

**SOUTH SALT LAKE CITY ON THE MOVE**

## CITY COUNCIL

BEN PENDER  
COREY THOMAS  
SHARLA BYNUM  
PORTIA MILA  
SHANE SIWIK  
MARK KINDRED  
RAY DEWOLFE

220 E MORRIS AVE  
SUITE 200  
SOUTH SALT LAKE CITY  
UTAH  
84115  
P 801.483.6027  
F 801.464.6770  
TTY: 711  
SSLC.COM

**CHERIE WOOD**  
MAYOR

220 E MORRIS AVE  
SUITE 200  
SOUTH SALT LAKE CITY  
UTAH  
84115  
P 801.464.6757  
801.464.6770  
TTY: 711

## South Salt Lake City Council REGULAR MEETING AGENDA

Public notice is hereby given that the South Salt Lake City Council will hold a Regular Meeting on **Wednesday, August 22, 2018** in the City Council Chambers, 220 East Morris Avenue, Suite 200, commencing at **7:00 p.m.**, or as soon thereafter as possible.

Conducting: Sharla Bynum, District 3  
Council Chair: Ben Pender  
Sergeant at Arms: Cody Coggle

### Opening Ceremonies

1. Welcome/Introductions
2. Serious Moment of Reflection/Pledge of Allegiance

Sharla Bynum  
Portia Mila

### Approval of Minutes

July 25, 2018 Regular Meeting  
July 25, 2018 Work Meeting

### No Action Comments

1. Scheduling
2. Citizen Comments/Questions
  - a. Response to Comments/Questions  
(at the discretion of the conducting Council Member)
3. Mayor Comments
4. City Attorney Comments
5. City Council Comments
6. Council Attorney Comments

City Recorder

### Action Items

### NEW BUSINESS

1. A Resolution Expressing the Intent to Adjust its Common Boundaries with Salt Lake City regarding an existing parcel located at 2508 S. 500 E. which is currently located within the boundaries of Salt Lake City; Authorizing a Public Hearing thereto; Providing for Notice of said hearing; and providing an Effective Date
2. An Ordinance Amending Chapter 15.12 – Subdivision and Development Standards

Mayor Wood

Mayor Wood

### Motion for Closed Meeting

### Adjourn

Posted August 17, 2018

See Page Two for Continuation of Agenda

Those needing auxiliary communicative aids or other services for this meeting should contact Craig Burton at 801-483-6027, giving at least 24 hours' notice.

In accordance with State Statute and Council Policy, one or more Council Members may be connected via speakerphone.

**Citizen Comments/Question Policy**

Time is made available for anyone in the audience to address the Council and/or Mayor concerning matters pertaining to City business. When a member of the audience addresses the Council and/or Mayor, he or she will come to the podium and state his or her name and address. Citizens will be asked to limit their remarks/questions to five (5) minutes each. In meetings during which numerous individuals wish to comment, the time for all citizen comments may be limited to three (3) minutes each, at the discretion of the conducting Council Member. The conducting Council Member shall have discretion as to who will respond to a comment/question. In all cases the criteria for response will be that comments/questions must be pertinent to City business, that there are no argumentative questions and no personal attacks. Some comments/questions may have to wait for a response until the next regular council meeting. The conducting Council Member will inform a citizen when he or she has used the allotted time. Grievances by City employees must be processed in accordance with adopted personnel rules.

CITY OF SOUTH SALT LAKE  
CITY COUNCIL MEETING

COUNCIL MEETING	Wednesday, August 22, 2018 7:00 p.m.
CITY OFFICES	220 East Morris Avenue South Salt Lake, Utah 84115
PRESIDING	Council Chair Ben Pender
CONDUCTING:	Sharla Bynum
SERIOUS MOMENT OF REFLECTION/ PLEDGE OF ALLEGIANCE	Portia Mila
SERGEANT AT ARMS	Chad Leetham

COUNCIL MEMBERS PRESENT:

Sharla Bynum, Ray deWolfe, Mark Kindred, Portia Mila,  
Ben Pender, Shane Siwik and Corey Thomas

STAFF PRESENT:

Mayor Wood  
Mike Florence, Community and Economic Development Director  
Craig Burton, City Recorder  
Ariel Andrus, Deputy City Recorder

OTHERS PRESENT:

See attached list.

