

City Council Announcements

October 6, 2005

A. Decisions, Feedback & Information needed by staff

1. October's schedule is such that there are no Tuesdays or Thursdays available prior to Council Meetings when the following subcommittee meetings can be scheduled. Therefore, would you **please provide some possible dates/times for these meetings**. Thanks for your help.
 - Dave, Jill, Eric – Benefits Plans for Domestic Partners
 - Carlton, Dave, Nancy – Taxicabs
2. Request For Proposals (RFP) for review of the City's CURRENT FOOTHILL/HILLSIDE/SLOPE DEVELOPMENT STANDARDS AND REGULATIONS – In 2003, the Council considered a petition to correct a discrepancy between the City's Site Development Ordinance and the Zoning Ordinance relating to minimum lot size and developable area requirements in foothill zoning districts. This issue was raised by the City Attorney's office during a review of a proposed foothill subdivision located at 1085 East North Bonneville Drive (property owner, Mr. Amir Cornell). The Council adopted a motion to "continue the public hearing until after Council staff and the Administration have had time to propose additional methodologies and processes to define an ordinance regarding Foothill Development and such a proposal may and ought to include hiring a consultant to help the Council on this issue". Consultant Pat Comarell has prepared the attached Request for Proposals. In developing the RFP, Ms. Comarell met with representatives from the Administration (City Attorney's office, Public Utilities, Planning, Fire and Property Management) and Mr. Cornell's attorney, Mr. Bruce Baird. **Does the Council wish for staff to issue the RFP? Does the Council have changes or additions to the proposed scope statements?**
3. Early advertising for public hearing – A land-use petition from Mr. Jim Shaw representing Shaw Homes, Inc. requesting to rezone property at 1551 and 1545 West 200 South from Single-Family Residential R-1/5,000 to Commercial Neighborhood CN has been received from the Administration. This rezoning would affect property in Council District 2. On October 12, 2004 the Council referred the rezoning petition back to the Planning Commission to "consider rezoning the property to Residential Multi-Family RMF-45, as requested by the petitioner, to allow multi-family residential development consistent with the adjacent condominium uses in the area". Due to several problems the petitioner has encountered in pursuing residential development, the petitioner earlier this year requested that the Planning Commission and City Council consider commercial zoning for the property. Earlier this summer the petitioner met with Council Member Turner to discuss this issue. The petitioner has requested an expedited process with the City Council due to the length of time they have been in the process. The Council is scheduled to receive a briefing on this issue on Tuesday, October 11th. If the Council authorizes advertising of public hearing on Tuesday, October 18th, the hearing can be held on Tuesday, November 1st. Without advertising in advance, the hearing will be delayed until November 18th. **Does the Council authorize advertising of the public hearing?**

4. Council Members have been invited to attend the Inactivation Ceremony of the USS Salt Lake City in San Diego, CA on October 26th. Regardless of whether Council Members decide to attend, Council Member Christensen suggested that a letter from the Chair be drafted and sent to the Commander, accompanied by small City gifts for the members of the crew. **Do Council Members approve of the attached letter from the Chair?**
5. Audit of Unfunded Liabilities – As a result of a potentially large unfunded liability relating to a monument/fountain in the Library block, the Council may wish to discuss hiring the City's financial auditors to determine whether the City should take additional steps to add controls or procedures to prevent future unfunded liabilities. **Are Council Members interested in pursuing this?**

B. For Your Information

1. Attached is a Grant Application.
2. Reminder: On Tuesday, October 11, 2005 at 12:00 p.m. Council Members are scheduled to meet as the Board of Canvassers (Lunch will be served)

October 6, 2005

Tracy Howard, Commanding Officer
USS Salt Lake City
USS SLC (SSN 716)
FPO AP 96678

Dear Commander Howard,

On behalf of the Salt Lake City Council, I wish to extend our thanks to you, the officers and enlisted personnel of the USS Salt Lake City for representing Salt Lake City with honor, dignity and respect during your various deployments and assignments.

From numerous sources, we hear that the USS Salt Lake City and its crew are well-trained, battle-ready, and have proven to be a great asset to the United States Navy as a Los Angeles Class Fast Attack Nuclear Submarine. We wish to extend our united and heartfelt gratitude to you and the members of your crew for your dedication and service to our nation.

