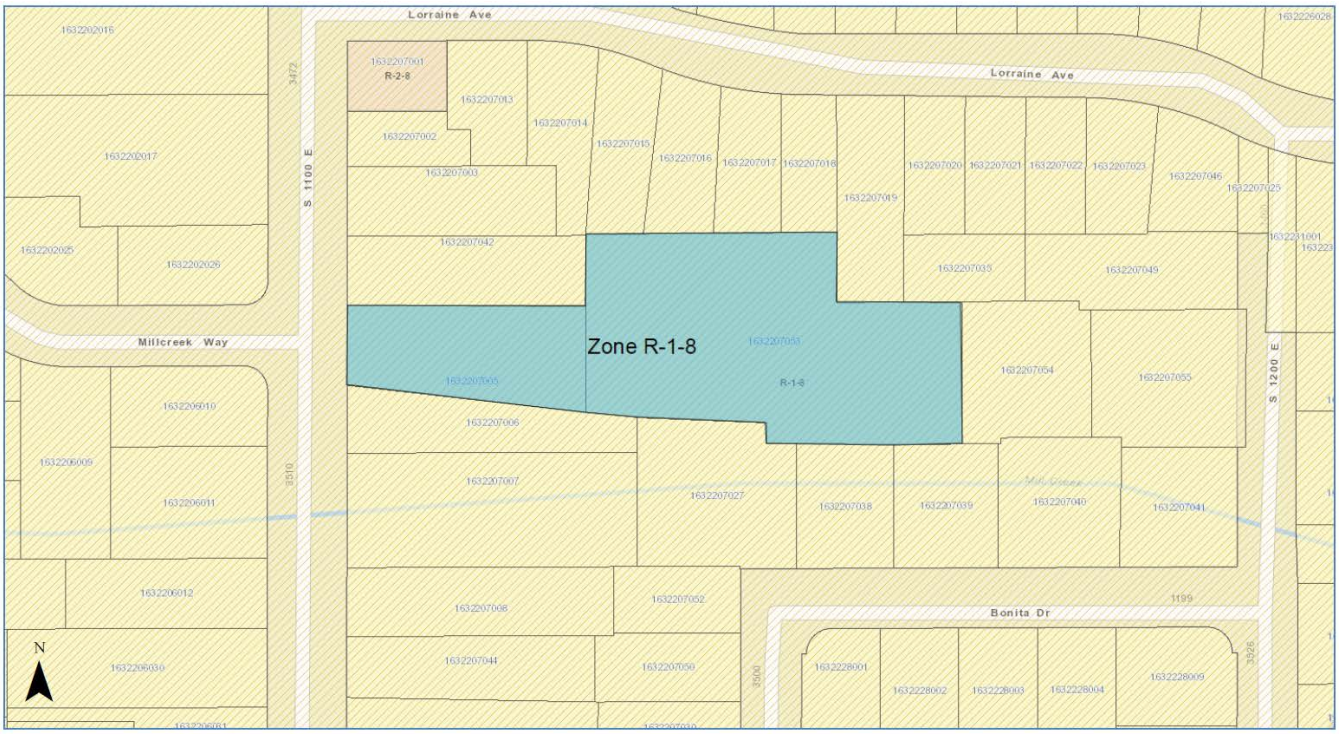
Public Body: Millcreek Planning Commission
Meeting Date: May 11, 2016
Parcel IDs: 1632207005 & 1632207053
Current Zone: R-1-8 Proposed Zone: R-1-4
Property Address: 3511 South 1100 East, SLC UT 84106
Request: Rezone
Community Council: Millcreek
Township/Unincorporated: Millcreek Township
Planner: Tom C. Zumbado
Community Council Recommendation: Denial
Applicant Name: Jacob Ballstaedt & Phil Winston

PROJECT DESCRIPTION

Working on behalf of his client, Mr. Phil Winston, Mr. Jacob Ballstaedt is requesting a recommendation for approval to rezone from an R-1-8 to R-1-4 for the purpose of developing a 10 unit PUD.

SITE & VICINITY DESCRIPTION (see attached map)

Located directly at the "T" intersection of 1100 East and Millcreek Way, the proposed rezone consists of two parcels. The western-most parcel off of 1100 East is the sole access to the larger, central parcel. It is surrounded on all sides by a large area of R-1-8 zoning with the exception of the corner of Lorraine and 1100 East, which is zoned R-2-8. As to the current layout, the western-most property has a duplex, a single family residence and a small access road leading to the larger parcel, which is undeveloped.



ISSUES OF CONCERN AND PROPOSED MITIGATION

File #29663 is the result of a previously made decision by the Millcreek Planning Commission on the same property. The previous file, #29164, requested a rezone from the original R-1-8 into an R-M. A staff report was prepared by planning staff offering no recommendation, but a significant number of options as to why the planning commission could vote for or against the R-M rezone. (File #29164 Staff Summary and Recommendation, pg. 9)The outcome of this file was that the rezone was recommended for denial due to its negative impact on neighbors, incompatibility with the General Plan and that there are "*many other zoning options available*." (MTPC Meeting Minute Summary from 11MAR15, approved 15APR15, pg. 7)

Consulting with the applicants, staff was informed that recommendations were made by members of the planning commission, stating that returning with an alternative request stood a better chance of being approved as opposed to their original request for an R-M.

Concern: The applicants are returning to the Planning Commission with the impression that they have complied to a previous recommendation. As such, they believe that File #29663 is correcting the earlier obstacles incurred by File #29164 and expect a favorable recommendation.

Proposed Mitigation: Commissioners should closely examine the details of this request not only as a stand-alone rezone, but in the context of connection to File #29164. This, coupled with any information provided by commissioner recollections, the applicants and neighborhood response may grant the planning commission enough material to make an informed and balanced decision.

GENERAL PLAN CONSIDERATIONS

As it stands, the Millcreek General Plan Map identifies this area as "stable." 1100 East is not a major corridor through the township. However, the approval of this project may contribute to goals in the general plan, including:

Objective 5.1: Provide sufficient housing for current and future populations that are appropriate, safe, and affordable, where all citizens are welcome to live.

Objective 5.2: Consider life-cycle housing alternatives that allow for aging populations to "age in place," as well as provide diverse housing choice for other demographic groups.

Objective 5.4: Encourage residential development that establishes a variety of lot sizes, dwelling types, densities, and price points, as well as an appropriate balance of owner occupied and rental units.

Objective 5.5: Develop safe and visually pleasing residential neighborhoods that are integrated into the natural environment with open space, trails and green systems.

Objective 5.6: Develop programs and neighborhoods that will make home ownership attractive and possible for all members of the community.

Objective 5.7: Preserve and protect the quality and character of existing neighborhoods, including sensitivity of compatible infill development.

ZONE CONSIDERATIONS

Requirement	Existing R-1-8 Zone	Proposed R-1-4 Zone
Height	35 Feet	35 Feet
Front Yard Setback	25 Feet	20 Feet
Side Yard Setback	5 feet on one side and 11 feet on the garage/driveway side OR 8 feet on each side.	5 feet unless attached to a dwelling on an adjacent lot.
Rear Yard Setback	30 feet without garage OR 15 feet with garage.	20 feet without garage OR 15 feet with garage.
Lot Width	65 Feet	25 Feet
Lot Area	8000 Square Feet	4000 Square Feet
Parking	2 spaces per dwelling unit	2 spaces per dwelling unit

NEIGHBORHOOD RESPONSE

At the Millcreek Planning Commission meeting on April 13th 2016, a strong display of opposition to File #29663 was made by citizens living next to and around the subject property.

At the Millcreek Community Council meeting on April 5th 2016, a strong display of opposition to File #29663 was made by citizens living next to and around the subject property. The room was filled nearly to capacity and it was standing-room only for both Staff's and the applicant's presentations.

At the Millcreek Community Council meeting on March 1st 2016, five citizens attended the session in opposition to the project. In addition, staff has received several phone calls and office visits from concerned citizens wanting to voice their opposition to this rezone request.

Primary complaints are concerned with:

- Traffic generation
- Too much density
- Noise

At the time this report was prepared, Staff has received 31 individual pieces of correspondence from citizens in opposition to File #29663. (16 Letters & 15 Telephone Calls)

COMMUNITY COUNCIL RESPONSE

At the Millcreek Community Council meeting on April 5th 2016, File #29663 did not receive a favorable recommendation from councilmembers by a vote of 1 (in favor) to 5 (in opposition) with 3 members abstaining.

At the Millcreek Community Council meeting on March 1st 2016, File #29663 did not receive a favorable recommendation from councilmembers by a vote of 3 (in favor) to 5 (in opposition).

PLANNING COMMISSION RESPONSE

At the Millcreek Planning Commission meeting on April 13th 2016, File #29663 was continued to May 11th 2016 in order for staff to update the staff report and other application materials to reflect the applicant's change from a request for R-1-3 to a request for R-1-4 zoning. Staff was also instructed to verify the offset between Millcreek Way and the property access.

At the Millcreek Planning Commission meeting on March 16th 2016, File #29663 was continued to April 13th 2016 to allow the applicant to return to the Millcreek Community Council to present their conceptual site plan for recommendation.

PLANNING STAFF ANALYSIS

Referenced Land Use & Zoning Documents:

County Ordinance Chapter 19.14.055 (Density)
The allowable density for planned unit developments shall be determined by the planning commission on a case by case basis, taking into account the following factors: recommendations of county and non-county agencies; site constraints; compatibility with nearby land uses; and the provisions of the applicable general plan. Notwithstanding the above, the planning commission shall not approve a planned unit development with density higher than the following:
4.5 Units Per Acre (Zone R-1-8)
9 Units Per Acre (Zone R-1-4)

Millcreek General Plan
The overall intent of this general plan is to make the planning process simple, fair, efficient, and predictable. For each area of the County it spells out what kind of development is considered desirable and appropriate.

Goal 5 of the general plan states to provide diverse housing choices for a variety of needs and income levels to create places where all citizens are welcome to live. However, objective 5.7 of the same goal states that we must

preserve and protect the quality and character of existing neighborhoods, including sensitivity of compatible infill development.

Millcreek General Plan Map

1. The Official Map is intended to serve as a guide to areas of anticipated and desired stability or growth absorption.

2. The Official Map should be used in conjunction with the Best Practices and the Context sections of the General Plan when making planning decisions.

3. The colors shown on the Official Map indicate a range in the level of stability and intensity of and activity within the Township.

4. The colors shown on the Official Map do not relate to any particular land use or zoning designation.

5. The Zoning Map, rather than the Official Map, should be used to make changes to specific land uses.

6. This Official Map format does not allow staff at the Planning and Development Services desk to suggest whether or not a proposed zone change will be approved.

