

A. LOUIS ZUNGUZE  
DIRECTOR  
  
BRENT B. WILDE  
DEPUTY DIRECTOR

**SALT LAKE CITY CORPORATION**  
DEPT. OF COMMUNITY DEVELOPMENT  
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON  
MAYOR

**CITY COUNCIL TRANSMITTAL**

**TO:** Rocky Fluhart, Chief Administrative Officer

**Date:** November 10, 2005

**FROM:** Louis Zunguze, Community Development Director

**RE:** Petition 400-05-25 by the City Council requesting that the Planning Division review the City's zoning standards for single- and two-family dwellings and propose amendments which will promote residential infill development that is compatible with the scale and character of the surrounding residential neighborhoods

**STAFF CONTACTS:** Joel Paterson, Planning Programs Supervisor, at 535-6141 or joel.paterson@slcgov.com

**DOCUMENT TYPE:** Ordinance

**BUDGET IMPACT:** Adoption of the proposed Zoning Ordinance text amendments may increase the workload within the Planning Division because of the number of residential new construction and addition projects required to be reviewed under the special exception, administrative public hearing, Planning Commission and Board of Adjustment processes.

**DISCUSSION:**

**ISSUE ORIGIN:** On June 21, 2005, the City Council requested that the Planning Division review the City's zoning standards for single and two-family dwellings and propose amendments which will promote residential infill development that is compatible with the scale and character of the surrounding residential neighborhoods.

**ANALYSIS:** Although the Planning Commission is forwarding a positive recommendation to the City Council to adopt the proposed amendments to regulate residential infill development, the Administration does not intend to convey any negative impressions of infill development as a whole. The Administration recognizes the importance and the benefits of residential infill housing development. However, residential infill development can have a lasting negative impact on the character of a neighborhood if important attributes of the neighborhood are not considered in the design and construction of new residential infill development.

The following list identifies elements of the City Code that contribute to the problem of incompatible residential infill development:

- Over-the-Counter in-line additions
- Building height
- Front yard setback
- Garage and accessory building standards
- Building coverage
- Definition of demolition/teardown
- Fines for building permit violation

**PROPOSED ZONING ORDINANCE AMENDMENTS:** The proposed amendments modify several existing Zoning Ordinance provisions and create a hierarchy for approvals which allows for the issuance of over-the-counter permits, approvals through an administrative process and review by the Planning Commission or the Board of Adjustment.

The proposed Zoning Ordinance amendments, approval and appeal processes, and definitions are summarized below:

- A. Remove provisions allowing in-line additions through the building permit process:** The Administration proposes to eliminate the over-the-counter permit option for in-line additions. If this amendment is adopted, property owners in the SR-1 and SR-3 districts may still request in-line additions through the existing special exception process.

#### APPROVAL AND APPEAL PROCESS

1. **Over-the-Counter Permit:** An over-the-counter permit may be issued if the proposed addition meets the required minimum setback requirements.
2. **Routine and Uncontested Special Exception:** If a proposed in-line addition does not meet the minimum setback requirements, the proposal may be reviewed as a routine and uncontested special exception if the property owner obtains signatures of 100% of the abutting property owners.
3. **Administrative Public Hearing:** If an applicant cannot obtain 100% of the signatures required for the Routine and Uncontested Special Exception or if the Zoning Administrator finds that the proposal is not routine and uncontested, the proposed in-line addition may be considered at an administrative public hearing.
4. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

- B. Front Yard Setback for FR, R-1, and SR Zoning Districts – Minimum setback determined by averaging:** This provision would eliminate the Zoning Ordinance's current minimum front and corner side yard setback requirement of twenty feet (20').

#### STANDARD

The minimum front and corner side yard setback shall be based on the average setback of other dwellings on the same block face. The corner side yard setback in the R-1-5000, SR-1 and SR-3 would remain unchanged at 10 feet. However, the minimum front yard setback established by existing subdivision plats would be respected. For example, in the Foothill Residential districts, many subdivision plats include a defined buildable area for

each lot that establishes the required yards. In such cases, the front yard setback established by the subdivision plat would be maintained. For new subdivisions or blocks where there are no developed properties along the block face, the front yard setback would be 20 feet.

- C. Building Height – R-1/5000, R-1/7000, R-1/12,000, R-2, SR-1, and SR-3:** Because the existing maximum building height of 20 feet measured to the mid-point of the roof does not reflect the existing character in most of the City’s neighborhoods, the Administration is proposing to amend residential building height standards as follows:

#### STANDARDS

- The maximum building height is proposed to be lowered to 23 feet measured to the crest of the roof. This proposal introduces a building height envelope similar to the method used in the Foothill residential districts. Homes with flat roofs are limited to 18 feet; or
- The average height of single-family dwellings on the block face.

#### APPROVAL AND APPEAL PROCESS FOR BUILDING HEIGHT

1. Over-the Counter Permits: Any proposed projects that meet the maximum building height standards listed above will receive an over-the-counter building permit.
2. Administrative Public Hearing: Additional building and exterior wall height may be approved through the administrative public hearing process if the proposal is in keeping with the development pattern on the block face.
3. Board of Adjustment: Appeals of the Administrative Hearing Officer’s decision and referrals from the Administrative Hearing Officer shall be heard by the Board of Adjustment which may approve additional building or exterior wall height if the proposal is in keeping with the development pattern of the block face.

- D. Attached Garages and Accessory Buildings:** Standards are proposed for the location and width of attached garages and the location, height, and maximum footprint of accessory buildings, such as detached garages. The proposed standards are summarized below.

#### STANDARDS FOR ATTACHED GARAGES

- Attached garages must be located behind or in-line with the front line of the principal building unless the development pattern on the block face consists of more than 50 percent (50%) of homes with garages located forward of the front line of the principal building. Existing non-conforming attached garages may be rebuilt to the same dimensions.
- The width of an attached garage facing the street may not exceed 50 percent (50%) of the width of the front façade of the house.

#### APPROVAL AND APPEAL PROCESS FOR ATTACHED GARAGES

1. Over-the-Counter Permit: Any proposed projects that meet the attached garage standards listed above will receive an over-the-counter building permit.

2. Administrative Determination: Building permits may be authorized by the Planning Director or designee for attached garages located forward of the front-line of the principal building if the applicant can demonstrate that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage which is being replaced.
3. Administrative Public Hearing: Appeals of the administrative determination process are heard by the Administrative Hearing Officer.
4. Board of Adjustment: Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

#### ACCESSORY BUILDINGS

The Zoning Ordinance currently allows accessory buildings to be located in the rear yard (behind the principal structure) provided that the accessory structure is at least four feet (4') from the principal building on the lot, 10 feet (10') from principal buildings on adjacent lots and if the accessory building is at least one foot (1') from the property lines. In order to minimize the negative impacts that accessory garages may have on adjacent lots, the Administration is proposing the following standards summarized below:

#### STANDARDS FOR ACCESSORY BUILDINGS

- Accessory structures must be located at least 20 feet (20') from principal buildings on adjacent lots.
- Accessory structures must be located at least one foot (1') but not more than five feet (5') from the rear property line. This minimum distance from the rear property line may be increased to allow the driveway design to meet the Transportation Division's minimum required turning radius and other maneuvering standards. If it can be demonstrated that more than 50 percent (50%) of other properties on the block face have accessory structures located more than five feet (5') from the rear property line, the accessory building may be located a distance from the rear property line that is equal to the average setback from the rear property line of the other accessory structures on the block face.

#### APPROVAL AND APPEAL PROCESSES FOR ACCESSORY BUILDINGS

1. Over-the-Counter Permit: Any proposed projects that meet the standards for accessory buildings listed above will receive an over-the-counter building permit.
2. Administrative Determination: The Planning Director or designee may authorize the issuance of building permits if the property owner demonstrates that other accessory structures on lots along the same block face are located closer than 20 feet (20') from a principal structure on an adjacent lot or more than five feet (5') from the rear property line. In this case, the proposed accessory structure may be located more than five feet (5') from the rear property line up to a distance that is equal to the average setback of other accessory structures from their respective rear property lines.
3. Administrative Public Hearing: Appeals of the administrative determination process are heard by the Administrative Hearing Officer.

4. Board of Adjustment: The Board of Adjustment may approve an alternate location through the special exception process based on hardships created by topography or mature vegetation.
5. Board of Adjustment: Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

#### **STANDARDS FOR MAXIMUM HEIGHT OF ACCESSORY BUILDINGS**

The maximum building height of accessory structures shall be reduced from 17 feet (17') measured to the midpoint of the roof to 15 feet (15') measured to the peak of the roof using an envelope system. The height of accessory structures with a flat roof will remain at 12 feet (12').

#### **APPROVAL AND APPEAL PROCESS FOR MAXIMUM HEIGHT STANDARDS**

1. Over-the-Counter Permit: Any proposed projects that meet the standards for maximum height of accessory buildings listed above will receive an over-the-counter building permit.
2. Routine and Uncontested Special Exception: Accessory structures which exceed the maximum wall or accessory building height provisions may be approved as a routine and uncontested special exception if the accessory building is in keeping with the development pattern on the block face subject to the additional standards found in the Zoning Ordinance under Section 21A. 40.050.
3. Administrative Public Hearing Process: If an applicant cannot obtain 100% of the signatures required for the routine and uncontested special exception or if the Zoning Administrator finds that the proposal is not routine and uncontested, the proposed in-line addition may be considered at an administrative public hearing.
4. Board of Adjustment: The Board of Adjustment may approve accessory structures which exceed the maximum wall or accessory building height provisions as a special exception if the accessory building is in keeping with the development pattern on the block face.
5. Board of Adjustment: Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

#### **STANDARD FOR MAXIMUM FOOTPRINT OF ACCESSORY STRUCTURES**

The combined maximum footprint of all accessory structures on a lot in single family and two family residential districts is proposed to be limited to a maximum size not to exceed 50 percent (50%) of the size of the footprint of the principal structure on the lot up to a maximum size of 720 square feet for single family dwellings and 1,000 square feet for two-family dwellings. Regardless of the size of the footprint of the principal building, a 480 square foot garage will be allowed. The current Zoning Ordinance standard that limits the footprint of accessory structures to 50 percent (50%) or less of the yard area between the rear of the principal building and the rear property line will remain in place.

#### APPROVAL AND APPEAL PROCESS OF MAXIMUM FOOTPRINT

1. **Over-the-Counter Permit:** Any proposed projects that meet the standard for maximum footprint of an accessory building listed above will receive an over-the-counter building permit.
2. **Routine and Uncontested Special Exception:** The footprint of an accessory structure between 720 square feet and 900 square feet may be approved as a routine and uncontested special exception subject to the size of the accessory structure being in keeping with the development pattern on the block face.
3. **Administrative Public Hearing:** If an applicant cannot obtain 100% of the signatures required for the routine and uncontested special exception or if the Zoning Administrator finds that the proposal is not routine and uncontested, the proposed in-line addition may be considered at an administrative public hearing.
4. **Board of Adjustment:** The Board of Adjustment may approve an accessory structure with a footprint in excess of 900 square feet as a special exception if the accessory structure is in keeping with the development pattern on the block face.
5. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

#### E. Maximum Lot Size

##### STANDARD

With the exception of lots created by a subdivision plat or notices of minor subdivision or minor subdivision amendment recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 150% (except in the SR-3 District where the maximum lot size shall not exceed 200%) of the minimum lot size required by the base zoning district.

#### APPROVAL AND APPEAL PROCESS

1. **Over-the-Counter Permit:** Any proposed projects that meet the standard for maximum lot size listed above will receive an over-the-counter building permit.
2. **Administrative Public Hearing Process:** Lots in excess of the maximum lot size shall be allowed only if created through the subdivision process and approved by the Planning Commission, subject to the following standards:
  - The square footage of the new lot is compatible with other lots on the same block face.
  - The configuration of the lot is compatible with other lots on the same block.
  - The relationship of the lot width to lot depth is compatible with other lots on the same block face.
3. **Planning Commission:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Planning Commission.

**F. Maximum Lot Coverage – New Construction and Additions:** The existing lot coverage standards for the SR-1, R-1-5000 and the R-2 districts allow principal and accessory

buildings to occupy a significant area of land beyond the buildable area of a standard 5,000 square foot lot. Other single family residential zoning districts are more restrictive in this respect and limit lot coverage to an area that is equal to or less than the buildable area of a lot meeting the minimum lot size.

For example, a typical 5,000 square foot lot in the R-1-5000 District has a buildable area of approximately 2,000 square feet (40% of the minimum lot size). However, the existing lot coverage standard of 55% equates to 2,750 square feet.

#### STANDARDS

- R-1-5000 and SR-1 – reduce maximum building coverage from 55% to a base of 40% of lot area.
- R-2 – reduce maximum building coverage for single family dwelling (minimum 5,000 square foot lot) from 45% to a base of 40%

#### APPROVAL AND APPEAL PROCESS

1. **Over-the-Counter Permit:** Any proposed projects that meet the maximum lot coverage and maximum building height standards will receive an over-the-counter building permit.
2. **Administrative Public Hearing:** The maximum building coverage standard shall decrease as a function of the building height for R-1, R-2 and SR districts for buildings in excess of the maximum building height subject to the development pattern on the block face.
3. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

**G. Fines:** The Administration proposes that a more substantial penalty be imposed for construction activity undertaken in violation of the ordinance. Currently, the City Code allows the Building Services and Licensing Division to impose a fine that doubles the building permit fee.

#### STANDARD

- Building Permit Fine equal to ten percent (10%) of the valuation of the proposed construction as determined by the Building Official, or \$1,000.00 whichever is greater.

**H. Definition of Demolition:** Complete Demolition means any act or process that destroys or removes 75 percent (75%) or more of the exterior walls and or total floor area of a structure, improvement or object.

**PLANNING COMMISSION RECOMMENDATION:** On November 9, 2005, the Salt Lake City Planning Commission held a public hearing on Petition 400-05-25. Following input from the public, the Commission voted 6-2 to forward a positive recommendation to the City Council to adopt the proposed Zoning Ordinance text amendments. The Planning Commission motion is summarized below:

The Planning Commission recommends forwarding a positive recommendation to the City Council to adopt Petition 400-05-25 requesting to amend the Zoning Ordinance as presented with the following conditions:

1. Review the ordinance after one year to evaluate the effectiveness of the ordinance amendments and assess availability of adequate resources to ensure that applications are being processed in a timely manner so that delays in the review process do not deter investment in communities.
2. The Planning Commission supports the ability of neighborhoods to request neighborhood based compatible residential infill zoning standards on a neighborhood by neighborhood basis.
3. Provide an administrative public hearing option to allow relief from the 20 foot (20') spacing requirement between accessory structures and residential structures on adjacent lots.

#### **PUBLIC PROCESS**

- **July 6, 2005** – The Planning Division made a presentation to the Greater Avenues Community Council regarding the compatible residential infill process.
- **September 20, 2005** – The Planning Division briefed the City Council on the progress made to date on the legislative action relating to compatible residential infill development.
- **September 29, 2005** – The Planning Division made a presentation to the Wasatch Hollow/Bonneville Hills Community Councils.
- **October 18, 2005** – The Planning Division presented another briefing to the City Council and proposed specific amendments to Zoning Ordinance provisions that directly affect compatible residential infill development.
- **October 24, 2005** – The Planning Staff presented the proposed zoning amendments to a subcommittee of the Planning Commission. Commissioners John Diamond and Prescott Muir attended the briefing.
- **October 24, 2005** – Planning Staff made a presentation to the Greater Avenues Community Council's committee on compatible infill development.
- **October 25, 2005** – The Planning Division hosted a public open house to obtain public comment on the proposed amendments to the Zoning Ordinance. Approximately 35 people attended.
- **November 2, 2005** – The Planning Division made a presentation to the Yalecrest Neighborhood Council.
- **November 9, 2005** – The Planning Commission held a public hearing to consider the proposed text amendments. Approximately 40 people addressed the Planning Commission during the hearing. The Planning Commission voted 6-2 to forward a positive recommendation to the City Council.

**CITY COUNCIL POLICY AND MASTER PLAN CONSIDERATIONS:** The issues of neighborhood character and compatible infill development are addressed in several Salt Lake City master plans and other policy documents.

- **Avenues Community Master Plan:** includes a goal that encourages private property improvements that are visually compatible with the surrounding neighborhood.



- **Capitol Hill Master Plan:** includes a goal that encourages development of appropriate housing through renovation of existing structures and construction of compatible residential infill development and redevelopment.
- **Central Community Development Plan:** recommends protecting and enhancing existing neighborhoods through the establishment and enforcement of architectural controls to preserve the scale and character of neighborhoods.
- **East Bench Master Plan:** recognizes that a strong sense of neighborhood identity and zoning regulations play a role in establishing the community's character. The Plan suggests that new construction and additions that are not compatible with the surrounding neighborhood detract from the residential character of the area.
- **East Downtown Neighborhood Plan:** recommends new development to reflect the character of the neighborhood and develop citywide design criteria to insure such compatibility.
- **Northwest Community Master Plan:** recognizes the importance of constructing new housing but also recognizes that the preservation of the character of the existing housing stock is also of paramount importance.
- **Sugar House Master Plan:** includes goals and policies that support creating and sustaining quality residential neighborhoods through new regulations and design guidelines.
- **West Salt Lake Master Plan:** discusses the importance of conserving, revitalizing and generally upgrading neighborhoods by protecting views, architectural forms and styles, and site design characteristics.
- **The Salt Lake City Comprehensive Housing Plan:** includes policy statements that address a variety of housing issues including quality design, public and neighborhood participation, housing preservation, rehabilitation and replacement.
- **The Urban Design Element:** includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities.
- **The Salt Lake City Strategic Plan and the Futures Commission Report:** expresses concepts such as maintaining a prominent sustainable city and ensuring the City is designed to the highest aesthetic standards.
- **The City Council's Growth Policy:** notes that growth in Salt Lake City will be deemed the most desirable if it is aesthetically pleasing; contributes to a livable community environment; yields no negative net fiscal impact unless an overriding public purpose is served; and forestalls negative impacts associated with inactivity.

**RELEVANT ORDINANCES:** Zoning Ordinance section 21A.50.050 General Amendments

Petition 400-05-25: Residential Infill Compatibility

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# **Exhibit 1**

## **CHRONOLOGY**

## CHRONOLOGY

### PETITION 400-05-25

<b>June 9, 2005</b>	The City Council adopted an ordinance establishing city-wide temporary zoning regulations associated with compatible residential infill development. This ordinance created new standards regulating the issuance of building permits for any new single family or two-family residential structures and any remodeling, demolition, rebuilding, or expansion of existing single family and two-family residential structures.
<b>June 14, 2005</b>	The City Council repealed the temporary zoning standards adopted on June 9, 2005.
<b>June 21, 2005</b>	The City Council adopted a legislative action requesting that the Planning Division review the City's ordinances relating to infill housing.
<b>July 12, 2005</b>	The City Council adopted Ordinance 44 of 2005 creating the Yalecrest Compatible Infill Overlay District.
<b>September 20, 2005</b>	The Planning Division briefs the City Council on the progress made to date on the legislative action relating to compatible residential infill development.
<b>September 29, 2005</b>	The Planning Division made a presentation to the Wasatch Hollow/Bonneville Hills Community Councils.
<b>October 18, 2005</b>	The Planning Division presents another briefing to the City Council and proposes specific amendments to Zoning Ordinance provisions that directly affect compatible residential infill development.
<b>October 24, 2005</b>	The Planning Staff presented the proposed zoning amendments to a subcommittee of the Planning Commission. Commissioners John Diamond and Prescott Muir attended the briefing.
<b>October 24, 2005</b>	Planning Staff made a presentation to the Greater Avenues Community Council's committee on compatible infill development.
<b>October 25, 2005</b>	The Planning Division hosted a public open house to obtain public comment on the proposed amendments to the Zoning Ordinance. Approximately 35 people attended.
<b>November 2, 2005</b>	The Planning Division made a presentation to the Yalecrest Neighborhood Council.
<b>November 9, 2005</b>	The Planning Commission held a public hearing to consider the proposed text amendments. Approximately 40 people addressed the Planning Commission during the hearing. The Planning Commission voted 6-2 to forward a positive recommendation to the City Council.

**Exhibit 2**

**PROPOSED ORDINANCE**

**DRAFT**

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2005  
(Compatible Residential Infill Development Ordinance)

AN ORDINANCE AMENDING SECTION 18.20.090, *SALT LAKE CITY CODE*,  
PERTAINING TO PENALTIES FOR STARTING WORK WITHOUT A PERMIT, AND  
AMENDING CHAPTER 21A OF THE SALT LAKE CITY ZONING CODE, PURSUANT TO  
PETITION NO. 400-05-25.

WHEREAS, the Planning Commission and City Council of Salt Lake City, Utah, have  
held public hearings and have taken into consideration citizen testimony, filing, and demographic  
details of the area, the long range general plans of the City, and any local master plan as part of  
their deliberations. Pursuant to these deliberations, the City Council has concluded that the  
amendments contained herein are in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 18.20.090 of the Salt Lake Code shall be and hereby is  
amended as set forth on Exhibit A.

SECTION 2. That Chapter 21A of the Salt Lake City Zoning Code shall be and hereby is  
amended as set forth on Exhibit B.

SECTION 3. This ordinance shall take effect immediately upon the date of its first  
publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_,  
2004.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2004.

Published: \_\_\_\_\_.

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## Exhibit A

### 18.20.090 Start of work without permit-Penalty fees-Emergencies.

- A. Fee Increase When. Whenever any construction or work for which a permit is required by this title is started or commenced without obtaining the prescribed permit, the fees specified in this title may be increased by the building official up to a ~~double~~ fee **of ten percent (10%) of the valuation of the proposed construction as determined by the Building Official, or \$1,000.00, whichever is greater**, but the payment of such increased fees shall not relieve any persons from fully complying with the requirements of this title in the execution of the work nor from any other penalties prescribed herein.



## EXHIBIT B

### 21A.14.060 Procedure For Review And Decision:

- B. **Abutting Property Owners' Signatures:** Application must include signatures of approval of all abutting property owners on a form provided by the Zoning Administrator. If the Zoning Administrator determines it to be appropriate, due to the nature of the application, signatures of approval of property owners across the street(s) may also be required.
1. If all of the required signatures cannot be obtained, the Zoning Administrator shall refer the application to the ~~Board of Adjustment~~ **Administrative Hearing Officer** to be considered as a special exception pursuant to Part V, Chapter 21A.52 of this Title.
  2. If all required signatures are obtained, the Zoning Administrator will approve, approve with conditions, deny or refer the application to the ~~Board of Adjustment~~ **Administrative Hearing Officer** to be considered as a special exception pursuant to Part V, Chapter 21A.52 of this Title.

### 21A.14.070 Appeal Of Decision:

Any person adversely affected by a decision of the Zoning Administrator or the Administrative Hearing Officer on an application for a routine and uncontested matter may appeal the decision to the Board of Adjustment pursuant to the provisions in Chapter 21A.16 of this Part.

### 21A.16.010 Authority:

As described in Section 21A.06.040 of this Part, the Board of Adjustment should hear and decide appeals alleging an error in any administrative decision made by the Zoning Administrator or the Administrative Hearing Officer in the administration or enforcement of this Title.

~~U. **Building Height Controls Based On Topography Outside Foothill Districts:** The maximum height of single family, two family or twin home buildings and building additions or structural modifications on any sloping lot in any zoning district, may be measured as the vertical distance between the top of the roof and the finished grade at any given point of building coverage. The maximum building height, when determining height by this method, shall be the same as the maximum height for the FR 2 and FR 3 zoning districts. For the purpose of this section, a lot shall be considered "sloping" if the average grade from side to side or front to back is twelve percent (12%) or greater.~~

**VU. Residential Building Foundation Standard:** Each dwelling shall have poured concrete footings, the top of which must be placed below the applicable frost line. Except as otherwise authorized by the planning director and the chief building official in foothill districts, each dwelling shall have a site built concrete or masonry foundation/perimeter skirting constructed around the entire perimeter with interior supports as necessary to meet applicable building codes and adopted seismic loading requirements. The dwelling shall be permanently tied to the foundation system in accordance with applicable building codes and adequately weatherproofed.

**WY. Entrance Landing:** At each exit door, there must be a concrete or wood landing that is a minimum of thirty six inches by thirty six inches (36" x 36"), constructed to meet the minimum requirements of the uniform building code with adequate foundation support and permanent attachment to the building.

**W. Any construction work in residential zoning districts shall comply with City Code section 9.28.040 Noises Prohibited.**

E. **Minimum Yard Requirements:**

1. Front Yard: ~~Twenty feet (20')~~. The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.
2. Corner Side Yard: ~~Twenty feet (20')~~. The minimum depth of the corner side yard for all principal buildings shall be the average of the existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum corner side yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.

- J. Maximum Lot Size: With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 65,340 square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:
1. The size of the new lot is compatible with other lots on the same block face;
  2. The configuration of the lot is compatible with other lots on the same block face; and
  3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

K. **Standards for Attached Garages:**

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

21A.24.030

FR-2/21,780

**E. Minimum Yard Requirements:**

1. Front Yard: Twenty feet (20'). The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.
2. Corner Side Yard: Twenty feet (20'). The minimum depth of the corner side yard for all principal buildings shall be the average of the existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum corner side yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.

- J. Maximum Lot Size:** With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 32,670 square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:
1. The size of the new lot is compatible with other lots on the same block face;
  2. The configuration of the lot is compatible with other lots on the same block face; and
  3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

**K. Standards for Attached Garages:**

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

21A.24.040

FR-3/12,000

**E. Minimum Yard Requirements:**

1. Front Yard: Twenty feet (20'). The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.
2. Corner Side Yard: Twenty feet (20'). The minimum depth of the corner side yard for all principal buildings shall be the average of the existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum corner side yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.

**J. Maximum Lot Size:** With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 18,000 square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

**K. Standards for Attached Garages:**

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

R-1-12,000

21A.24.050

**D. Maximum Building Height:**

- 1. ~~The maximum building height permitted in this district is thirty feet (30') or two and one-half (2 1/2) stories, whichever is less~~ The maximum building height shall be:**
  - a. twenty-three feet (23') for buildings with pitched roofs and eighteen feet (18') for buildings with flat roofs; or**
  - b. the average height of other principal buildings on the block face.**
- 2. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in part VI, chapter 21A.62 of this title.**
- 3. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').**
- 4. Additional Building Height: Additional building height may be granted as a special exception by an Administrative Hearing Officer subject to the special exception standards in 21A.52 and if the proposed building height is in keeping with the development pattern on the block face.**

**E. Minimum Yard Requirements:**

- 1. Front Yard: Twenty feet (20'). The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20').**
- 2. Corner Side Yard: Twenty feet (20'). The minimum depth of the corner side yard for all principal buildings shall be the average of the existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20').**

**G. Maximum Lot Size: With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 18,000 square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:**

- 1. The size of the new lot is compatible with other lots on the same block face;**

2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

**H. Standards for Attached Garages:**

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

R-1-7,000  
21A.24.060

**D. Maximum Building Height:**

1. ~~The maximum building height permitted in this district is thirty feet (30') or two and one-half (2-1/2) stories, whichever is less~~ The maximum building height shall be:
  - a. twenty-three feet (23') for buildings with pitched roofs and eighteen feet (18') for buildings with flat roofs; or
  - b. the average height of other principal buildings on the block face.
2. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in part VI, chapter 21A.62 of this title.
3. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').
4. Additional Building Height: Additional building height may be granted as a special exception by an Administrative Hearing Officer subject to the special exception standards in 21A.52 and if the proposed building height is in keeping with the development pattern on the block face.

**E. Minimum Yard Requirements:**

1. Front Yard: Twenty feet (20'). The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20').
2. Corner Side Yard: Twenty feet (20'). The minimum depth of the corner side yard for all principal buildings shall be the average of the existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20').

- G. Maximum Lot Size in the FR districts, R-1 districts, R-2 district and SR districts:** With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 10,500 square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:
1. The size of the new lot is compatible with other lots on the same block face;
  2. The configuration of the lot is compatible with other lots on the same block face; and



3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

#### H. Standards for Attached Garages:

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

R-1-5,000  
21A.24.070

**D. Maximum Building Height:**

- 1. ~~The maximum building height permitted in this district is thirty feet (30') or two and one-half (2 1/2) stories, whichever is less~~ The maximum building height shall be:**
  - a. twenty-three feet (23') for buildings with pitched roofs and eighteen feet (18') for buildings with flat roofs; or**
  - b. the average height of other principal buildings on the block face.**
- 2. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in part VI, chapter 21A.62 of this title.**
- 3. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').**
- 4. Additional Building Height: Additional building height may be granted as a special exception by an Administrative Hearing Officer subject to the special exception standards in 21A.52 and if the proposed building height is in keeping with the development pattern on the block face.**

**E. Minimum Yard Requirements:**

- 1. Front Yard: Twenty feet (20'). ~~For buildings legally existing on April 12, 1995, the required front yard shall be no greater than the established setback line of the building.~~ The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20').**
- 2. Corner Side Yard: Ten feet (10').**
- 3. Interior Side Yard:**
  - a. Corner Lots: Four feet (4').**
  - b. Interior Lots: Four feet (4') on one side and ten feet (10') on the other.**

**F. Maximum Building Coverage:** The surface coverage of all principal and accessory buildings shall not exceed ~~fifty-five percent (55%)~~ **forty percent (40%)** of the lot.

**G. Maximum Lot Size: With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 7,500 square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:**

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

**H. Standards for Attached Garages:**

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

D. Maximum Building Height:

1. The maximum building height permitted in this district is thirty feet (30') or two and one-half (2 1/2) stories, whichever is less. The maximum building height shall be:
  - a. twenty-three feet (23') for buildings with pitched roofs and eighteen feet (18') for buildings with flat roofs; or
  - b. the average height of other principal buildings on the block face.
2. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in part VI, chapter 21A.62 of this title.
3. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').
4. Additional Building Height: Additional building height may be granted as a special exception by an Administrative Hearing Officer subject to the special exception standards in 21A.52 and if the proposed building height is in keeping with the development pattern on the block face.

E. Minimum Yard Requirements:

1. Front Yard: Twenty percent (20%) of the lot depth, or twenty five feet (25') whichever is less. For buildings legally existing on April 12, 1995, the required front yard shall be no greater than the established setback line of the existing building. The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.
2. Corner Side Yard: Ten feet (10'). For buildings legally existing on April 12, 1995, the required corner side yard shall be no greater than the established setback line of the existing building.
3. Interior Side Yard:
  - e. Existing Lots: For buildings legally existing on April 12, 1995, the required interior side yard shall be no greater than the established setback line of the existing building.