**APPROVAL OF MINUTES**

**July 25, 2018 Regular Meeting.** Council Member Mila made a motion to approve these minutes.

MOTION: Portia Mila  
SECOND: Corey Thomas  
Voice Vote:  
Bynum: Yes  
deWolfe: Yes  
Kindred: Yes  
Mila: Yes  
Pender: Yes  
Siwik: Yes  
Thomas: Yes

**July 25, 2018 Work Meeting.** Council Member deWolfe made a motion to approve these minutes.

MOTION: Ray deWolfe  
 SECOND: Corey Thomas  
Voice Vote:  
 Bynum: Yes  
 deWolfe: Yes  
 Kindred: Yes  
 Mila: Yes  
 Pender: Yes  
 Siwik: Yes  
 Thomas: Yes

**NO ACTION COMMENTS**

1. **SCHEDULING.** The City Recorder informed those at the meeting of upcoming events, meetings, activities, etc.
2. **CITIZEN COMMENTS/QUESTIONS. Susan Bowlden, 419 E. Burton Ave.** She asked if ACLU was involved with the Open to All group that was discussed in the work meeting and if so, they might have a representative to reach out to for questions.

**Jane Qualiziza, 74 West Malvern Ave.** She stated that Dan Mack is building two homes next door to her and it is causing a disturbance with the amount of dust it is making. The Salt Lake County Health Department told Mr. Mack to find a way to control the dust but it continues. She is a caregiver for a Vietnam vet and he has lung problems and cannot handle the dust anymore. They would like help in handling this situation.

3. **MAYOR COMMENTS.** Mayor Wood said over the summer Bike Utah came to all the summer programs in South Salt Lake and taught kids how to safely ride their bikes. At the end of the program every child that needed a bike, a helmet and/or bike lock was given those things.
4. **CITY ATTORNEY COMMENTS.** None
5. **CITY COUNCIL COMMENTS.** Council Member Mila congratulated Council Member Bynum for winning Salt Lake County's pie baking contest.

Council Member deWolfe participated in Twelve Annual Fallen Officer Memorial Ride and it was a great experience.

Council Member Siwik complimented City staff and volunteers for the great job they did building the playground at Lion's Park.

Council Chair Pender commented on Council Member Mila's serious moment of reflection about the firefighter that lost his life and he thanked first responders for all that they do.

Council Member Kindred thanked the fire department for attending a volunteer lunch last minute last week it made a lot of people happy. He reached out to Columbus Community Center and he would like the Council to take a tour of their facility before an upcoming Council meeting in the future. The Central Valley meeting was today and the Council is going to need to pass something in regards to the interlocal agreement and he would like to that be on the next meeting. West Valley City lost a code enforcement officer recently and he just wanted to recognize everything those officers go through on a day to day basis and would also like to send out thoughts and prayers to the officer that lost her life.

Council Member Bynum agreed that the playground at Lion's Park turned out amazing and thanked the sponsors that made that all possible. School is back in session so please keep eyes out for kids walking to and from school.

**6. COUNCIL ATTORNEY COMMENTS. None**

**ACTION ITEMS**

**NEW BUSINESS**

- 1. A Resolution expressing the intent to adjust its common boundaries with Salt Lake City regarding an existing parcel located at 2508 South 500 East which is currently located within the boundaries of Salt Lake City; Authorizing a public hearing thereto; Providing for notice of said hearing; and providing an effective date.** Community and Economic Development Director, Mike Florence, gave the Council two maps regarding the property being discussed. A copy is attached to these minutes and incorporated by this reference. A copy of the Resolution is also attached and incorporated by this reference. If this Resolution is passed at this meeting tonight and the public hearing is set for October 24<sup>th</sup> that will help the City keep up with the timing of Salt Lake City for this boundary adjustment.

Council Member Siwik made a motion to suspend the rules.

MOTION: Shane Siwik

SECOND: Ben Pender

**Roll Call Vote:**

Bynum:	Yes
deWolfe:	Yes
Kindred:	No
Mila:	Yes
Pender:	Yes
Siwik:	Yes
Thomas:	Yes

Council Member Kindred made a motion to approve this resolution.

MOTION: Mark Kindred

SECOND: Portia Mila

Roll Call Vote:

Bynum: Yes

deWolfe: Yes

Kindred: Yes

Mila: Yes

Pender: Yes

Siwik: Yes

Thomas: Yes

2. **An Ordinance amending Chapter 15.12 – Subdivision and Development Standards.** Mr. Florence advised the Council that the Planning Commission has made a recommendation to the Council to amend Chapter 15.12 which is the Subdivision and Development Standards. A copy of the staff report and the Ordinance are attached to these minutes and incorporated by this reference.