7. When making planning decisions:

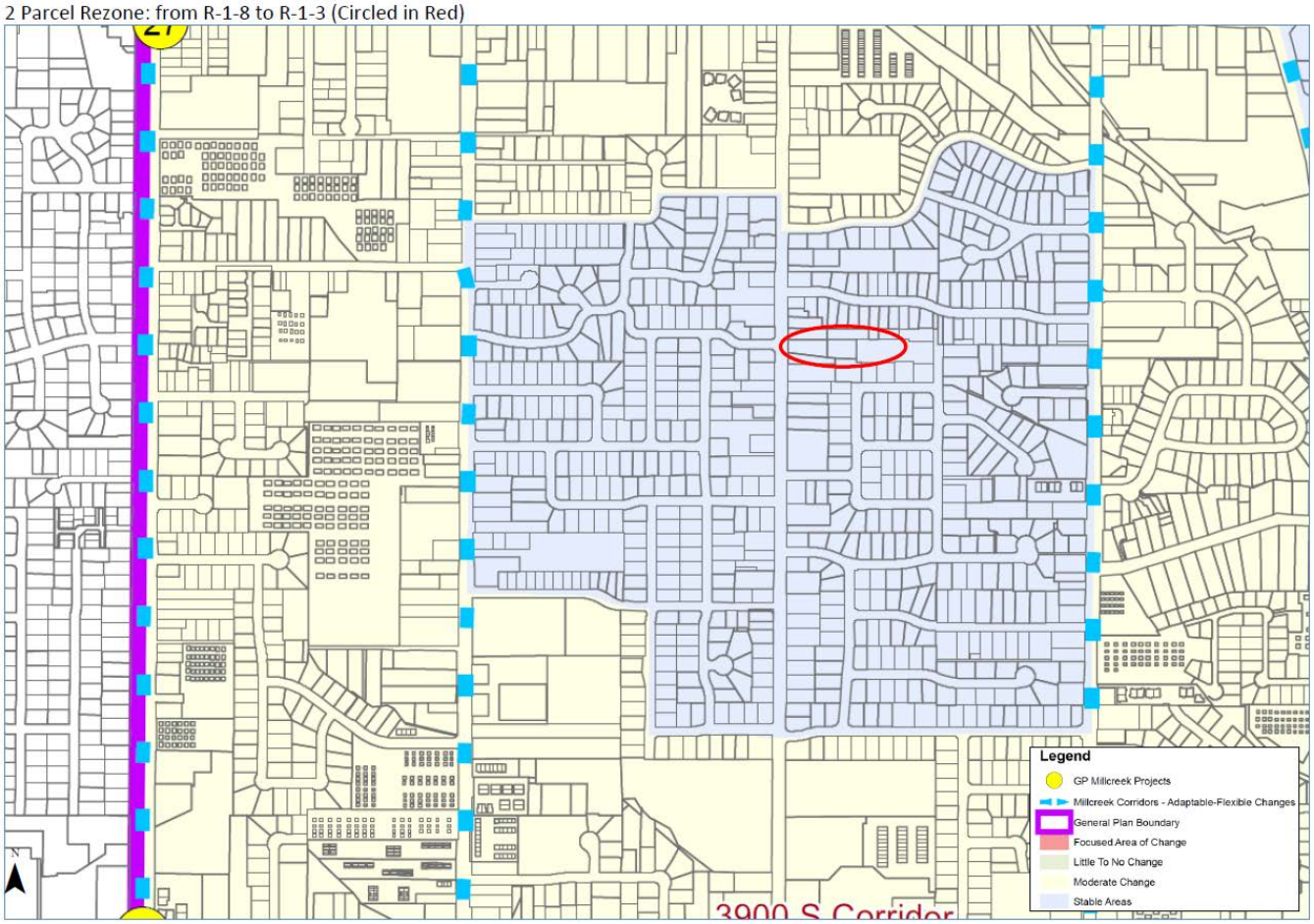
a. Locate the proposed change on the Official Map.
b. Determine the anticipated level of stability and intensity of the area in which the proposed change occurs (Green, Blue, Yellow, Red, Corridor)
c. Determine if the proposed change would result in a level of change that is consistent with the Official Map.
d. Determine if the proposed change is consistent with the relevant Best Practice(s) Core Concepts and Key Questions. e. Determine whether or not to recommend or approve the proposed change.

File #29663

General Plan Map Detail

3511 South 1100 East

2 Parcel Rezone: from R-1-8 to R-1-3 (Circled in Red)



PLANNING STAFF RECOMMENDATION

"Unless otherwise designated, a decision approving a conditional use application shall be a preliminary approval of the application." [19.84.095] "…the [Development Services] director…shall issue a final approval letter upon satisfaction of the planning commission's conditions of approval." [19.84.050]

Staff has reviewed this request for compliance with the standards set forth in Section 19.84.060 of the Zoning Ordinance and recommends the following considerations to the Planning Commission:

Considerations for recommending approval to the Council:

1. The proposed zone change is consistent with the Millcreek Township General Plan as a site dedicated to absorb future growth.
2. Specific site and use related issues and mitigation measures will be addressed during the conditional use review process for any proposed conditional use on this site.
3. The proposed zone change is consistent with several Best Practices found within the Millcreek Township General Plan including Housing, Land Use and Mobility.
4. The zone change is consistent with the Goals and Objectives of the Millcreek Township General Plan.
5. The proposed zone change is compatible with the surrounding neighborhood.

Consideration for recommending denial to the Council:

1. The proposed zone change is not appropriate for the location.
2. The proposed zone change is not compatible with the surrounding neighborhood.
3. The zone change is not consistent with the Goals and Objectives of the Millcreek Township General Plan.
4. The area is identified as "stable" and it is not along a corridor in the General Plan Map.
5. There may be a more suitable zoning designation than an R-1-4.

Other Considerations

19.90.060 Conditions to zoning map amendment.

A. In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:

1. Uses;
2. Dwelling unit density;
3. Building square footage;
4. Height of structures.

B. A zoning map amendment attaching any of the conditions set forth in subsection A shall be designated ZC after the zoning classification on the zoning map and any such conditions shall be placed on record with the planning commission and recorded with the county recorder.

Garbett
green within reach

273 N. East Capitol Street
Salt Lake City, UT 84103

Phone: 801.456.2430
Fax: 801.456.2431

April 25th, 2016

Salt Lake County Planning
2001 South State Street
Salt Lake City, Utah 84910

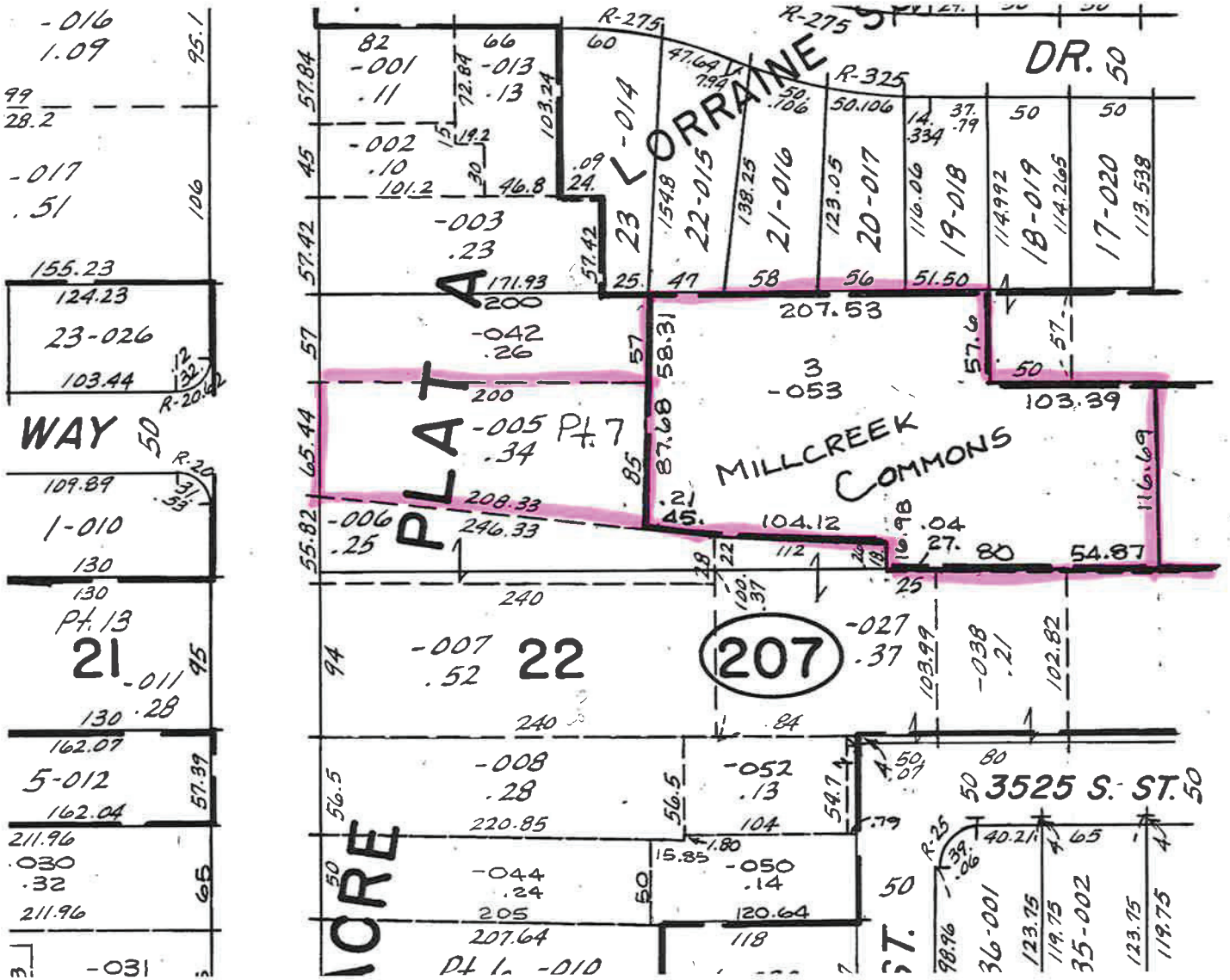
RE: Rezone of Property location at 3500 South and 1100 East in Salt Lake County.

Attention: Thomas Zumbado

We want to express our desire the change our zone change application for the property address of 3516 S. 1200 E. Salt Lake City, Utah and 3511 S. 1100 E. in Salt Lake City, Utah. Our original application requested to change the zone to R-1-3. We now request to change the zone to R-1-4. I have also attached our latest site plan with 10 single family lots. We plan to not exceed 10 single family homes.

Garbett Homes

Jacob Ballstaedt
Land Acquisition and Entitlement


LORRAINE
DR.
PLAT
MILLCREEK COMMONS
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20-017
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18-019
17-020
36-001
35-002
-027
-038
-052
-050
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-008
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R-275
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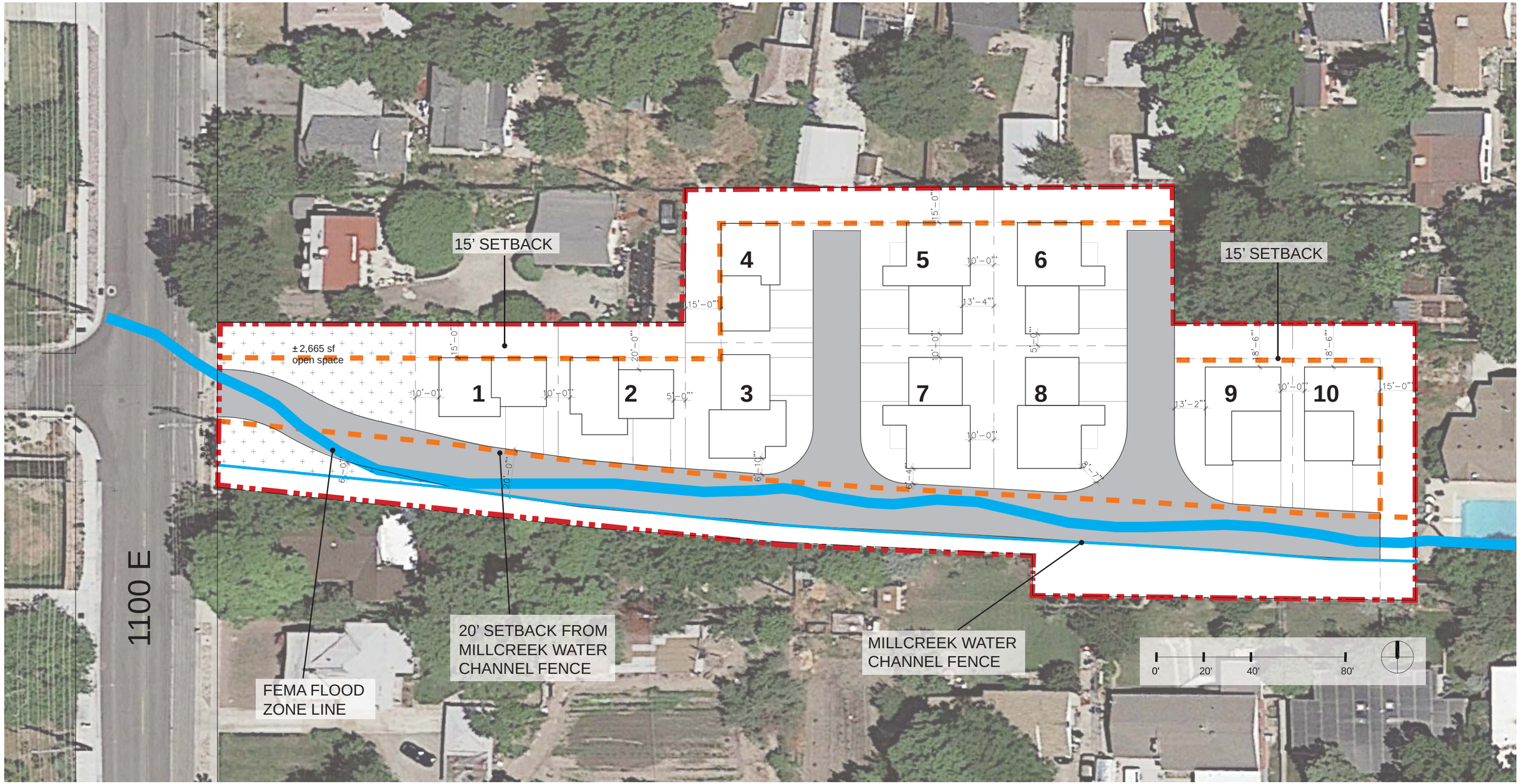