- G. Maximum Lot Size:** With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 150% of the minimum lot size allowed by the base zoning district. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:
- 1. The size of the new lot is compatible with other lots on the same block face;**
  - 2. The configuration of the lot is compatible with other lots on the same block face; and**
  - 3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.**

**H. Standards for Attached Garages:**

- 1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.**
- 2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.**
- 3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.**
- 4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.**

SR-3

21A.24.100

**D. Maximum Building Height:**

- 1. ~~The maximum building height permitted in this district is thirty feet (30') or two and one-half (2 1/2) stories, whichever is less~~ The maximum building height shall be:**
  - a. twenty-three feet (23') for buildings with pitched roofs and eighteen feet (18') for buildings with flat roofs; or**
  - b. the average height of other principal buildings on the block face.**
- 2. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in part VI, chapter 21A.62 of this title.**
- 3. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').**
- 4. Additional Building Height: Additional building height may be granted as a special exception by an Administrative Hearing Officer subject to the special exception standards in 21A.52 and if the proposed building height is in keeping with the development pattern on the block face.**

**E. Minimum Yard Requirements:**

- 1. ~~Front Yard: Ten feet (10'). For buildings legally existing on April 12, 1995, the required front yard shall be no greater than the established setback line of the existing building. The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.~~**
- 2. ~~Corner Side Yard: Ten feet (10'). For buildings legally existing on April 12, 1995, the required corner side yard shall be no greater than the established setback line of the existing building.~~**
- 3. Interior Side Yard:**
  - a. Single-Family Detached Dwellings: Four feet (4'), provided that for buildings legally existing on April 12, 1995, the required interior side yard(s) shall be no greater than the established setback line of the building.**
  - b. Single-Family Attached And Twin Home Dwellings: When abutting a single-family dwelling, a four foot (4') yard is required, otherwise no interior**

yard is required. Where a yard is provided, it shall be not less than four feet (4'), ~~or result in a minimum four foot (4') separation between buildings when combined with an existing yard on an adjacent lot.~~

- H. Maximum Lot Size:** With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 200% of the minimum lot size allowed by the base zoning district. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:
1. The size of the new lot is compatible with other lots on the same block face;
  2. The configuration of the lot is compatible with other lots on the same block face; and
  3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

**I. Standards for Attached Garages:**

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

R-2

21A.24.110

**D. Maximum Building Height:**

- 1. ~~The maximum building height permitted in this district is thirty feet (30') or two and one half (2 1/2) stories, whichever is less~~ The maximum building height shall be:**
  - a. twenty-three feet (23') for buildings with pitched roofs and eighteen feet (18') for buildings with flat roofs; or**
  - b. the average height of other principal buildings on the block face.**
- 2. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in part VI, chapter 21A.62 of this title.**
- 3. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').**
- 4. Additional Building Height: Additional building height may be granted as a special exception by an Administrative Hearing Officer subject to the special exception standards in 21A.52 and if the proposed building height is in keeping with the development pattern on the block face.**

**E. Minimum Yard Requirements.**

- 1. Front Yard. ~~Twenty percent of the lot depth, but need not exceed twenty feet.~~ The minimum depth of the front yard for all principal buildings shall be the average of the front yards of existing buildings within the same block face. Where there are no existing buildings within the same block face, the minimum depth shall be twenty feet (20').**

**F. Maximum Building Coverage.** The surface coverage of all principal and accessory buildings shall not exceed forty-five percent (45%) of the lot **for two-family dwellings and forty percent (40%) for single family dwellings**. For lots with buildings legally existing on April 12, 1995, the coverage of existing buildings shall be considered legal conforming.

- G. Maximum Lot Size:** **With the exception of lots created by a subdivision plat, notice of minor subdivision or minor subdivision amendments recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed 150% of the minimum lot size allowed by the base zoning district. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:**
- 1. The size of the new lot is compatible with other lots on the same block face;**
  - 2. The configuration of the lot is compatible with other lots on the same block face; and**



3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

#### H. Standards for Attached Garages:

1. Located Behind or In-Line with the Front Line of the Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in 21A.62.040), unless a new garage is constructed to replace an existing garage. In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced.
2. Width of an Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the façade of the house.
3. The Planning Director or designee may authorize the issuance of building permits for attached garages located forward of the front-line of the principal building if the applicant demonstrates that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage being replaced.
4. Appeals of an administrative determination shall be heard by an administrative hearing officer as a special exception pursuant to Par V, Chapter 21A.52 of this Title.

**A. Location Of Accessory Buildings In Required Yards:**

3. **Rear Yards:** Location of accessory buildings in a rear yard shall be as follows:
  - a. In residential districts, no accessory building shall be closer than one foot (1') to a side or rear lot line except when sharing a common wall with an accessory building on an adjacent lot. In nonresidential districts, buildings may be built to side or rear lot lines in rear yards, provided the building complies with all applicable requirements of the adopted building code; and
  - b. No portion of the accessory building shall be built closer than four feet (4') to any portion of the principal building.
  - c. Garages on two (2) or more properties that are intended to provide accessory building use for the primary occupants of the properties, in which the garage is located, may be constructed in the rear yards, as a single structure subject to compliance with adopted building code regulations and the size limits for accessory buildings on each property as indicated herein.
  - d. In the R-1 Districts, R-2 District and SR Districts accessory structures shall be located a maximum of five feet (5') from the rear property line subject to the following exceptions:
    - i. The maximum setback from the rear property line may be increased to meet the Transportation Division minimum required turning radius and other maneuvering standards.
    - ii. The Planning Director or designee may authorize the issuance of building permits for an accessory structure with a maximum setback of more than five feet (5') from the rear property line if the property owner demonstrates that fifty percent (50%) or more of the properties on the block face have accessory structures located more than five feet (5') from the rear property line. In this case, the accessory structure may be setback from the rear property line a distance equal to the average setback of the other accessory structures on the block face. An appeal of this administrative decision shall be heard by an Administrative hearing officer subject to the provision of 21A.52 of this Title.
    - iii. The Board of Adjustment may approve an alternate location for an accessory structure as a special exception based on hardships created by topography or the location of mature vegetation.
4. **Accessory Or Principal Lot:** No portion of an accessory building on either an accessory or principal lot may be built closer than ~~ten feet (10')~~ **twenty feet (20')** to any portion of a principal residential building on an adjacent lot when that adjacent lot is in a residential zoning district.
  - a. Exception: The Planning Director or designee may authorize the issuance of building permits for an accessory structure that is less than twenty feet (20') but more than ten feet (10') to any portion of a principal residential building on an adjacent lot if the property owner demonstrates that fifty percent (50%) or more of the properties on the block face have accessory structures located between ten feet (10') and twenty feet (20')

from any portion of a principal residential building on an adjacent lot. In this case, the accessory structure may be setback from the principal residential building on an adjacent lot a distance equal to the average setback of the other accessory structures on the block face. An appeal of this administrative decision shall be heard by an Administrative hearing officer subject to the provision of 21A.52 of this Title.

**B. Maximum Coverage:**

1. **Yard Coverage:** In residential districts, any portion of an accessory building shall occupy not more than fifty percent (50%) of the total area ~~of the required rear yard located between the rear façade of the principal building and the rear lot line.~~
2. **Building Coverage:** In residential districts the maximum building coverage of all accessory buildings shall not exceed fifty percent (50%) of the building footprint of the principal structure up to a maximum of 720 square feet for a single family dwelling and 1,000 square feet for a two-family dwelling. Regardless the size of the footprint of the principal building, at least 480 square feet of accessory building coverage shall be allowed subject to the compliance with subsection 21A.40.050.B.1 of this section.
  - ~~a. Seven hundred twenty (720) square feet for a single family dwelling; and~~
  - ~~b. One thousand (1,000) square feet for a two-family dwelling.~~

**C. Maximum Height Of Accessory Buildings/Structures:**

1. **Accessory To Residential Uses in the RMF districts, RB, R-MU districts, and the RO District:** The height of accessory buildings/structures in residential districts shall conform to the following:
  - a. The height of accessory buildings with flat roofs shall not exceed twelve feet (12');
  - b. The height of accessory buildings with pitched roofs shall not exceed seventeen feet (17'); and
  - c. Accessory buildings with greater building height may be approved as a special exception, pursuant to part V, chapter 21A.52 of this title
2. **Accessory To Residential Uses in the FR districts, R-1 districts, R-2 district and SR districts:** The height of accessory buildings/structures in the FR districts, R-1 district, R-2 district and SR districts shall conform to the following:
  - a. The height of accessory buildings with flat roofs shall not exceed twelve feet (12');
  - b. The height of accessory buildings with pitched roofs shall not exceed fifteen feet (15') measured as the vertical distance between the top of the roof and the finished grade at any given point of building coverage; and
  - c. Accessory buildings with greater building height may be approved as a special exception, pursuant to part V, chapter 21A.52 of this title if the proposed accessory building is in keeping with other accessory buildings on the block face.

4. **Accessory Or Principal Lot:** No portion of an accessory building on either an accessory or principal lot may be built closer than ~~ten feet (10')~~ twenty feet (20') to any portion of a principal residential building on an adjacent lot when that adjacent lot is in a residential zoning district.

21A.62.040

"Building Height – ~~Foothills Districts~~: In the FR-1, FR-2, FR-3, ~~and the FP, R-1/5,000, R-1/7,000, R-1/12,000, R-2, SR-1 and SR-3~~ districts," building height shall be the vertical distance between the top of the roof and the grade of the site, as described in subsection of this title, measured at any given point of building coverage. (See illustration in section 21A.62.050 of this chapter.)

"Building height – outside ~~foothills~~ FR FP, R-1, R-2 and SR districts" means the vertical distance, measured from the average elevation of the finished lot grade at each face of the building, to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof. (See illustration in section 21A.62.050 of this chapter.)

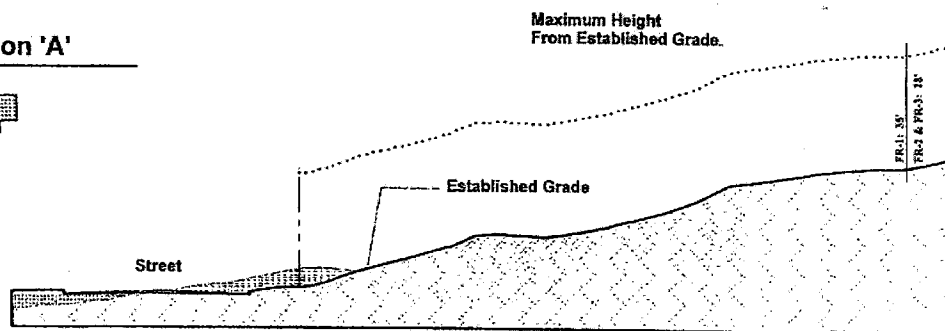
"Complete Demolition" means any act or process that destroys or removes seventy-five percent (75%) or more of the exterior walls and or total floor area of a structure, improvement or object.

The definitions listed below are illustrated on the following pages:

- ### Illustration 'A'

**BUILDING HEIGHT IN FOOTHILLS DISTRICTS, R-1 DISTRICTS, R-2 DISTRICT  
AND SR DISTRICTS.**

### Illustration 'A'

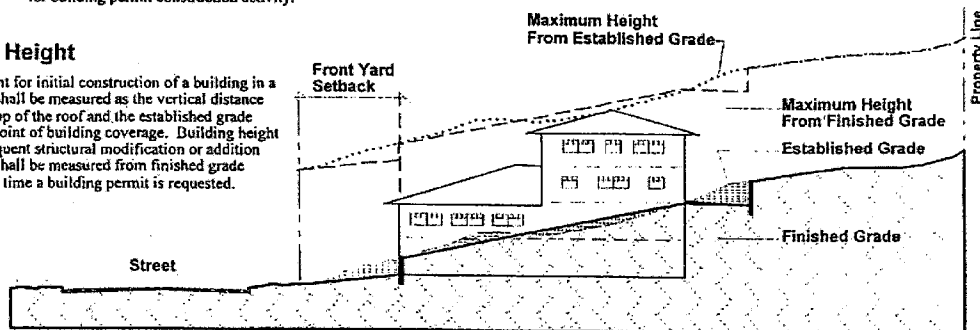


## Established Grade

"The natural topographic grade of undisturbed areas on a site or the grade that exists after approved subdivision site development activity has been completed prior to approval for building permit construction activity."

### Building Height

Building height for initial construction of a building in a foothill zone shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested.

**Finished Grade**

"The finished grade of a site after reconfiguring grades according to an approved re-grading plan related to the initial building permit activity on a site."

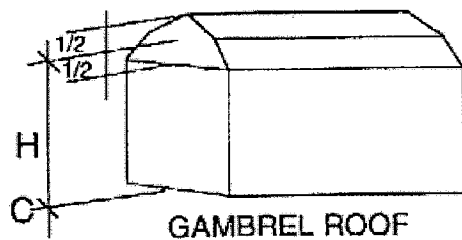
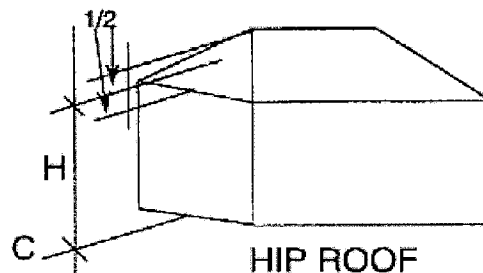
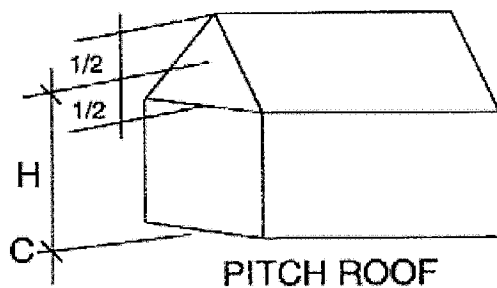
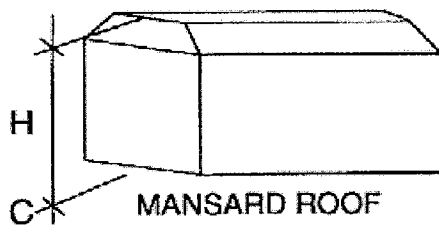
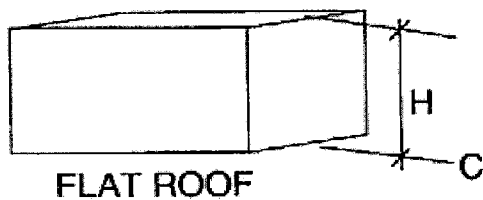
Illustration – B

**BUILDING HEIGHT (OUTSIDE FOOTHILL DISTRICTS, R-1 DISTRICTS, R-2 DISTRICT AND SR DISTRICTS)**

**DEFINITION :**

*Building Height*

The vertical distance measured from the average elevation of the finished lot grade at each face of the building, to the highest point of the coping of a flat roof; the deck line of a mansard roof, or the average height of the gable on a pitched, gambrel, hip or shed roof.



**Exhibit 3**

**CITY COUNCIL  
HEARING NOTICE**



## NOTICE OF PUBLIC HEARING

The Salt Lake City Council will hold a public hearing concerning Petition 400-05-25 and consider adopting an ordinance to amend provisions of the Salt Lake City Code that may contribute to residential infill development that is not compatible with the surrounding development within various single and two-family residential zoning districts. The City Council will consider recommending amendments to provisions of the Chapter 21A of the City Code dealing with in-line additions, building height, yard requirements, garage placement and accessory building standards, lot size, building coverage, definition of the term "demolition" and Chapter 18.20.090 of the City Code pertaining to fines assessed for construction activity undertaken in violation of the proposed standards.

The City Council will hold a public hearing:

**Date:**

**Time:** 7:00 p.m.

**Place:** Room 315 (City Council Chambers)  
Salt Lake City and County Building  
451 S. State Street  
Salt Lake City, UT

**\*Please enter the building from the east side\***

You are invited to attend this hearing, ask questions or provide input concerning the topic listed above. If you have any questions, contact Joel Paterson at 535-6141 between the hours of 8:00 a.m. and 5:00 p.m., or send e-mail to [joel.paterson@slcgov.com](mailto:joel.paterson@slcgov.com)

We comply with all ADA guidelines. Accessible parking and entrance are located on the east side of the building. Hearing impaired who wish to attend the above meeting should contact Salt Lake City's TDD service number at 535-6021, a minimum of four days in advance so that an interpreter can be provided.

# **Exhibit 4**

## **MAILING LABELS**

**ORGANIZATIONS:**

Updated: 4/1/2005 sj

DOWNTOWN ALLIANCE  
BOB FARRINGTON, DIRECTOR  
175 EAST 400 SOUTH, #100  
SALT LAKE CITY, UT 84111

S.L. CHAMBER OF COMMERCE  
175 EAST 400 SOUTH, SUITE #100  
SALT LAKE CITY, UT 84111

ATTN: CAROL DIBBLEE  
DOWNTOWN MERCHANTS ASSN.  
10 W. BROADWAY, SUITE #420  
P.O. BOX  
SALT LAKE CITY, UT 84101

HISPANIC CHAMBER OF  
COMMERCE  
P.O. BOX 1805  
SALT LAKE CITY, UT 84110

VEST POCKET BUSINESS  
COALITION  
P.O. BOX 521357  
SALT LAKE CITY, UT 84152-1357

SUGAR HOUSE MERCHANTS ASSN.  
c/o BARBARA GREEN  
SMITH-CROWN  
2000 SOUTH 1100 EAST  
SALT LAKE CITY, UT 84106

WESTSIDE ALLIANCE  
c/o NEIGHBORHOOD HOUSING SVS.  
MARIA GARCIA  
622 WEST 500 NORTH  
SALT LAKE CITY, UT 84116

*Joel Paterson*  
*2450 E. Lamborne*  
*SLC, UT 84109*

*Clint Johnson*  
*1555 S. Wasatch Dr.*  
*SLC, UT 84108*

*Clint Johnson*  
*1116 S. Richards St.*  
*SLC, UT 84101*

*Joel Paterson*  
*451 S. State St. Rm 406*  
*SLC, UT 84101*

**COMMUNITY COUNCIL CHAIRS:**

Updated: 7/19/2005 sj

KEN FUTZ, CHAIR  
WEST POINTE COMM. COUNCIL  
1217 NO. BRIGADIER CIRCLE  
SALT LAKE CITY, UT 84116

KENNETH L. NEAL, CHAIR  
ROSE PARK COMMUNITY COUNCIL  
1071 NO. TOPAZ DR.  
SALT LAKE CITY, UT 84116

ANGIE VORHER, CHAIR  
JORDAN MEADOWS COMM. COUNCIL  
1988 SIR JAMES DRIVE  
SALT LAKE CITY, UT 84116

VICKY ORME, CHAIR  
FAIRPARK COMM. COUNCIL  
159 NORTH 1320 WEST  
SALT LAKE CITY, UT 84116

MIKE HARMAN, CHAIR  
POPLAR GROVE COMM. COUNCIL  
1044 WEST 300 SOUTH  
SALT LAKE CITY, UT 84104

RANDY SORENSON, CHAIR  
GLENDALE COMMUNITY COUNCIL  
1184 SO. REDWOOD DRIVE  
SALT LAKE CITY, UT 84104-3325

PETER VON SIVERS, CHAIR  
CAPITOL HILL COMMUNITY COUNCIL  
223 WEST 400 NORTH  
SALT LAKE CITY, UT 84103

JILL VAN LANGEVELD, CHAIR  
GRTR. AVENUES COMM. COUNCIL  
807 E. NORTHCLIFFE DRIVE  
SALT LAKE CITY, UT 84103

BILL DAVIS, CHAIR  
RIO GRANDE COMMUNITY COUNCIL  
329 E. HARRISON AVENUE  
SALT LAKE CITY, UT 84115

BILL PLASTOW, CHAIR  
PEOPLES FREEWAY COMM. COUNCIL  
1625 SOUTH WEST TEMPLE  
SALT LAKE CITY, UT 84115

THOMAS MUTTER, CHAIR  
CENTRAL CITY COMMUNITY COUNCIL  
228 EAST 500 SOUTH, #100  
SALT LAKE CITY, UT 84111

DENNIS GUY-SELL, CHAIR  
EAST CENTRAL COMMUNITY  
COUNCIL  
P.O. BOX 520473  
SALT LAKE CITY, UT 84152-0473

BRIAN WATKINS, CHAIR  
LIBERTY WELLS COMM. COUNCIL  
1744 SOUTH 600 EAST  
SALT LAKE CITY, UT 84106

JIM WEBSTER, CHAIR  
YALECREST COMMUNITY COUNCIL  
938 MILITARY DRIVE  
SALT LAKE CITY, UT 84108-1326

MARYDELLE GUNN, CHAIR  
WASATCH HOLLOW  
COMMUNITY COUNCIL  
1595 SOUTH 1300 EAST  
SALT LAKE CITY, UT 84105

LARRY SPENDLOVE, CHAIR  
SUNNYSIDE EAST ASSOCIATION  
2114 E. HUBBARD AVENUE  
SALT LAKE CITY, UT 84108

ELLEN REDDICK, CHAIR  
BONNEVILLE HILLS  
COMMUNITY COUNCIL  
2177 ROOSEVELT AVE.  
SALT LAKE CITY, UT 84108

DAVE MORTENSEN, CHAIR  
ARCADIA HEIGHTS/BENCHMARK  
COMMUNITY COUNCIL  
2278 SIGNAL POINT CIRCLE  
SALT LAKE CITY, UT 84109

MARK HOLLAND, CHAIR  
SUGAR HOUSE COMM. COUNCIL  
1942 BERKELEY STREET  
SALT LAKE CITY, UT 84105

PAM PEDERSEN, CHAIR  
EAST LIBERTY PARK  
(e-mail) 1165 Windsor St.  
SLC UT 84106