Council Member Mila made a motion to move this ordinance to Unfinished Business for the September 5, 2018 Regular meeting

MOTION: Portia Mila

SECOND: Shane Siwik

Voice Vote:

Bynum: Yes

deWolfe: Yes

Kindred: Yes

Mila: Yes

Pender: Yes

Siwik: Yes

Thomas: Yes

Council Member Mila made a motion to adjourn.

MOTION: Portia Mila

SECOND: Mark Kindred

Voice Vote:

Bynum: Yes

deWolfe: Yes

Kindred: Yes

Mila: Yes

Pender: Yes

Siwik: Yes

Thomas: Yes

The meeting adjourned at 7:28 p.m.

A handwritten signature in black ink, appearing to read "Ben Pender", written over a horizontal line.

Ben Pender, Council Chair

A handwritten signature in blue ink, appearing to read "Craig D. Burton", written over a horizontal line.

Craig D. Burton, City Recorder

August 22, 2018

## CITY COUNCIL WORK MEETING LIST OF ATTENDEES

[illegible]









RESOLUTION NO. 2018 - 11

A RESOLUTION OF THE SOUTH SALT LAKE CITY COUNCIL  
EXPRESSING THE INTENT TO ADJUST ITS COMMON BOUNDARIES  
WITH SALT LAKE CITY; AUTHORIZING A PUBLIC HEARING THERETO;  
PROVIDING FOR NOTICE OF SAID HEARING; AND PROVIDING AN  
EFFECTIVE DATE

Whereas, Utah Code § 10-2-419 establishes a procedure for adjustment of the common boundaries between adjacent municipalities; and

Whereas, the City of South Salt Lake owns abutting parcels which lie along and are divided by the boundary between Salt Lake City and the City of South Salt Lake; and

Whereas, one of the parcels is situated within Salt Lake City at 2508 South 500 East Street; and

Whereas, the City of South Salt Lake intends to utilize its parcel that is presently situated within Salt Lake City in concert with its abutting property develop for public purposes; and

Whereas, the City of South Salt Lake and Salt Lake City have determined that it is in the best interest of both municipalities to adjust their common boundaries to provide greater efficiency in municipal services; and

Whereas, the City of South Salt Lake and Salt Lake City desire to adjust their municipal boundaries as provided by State law by adding the South Salt Lake-owned property and a portion of an existing street to be wholly within the municipal boundaries of the City of South Salt Lake; and

Now therefore, be it resolved by the South Salt Lake City Council that:

1. The City Council of the City of South Salt Lake, in accordance with the terms of Utah Code § 10-2-419, finds that a boundary adjustment to its common boundaries with Salt Lake City is in the best interests of the residents of the City of South Salt Lake. A map showing the location of the proposed adjustment area is attached as Exhibit A to this resolution.
2. The City of South Salt Lake intends to adjust the common municipal boundaries with Salt Lake City in the location(s) set forth in Exhibit A attached hereto.
3. The City Council shall schedule a public hearing within sixty (60) days of the adoption of this resolution in accordance with the requirements of will Utah Code § 10-2-419.

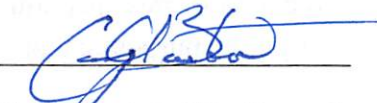
Passed by the City Council of the City of South Salt Lake, Utah, this 22 day of August 2018

City Council of the City of South Salt Lake



Ben Pender, Chair

Attest:

  
Craig Burton, City Recorder

City Council Vote as Recorded:

Beverly	<u>Yes</u>
deWolfe	<u>Yes</u>
Kindred	<u>Yes</u>
Mila	<u>Yes</u>
Pender	<u>Yes</u>
Siwik	<u>Yes</u>
Thomas	<u>Yes</u>

APPROVED AS TO FORM

DATE: 8/16/18

  
CITY ATTORNEY

## Exhibit A

Legal description of the area of common boundary with Salt Lake City.

Legal description of area to become part of the City of South Salt Lake jurisdiction:

Beginning at the Southeast corner of Lot 15, Block 42, 10 Acre Plat A, Big Field Survey, and running along the existing Salt Lake City Boundary the following 3 courses: 1) West 232.03 feet; 2) North 114.93 feet; 3) East 232.03 feet; thence South 114.93 feet to the point of beginning.