MILLCREEK

CONCEPTUAL LOTS WITH 15' SETBACK

GARBETT HOMES

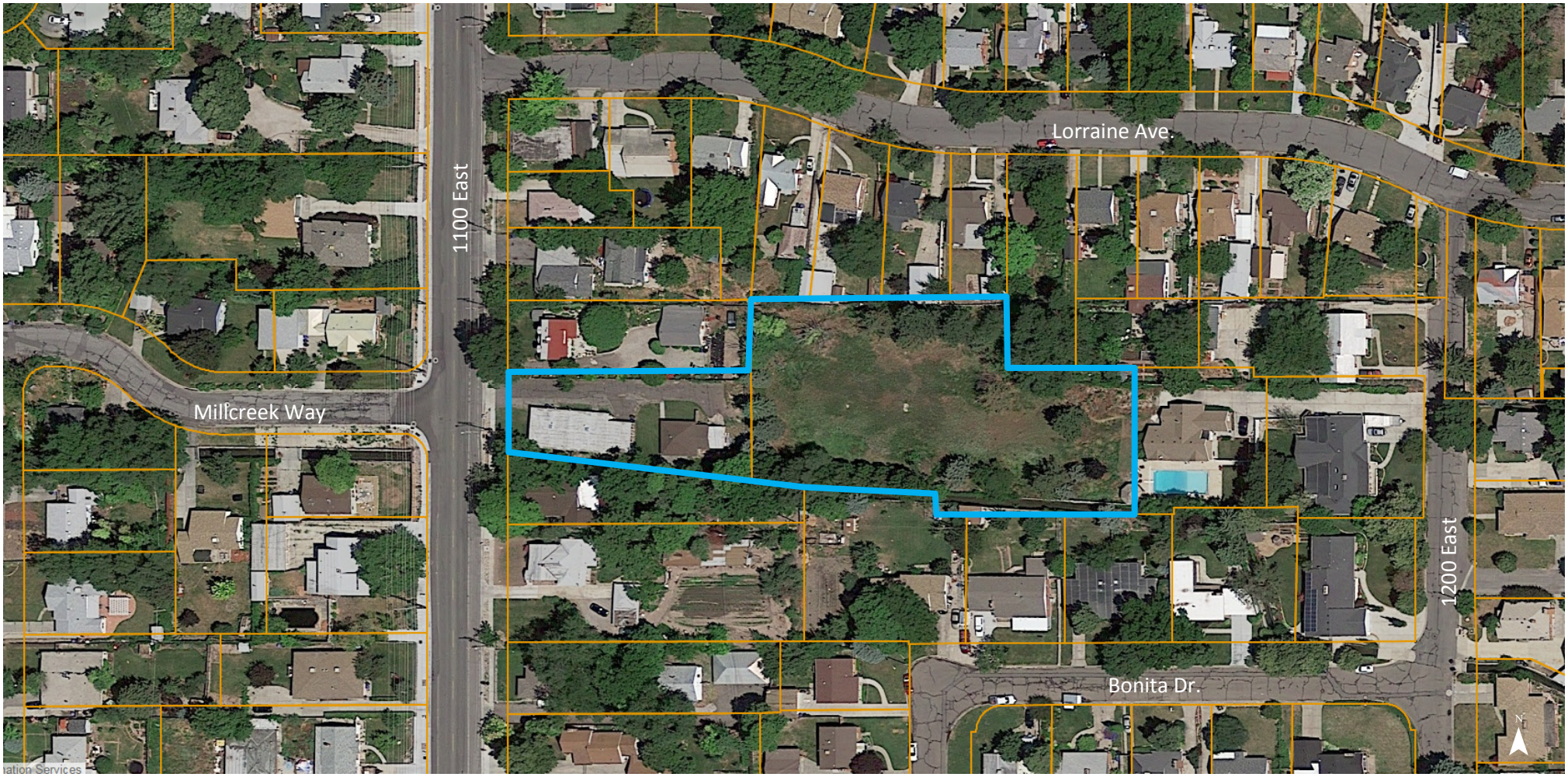
MILLCREEK, UT

KTGY # 2015-0946 04.25.2016

KTGY Group, Inc.
Architecture+Planning
580 Second St.,
Suite 200
Oakland, CA 94607
510.272.2910
ktgy.com

File #29663 : Aerial Map

Rezone R-1-8 to R-1-3



GARBETT REALTY, P.C.
273 N. East Capitol Street
Salt Lake City, Utah 84103
(801)-456-2430

May 3, 2016

Alison Long
1176 E. Lorraine Drive
Salt Lake City, Utah

Re: Agreement to develop the property located at approximately 1100 East and 3500 South.

Dear Alison:

This letter shall memorialize the commitments we made following the April Planning Commission Meeting regarding the development of the property located at 1100 East and 3500 South known as file #29663. We agree to do the following:

1. All homes to be single family.
2. We will remove the existing duplex and single family home on 1100 east.
3. We will not build more then 10 single-family homes.
4. We will maintain a 15' set back from the existing property line to our homes on the perimeter of the entire site.
4. We will keep any existing tree that can be saved without losing a house or moving a road.
5. We will plant new trees along the northern property line to help create privacy.
6. We will install a new 6' privacy fence along the northern and eastern property lines.
7. The southwest side of the property along Mill Creek will be buffered with some green space and either shrubs and trees (green fence) or green space and privacy fence. We want people to see and hear the creek and make it an amenity and not close it completely off. We will work with the city and the owner of the property located at the most southwest corner of the property to create the best solution for privacy along the creek for this homeowner, which may include a privacy fence along with green space and trees/shrubs.

Respectfully,

Garbett Homes

By: Jacob Ballstaedt, Garbett Homes
273. N East Capitol Street
Salt Lake City, Utah 84103

SALT LAKE COUNTY
TOWNSHIPS

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

File #29851

RCOZ Option C Summary and Recommendation

Public Body: Millcreek Planning Commission
Meeting Date: May 11, 2016
Parcel ID: 1626401017
Current Zone: R-1-8 Residential
Property Address: 3110 Metropolitan Way
Request: RCOZ Option C

Community Council: Canyon Rim
Township/Unincorporated: Millcreek Township
Planner: Tom C. Zumbado
Community Council Recommendation: Approval
Applicant Name: Decker & Robyn Adams

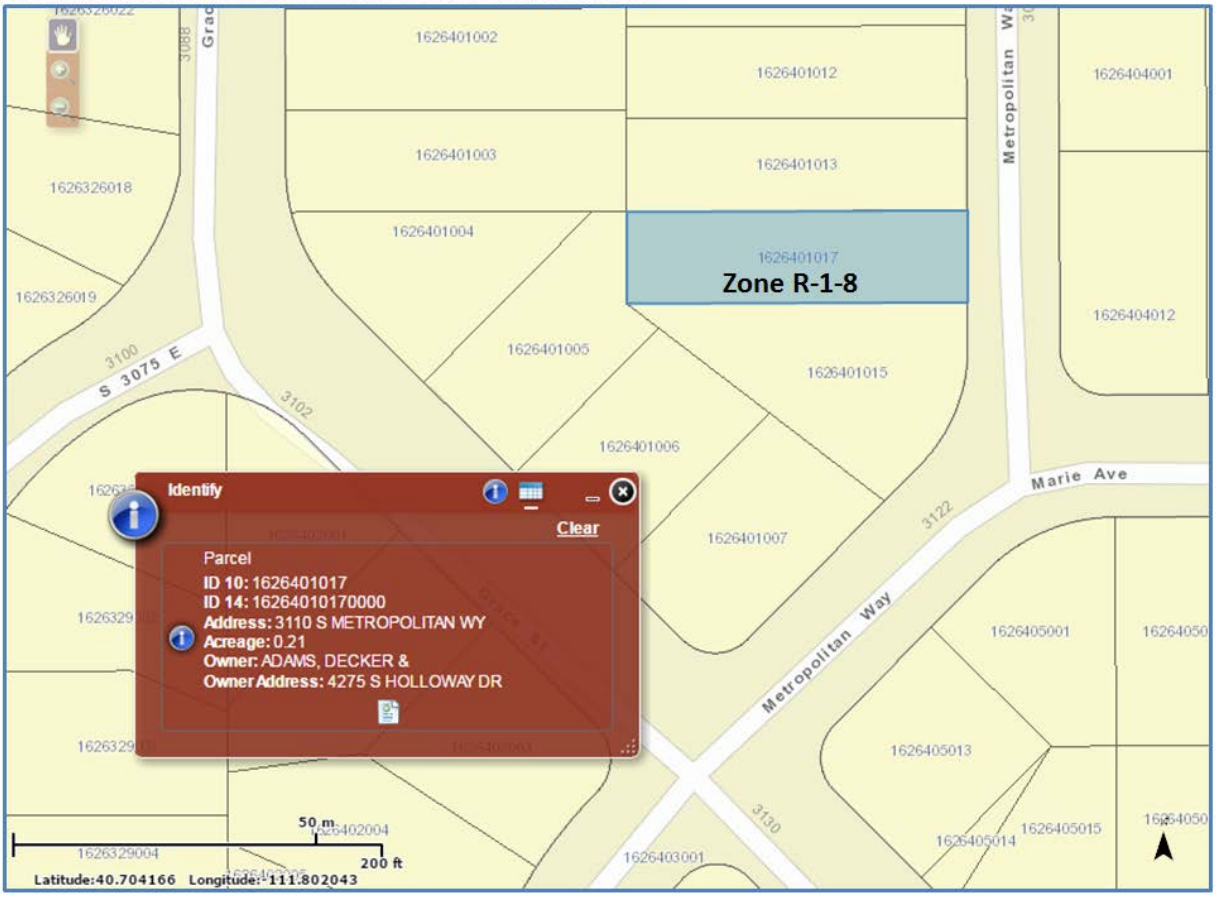
PROJECT DESCRIPTION

Decker & Robyn Adams are requesting approval for an exception to RCOZ development standards regarding side yard setbacks and lot coverage. There is an existing garage/workshop space in the rear of the property, but the Adams' are asking to build a home with an attached garage. Single Family Dwellings are permitted uses in the R-1-8 zone.

SITE & VICINITY DESCRIPTION (see attached map)

File #29851 is a .21 acre (8852 square feet) parcel that was subdivided from its southern neighbor, 3120 Metropolitan Way. It is a long narrow parcel with a large garage/workshop (2000 square feet) situated in the back of the lot.

File #29851 : RCOZ Option C; 3110 S. Metropolitan Way; **Zoning Map**



LAND USE CONSIDERATIONS

Requirement	Standard	Proposed	Compliance Verified
Height	28 feet	28 feet	Yes
Front Yard Setback	25 feet	25 feet	Yes
Side Yard Setback	5 feet one side and 11 feet on the garage or driveway side or 8 feet on each side	6 feet one side and 10 feet on the garage side.	No
Rear Yard Setback	15 feet with garage	83 feet	Yes
Lot Width	65 feet at a distance 25 feet from the front lot line	50 feet	No
Lot Area	8000 square feet	8852 square feet	Yes
Parking	Residential	Residential	Yes
Lot Coverage	No accessory building or group of accessory buildings shall cover more than 25% of the rear yard.	45% rear yard coverage for garage. *(2000 sf of 4445 sf)*	No

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

ISSUES OF CONCERN/PROPOSED MITIGATION

Concerns:

a. Proposed residence does not meet side yard setback requirements by 1 foot.
b. Property does not meet width requirements because of its unusually long shape.
c. Accessory building coverage of rear yard greater than 25%.

Proposed Mitigation:

Planning Commission grants RCOZ Option C exception due to unusual lot shape.

NEIGHBORHOOD RESPONSE

As of May 4 2016, there has been no neighborhood response to File #29851.

COMMUNITY COUNCIL RESPONSE

At its regularly scheduled meeting on April 19 2016, the Canyon Rim Community Council voted 5 to 1 in favor of a recommendation of approval to the Millcreek Planning Commission.

PLANNING STAFF ANALYSIS

<u>19.71.010 – RCOZ Purpose of provisions.</u>

A. The general purpose of the residential compatibility overlay zone ("RCOZ") is to promote public welfare and to balance neighborhood compatibility with the private property interests of those who wish to expand, develop, improve or otherwise make exterior modification to their residential property.