It is our understanding that the USS Salt Lake City will be deactivated, and that some members of the crew will be reassigned to the USS Helena after the USS Salt Lake City is decommissioned. We appreciate the association that we have enjoyed with you over the years and wish you well in your future assignments.

Sincerely,

Dale J. Lambert, Chair
Salt Lake City Council

DJL/sj

SALT LAKE CITY FOOTHILL/HILLSIDE/SLOPE DEVELOPMENT STANDARDS REQUEST FOR PROPOSAL

Objective

Salt Lake City Corporation (the “City”) is soliciting competitive sealed proposals from qualified consultants with land use law and foothill/hillside/slope policy development expertise to conduct a review of the City’s current foothill/hillside/slope development standards and regulations and to make recommendations to modify the existing or to write new development and zoning standards to guide development in foothill/hillside areas. This Request for Proposal describes Salt Lake City, the objective of such a study, the process for determining a scope of services, proposals and contract requirements, and related information.

Background

Salt Lake City is Utah’s capital city, the county seat of Salt Lake County, and the largest city in the four county Wasatch Front metropolitan area. The City’s population increases daily from approximately 182,000 to nearly 300,000 as workers commute to jobs located within the City’s jurisdictional limits. The City operates under the Mayor-Council form of government, with a full-time Mayor elected at-large and seven part-time Council Members representing specific geographic districts.

The City lies within a valley between the Wasatch and Oquirrh Mountains. It nestles up against the Wasatch Mountains on the north and east sides of the City. Gradually over the last decade, development has inched its way up the mountainsides necessitating the need for the City to balance the development desires or pressures with protecting the natural environment and surrounding neighborhoods from any negative impacts of such developments.

The City has had hillside development standards since 1976. These have been amended several times. More recently, a four year process (1997-2001) involved the public, Council Members, Planning Commissioners, Community Council representatives, planners and property owners in reviewing the City’s overall site development ordinance and some amendments were made.

Recent developments, however, have raised various questions about the effectiveness of these standards and how these are used. The City Council has determined they would like a study of how other communities address hillside issues and a thorough analysis of Salt Lake City’s ordinances.

Overall, the City’s goals include:

- ◆ Providing a balance between protecting the foothills and accommodating private property rights.
- ◆ An overall (City-wide) hillside/preservation/management development policy.
- ◆ Standards which ensure hillside development are compatible with both existing development and the natural environment.

- ◆ Establish updated hillside ordinances, standards and regulations which are consistent with the policies, goals, objectives and plans of the City.
 - ◆ Consistency in foothill development standards and procedures within the City’s zoning and subdivision ordinances.
 - ◆ Adequate emergency and general service access and delivery.
 - ◆ Protection of the City’s water system and water quality.
 - ◆ Identification of limitations associated with providing adequate public utilities and services to proposed and possible future hillside developments.
 - ◆ An understanding of approaches used by other cities to regulate hillside development.
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RESPONSIBILITIES OF THE CONSULTANT

The responsibilities of the consultant include, but shall not be limited to, the following:

A. Conduct interviews with the key stakeholders and, once completed, outline the major issues to be addressed.

1. Examples of key stakeholders are:
 - a. Council Members whose districts include hillsides and other interested Council Members
 - b. Mayor
 - c. City Departments and Divisions including but not limited to City Attorney, Planning, Public Services, Public Utilities, Property Management, Fire Department and other City Departments or Divisions
 - d. Planning Commission, Board of Adjustment, Public Utilities Advisory Committee, Open Lands Advisory Board
 - e. State, Wasatch Front Regional Council, Salt Lake and Davis Counties representatives
 - f. Community Council representatives
 - g. Development community representatives
 - h. Foothill property owners
 - i. Open space advocates
 - j. Community groups including Bonneville Shoreline Trail Committee and Parley’s Rails, Trails and Tunnels Coalition

2. Issues identification meetings -- Once the interviews are completed, an issues identification meeting with City Council representatives will be held by the consultant:
 - a. To summarize the issues raised in the interviews (and those raised in this Request for Proposal) to confirm Council concurrence on issues to be addressed, and
 - b. To recommend an approach to this study which includes a process for balanced participation and identifying the core policy issues from both sides of the issues.