Contains 26,667 square feet, or 0.612 acres, more or less.

Exhibit 'A'

SOUTH SALT LAKE  
SALT LAKE CITY

232.03'  
EAST

2508 South 500 East  
South Salt Lake City  
16-19-407-010

EXISTING SALT LAKE CITY BOUNDARY

NEW SALT LAKE CITY BOUNDARY

114.93'  
NORTH

114.93'  
SOUTH

500 EAST

POB

SALT LAKE CITY  
SOUTH SALT LAKE

232.03'  
WEST

SOUTH SALT LAKE  
SALT LAKE CITY

Southeast Corner  
Lot 15, Block 42  
10 Acre Plot A





## CITY COUNCIL STAFF REPORT

**MEETING DATE:** August 22, 2018  
**PROJECT NUMBER:** T-18-002  
**REQUEST:** Ordinance Amendment to Title 15.12  
**APPLICANT:** South Salt Lake City  
**PREPARED BY:** Michael Florence

### SYNOPSIS:

South Salt Lake City is petitioning the City Council for an ordinance amendment to modify Title 15.12 – Subdivision and Development Standards. The Planning Commission gave a unanimous recommendation to amend the ordinance. The proposed amendment updates definitional language as well as amends ordinance language under the Regular Subdivisions requirements. Currently under this form of subdivision, the City is limited to subdivisions for owner occupied residential, commercial and industrial development. Removing the owner occupied residential requirement provides the City a process to be able to review subdivision proposals as long as they meet engineering standards, front on a public street, meet the minimum lot size of the respective zone and are supported by required public infrastructure.

### STAFF and PLANNING COMMISSION RECOMMENDATION:

A recommendation to the City Council to amend Title 15.12, Subdivision and Development Standards, based on the following findings:

1. The proposed ordinance is consistent with the General Plan goals of regulating land uses based on compatibility with surrounding uses and to determine economic advantages and capitalize on them.
2. The proposed ordinance is consistent with the goal of the land use code to provide for health, safety, and welfare and promote the prosperity, improve the morals, peace, good order, comfort, convenience, and aesthetics of the City of South Salt Lake and its present and future inhabitants and businesses. As well as to enhance the quality of life in South Salt Lake by improving the community's appearance, safety, education, positive outlook, gathering places and positive momentum.

### Proposed Ordinance:

ORDINANCE NO. 2018-\_\_\_\_

**AN ORDINANCE OF THE CITY OF SOUTH SALT LAKE CITY COUNCIL  
AMENDING CHAPTER 15.12 -- SUBDIVISION AND DEVELOPMENT  
STANDARDS**

WHEREAS, the City Council is authorized by state law to enact and amend ordinances establishing land use regulations to foster a broad array of public purposes;

WHEREAS, the city's current Subdivision and Development Standards Ordinance precludes orderly economic development and dedication of public infrastructure by excluding a variety of authorized land uses from the subdivision process;

WHEREAS, this codified limitation can be revised to harmonize with the plain language of SSLC Code Title 17 Zoning and thereby facilitate the orderly subdivision and development of authorized land uses;

WHEREAS, on \_\_\_\_\_, 2018 the Planning Commission held a properly noticed public hearing to consider the proposed amendment to SSLC Code Sections 15.12.040 and 15.12.710;

WHEREAS, the Planning Commission thereafter positively recommended that the Council adopt the proposed amendment as described below;

WHEREAS, the City Council finds that the proposed amendment promotes economic development and facilitates the orderly subdivision of land; and

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of South Salt Lake City as follows:

**SECTION I: Amendment.** Amend selected provisions of SSLC Code Section 15.12.040 as follows:

15.12.040 Definitions

"Cul-de-sac" means a minor terminal (dead end) street ~~provided~~ with a turn- around.