B. Recognizing the wide variation of circumstances incident to a residential application and the need for architectural freedom, the county is adopting a three-tiered approach:

1. Option A provides for strict standards of height, area, and setback with permits issued by the Salt Lake County planning and development services division (the "division").
2. Option B allows the division to consider deviations from one or more of the standards provided in Option A based upon the compatibility of the proposed residential application with other houses in the immediate neighborhood.
3. Option C allows a planning commission to consider at a public hearing a special exception for unusual or extraordinary circumstances that justify deviations from one or more of the limitations under Options A and B. (Ord. No. 1659, § I, 11-3-2009)

<u>19.71.050 - Option C. Special Exception—Planning commission review.</u>

A. An applicant whose proposed residential structure meets neither the requirements of Option A nor of Option B may seek extraordinary relief and exceptions to the limitations of sections 19.71.030.B.5, B.6, or B.7 or sections 19.71.040.D.1, D,2, D.3 or D.4 by submitting an original and seven copies of an application to the applicable planning commission setting forth in detail:

1. The specific provisions from which the applicant seeks exceptions and the requested relief;
2. Detailed information and explanation establishing that:
    a. The proposed residence will be in harmony with the purpose of this chapter, the general plan and any other land use document applicable to the area.
    b. The proposed residence will be compatible with existing residential development within a reasonable distance in terms of height, mass and lot coverage, with particular focus on the proximate neighborhood.

c. The proposed residence will not be detrimental to the health, safety and general welfare of persons residing within a reasonable distance, with particular focus on the proximate neighborhood.

d. Each point on the highest ridge of the structure will be no more than forty feet above the point on the original grade vertically below it (with allowances for chimneys and vent stacks).

e. The front yard setback will be at least eighteen feet.

3. Additional factors that the planning commission may consider in deciding whether to grant an exception under this Part include:

a. Unusual lot shape;

b. Unusual or difficult terrain;

c. Drainage problems;

d. Situations that appear not to be clearly addressed by the provisions of Options A or B.

4. An application for an exception under this Option C will be subject to a public evidentiary hearing before the planning commission, for which notice of no less than ten days prior to the hearing will be given to:

a. All property owners appearing on the latest plat in the Salt Lake County recorder's office who own property within three hundred feet of the boundary of the subject lot; and

b. The chair of the community council for the area in which the subject lot is located.

B. A decision on the application shall be based on the evidence presented at the hearing. The burden of proof shall rest with the applicant. The planning commission may impose such conditions and limitations upon the approval of an exception to the requirements of this chapter necessary to prevent or mitigate adverse effects on other properties in the neighborhood of the subject properties, consistent with the standards of this chapter. (Ord. No. 1659, § I, 11-3-2009)

<u>19.80.035 - Parking in R-1 and R-2 Residential Zones.</u>

A. Driveways. A driveway shall be provided for vehicular access from the street or right-of-way to the required parking spaces of any dwelling in an R-1 or R-2 zone. The driveway shall be constructed of a durable, hard surface such as: concrete (including permeable concrete), asphalt (including permeable asphalt), brick, pavers, stone, or block. The number, location, and width of driveways shall comply with the specifications set forth in sections 14.12.110 and 14.36.060 of the County Code of Ordinances. Driveways over one hundred fifty feet in length are subject to approval by the fire authority. The area within the front yard of any single- or two-family dwelling not occupied by a driveway or parking surface set forth above shall be landscaped in compliance with the applicable provisions of this title regulating landscaping.

B. Private vehicles. Private vehicles parked on residential property in any R-1 or R-2 zone shall comply with the following:

1. If parked or stored on a paved surface in compliance with section 19.80.030.C or 19.83.035.A, a private vehicle may be located in the front yard, side yard, or rear yard of a dwelling.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends approval of the RCOZ Option C request with the following condition:

- That the applicant shall not operate a private business from the accessory structure without prior approval from SLCo Staff.

Planning Staff also recommends that any motions for approval clearly state the condition so that it may be entered into the meeting minutes.

ATTACHMENT A

3110 Metropolitan Way

Requesting Special Exception pertaining to:

- Lot coverage ratio
- Side yard set-back (south side of proposed home)

Decker & Robyn Adams believe that they can build a home that will fit the character of the neighborhood and beautify a relatively unsightly lot, as follows:

1) Build attractive home upon receiving County approval (get rid of mud hole)
2) Beautify lot – build new house and maintain yard
3) Proposed home will be in character with neighborhood (see drawings)
4) Passive use of shop building
5) Provide reasonable long-term solution for adjacent neighbors and Salt Lake County rather than defer to next lot owner; Note:
    a. Shop initially built with County Approval
    b. Lot recently subdivided with County Approval
6) New home will obscure view of shop building and enhance view from Metropolitan Way.
7) Provide a practical solution to efficiently utilize a long narrow (difficult) lot
8) Current sight coverage ratio before building house is 19.5% (1,800/9250)

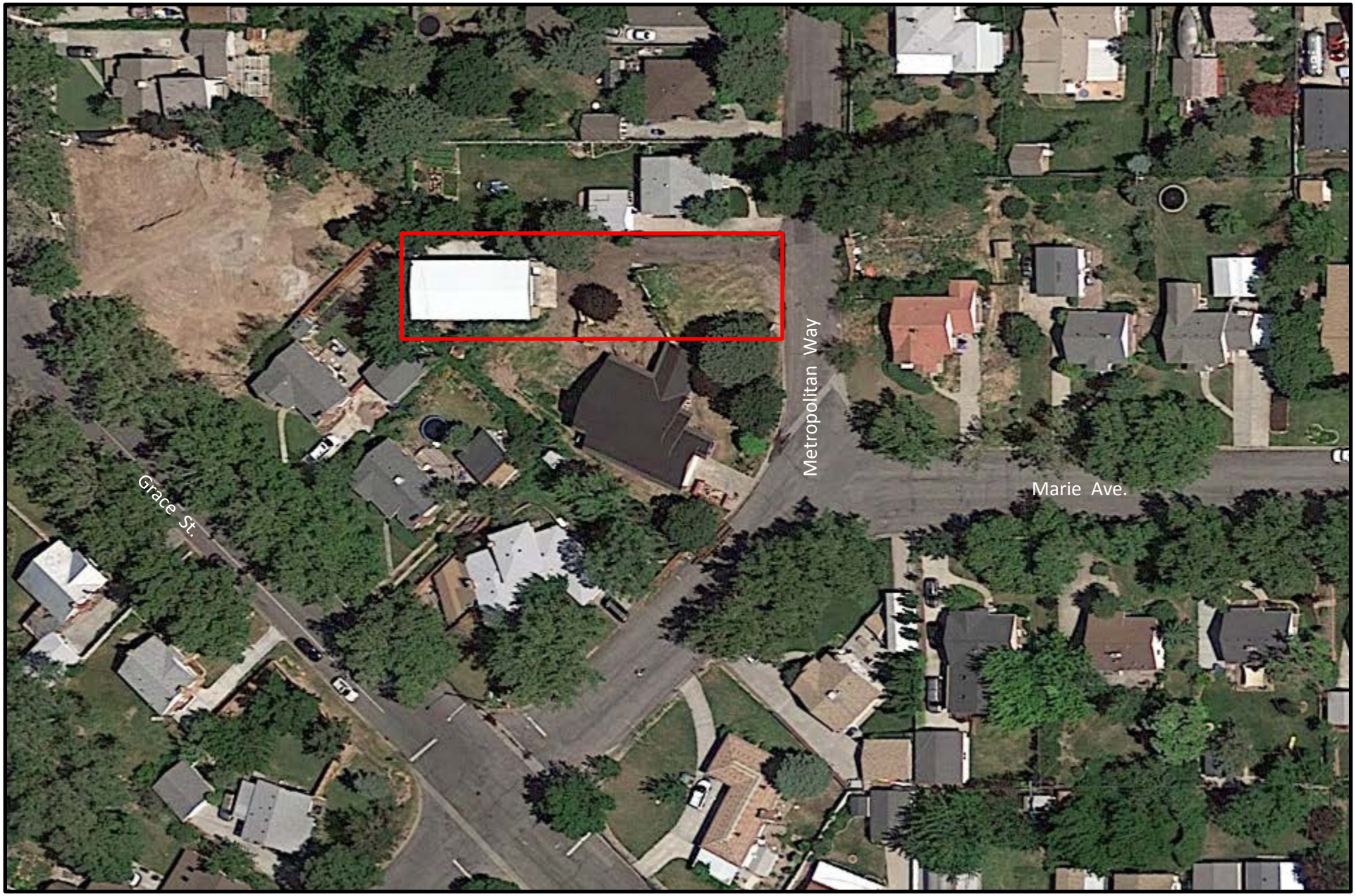
Motivations for pursuing special exception

1) Want to be able to "age in place" (master bedroom on main floor)
2) Piano room on main, teach students in home
3) Build large enough home to accommodate family gatherings on holidays (six children)
4) Be close to family (our son and his family live on corner of Joyce Drive and Metropolitan)
5) Provide wide enough drive way on north side of proposed home to allow convenient access
6) Love area

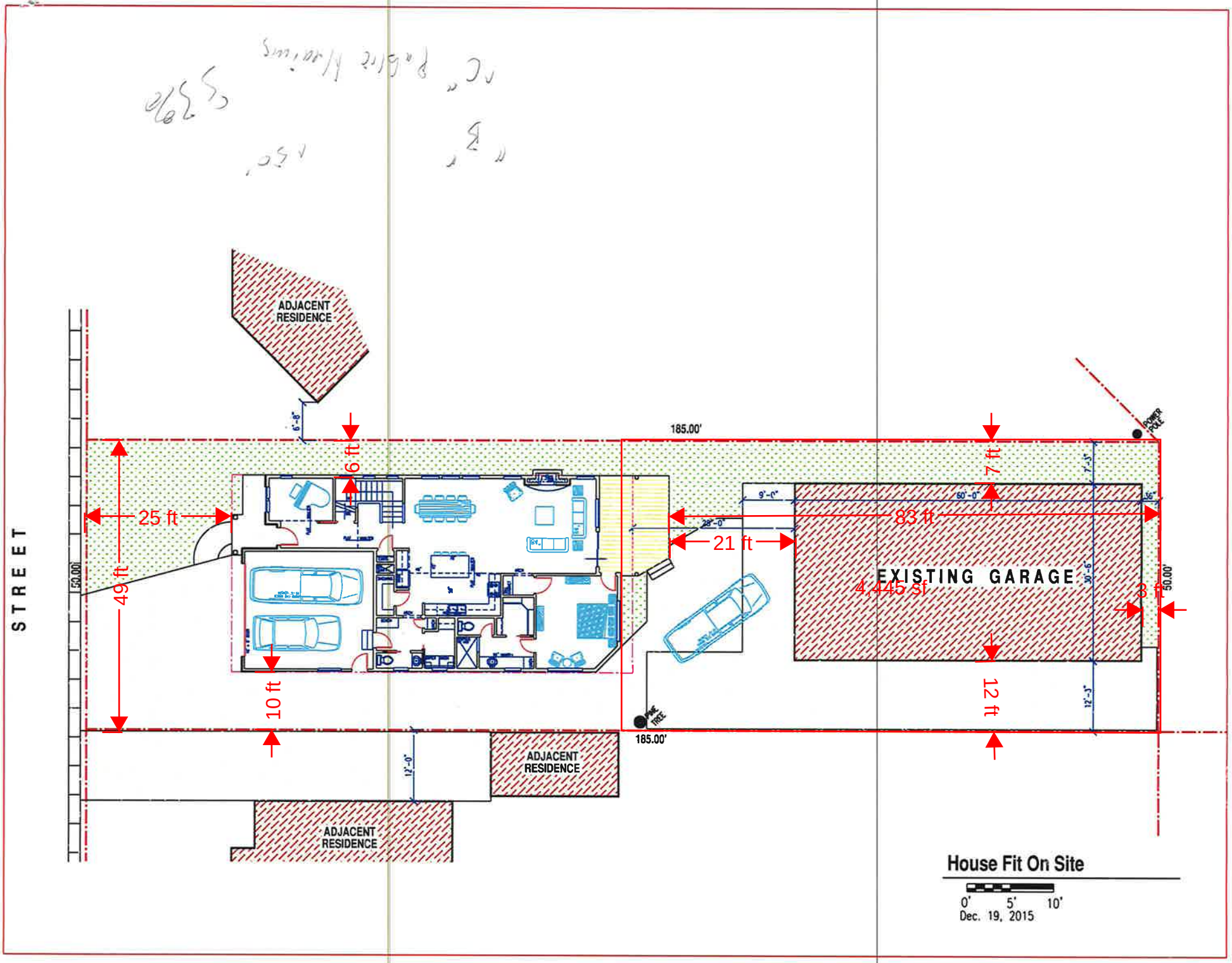
File #29851: Comments prepared by applicant and included with RCOZ Option C documentation on February 4 2016. -TZ

File #29851: Aerial View

3110 Metropolitan Way, Canyon Rim, Millcreek



Note: Image taken prior to parent lot subdivision. Parcel lines are estimated.