MICHAEL AKERLOW  
FOOTHILL/SUNNYSIDE  
COMMUNITY COUNCIL  
1940 E. HUBBARD AVENUE  
SALT LAKE CITY, UT 84108

PAUL TAYLER, CHAIR  
OAK HILLS COMMUNITY COUNCIL  
1165 SO. OAKHILLS WAY  
SALT LAKE CITY, UT 84108

MIKE ZUHL, CHAIR  
INDIAN HILLS COMMUNITY COUNCIL  
2676 E. COMANCHE DRIVE  
SALT LAKE CITY, UT 84108

DOUG FOXLEY, CHAIR  
ST. MARY'S COMMUNITY COUNCIL  
1449 DEVONSHIRE DRIVE  
SALT LAKE CITY, UT 84108

TIM DEE, CHAIR  
SUNSET OAKS COMMUNITY COUNCIL  
1575 DEVONSHIRE DRIVE  
SALT LAKE CITY, UT 84108

SHAWN McMILLEN, CHAIR  
H ROCK COMMUNITY COUNCIL  
1855 SOUTH 2600 EAST  
SALT LAKE CITY, UT 84108

WATERWORKS  
2394 E SUNDOWN CIRCLE  
SALT LAKE CITY , UT 84121

WATTCO ENTERPRISES INC  
9550 NORTH 6800 WEST  
HIGHLAND , UT 84003

WATTS ENTERPRISES INC  
5200 S HIGHLAND DR  
SALT LAKE CITY , UT 84117

WAYMAN, C L PIPING LC  
260 W. PLYMOUTH AVENUE  
SALT LAKE CITY , UT 84115

WEBB BROTHERS  
CONSTRUCTION INC  
8738 S SANDY PKWY  
SANDY , UT 84070

WERNLI INC  
264 SOUTH GLENDALE  
SALT LAKE , UT 84104

WESTERN AUTOMATIC  
SPRINKLER IN  
2510 S WEST TEMPLE  
SALT LAKE CITY , UT 84115

WESTERN DEVELOPMENT &  
CONST  
1958 E 900 S  
SALT LAKE CITY , UT 84108

WESTERN STATES FIRE  
PROTECTION  
39 W TRUMAN AVE  
SLC , UT 84115

WEYHER CONSTRUCTION CO  
P O BOX 16717  
SLC , UT 84116

WHITE, RAY ROOFING INC  
3954 S 6990 W  
SALT LAKE CITY , UT 84120

YACK, MARTIN CONSTR INC  
12815 S 300 E  
DRAPER , UT 84020

YEAGLE & SONS PLUMBING  
181 LAKEVIEW  
STANSBURY PARK , UT 84074

YOUNG ELECTRIC SIGN CO  
1148 S 300 W  
SALT LAKE CITY , UT 84101

ZARBOCK, JOHN PLUMBING,  
INC  
P.O.BOX 65098  
SO. SLC , UT 84165

ZIONS SECURITIES CORP  
102 E SOCIAL HALL AVE  
SALT LAKE CITY , UT 84111

Joel Paterson  
2450 E. Lambourne Ave  
SLC , UT 84109

Joel Paterson  
451 S. State St. Rm 406  
SLC , UT 84111

Lisa Eisenberg  
1856 Downingtown Ave.  
Salt Lake City, UT 84108

Jill Van Langeveld  
807 E Northcliffe Drive  
Salt Lake City, UT 84103

David Richardson  
510 S. 600 E.  
SLC UT 84102

Dave Richards  
1399 S. 700 E.  
SLC UT 84105

Max Smith  
MJSA  
357 W. Pierpont Ave.  
SLC UT 84101

Kirk Huffacker  
Utah Heritage Foundation  
485 N. Canyon Rd.  
SLC UT 84103

Dave and Lisette Gibson  
1764 E. Hubbard Ave.  
SLC UT 84108

Sydney Fannesbeck  
50 S. 600 E.  
SLC UT 84102

Soren Simonsen  
700 N. 200 W.  
SLC UT 84103

Helen Peters  
2803 Beverly Street  
SLC UT 84106

Thomas Ellison  
Stoel Rives  
201 S. Main Street  
SLC UT 84111

Cindy Cromer  
250 S. 1000 E.  
SLC UT 84102

TINGEY PLUMBING &  
HEATING  
1801 S 900 W  
SALT LAKE CITY, UT 84104

TOTAL RESTORATION  
3565 S WEST TEMPLE  
SLC, UT 84115

TRIANAFILLOU REMODEL &  
WOODWO  
1448 S 10TH E  
SALT LAKE CITY, UT 84105

TURNER & CO  
P O BOX 520904  
SLC, UT 84152

UNITED FENCE COMPANY  
2525 SOUTH 2700 WEST PO  
BOX 26933  
SALT LAKE CITY, UT 84126

UTAH COMMERCIAL  
CONTRACTORS  
748 S 5300 W #A  
SALT LAKE CITY, UT 84104

UTAH TILE CORP  
11286 S 675 W  
S JORDAN, UT 84095

VARSITY CONTRACTORS INC  
6012 SIERRA GRANDE DR  
TAYLORSVILLE, UT 84118

W F ENGINEERING INC  
PO BOX 271100  
SLC, UT 84127

WADSWORTH, CALVIN L  
CONST  
14912 S. HERITAGECREST WAY  
BLUFFDALE, UT 84065

TOLBOE CONSTRUCTION  
COMPANY  
1363 S MAJOR ST  
SLC, UT 84115

TOWERS, HERB MURRAY PLBG  
5757 SOUTH STATE  
SALT LAKE CITY, UT 84107

TROJAN ROOFING COMPANY  
P O BOX 1508  
WEST JORDAN, UT 84084

UEAC, INC  
145 WEST 2950 SOUTH  
SALT LAKE CITY, UT 84115

UNITED FURNACE  
P.O. BOX 17397  
SALT LAKE CITY, UT 84121

UTAH HOME BUILDING  
COMPANY  
4682 SOUTH 150 WEST  
MURRAY, UT 84107

VANKEIZERWAARD  
CARPENTRY  
1234 SOUTH 1800 EAST  
SLC, UT 84108

VIKING ROOFING, LLC  
5136 W. GASKILL WY.  
W.JORDAN, UT 84088

WADMAN CORPORATION  
PO BOX 1458  
OGDEN, UT 84402

WAGSTAFF CONSTRUCTION  
INC  
6300 N SAGEWOOD DR H235  
PARK CITY, UT 84098

TOPP CONSTRUCTION INC  
P.O. BOX 57191  
MURRAY, UT 84107

TRI-SHAMROCK INC  
340 W 500 N  
NORTH SALT LAKE, UT 84054

TUFF SHED, INC  
1777 S HARRISON ST #600  
DENVER, CO 80210

UNI-WEST INC  
2896 E 3300 S  
SALT LAKE, UT 84109

UTAH CLEANING SYSTEMS  
INC  
13081 S MINUTEMAN DR  
DRAPER, UT 84020

UTAH OUTDOOR  
ADVERTISING INC  
1675 NORTH BECK ST  
SALT LAKE CITY, UT 84116

VANNCO ARCH & CONSTR INC  
3893 W BETH PARK DR  
WVC, UT 84120

W E CORP  
2770 SOUTH MAIN ST  
SLC, UT 84115

WADSWORTH BROS CONST  
CO, INC &  
13526 S 110 W  
DRAPER, UT 84020

WASATCH SUMMIT  
CONSTRUCTION  
P.O. BOX 441  
OAKLEY, UT 84055

SPECTRUM DYNAMICS, INC  
2806 S 2000 E  
SALT LAKE CITY , UT 84109

STAKER PAVING & CONST CO  
INC  
1000 W CENTER  
NORTH SALT LAKE, UT 84054

STEEL ENCOUNTERS  
525 EAST 300 SOUTH  
SALT LAKE CITY , UT 84102

STIRLING CONSTRUCTION INC  
15 W. 4800 S.  
MURRAY , UT 84107

SUBURBAN PROPERTY  
MAINTENANCE  
2785 W 9000 S  
W JORDAN , UT 84088

T S ELECTRIC INC  
6220 S. 300 W.  
MURRAY , UT 84107

TECHNICAL AIR SPECIALISTS  
INC  
226 W 3620 S  
SALT LAKE CITY , UT 84115

TERRAN-OMNI GROUP INC  
388 EAST 2000 NORTH  
OGDEN , UT 84414

THIEDE CONSTRUCTION CORP  
4183 WEST 2100 SOUTH  
SALT LAKE CITY , UT 84120

THORNTON PLUMBING &  
HEATING CO  
6790 S 400 W  
Midvale , UT 84047

SPEIRS, ROBERT W PLUMBING  
INC  
PO BOX 345  
KAYSVILLE , UT 84037

STALLINGS CONSTRUCTION  
CO  
5280 S. COMMERCE DR E-150  
MURRAY , UT 84107

STEEL SHADE  
948 EAST 7145 SO. #C102  
MIDVALE , UT 84047

STREAMLINE CONSTR. DESIGN  
320 W 200 S #280-B  
SLC , UT 84101

SUGAR HOUSE  
AWNING/CANVAS PROD  
2005 S 1100 E  
SALT LAKE CITY , UT 84106

T.H.R. CONSTRUCTION, LLC  
300 E GORDON LN  
MURRAY , UT 84107

TEMPERATURE  
TECHNOLOGIES  
4850 S. 500 W.  
MURRAY , UT 84123

THE ELM GROUP INC  
1809 SOUTH 900 WEST  
SALT LAKE , UT 84119

THOLEN, PRESTON  
CONSTRUCTION  
813 W HOYTSVILLE RD  
COALVILLE , UT 84017

THORUP BROTHERS  
CONSTRUCTION  
3048 THORUP CIR  
WEST VALLEY CIT, UT 84119

SQUIRES CONSTRUCTION INC  
350 S 100 E  
FARMINGTON , UT 84025

STAPP CONSTRUCTION, INC  
649 W 250 S  
FARMINGTON , UT 84025

STEVENS, TOM  
CONSTRUCTION  
2662 VERONA CIRCLE  
SALT LAKE CITY , UT 84117

STUART, TOM CONSTRUCTION  
INC  
100 N 700 W UNIT C  
NORTH SALT LAKE, UT 84054

SUNUP BUILDING CO  
968 DUPLER ROAD  
SANDY , UT 84094

TEAM MECHANICAL INC  
P O BOX 287  
KAYSVILLE , UT 84037

TEMPORARY SERVICE &  
RENTAL  
9861 S. AMBER LN.  
SANDY , UT 84094

THEY INC  
6482 S 2520 E  
SLC , UT 84121

THOMPSON, M K CNST  
2164 LAKELINE DRIVE  
SALT LAKE CITY , UT 84109

TINGEY CONSTRUCTION CO  
INC  
301 S. MAIN  
CENTERVILLE , UT 84014

RICHINS GENERAL  
ENGINEERING  
1568 WEST LAUREL CHASE CIR  
RIVERTON , UT 84065

ROBBINS CENTRAL ELECTRIC  
PO BOX 17897  
SALT LAKE CITY , UT 84117

ROYAL CONST &  
RESTORATION INC  
4112 W HARVEST MOON DR  
SOUTH JORDAN , UT 84095

S L NEIGHBORHOOD HOUSING  
SERV  
622 WEST 500 NORTH  
SALT LAKE CITY , UT 84116

SALT LAKE CITY CONST CO  
5139 S. COMMERCE DR.  
SALT LAKE CITY , UT 84107

SAVAGE CONSTRUCTION INC  
8070 S 700 E  
SANDY , UT 84070

SHEET METAL SYSTEMS  
12659 S 125 E  
DRAPER , UT 84020

SIEVERTS LUXAIRE SUNBEAM  
1881 EAST 8325 S  
SANDY 84093

SL COMMUNITY ACTION  
PROGRAM  
764 SOUTH 200 WEST  
SLC , UT 84101

SORENSEN, CRAIG F  
CONSTRUCTION  
918 SOUTH 2000 WEST  
SYRACUSE , UT 84075

RIDGES, R A CO, INC  
425 WEST 400 SOUTH  
SALT LAKE CITY , UT 84101

ROCKY MOUNTAIN  
MECHANICAL  
3412 SOUTH WEST TEMPLE  
SALT LAKE CITY , UT 84115

ROYAL SEAL CONSTRUCTION  
INC  
3207 JUSTING RD  
FLOWER MOUND , TX 75028

SAHARA INC  
801 N. 500 W #300  
W. BOUNTIFUL , UT 84087

SALT LAKE VALLEY HABITAT  
716 E 4500 S #N160  
SALT LAKE CITY , UT 84107

SERVICE EXPERTS OF S L C  
LLC  
7682 S MAPLE ST  
MIDVALE , UT 84047

SHELTER CONSTRUCTION CO,  
INC  
851 SO. RICHARDS ST.  
SALT LAKE CITY , UT 84101

SIGNATURE BUILDERS, INC  
3335 S 2070 E #28  
SALT LAKE CITY , UT 84109

SMITH & ISOM BUILDERS INC  
2580 E 3210 S  
SALT LAKE CITY , UT 84109

SOUVALL BROTHERS, INC  
3701 S 700 W  
SALT LAKE CITY , UT 84119

RIGBY REMODEL INC  
3415 SOUTH 2700 EAST  
SALT LAKE CITY , UT 84109

ROMNEY CORPORATION  
4425 SOUTH 500 WEST  
MURRAY , UT 84123

S C C CONSTRUCTION INC  
4824 WALLACE LANE  
HOLLADAY , UT 84117

SALMON ELECTRICAL CONTR  
INC  
1116 W 500 S  
W. BTFL , UT 84087

SANDOVAL, A B  
1715 WEST 4TH NORTH  
SALT LAKE CITY , UT 84116

SHAW ROOFING & GEN  
CONTRACTING  
1182 E LAIRD AVE  
SLC , UT 84105

SIERRA CONSTRUCTION LLC  
P.O. BOX 571467  
SLC , UT 84157

SKYLINE ELECTRIC COMPANY  
1190 SOUTH PIONEER ROAD  
SALT LAKE CITY , UT 84104

SMOLKA CONSTRUCTION INC  
43 A SMOKEY LANE  
SLC , UT 84108

SPECTEC UNIVERSAL  
SERVICES INC  
225 W COTTAGE  
SANDY , UT 84070



P B CONSTRUCTION INC  
310 NORTH 400 EAST  
CENTERVILLE , UT 84014

PACKER, TOD R HTG & AC  
5940 COPPERCITY CR  
KEARNS , UT 84118

PAGE ELECTRIC SERVICE INC  
P O Box 540505  
North Salt Lake, UT 84054

PALMER-CHRISTIANSEN CO  
2510 SOUTH WEST TEMPLE  
SALT LAKE CITY , UT 84115

PARAGON BUILDERS INC  
1010 E 12340 S  
DRAPER , UT 84020

PAULSEN ENG & CONST CO IN  
3075 S 230 W  
SALT LAKE CITY , UT 84115

PEARSON, ROBERT  
P O BOX 526001  
SALT LAKE CITY , UT 84152

PENDLETON BUILDERS INC  
12132 S 1950 E  
Draper , UT 84020

PENHALL COMPANY  
1801 PENHALL WAY  
ANAHEIM , CA 92803

PENTALON CONSTRUCTION  
INC  
132 E 13065 S SUITE 175  
DRAPER , UT 84020

PETERSON, GARY L  
881 EAGLE RIDGE DRIVE  
N SALT LAKE , UT 84054

PHILIPOOM CONSTRUCTION  
5952 SOUTH WALQUIST  
SALT LAKE CITY , UT 84123

PHILLIP WINSTON  
CONSTRUCTION  
1645 E WASATCH CR  
SALT LAKE CITY , UT 84105

PINNACLE BLDG GROUP INC  
4877 SOUTH TAYLORS PARK  
DR  
TAYLORSVILLE , UT 84123

PIONEER ROOFING COMPANY  
7041 S 2700 E  
SALT LAKE CITY , UT 84121

PLUMBING PLUS  
2021 SOUTH 1100 EAST  
SALT LAKE CITY , UT 84106

POWELL DEMOLITION INC  
10TH SOUTH OAK STREET #4  
MIDVALE , UT 84047

POWER AND LIGHT ELECTRIC  
LC  
PO BOX 95291  
SOUTH JORDAN , UT 84095

PRECEPT PROPERTY  
MANAGEMENT  
4600 HOLLADAY BLVD  
SALT LAKE CITY , UT 84117

PRIMARY CHILDRENS  
MEDICAL CNTR  
100 NORTH MEDICAL DRIVE  
SALT LAKE CITY , UT 84113

PRINCE BUILDERS  
307 W. 200 S. SUITE 3004  
SLC , UT 84101

PROGRESSIVE BUILDERS  
7966 MAYOR VISTA COVE  
SANDY , UT 84093

R & O CONSTRUCTION CO  
933 WALL AVE  
OGDEN , UT 84401

RAINBOW NEON SIGN  
COMPANY  
257 WEST 3300 SOUTH  
SALT LAKE CITY , UT 84115

RAYS COMMERCIAL KITCHEN  
INSTL  
4095 W PASKAY DR  
WEST VALLEY CIT, UT 84120

RC HUNT ELECTRIC, INC  
2064 W. ALEXANDER ST. STE  
#E  
SALT LAKE , UT 84119

RCON INCORPORATED  
1625 W 700 N SUITE J  
SALT LAKE CITY , UT 84116

REAGAN OUTDOOR  
ADVERTISING  
1775 N WARM SPRINGS RD  
SALT LAKE CITY , UT 84116

REYNOLDS FIRE PROTECTION  
P.O. BOX 16172  
SALT LAKE CITY , UT 84116

RICHARDSON VANLEEUEWEN  
CONSTR  
510 S 600 E  
SALT LAKE CITY , UT 84102

M S T BUILDERS INC  
1452 W. HEATHER DOWNS  
S. JORDAN , UT 84095

MANWILL PLUMBING &  
HEATING LC  
385 E 3900 S  
SLC , UT 84107

MASTER PROTECTION CORP  
ATT. ROGER FREEMAN 1761  
SOUTH 900 WEST #25  
SALT LAKE CITY , UT 84104

MECHANICAL SERVICE &  
SYSTEMS  
6906 SOUTH 300 WEST  
MIDVALE , UT 84047

MIDWEST ELECTRIC, INC  
427 W 800 N  
SALT LAKE CITY , UT 84103

NARNIA PAINT &  
REMODELING  
3353 SOUTH MAIN #294  
SLC , UT 84115

NEW LOOK SIDING LLC  
10947 SOUTH SEQUOIA CIR  
SANDY , UT 84094

NORTHERN ELECTRIC  
COMPANY  
1308 S 1700 E #203  
SALT LAKE CITY , UT 84108

NORWOOD CONSTRUCTION &  
REMODEL  
180 EAST 2100 SOUTH # 202  
SALT LAKE CITY , UT 84115

OKLAND CONSTRUCTION CO  
1978 SOUTH WEST TEMPLE  
SALT LAKE CITY , UT 84115

MACKAY, GRANT CO INC  
250 West Berger Lane  
Murray , UT 84107

MARKIM CONSTRUCTION, LLC  
P O BOX 58024  
SLC , UT 84158

MCBRIDE, MARK H PLUMBING  
5948 SO 350 WEST  
MURRAY , UT 84107

MERIT STRUCTURES &  
RESTORATION  
204 WEST 9210 SOUTH  
SANDY , UT 84070

MUGLESTONS, THE  
4537 WELLINGTON  
SALT LAKE CITY , UT 84117

NELSON CONTRACTORS  
P.O. BOX 571129  
MURRAY , UT 84157

NEW STAR GENERAL  
CONTRACTORS  
2610 W 2590 S  
WVC , UT 84119

NORTHWEST ROOFING L L C  
P O Box 16028  
SLC , UT 84116

OASIS PLUMBING, INC  
1963 SOUTH BLUFF ROAD  
SYRACUSE , UT 84075

OLIVER, JIM  
1053 E 3RD AVE  
SLC , UT 84103

MAINLINE CONSTRUCTION  
INC  
1598 N 352 W SUITE B  
LAYTON , UT 84041

MARSALA, DUANE CONST  
LLC  
11239 MIDAS VIEW CIR  
S JORDAN , UT 84095

MCCULLOUGH ENG &  
CONTRACTING  
1567 EAST STRATFORD AVE  
SALT LAKE CITY , UT 84106

MIDGLEY CONSTRUCTION INC  
7644 S STATE ST  
MIDVALE , UT 84047

NAILSETTER CONST, INC  
P.O. BOX 9539  
SALT LAKE CITY , UT 84109

NEW CONCEPTS  
CONSTRUCTION INC  
31 W GREGSON AVE  
SALT LAKE CITY , UT 84115

NILSSON, KEVAN  
CONSTRUCTION  
855 EAST 4800 SOUTH  
SALT LAKE CITY , UT 84107

NORTONS SIDING & WINDOWS  
621 WEST 9TH AVENUE  
MIDVALE , UT 84084

ODYSSEY HOUSE INC  
68 SOUTH 600 EAST  
SLC , UT 84102

OVERHEAD ROOFING  
3150 S 6400 W  
WEST VALLEY CIT, UT 84120

K O H MECHANICAL  
CONTRACTORS  
1273 WEST 12400 SOUTH  
RIVERTON , UT 84065

KAPP CONSTRUCTION &  
DEVELOPMNT  
1595 W 3300 S  
OGDEN , UT 84401

KBR SYSTEMS INC  
9500 S 500 W #108  
SANDY , UT 84070

KEITH SUPPLY INC  
3380 S 1325 W  
OGDEN , UT 84402

KELLER CONSTRUCTION INC  
2412 SOUTH 3400 WEST  
SALT LAKE CITY , UT 84119

KENDRICK BROTHERS  
CONSTRUCTION  
4015 SOUTH 300 WEST  
SALT LAKE CITY , UT 84107

KIDSTON ENGINEERING & CO  
2304 EAST 4680 SOUTH  
SALT LAKE CITY , UT 84117

KIER CONSTRUCTION CORP  
3710 QUINCY AVENUE  
OGDEN , UT 84403

KIM, MACKAY INC  
937 WEST 1760 SOUTH  
SALT LAKE CITY , UT 84104

KIMBALL ROOFING  
8490 S STATE ST  
MIDVALE , UT 84047

KIMCO FIRE PROTECTION INC  
P O BOX 1916  
OREM , UT 84059

KING CONSTRUCTION INC  
456 SEGO AVE  
SALT LAKE CITY , UT 84111

KLR CONSTRUCTION INC  
1983 EAST FOREST CREEK LN  
SALT LAKE , UT 84121

KNIGHT BROTHERS  
CONSTRUCTION  
2590 W 2660 S  
WEST VALLEY , UT 84119

LA PORTE CONSTRUCTION  
525 S 900 E  
SLC , UT 84102

LAKE ELECTRIC, INC  
3520 W 8600 S  
WEST JORDAN , UT 84088

LAYTON CONSTRUCTION CO  
INC  
9090 S SANDY PKWY  
SANDY , UT 84070

LAYTON ROOFING CO, INC  
14745 HERRITAGECREST WAY  
BLUFFDALE , UT 84065

LEAVITT RESTORATION  
SRVCS INC  
4662 S 200 W  
MURRAY , UT 84107

LEBEQUE BROTHERS  
CONSTRUCTION  
916 WEST SOUTH TEMPLE  
SLC , UT 84104

LEGACY CONSTRUCTORS  
P O BOX 11525  
SLC , UT 84115

LEGACY SIGNS & SERVICE  
1939 S 300 W  
SLC , UT 84115

LEHRMAN CONSTRUCTION  
1410 E 8085 S  
SANDY , UT 84093

LIGHTING MAINTENANCE &  
SERVICE  
663 W 4330 S  
SALT LAKE CITY , UT 84123

LIVE WIRE SERVICE  
2846 HARTFORD STREET  
SALT LAKE CITY , UT 84106

LLOYD, TODD A  
1432 EAST SHOSHONE AVE  
SANDY , UT 84092

LONE PEAK ELECTRIC INC  
P O BOX 1133  
DRAPER , UT 84020

LONG, R J & CO  
6514 W SUNFLOWER DR  
HIGHLAND , UT 84003

LOWELL CONSTRUCTION  
COMPANY  
1035 SOUTH 800 WEST  
SALT LAKE CITY , UT 84104

LUTTMER CONSTRUCTION  
746 ASPEN DR  
PARK CITY , UT 84098

HUSBAND, CHAD CONST INC  
875 SOUTH CHESTNUT STREET  
SALT LAKE CITY , UT 84104

HVAC INSTALLATION  
4841 S 3400 W  
TAYLORSVILLE , UT 84118

HY-BAR WINDOWS & DOORS  
INC  
6417 SOUTH COTTONWOOD ST.  
MURRAY , UT 84107

I D ELECTRIC CO  
3690 SOUTH 500 WEST #101  
SALT LAKE CITY , UT 84115

ICON REMODELING  
3336 SOUTH PIONEER STREET  
SALT LAKE CITY , UT 84109

IDEAL HOMES &  
DEVELOPMENT INC  
8464 S 4800 W  
W JORDAN , UT 84088

IHC HEALTH SERVICES IN  
36 S STATE ST 13TH FL  
SLC , UT 84111

IMAGE SIGN & LIGHTING  
945 Gale Street  
SLC , UT 84101

IMPACT SIGNS INC  
2236 SOUTH 3270 WEST  
WEST VALLEY , UT 84119

INGERSOLL, MEL  
5758 WASATCH BLVD  
HOLLIDAY , UT 84121

INNOVATIVE HOMES &  
DEVELOPMENT  
11626 S 4205 W  
S JORDAN , UT 84095

INTERIOR CONSTRUCTION  
SPEC INC  
9090 S SANDY PARKWAY  
SANDY , UT 84070

INTERMOUNTAIN AQUATECH  
INC  
9435 SOUTH 255 WEST  
SANDY , UT 84070

INTERSTATE BUILDING &  
PRODUCTS  
3159 South 3075 East  
SLC , UT 84109

IRVING UNLIMITED SERVICES  
INC  
838 E ROOSEVELT  
SALT LAKE CITY , UT 84105

ISAAC, JIM CONSTRUCTION  
3451 S. 1320 W. #B  
WVC , UT 84119

IVERSON HOMES L.C.  
2225 E MURRAY HOLLADAY  
RD  
HOLLADAY , UT 84117

IVIE ELECTRIC SERVICE  
560 W 9450 S  
SANDY , UT 84070

IVORY HOMES INC  
970 E WOODOAK LN  
SALT LAKE CITY , UT 84117

IVY LEAGUE BUILDER INC  
357 E 3300 S #9  
SALT LAKE CITY , UT 84115

J R REMODELING  
824 EAST 2700 SOUTH  
SALT LAKE CITY , UT 84106

J R SETTLE ELECTRIC INC  
71 EAST 135 NORTH  
OREM , UT 84057

JACOBSEN CONSTRUCTION CO  
P O BOX 27608  
SALT LAKE CITY , UT 84127

JOHNSON CONTROLS INC  
P. O. BOX 27487  
SALT LAKE CITY , UT 84127

JOHNSON ELECTRIC MOTOR  
INC  
2925 S COMMERCE WAY  
OGDEN , UT 84401

JORDAN VALLEY ELECTRIC  
INC  
4225 W NIKE DR # A  
WEST JORDAN , UT 84088

JUAB ENTERPRISES INC  
3872 PARKVIEW CIRCLE  
SALT LAKE CITY , UT 84124

JUSTIN-CASE INCORPORATED  
1436 W 8040 S  
WEST JORDAN , UT 84088

K E SYSTEMS, INC  
3959 SOUTH WEST TEMPLE  
SALT LAKE CITY , UT 84107

K L R CONSTRUCTION  
1983 E FOREST CREEK LANE  
SALT LAKE CITY , UT 84121

GARN-TEE ROOFING INC  
P.O. BOX 714  
WEST JORDAN , UT 84084

GEIS ELECTRIC, INC  
P O BOX 651098  
SALT LAKE CITY , UT 84165

GIC CONSTRUCTION  
9261 PEACH BLOSSOM DR.  
SANDY , UT 84094

GILLIES SIGN & DESIGN, INC  
1760 S REDWOOD RD  
SALT LAKE CITY , UT 84104

GRANITE ELECTRIC, INC  
3449 S WEST TEMPLE  
SALT LAKE CITY , UT 84115

GREEN, WESLEY ROOFING  
239 PARAMOUNT AVENUE  
SALT LAKE CITY , UT 84115

GREENWOOD CONST  
COMPANY  
12637 S 265 W #100  
DRAPER , UT 84020

GRINNELL CORPORATION -  
TAX DEPARTMENT  
3 TYCO PARK  
EXETER , NH 3833

GSL ELECTRIC  
8540 S SANDY PARK WAY  
SANDY , UT 84070

GUEST, CF JR  
1855 EAST 3990 SOUTH  
HOLLADAY , UT 84124

GUNN CONSTRUCTION/AIRCO  
HEATIN  
784 EAST 8080 SOUTH  
SANDY , UT 84094

GUNTHERS INC  
81 SOUTH 700 EAST  
AMERICAN FORK , UT 84003

GUSTAFSON CONSTRUCTION  
INC  
2638 W 9435 S  
S JORDAN , UT 84095

H & C COMPANY  
5180 S 300 W # H  
MURRAY , UT 84107

H V A C CONSTRUCTION INC  
694 W. 900 N.  
NSL , UT 84054

HALSTEAD CONSTRUCTION  
CORP  
3583 VIA TERRA  
SALT LAKE CITY , UT 84115

HALVERSON MECHANICAL,  
INC  
2488 S 1620 W  
OGDEN , UT 84401

HARDY, J L CONSTR CORP  
1800 SO W TEMPLE, A330, BOX 6  
SALT LAKE CITY , UT 84115

HARRIS-DUDLEY PLUMBING  
CO  
221 WEST 400 SOUTH  
SALT LAKE CITY , UT 84101

HATT PLUMBING & HEATING  
14432 S CAMP WILLIAMS RD  
RIVERTON , UT 84065

HEATON ROOFING INC  
3480 SOUTH 500 WEST  
SALT LAKE CITY , UT 84115

HEBERT, E D CONSTRUCTION  
CORP  
3150 SOUTH WASHINGTON ST  
SALT LAKE CITY , UT 84115

HIDDEN PEAK ELECTRIC  
4586 SOUTH CHERRY ST #A  
MURRAY , UT 84123

HOJ ENGINEERING & SALES  
3960 SOUTH 500 WEST  
SALT LAKE CITY , UT 84123

HOLBROOK, TODD PLUMBING  
&  
165 W GREGSON AVE  
SALT LAKE CITY , UT 84115

HOME-TECH, INC  
PO BOX 526396  
SALT LAKE CITY , UT 84106

HORNE CONSTRUCTION &  
DEVEL CO  
525 SOUTH 300 WEST  
SALT LAKE CITY , UT 84101

HOWA CONSTRUCTION, INC  
P O BOX 2406  
SALT LAKE CITY , UT 84110

HUGHES GENERAL  
CONTRACTORS INC  
900 N REDWOOD RD  
NORTH SALT LAKE, UT 84054

HUGHES, HERM & SONS INC  
900 NORTH REDWOOD RD  
NORTH SALT LAKE, UT 84054

E J MARTIN ROOFING  
4199 WEST 5780 SOUTH  
KEARNS , UT 84118

EAGLE ELECTRIC INC  
7000 S Commerce Park  
Midvale , UT 84047

ELECTRACOR INC  
1040 W. MARGARET AVE  
SLC , UT 84104

ELECTRICAL CONTRACTORS  
PLUS  
1473 JOEY CIRCLE  
SANDY , UT 84092

ELLSWORTH-PAULSEN  
CONSTRUCTION  
240 WEST MAIN  
AMERICAN FORK , UT 84003

ENMAN CONSTRUCTION CO  
INC  
2209 W ALEXANDER  
WEST VALLEY CIT, UT 84119

ENTELEN DESIGN-BUILD  
730 PACIFIC AVE  
SLC , UT 84104

ENVIRONMENTAL SYSTMS &  
CONTROL  
2496 SOUTH WEST TEMPLE  
SALT LAKE CITY , UT 84115

ESPRIT CONSTRUCTION  
1474 SOUTH 700 WEST  
SALT LAKE CITY , UT 84104

EVERGREENE CONSTRUCTION  
LC  
132 S 600 E  
SALT LAKE CITY , UT 84102

EYRE ELECTRIC LLC  
11538 SOUTH STATE STREET  
#200  
DRAPER , UT 84020

F I R E RESTORATIONS  
5106 W LAMAR WAY  
WVC , UT 84120

FALSONE ROOFING  
3846 SOUTH VILLA DRIVE  
SALT LAKE CITY , UT 84109

FAR WEST BUILDERS  
1363 S MAJOR ST  
SALT LAKE CITY , UT 84115

FASTSIGNS OF UTAH  
6570 SOUTH STATE ST  
MURRAY , UT 84107

FAUCET FIXERS  
488 EAST 3RD AVENUE  
SALT LAKE CITY , UT 84103

FERRIN, R A COMP, INC  
5288 HAVENWOOD LANE  
SALT LAKE CITY , UT 84117

FINCO BROTHERS INC  
5971 W. DANNON  
WEST JORDAN , UT 84088

FIRE ENGINEERING CO INC  
4717 SOUTH 500 WEST  
SALT LAKE CITY , UT 84123

FIREPLACES, INC  
755 WEST 800 SOUTH  
SALT LAKE CITY , UT 84104

FIRETROL PROTECTION  
SYSTEMS  
142 WEST 2260 SOUTH  
SALT LAKE CITY , UT 84115

FIRST ALTERNATIVE INC  
2401 EXETER CIR.  
SANDY , UT 84093

FIRST WESTERN  
CONSTRUCTION  
619 EAST COATSVILLE  
SALT LAKE CITY , UT 84105

FIX IT WRIGHT INC  
2037 LINCOLN CIR  
SLC , UT 84124

FOSS ROOFING COMPANY  
2695 South 1500 East  
Salt Lake City , UT 84106

FOX DANIELS & BENNETT CON  
3826 SOUTH 2300 EAST # 100  
SALT LAKE CITY , UT 84109

FURST CONSTRUCTION CO INC  
5125 WEST 2100 SOUTH  
WEST VALLEY , UT 84120

G & I INC  
1785 SOUTH 4130 WEST #J  
SALT LAKE , UT 84104

GARDINER BUILDERS INC  
10518 S HIGHLINE CR  
SOUTH JORDAN , UT 84095

GARFF CONSTRUCTION CORP  
2820 W 500 S  
SLC , UT 84104

COMMERCIAL DESIGN &  
CONST INC  
P O BOX 26541  
SALT LAKE CITY , UT 84126

COMMERCIAL GENERAL  
CONSTRUCTION  
P O BOX 51039  
IDAHO FALLS , ID 83405

CONELCO-CONRAD ELECTRIC  
INC  
2785 WEST 9000 SOUTH  
WEST JORDAN , UT 84088

CONELY COMPANY  
4000 S WEST TEMPLE  
SALT LAKE CITY , UT 84107

CONJOY ENTERPRISE INC  
3820 W 5400 S  
SALT LAKE CITY , UT 84118

CONSTRUCTION PLUS  
9487 S 500 W  
SANDY , UT 84070

CONSTRUCTION WEST  
1197 SOUTH 800 EAST  
SALT LAKE CITY , UT 84105

COPIER, HENRY CONTR INC  
P.O. BOX 711562  
SLC , UT 84171

COPPER STATE ELECTRIC  
5180 SOUTH 300 WEST # H  
SALT LAKE CITY , UT 84107

COPPER TECH ELECTRIC, INC  
4885 SOUTH 300 WEST  
SALT LAKE CITY , UT 84107

CORP OF THE PRES OF LDS  
CHURCH  
50 E NO TEMPLE  
SALT LAKE CITY , UT 84150

COSTELLO COMPANY INC  
1240 PRINCETON AVENUE  
SALT LAKE CITY , UT 84105

COTTONWOOD BUILDERS, INC  
3804 HIGHLAND DRIVE  
SALT LAKE CITY , UT 84106

CROWNSTONE DEVELOPMENT  
437 N CENTER ST  
SLC , UT 84103

CULP CONSTRUCTION  
COMPANY  
2320 SOUTH MAIN STREET  
SALT LAKE CITY , UT 84115

CUSTOM CARPORT DESIGNS  
INC  
11182 S IVY CREEK COVE  
SOUTH JORDAN , UT 84095

D S THAYNE, INC  
1766 NORTH 400 EAST  
OREM , UT 84057

D Z HOME IMPROVEMENT  
3648 W. 3900 SO.  
SALT LAKE CITY , UT 84120

DANCO ELECTRIC  
3565 S WEST TEMPLE #13  
SLC , UT 84115

DATWYLER ELECTRIC &  
CONST  
5803 HOLLADAY BLVD  
SALT LAKE CITY , UT 84121

DAVIS, PAUL SYSTEMS OF  
CTRL UT  
P O BOX 5  
MIDVALE , UT 84047

DAYT CONSTRUCTION INC  
410 S 10 W  
FARMINGTON , UT 84025

DELTA FIRE SYSTEMS INC  
P O BOX 26587  
SALT LAKE CITY , UT 84126

DEWBURY HOMES  
PO BOX 26491  
SALT LAKE CITY , UT 84126

DIAMANT ELECTRIC  
6948 HOLLOW MILL DRIVE  
SALT LAKE CITY , UT 84121

DIMENSION DEVELOPMENT  
LLC  
501 E 1700 S  
SLC , UT 84115

DOLPHIN POOLS INC  
4678 S HIGHLAND DRIVE  
SALT LAKE CITY , UT 84117

DOWSETT CONSTRUCTION INC  
2607 E. VERONA CIR.  
HOLLADAY , UT 84117

DRECHSEL, BRUCE ELECTRIC  
INC  
2181 W 11400 S  
SOUTH JORDAN , UT 84095

DRS MOBILE HOME SERVICE  
4290 S 3150 W  
SALT LAKE CITY , UT 84119

CALL CLIMATE SERVICE LLC  
905 S. FRONTAGE  
CENTERVILLE , UT 84014

CAMBRIA PROPERTY  
MANAGEMENT LC  
P.O. BOX 444  
SANDY , UT 84123

CAMCO CONSTRUCTION INC  
1106 E 6600 S  
SALT LAKE CITY , UT 84121

CAMERON & COMPANY INC  
573 WEST 3560 SOUTH #1  
SLC , UT 84115

CARD SIGNS, INC  
960 WEST 2100 SO.  
SALT LAKE CITY , UT 84119

CARLI, T R CONSTRUCTION C  
3338 EAST CREEK ROAD  
SALT LAKE CITY , UT 84121

CARLSON KITCHENS, INC  
2261 EAST 3300 SOUTH  
SALT LAKE CITY , UT 84109

CARLSTON, C V HEAT & A/C  
INC  
164 W BERGER LANE  
MURRAY , UT 84107

CARMAN REFRIG  
COMMERCIAL SERVICE INC  
633 NORTH 300 WEST  
SALT LAKE CITY , UT 84103

CARRIER CORP  
400 IRONWOOD DR  
SALT LAKE CITY , UT 84115

CASE, RON ROOF & ASPHALT  
PAVIN  
P O BOX 70161  
SALT LAKE CITY , UT 84120

CAULFIELD CARPENTRY  
8968 NORTH COVE DRIVE  
PARK CITY , UT 84060

CAVALIER PLUMBING  
4222 Edward Dr  
Salt Lake City , UT 84124

CAZIER ELECTRIC CO INC  
262 COTTAGE AVE  
SANDY , UT 84070

CAZIER EXCAVATING INC  
132 W 13490 S  
DRAPER , UT 84020

CC TILE & REMODELING INC  
1742 EAST OAKRIDGE  
SLC , UT 84106

CELEBRITY BUILDERS INC  
3341 S 4000 W  
WEST VALLEY CIT, UT 84120

CENCO INC  
45 EAST COLUMBIA AVENUE  
SALT LAKE CITY , UT 84107

CHAMPION WINDOW OF SLC  
INC  
3181 WEST 2270 SOUTH  
WVC , UT 84119

CHAPARRAL FIRE  
PROTECTION  
71 N HWY 89  
NORTH SALT LAKE, UT 84054

CHAPARRAL INTERMOUNTAIN  
PACIFI  
8680 Monroe #A  
SANDY , UT 84070

CHAPPELL, M H  
CONSTRUCTION  
2092 BRENT LANE  
SALT LAKE CITY , UT 84121

CHATELAIN BUILDING CO  
2325 NEFFS LANE  
SALT LAKE CITY , UT 84109

CHERRINGTONS, INC  
3035 SOUTH 3600 WEST  
SALT LAKE CITY , UT 84119

CHRISTENSEN & GRIFFITH CO  
30 SOUTH TOOEELE BLVD.  
TOOELE , UT 84074

CHRISTIENSEN OUTDR ADV &  
CNST  
228 BRIDGECREEK WAY  
DRAPER , UT 84020

CIESLAK PLUMBING &  
HEATING INC  
1495 W MIDAS CREEK DR  
S JORDAN , UT 84095

CLARKS QUALITY ROOFING  
INC  
334 W ANDERSON (5715)  
SALT LAKE CITY , UT 84107

COLORADO STRUCTURES INC  
4720 FORGE RD # 106  
COLORADO SPRING, CO 80907

COMFORT SYSTEMS USA, INC  
2035 SOUTH MILESTONE DR  
SALT LAKE CITY , UT 84104



BEST ROOFING LLC  
376 EAST 10560 SOUTH  
SANDY , UT 84070

BIG BEAR HEATING &  
COOLING  
4045 S 6780 W  
WEST VALLEY CIT, UT 84120

BIG D CONSTRUCTION CORP  
420 E. SOUTH TEMPLE #500  
SALT LAKE CITY , UT 84111

BINGHAM HEATING & AIR  
CONDITNG  
3760 W 3100 S  
WEST VALLEY CIT, UT 84120

BIRD CONSTRUCTION (USA),  
INC  
5525 SOUTH 900 EAST #135  
SALT LAKE , UT 84107

BLACK KITE ELECTRIC  
6867 PINE ROCK DR.  
SLC , UT 84121

BLAND BROTHERS INC  
8630 S REDWOOD RD  
WEST JORDAN , UT 84088

BLAZE MASTER FIRE  
PROTECTION  
336 North 200 East  
Payson , UT 84651

BO CONSTRUCTION  
1779 RAMONA AVE  
SLC , UT 84108

BOARDWALK REMOD &  
DESIGN  
PO BOX 520164  
SALT LAKE CITY , UT 84152

BODELL CONSTRUCTION CO  
INC  
586 WEST FINE DRIVE  
SALT LAKE CITY , UT 84115

BONA SIGNS INC  
1852 N 1300 W  
Springville , UT 84663

BOYD ENTERPRISES UTAH  
LLC  
3739 W 2270 S Unit F  
WVC , UT 84120

BPM MANAGEMENT LLC  
P.O. BOX 510006  
SLC , UT 84151

BRODERICK, RALPH  
PLUMBING  
626 EAST 12100 SOUTH  
DRAPER , UT 84020

BROKEN ARROW INC  
P O BOX 580  
TOOELE , UT 84074

BRUBAKER CONSTRUCTION  
INC  
PO BOX 17626  
SALT LAKE CITY , UT 84117

BRUNDLE & BRUNDLE INV &  
CONSTR  
3589 W. 500 S.  
SLC , UT 84104

BUILDERS CHOICE  
2242 W 5400 S  
SALT LAKE CITY , UT 84118

BUILDWEST, INC  
P O BOX 17316  
SLC , UT 84117

C & F DISTRIBUTORS, INC  
BOX 1859  
SALT LAKE CITY , UT 84110

C C I MECHANICAL INC  
758 SOUTH REDWOOD RD  
SALT LAKE CITY , UT 84125

C C TILE & REMODELING INC  
2331 E HAWK LN  
EAGLE MTN , UT 84043

C D C RESTORATION & CONST,  
LC  
130 E GORDON LANE  
SALT LAKE CITY , UT 84107

C P H RESTORATION  
390 WEST 6500 SOUTH  
MURRAY , UT 84107

C R C CONSTRUCTION INC  
7011 S. 700 W.  
MIDVALE , UT 84047

C R FINISHING TOUCH  
216 N 200 W  
SLC , UT 84103

C.C. CARTER CONSTRUCTION  
LLC  
1810 W. INDIANA AVE  
SLC , UT 84104

CACHE VALLEY ELECTRIC CO  
2345 S. JOHN HENRY  
SLC , UT 84119

CALIBER CONST & ELECT LLC  
111 S 1200 E  
LEHI , UT 84003

ARCHITECH CONSTRUCTION  
INC  
9776 S SITZMARK DR  
SANDY , UT 84092

ARCO ELECTRIC INC  
597 WEST 9320 SOUTH  
SANDY , UT 84070

ARNELL-WEST INC  
3441 SOUTH 2200 WEST  
SALT LAKE CITY , UT 84119

ASCENT CONSTRUCTION INC  
25 S MAIN #200  
CENTERVILLE , UT 84014

AURORA FIRE PROTECTION  
INC  
P O Box 171074  
SLC , UT 84117

B P M MANAGEMENT LLC  
PO BOX 510006  
SLC , UT 84151

BAILEY BUILDERS INC  
1881 WEST 900 NORTH  
LEHI , UT 84045

BAND FIRE PROTECTION  
SYSTEM, I  
539 WEST 9460 SOUTH  
SANDY , UT 84070

BARTON, KEITH  
CONSTRUCTION  
2 COURTSIDE LANE  
SANDY , UT 84092

BEACON ENG & ELECT INC  
1406 S. 400 W.  
SLC , UT 84115

ARCHITECTURAL DESIGN  
WEST  
230 E SOUTH TEMPLE ST  
SALT LAKE , UT 84110

ARCON CONSTRUCTION CO  
1930 E ARLEN WAY  
SANDY , UT 84093

ARROWHEAD REMODELING  
6287 S SMOKEY CIR  
WEST JORDAN , UT 84084

ASHCO CONSTRUCTION INC  
227 WEST 600 SOUTH  
SLC , UT 84101

AVALON CONSTRUCTION INC  
2985 S. MAIN  
SLC , UT 84115

BABCOCK, PHILLIP L  
6231 South 1280 East  
Salt Lake City , UT 84121

BAILEY, BUD CONSTRUCTION  
INC  
244 West 300 North  
SLC , UT 84127

BANGERTER & SONS  
3925 S 3200 W  
WEST VALLEY CIT, UT 84119

BAS PLUMBING & HEATING  
8455 S 4300 W SUITE D  
W JORDAN , UT 84088

BELNAP PLUMBING CO  
6404 GLEN OAKS  
MURRAY , UT 84107

ARCHULETA, IVO CONCRETE  
922 SOUTH 800 EAST  
SALT LAKE CITY , UT 84105

ARETE CONSTRUCTION INC  
175 N "O" ST  
SLC , UT 84103

ARTHUR, JIM INC  
1426 SOUTH 400 EAST  
SALT LAKE CITY , UT 84115

ATLANTIS POOLS  
1705 MERRIBEE WAY  
SALT LAKE CITY , UT 84121

B & L ELECTRIC CO INC  
2295 S 2000 E  
SALT LAKE CITY , UT 84106

BADHAM CONSTRUCTION INC  
P.O. BOX 540180  
N SALT LAKE , UT 84054

BAILEY, E K CONSTRUCTION,  
INC  
1243 N. WASHINGTON BLVD  
OGDEN , UT 84414

BARNES & HOGAN  
CONSTRUCTION  
P O BOX 702  
MAGNA , UT 84044

BATEMAN BROTHERS  
ELECTRIC INC  
3685 W 8850 S  
WEST JORDAN , UT 84088

BENCHMARK RENOVATION  
P.O. BOX 581154  
SALT LAKE CITY , UT 84158

20TH CENTURY LITES INC  
560 WEST 2300 NORTH  
SALT LAKE CITY, UT 84116

3-B CONSTRUCTION INC  
9915 S FLORENCE WAY  
S JORDAN, UT 84095

A 2 Z BUILDERS CONSTR &  
REMODE  
P O BOX 1767  
SANDY, UT 84091

A A BETTER ROOFING  
7330 S LAUNA ST  
MIDVALE, UT 84047

A J SHEET METAL  
9554 SOUTH 560 WEST  
SANDY, UT 84070

A OK ELECTRIC  
81 SOUTH 100 WEST  
TOOELE, UT 84074

A QUALITY PLUMBING &  
HTNG  
P.O. BOX 755  
MIDVALE, UT 84047

A R M CONSTRUCTION, LLC  
4643 TINA WAY  
SALT LAKE CITY, UT 84107

A S A P RESTORATION &  
CONST  
579 EAST 300 NORTH  
KAYSVILLE, UT 84037

A U CONSTRUCTION, INC  
1045 MILLBERT AVENUE  
SALT LAKE CITY, UT 84106

A-SHED USA, LLC  
2870 S 400 W  
SLC, UT 84115

ABLE CONTRACTORS INC  
159 W 1300 N  
SUNSET, UT 84015

ACE HOME & BUSINESS  
IMPROVEMEN  
3970 SOUTH 300 WEST  
SLC, UT 84104

ADVANCED INTERIOR  
SYSTEMS INC  
55 W 2860 S  
SALT LAKE CITY, UT 84115

AIM BUILDERS INC  
1719 S MAIN ST  
SALT LAKE CITY, UT 84115

ALARM CONTROL COMPANY  
2166 SOUTH 900 EAST  
SALT LAKE CITY, UT 84106

ALDER CONSTRUCTION  
COMPANY  
3939 S 500 WEST  
SALT LAKE CITY, UT 84123

ALL PRO ARTISTIC CONST LLC  
5633 S TOPOWA DR  
MURRAY, UT 84107

ALL SEASONS MAINTENANCE  
INC  
2445 PROGRESS DR  
WEST VALLEY CIT, UT 84119

ALL SEASONS ROOFING INC  
5247 SOUTH SPRING VALLEY  
CT  
SALT LAKE, UT 84117

ALL TYPES ROOFING  
P.O. BOX 70734  
SALT LAKE CITY, UT 84170

ALLSTATE CONTRACTING &  
DESIGN  
585 WEST 9400 SOUTH  
SANDY, UT 84070

ALTA FIRE PROTECTION CO  
206 W 3620 S  
SALT LAKE CITY, UT 84115

ALTA RESTORATION &  
REMODEL INC  
14330 S 2200 W  
BLUFFDALE, UT 84065

ALTERNATIVES  
CONSTRUCTION  
1278 E BRIDLE TRAIL RD  
DRAPER, UT 84020

ALUMINUM LOCK INC  
840 WEST 1700 SOUTH #10  
SLC, UT 84114

AMCO AMERICAN ROOFING  
CO  
3637 SOUTH 300 WEST  
SALT LAKE CITY, UT 84115

AMERICAN FIRST BUILDERS  
INC  
533 W 2600 S  
BOUNTIFUL, UT 84010

ARAGORN CONSTRUCTION L C  
1329 REBECCA CIRCLE  
SALT LAKE CITY, UT 84117

ARAPAHOE PROPERTY  
MAINTENANCE  
476 E SOUTH TEMPLE ST #177  
SLC, UT 84111



**Exhibit 5**

**PLANNING COMMISSION**

**Exhibit 5a**

**PLANNING COMMISSION  
HEARING NOTICE  
AND POSTMARK**

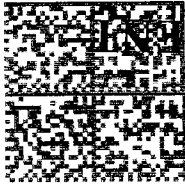
US POSTAGE  
Mailed From 84111

10/25/2005

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# NOTICE OF A HEARING AMENDMENT

SALT LAKE CITY PLANNING DIVISION  
451 SOUTH STATE STREET, ROOM 406  
SALT LAKE CITY, UT 84111