"Development" means any building activity or clearing of land; any modification of any lot or parcel boundary; or any subdivision of land, including the creation of separate development pads, common areas, condominium units, multi-family residential dwellings, commercial or industrial structures. ~~a proposed or approved improvement to land or buildings which shall be done as a regular subdivision, nonresidential development, rental residential development or PUD development. The use of the term development herein shall be interchangeable with any and all of the types of development named in this definition.~~

"Lot" means a legally subdivided parcel or tract of land development pad. ~~abutting a public or private street or which has a legal existing lot right-of-way access to a street, which is or may~~



~~be occupied by one building and the accessory buildings or uses customarily incident thereto, including such open spaces and parking areas as are arranged and designed to be used in connection with the building according to the requirements of this chapter and/or the zone within which the lot is located.~~

"Mixed use development" means any development containing residential and commercial/industrial uses within the project area. ~~Such developments shall be done as a PUD.~~

"Multi-tenant development" means any commercial/industrial (nonresidential) development of land where more than one tenant will occupy a single building or series of adjoining buildings ~~or where more than one building is located on a single parcel of land or multiple parcels wherein each building does not have its own lot. Shall include such developments as strip malls, business parks and other similar developments.~~

"Owner occupied residential development" means those developments wherein ~~the type of each dwelling unit is customarily sold subdivided and recorded with an unique tax parcel identification number. to individual owners and includes such developments as regular single family home subdivisions meeting the requirements of the respective zone in which they are located. Other types of ownership developments such as townhomes, twin homes, condominiums and others including those with private streets shall be treated as PUD developments.~~

"Planned unit development (PUD)" means an integrated design for subdivision and development that is authorized within a Planned Unit Development Overlay Zone. ~~of residential, commercial or industrial uses, or limited combinations of such uses, in which one or more of the zoning regulations or development standards may be varied or waived to allow flexibility and creativity in site and building design and location in accordance with an approved plan and imposed requirements.~~

"Public improvements" means streets, curb, gutter, sidewalk, trails, parks, water and sewer lines, storm sewers, flood control facilities, and other similar facilities which are required to be dedicated to the city or a separate public entity in connection with development, conditional use or site plan approval.

"Public right-of-way" means any right-of-way, road, street, alley, lane, court, place, viaduct, tunnel, culvert, trail, or bridge laid out or erected as such by the public or dedicated to or abandoned to and accepted by the public or made such in any action by the development of real property, ~~and includes the entire area within the right-of-way.~~

"Rental residential development" means ~~residential~~ development of equivalent residential units that are not subdivided and recorded with separate tax parcel identification numbers. is one owner in nature; one parcel of property, or a contiguous property area made up of two or more parcels; and being residentially occupied by rent or lease methods. Commonly referred to as apartments but may be other types.

"Right-of-way" means any improved and defined recorded access ~~way~~ for vehicular traffic, such as streets, roads, alleys, lanes and other similar descriptions, which provides access to a property or building consistent with City standards. ~~May be public or private and includes the entire area within the right-of-way.~~

"Small development" means a subdivision of not more than three lots or units, or a multi-tenant development of less than one-half acre or four tenants whichever is the smaller, ~~or a PUD development of less than four owner occupied dwelling units or one-half acre whichever is the smaller, and which meets the requirements for such development as specified herein.~~

"Street" means any improved public right-of-way for vehicular traffic or any private right of way dedicated and improved to city standards ~~which that~~ provides the principle access to a property. ~~May be public or private and includes the entire area within the right-of-way.~~

Street, Arterial. "Arterial street" means a street ~~existing or proposed to serve as a major traffic way and is~~ designated in the master street plan as a controlled-access highway or major street parkway, ~~or other equivalent term to identify those streets comprising the basic structure of the street plan.~~

Street, Freeway. "Freeway street" means a street with ~~a~~ fully controlled access designed to link major destination points. ~~A freeway is designed for high speed traffic with a minimum of four travel lanes.~~

~~Street, Half. "Half street" means the portion of a street within a development comprising at least one-half of the minimum required right-of-way on which improvements are constructed and in accord with one-half of an approved typical street section. Half streets are not allowed in South Salt Lake City.~~

Street, Local. "Local street" means a ~~minor street which that is~~ provides access to abutting properties and protection from through traffic. designated as such in the master street plan.

Street, Major Collector. "Major collector street" means a street that is designated as such in the master street plan, ~~existing or proposed, which is the main means of access to the major street system.~~

Street, Minor Collector. "Minor collector street" means a street, ~~existing or proposed, which is supplementary to a collector street and of limited continuity which serves or is intended to serve the local needs of a neighborhood that is designated as such in the~~ master street plan.