ADJACENT RESIDENCE
6'-8"
6 ft
185.00'
7 ft
25 ft
49 ft
10 ft
9'-0"
60'-0"
28'-0"
83 ft
21 ft
EXISTING GARAGE
4,445 sf
3 ft
50.00'
12 ft
7'-3"
30'-6"
12'-3"
POWER POLE
PINE TREE
185.00'
12'-0"
ADJACENT RESIDENCE
ADJACENT RESIDENCE
STREET
House Fit On Site
0' 5' 10'
Dec. 19, 2015

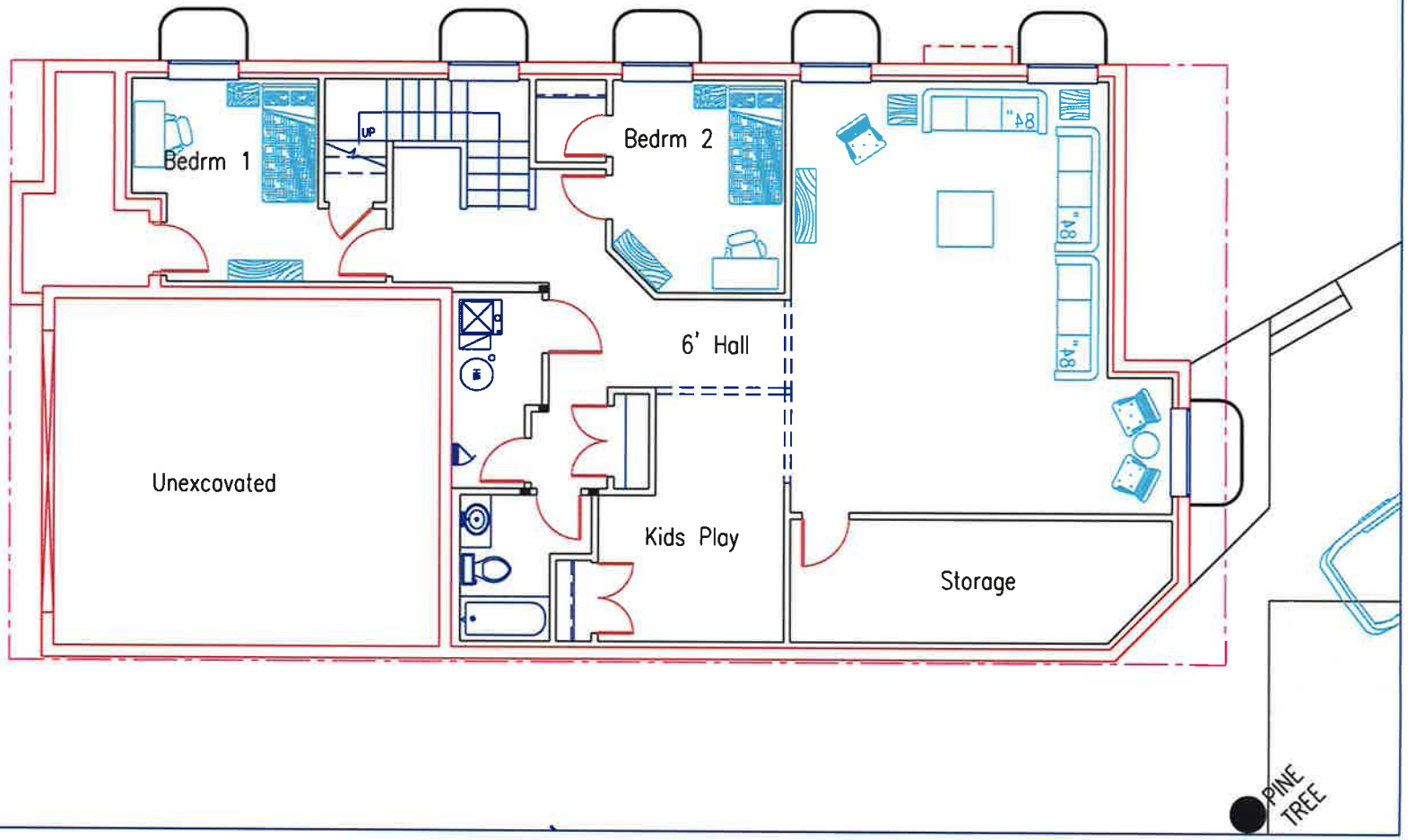
Basement Level Floor Plan

0' 5' 10'

Dec. 29, 2015

Family	18'-0" x 24'-6"		
Hall	4'-0" wide		
Kids Play	10'-10" x 14-0"	Storage Rm.	21'-8" x 7'-0" +
Bathrm	5'-0" x 8'-3"	Cold Storage	3'-4" x 12'-0" +
Bath Hall	3'-4" wide		
Mechanical	5'-0" x 11'-0"		
Bedrm 1	10'-6" x 11'-6"		
Bedrm 2	9'-9" x 12'-0"	Basement Level Square Footage: 1,605 s.f.	

185.

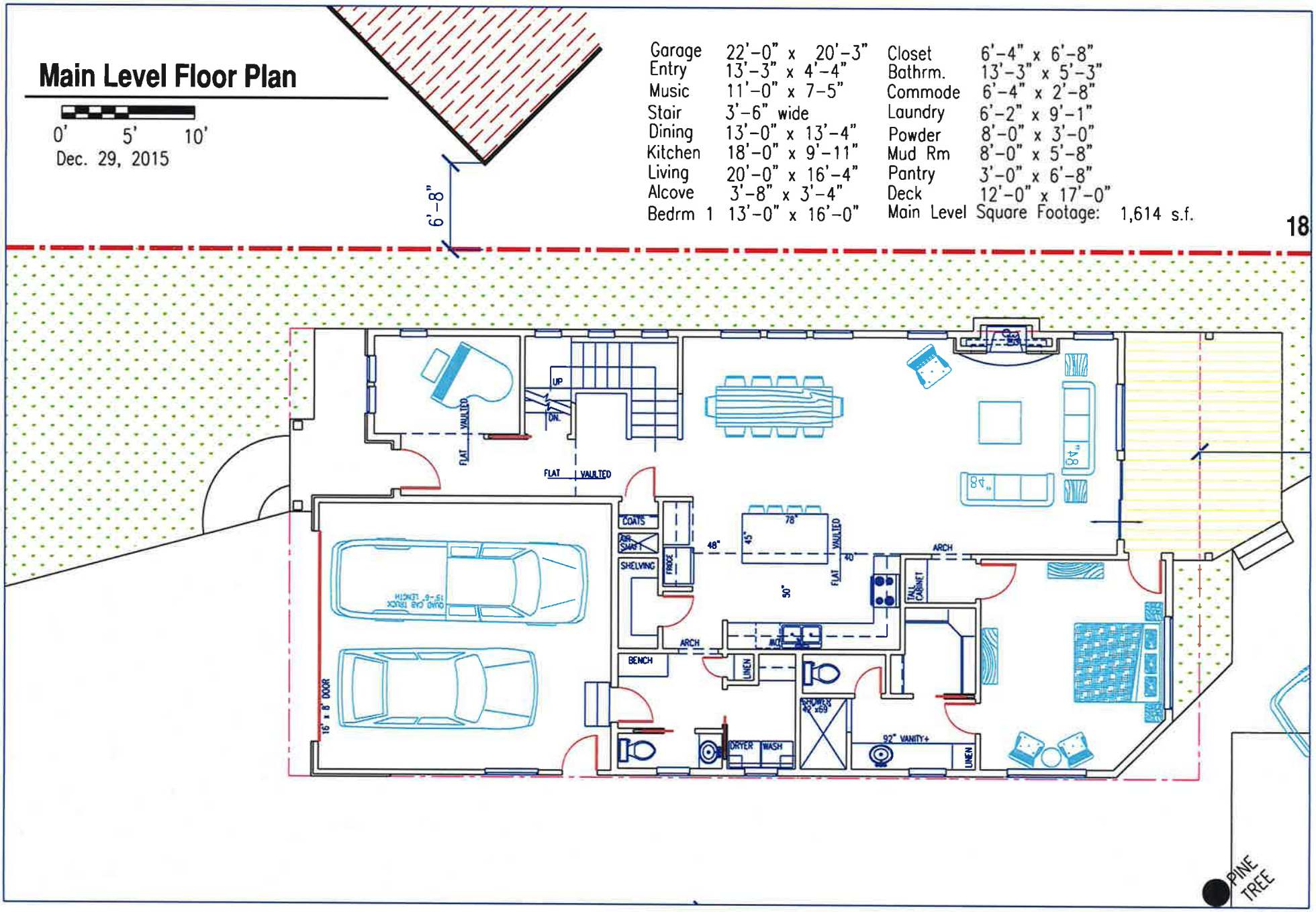


Main Level Floor Plan

0' 5' 10'

Dec. 29, 2015

Garage	22'-0" x 20'-3"	Closet	6'-4" x 6'-8"
Entry	13'-3" x 4'-4"	Bathrm.	13'-3" x 5'-3"
Music	11'-0" x 7-5"	Commode	6'-4" x 2'-8"
Stair	3'-6" wide	Laundry	6'-2" x 9'-1"
Dining	13'-0" x 13'-4"	Powder	8'-0" x 3'-0"
Kitchen	18'-0" x 9'-11"	Mud Rm	8'-0" x 5'-8"
Living	20'-0" x 16'-4"	Pantry	3'-0" x 6'-8"
Alcove	3'-8" x 3'-4"	Deck	12'-0" x 17'-0"
Bedrm 1	13'-0" x 16'-0"	Main Level Square Footage:	1,614 s.f.



Second Level Floor Plan

0' 5' 10'

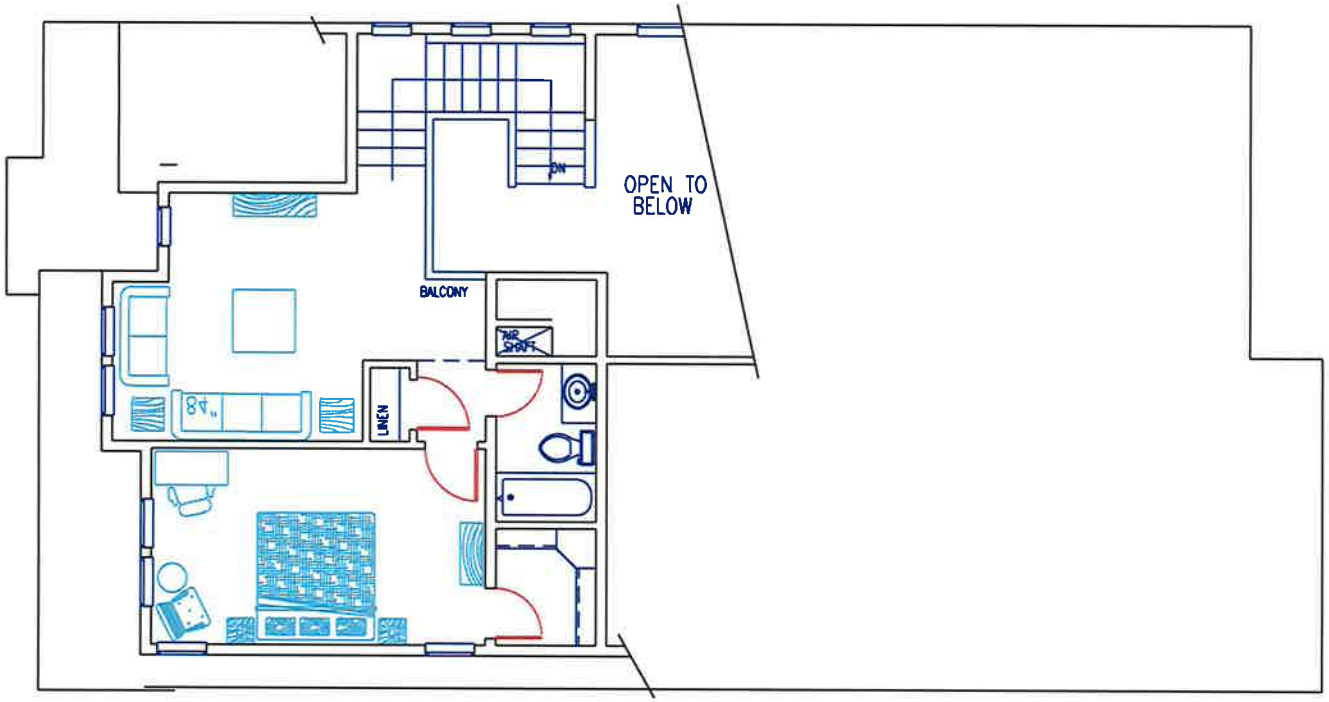
Dec. 29, 2015

6'-8"

TV Loft Area 14'-10" x 12'-7"
Bathrm 5'-0" x 8'-0"
Bedrm 2 16'-0" x 10'-0"
Closet 5'-0" x 5'-8"

Second Level Square Footage: 504 s.f.