B. Provide a comparison of the City’s hillside development practices with other cities

1. How “best practices” is defined as they relate to foothill, hillside, slope and ridgeline development.
2. What methods, approaches and strategies are used by other communities to address hillside development, e.g., emergency service and public utility delivery to these areas?

3. What tools or strategies do other cities use to implement their hillside strategies and limit hillside development, e.g., regulation, land preservation, land acquisition, trails, conservation easements, contribution as tax deductions, etc.?
4. Identify regulations and ordinances in Western communities which have withstood legal challenges or are considered cutting edge.
5. Identify national and Western (region) legal trends of which the Council should be aware.
6. Provide a summary of regulatory practices which have been upheld legally.

C. Review existing Salt Lake City policies, regulations and standards which relate to hillside development

1. Policies

- a. Existing community and neighborhood plans as they relate to the foothills to determine which neighborhood plan policies should be included in the City-wide strategy (General Plan policies)
- b. Other planning documents such as the Open Space Master Plan, City Creek Master Plan, Parks and Recreation Recovery Action Plan, Watershed Management Plan, etc.
- c. Salt Lake City receives regular requests for gated communities, particularly in hillside developments. The Council has adopted a statement within one Master Plan indicating that gated communities are prohibited. In reviewing the hillside issues, evaluate this issue and make recommendations on whether the policy is most appropriately articulated in master plans or by specific ordinance.
- d. Water, sewer and storm water policies
- e. Annexation policies and strategies
- f. Open Lands Program, Fund and Advisory Board Ordinance

2. Standards and Regulations

- a. Review of Salt Lake City's hillside development standards and regulations, and provide recommendations for amendments. For example:
 1. Are development standards and regulations clearly defined?
 2. Are these standards and regulations effective?
 3. Are there discrepancies within the ordinances, e.g., between the site development, zoning and subdivision ordinances, building and fire codes, or other sections of the City Code and other Departments/Divisions regulations and standards?
- b. Evaluate Salt Lake City hillside development review processes and procedures to determine its effectiveness and consistency of approach.
- c. Analyze the degree to which existing policies and ordinances address legitimate City policy issues and make recommendations on approaches to address those that are not adequately addressed with existing regulations.
- d. Review existing maps of slopes and grades within the City to globally identify potential and legitimate City policy concerns regarding slope stability, fire protection, aesthetics, traffic, drainage, and flood protection. Policy issues which have arisen in the recent past and which need to be addressed in the amended ordinance
 1. Definition of buildable lot.
 2. Whether unbuildable areas should be included in the lot area calculations.
 3. Is defining an unbuildable area using 30% + slope a reasonable standard? If so, why? If not, why not? Will it withstand legal challenge?

4. What should the setbacks be from unbuildable areas and from the street?
5. What should the frontage be onto public (or private) streets?
6. What might be the impacts to adjacent properties?
7. How to ensure utilities are adequate to service future developments?
8. Should flag lots be allowed? If so, what criteria should be used?
9. What requirements should be used to ensure that contractors will manage staging for construction in a manner that will not impact transitional or steep slope areas, existing neighborhoods and streets?
10. What is an appropriate road slope standard?

D. Consideration of water, utilities, and safety constraints

1. What problems arise from an urban development/forest interface on the hillsides?
2. Some developments have been built over groundwater recharge areas and aquifers. Is this wise?
3. What problems arise from private water and septic systems? What is the City's liability concerning the quality of such water systems? Can developments adequately provide water storage to ensure fire flows and water quality?
4. What are the costs and ability to extend utilities and provide services (e.g. emergency, garbage and snow removal) in foothill areas?
5. To what extent can/should development be limited based upon service limitations?
6. Is there emergency water availability?
7. Should there be added restrictions regarding foothill development such as vegetation proximity to housing structures or use of interior fire suppression systems? Other?
8. What options may be available to address aesthetics concerns, e.g., of having water tanks too high up on the hillsides?
9. Are current practices adequate to ensure sufficient review of existing ordinances; are building and fire codes adequate?