Street, Private. "Private street" means a right-of-way ~~which that~~ has been improved to City standards and reserved by dedication dedicated by a recorded plat unto the developer or lot owners to be used as a private access, with the right of public use, to serve specific property. ~~All private streets shall be approved by the city and maintained by the developer or other private agency.~~

Street, Public. "Public street" means a right-of-way ~~which that~~ has been dedicated to the city ~~and accepted by the city council by plat,~~ or ~~which that~~ the city has acquired by prescriptive right, deed, or other form of legal by dedication, ~~or a thoroughfare which has been made public by use and which affords access to abutting property, including highways, roads, lanes, alleys, avenues, boulevards and other similar descriptions.~~

"Subdivider" means any person who: (1) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2) directly or indirectly, sells, leases or develops, or offers to sell, lease or develop, or advertises for sale, lease or development, any interest, lot, parcel, site, unit, or plat in a subdivision, or, who (3) engages directly, or through an agent, in the business of selling, leasing, developing, or offering for sale, lease or development a subdivision, or who (4) is directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing. ~~Usually synonymous with developer.~~

"Subdivision" means any land that is divided, re-subdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, pads, condominium units, tracts, or interests for the purpose of offering, selling, leasing, or developing whether immediate or future, either on the installment plan or upon any and all other plans, terms and conditions. "Subdivision" includes: (1) the division, assembly, or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; (2) divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes; and (3) re-subdivision and condominium creation or conversion.

Subdivision, Regular. "Regular subdivision" means a subdivision wherein all streets are public and built according to city development specifications, all lots front on public streets and meet the minimum lot requirements. ~~+ developments is for owner-occupied units only.~~

**SECTION II: Amendment.** Amend SSLC Code Section 15.12.710 as follows:

#### **Article VII. - Subdivisions—Regular**

##### **15.12.710 - Limitations.**

Regular subdivisions ~~shall be~~ are limited to ~~owner-occupied residential~~ development wherein all streets are or will be public and built according to city engineering and development specifications, all lots front on a public streets and meet the minimum lot requirements of the respective zone, and all development is supported by required public infrastructure.; ~~and to commercial/industrial developments with lots for single tenant buildings only, which lots meet the minimum requirements of the respective zone and which are developable and capable of being built upon including consideration for the required parking, landscaping and other facilities required in the respective zone and by the use anticipated, and wherein all lots front on public streets which are or will be built according to city development specifications.~~

**SECTION III. Severability.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION IV. Conflict with Existing Ordinances, Resolutions, or Policies.** To the extent that any ordinances, resolutions, or policies of the City of South Salt Lake conflict with the provisions of this ordinance, this ordinance shall prevail.

**SECTION V. Effective Date.** This ordinance shall become effective upon Mayor's signature and publication, or after fifteen days of transmission to the office of the Mayor if neither approved nor disapproved by the Mayor, and thereafter, publication.

DATED this \_\_\_\_ day of \_\_\_\_\_ 2018.

BY THE CITY COUNCIL:

\_\_\_\_\_  
Ben Pender, Council Chair

ATTEST:

\_\_\_\_\_  
Craig D. Burton, City Recorder

City Council Vote as

Recorded:

Beverly	_____
deWolfe	_____
Kindred	_____
Mila	_____
Pender	_____
Siwik	_____
Thomas	_____

Transmitted to the Mayor's office on this \_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
Craig D. Burton, City Recorder

MAYOR'S ACTION: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Cherie Wood, Mayor

ATTEST:

\_\_\_\_\_  
Craig D. Burton, City Recorder

ORDINANCE NO. 2018-\_\_\_\_

**AN ORDINANCE OF THE CITY OF SOUTH SALT LAKE CITY COUNCIL  
AMENDING CHAPTER 15.12 -- SUBDIVISION AND DEVELOPMENT  
STANDARDS**

WHEREAS, the City Council is authorized by state law to enact and amend ordinances establishing land use regulations to foster a broad array of public purposes;

WHEREAS, the city's current Subdivision and Development Standards Ordinance precludes orderly economic development and dedication of public infrastructure by excluding a variety of authorized land uses from the subdivision process;

WHEREAS, this codified limitation can be revised to harmonize with the plain language of SSLC Code Title 17 Zoning and thereby facilitate the orderly subdivision and development of authorized land uses;

WHEREAS, on \_\_\_\_\_, 2018 the Planning Commission held a properly noticed public hearing to consider the proposed amendment to SSLC Code Sections 15.12.040 and 15.12.710;

WHEREAS, the Planning Commission thereafter positively recommended that the Council adopt the proposed amendment as described below;

WHEREAS, the City Council finds that the proposed amendment promotes economic development and facilitates the orderly subdivision of land; and

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of South Salt Lake City as follows:

**SECTION I: Amendment.** Amend selected provisions of SSLC Code Section 15.12.040 as follows:

15.12.040 Definitions

"Cul-de-sac" means a minor terminal (dead end) street ~~provided~~ with a turn- around.