185.00'

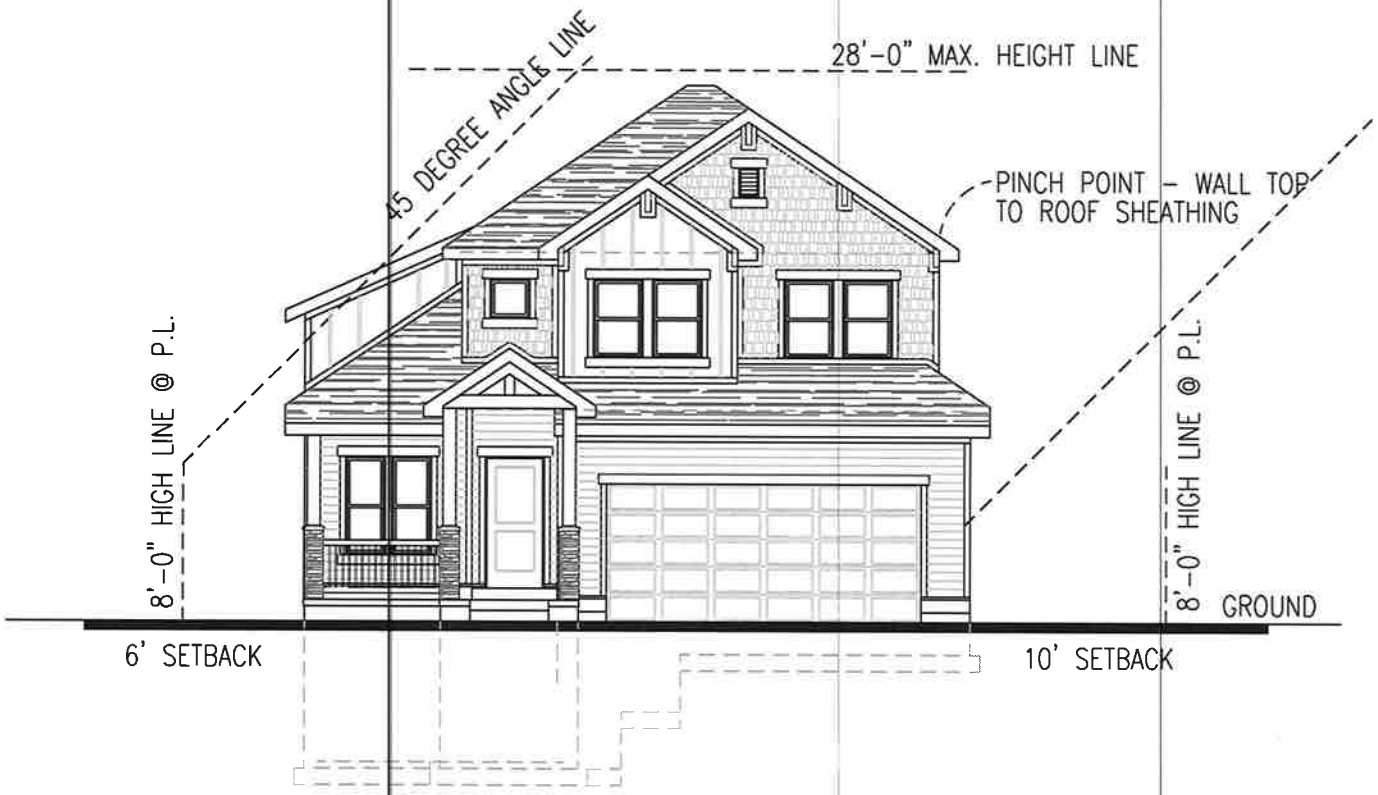


PINE TREE

East Elevation

0' 5' 10'

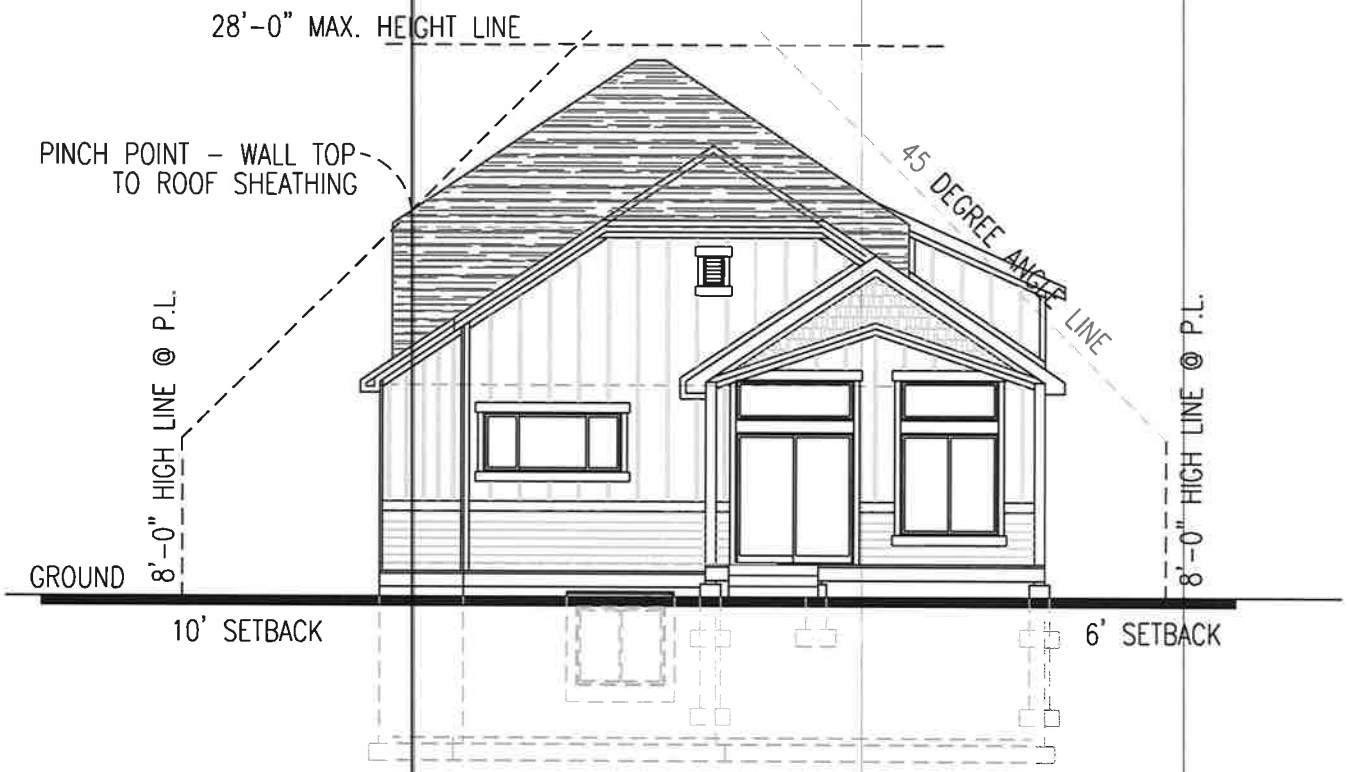
Dec. 29, 2015



West Elevation

0' 5' 10'

Dec. 29, 2015



North Elevation

0' 5' 10'

Dec. 29, 2015

South Elevation

0' 5' 10'

Dec. 29, 2015

SALT LAKE COUNTY
TOWNSHIPS

OFFICE OF TOWNSHIP SERVICES
Planning and Development Services
2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050
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MEETING MINUTE SUMMARY

MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING

Wednesday, March 16, 2016 3:00 p.m.

Approximate meeting length: 5 hours 47 minutes
Number of public in attendance: 30
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Stephens

*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	Public Mtg	Business Mtg	Absent
John Janson	x	x	
Tom Stephens (Chair)	x	x	
Geralyn Parker Perkins	x	x	
Ann Ober (Vice Chair)	x	x	
Shawn LaMar	x		
Andrew Gruber	x		
Pam Juliano			x
Jon Jemming (Alternate)	x	x	
Julia Tillou (Alternate)			x

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Max Johnson	x	x
Jeff Miller	x	x
Spencer Hymas	x	
Curtis Woodward	x	x
Todd Draper	x	
Alison Weyher	x	
David D. White	x	
Tom Zumbado	x	x
Chris Preston (DA)	x	x
Zach Shaw (DA)	x	x

BUSINESS MEETING

Meeting began at – 3:02 p.m.

1) FCOZ Ordinance Work Session (3:00 pm to 4:00 pm approximately)

Salt Lake County Township Services Zoning Administrator provided an overall list of discussions.

Commissioner Ober asked where the Mountainous Planning District Planning Commission ended up on stream setback. Mr. Woodward advised they recommended 100 feet for septic and 50 feet for buildings and structures.

Mr. Woodward went through the recommendations and changes by the MPDPC with the planning commissioners. Commissioner Ober asked if they feel comfortable with a pot. Mr. Woodward said it would be part of the study and how the money would be managed and who would manage them, and how would the funds go.

Commissioner Janson asked how many parking lots are not in performance with number three. Mr. Woodward said he didn't have the capability to complete that survey. He knows there are quite a few.

Emigration has over 100and Big Cottonwood Canyon has a lot that don't meet the 100 feet. Once you hit fifty feet the numbers will go down.

Commissioner Stephens asked if the BRC gave its own recommendation to the County Council. Mr. Woodward said there were two meetings with the BRC after the draft and discussed recommended changes and voted on. Some of the input was put into this version of the draft.

Commissioner Janson asked if they were concerned with the dashboard. Commissioner Ober said it's part of the mountain accord process and would be an 18 month process.

Commissioner Janson asked if the trigger for the overlay zone is any development or building permit request. Mr. Woodward confirmed it is any development. Obviously, the lesser amount of work, the simpler the review gets, because of the fewer factors.

Commissioner Jemming asked about the clarification written regarding the MRZ, could be an exception with the underlying zoning district. Mr. Woodward said with resorts by definition, they have lifts, the towers will be on slopes greater than 30%, by definition a ski resort needs built in, in order to function as a ski resort.

Commissioner Stephens said the word "virtually" has been struck on number 16. Mr. Woodward said they thought the word "undevelopable" needed a definition.

Mr. Woodward said they changed the word "shall" and replaced it with the word "may" on number 17.

Commissioner Stephens asked if fences had been struck from the draft regarding 42 inches. Mr. Woodward said concerns with wildlife corridors and getting stuck and recommended striking that exception.

Commissioner Stephens said he sent his own comments to the MPDPC on conditional and permitted uses and what recreational amenities have been changed. Mr. Woodward said the MRZ is still in the works and have more working meetings with them prior to their April meeting.

Commissioner Janson said on trees is that covering live trees and the beetle infestation and does the property owner have the right to remove the trees. Mr. Woodward confirmed which exceptions to remove trees.

Commissioner Janson asked about the parking lots drainage and is all the water being cleaned before it flows into the creek. Mr. Woodward said under current code not only are there FCOZ requirements, but EPA and should be filtered. Commissioner Ober said there is a Finn for all of the drainage coming out.

Commissioner Stephens asked about 19.72.060.2.A.III and his concern with the language to trigger someone regarding an undevelopable lot and if something better above 30% grade. Mr. Woodward said for a planning commission to make a judgment call and when there is a sight with less than 30% to build, it allows planning commission choose between the lesser of two evils. Commissioner Jemming asked where Salt Lake City weighed on that question and slope recommendations that exist come from scientific evidence. Mr. Woodward said they didn't make any recommendation and they have every right to justify an applicant and the developability on certain slopes. Commissioner Jemming said North Salt Lake didn't have ability to generate the questions, whether sites are dangerous. Mr. Woodward said this issue was discussed with the MPDPC and there is a chapter in the zoning ordinance that we are reviewing. Salt Lake County since the adoption of natural hazards and salt lake county has had a good track record and

discussed roads, we are working on that with the Utah geologic. Commissioner Jemming said he feels good about the 100 foot setback.

Commissioner Ober said concern was setback was getting reduced and she feels good. Commissioner Janson said a variety of good changes and eventually looking at the tree removal issue. Commissioner Stephens confirmed MPDPC has not made a recommendation to the county council on the MRZ. Mr. Woodward said they did adopt the creation of creating an MRZ and the structure, but not recommendation.

Commissioners had a brief discussion.

PUBLIC MEETING
Meeting began at – 4:00 p.m.

Commissioner LaMar arrived at 4:02 pm.

29877 – Introduction of the Millcreek General Plan Amendment: Millcreek Town Center Development Plan (see attached Plan). Amending the Millcreek General Plan, the development plan specifically addresses history, character, opportunities, design, implementation tools, transportation and land use goals and objectives, and data for the management of future investments into the 2300 East area at I-80, 3300 South and Evergreen Avenue. **Presenter:** Alison Weyher

Salt Lake County Township Services Economic Development David D. White provided an analysis of what they are trying to accomplish and brought up their talking points.