E. Evaluation of current Planned Unit Development Process

1. Can the PUD tools be used effectively with hillside developments?
2. What factors trigger the use of the PUD process and regulations?
3. Should the PUD process allow private streets and utilities? Should private streets and utilities be built to City standards? Are existing private streets adequate to deal with emergency vehicles? Should provisions for long-term maintenance of private streets and utilities be required? What precautions should be taken to ensure property owners are informed of long-term maintenance requirements?
4. Should the PUD process include a minimum project size or area? Is the current minimum development acreage requirement appropriate?
5. How are PUD tools most effectively used in other communities?

F. Prepare recommended approach to Preservation and Development

1. Identify options for a city-wide policy to address all hillside/foothill/slope and ridgeline areas.
2. Work with the City Council, Administration, Open Lands Advisory Board and Planning Commission to develop a final overall hillside ordinance, policy or strategy to be included in

the City's General Plan, e.g., how to approach it, objectives to be accomplished, and the global view of the City hillsides to the north and east.

3. Determine whether the City should adopt a building limit line, and if so, upon what criteria is that line to be drawn? Is it defensible in case of legal challenge? Can it vary by location?
4. Recommend how the City should handle slopes which may not be on the foothills, e.g., gullies which run through the City and steep slopes outside of the foothills in the Capitol Hill, Avenues, Federal Heights and East Bench areas of the City.
5. Determine whether Salt Lake City's development standards are adequate for hillsides, given the geological data associated with the area.
6. Identify the potential long-term effectiveness of the City's current approaches to hillside development regulation and management such as:
 - Lot size requirements
 - Slope limitations
 - Use of cul-de-sacs
7. Recommend adjustments to the zoning and subdivision regulations to be in line with the strategy.
8. Review existing zoning districts in light of recommended changes and recommend rezoning properties to the extent necessary.
9. Confidential information on any parcel specific property acquisition recommendations.
10. Identify if current policies and ordinances are defensible, such as the 30 percent slope limitations.
11. Recommend revisions to any other City policies or ordinances which relate to this overall strategy to reflect the policies your study recommends.

G. Prepare a map which illustrates the areas where the strategy devised will be applicable.

Such a map should reflect:

1. Environmental constraints
2. The developability given such factors as utilities, emergency services, roads, etc.
3. Recommended properties to be rezoned
4. Recommended foothill properties to be acquired, if any. (parcel specific information would be confidential)

H. Deliverables:

1. Written issues identification summary and recommended approach to the study provided for City Council review within 45 days of contract signing.
2. 22 copies of completed written report within 120 days of contract signing, including but not limited to summary of all findings, policy recommendations, ordinance changes in revision format.
3. Applicable maps including slope analysis.
4. Confidential legal opinion on issues that are attorney-client advice rather than policy analysis.

Grant Submission Update Memo

TO: Rocky Fluhart, Steve Fawcett, Cindy Gust-Jenson

FROM: Grant Acquisition Team

DATE: 10/4/2005

SUBJECT: Kennedy Center Imagination Celebration of Salt Lake City

FUNDING AGENCY: Lawrence T. and Janet T. Dee Foundation

REQUESTED AMOUNT: \$5,000

DEPARTMENT APPLYING: Salt Lake City Foundation

COLLABORATING AGENCIES: None

DATE SUBMITTED: September 30, 2005

SPECIFICS:

- Technical Assistance (Training) Equipment Only
- Provides _____ FTE Position(s)
- Existing New Overtime Requires Funding After Grant

Explanation: _____

- Match Required 0% In Kind Cash
- Computer Software Development In House Contract Services
- New Program (City not performing function now)

GRANT DETAILS:

- Salt Lake City Foundation submitted a grant application requesting \$5,000 to produce Six Tribes-One Vide for the 2005/2006 season of the Kennedy Center Imagination Celebration of Salt Lake City.
- Six Tribes-One Vibe is a multi-cultural, after-school arts education program that uses traditional Polynesian dance and folk arts to tell a story depicting the connection between Pacific Islander and Native American cultures through story, legend and oral history.

No matching funds are required.