"Development" means any building activity or clearing of land; any modification of any lot or parcel boundary; or any subdivision of land including the creation of separate development pads, common areas, condominium units, multi-family residential dwellings, or commercial or industrial structures. ~~a proposed or approved improvement to land or buildings which shall be done as a regular subdivision, nonresidential development, rental residential development or PUD development. The use of the term development herein shall be interchangeable with any and all of the types of development named in this definition.~~

"Lot" means a legally subdivided parcel or tract of land development pad. ~~abutting a public or private street or which has a legal existing lot right-of-way access to a street, which is or may be occupied by one building and the accessory buildings or uses customarily incident thereto, including such open spaces and parking areas as are arranged and designed to be used in connection with the building according to the requirements of this chapter and/or the zone~~

~~within which the lot is located.~~

"Mixed use development" means any development containing residential and commercial/industrial uses within the project area. ~~Such developments shall be done as a PUD.~~

"Multi-tenant development" means any commercial/industrial (nonresidential) development of land where more than one tenant will occupy a single building or series of adjoining buildings ~~or where more than one building is located on a single parcel of land or multiple parcels wherein each building does not have its own lot. Shall include such developments as strip malls, business parks and other similar developments.~~

"Owner occupied residential development" means those developments wherein ~~the type of each dwelling unit is customarily sold subdivided and recorded with an unique tax parcel identification number. to individual owners and includes such developments as regular single family home subdivisions meeting the requirements of the respective zone in which they are located. Other types of ownership developments such as townhomes, twin homes, condominiums and others including those with private streets shall be treated as PUD developments.~~

"Planned unit development (PUD)" means an integrated design for subdivision and development that is authorized within a Planned Unit Development Overlay Zone. ~~of residential, commercial or industrial uses, or limited combinations of such uses, in which one or more of the zoning regulations or development standards may be varied or waived to allow flexibility and creativity in site and building design and location in accordance with an approved plan and imposed requirements.~~

"Public improvements" means streets, curb, gutter, sidewalk, trails, parks, water and sewer lines, storm sewers, flood control facilities and other similar facilities which are required to be dedicated to the city or a separate public entity in connection with development, conditional use or site plan approval.

"Public right-of-way" means any right-of-way, road, street, alley, lane, court, place, viaduct, tunnel, culvert, trail or bridge laid out or erected as such by the public or dedicated to or abandoned to and accepted by the public or made such in any action by the development of real property, ~~and includes the entire area within the right-of-way.~~

"Rental residential development" means ~~residential development of equivalent residential units that are not subdivided and recorded with separate tax parcel identification numbers. is one owner in nature; one parcel of property, or a contiguous property area made up of two or more parcels; and being residentially occupied by rent or lease methods. Commonly referred to as apartments but may be other types.~~

"Right-of-way" means any improved and defined recorded access ~~way~~ for vehicular traffic, such as streets, roads, alleys, lanes and other similar descriptions, which provides access to a property or building consistent with City standards. ~~May be public or private and includes the entire area within the right-of-way.~~

"Small development" means a subdivision of not more than three lots or units, or a multi-tenant development of less than one-half acre or four tenants whichever is the smaller, ~~or a PUD development of less than four owner occupied dwelling units or one-half acre whichever is the smaller, and which meets the requirements for such development as specified herein.~~

"Street" means any improved public right-of-way for vehicular traffic or any private right of



way dedicated and improved to city standards ~~which that~~ provides the principle access to a property. ~~May be public or private and includes the entire area within the right-of-way.~~

Street, Arterial. "Arterial street" means a street ~~existing or proposed to serve as a major traffic way and is~~ designated in the master street plan as a controlled-access highway or major street parkway; ~~or other equivalent term to identify those streets comprising the basic structure of the street plan.~~

Street, Freeway. "Freeway street" means a street with ~~a~~ fully controlled access designed to link major destination points. ~~A freeway is designed for high speed traffic with a minimum of four travel lanes.~~