1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. In order to be considerate of everyone attending the meeting, public comments are limited to 3 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting. Written comments should be sent to:  

Salt Lake City Planning Director  
451 South State Street, Room 406  
Salt Lake City, UT 84111
4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unusual circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. Salt Lake City Corporation complies with all ADA guidelines. If you are planning to attend the public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the Planning Office 48 hours in advance of the meeting and we will try to provide whatever assistance may be required. Please call 535-7757 for assistance.

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**AGENDA FOR THE  
SALT LAKE CITY PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building at 451 South State Street  
Wednesday, November 09, 2005, at 5:45 p.m.**

The Planning Commission will be having dinner at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting will be open to the public.

**1. APPROVAL OF MINUTES FROM WEDNESDAY, OCTOBER 26, 2005.**

**2. REPORT OF THE CHAIR AND VICE CHAIR**

**3. REPORT OF THE DIRECTOR**

**4. PUBLIC NOTICE AGENDA**

None

**5. PUBLIC HEARINGS**

- a) **Petition No. 400-05-32**, a request initiated by the Planning Commission to amend the zoning ordinance to expand multiple family dwelling opportunities in the downtown and commercial zoning districts. This request would amend Tables 21A.26.080 and 21A.30.050 of the Salt Lake City Zoning Ordinance to allow multiple family dwellings, as permitted uses, in all downtown and commercial zones and remove the restriction that these units must be above or below first story office, retail and commercial uses or not adjacent to the street. (Staff: Sarah Carroll at 535-6260 or [sarah.carroll@slcgov.com](mailto:sarah.carroll@slcgov.com))
- b) **Petition 400-05-25**, initiated by the City Council requesting to amend provisions of the Salt Lake City Code that may contribute to residential infill development that is not compatible with the surrounding development within various single and two-family residential zoning districts. The Planning Commission will consider recommending amendments to provisions of the City Code dealing with in-line additions, building height, yard requirements, garage placement and accessory building standards, lot size building coverage, definition of the term "demolition" and fines assessed for construction activity undertaken in violation of the proposed standards. (Staff: Joel Paterson, 535-6141 or [joel.paterson@slcgov.com](mailto:joel.paterson@slcgov.com))

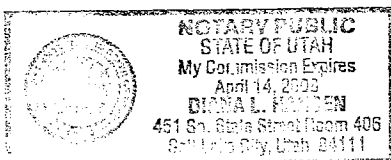
**6. UNFINISHED BUSINESS**

On Wednesday, October 25, 2005, I personally posted copies of the foregoing notice within the City and County Building at 451 South State Street at the following locations: Planning Division, Room 406; City Council Bulletin Board, Room 315; and Community Affairs, Room 345. A copy of the agenda has also been faxed/e-mailed to all Salt Lake City Public Libraries for posting and to the Salt Lake Tribune and Deseret News.

Signed: Margaret A. Tow

STATE OF UTAH )  
 )  
 ) : SS  
COUNTY OF SALT LAKE )

SUBSCRIBED AND SWORN to before me this 25<sup>th</sup> day of October, 2005.



Diana L. Hansen  
NOTARY PUBLIC residing in Salt Lake County, Utah

**Exhibit 5b**

**PLANNING COMMISSION**  
**STAFF REPORT**



**DATE:** November 3, 2005

**TO:** Salt Lake City Planning Commission

**FROM:** Joel G. Paterson, AICP  
Planning Programs Supervisor  
Telephone: 535-6141  
E-mail: joel.paterson@slcgov.com

**RE:** Staff Report for the November 9, 2005 Planning Commission Meeting

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**CASE NUMBER:** 400-05-25

**APPLICANT:** City Council

**STATUS OF APPLICANT:** Zoning Ordinance Section 21A.06.20 authorizes the City Council to initiate petitions to amend the Zoning Ordinance.

**PROJECT LOCATION:** City-wide

**COUNCIL DISTRICT:** The proposed Zoning Ordinance text amendments affect all City Council Districts.

**PROPOSED ZONING  
TEXT AMENDMENT:**

On June 21, 2005, the City Council requested that the Planning Division review the City's zoning standards for single and two-family dwellings and propose amendments which will promote residential infill development that is compatible with the scale and character of the surrounding residential neighborhoods. This staff report defines the scope of issues associated with infill development and proposes specific amendments to the Zoning Ordinance.

Although the staff report recommends that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed amendments to regulate residential infill development, the Administration does not intend to convey any negative impressions of infill development as a whole. The Administration recognizes the importance and the benefits of

residential infill housing development. However, residential infill development can have a lasting negative impact on the character of a neighborhood if important attributes of the neighborhood are not considered in the design and construction of new residential infill development.

The following list identifies elements of the City Code that contribute to the problem of incompatible residential infill development:

- Over-the-Counter in-line additions
- Building height
- Front yard setback
- Garage and accessory building standards
- Building coverage
- Definition of demolition/teardown
- Fines for building permit violation

#### **RATIONAL FOR THE**

**PROPOSED AMENDMENT:** Salt Lake City is a mature community consisting of many diverse and well established residential neighborhoods. Perhaps, with the exception of the Northwest Quadrant, the construction of new large-scale residential subdivisions within Salt Lake City is a notion of the past because suitable land for new large residential subdivisions is a scarce commodity within the City limits. As a result, the number of new single family homes being constructed in Salt Lake City is steadily declining. Instead of large tracts of land being developed as part of new subdivisions, new housing is being constructed on a much smaller scale, often on individual lots within established neighborhoods.

Infill development manifests itself in three ways. Through new residential construction on a vacant lot; or increasingly, as the result of a tear-down – demolition of an older dwelling to allow the construction of a new dwelling; or through additions to existing dwellings.

Many of the City's neighborhoods developed with a continuity of architectural styles, similar building height and site characteristics. However, the size of homes being built in a number of established neighborhoods, as a result of changing needs of today's families, is a cause of concern. Recent examples of such tear-downs and additions can be found in the Avenues and East Bench areas, but other examples may be found throughout the City. The typical size of a single-family residence has grown significantly over the past fifty years and new homes are often much larger than the original homes found in established neighborhoods.

Nationally, the average house size has more than doubled between 1950 and 2000. As a result, existing residents are becoming increasingly concerned that some new infill developments are having a significant negative effect on the character of older neighborhoods. The concern of residents stems from the fact that most new homes or additions to existing houses are out of scale; have much steeper roof pitches; greater building height; and significantly different architectural styles than traditionally found in the neighborhood.

With a scarcity of buildable lots and an abundance of successful neighborhoods that are desirable places to live, the value of property tends to increase. Increasing property values facilitate real estate speculation and leads to an increase in tear-downs. The combination of desirable neighborhoods and rising property values is therefore creating a challenge of maintaining the unique character of the City's neighborhoods while accommodating new infill development. Given such pressures, it is important to strike a balance between the competing needs in order to maintain the vitality of the City's neighborhoods.

This problem is not unique to Salt Lake City; many cities are developing regulations to assure compatible infill development. The approaches vary considerably from general design criteria to very complex systems. Some cities, such as Boston, Massachusetts and Memphis, Tennessee have established design review boards, similar to historic landmark commissions, which are charged with preserving neighborhood character, while others such as Palo Alto, California; have developed over-the-counter permitting processes that include the use of design guidelines relating to streetscape, massing and privacy. The City Council recently adopted the YCI Overlay District to address this problem in the Yalecrest neighborhood.

## **CAUSES OF THE PROBLEM**

There are many factors which contribute to tear-downs and construction of new larger homes and additions to residential dwellings. The factors are organized in three categories: Economic Factors, Societal Factors, and Regulatory Factors.

### **A. Economic Factors**

1. **Desirable Neighborhoods:** Salt Lake City has a variety of healthy, successful and mature neighborhoods that are desirable places to live. The attractiveness of these neighborhoods arises from many factors including: neighborhood character, mature landscaping, proximity to places of employment, cultural and recreational amenities and a renewed public interest in urban living.
2. **Limited Developable Land:** As the need for additional housing continues to grow in Salt Lake City, the availability of suitable land for construction of new large residential dwellings is diminishing. Most of the land suitable for residential development within Salt Lake City has already developed. Constraints such as the mountains, the Great Salt Lake and abutting cities limit the City's ability to grow beyond its current boundaries. As such, new residential development occurs at a smaller scale, often on individual lots within existing neighborhoods.
3. **Rising Land Values:** Limited developable land coupled with desirable neighborhoods contributes to the escalation of land values. As property values continue to rise, real estate speculation increases and property owners often find it profitable to demolish existing homes and take advantage of the value of the lot and desirability of the location. Alternatively, the rising cost of property may preclude a family from moving into a larger house, so an addition becomes the most effective way to satisfy space needs, cost and the desire to live in an urban setting.

- B. Societal Factors:** The size of the average single family homes is growing. A house built in 1950 may not meet the desired floor plan and room size needs of today's typical family or homeowner. Today, homes are being built with much larger bedrooms, kitchens, additional storage areas and garages. As a result of such trends, new residential infill houses tend to be larger than other homes in older traditional neighborhoods.
- C. Zoning Standards:** Salt Lake City adopted a Zoning Ordinance Rewrite in 1995 to simplify regulatory standards and create a Zoning Ordinance that was intended to better reflect the existing development in residential neighborhoods. However, it is now evident that some provisions of the 1995 Zoning Ordinance Rewrite are contributing to the problem of incompatible infill housing. This petition was initiated by the City Council to address these provisions.

**APPLICABLE LAND USE REGULATIONS:** City Code section 21A.50 Amendments

**MASTER PLAN AND POLICY CONSIDERATIONS:** The issues of neighborhood character and compatible infill development are addressed in several Salt Lake City master plans and other policy documents.

- **Avenues Community Master Plan:** includes a goal that encourages private property improvements that are visually compatible with the surrounding neighborhood.
- **Capitol Hill Master Plan:** includes a goal that encourages development of appropriate housing through renovation of existing structures and construction of compatible residential infill development and redevelopment.
- **Central Community Development Plan:** recommends protecting and enhancing existing neighborhoods through the establishment and enforcement of architectural controls to preserve the scale and character of neighborhoods.
- **East Bench Master Plan:** recognizes that a strong sense of neighborhood identity and zoning regulations play a role in establishing the community's character. The Plan suggests that new construction and additions that are not compatible with the surrounding neighborhood detract from the residential character of the area.
- **East Downtown Neighborhood Plan:** recommends new development to reflect the character of the neighborhood and develop citywide design criteria to insure such compatibility.
- **Northwest Community Master Plan:** recognizes the importance of constructing new housing but also recognizes that the preservation of the character of the existing housing stock is also of paramount importance.
- **Sugar House Master Plan:** includes goals and policies that support creating and sustaining quality residential neighborhoods through new regulations and design guidelines.

- **West Salt Lake Master Plan:** discusses the importance of conserving, revitalizing and generally upgrading neighborhoods by protecting views, architectural forms and styles, and site design characteristics.
- **The Salt Lake City Comprehensive Housing Plan:** includes policy statements that address a variety of housing issues including quality design, public and neighborhood participation, housing preservation, rehabilitation and replacement.
- **The Urban Design Element:** includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities.
- **The Salt Lake City Strategic Plan and the Futures Commission Report:** expresses concepts such as maintaining a prominent sustainable city and ensuring the City is designed to the highest aesthetic standards.
- **The City Council's Growth Policy:** notes that growth in Salt Lake City will be deemed the most desirable if it is aesthetically pleasing; contributes to a livable community environment; yields no negative net fiscal impact unless an overriding public purpose is served; and forestalls negative impacts associated with inactivity.

#### **SUBJECT PROJECT HISTORY:**

- **June 9, 2005** – The City Council adopted an ordinance establishing city-wide temporary zoning regulations associated with compatible residential infill development. This ordinance created new standards regulating the issuance of building permits for any new single family or two-family residential structures and any remodeling, demolition, rebuilding, or expansion of existing single family and two-family residential structures.
- **June 14, 2005** – The City Council repealed the temporary zoning standards adopted on June 9, 2005.
- **June 21, 2005** – The City Council adopted a legislative action requesting that the Planning Division review the City's ordinances relating to infill housing.
- **July 12, 2005** – The City Council adopted Ordinance 44 of 2005 creating the Yalecrest Compatible Infill Overlay District.
- **September 20, 2005** – The Planning Division briefs the City Council on the progress made to date on the legislative action relating to compatible residential infill development.
- **October 18, 2005** – The Planning Division presents another briefing to the City Council and proposes specific amendments to Zoning Ordinance provisions that directly affect compatible residential infill development.
- **October 24, 2005** – The Planning Staff presented the proposed zoning amendments to a subcommittee of the Planning Commission. Commissioners John Diamond and Prescott Muir attended the briefing.

- **October 25, 2005** – The Planning Division hosted a public open house to obtain public comment on the proposed amendments to the Zoning Ordinance. Approximately 35 people attended.

## COMMENTS, ANALYSIS AND FINDINGS:

### 1. COMMENTS:

- **Planning Commission Subcommittee:** The proposed compatible residential infill development standards were presented to a Planning Commission subcommittee on October 24, 2005. Commissioners Muir and Diamond were present at the meeting and provided the following comments.
  - **Front yard setback:** Steep topography on a lot may make it difficult to meet the average front yard standard. Existing provisions in the Zoning Ordinance would allow a property owner to seek relief from this standard through the Board of Adjustment if there is a property related hardship.
  - **Building height:** The Subcommittee initially expressed concern that the base standard for building height is too restrictive. However, the subcommittee understood that the proposed standards do allow for additional building height through the building height averaging provision and the tiered review process.
  - **Accessory Structures:** concern was raised that the proposed standards will create problems by requiring detached garages to be located within five feet of the rear property line. The Subcommittee felt that on deep lots, this standard will create very long driveways which may not represent an efficient use of the property.
- **Permits and Licensing:** Comments from the Permits and Licensing Division are attached in Attachment 1 – Departmental Comments. The comments received from the Permits and Licensing Division are technical in nature and where appropriate, changes have been made to the proposed regulations.
- **Transportation Division:** – The Transportation Division suggested allowing a 2-car garage exception (which could also be a maximum) for a narrow home. Otherwise, such homes would not have a way of developing more than a one-car garage. The proposal limits the width of attached garages to fifty percent (50%) of the width of the façade of the building.
- **Public Open House:** Approximately 35 people attended the public open house on October 25, 2005. Comments received at the open house are presented in Attachment 2. The following is a general overview of comments made during the open house:
  - **Building Height:** Some thought that this standard is too restrictive and may not allow a 1-1/2 story home. Others supported this standard considering the processes designed to allow taller dwellings.
  - **Garage Standards:** Concern was raised that the standard limiting garages to 50% of the width of the façade may only allow a one-car garage.

- **Accessory Structures:** Concern was raised about the location standards forcing accessory structures to the rear of the lot because of the long driveways this will create and that there may be a long distance between the house and the garage.

Concern was raised about the height standard for accessory structures. Some believe the standard is too restrictive and that the twenty foot separation from homes on adjoining lots may eliminate the ability to construct a garage on some lots.

- **Lot Coverage:** Concern was raised about the proposed reduction in the maximum lot coverage provision.
- **Fines:** Comments were made that the increased building permit fine for construction work without permits or in violation of the building permit is too restrictive. Others felt that the fine was not enough to prevent illegal construction.
- General concern was raised about the standards being too restrictive and creating too much public process which will increase the costs and time to construction projects.
- General comments were provided in support of the proposed standards.

## 2. ANALYSIS

### **PROPOSED ZONING ORDINANCE AMENDMENTS**

The proposed amendments modify several existing Zoning Ordinance provisions and create a hierarchy for approvals which allows for the issuance of over-the-counter permits, approvals through an administrative process and review by the Planning Commission or the Board of Adjustment.

The proposed Zoning Ordinance amendments, approval and appeal processes, and definitions are summarized below:

- A. REMOVE PROVISIONS ALLOWING IN-LINE ADDITIONS THROUGH THE BUILDING PERMIT PROCESS:** The Administration proposes to eliminate the over-the-counter permit option for in-line additions. If this amendment is adopted, property owners in the SR-1 and SR-3 districts may still request in-line additions through the existing special exception process.

#### **APPROVAL AND APPEAL PROCESS**

1. **Over-the-Counter Permit:** An over-the-counter permit may be issued if the proposed addition meets the required minimum setback requirements.
2. **Routine and Uncontested Special Exception:** If a proposed in-line addition does not meet the minimum setback requirements, the proposal may be reviewed as a routine and uncontested special exception if the property owner obtains signatures of 100% of the abutting property owners.

3. **Administrative Public Hearing:** If an applicant cannot obtain 100% of the signatures required for the Routine and Uncontested Special Exception or if the Zoning Administrator finds that the proposal is not routine and uncontested, the proposed in-line addition may be considered at an administrative public hearing.
4. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

**B. FRONT YARD SETBACK FOR, FR, R-1 AND SR ZONING DISTRICTS – MINIMUM SETBACK DETERMINED BY AVERAGING:** This provision would eliminate the Zoning Ordinance's current minimum front and corner side yard setback requirement of twenty feet (20').

**STANDARD:** The minimum front and corner side yard setback shall be based on the average setback of other dwellings on the same block face. The corner side yard setback in the R-1-5000, SR-1 and SR-3 would remain unchanged at ten feet (10'). However, the minimum front yard setback established by existing subdivision plats would be respected. For example, in the Foothill Residential districts, many subdivision plats include a defined buildable area for each lot that establishes the required yards. In such cases, the front yard setback established by the subdivision plat would be maintained. For new subdivisions or blocks where there are no developed properties along the block face, the front yard setback would be twenty feet (20 feet).

**C. BUILDING HEIGHT – R-1/5000, R-1/7000, R-1/12,000, R-2, SR-1, SR-3:** Because the existing maximum building height of thirty feet (30') measured to the mid-point of the roof does not reflect the existing character in most of the City's neighborhoods, the Administration is proposing to amend residential building height standards as follows:

**STANDARDS:**

- The maximum building height is proposed to be lowered to twenty-three feet (23') measured to the crest of the roof. This proposal introduces a building height envelope similar to the method used in the Foothill residential districts. Homes with flat roofs are limited to eighteen feet; or
- The average height of single-family dwellings on the block face.

**APPROVAL AND APPEAL PROCESS**

1. **Over-the Counter Permits:** Any proposed projects that meet the maximum building height standards listed above will receive an over-the-counter building permit.
2. **Administrative Public Hearing:** Additional building and exterior wall height may be approved through the administrative public hearing process if the proposal is in keeping with the development pattern on the block face.



3. **Board of Adjustment:** Appeals of the Administrative Hearing Officer's decision and referrals from the Administrative Hearing Officer shall be heard by the Board of Adjustment which may approve additional building or exterior wall height if the proposal is in keeping with the development pattern of the block face.

**D. ATTACHED GARAGES AND ACCESSORY BUILDINGS:** Standards are proposed for the location and width of attached garages; and the location, height and maximum footprint of accessory buildings, such as detached garages. The proposed standards are summarized below:

**STANDARDS FOR ATTACHED GARAGES:**

- Attached garages must be located behind or in-line with the front line of the principal building unless the development pattern on the block face consists of more than fifty percent (50%) of homes with garages located forward of the front line of the principal building. Existing non-conforming attached garages may be rebuilt to the same dimensions.
- The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the front façade of the house.

**APPROVAL AND APPEAL PROCESS**

1. **Over-the-Counter Permit:** Any proposed projects that meet the attached garage standards listed above will receive an over-the-counter building permit.
2. **Administrative Public Hearing:** permits may be authorized by the Planning Director or designee for attached garages located forward of the front-line of the principal building if the applicant can demonstrate that the location of the proposed garage is in keeping with the development pattern on the block face or if the proposed garage is to be constructed in the same location as an existing garage which is being replaced.
3. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

**ACCESSORY BUILDINGS:** The Zoning Ordinance currently allows accessory buildings to be located in the rear yard (behind the principal structure) provided that the accessory structure is at least four feet (4') from the principal building on the lot, ten feet (10') from principal buildings on adjacent lots and if the accessory building is at least one foot (1') from the property lines.

In order to minimize the negative impacts that accessory garages may have on adjacent lots, the Administration is proposing the following standards summarized below:

**STANDARDS FOR ACCESSORY BUILDINGS:**

- Accessory structures must be located at least twenty feet (20') from principal buildings on adjacent lots.

- Accessory structures must be located at least one foot (1') but not more than five feet (5') from the rear property line. This minimum distance from the rear property line may be increased to allow the driveway design to meet the Transportation Division's minimum required turning radius and other maneuvering standards. If it can be demonstrated that more than fifty percent (50%) of other properties on the block face have accessory structures located more than five feet (5') from the rear property line, the accessory building may be located a distance from the rear property line that is equal to the average setback from the rear property line of the other accessory structures on the block face.

#### **APPROVAL AND APPEAL PROCESSES**

1. **Over-the-Counter Permit:** Any proposed projects that meet the standards for accessory buildings listed above will receive an over-the-counter building permit.
2. **Administrative Public Hearing:** The Planning Director or designee may authorize the issuance of building permits if the property owner demonstrates that other accessory structures on lots along the same block face are located more than five feet (5') from the rear property line. In this case, the proposed accessory structure may be located more than 5 feet from the rear property line up to a distance that is equal to the average setback of other accessory structures from their respective rear property lines.
3. **Board of Adjustment:** The Board of Adjustment may approve an alternate location through the special exception process based on hardships created by topography or mature vegetation.
4. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

**STANDARDS MAXIMUM HEIGHT OF ACCESSORY BUILDINGS:** The maximum building height of accessory structures shall be reduced from seventeen feet (17') measured to the midpoint of the roof to fifteen feet (15') measured to the peak of the roof using an envelope system. The height of accessory structures with a flat roof will remain at twelve feet.

#### **APPROVAL AND APPEAL PROCESS**

1. **Over-the-Counter Permit:** Any proposed projects that meet the standards for maximum height of accessory buildings listed above will receive an over-the-counter building permit.
2. **Routine and Uncontested Special Exception:** Accessory structures which exceed the maximum wall or accessory building height provisions may be approved as a routine and uncontested special exception if the accessory building is in keeping with the development pattern on the block face subject to the additional standards found in the Zoning Ordinance under Section 21A.40.050.
3. **Administrative Public Hearing Process:** If an applicant cannot obtain 100% of the signatures required for the routine and uncontested special exception or

if the Zoning Administrator finds that the proposal is not routine and uncontested, the proposed in-line addition may be considered at an administrative public hearing.

4. **Board of Adjustment:** The Board of Adjustment may approve accessory structures which exceed the maximum wall or accessory building height provisions as a special exception if the accessory building is in keeping with the development pattern on the block face.
5. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

**Standard for Maximum Footprint of Accessory Structures:** The combined maximum footprint of all accessory structures on a lot in single family and two family residential districts is proposed to be limited to a maximum size not to exceed fifty percent (50%) of the size of the footprint of the principal structure on the lot up to a maximum size of 720 square feet. Regardless of the size of the footprint of the principal building, a 440 square foot garage will be allowed. The current Zoning Ordinance standard that limits the footprint of accessory structures to fifty percent (50%) or less of the yard area between the rear of the principal building and the rear property line will remain in place.

#### **APPROVAL AND APPEAL PROCESS**

1. **Over-the-Counter Permit:** Any proposed projects that meet the standard for maximum footprint of an accessory building listed above will receive an over-the-counter building permit.
2. **Routine and Uncontested Special Exception:** The footprint of an accessory structure between 720 square feet and 900 square feet may be approved as a routine and uncontested special exception subject to the size of the accessory structure being in keeping with the development pattern on the block face.
3. **Administrative Public Hearing:** If an applicant cannot obtain 100% of the signatures required for the routine and uncontested special exception or if the Zoning Administrator finds that the proposal is not routine and uncontested, the proposed in-line addition may be considered at an administrative public hearing.
4. **Board of Adjustment:** The Board of Adjustment may approve an accessory structure with a footprint in excess of 900 square feet as a special exception if the accessory structure is in keeping with the development pattern on the block face.
5. **Board of Adjustment:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

#### **E. MAXIMUM LOT SIZE**

**STANDARD:** With the exception of lots created by a subdivision plat or notices of minor subdivision or minor subdivision amendment recorded in the Office of the Salt

Lake County Recorder, the maximum size of a new lot shall not exceed 150% (except in the SR-3 District where the maximum lot size shall not exceed 200%) of the minimum lot size required by the base zoning district.