Commissioner Ober said Mayor McAdams would support this at a future date and she is really excited about this. Commissioner Janson said they received a letter from Mt. Olympus Community Council. County Counsel Chris Preston said all questions should be reserved for next month. Commissioner Janson said the general plan has a point of a town center, how would it be handled if only one town center is shown. Mr. White said if the plan is adopted, the center would be built at this section.

Salt Lake County Township Services Economic Development Director Alison Weyher said she doesn't think this will be the only town center in the future.

Commissioner Gruber arrived at 4:10 pm.

PUBLIC HEARINGS

Hearings began at – 4:11 p.m.

28983 – (Continued from 12/16/2015, 01/13/2016 and 02/10/2016) - Recommendation on amended Foothills and Canyons Overlay Zone; combining Chapters 19.72 and 19.73 into a revised FCOZ chapter (19.72) of the Salt Lake County Zoning Ordinance. **Presenter:** Curtis Woodward

Salt Lake County Township Services Zoning Administrator Curtis Woodward said they typed up the MPDPC recommendations and if they are interested to a copy of the motion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Log Haven
Name: Ed Marshall
Address: 6451 East Millcreek Road
Comments: Mr. Marshall said he needs to address two issues brought up. Limits of disturbance and stream setbacks. Wants a strong and clear ordinance. The property owners would take away 83% and leave 17%. He urges not to skew from the existing ordinance. Stream setback of fifty feet standard is the standard set under the US clean water act. The people with the science in charge of settling on a fifty foot setback and they feel it is appropriate.

Commissioner Ober asked how he feels about the questions around the disturbance area. Mr. Marshall said the MPDPC settled. He said as it is now, there is a standard. Possibility of a hotel, they aren't contemplating a hotel. There are many appropriate uses and log haven's owner has considered a wedding chapel.

Speaker # 2: Save Our Canyons
Name: Rob DeBirk
Address: 824 East Kensington Avenue
Comments: Mr. DeBirk said members agree they are all making here. Save our Canyons has been paying a lot of attention and have been close with the process. They had a number of concerns on stream setbacks, slopes and ridgeline, purpose statement, wildlife habitat section.

Mr. DeBirk addressed stream setback, slopes and ridgeline. They are very pleased the planning commission pushed back. They have looked at the importance of critical and maintain the habitat and during the research with the planning commission and what setbacks are. If you want to protect water quality, have setbacks at a minimum of one hundred feet. Wildlife habitat is three hundred to six hundred foot setbacks. Stream setback deserves applaud. He said they are disturbed by the possibility slopes could be pushed to forty percent. Landslides building at more than thirty percent. They don't want to allow buildable slopes above thirty percent. Ridgeline barriers, supported. Purpose statement, deemphasizes protecting wildlife and quality of life. Far different from original FCOZ. 92% of people supported original FCOZ. Wildlife section, where language was stripped and focused on protection of habitat, he found it disturbing.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion regarding setbacks and Commissioner Jemming doesn't think they should be rolled back from one hundred feet to fifty feet. Commissioner Ober asked about slope standards. Mr. Woodward said the basic slope standard is not different between the drafts. Commissioner Janson asked about lots of record versus new lots and there is a difference. Mr. Woodward said there are multiple layers from relief on the one hundred foot setback. Reducing one hundred to seventy-five can be approved for all lots. Criteria effective mitigation measures for protecting waterways and vegetation. If they can justify the reduction with specific site design from one hundred feet to seventy-five feet. Prior to FCOZ being enacted in 1998, when someone wants to build with an exception of seventy-five feet it can be obtained, but criteria is pretty strict. For a lot with existing structure and you want to build addition or detached, waivers can be granted up to a certain number of two hundred fifty square feet. Commissioner Jemming said a public speaker mentioned amended language in wildlife, we're not just taking in to account Salt Lake City, and we're taking into account wildlife. Mr. Woodward said wildlife section in this draft is much shorter than existing. As this draft is being put together, themes were repeated in wildlife and other sections. Commissioner LaMar asked about bathrooms. Mr. Woodward said most restrooms are on forest service lands. One of the most difficult issues in Big Cottonwood Canyon for example. A lot of homes and cabins were built with pit toilets. Even though a sewer line is going up the main canyon,

they have cabins that have sewer line in place and do an addition to build a bathroom, but since the existing bathroom is 10 feet from the stream, they still have to go through the health department and argue why they want to build on. Commissioner Ober asked about phone calls to DNR. Mr. Woodward said not since this summer. Commissioner Ober said dashboard talked about it and maybe update it at that time.

Motion: To recommend approval of application #28983 to the county council, as the same recommendation motion as the Mountainous Planning District Planning Commission. Should additional changes be made by the Mountainous Planning District Planning Commission, they will be brought back before the Millcreek Township Planning Commission.

Motion by*:* Commissioner Ober
2nd by: Commissioner Janson
Vote*:* Commissioner LaMar abstained, all other commissioners were in favor (of commissioners present). Motion passed.

29652 – (Continued from 01/13/2016 and 02/10/2016) - Wendell Alcorn is requesting preliminary plat approval of an amended subdivision to combine two existing lots. In addition, the applicant is seeking a recommendation to amend the underlying subdivision through a 608 process, and a recommendation for an Exception to Roadway Standards for the existing access drive for the home located at 4294 South Adonis Drive for the Mayor's Meeting. **Location:** 4294 & 4302 South Adonis Drive. **Zone:** R-1-21 (Single-Family Residential) **Community Council:** Mt. Olympus. **Planner:** Jeff Miller

Salt Lake County Township Services Planner Jeff Miller provided an analysis of the Staff report.

Commissioners and Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant
Name: Wendell Alcorn
Address: 4761 South 3200 West, Taylorsville
Comments: Mr. Alcorn said Mr. Miller has expanded on everything they have done. He appreciated the opportunity to speak.

PUBLIC PORTION OF MEETING CLOSED

Commissioner Stephens said he lives within 6 houses of these homes. They both have pools, one indoor, and the other outdoor. Mt Olympus community council has come before them twice and both gave a denial. If you combine these homes, on a very narrow lot, it will not be attractive and will need to tear down and rebuild.

Commissioners, Counsel and Staff had a brief discussion.

Commissioner Ober departed at 5:15 pm

Motion: To deny application #29652 for an amendment to the subdivision plat, per all potential neighborhood impacts and potential reasoning's discussed.

Motion by: Commissioner Janson
2nd by: Commissioner Perkins

Vote: Commissioner Jemming and Commissioner LaMar voted nay, all other commissioners voted in favor (of commissioners present). Motion passed.

29453 – (Continued from 01/13/2016 and 02/10/2016) - Dianne McDonald is requesting approval for an R-1-8 to R-2-8 rezoning of her property for the purpose of building a duplex in the future. **Location:** 4318 South 900 East. **Community Council**: Millcreek. **Planner:** Tom C. Zumbado

Salt Lake County Township Services Planner Tom C. Zumbado provided an analysis of the Staff report.

Commissioners, Staff and Counsel had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Surveyor
Name: Bob Hermanson
Address: 655 East 4545 South
Comments: Mr. Hermanson said the area is 8,004 square feet. It is legal, non-conforming and dates back to the early 1980's. As time went on zoning changed and became non-conforming. The applicant has gone through and tried to produce a duplex. Slight discrepancy and is encroaching on the neighbor's property. Layout presented does not take that area into consideration.

Commissioner Jemming asked if this is an intent to create a source of income and why not a mother-in-law.

Speaker # 2: Brother-in-law
Name: Steve McDonald
Address: 53 Skyline Drive, St. George
Comments: Mr. McDonald said at this point, she doesn't need assistance, but would like it in the future. She could use the extra income and the footprint would be less then what they could come up with for a mother-in-law. He thinks they covered the basis.

Speaker # 3: Surveyor
Name: Bob Hermanson
Address: 655 East 4545 South
Comments: Mr. Hermanson said it is currently legal, non-conforming. The owner is handicapped to improve the lot. It's a small piece of property, so the intent is to improve that.

Speaker # 4: Citizen
Name: Kenn Shosted
Address: 868 East 4315 South
Comments: Mr. Shosted said he doesn't see how a duplex can be built, that isn't the size for a duplex. Crowd a duplex on a lot twelve feet narrower, no matter how small, it's still a duplex and the lot is still too narrow. Isn't excited about this and hopes it isn't approved.

Speaker # 5: Millcreek Community Council
Name: Silvia Navejar Catten
Address: 1026 East Hillnew Drive
Comments: Ms. Catten said they reviewed this request in January and voted in favor, but they weren't aware it might be under the allotted space and no one from the neighborhood showed.

Speaker # 6: Brother-in-law
Name: Steve McDonald
Address: 53 Skyline Drive, St. George
Comments: Mr. McDonald said he wanted to see more photos on the property.

PUBLIC PORTION OF MEETING CLOSED

Commissioner LaMar said it is an odd lot and he is favor of the zone change. One of the best things that could happen to this and improve the property. As far as height, it could remain the same. Commissioner Jemming said he is opposed, as the lot is even narrower than originally thought. Mr. Zumbado was informed that a mother-in-law would require a zone change. Commissioner Janson said he has seen a lot of duplexes. He wonders long term if something was built if it would remain. House that's there is struggling and would like to see some improvement. Commissioner Gruber said this is a legislative action and they have discretion here. Commissioner LaMar asked if it was rezoned, would it be permissible.

Motion: To recommend approval of application #29453 to the County Council as presented.
Motion by: Commissioner LaMar
2nd by: Commissioner Gruber
Vote: Commissioner Jemming and Commissioner Perkins voted nay, all other commissioners voted in favor (of commissioners present). Motion passed.

Commissioner Jemming departed at 5:41 pm

29476 – Mark Lambourne is requesting preliminary plat approval for the 2 lot Winderway Flag Lot Subdivision. **Location:** 1644 East 4150 South. **Zone:** R-1-8. **Community:** Millcreek. **Planner:** Todd A. Draper

Salt Lake County Township Services Planner Todd A. Draper provided an analysis of the Staff report.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Bell Realty
Name: Ken Bell
Address: 4207 South Holladay Blvd.
Comments: Mr. Bell said he is working with staff on fitting the driveway. No neighbors to the east and quite a bit of privacy. Backlot meets all requirements.

PUBLIC PORTION OF MEETING CLOSED

Motion: To approve application #29476 as presented, with Staff recommendations.
Motion by*:* Commissioner Perkins
2nd by: Commissioner LaMar
Vote*:* Commissioners voted unanimous in favor (of commissioners present)

29663 – Jacob Ballstaedt is requesting a rezone from R-1-8 to R-1-3 on 1.37 acres. **Location:** 3511 South 1100 East. **Community Council**: Millcreek. **Planner:** Tom C. Zumbado

Salt Lake County Township Services Planner Tom C. Zumbado provided an analysis of the Staff report.

Commissioner Gruber said there are two parcels and both under the same ownership and its undeveloped and asked if it has always been undeveloped. Old conceptual plan, but not being asked to take action on anything, but the zone change and would have to come back as a PUD. Commissioner Janson asked about Millcreek commons plat map. Mr. Zumbado said the map was provided by the applicant. Commissioner Janson confirmed that since the time of the last planning commission meeting, he has become a partial owner on Lorraine drive, but would not cause him to not make a decision.

Commissioners, Counsel and Staff had a brief discussion. Mr. Hymas said R-1-3 is not listed in RCOZ.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant
Name: Jacob Ballstaedt
Address: 273 NE Capitol Street
Comments: Mr. Ballstaedt referred back to an applicant last year seeking an R-M zone and proposed twenty town homes, three stories. Application recommended by the community council, denied by planning commission. Concerns were height, density and town homes. They proposed this plan, all single family homes. Went to community council and received feedback from neighbors. Started a dialogue from neighbors. Concerns from them was, density, parking and perimeter setback. They made an effort to change the plan. Reduced units from fourteen to eleven, all detached garages and parking for visitors. Increased perimeter setback, now its fifteen feet and ten feet in other areas. Property is unique, the piece to the west was acquired to gain access and is a duplex and properties back twenty-five and eight feet on the creek. Removed the houses, replaced with newer, single family homes. Moved properties to the Northside so county can gain access. This is the most appropriate zone and in their opinion applicable use of the zone. There is some opposition to the zone change. R-1-8 requires .18 acres. Everything in red is less than .18 acres. Single family homes are compatible. Two story home, local home builder takes pride in themselves in building energy efficient homes.