~~Street, Half. "Half street" means the portion of a street within a development comprising at least one-half of the minimum required right-of-way on which improvements are constructed and in accord with one-half of an approved typical street section. Half streets are not allowed in South Salt Lake City.~~

Street, Local. "Local street" means a ~~minor street~~ which that is provides access to abutting properties and protection from through traffic; ~~designated as such in the master street plan.~~

Street, Major Collector. "Major collector street" means a street that is designated as such in the master street plan, ~~existing or proposed, which is the main means of access to the major street system.~~

Street, Minor Collector. "Minor collector street" means a street, ~~existing or proposed, which is supplementary to a collector street and of limited continuity which serves or is intended to serve the local needs of a neighborhood that is designated as such in the master street plan.~~

Street, Private. "Private street" means a right-of-way ~~which that~~ has been improved to City standards and reserved by dedication dedicated by a recorded plat unto the developer or lot owners to be used as a private access, with the right of public use, to serve specific property. ~~All private streets shall be approved by the city and maintained by the developer or other private agency.~~

Street, Public. "Public street" means a right-of-way ~~which that~~ has been dedicated to the city and accepted by the city council by plat, or ~~which that~~ the city has acquired by prescriptive right, deed or ~~other form of legal by~~ dedication., ~~or a thoroughfare which has been made public by use and which affords access to abutting property, including highways, roads, lanes, alleys, avenues, boulevards and other similar descriptions.~~

"Subdivider" means any person who: (1) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2) directly or indirectly, sells, leases or develops, or offers to sell, lease or develop, or advertises for sale, lease or development, any interest, lot, parcel, site, unit or plat in a subdivision, or, who (3) engages directly, or through an agent, in the business of selling, leasing, developing or offering for sale, lease or development a subdivision, or who (4) is directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing. ~~Usually synonymous with developer.~~



"Subdivision" means any land that is divided, re-subdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, pads, condominium units, tracts, or interests for the purpose of offering, selling, leasing, or developing whether immediate or future, either on the installment plan or upon any and all other plans, terms and conditions. "Subdivision" includes: (1) the division, assembly or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat or other recorded instrument; (2) divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes; and (3) re-subdivision and condominium creation or conversion.

Subdivision, Regular. "Regular subdivision" means a subdivision wherein all streets are public and built according to city development specifications, all lots front on public streets and meet the minimum lot require-~~l developments is for owner-occupied units only.~~

**SECTION II: Amendment.** Amend SSLC Code Section 15.12.710 as follows:

**Article VII. - Subdivisions—Regular**

**15.12.710 - Limitations.**

Regular subdivisions ~~shall be are~~ limited to ~~owner-occupied residential~~ development wherein all streets are or will be public and built according to city engineering and development specifications, all lots front on a public streets and meet the minimum lot requirements of the respective zone, and all development is supported by required public infrastructure; ~~and to commercial/industrial developments with lots for single tenant buildings only, which lots meet the minimum requirements of the respective zone and which are developable and capable of being built upon including consideration for the required parking, landscaping and other facilities required in the respective zone and by the use anticipated, and wherein all lots front on public streets which are or will be built according to city development specifications.~~

**SECTION II. Severability.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION III. Conflict with Existing Ordinances, Resolutions, or Policies.** To the extent that any ordinances, resolutions, or policies of the City of South Salt Lake conflict with the provisions of this ordinance, this ordinance shall prevail.

**SECTION IX. Effective Date.** This ordinance shall become effective upon Mayor's signature and publication, or after fifteen days of transmission to the office of the Mayor if neither approved nor disapproved by the Mayor, and thereafter, publication.

DATED this \_\_\_\_ day of \_\_\_\_\_ 2018.

BY THE CITY COUNCIL:

\_\_\_\_\_  
Ben Pender, Council Chair

ATTEST:

\_\_\_\_\_  
Craig D. Burton, City Recorder

City Council Vote as

Recorded:

Beverly	_____
deWolfe	_____
Kindred	_____
Mila	_____
Pender	_____
Siwik	_____
Thomas	_____

Transmitted to the Mayor's office on this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
Craig D. Burton, City Recorder

MAYOR'S ACTION: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

---

Cherie Wood, Mayor

ATTEST:

---

Craig D. Burton, City Recorder

DRAFT