#### **APPROVAL AND APPEAL PROCESS**

1. **Over-the-Counter Permit:** Any proposed projects that meet the standard for maximum lot size listed above will receive an over-the-counter building permit.
2. **Administrative Public Hearing Process:** Lots in excess of the maximum lot size shall be allowed only if created through the subdivision process and approved by the Planning Commission, subject to the following standards:
  - The square footage of the new lot is compatible with other lots on the same block face.
  - The configuration of the lot is compatible with other lots on the same block.
  - The relationship of the lot width to lot depth is compatible with other lots on the same block face.
3. **Planning Commission:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Planning Commission.

F. **MAXIMUM LOT COVERAGE – NEW CONSTRUCTION AND ADDITIONS:** The existing lot coverage standards for the SR-1, R-1-5000 and the R-2 districts allow principal and accessory buildings to occupy a significant area of land beyond the buildable area of a standard 5,000 square foot lot. Other single family residential zoning districts are more restrictive in this respect and limit lot coverage to an area that is equal to or less than the buildable area of a lot meeting the minimum lot size.

For example, a typical 5,000 square foot lot in the R-1-5000 District has a buildable area of approximately 2,000 square feet (40% of the minimum lot size). However, the existing lot coverage standard of 55% equates to 2,750 square feet.

#### **STANDARDS:**

- R-1-5000 and SR-1 – reduce maximum building coverage from 55% to a base of 40% of lot area.
- R-2 – reduce maximum building coverage for single family dwelling (minimum 5,000 square foot lot) from 45% to a base of 40%

#### **APPROVAL AND APPEAL PROCESS**

1. **OVER-THE-COUNTER PERMIT:** Any proposed projects that meet the maximum lot coverage and maximum building height standards will receive an over-the-counter building permit.
2. **ADMINISTRATIVE PUBLIC HEARING:** The maximum building coverage standard shall decrease as a function of the building height for R-1, R-2 and SR districts for buildings in excess of the maximum building height subject to the development pattern on the block face.

3. **BOARD OF ADJUSTMENT:** Appeals from the administrative public hearing process and referrals from the Administrative Hearing Officer are heard by the Board of Adjustment.

**G. FINES:** The Administration proposes that a more substantial penalty be imposed for construction activity undertaken in violation of the ordinance. Currently, the City Code allows the Building Services and Licensing Division to impose a fine that doubles the building permit fee.

**STANDARD:**

- Building Permit Fine equal to ten percent (10%) of the valuation of the proposed construction as determined by the Building Official, or \$1,000.00, whichever is greater.

**H. DESCRIPTION OF APPROVAL AND APPEAL PROCESSES**

1. **OVER-THE-COUNTER PERMIT:** Over-the-counter building permits may be issued if the standards of the base zoning district are met.
2. **ROUTINE AND UNCONTESTED SPECIAL EXCEPTION:** Routine and Uncontested Special Exceptions may be approved by the Zoning Administrator subject to the provision of Section 21A.52 of the Zoning Ordinance. This process requires an applicant to obtain 100% of abutting property owner's signatures for the Zoning Administrator to consider the request. The Administration is proposing that where an applicant is not able to obtain 100% of the signatures of abutting property owners, or when the project is not routine and uncontested, an administrative hearing occur rather than a Board of Adjustment hearing taking place. Any appeals to the decision rendered by the Administrative Hearing Officer in the administrative public hearing process may be appealed to the Board of Adjustment. This process requires a 14 day public notice mailed to property owners within 300 feet (excluding streets and alleys) of the subject property and to chairs of affected community councils.
3. **ADMINISTRATIVE PUBLIC HEARING PROCESS:** The administrative public hearing process is administered by an Administrative Hearing Officer under the direction of the Planning Director. This process allows greater scheduling flexibility than the Planning Commission or the Board of Adjustment but still requires a fourteen day public notice mailed to property owners within 300 feet (excluding streets and alleys) of the subject property and to chairs of affected community councils.
4. **BOARD OF ADJUSTMENT:** Under the current proposal, the Board of Adjustment is generally designated as the final appeal body. Public notice of Board of Adjustment consideration must be mailed to property owners within 300 feet (exclusive of streets and alleys) when considering new construction of principal buildings and 85 feet (exclusive of streets and alleys) for other types of projects

- I. **DEFINITION OF DEMOLITION:** Complete Demolition means any act or process that destroys or removes 75 percent or more of the exterior walls and or total floor area of a structure, improvement or object.

### 3. FINDINGS

A decision to amend the text of the zoning ordinance or the zoning map is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment, the Planning Commission and the City Council must consider the following factors:

#### **21A.50.050 Standards for General Amendments**

##### **A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.**

**Discussion:** Several Salt Lake City master plans and other policy documents discuss the importance of compatible residential infill development and its effect on maintaining the character of existing neighborhoods (see the “Master Plan Specifications” section of this report).

**Findings:** The proposed amendments are consistent with the purposes, goals, objectives, and policies of the City’s various community master plans, City Council policies and other planning documents.

##### **B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.**

**Discussion:** The proposed text amendments are designed specifically to promote single and two-family residential infill development that is compatible with surrounding development by creating regulations that relate to compatibility of setbacks, building height, garage/accessory structure standards, lot coverage and lot size. Implementation of the proposed amendments may have a significant impact on the character of a neighborhood.

**Findings:** The proposed amendments were created to ensure that new construction and additions in residentially zoned areas of the City are compatible with the character of the surrounding neighborhood.

##### **C. The extent to which the proposed amendment will adversely affect adjacent properties.**

**Discussion:** The proposed text amendments are designed to encourage infill development that is compatible with the surrounding development. The purpose is to establish standards that encourage compatibility between new construction, additions or alterations and the existing character and scale of the surrounding neighborhood.

**Findings:** The proposed zoning standards are intended to minimize adverse impacts of new residential construction and additions on adjacent properties.

**D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.**

**Discussion:** The proposed amendments affect base zoning district standards and will not impact the administration of existing overlay zoning districts. If there is a conflict between the base zoning standards and an overlay zoning district, the overlay zoning district standards prevail. The Yalecrest Compatible Infill Overlay District standards will remain in force as will Historic Preservation Overlay District standards. Both of these overlays include standards and processes designed to consider the impact of new construction on the surrounding neighborhood.

**Findings:** The proposed amendments are consistent with the provisions of existing overlay zoning district which may impose additional standards on new development.

**E. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.**

**Discussion:** The proposed amendments will not change the land use patterns, densities or types of land uses allowed within the various planning communities in Salt Lake City. Consequently, the proposed amendments will have no impact on the adequacy of public facilities and services.

**Findings:** The adequacy of public facilities and services criteria does not directly relate to the proposed amendments.

**RECOMMENDATION:** Based on the analysis and the findings presented in this report, the Staff recommends that the Planning Commission forward a positive recommendation to the City Council to approve Petition 400-05-25 to amend the zoning ordinance as presented.

**Attachments:**

1. Departmental Comments
2. Public Comments

# **ATTACHMENT 1**

## **DEPARTMENTAL COMMENTS**



## Draft Compatible Infill Comments / Building Services

### Second Review

November 2, 2005

#### Section B

Consider language that would clarify the required setback for new subdivisions

Some block faces in the City are longer than 600'. Consider including a maximum measurement distance from property for setback averaging as noted in previous draft.

#### Section C

The Permits Office assumes that limiting the number of stories would be eliminated from the Code. We support the removal of "stories" from the building height section.

#### Section D

Attached garages – the Administrative Public Hearing section mentions the re-construction of an attached garage in the same location. Section 38.120 permits the complete replacement of single and two family dwellings without special approval. Consider clarifying language citing additions or extensions that do not meet location standards.

In some cases the width of an alley access to a detached garage is not sufficient to meet the required back out area for a vehicle. Example: Suppose an alley is 16' wide. The required back out area for a standard 9' wide stall is 22'-7". This means that the garage must be setback from the rear property line 6'-7" to meet Transportation maneuvering standards. Consider allowing greater setbacks than 5' to meet this requirement.

The distance between the home and an accessory building could present a functional problem for an owner. On a 165' deep lot the distance between the rear of the home and the garage could be plus or minus 70'. Consider allowing a greater setback from the rear property line based upon the maintenance or functional impact to the owner (snow removal, loading distance from the garage to home)

Note: The Routine and Uncontested standards of approval for additional height of accessory buildings may need revision by the Board of Adjustment depending upon the final language of the ordinance.

The Code currently limits the rear yard coverage by an accessory structure to 50%. The proposed language allows a 400 sq. ft. garage in all cases. Suggest language to clarify if a 400 sq. ft. garage is subject to the 50% coverage limitation.

Current code addresses accessory building size by means of the associated principal use. (single family-720, duplexes-1000, and multi-family accessory structures are not limited in size). Consider limiting accessory building size by district and possibly the associated use. In the past, legal nonconforming multi-dwelling uses have been able to build large accessory structures in low density residential districts without a special review process. Limiting the size of an accessory structure by district would remove the “over the counter” approval for accessory structures serving these nonconforming higher density uses and permit the higher density districts to construct the necessary accessory structures without the need for a special review process. For the purposes of discussion, let’s say uses in the single family districts and/or single family dwellings could remain at the 720 sq. ft maximum. Two family districts could allow 720 sq. ft. for single family uses and duplexes could remain at the 1000 sq. ft. maximum. Multi-family districts could have up to 50% of the size of the principal building footprint. Other uses in residential districts could be approved for larger accessory structures through the special exception or conditional use process.

## Section G

Contractor licensing is administered by the Utah State Department of Professional Licensing (DOPL). Revoking a contractor’s license would require action by DOPL.

## Section I

Consider including “wall or floor area” in the demolition definition. This would prohibit someone from doing the “California” thing where they leave one wall standing and demolish everything else. Suggest including language that defines the 75% as a square footage area assessment.

**From:** Harpst, Tim  
**Sent:** Monday, October 31, 2005 1:34 PM  
**To:** Paterson, Joel  
**Cc:** Young, Kevin; Ikefuna, Alexander  
**Subject:** FW: Draft Compatible Infill Ordinance

**Attachments:** Summary of Ord Proposal 10 18 05.doc

Joel - My only comment has to do with Section D which refers to the width of an attached garage facing the street which says it may not exceed fifty percent (50%) of the width of the front façade of the house. You may wish to consider allowing a 2-car garage exception (which could also be a maximum) for a narrow home. Otherwise, such homes would not have a way of developing more than a one-car garage.

**Timothy P. Harpst, P.E., PTOE**

**Transportation Director**

Salt Lake City Transportation Division Phone: 801 535-6630  
349 South 200 East, Suite 450 Fax: 801 535-6019  
Salt Lake City, Utah 84111 email: [tim.harpst@ci.sl.c.ut.us](mailto:tim.harpst@ci.sl.c.ut.us)

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**From:** Ikefuna, Alexander  
**Sent:** Tuesday, October 25, 2005 5:50 PM  
**To:** Harpst, Tim; Clark, Luann; Oka, Dave; Goff, Orion; Boskoff, Nancy; McFarlane, Alison  
**Cc:** Zunguze, Louis; Wilde, Brent; Coffey, Cheri; Paterson, Joel  
**Subject:** Draft Compatible Infill Ordinance

Per the request at the Director's meeting today, I am forwarding the attached draft to you for review and comment. Please provide your comments to Planning no later than October 31, 2005. Please forward your comments to Joel Paterson.

Thanks for your time.

Alexander C. Ikefuna, Planning Director  
Planning and Zoning Division  
Salt Lake City Corporation  
451 South State Street, Suite 406  
Salt Lake City, UT 84111  
PH: (801) 535-7757  
Fax: (801) 535 - 6174

# **ATTACHMENT 2**

## **PUBLIC COMMENTS**

**From:** Kirk Huffaker [Kirk@utahheritagefoundation.org]

**Sent:** Tuesday, September 13, 2005 11:46 AM

**To:** Paterson, Joel

**Subject:** Closing zoning loopholes for monster houses

**Attachments:** Kirk Huffaker (kirk@utahheritagefoundation.org).vcf  
Joel

UHF held a board meeting last week and there was a lengthy discussion about the teardowns / monster houses issues. I let them know that you are working on an analysis of the zoning codes right now and that was going to be presented to city council on Sept. 20<sup>th</sup>. I hope that's correct in what I heard at community council last week.

The UHF board wanted me to also let you know that we are here to help in the process and that you would hope to include UHF in the discussion and keep us in the loop during it.

Lastly, I was at the Avenues subcommittee meeting last night. It went pretty well as there seems to be a good group of knowledgeable people working on it. They will need input from planning very soon! I hope you (as we are hoping you are the one from the division we can get expertise from) can plan on attending in the near future.

Thanks,

KIRK

**From:** Rex Sears [RSears@WNLaw.com]  
**Sent:** Tuesday, October 25, 2005 10:33 AM  
**To:** Paterson, Joel  
**Cc:** Lambert, Dale; Council Comments  
**Subject:** Compatible Infill Open House  
Joel,

I thought there was going to be an open house regarding compatible infill tonight, but I was unable to get any confirmation either via the city's website or the planning division general number. If the open house has been rescheduled, please let me know the date, time, and location.

If the open house is going forward tonight, I will not be able to make it, so I am emailing my comments. As you may recall, you and I had a brief discussion after last week's City Council meeting, and my comments here are along the same lines as the comments I made last week.

Planning had earlier recommended design review for all construction that would result in a structure of increased size or different footprint as an interim measure, until neighborhood-by-neighborhood standards for over-the-counter permitting could be developed. Now, the plan is to modify the city-wide requirements for over-the-counter permits, leaving open the possibility of more localized requirements being developed and implemented down the road. I am deeply concerned with how the inevitable over- and under-inclusion problems resulting from pursuing a city-wide solution will be resolved.

To frame the issue and my concern, it is helpful to think of principles that could guide the development of city-wide standards as being of three flavors. The first minimizes unnecessary appeals from denial of an over-the-counter permit. Followed through to its conclusion, this principle would support the implementation of standards under which so long as there is some place in the city where a house would fit in its particular zone, it should be given an over-the-counter permit. The second goes to the opposite end of the spectrum, minimizing imprudent over-the-counter permitting. Followed through to its conclusion, this principle would support the implementation of standards under which an over-the-counter permit would not be given unless the house would fit anywhere in the city (that is, anywhere in the city with the same zoning). The third tries to strike a balance between minimizing unnecessary appeals and minimizing imprudent over-the-counter permitting.

I am not inclined to extremism, but here I think there is no place for balancing. If we are to have city-wide standards for over-the-counter permitting, then the standards should not authorize an over-the-counter permit unless the structure would fit anywhere in the city. That is because the harm done by an imprudent grant of an over-the-counter permit reaches the entire neighborhood, and it is for all practical purposes irreversible. The harm done by an imprudent denial of an over-the-counter permit, on the other hand, is localized and transitory: only one property owner is impacted, and that he can mitigate his harm by pursuing an appeal.

Implementing more restrictive standards at the outset also makes a better allocation of responsibility for subsequent neighborhood-by-neighborhood adjustments, by placing that burden on those who want to liberalize over-the-counter permitting standards for particular neighborhoods. That allocation serves two beneficial purposes: first, it minimizes the risk of lasting harm while neighborhood-specific adjustments are being pursued; second, it encourages a more thoughtful, deliberative approach to neighborhood adjustments, because there will not be a panicked rush to get those adjustments made.

Turning from generalities to particulars, I do not believe that the city-wide standards currently under consideration pass muster. As we discussed, the height limitations will permit second stories, and there are neighborhoods where two-story construction would be highly detrimental.

L. Rex Sears  
Workman Nydegger  
1000 Eagle Gate Tower  
60 East South Temple Street  
Salt Lake City, Utah 84111  
801/533-9800 (switchboard)  
801/328-1707 (fax)

This e-mail is sent by a law firm and may contain information that is privileged or confidential. If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.

**From:** Miller, Margaret A. [MMiller@FDIC.gov]

**Sent:** Tuesday, October 25, 2005 1:40 PM

**To:** Paterson, Joel; Eric Jergensen

**Cc:** Kirk Huffaker; Bob Greely; David Richardson; Jim Jenkin; Kat Kivett; Kelly Q. Stevens; Lester Aoki; Lon Richardson; Marc Wintriss; Shane Carlson; Theresa Lowe; Earl Miller

**Subject:** Meeting last night

**Attachments:** callhouseon8thavenue.JPG; callhouseon8thavenue3.JPG;  
callhouseon8thavenue2.JPG

Dear Joel ☐

Thanks for the information you provided to our Avenues group last night. I am looking forward to hearing more tonight.

If I could just say one thing to the people that oppose having more regulation, it would be that ☐buying a lot or house doesn't give you the right to infringe on the neighbors around you. It isn't fair to live in a 100 year old neighborhood and have the whole character of the block ruined by one rude homeowner.☐

Case in point, here are some photos of the house on 8<sup>th</sup> Avenue that I took this morning. I will bring copies tonight. And this is without the top story or roof!

Thanks again for understanding what we're trying to accomplish.

<<callhouseon8thavenue.JPG>> <<callhouseon8thavenue3.JPG>>

<<callhouseon8thavenue2.JPG>>



SALT LAKE CITY PLANNING COMMISSION  
Compatible Residential Infill Development  
Open House  
Meeting Roll October 25, 2005

NAME: Michael Bradley	NAME: Lisette Gibson
PRINT NAME:	PRINT NAME:
ADDRESS: 1665 E. Kensington	ADDRESS: 1764 Hubbard Ave SLC
ZIP CODE: 84105	ZIP CODE: 84108
E-MAIL: MBradley@2mission.com	E-MAIL: lmigib@2mission.com
NAME: MICHAEL MAHAFFEY	NAME: Jeff Howes
PRINT NAME:	PRINT NAME:
ADDRESS: 2193 So. 1900 E.	ADDRESS:
ZIP CODE: 84106	ZIP CODE:
E-MAIL: mmahaffey@msn.com	E-MAIL: jeffh@ivorydevelopment.com
NAME:	NAME:
PRINT NAME: LESTER ACKI	PRINT NAME: Ann Kelsey
ADDRESS: 3511 E St.	ADDRESS: 3511 E St.
ZIP CODE: 84103	ZIP CODE: 84103
E-MAIL: laokie@solutions.net	E-MAIL: akkelsey@solutions.net
NAME:	NAME:
PRINT NAME: ERVIN HORROCKS	PRINT NAME: ELLEN HORROCKS
ADDRESS: 423 K ST	ADDRESS: 423 K ST
ZIP CODE: 84103	ZIP CODE: 84103
E-MAIL:	E-MAIL:
NAME:	NAME: Beth Bowman
PRINT NAME: KIRK HUFAKER	PRINT NAME:
ADDRESS: 2 UHF	ADDRESS: 1445 Harrison
ZIP CODE:	ZIP CODE: 84105
E-MAIL:	E-MAIL: bbowman@hsc.utah.edu

**SALT LAKE CITY PLANNING COMMISSION**  
**Compatible Residential Infill Development**  
**Open House**  
**Meeting Roll October 25, 2005**

NAME:	NAME: <i>Shane Carlson</i>
PRINT NAME: <i>MARVIN JONES</i>	PRINT NAME:
ADDRESS: <i>716 E 4500 S STE N260</i>	ADDRESS: <i>375 L Street</i>
ZIP CODE: <i>84107</i>	ZIP CODE: <i>84103</i>
E-MAIL:	E-MAIL: <i>ComeBackShane@Comcast.net</i>
NAME:	NAME: <i>Cindy Cromer</i>
PRINT NAME: <i>ANN ROBINSON</i>	PRINT NAME:
ADDRESS: <i>19 So. WILCOTT ST</i>	ADDRESS: <i>816 E 100 S</i>
ZIP CODE: <i>84102</i>	ZIP CODE: <i>SLC 84102-4109</i>
E-MAIL:	E-MAIL:
NAME:	NAME: <i>WARREN LLOYD</i>
PRINT NAME: <i>Annie Vernon</i>	PRINT NAME:
ADDRESS: <i>869 S. Amanda Ave.</i>	ADDRESS: <i>511 E 300 S</i>
ZIP CODE: <i>84105</i>	ZIP CODE: <i>SLC 84102</i>
E-MAIL: <i>Annie@RenovationDesignGroup.com</i>	E-MAIL: <i>WARREN@LLOYDARCH.COM</i>
NAME: <i>Carl Richardson</i>	NAME: <i>Margaret Miller</i>
PRINT NAME:	PRINT NAME: <i>Margaret Miller</i>
ADDRESS: <i>1280 4th Ave</i>	ADDRESS: <i>653 9th Ave</i>
ZIP CODE: <i>84103</i>	ZIP CODE: <i>84103</i>
E-MAIL:	E-MAIL: <i>mmiller@edc.gov</i>
NAME: <i>Shane</i>	NAME: <i>Earl Miller</i>
PRINT NAME:	PRINT NAME: <i>Earl Miller</i>
ADDRESS:	ADDRESS: <i>653 9th Ave</i>
ZIP CODE:	ZIP CODE: <i>84103</i>
E-MAIL:	E-MAIL: <i>earl.miller@thepacific.com</i>

**SALT LAKE CITY PLANNING COMMISSION**  
**Compatible Residential Infill Development**  
**Open House**  
**Meeting Roll October 25, 2005**

NAME: Catherine Lunn	NAME: Dave
PRINT NAME:	PRINT NAME DAVE FURRIVIS
ADDRESS: 1120 E. 600 S. SLC	ADDRESS: PO Box 526064
ZIP CODE: 84102	ZIP CODE: 84152
E-MAIL: catherinedunn@comcast.net	E-MAIL: dave.furris@comcast.net
NAME: Cheryl Carr	NAME: Wynn Johnson
PRINT NAME: 748 Hilltop Rd	PRINT NAME
ADDRESS: SLC	ADDRESS: 852 Northlife Dr
ZIP CODE: 84103	ZIP CODE: 84103
E-MAIL: ccarr@comcast.net	E-MAIL: wynnjohn@aol.com
NAME: Jill VanLangel	NAME: Jill VanLangel
PRINT NAME: 748 Hilltop Rd	PRINT NAME
ADDRESS: SLC	ADDRESS: 807 Northlife Dr
ZIP CODE: 84103	ZIP CODE: 84103
E-MAIL:	E-MAIL: JAVANL2@softcom.net
NAME: Robert Cook	NAME: Jim Webster
PRINT NAME: 748 Hilltop Rd	PRINT NAME
ADDRESS: SLC	ADDRESS: 938 Military BL
ZIP CODE: 84103	ZIP CODE: 84108
E-MAIL:	E-MAIL:
NAME: MARK LUNDGREN	NAME: JESSE BEACON
PRINT NAME:	PRINT NAME 1CON REMODELING
ADDRESS: 501 E 700 S	ADDRESS: 1448 E 2700 S
ZIP CODE: 84105	ZIP CODE: SLC, 84106
E-MAIL: mark@slcode.org	E-MAIL: jesse@1con-remodeling.com

COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS  
PETITION 400-05-25

Open House  
October 25, 2005

MAIL COMMENTS TO:  
JOEL PATERSON, PLANNING PROGRAMS SUPERVISOR  
451 S. STATE STREET, ROOM 406  
SALT LAKE CITY, UT 84111  
OR SEND E-MAIL TO: joel.paterson@slcgov.com

Name: Jim Webster

Address: 938 Military Dr 84108

COMMENTS:

THE MOST SIGNIFICANT VARIABLE  
IS LOT DEPTH. IN THE SPIRIT OF  
AVERAGING (I.E. FRONT SETBACK, ROOF  
HEIGHT, ETC.), WHY NOT ALSO CONSIDER  
AVERAGE LOT DEPTH IN THE ADJOINING  
NEIGHBORHOOD FOR ~~THE~~ DEEP LOTS, ETC.  
PLACEMENT OF GARAGES SO DEEP ON  
SUCH LOTS IMPROVES MUCH MORE LANDSCAPE  
AND THEREFORE RUNOFF AS AN IMPACT TO  
NEIGHBORS, POSSIBLE ENVELOPE W/  
DASHED LINE AS AVG. REAR LOT LINE,

COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS  
PETITION 400-05-25

Open House  
October 25, 2005

MAIL COMMENTS TO:  
JOEL PATERSON, PLANNING PROGRAMS SUPERVISOR  
451 S. STATE STREET, ROOM 406  
SALT LAKE CITY, UT 84111  
OR SEND E-MAIL TO: joel.paterson@slcgov.com

Name: Kat Kinnett

Address: 620 H St email: gaccnewsletter@hotmail.com

COMMENTS:

There are two things that I would like to see expanded in the Summary:

- 1) In the Fines section, 10% is not much of a deterrent perhaps increase to 15%. Also requiring to tear down unapproved work and rebuild/replace may stop rampant disregard for ordinance.
- 2) There is not a specific reference to Protection of View for Building Ht and accessory Bldg Ht. I would like to see this issue addressed for SR-1 since view has a tangible value to property. (In Seattle, neighbors buy AIRSPACE to protect their views, I think we could avoid this if addressed now.)

One last thing is if the applicants must supply the street averages for setbacks, max heights, who will check behind Builders etc. to see if the average is correct? I'm afraid this standard will be abused by unscrupulous property owners.

Thank you Joel

Kat Kinnett

COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS  
PETITION 400-05-25

Open House  
October 25, 2005

MAIL COMMENTS TO:  
JOEL PATERSON, PLANNING PROGRAMS SUPERVISOR  
451 S. STATE STREET, ROOM 406  
SALT LAKE CITY, UT 84111  
OR SEND E-MAIL TO: joel.paterson@slcgov.com

Name:

LESTER AOKI

Address:

351 'L' Street SLC. 84103

COMMENTS:

The "fine" for a ~~perm~~ "remodel" permit holder who ends up with a demolition, whether by accident or due to engineering or construction problems needs to be very high.

Without the high fine, there is an incentive to the builder to end up with a total demolition and new construction rather than a "remodel" - if the demolition passes the threshold set, whether it is 50%-75%-or whatever, they should be forced to go back into the permit process ~~for~~ for "NEW" const. rather than continuing on a remodel permit.

**Exhibit 5c**

**PLANNING COMMISSION**  
**DRAFT MINUTES**

**Petition 400-05-25, Initiated by the City Council requesting to amend provisions of the Salt Lake City code that may contribute to residential infill that is not compatible with the surrounding development with various single and two family residential zoning districts. The Planning Commission will consider recommending amendments to the city code regarding inline additions, building height, yard requirements, garage placement, accessory building standards, lot size, building coverage, definition of the term demolition, and the fines assessed for construction activity in violation of the proposed standards. (Staff – Mr. Joel Paterson at 535-6141 or joel.paterson@slcgov.com)**

(This item was heard at 6:12:45 p.m.)

Mr. Paterson made a PowerPoint presentation followed by questions from the Planning Commission and the public.

A full description of this proposal is found in the Staff Report. The proposal is briefly described as:

- A. Remove provisions allowing in-line additions through the over-the-counter building permit process.
- B. Modification to front yard setbacks in the FR, R-1, R-2 and SR Zoning Districts – In that the minimum setback should be determined by the average neighborhood setback.
- C. Modifications in building heights in the R-1/5000, R-1/7000, R-2, SR-3 zoning districts.
- D. Attached garages and accessory buildings.
- E. Maximum lot size.
- F. Maximum lot coverage for new construction and additions.
- G. Fines

Mr. Paterson responded to a question and example cited by Commissioner De Lay. The standard of twenty-three feet for maximum building height (C) had been selected because, even though this would result in a bungalow type home, Staff concluded that a house at a height of twenty-three feet would have little opportunity to tower over other neighboring houses.

He stated the height standard is not an absolute; there is a twenty-three foot envelope or an averaging height of other single-family and two-family dwellings on the block face. In the example cited, a street that had six Victorian homes with an average height of thirty feet, a new home could be built up to thirty feet, but it would be a problem if it was thirty-five feet, which would be above the average building heights on the block face.

In response to a question posed by Commissioner Chambless, Mr. Paterson explained that the height restriction would not apply to chimneys. Chimneys must have a certain amount of clearance from the roof of the house to meet the fire code.

Mr. Paterson explained that most standards would have a tiered approach. If base standards can be met, a building permit can be issued over-the-counter. If the applicant can demonstrate that the proposal outside of the base zoning standard is in keeping with the development pattern within the block: it enters the tiered Public Review process.

Commissioner Chambless asked what the penalties for violations to the ordinance were and how strictly they would be enforced.



Mr. Paterson and Ms. Coffey explained how the typical fine was enforced, and Ms. Coffey stated that there are examples where the owner has been required to take elements off of a structure that were in violation of the code.

Commissioner Diamond confirmed with Mr. Paterson that neighborhoods could adopt more restrictive regulations by using an overlay. When there is a conflict between existing standards and an overlay, the overlay prevails.

Commissioner Seelig commented that she would like the Administrative Hearing process to be added to issues regarding the twenty foot setback standard between an accessory structure and an abutting principle structure in order to be consistent with the other processes.

Mr. Paterson explained the fine process at Commissioner Galli's request. There is no appeal on a penalty imposed. Commissioner Galli asked Mr. Paterson to double check to be certain that there was no appeal on a penalty.

Commissioner Muir stated he would prefer to see the width of an attached garage be determined by a measurement of the width of the garage doors.

Commissioner De Lay commented that she believed this was allowed under the new ordinance. She went on to state that this was one of the largest public turnout at a Planning Commission Meeting that she has attended. She asked the Commission Members if they were completely opposed to the ordinance or just objected to sections of the proposed ordinance.

It is noted that the Planning Commission received comments in writing regarding the proposed ordinance change. These were discussed in the meeting and entered into the record. The letters will be attached to the minutes.

Commissioner Diamond did not agree with the proposed standards height on accessory structures. He stated that limiting the size of garages could lead to additional accessory buildings. He preferred the existing pattern. He also stated that he believes twenty-three feet for a residence is too low and it should be reviewed. He felt that it would not allow diversity of design and wondered how the department would police the size of property and what should and should not be a standard exception within the developmental pattern of a neighborhood. Once one homeowner in a neighborhood received an exception, would his neighbors be required to also apply for an exception?

In response, Commissioner De Lay reminded the Commission that individual neighborhoods do have the option of implementing stricter regulations if they want to go through the overlay process.

Commissioner Galli reminded the Commission that they do not have final approval authority to amend the Zoning Ordinance, but only to forward the recommendation to City Council.

Seeing no further comments by the Commission, Chairperson Noda opened the public hearing.

Many members of the Community Council and public commended Mr. Paterson's work on the proposed ordinance.

Wayne Woolsey said that he was required to go through a hearing process when he constructed his home, but across the street at 675 8<sup>th</sup> Avenue, a large house was built, which he

thinks exceeds the limit. He opposed the process, objecting to the height limit. He believes it should be thirty feet at the crest.

Mr. Ikefuna agreed to follow up on the inconsistency with his neighbor across the street and will send a Planning Commission letter to Mr. Woolsey in follow up to his concern.

Mr. Paterson stated that he was familiar with the background of the issue Mr. Woosley presented. The Call house structure at 675 8<sup>th</sup> Avenue was three feet from the property side lot line. This house has been reviewed by the Building and Licensing Division and meets the current regulations.

Mr. Paterson went on to explain how the house was constructed without violating the current Zoning Ordinance. The builder obtained a permit to remodel the structure. He then tore down the unimproved portion of the house using a second remodeling permit. In this two step process, the builder was able to construct a new house which towers over the neighborhood.