Commissioner LaMar asked about the site plan, he asked if Millcreek goes underground access. Millcreek is between right of way and creek. Mr. Ballstaedt said he would not modify the creek. Blue line is a flood plain, he needs to go back and look at the map. Commissioner Janson said that was the flood plain. Ten foot setback, looking at fifteen foot setback in PUD as a minimum and wondering if this was approved would come in as a PUD or subdivision. Mr. Ballstaedt said would have to be a PUD. They range from 3,000 to 4,000 square feet. Commissioner Gruber asked if they have had a dialogue with neighbor concerns and if they were expressed on earlier proposals. Mr. Ballstaedt said all comments he received were for fourteen units and in an effort to address they created eleven units. Commissioner Janson asked if there was communication with larger lot neighbors. Mr. Ballstaedt said neighbor to the east was at their open house and Jubie Varoz to the south and north on the other side of creek with deep lots.

Speaker # 2: Millcreek Community Council
Name: Silvia Navejar Catten
Address: 1026 East Hillnew Drive
Comments: Ms. Catten said they opposed this application 5-3, because of the neighbors against the density, noise and traffic. She said it has been improved. This is reasonable, but a little small.

Commissioner Gruber asked when they could clarify when the vote was taken, now or earlier. Ms. Catten confirmed it was prior with more units.

Speaker # 3: Applicant
Name: Jacob Ballstaedt

Address: 273 NE Capitol Street
Comments: Mr. Ballstaedt said the previous plan was fourteen units, single family homes. Last year it was town homes.

Speaker # 4: Representing Jubie on the Southside
Name: Bill Miner
Address: 3513 South 1100 East
Comments: Mr. Miner said the problem with road going in, it borders Jubie's windows. They don't know the driveway width and flood plain and if it encroaches, both sides of the property will be flooded. Driveway would have to be resistant to flood. Need fire apparatus in and out. There are two homes adjacent to his windows. He asked if they are going to put in concrete and an abatement wall on the Southside of creek. Worried about the height and if there is a sunshine law in Utah. If this floods who picks up the water. New PUD won't absorb the water.

Speaker # 5: Citizen
Name: Sonia Lauzier
Address: 1148 Lorraine Drive
Comments: Ms. Lauzier said she's not opposed, but she is opposed to the rezone request. Main reason is density, pretty significant. She said Mr. Ballstaedt made the attempt to reduce it and significant for this area, bring safety concern. Lorraine drive is a thru way, people don't pay attention, no sidewalks and people parking. 1100 east doesn't have a center turn lane. Yes they are single family, two stories. The homes in the neighborhood, one story 1500 square feet. These homes will tower. Would like to see other zones considered. 3300 to 3900 are R-1-8. Mr. Ballstaedt said flood plain and shape of lot would cause waste of space. She understands an R-1-3, but is it the best choice for the neighborhood.

Speaker # 6: Citizen
Name: Sheryl Mather
Address: 3453 South 1100 East
Comments: Ms. Mather said she is in opposition to any zone change on 1100 east. There's a school and children walk right by the entrance, dangerous and changes the nature of the neighborhood. The established residents don't want to see it creeping in and should consider leaving it as it is. She is speaking on behalf of three others in the neighborhood.

Speaker # 7: Citizen
Name: Sandra Ence Paul
Address: 1162 East Lorraine Drive
Comments: Ms. Paul said she would like to sincerely ask to not change the zoning. She has lived there for 38 years. Her parents purchased her house and gifted it to her. Density is changing the neighborhood and she doesn't feel like the density and units in the area do this. The whole Millcreek area. All single level homes, except for one. She knew the original owner and planted old trees, ten huge pine trees, maintain tradition of nurturing the landscape. Original owner had goats and put in a pool for the entire neighborhood. It saddens her to see it all being developed. Asks if it is developed, not more than six units. She asked about infrastructure. Neighbors said they get flooding on the west from 1100 east.

Speaker # 8: Citizen
Name: Greg Lyman
Address: 3430 South 1100 East
Comments: Mr. Lyman said west of 1100 east used to be harling heights. Rich history and legacy. He came earlier and was super mad. He sees nothing like this on 1100 east. There should be more time, caution and feedback. He has questions as to the cost of the units. Pricey enough to have decent home

owner or if they ever become rentals. County just spent a fortune putting in curb and gutter. It's an eyesore now, but should think longer and harder before making a decision.

Speaker # 9: Citizen
Name: Ken Woods
Address: 3507 South 1100 East
Comments: Mr. Woods said he's trying to put three places right next to him, but he won't have sunlight for the rest of his life. Traffic pulling in and out. This should be cut back to eleven and would probably acceptable. He knew it was coming.

Speaker # 10: Citizen
Name: Barbara Andrade
Address: 949 Mill Creek Way
Comments: Ms. Andrade said her concern is for the creek. Honor the nature and there is history in the area. If it is possible to reduce the proposed development and keep nature in there. Concern with run off and pollution.

Speaker # 11: Applicant
Name: Jacob Ballstaedt
Address: 273 NE Capitol Street
Comments: Mr. Ballstaedt said he appreciates the comments and he visits with most of them. Property southern border is in a flood plain. According to the maps, some is in the flood plain, but not in the flood way. They have looked at other zones. The issue is the shape and constraints of the site. They were rentals for a long time and will replace and make the area efficient. Doesn't work any other way, there are too many restrictions. Fences on four sides of property and neighbors have gates to the property. They are concerned about trees and he will preserve them. Creek and run off, they will be required to follow SWPPP laws and not damage the creek. There is a house not taken care of right up against the creek. The houses can be removed and go on the other side. They look forward to revitalizing the area.

Commissioner Janson asked about a wall. Mr. Ballstaedt said not interested in a wall, but they can work on it. Commissioner Stephens asked the height to the ridgeline. Mr. Ballstaedt said building height is a concern. Houses range from 35 feet, not tall structures. Commissioner Janson asked about R-1-6 and you looked at it and weren't able to get a road on 6,000 square foot lots. Commissioner Janson asked about fifteen foot rear yard setback. Mr. Ballstaedt said that tight area is hard to increase, maintain driveway and garage. Commissioner Janson asked if there was concern with the driveway on Millcreek way. Mr. Ballstaedt said there weren't any comments made to him by staff or neighbors.

PUBLIC PORTION OF MEETING CLOSED

Commissioner Gruber confirmed they are being asked to recommend a zone change to the county council. Applicant would be required to come back.

Commissioners and Staff had a brief discussion.

Motion: To continue application #29663 to the April 13th meeting, with the option to come back with a new zone option.

Motion by*:* Commissioner Gruber
2nd by: Commissioner Perkins
Vote*:* Commissioners voted unanimous in favor (of commissioners present)

29545 – Adam Paul requests a conditional use approval for a 48 unit dwelling group townhouse project on 2.4 acres. **Location:** 965-971 East Murray Holladay Road. **Zone:** R-M. **Community Council:** Millcreek. **Planner:** Spencer Hymas

Salt Lake County Township Services Planner Spencer Hymas provided an analysis of the Staff report.

Commissioner LaMar asked about the west side being an existing fence and how tall it is. Mr. Hymas said four feet. Commissioner Stephens said 34.5 feet open space, but 50% is ordinance. Height is forty feet to the ridgeline. Mr. Hymas said concern with adjacent property not being an issue. Commissioner Janson asked about the recreational amenities if they include the jogging path. Mr. Hymas said he didn't see that. Commissioner Janson asked about the nice open space to the west, can it be taken advantage of. Mr. Hymas said the current existing buildings have a fence that runs along and they have a picnic area. Commissioner Janson asked about a walkway coming down and patio coming up. Seventeen feet between porch covers and twenty-one feet on foundations.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Citizen
Name: Adam Paul
Address: 1148 Legacy Crossing Blvd. #400, Centerville
Comments: Mr. Paul said he is excited about the project and attracting younger families and baby boomers families. The current offices are falling apart.

Commissioner LaMar confirmed they're all vacated now for the past year. Commissioner Janson asked if there was a path around the property. Mr. Paul said there isn't a path. Commissioner Gruber asked if people will have to drive or if there transit access. Opportunity for work nearby, but they're planning for vehicles. Mr. Paul said if you go out to the right, there is an extra green space to the walkway to the intersection. Buffer between their property and Van Winkle. Commissioner Stephens asked about the parking study. Mr. Paul said parking study was completed by a parking engineer. He will count and determine how much guest space is needed. Commissioner Stephens asked where the guest parking is. Mr. Paul said along the right side. Commissioner Stephens asked if there was a sidewalk on the east side. Mr. Paul said sidewalk that goes down the east side of the main drive. Commissioner LaMar asked about garbage. Mr. Paul said recycling and private. Commissioner LaMar asked about fence in the open space. Mr. Paul said it's a green chain link. They are thinking of solid fence on north or west side and will make the project feel more contained. Commissioner Janson said it will be interesting to look out west. Commissioner LaMar asked about bike parking, he would encourage having substantial bike parking and a benefit. Mr. Paul said in the designs, people ride into their garage.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion.

Motion: To approve application #29545, subject to technical review and staff recommendations one through three, with two additional conditions:

4. Architecture as proposed in the Staff Report.
5. Work with Staff to take advantage of the view and open space to the West.

Motion by*:* Commissioner Janson
2nd by: Commissioner Gruber
Vote*:* Commissioners voted unanimous in favor (of commissioners present)

29838 – Francisco Mirenda requests conditional use approval for a restaurant liquor license. **Location:** 4536 South Highland Drive. **Zone:** C-2. **Community Council:** Millcreek. **Planner:** Jeff Miller

Salt Lake County Township Services Planner Jeff Miller provided an analysis of the Staff report.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant's son
Name: Gisepa Mirenda
Address: 1927 Thorough Vista Way
Comments: Mr. Mirenda said all of their customers love them and they want to do everything the right way. They may not serve wine in the day. They're from Sicily and when they moved here and opened the first Italian restaurant here. They serve steak and salmon and brought their pastry man to make their pastries and dough.

PUBLIC PORTION OF MEETING CLOSED

Motion: To approve application #29838 as presented, with Staff Recommendations.
Motion by*:* Commissioner LaMar
2nd by: Commissioner Gruber
Vote*:* Commissioners voted unanimous in favor (of commissioners present)

29748 – **(Continued from 12/16/2015, 01/13/2016 and 02/10/2016) -** Amend Chapter 19.78 of the Salt Lake County Zoning Ordinance – Planned Unit Developments (PUD). **Presenter:** Max Johnson

Salt Lake County Township Services Planning Supervisor Max Johnson provided an analysis of the PUD Ordinance Amendment.

Commissioners and Staff went through Commissioners Stephens suggestions and the Summary list.

PUBLIC PORTION OF MEETING OPENED

No one from the public was present to speak.

PUBLIC PORTION OF MEETING CLOSED

Commissioner Perkins departed at 8:22 pm

Motion: To recommend approval of file #29748 to the County Council, with the nine items addressed in the Summary of Issues, per previous motions.
Motion by*:* Commissioner Janson
2nd by: Commissioner LaMar
Vote*:* Commissioners voted unanimous in favor (of commissioners present)

BUSINESS MEETING (cont.)

Meeting began at – 8:46 p.m.

2) Approval of Minutes from the October 14, 2015 meeting.

Motion: To approve minutes from the October 14, 2015 meeting as presented.

Motion by*:* Commissioner Gruber
2nd by: Commissioner Janson
Vote*:* Commissioners voted unanimous in favor (of commissioners present)

3) Approval of Minutes from the November 18, 2015 meeting.

Motion: To approve minutes from the November 18, 2015 meeting as presented.
Motion by*:* Commissioner Gruber
2nd by: Commissioner Janson
Vote*:* Commissioners voted unanimous in favor (of commissioners present)

4) Approval of Minutes from the December 16, 2015 meeting.

Motion: To approve minutes from the December 16, 2015 meeting as presented.
Motion by*:* Commissioner LaMar
2nd by: Commissioner Gruber
Vote*:* Commissioners voted unanimous in favor (of commissioners present)

5) Approval of Minutes from the January 13, 2016 meeting.

Motion: Minutes from the January 13, 2016 meeting postponed to April.
Motion by*:*
2nd by:
Vote*:*

6) Approval of Minutes from the February 10, 2016 meeting.

Motion: Minutes from the February 10, 2016 meeting postponed to April.
Motion by*:*
2nd by:
Vote*:*

7) Ordinance Issues from today's meeting

8) Bylaws Adoption

Max Johnson advised they recommended approval of the bylaws last year and has been adopted by the County Council.

9) New email addresses

Max Johnson advised they have all received a Salt Lake County email address and will need to make sure they have access, as moving forward shortly.

10) Other Business Items (as needed)

MEETING ADJOURNED

Time Adjourned – 8:49 p.m.