In response to public comment and a question posed by Commissioner De Lay, Mr. Paterson clarified that some homes will not be able to construct accessory buildings. Commissioner De Lay suggested that everyone in Utah wanted a garage because it snows.

Cindy Cromer requested that the ordinance be passed and then a specific date set for review of how it was working.

Ann Robinson, Licensed Architect with Renovation Design, sent her comments via e-mail, which were added to the record as instructed by Commissioner De Lay. Ms. Robinson presented an alternate proposal to keep the current zoning ordinance regulations.

Concerns were expressed by the public regarding the current lengthy process of acquiring a permit and the fear that the processing time would increase.

Concern was also expressed by the public were that the houses may become anonymous houses without diversity and creativity due to the height restrictions. The height restriction is too low for some neighborhoods.

Comments were made that a proposed remodel should not be allowed as an excuse to demolish a structure such as was the case with the house at 675 8<sup>th</sup> Avenue.

Sidney Fannesbeck, Avenues resident, was strongly in favor of the proposal. She expressed disappointment that it did not happen five years ago. It is frightening that the Call house meets the Zoning Ordinance. They were allowed to use the existing walls to get around the current Zoning Ordinance and then they were allowed to tear those walls down. It was called a remodel with 100 percent of the house rebuilt. As soon as the rest of the house was built, the walls of which were the bases for the inline permit were torn down. No longer does a two-story house exists, it is now a four- or five-story house. Five years ago the Board of Adjustment was told a compatibility ordinance was in the works. Ms. Fannesbeck also explained that the hard-surfacing in conjunction with the overbuild has caused drainage problems on adjacent properties. Drainage has always been important because of the topography of the neighborhood.

Commissioner Seelig asked whether or not drainage was part of the permit process.

Mr. Paterson confirmed that drainage must be confined to its own yard.

The following were speakers or individuals who had comments read by Chairperson Noda at the meeting.

In opposition:

Michael Bradley (Designer), Jared Bullock (Renovation Design Group), John Donner (Tuff Shed), Thaddeus Halls, Claudio Holzner, Chris Humbert, Jim Jenkin, Clint Johnson, Ron Price (Yalecrest resident), Dave Richards (East Central resident and Architect), David Rose, Annie Vernon, and Andie William.

In favor:

Mauricio Agramont, Marie Anthony, Lester Aoki, Shane Carlson, Cheryl Cook (Avenues Infill Committee), Cindy Cromer, Cody Curtis (Avenues resident), Christian Fannesbeck, Bob Greely, Kurt Huffaker (Utah Heritage Foundation), Clint Johnson (Boardwalk Remodeling Design), Ann Kelsey, Janet McCullough, Earl Miller, Margaret Miller (Avenues resident), Ruth Morgan, Jill Mortensen, William Petrick, Kimberly Pilger, Lon Richards (Greater Avenue Community Council), L. Rex Sears, Margaret Utermohlen (Sugar House Community Council), Jill Van Windervelt (Avenues Community Council Member), Tracy Wake, Spike (Daniel) Weiser and Rob White (Utah Heritage Foundation).

Commissioner Chambless and Commissioner Diamond asked Mr. Paterson how he quantified development averages.

Mr. Paterson explained it was by determining heights and mass, not building materials or style.

Commissioner De Lay asked if the term "development pattern" was defined.

Mr. Paterson said it was not.

Commissioner De Lay and Commissioner Galli agreed that it should be determined on a case by case basis. She also requested an explanation of the tiered approach.

Rob White stated that if the proposed construction meets the Zoning Ordinance and there is no objection, the permit can be issued over the counter. If it does not pass, then there is recourse in an administrative hearing and then a full commission hearing.

Commissioner Scott was impressed with the number of people who came and shared recommendations. She explained that Commissioners are charged to uphold standards; the findings show that the proposed ordinance supports the standards. One concern expressed by the public was that of cookie-cutter homes. Infill Development is one house at a time and is not cookie cutter. Salt Lake City needs to get something in place now. She was in favor of proceeding with a motion.

Commissioner Diamond was concerned that other neighborhoods were not represented and that the ordinance might not be appropriate for some of those neighborhoods. He declined to support an ordinance that would be implemented for the entire City. He stated that this ordinance is not appropriate for all neighborhoods.

Commissioner Seelig wanted to discuss the twenty-foot setback and to add an administrative hearing process to the proposal that might allow an accessory structure to be located closer than twenty feet from a dwelling on an adjacent lot.

Commissioner McDonough agreed with Commissioner Diamond who stated the three tiered system was administration heavy and wondered if it was an effective method. She wondered if builders would take the least path of resistance or will they try to go through the process to promote infill compatible with the neighborhood. Bad building comes in all sizes. One blanket ordinance is potentially ineffectual.

Commissioner De Lay expected more dissent. She supported the proposal even though there is an issue with the height restriction. She supports a review of the ordinance in one year. She asked why the permit process was getting longer.

Mr. Paterson stated there is a lot of building construction activity and neighbors are challenging over-the-counter permits. The building permit process is not routine anymore. With these standards, the Planning Division is trying to add some reasonableness to the system.

Chairperson Noda commended Mr. Paterson and acknowledged the public comments did support the ordinance. The Avenues were strongly supported and other Community Councils were missing, but she believed the ones affected the most by these changes, were present. She noted there was flexibility. There is a tier process, but it was not an impediment. She supported the building height and a one year review of the proposed ordinance. The Chairperson expressed support for the ordinance and thanked the public for comments.

Commissioner Diamond voiced the opinion that there were enough changes that both Staff and the Commission needed to take more time and then readdress the issue at a later date. He defended this position by reminding the Commission that the proposed ordinance would result in major changes.

Commissioner Galli commented that Staff had never been more prepared. He recommended that the Commission advance it with the list of amendments since they were not the ultimate decision makers.

Commissioner Chambless thanked the public for participating. Overall, 75 percent of those who spoke had a favorable opinion of the proposed ordinance. He agreed with Cindy Cromer who recommended a review in twelve months. He also agreed with Commissioner Galli that the Commission should not table, but forward the proposal with a favorable recommendation.

Commissioner Galli asked Commissioner Muir if he would support the Commission advancing the proposed ordinance with the direction that neighborhoods be allowed to opt out.

Commissioner Muir felt it would be better if they could opt in rather than opt out. The ordinance may dampen investor interest in neighborhoods that are starved for investments.

Commissioner Galli stated in response to a public speaker's proposal that we follow the pattern that has been set in Dallas. The Commissioner responded that he did not want Salt Lake City to be Dallas and that action was needed to prevent it from becoming that way. He proposed a standard to opt in; stating that inaction on the proposal posed a risk to those who have the most at stake in the form of potential delay. He also stated there was a benefit to the opting in

amendment. It would allow choice and this could be a catalyst to energize neighborhoods to become more active participants in the planning process. It would be good for the entire city.

Commissioner Scott believed the reason people from Central City and East Central did not show strong attendance was that people have been demoralized by incompatible infill. It is hard to get energized people when there is no sense of community, no sense of neighborhood. Sometimes incompatible infill is promoted by those that have the greatest capacity to make an economic investment in a neighborhood and they may not be the neighbors that have been there a long time. She believed the capacity to opt out or opt in would not encourage neighborhood attendance, but that of investors who do not reside in the neighborhood.

Commissioner Galli was in favor of an opting out amendment to allow neighborhoods, with guidance from the Planning Division, to opt out of the new proposed ordinance. He further proposed better education and advertising efforts on behalf of the Planning Division to encourage more community involvement.

Commissioner Seelig acknowledged she had full faith that Staff followed all noticing requirements. She stated that the issue has come up before and believes fliers with technical language are not adequate to reflect to the public the true impact proposed changes have on their lives. She used the example of the "Country Club" house. She was in agreement with what Commissioner Galli had to recommend, but she favored the opportunity to opt in.

Commissioner Galli reminded the Commission that this was an emergency. He urged moving the proposal forward with a positive recommendation to avoid more monster homes which were allowed under the current system. He warned that opting in could delay the process by months. He reminded the Commission that the market was moving quickly in the City, allowing opportunity for both good and bad infill. He acknowledged that Commissioner Muir made a good point; the ordinance is not a good fit for everyone.

Commissioner Seelig asked how the Planning Commission was going to guarantee that the outreach occurs.

Mr. Ikefuna explained that the City Council rejected the original presentation and asked Staff, due to the emergency, to identify the deficiencies in the current base zoning and then make a recommendation. The Avenues, Yalecrest and the areas that are considered in danger were closely examined. A lengthy discussion took place regarding the pros and cons of restrictions. The issue of opting in and opting out was also explored. Staff generally agreed that it would be in the best interest of the City to simply change the base zoning. It was acknowledged that areas on the West side do not have a need for the changes, but will in the future, so the decision was made to implement it city wide.

The proposal was then taken back to City Council and they were pleased with the product. It was the Council who asked the Planning Department to proceed with the public review process and subsequent submission to the Planning Commission.

The public process has been widely conducted, there has been input from the public. The majority of public comments have reflected the City Council's position that the current ordinance is inadequate to protect the integrity of established neighborhoods. There is no consistency, especially regarding Building Services. He urged the Planning Commission to take action and forward a favorable recommendation to the City Council. He indicated that doing so would basically restore order to the process. He added that the City Council and Mayor would like to see some kind of resolute action on this issue.

Mr. Ikefuna agreed with Commissioner Galli's assumption that even though the Planning Division was willing to work with the neighborhoods, additional resources may be needed to oversee these changes if they were to take place irrespective of any opt in or opt out condition. He informed the Commission that his department already plans to ask the City Council for additional resources to implement the ordinance, if it becomes necessary in the future.

Commissioner De Lay addressed the process used to inform the public. She stated that she had faith that the Planning Division had followed policy and advertised adequately. She went on to comment, There are very vocal people who reside in these other neighborhoods and the fact that they are not here, tells her that it is a non issue to them.

Commissioner Seelig suggested adding a sunset clause to make the proposed changes disappear after a year unless people come forward.

The Planning Commission as a whole rejected the suggestion.

Commissioner Diamond requested that the proposed ordinance be tabled.

Commissioner Galli was not in favor of tabling the proposed change to create an amendment to opt in or opt out. He expressed the opinion that time was important and the changes should be moved forward with a favorable recommendation. The decision to take this path would allow the Planning Staff to react to the public and adjust accordingly. He favored language that acknowledged that the ordinance might not fit every neighborhood and might need adjustments in the future. These adjustments could be accommodated by approaching the Planning Commission.

Commissioner Muir acknowledged that he would be favorable to moving forward with a one-year evaluation with input from neighborhoods in the City.

Commissioner Muir asked Mr. Paterson which was the easier process; opting out or opting in. Mr. Paterson replied that it was easier to opt in. He said that the Planning Division expected the proposed ordinance to act as a template for other communities if they choose to go a different direction.

Commissioner Muir expressed the opinion that the proposed ordinance was obviously warranted in certain neighborhoods that are being overrun by incompatible infill. But, he was not in favor of more restrictions, predicting it would make life impossible for some investors, contractors and architects.

Chairperson Noda stated that she believed the Commission needed to look city wide in the beginning stages. She supported Commissioner Galli's idea of an opt-out solution. She recommended transmitting a favorable recommendation of the proposed ordinance and allowing other communities to withdraw. She further supported review of the city wide ordinance in one year. She disagreed that the changes would be an impediment. Stating that, "Sometimes when we get more standards we get more creativity."

Commissioner Seelig stated that she would be in favor of allowing neighborhoods to opt out and revert back to the original ordinance.

Commissioner Diamond wanted neighborhoods to create their own overlays rather than reverting back.

Commissioner Galli stated that the neighborhoods should, if they chose to opt out, have the choice to create an overlay or revert back to the original Ordinance.

Commissioner Diamond reflected Commissioner Muir's opinion that the Planning Division is not currently adequately staffed to police the new process and provide timely service. He instructed Mr. Paterson to address the problem with a specific plan when the proposed ordinance is presented before the City Council.

#### **Motion for Petition 400-05-25**

**Commissioner Scott moved that based on the analysis and findings presented in the Staff Report, the Staff recommendation, and community comments and discussions during this meeting, the Planning Commission forward a positive recommendation to the City Council to approve Petition 400-05-25 to amend the Zoning Ordinance as presented with the following amendments:**

- **A review of the ordinance at the end of one year to analyze its effectiveness, and that the City Council note that the Planning Commission recommended the proposal with the ability of communities to opt out of the ordinance if they proceed through the overlay approach.**
- **Commissioner Seelig requested a second amendment to include the tiered approval process concerning the location of accessory structures twenty feet from the principle buildings on adjacent lots.**
- **Commissioner Galli requested a third amendment that at one year they evaluate the administration of the ordinance city wide to ensure that the Planning Division has sufficient resources to administer the ordinance in a timely fashion and in a manner that does not encumber development or create too many obstacles to developers, architects and builders. The review includes sufficient resources to provide the community outreach.**

Commissioner Scott accepted the amendments.

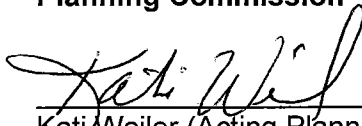
The motion was seconded by Commissioner De Lay. Commissioners Chambless, De Lay, Diamond, Galli, Scott, and Seelig voted "aye". Commissioners McDonough and Muir opposed the motion. The motion passed with a 6-2 vote.

#### **UNFINISHED BUSINESS**

(This item was heard at 10:05 p.m.)

There were no issues to be discussed.

There being no further business, the meeting adjourned 10:06 p.m.



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Kati Weiler (Acting Planning Commission Secretary)

DRAFT



**Exhibit 6**  
**PUBLIC COMMENT**

**Paterson, Joel**

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**From:** Kirk Huffaker [Kirk@utahheritagefoundation.org]  
**Sent:** Tuesday, September 13, 2005 11:46 AM  
**To:** Paterson, Joel  
**Subject:** Closing zoning loopholes for monster houses  
**Attachments:** Kirk Huffaker (kirk@utahheritagefoundation.org).vcf

Joel

UHF held a board meeting last week and there was a lengthy discussion about the teardowns / monster houses issues. I let them know that you are working on an analysis of the zoning codes right now and that was going to be presented to city council on Sept. 20<sup>th</sup>. I hope that's correct in what I heard at community council last week.

The UHF board wanted me to also let you know that we are here to help in the process and that you would hope to include UHF in the discussion and keep us in the loop during it.

Lastly, I was at the Avenues subcommittee meeting last night. It went pretty well as there seems to be a good group of knowledgeable people working on it. They will need input from planning very soon! I hope you (as we are hoping you are the one from the division we can get expertise from) can plan on attending in the near future.

Thanks,

KIRK

10/30/2005

AMUSSEN, HUNSAKER  
& ASSOCIATES, INC.

REGISTERED INVESTMENT ADVISORS



Greater Avenues Community Council  
C/O Salt Lake Association of Community Councils  
PO Box 522038  
Salt lake City, UT 84152

Salt Lake City Planning and Zoning Department  
451 South State Street Room 406  
Salt Lake City, Utah 84111

Gentlemen and Ladies:

I am alarmed and concerned about the seeming attempt by a few people in the Greater Avenues Community Council to restrict the freedom to enjoy and improve the living conditions of the majority of the Avenues residents.

I have been an avenues resident at for over 25 years. I lived in 416 8<sup>th</sup> Ave and own and rent 422 8th Avenue. I enjoy living in the avenues because of the tolerance and diversity of the residents and the architecture. Now it appears that the tolerance aspect is diminishing.

Regarding the GACC newsletter of October 2005. First of all I question the contention that 94% of avenues residents want to regulate building volume relative to size. But in general I question all the percentages the group printed in the October 2005 newsletter. I was never asked my opinion and the few people that can get into the Avenues Sweet Branch Library for the GACC meetings do not constitute a majority of the Avenues Residents. I would like the GACC to explain its methodology used to arrive at these percentages. I seriously doubt if it had any resemblance to a scientific survey.

Lets face facts. The avenues area is an older area and many many houses are in need of significant additional investment to bring them back to an attractive and sound condition. Additionally often older retired people on fixed incomes occupy these homes and they cannot afford to upgrade their homes for example look at the house on the northwest corner of 8th Ave. and I street this house has been deteriorating for the past 15 years. These homes are not improved until these older residents die or move out. Some houses do not justify an investment because the high investment needed would not be recovered by the market value of the house. Often the only way to justify this needed investment is to add additional square feet and make it suitable for a family. This was the situation I was faced with

P.O. BOX 2584

SALT LAKE CITY, UTAH 84110-2584

when I ended up building my house at 416. The house I lived in at 422 was too small for my family, its floor plan was not efficient, the plumbing and wiring were not what I would like etc. I looked at fixing these problems but the high investment needed did not justify the market value. My choice was to build a larger more useable house at 416. Effectively building the maximum size house I could for the lot. If the new rules are passed it appears that I would not be able to do this in the future!

I am in favor of high-density neighborhoods and that is exactly what the avenues are. The avenues population is older, and slowly new families are moving in. These older homes often are not suitable to a growing family and a few people that have the time to attend GACC meetings should not stop the improvement of these homes.

I think the GACC would be much better advised to see that proper sidewalks are put in place. Somehow there are many houses and several streets that have no sidewalks. As I walk around a neighborhood suddenly a sidewalk ends and I am forced to walk into the street. Areas I am referring to specifically are on 10<sup>th</sup> Ave. between F and G Street and G Street between 10<sup>th</sup> and 11<sup>th</sup> Ave. I would like the zoning department to require that any house in the avenues that does not have a sidewalk in front of the house to install one to encourage safe pedestrian traffic.

I am strongly against any change in the current zoning rules for the Avenues area that would restrict the improvement of the neighborhood or change the current allowed size for houses in the Avenues.

Sincerely,

  
Franz Amussen  
CEO

**Paterson, Joel**

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**From:** Rex Sears [RSears@WNLaw.com]  
**Sent:** Tuesday, October 25, 2005 10:33 AM  
**To:** Paterson, Joel  
**Cc:** Lambert, Dale; Council Comments  
**Subject:** Compatible Infill Open House

Joel,

I thought there was going to be an open house regarding compatible infill tonight, but I was unable to get any confirmation either via the city's website or the planning division general number. If the open house has been rescheduled, please let me know the date, time, and location.

If the open house is going forward tonight, I will not be able to make it, so I am emailing my comments. As you may recall, you and I had a brief discussion after last week's City Council meeting, and my comments here are along the same lines as the comments I made last week.

Planning had earlier recommended design review for all construction that would result in a structure of increased size or different footprint as an interim measure, until neighborhood-by-neighborhood standards for over-the-counter permitting could be developed. Now, the plan is to modify the city-wide requirements for over-the-counter permits, leaving open the possibility of more localized requirements being developed and implemented down the road. I am deeply concerned with how the inevitable over- and under-inclusion problems resulting from pursuing a city-wide solution will be resolved.

To frame the issue and my concern, it is helpful to think of principles that could guide the development of city-wide standards as being of three flavors. The first minimizes unnecessary appeals from denial of an over-the-counter permit. Followed through to its conclusion, this principle would support the implementation of standards under which so long as there is some place in the city where a house would fit in its particular zone, it should be given an over-the-counter permit. The second goes to the opposite end of the spectrum, minimizing imprudent over-the-counter permitting. Followed through to its conclusion, this principle would support the implementation of standards under which an over-the-counter permit would not be given unless the house would fit anywhere in the city (that is, anywhere in the city with the same zoning). The third tries to strike a balance between minimizing unnecessary appeals and minimizing imprudent over-the-counter permitting.

I am not inclined to extremism, but here I think there is no place for balancing. If we are to have city-wide standards for over-the-counter permitting, then the standards should not authorize an over-the-counter permit unless the structure would fit anywhere in the city. That is because the harm done by an imprudent grant of an over-the-counter permit reaches the entire neighborhood, and it is for all practical purposes irreversible. The harm done by an imprudent denial of an over-the-counter permit, on the other hand, is localized and transitory: only one property owner is impacted, and that he can mitigate his harm by pursuing an appeal.

Implementing more restrictive standards at the outset also makes a better allocation of responsibility for subsequent neighborhood-by-neighborhood adjustments, by placing that burden on those who want to liberalize over-the-counter permitting standards for particular neighborhoods. That allocation serves two beneficial purposes: first, it minimizes the risk of lasting harm while neighborhood-specific adjustments are being pursued; second, it encourages a more thoughtful, deliberative approach to neighborhood adjustments, because there will not be a panicked rush to get those adjustments made.

Turning from generalities to particulars, I do not believe that the city-wide standards currently under consideration pass muster. As we discussed, the height limitations will permit second stories, and there are neighborhoods where two-story construction would be highly detrimental.

L. Rex Sears  
Workman Nydegger  
1000 Eagle Gate Tower  
60 East South Temple Street

10/30/2005

Salt Lake City, Utah 84111  
801/533-9800 (switchboard)  
801/328-1707 (fax)

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10/30/2005

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**VIA E-MAIL (planning@slc.gov) AND U.S MAIL**

Sugar House Community Council  
c/o L. Rex Sears, First Vice Chair  
2126 Yuma Street  
Salt Lake City, Utah 84109

November 3, 2005

Salt Lake City Planning Commission  
451 South State Street, Room 406  
Salt Lake City, Utah 84111

Re: Compatible Infill Ordinance, Petition No. 400-05-25

Commissioners,

The Board of Trustees (the "Board") of the Sugar House Community Council (the "Council"), at its regularly scheduled and noticed meeting for the month of November, took up the subject matter of Petition No. 400-05-25 (the "Petition"). After deliberation and by a large supermajority, the Board reached several conclusions, which I have been asked to convey to you.

First, the Board considers the incompatible infill problem addressed by the Petition to be both serious and pressing. The integrity and character of numerous neighborhoods within the Council's boundaries have already been compromised by the introduction of structures that are out of scale or otherwise inconsistent with the existing homes.

Second, corrective action should be taken as quickly as possible. The damage inflicted by incompatible construction is essentially permanent and irreversible. Effective corrective action should be taken before more harm is done.

Third, while the Board recognizes the value of neighborhood renewal and does not desire to see it stifled, the Board is of the view that the first and highest priority in fashioning an effective remedy must be to eliminate or at least minimize the risk of improvident over-the-counter permitting. Where an improvident over-the-counter permit is given for construction that results in an incompatible structure, the harm is much greater both in extent and in duration than any burden imposed on an individual property owner (and hence on neighborhood renewal) when an over-the-counter permit is improvidently denied. An individual property owner denied a permit for a proposed structure that is in fact compatible with its contemplated surroundings has effective recourse through an administrative appeal; but neighbors of incompatible structures for

which over-the-counter permits are given have none, and the resulting injuries are permanent.

For your information, the primary comment of the small minority of the Board that dissented from the foregoing was to the effect that any regulation of property use constitutes an unconstitutional governmental taking. The dissenting minority also opined that overly restrictive zoning would have inhibited or prevented what is retrospectively regarded as the positive renewal of the Harvard-Yale neighborhood, which was perceived to have been effected largely through the successive replacement of single-story structures with two-story dwellings.

Although conducted against the backdrop of the Petition, the Board's deliberation was conceptual in nature, and did not address specific elements of the Petition in detail. However, it is the Board's strong desire and hope that the Commission will pursue a prompt and effective remedy, and that in so doing it will emphasize the avoidance of improvident over-the-counter permitting in its evaluation of the Petition and of any other competing or subsequent proposal addressing the issue.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Rex Sears", with a long horizontal flourish extending to the right.

L. Rex Sears

LRS/jw

cc: Dale Lambert

Joel Paterson



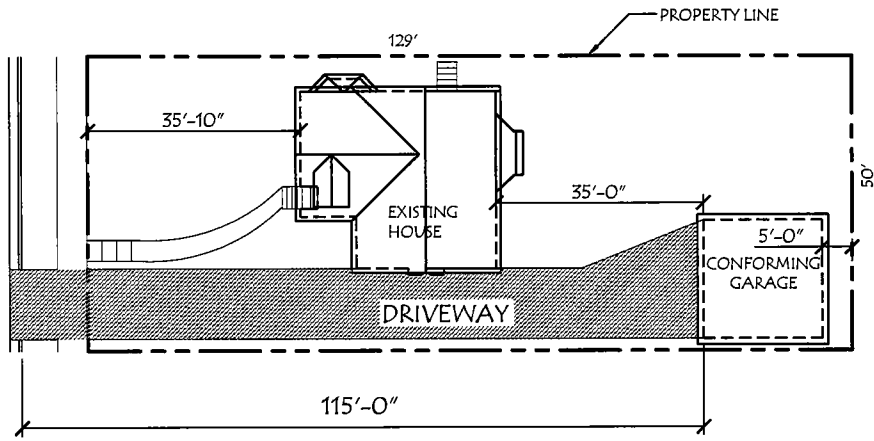
COMMENTS REGARDING THE COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS  
November 8, 2005

While we appreciate the concern and effort being made to address the issue of 'monster homes' and do not advocate their construction, we are concerned that the proposed changes to the zoning ordinance will have an adverse effect on residential construction in general in Salt Lake City. Our specific comments follow:

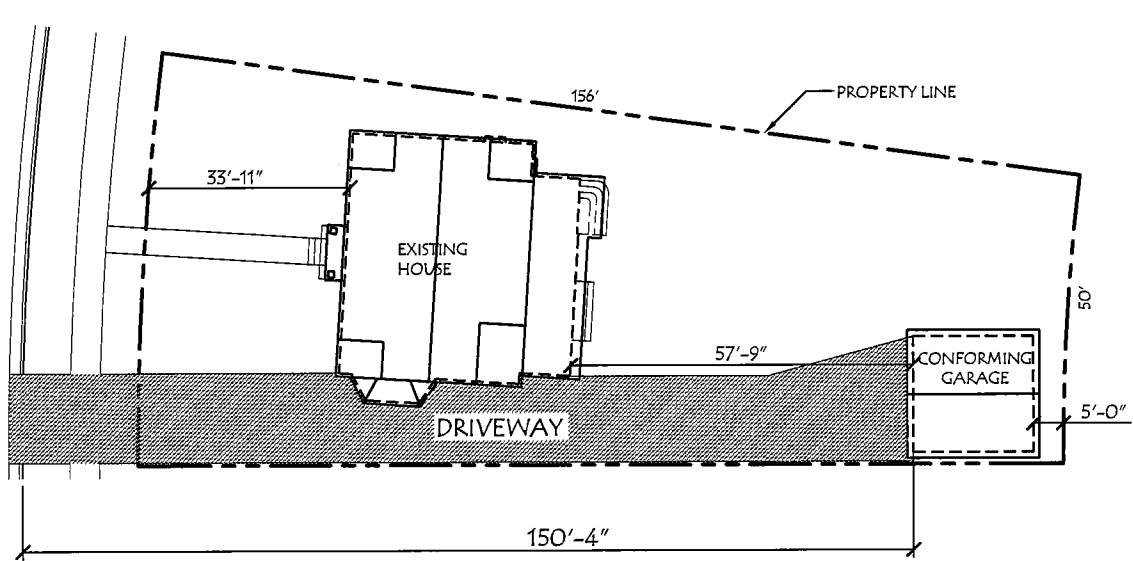
1. **Homeowners and design professionals deserve zoning standards that are well defined and objective.** Having a standard based on the "average of the properties on the block face" puts an undue burden on those applying for building permits. Unless the City is willing to supply the standard for each block, this is an impractical requirement. An accurate setback measurement for a home on a sloped site or street is only obtainable with surveying equipment. Obtaining the height of a gable may be dangerous and difficult for a homeowner, but it is could be possible. It is not possible, however, to get the ridge height of a home with a hipped roof unless a homeowner a.) hires a surveyor, or b.) climbs up to the roof or enters the attic to get the exact slope, measures and draws the footprint of the home, and draws the roof plan and the exterior elevations of the home. Any other method is imprecise and inaccurate.
2. **Imposing extremely restrictive requirements with the caveat that there is an option for an additional review process is an evasion of regulatory responsibility.** The effect of this ordinance is to either sanction designs that conform to a very undesirable design standard (see items 4 and 5 below) or require that the majority of projects submit to hearings to obtain a building permit. This adds time, money, and uncertainty to each renovation project. A review process based on a standard of "existing development patterns" is subjective and arbitrary. Homeowners are being asked to invest money in a design that may or may not be allowed. In addition, this ordinance interferes with the livelihood of design professionals when they can no longer guarantee that they will provide the client with a product that will be buildable. Taking a project to a review hearing should be the exception, not the rule.
3. **Requiring detached garages to be built a maximum of 5' from the rear property line is ecologically unsound and a hardship to the homeowner.** This will result in increased driveway lengths resulting in additional run-off, higher concrete costs, and maintenance issues in the winter. Long distances between houses and garages are also undesirable in terms of convenient day-to-day living. Attachment A1 shows the effect this ordinance would have on three typical residences in Salt Lake City.
4. **The size and height restriction for accessory buildings (garages specifically) is a poor design standard.** A maximum height of 15' for detached garages will result in all new two-car garages being basically the same massing with the only difference being the applied facades. Garages will be compatible with some abstract development infill standard, but not with the home they associated with. Attachment A2 shows the resulting design implications of this ordinance.
5. **The new height restrictions for residential roofs is a poor design standard.** With the stipulation of an exterior wall height of 16 feet and a roof ridge of 23 feet, the result will be that most two-story additions will have basically the same massing with the only difference being the applied facades. Additions will be compatible with some abstract development infill standard, but not with the style of the existing home nor with most existing Salt Lake neighborhoods. Attachment A3 shows the design implications of this ordinance.
6. **By setting the existing development pattern as the standard for all future design, the ordinance thwarts the natural evolution and development of city neighborhoods to grow and change as society itself evolves.** It imposes the judgment that the existing development pattern of a city block takes precedence over the developing pattern of twenty-first century families and society. While buildings are significant and

**RENOVATION DESIGN GROUP PROPOSES THE FOLLOWING AS A CONCEPTUAL ALTERNATE:**

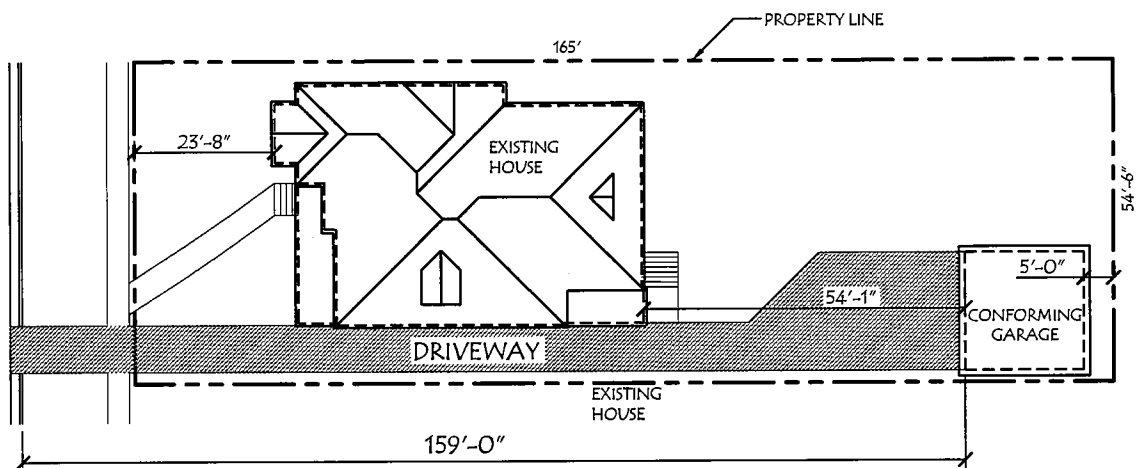
1. If any part of the design does not comply with the current Salt Lake City Zoning Code (with the exception of in-line variances), application will be made to the Board of Adjustments for a variance. SAME PROCEDURE AS CURRENTLY EXISTS.
2. If all parts of the proposed design comply with the current Salt Lake City Zoning Code (with the exception of in-line variances), prior to obtaining a building permit the homeowner will be required to review the project with the neighbors within 300' of their property, or a minimum of 12 abutting property owners, whichever is greater. They must provide each property owner with a dimensioned site plan of the existing site and the proposed change and dimensioned exterior elevations of the existing home and the proposed changes for their consideration.
3. The neighbors have two weeks to file an objection with the Planning Department.
4. If 50% of the neighbors have a concern that the project is not compatible with the existing development pattern, an administrative public hearing will be scheduled and held. A decision to either issue or deny the building permit will be made. In case of denial, specific issues will be identified to be addressed in the redesign.
5. Any party can appeal the decision of the hearing to the Board of Adjustments.



907 DIESTEL ROAD



1379 E 3RD AVENUE



174 B STREET



CONFORMING GARAGE

EXISTING HOUSE

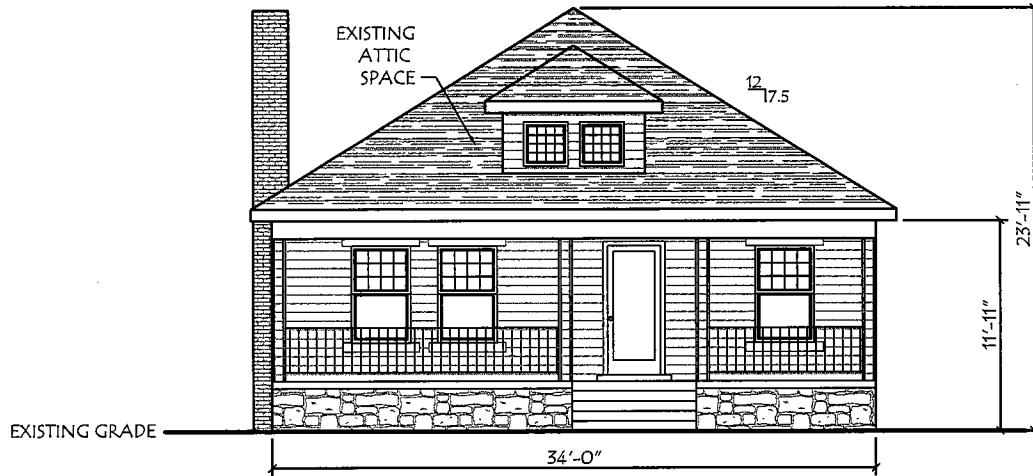
1376 MICHIGAN AVE, SALT LAKE CITY



NON-CONFORMING GARAGE  
CONFORMS TO EXISTING ZONING  
REGULATIONS

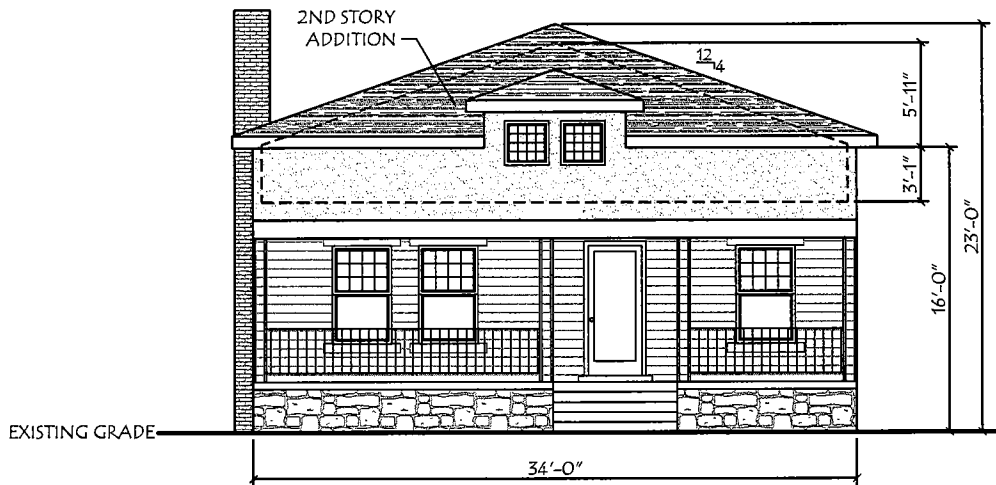
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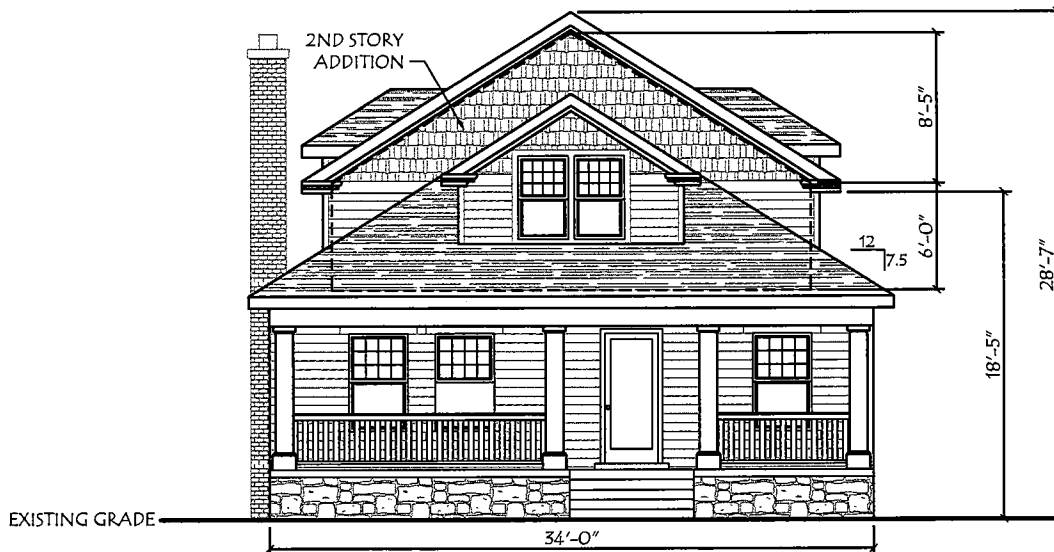
## EXISTING HOUSE

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS



## CONFORMING 2ND STORY

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS, WALL HEIGHT AT MAXIMUM ALLOWED, AS WELL AS THE MAXIMUM ROOF HEIGHT.



## NON-CONFORMING 2ND STORY

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS

## Paterson, Joel

---

**From:** Carleton DeTar [detar@physics.utah.edu]  
**Sent:** Tuesday, November 08, 2005 4:42 PM  
**To:** Paterson, Joel  
**Cc:** detar@physics.utah.edu  
**Subject:** Infill recommendations: Petition 400-05-25

Hi Joel,

My wife and I will not be able to attend the meeting tomorrow at 5:45 PM, because both of us are teaching, but I wanted to lend my enthusiastic support to the proposed amendments to the City Code that would limit out-of-line development in Salt Lake City residential neighborhoods and redefine demolition.

I hope this statement of support can be added to the hearing record.

Thank you,  
Carleton DeTar

and Laurel Casjens  
953 Little Valley Rd  
Salt Lake City, UT 84103

**Paterson, Joel**

---

**From:** WynnJoh@aol.com  
**Sent:** Wednesday, November 09, 2005 9:10 AM  
**To:** Paterson, Joel  
**Cc:** Jergensen, Eric; Springmeyer, Gwen  
**Subject:** Comments on proposed infill standards

November 9, 2005

Dear Joel:

First, thanks for all the good work you and the rest of the Planning Department do in behalf of the quality of our living environment in Salt Lake City. You did a nice job a few weeks ago in explaining the proposed standards to the group of us attending the public meeting in city hall.

**I have been a member of the Greater Avenues Community Council for ten years and, in behalf of my friends and neighbors, I am extremely concerned about the proposal, including both its basic intent and specific limitations and public knowledge thereof.**

1. As I mentioned in the meeting, there are 9000 households in the Greater Avenues Community Council area. There are two new homes going up which have been the source of complaints by neighbors. Two of 9000 do not represent any kind of trend or general community "problem" requiring hasty and draconian measures in a form that affects thousands of homeowners.
2. The restrictions as drafted will tend to eliminate two-story homes. Since when are two-story homes in the Avenues out of character?
3. Homeowners have purchased dwellings and paid property taxes for decades based on the values implicit in not only the homes as they exist now, but also in the potential for remodeling and or selling to people who want to remodel or enlarge homes to fit different family sizes. I believe the imposition of the proposed restrictions will constitute a **"taking"** by the city of property values bought and paid for by the current owners. There is no proof that larger homes decrease property values. On the contrary, I believe the opposite is true. This whole effort is being fueled by **the opinions and fears of a few rather than facts** based on studies, surveys and appraisals.
4. I think it is highly irresponsible to rush into this draft ordinance, which is more restrictive than the Yalecrest ordinance that resulted from four years of study and careful inventory of the existing characteristics of 700 homes. **I urge a slower and more empirical approach** which will include notifying the thousands of impacted landowners by registered mail. As you know, postal notification is required for all owners within a few hundred feet of the relevant properties. **Absent mailed notices there will only be small meetings** of affected professionals, activists who may represent a minority, and very few owners. Many of our Avenues residents are elderly, do not attend public meetings and are not well-informed on such movements as represented by this proposed rezoning. Also, many owners live out of the area. I am firmly convinced that a majority of the affected owners in the Avenues are unaware of both the details of the proposed ordinance and its effects. Those who do know about it aren't aware of the boundaries of the neighborhoods involved. There were about 50 people at the meeting in City Hall, and about 90 people (our recent attendance) in the Greater Avenues Council and sub-committee meetings. That's a pretty small slice of the community. I realize that there are appeal opportunities built in, but that just raises the costs and time for owners to remodel the homes many have owned for scores of years under present zoning restrictions. It is unjust and more than a little suspicious for the City to try and ram this through without sufficiently airing the issues to the less informed. I think you might, in fairness, even consider a city-wide referendum.

Thanks again for the invitation to comment on the proposed ordinance.

Sincerely,

11/9/2005

L. Wynn Johnson, Board Member  
Greater Avenues Community Council

cc: Eric Jergensen  
Mayor Ross Anderson (c/o Gwen Springmeyer)



**Exhibit 7**

**ORIGINAL PETITION**

**Petition No.** 400-05-25

*By* City Council

Is requesting to adopt a motion/legislative action item requesting the Planning Division review the City's ordinances relating to infill housing.

*Date Filed*

*Address*

**Coffey, Cheri**

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**From:** Paterson, Joel  
**Sent:** Thursday, June 23, 2005 8:37 AM  
**To:** Coffey, Cheri  
**Subject:** FW: legislative action item  
**Categories:** Program/Policy

Cheri,

FYI – see the legislative action listed below. The Council adopted this on 6/22/05

Joel G. Paterson, AICP  
Planning Programs Supervisor  
Salt Lake City Planning Division  
Tel. (801) 535-6141  
Fax (801) 535-6174  
E-mail: joel.paterson@slcgov.com

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**From:** Crandall, Scott  
**Sent:** Thursday, June 23, 2005 8:21 AM  
**To:** Zunguze, Louis; Wilde, Brent; Jardine, Janice; Paterson, Joel  
**Subject:** legislative action item

The attached motion was adopted by the City Council on June 21, 2005. Please take appropriate action. If you know of anyone else who needs to be involved with this issue, please forward e-mail. Thanks.

Action: Adopting a motion/legislative action item requesting that the Planning Division review the City's ordinances relating to infill housing.

6/24/2005

COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS  
PETITION 400-05-25

Open House  
October 25, 2005

MAIL COMMENTS TO:  
JOEL PATERSON, PLANNING PROGRAMS SUPERVISOR  
451 S. STATE STREET, ROOM 406  
SALT LAKE CITY, UT 84111  
OR SEND E-MAIL TO: joel.paterson@slcgov.com

Name:

Jim Webster

Address:

938 MILITARY DR 84108

COMMENTS:

THE MOST SIGNIFICANT VARIABLE  
IS LOT DEPTH. IN THE SPIRIT OF  
AVERAGING (I.E. FRONT SETBACK, ROOF  
HEIGHT, ETC.), WHY NOT ALSO CONSIDER  
AVERAGE LOT DEPTH IN THE ADJOINING  
NEIGHBORHOOD FOR ~~THE~~ DEEP LOTS, ETC.  
PLACEMENT OF GARAGES SO DEEP ON  
SUCH LOTS IMPOSES MUCH MORE LANDSCAPE  
AND THEREFORE RUNOFF AS AN IMPACT TO  
NEIGHBORS, POSSIBLE ENVIEWS W/  
DASHED LINE AS AVG. REAR LOT LINE,

COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS  
PETITION 400-05-25

Open House  
October 25, 2005

MAIL COMMENTS TO:  
JOEL PATERSON, PLANNING PROGRAMS SUPERVISOR  
451 S. STATE STREET, ROOM 406  
SALT LAKE CITY, UT 84111  
OR SEND E-MAIL TO: joel.paterson@slcgov.com

Name: Kat Kinnett

Address: 620 H St email: jaccnewsletter@hotmail.com

COMMENTS:

There are two things that I would like to see expanded in the Summary:

- 1) In the Fines section, 10% is not much of a deterrent perhaps increase to 15%. Also requiring to tear down unapproved work and rebuild/replace may stop rampant disregard for ordinance.
- 2) There is not a specific reference to Protection of View for Building Ht and accessory Bldg Ht. I would like to see this issue addressed for SR-1 since view has a tangible value to property. (In Seattle, neighbors buy AIRSPACE to protect their views, I think we could avoid this if addressed <sup>now.</sup>)

One Last thing is if the applicants must supply the street averages for setbacks, max heights, who will check behind Builders etc. to see if the average is correct? I'm afraid this standard will be abused by unscrupulous property owners.

Thank you Joel

Kat Kinnett

COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS  
PETITION 400-05-25

Open House  
October 25, 2005

MAIL COMMENTS TO:  
JOEL PATERSON, PLANNING PROGRAMS SUPERVISOR  
451 S. STATE STREET, ROOM 406  
SALT LAKE CITY, UT 84111  
OR SEND E-MAIL TO: joel.paterson@slcgov.com

Name:

LESTER AOKI

Address:

351 'L' Street SLC. 84103

COMMENTS:

The "fine" for a ~~perm~~ "remodel" permit holder who ends up with a demolition, whether by accident or due to engineering or construction problems needs to be very high. Without the high fine, there is an incentive to the builder to end up with a total demolition and new construction rather than a "remodel" - if the demolition passes the threshold set, whether it is 50%-75%-or whatever, they should be forced to go back into the permit process ~~for~~ for "NEW" const. rather than continuing on a remodel permit.

## **RENOVATION DESIGN GROUP**

**November 14, 2005**

**Response to the Compatible Residential Infill Development Standards proposed by the Salt Lake City Planning Department 11/11/05**

### **SUMMARY STATEMENT**

Currently there are problems with the existing zoning ordinances and review procedures.

Changes need to be made to the zoning ordinance to tighten it up in terms of minimum allowable **standards**.

Changes need to be made in the **process** to both widen the circle and streamline the sequence of official and public review.

### **PHILOSOPHICAL CONSIDERATIONS**

Are growth, development, and change a natural part of any living organism—even a city?

If so, how should neighborhoods grow, develop and evolve?

What is the relationship of change to the 'existing development pattern'?

What level of control should exist regarding the change—individual, neighborhood, community or city?

### **REQUIRED DEFINITION**

The *existing development pattern* is the standard based on the size (lot coverage), height, and location on the lot of existing structures within 300 feet of the subject property. Neither the style of the home nor the finish materials are considered part of the existing development pattern.

## **STANDARDS**

The City has the responsibility to define minimum acceptable building standards for residential new construction and renovations to existing structures.

The minimum standards should allow for reasonable expansion and development of residential neighborhoods while attempting to maintain a connection with the existing development pattern and preventing the construction of 'monster homes'.

Minimum standards will have a significant impact on the building patterns in the city and should be carefully considered. Setting the minimum standards to please the most restrictive areas of the city can be detrimental to other areas. Many people will build to the minimum standards rather than go to the expense and hassle of collecting averages.

Failing to set minimum measurable standards and replacing these with 'averaging' existing conditions puts an undue burden on the homeowner to collect the information. This adds a burden of expense and time in having to hire a surveyor (estimates vary from \$1000 to \$2000).

Neighborhoods or communities have the ability to further restrict the minimum standards by implementing overlay zoning ordinances.



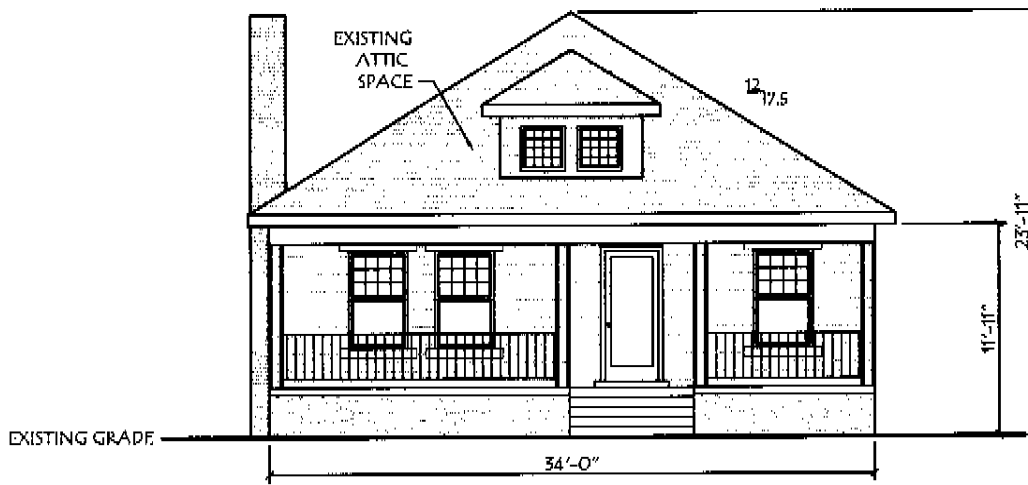
## COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS RECOMMENDATIONS

14-Nov-05

SUBJECT	EXISTING ORDINANCE R1-5000 & R1-7000	PROPOSED ORDINANCE	RECOMMENDATION	COMMENTS
Maximum Roof Height	Pitched roof: 30' to the mid-point of the roof Flat roof: None Measured from existing grade	Pitched roof: 23' to the ridge of the roof Flat roof: None Measured from existing grade	Pitched roof: 30' to the ridge of the roof Flat roof: 20' Measured from existing grade	The current ordinance measures to the mid-point of the roof which allows for roofs to be over 40' high in some cases. This is too high. The proposed restriction of 23' to the ridge is too low because it allows only a very low pitch on a two-story house. This legislates bad design. See Attachment A1. A compromise that limits the overall height but still allows for some design flexibility is recommended.
Maximum Wall Height	None.	16 feet	18.5' which may increase 1 foot in height for each foot of increased setback beyond the minimum	A 18' maximum is too low because the main floor of most homes is 2' - 3' above grade to begin with. Allowing for 12 inches for main floor structure and another 12 inches for upper level structure, a home with typical 8' high ceilings would have only 3' of wall before the roof structure starts. Once again this prohibits the design of most two-story homes. See Attachment A2.
Front Yard Setback	20 feet	Average of block face	Average of the smallest 50% of developed properties on the same side of the street measured within 300 feet of the subject property but not extending across intervening streets Keep existing	Need to clarify how measurements are to be made--i.e., how do you measure a slope?
Side Setback	R1-5000: 4' on one side, 10' on the other R1-7000: 6' on one side, 10' on the other	None	None	
In-line Additions	Approved over the counter by administrative approval	Require new projects to conform to required setbacks or apply for a special exception	Agree with the proposed change: Require new projects to conform to required setbacks or apply for a special exception Pitched roof: 15' to the mid-point Flat roof: 12'	
Maximum Height for Accessory Structures	Pitched roof: 17' to mid point Flat roof: 12'	Pitched roof: 15' to the ridge Flat roof: 12'		Accessory structures contribute to the character of the development pattern. Garages should relate to the home as well as the neighborhood. A 15' maximum

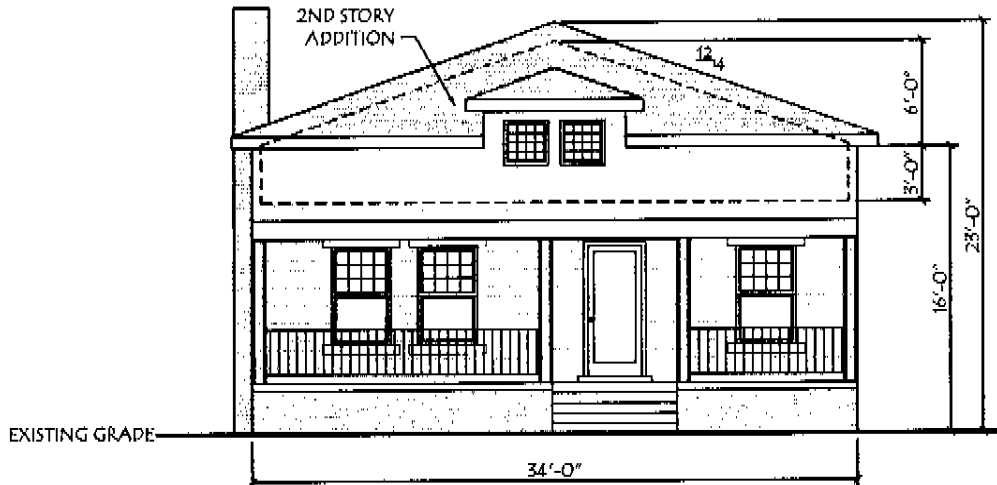
SUBJECT	EXISTING ORDINANCE R1-5000 & R1-7000	PROPOSED ORDINANCE	RECOMMENDATION	COMMENTS
Location of Accessory Structures	Anywhere in the rear setback placed to within 2 feet of the lot line. Must be 10' from principal residential buildings on adjacent lots.	Only 1' - 5' from the rear lot line. Must be 20' from principal residential buildings on adjacent lots.	Keep existing ordinance.	height on a two-car garage does not even allow for a 6-in-12 slope. See Attachment A3. For deep lots: Requiring garages to be on the rear lot line results in the distance to the house and the length of the driveway to be potentially excessive. See Attachment A4. For small lots: Requiring the garage to be 20' away from the neighbor's house may put the garage in the middle of the rear yard, thus making it impossible to have a useable back yard.
Maximum lot coverage	R1-5000: 55% R1-7000: 40%	R1-5000: 40% R1-7000: 40%	Agree with the proposed change: Reduce the R1-5000 percentage to 40%	Keeping the homes in proportion to the lot obviously makes sense. Reducing the percentage on the R1-5000 will help keep the building from overwhelming the lot.
Attached garages	None	Must be located behind or in-line with the front of the principal building. The width facing the street may not exceed 50% of with width of the front facade of the house.	Agree with the proposed change.	

# ATTACHMENT A1



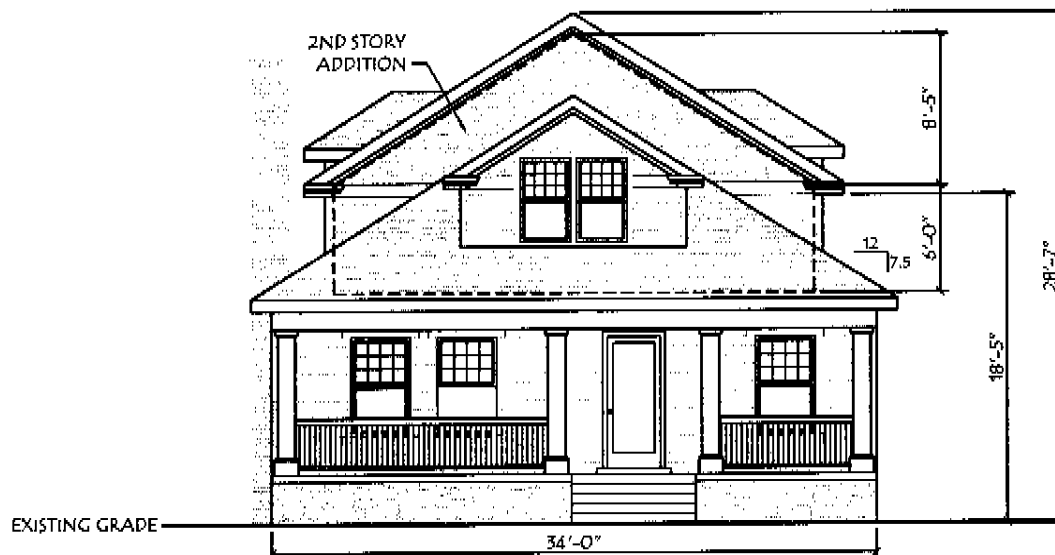
## EXISTING HOUSE

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS



## CONFORMING 2ND STORY

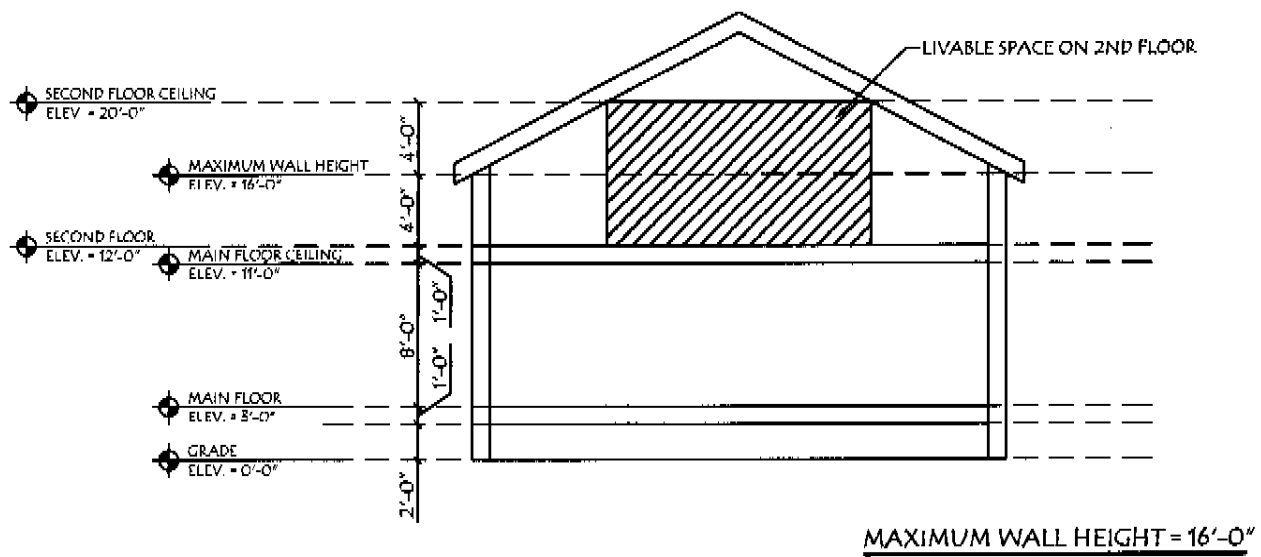
50' PROPERTY WIDTH W/ 6' & 10' SETBACKS, WALL HEIGHT AT MAXIMUM ALLOWED, AS WELL AS THE MAXIMUM ROOF HEIGHT.



## NON-CONFORMING 2ND STORY

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS

# ATTACHMENT A2



# ATTACHMENT A3



CONFORMING GARAGE

EXISTING HOUSE

1376 MICHIGAN AVE, SALT LAKE CITY



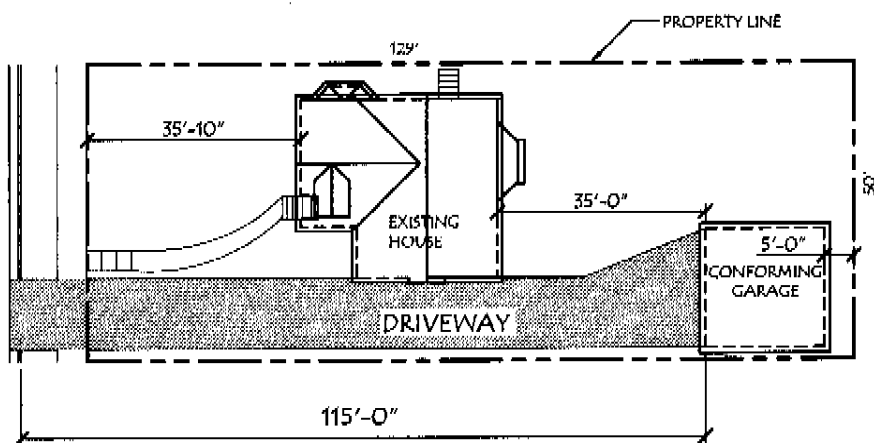
NON-CONFORMING GARAGE

CONFORMS TO EXISTING ZONING  
REGULATIONS

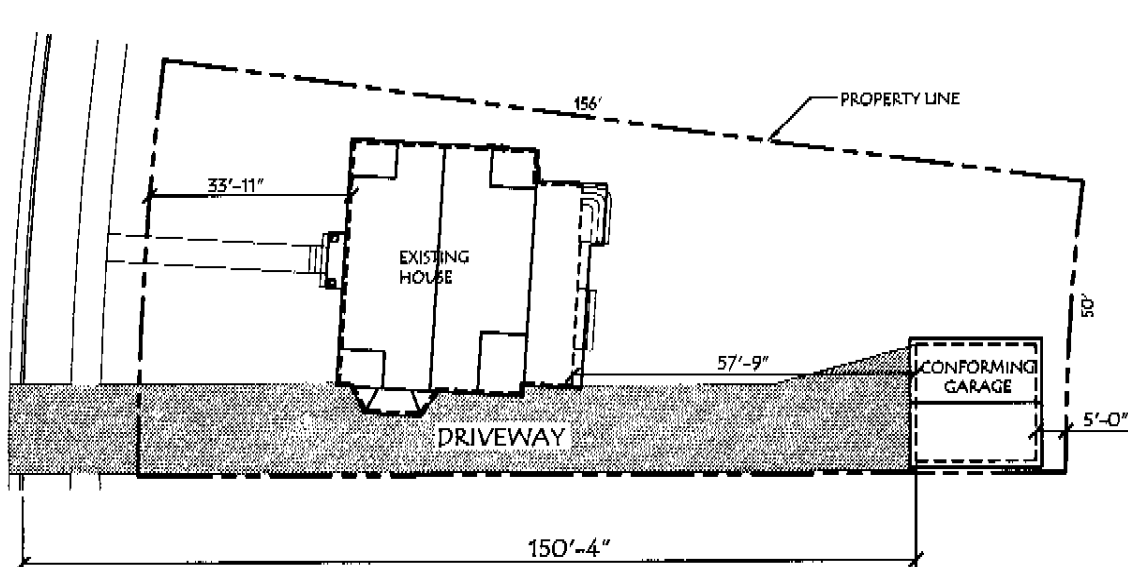
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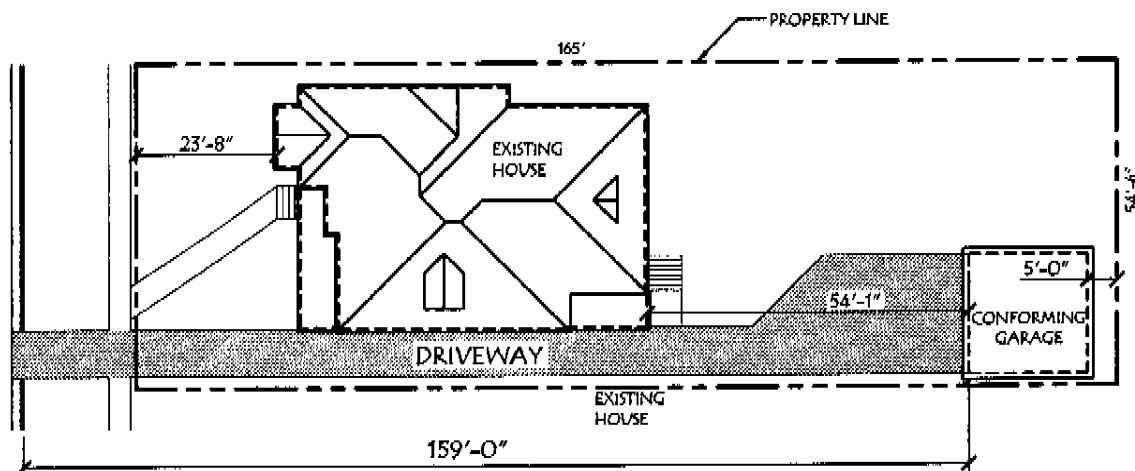
# ATTACHMENT A4



907 DIESTEL ROAD



1379 E 3RD AVENUE



174 B STREET

## **PROCESSES**

A multi-tiered process for obtaining a building permit is not inherently bad if all tiers offer real options for acceptable construction. The minimum tier requirements must be valid and result in projects that reflect good design principles. Setting standards that are too restrictive in the first tier will have the following results:

1. People will design to these standards no matter what the project will look like in order to avoid having to incur the extra time and expense involved in administrative or Board of Adjustment hearings. Just because projects are smaller doesn't mean they can't be ugly!

2. If little or no good design can come out of the first tier, then the intent must be that most projects should be channeled into administrative hearings. This will be a burden on the City Administration. Currently, there are no plans for extra personnel or training to accommodate this significant increase of the work load in the Planning Department.

Standards should be absolute and clearly defined so the homeowner or design professional knows exactly what is expected in order to qualify for a building permit. However, because standards alone cannot set limits that will result in good design that will result in 'compatible infill' that will please everyone, the review or permitting process must also contribute to achieving the community's development goals. The process should be as clearly defined as possible

## PEER REVIEW COMPONENT

RENOVATION DESIGN GROUP PROPOSES THE FOLLOWING AS A CONCEPTUAL ALTERNATE FOR ANY BUILDING PROJECT THAT WILL ALTER THE EXTERIOR OF A RESIDENCE IN TERMS OF THE EXISTING DEVELOPMENT PATTERN:

1. If any part of the design does not comply with the current Salt Lake City Zoning Code application will be made to the Board of Adjustments for a variance. **SAME PROCEDURE AS CURRENTLY EXISTS.**
2. If all parts of the proposed design comply with the current Salt Lake City Zoning Code, **prior to obtaining a building permit** the homeowner will be required to review the project with the neighbors within 300' of their property, or a minimum of 12 abutting property owners, whichever is greater. They must provide each property owner with an **information packet** which contains the following:
  - a. Two dimensioned site plans--one of the existing site and one showing the proposed change.
  - b. Dimensioned exterior elevations of the existing home and dimensioned exterior elevations showing the proposed changes.
3. The neighbors have **two weeks** to review the information and notify the Planning Department of any objections relative to the *existing development pattern*.
4. If **51%** of the neighbors have a concern that the project is not compatible with the existing development pattern, an administrative public **hearing** will be scheduled and held to discuss this issue. A decision to either issue or deny the building permit will be made. In case of denial, specific issues will be identified to be addressed in the redesign.
5. Any party can **appeal** the decision of the hearing to the Board of Adjustments. The appealing party will pay all associated fees. The decision of the board will be based on either a hardship situation or the existing development pattern.

Advantages of this approach:

1. First, it brings control down to the grass-roots level—i.e., the neighborhood itself. Those parties that will be most affected by any renovation project will have an opportunity for input. At the same time, by involving more than just immediate neighbors, the review should have some objectivity; personal grudges or long-standing animosities will be balanced by those whose concern is for the neighborhood as a whole.
2. Second, many projects will meet with the approval of the neighbors and will thus save both the homeowner and the City the time and expense of having to go through the review process.
3. Finally, this process will inform concerned neighbors of what is happening prior to commencement of any construction. It will also prohibit interference with the building process once construction has begun.



## SAMPLE LETTER

Name  
Address  
City

Dear \_\_\_\_\_,

You are hereby notified that the property located at \_\_\_\_\_,  
owned by \_\_\_\_\_ is applying for a building permit.

Because your property is within 300' of the subject property, you are being notified of this project and you are being given the opportunity to submit comments to the Salt Lake City Planning Department. The owner is providing you with the following information:

1. Two dimensioned site plans: One showing the property as it now exists and one showing how it will change as a result of the pending construction project.
2. Dimensioned exterior elevations (drawings of each outside wall of the house) showing the house as it is currently and showing how it will change as a result of the pending construction.

The design of the project complies with all current Salt Lake City Zoning Ordinances. The intent of distributing this information is 1) to inform you of what is happening in your neighborhood and 2) to allow you to review the proposed project in terms of compliance with the *existing development pattern* of your neighborhood.

The *existing development pattern* is the standard based on the size (lot coverage), height, and location on the lot of existing structures within 300 feet of the subject property. The *style* of the home and the *finish materials* are NOT considered part of the existing development pattern and are not open to comment from the neighbors.

If you have concerns that this project will not be compatible with the existing development pattern of your neighborhood, please call the Planning Department (XXX-XXXX) to register your comments before \_\_\_\_\_, 200\_. If concerns are expressed by 51% of the neighbors, you will be notified of an administrative hearing to be held by the Planning Department prior to the issuance of a building permit. You will have an opportunity to express your views at this hearing. A judgment will then be made by the Planning Department as to whether the building permit will be issued. Appeals to this decision can be made to the Board of Adjustments. All fees associated with the appeal will be the responsibility of the person or party filing the appeal.

If you have any questions regarding this procedure, please call XXX-XXXX. Thank you for your attention in this matter.

## **RENOVATION DESIGN GROUP**

**November 14, 2005**

**Response to the Compatible Residential Infill Development Standards proposed by the Salt Lake City Planning Department 11/11/05**

### **SUMMARY STATEMENT**

Currently there are problems with the existing zoning ordinances and review procedures.

Changes need to be made to the zoning ordinance to tighten it up in terms of minimum allowable **standards**.

Changes need to be made in the **process** to both widen the circle and streamline the sequence of official and public review.

### **PHILOSOPHICAL CONSIDERATIONS**

Are growth, development, and change a natural part of any living organism—even a city?

If so, how should neighborhoods grow, develop and evolve?

What is the relationship of change to the 'existing development pattern'?

What level of control should exist regarding the change—individual, neighborhood, community or city?

### **REQUIRED DEFINITION**

The *existing development pattern* is the standard based on the size (lot coverage), height, and location on the lot of existing structures within 300 feet of the subject property. Neither the style of the home nor the finish materials are considered part of the existing development pattern.

## **STANDARDS**

The City has the responsibility to define minimum acceptable building standards for residential new construction and renovations to existing structures.

The minimum standards should allow for reasonable expansion and development of residential neighborhoods while attempting to maintain a connection with the existing development pattern and preventing the construction of 'monster homes'.

Minimum standards will have a significant impact on the building patterns in the city and should be carefully considered. Setting the minimum standards to please the most restrictive areas of the city can be detrimental to other areas. Many people will build to the minimum standards rather than go to the expense and hassle of collecting averages.

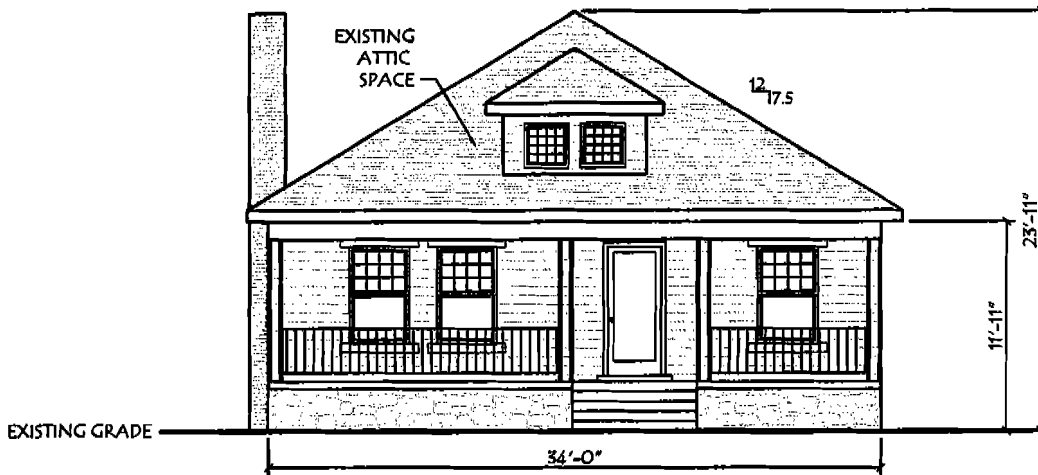
Failing to set minimum measurable standards and replacing these with 'averaging' existing conditions puts an undue burden on the homeowner to collect the information. This adds a burden of expense and time in having to hire a surveyor (estimates vary from \$1000 to \$2000).

Neighborhoods or communities have the ability to further restrict the minimum standards by implementing overlay zoning ordinances.

RENOVATION DESIGN GROUP  
 COMPATIBLE RESIDENTIAL INFILL DEVELOPMENT STANDARDS RECOMMENDATIONS  
 14-Nov-05

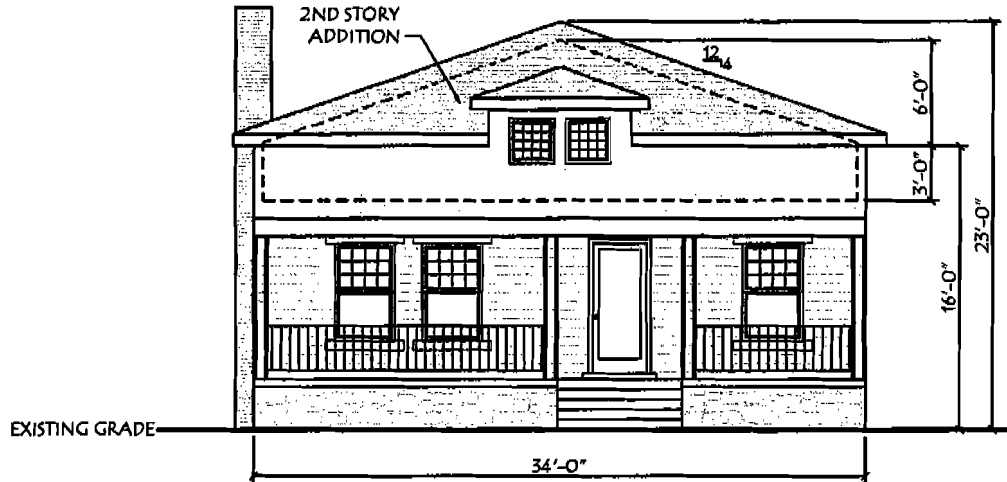
SUBJECT	EXISTING ORDINANCE R1-5000 & R1-7000	PROPOSED ORDINANCE	RECOMMENDATION	COMMENTS
Maximum Roof Height	<p>Pitched roof: 30' to the mid point of the roof</p> <p>Flat roof: None</p> <p>Measured from existing grade</p>	<p>Pitched roof: 23' to the ridge of the roof</p> <p>Flat roof: None</p> <p>Measured from existing grade</p>	<p>Pitched roof: 30' to the ridge of the roof</p> <p>Flat roof: 20'</p> <p>Measured from existing grade</p>	<p>The current ordinance measures to the mid-point of the roof which allows for roofs to be over 40' high in some cases. This is too high. The proposed restriction of 23' to the ridge is too low because it allows only a very low pitch on a two-story house. This legislates bad design. See Attachment A1. A compromise that limits the overall height but still allows for some design flexibility is recommended.</p>
Maximum Wall Height	None.	16 feet	18.5' which may increase 1 foot in height for each foot of increased setback beyond the minimum	<p>A 16' maximum is too low because the main floor of most homes is 2' - 3' above grade to begin with. Allowing for 12 inches for main floor structure and another 12 inches for upper level structure, a home with typical 8' high ceilings would have only 3' of wall before the roof structure starts. Once again this prohibits the design of most two-story homes. See Attachment A2.</p>
Front Yard Setback	20 feet	Average of block face	Average of the smallest 50% of developed properties on the same side of the street measured within 300 feet of the subject property but not extending across intervening streets	Need to clarify how measurements are to be made—i.e., how do you measure a slope?
Side Setback	<p>R1-5000: 4' on one side, 10' on the other</p> <p>R1-7000: 6' on one side, 10' on the other</p>	None	Keep existing	
In-line Additions	Approved over-the counter by administrative approval	Require new projects to conform to required setbacks or apply for a special exception	<p>Agree with the proposed change:</p> <p>Require new projects to conform to required setbacks or apply for a special exception</p>	

SUBJECT	EXISTING ORDINANCE R1-5000 & R1-7000	PROPOSED ORDINANCE	RECOMMENDATION	COMMENTS
Maximum Height for Accessory Structures	Pitched roof: 17' to mid point Flat roof: 12'	Pitched roof: 15' to the ridge Flat roof: 12'	Pitched roof: 15' to the mid-point Flat roof: 12'	Accessory structures contribute to the character of the development pattern. Garages should relate to the home as well as the neighborhood. A 15' maximum height on a two-car garage does not even allow for a 6-in-12 slope. See Attachment A3.
Location of Accessory Structures	Anywhere in the rear setback placed to within 2 feet of the lot line. Must be 10' from principal residential buildings on adjacent lots.	Only 1' - 5' from the rear lot line. Must be 20' from principal residential buildings on adjacent lots.	Keep existing ordinance.	For deep lots: Requiring garages to be on the rear lot line results in the distance to the house and the length of the driveway to be potentially excessive. See Attachment A4. For small lots: Requiring the garage to be 20' away from the neighbor's house may put the garage in the middle of the rear yard, thus making it impossible to have a useable back yard.
Maximum lot coverage	R1-5000: 55% R1-7000: 40%	R1-5000: 40% R1-7000: 40%	Agree with the proposed change: Reduce the R1-5000 percentage to 40%	Keeping the homes in proportion to the lot obviously makes sense. Reducing the percentage on the R1-5000 will help keep the building from overwhelming the lot.
Attached garages	None	Must be located behind or in-line with the front of the principal building. The width facing the street may not exceed 50% of the width of the front façade of the house.	Agree with the proposed change.	



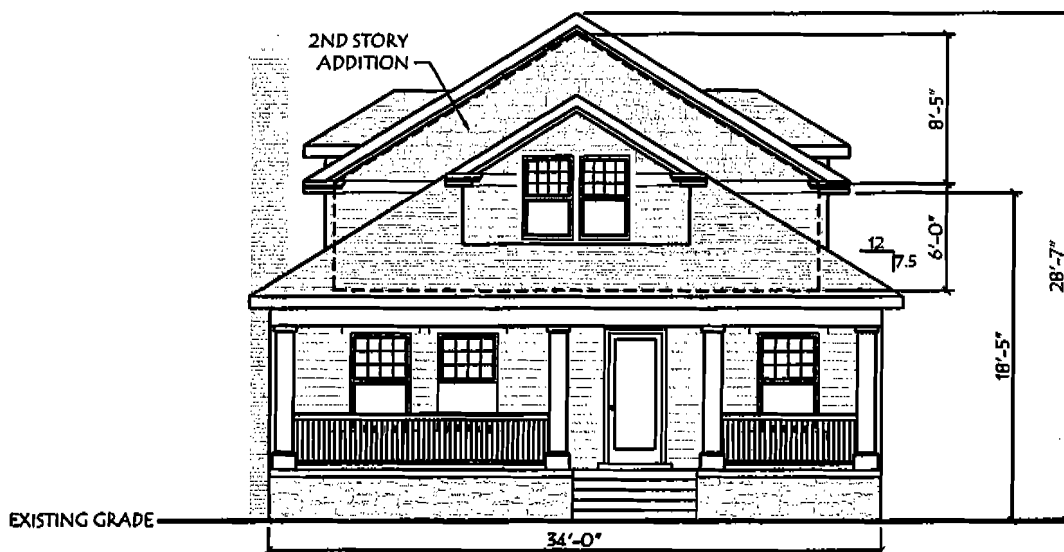
## EXISTING HOUSE

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS



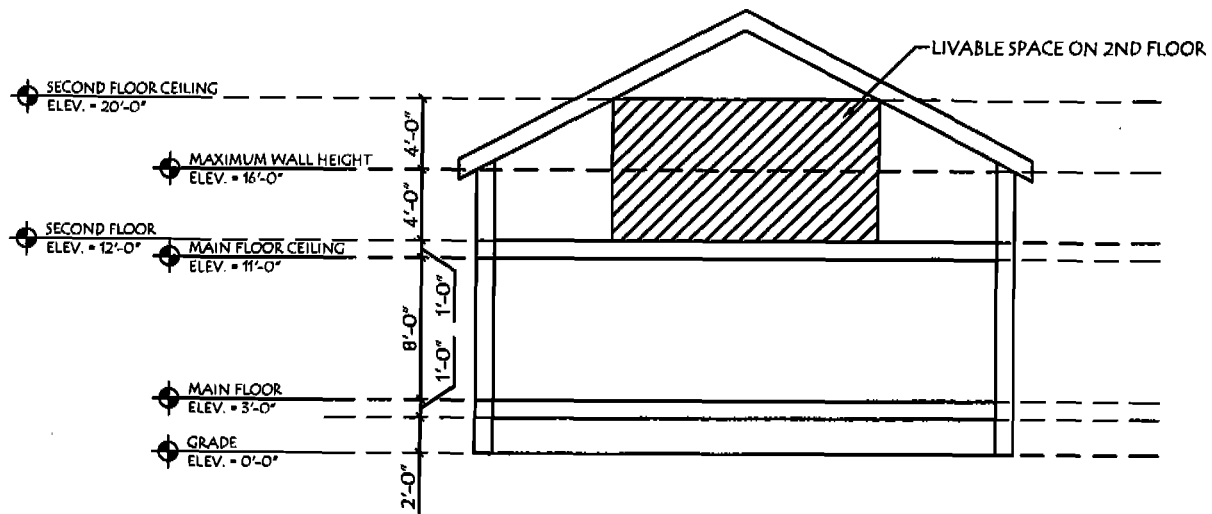
## CONFORMING 2ND STORY

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS, WALL HEIGHT AT MAXIMUM ALLOWED, AS WELL AS THE MAXIMUM ROOF HEIGHT.



## NON-CONFORMING 2ND STORY

50' PROPERTY WIDTH W/ 6' & 10' SETBACKS



MAXIMUM WALL HEIGHT = 16'-0"



CONFORMING GARAGE

EXISTING HOUSE

1376 MICHIGAN AVE, SALT LAKE CITY

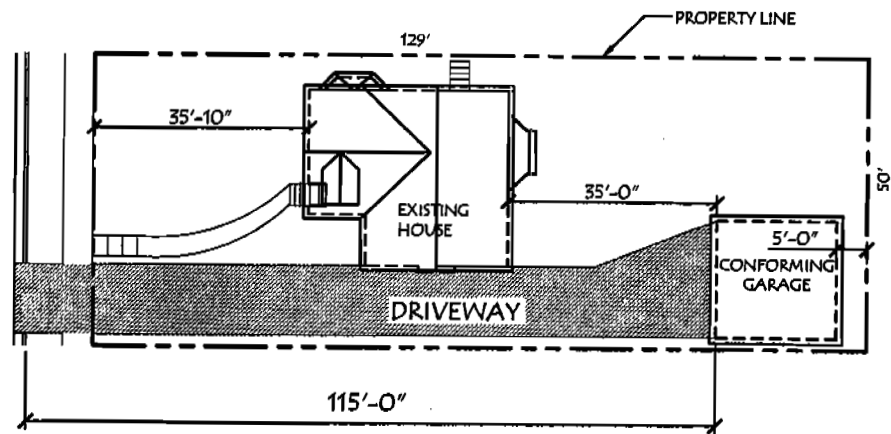


NON-CONFORMING GARAGE  
CONFORMS TO EXISTING ZONING  
REGULATIONS

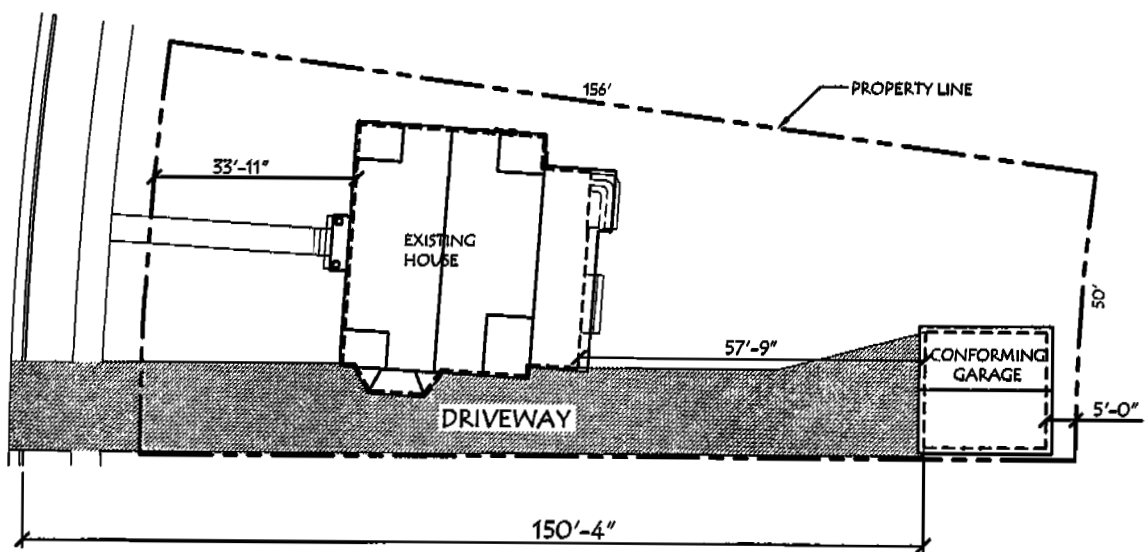
EXISTING HOUSE

1376 MICHIGAN AVE, SALT LAKE CITY

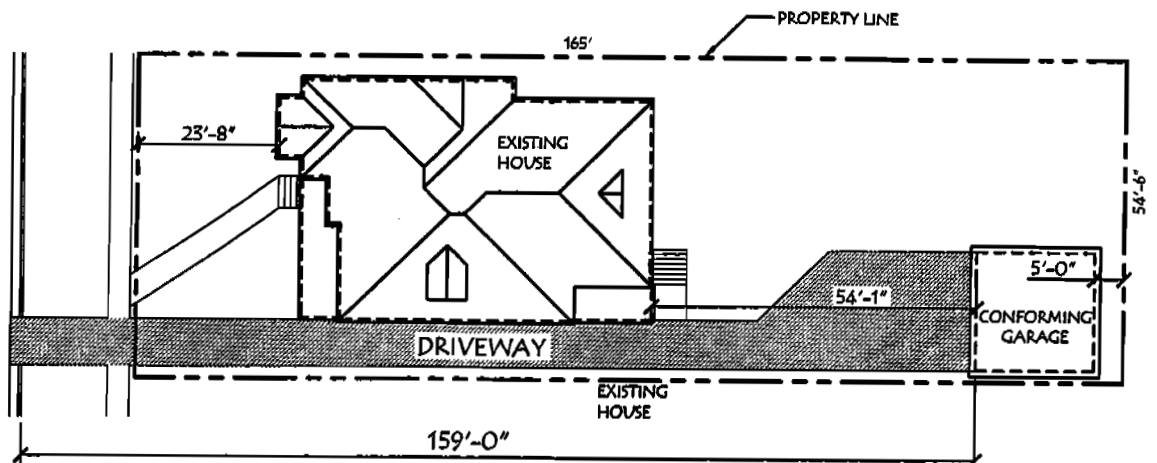




907 DIESTEL ROAD



1379 E 3RD AVENUE



174 B STREET

## **PROCESSES**

A multi-tiered process for obtaining a building permit is not inherently bad if all tiers offer real options for acceptable construction. The minimum tier requirements must be valid and result in projects that reflect good design principles. Setting standards that are too restrictive in the first tier will have the following results:

1. People will design to these standards no matter what the project will look like in order to avoid having to incur the extra time and expense involved in administrative or Board of Adjustment hearings. Just because projects are smaller doesn't mean they can't be ugly!

2. If little or no good design can come out of the first tier, then the intent must be that most projects should be channeled into administrative hearings. This will be a burden on the City Administration. Currently, there are no plans for extra personnel or training to accommodate this significant increase of the work load in the Planning Department.

Standards should be absolute and clearly defined so the homeowner or design professional knows exactly what is expected in order to qualify for a building permit. However, because standards alone cannot set limits that will result in good design that will result in 'compatible infill' that will please everyone, the review or permitting process must also contribute to achieving the community's development goals. The process should be as clearly defined as possible

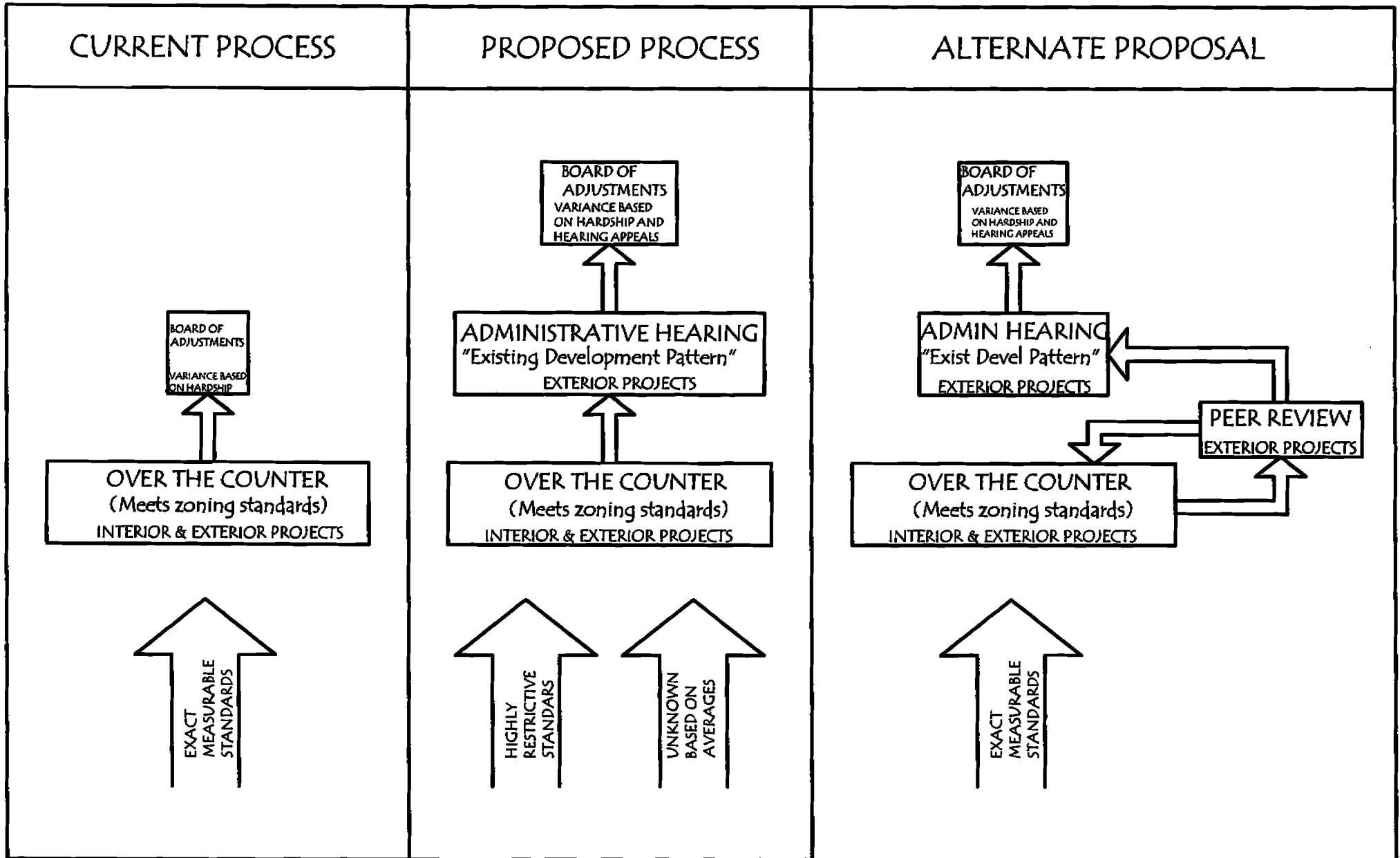
## PEER REVIEW COMPONENT

RENOVATION DESIGN GROUP PROPOSES THE FOLLOWING AS A CONCEPTUAL ALTERNATE FOR ANY BUILDING PROJECT THAT WILL ALTER THE EXTERIOR OF A RESIDENCE IN TERMS OF THE EXISTING DEVELOPMENT PATTERN:

1. If any part of the design does not comply with the current Salt Lake City Zoning Code application will be made to the Board of Adjustments for a variance. SAME PROCEDURE AS CURRENTLY EXISTS.
2. If all parts of the proposed design comply with the current Salt Lake City Zoning Code, **prior to obtaining a building permit** the homeowner will be required to review the project with the neighbors within 300' of their property, or a minimum of 12 abutting property owners, whichever is greater. They must provide each property owner with an **information packet** which contains the following:
  - a. Two dimensioned site plans--one of the existing site and one showing the proposed change.
  - b. Dimensioned exterior elevations of the existing home and dimensioned exterior elevations showing the proposed changes.
3. The neighbors have **two weeks** to review the information and notify the Planning Department of any objections relative to the *existing development pattern*.
4. If **51%** of the neighbors have a concern that the project is not compatible with the existing development pattern, an administrative public **hearing** will be scheduled and held to discuss this issue. A decision to either issue or deny the building permit will be made. In case of denial, specific issues will be identified to be addressed in the redesign.
5. Any party can **appeal** the decision of the hearing to the Board of Adjustments. The appealing party will pay all associated fees. The decision of the board will be based on either a hardship situation or the existing development pattern.

Advantages of this approach:

1. First, it brings control down to the grass-roots level—i.e., the neighborhood itself. Those parties that will be most affected by any renovation project will have an opportunity for input. At the same time, by involving more than just immediate neighbors, the review should have some objectivity; personal grudges or long-standing animosities will be balanced by those whose concern is for the neighborhood as a whole.
2. Second, many projects will meet with the approval of the neighbors and will thus save both the homeowner and the City the time and expense of having to go through the review process.
3. Finally, this process will inform concerned neighbors of what is happening prior to commencement of any construction. It will also prohibit interference with the building process once construction has begun.



## SAMPLE LETTER

Name  
Address  
City

Dear \_\_\_\_\_,

You are hereby notified that the property located at \_\_\_\_\_, owned by \_\_\_\_\_ is applying for a building permit.

Because your property is within 300' of the subject property, you are being notified of this project and you are being given the opportunity to submit comments to the Salt Lake City Planning Department. The owner is providing you with the following information:

1. Two dimensioned site plans: One showing the property as it now exists and one showing how it will change as a result of the pending construction project.
2. Dimensioned exterior elevations (drawings of each outside wall of the house) showing the house as it is currently and showing how it will change as a result of the pending construction.

The design of the project complies with all current Salt Lake City Zoning Ordinances. The intent of distributing this information is 1) to inform you of what is happening in your neighborhood and 2) to allow you to review the proposed project in terms of compliance with the *existing development pattern* of your neighborhood.

The *existing development pattern* is the standard based on the size (lot coverage), height, and location on the lot of existing structures within 300 feet of the subject property. The *style* of the home and the *finish materials* are NOT considered part of the existing development pattern and are not open to comment from the neighbors.

If you have concerns that this project will not be compatible with the existing development pattern of your neighborhood, please call the Planning Department (XXX-XXXX) to register your comments before \_\_\_\_\_, 200\_. If concerns are expressed by 51% of the neighbors, you will be notified of an administrative hearing to be held by the Planning Department prior to the issuance of a building permit. You will have an opportunity to express your views at this hearing. A judgment will then be made by the Planning Department as to whether the building permit will be issued. Appeals to this decision can be made to the Board of Adjustments. All fees associated with the appeal will be the responsibility of the person or party filing the appeal.

If you have any questions regarding this procedure, please call XXX-XXXX. Thank you for your attention in this matter.