



SOUTH SALT LAKE
CITY ON THE
MOVE

CITY COUNCIL

SHARLA BEVERLY
MARK KINDRED
PORTIA MILA
BEN PENDER
KEVIN D. RAPP
SHANE SIWIK
DEBBIE SNOW

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

**South Salt Lake City Council
Work Meeting**

Public notice is hereby given that the **South Salt Lake City Council** will hold a Work Meeting on **Wednesday, November 9, 2016** in the City Council Chambers, 220 East Morris Avenue, Suite 200, commencing at **6:15 p.m.**, or as soon thereafter as possible.

Conducting: Debbie Snow, Council Chair

MATTERS FOR DISCUSSION:

- | | |
|---|--------------|
| 1. Discussion Regarding Noticing Requirements For Land Use Applications | Mark Kindred |
| 2. Discussion of Holiday Lights at Historic Scott School | Debbie Snow |
| 3. Adjourn | |

Posted November 4, 2016

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

CHERIE WOOD
MAYOR

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

CITY OF SOUTH SALT LAKE
CITY COUNCIL WORK MEETING

COUNCIL MEETING

Wednesday, November 9, 2016
6:17 p.m.

CITY OFFICES

220 East Morris Avenue #200
South Salt Lake, Utah 84115

PRESIDING
CONDUCTING

Council Chair Deborah A. Snow
Council Chair Deborah A. Snow

COUNCIL MEMBERS PRESENT:

Sharla Beverly, Mark Kindred, Portia Mila, Ben Pender,
Kevin Rapp, Shane Siwik, and Debbie Snow

Council Member Pender participated electronically via telephone.

STAFF PRESENT:

Mayor Cherie Wood
Charee Peck, Chief of Staff
Hannah Vickery, Assistant City Attorney
Mike Florence, Community and Economic Development Director
Frank Lilly, Deputy Community and Economic Development Director
Jack Carruth, Chief of Police
Mont Roosendaal, Public Works Director
Craig Burton, City Recorder
Ariel Andrus, Deputy City Recorder

OTHERS PRESENT:

See attached list.

Matters for Discussion

1. Discussion Regarding Noticing Requirements for Land Use Applications.

Council Member Kindred explained that he reached out to Community and Economic Development Director, Mike Florence, and Deputy Community and Economic Development Director, Frank Lilly, regarding the City's noticing requirements and what they are in relation to other municipalities. He wants to make sure they are noticing the people properly who are affected by new developments going on.

Mr. Florence reviewed a handout regarding noticing requirements in other municipalities. A copy is attached and incorporated by this reference. South Salt Lake's policy is that they send out notices with 300 feet of the development. They have done that for many years. For noticing the Granite High property, because of right-of-way and each lot being fifty feet wide, it is only about the first four or five homes that would be noticed. They worked with the developer for a larger radius on

that project. The developer sent them out within 300 feet and the City sent them out 300 feet beyond that. So it was 600 feet total. Sometimes, depending on the parcel size and if there is a right-of-way, the 300 foot radius could be diminished.

Mr. Florence advised the Council of some other options such as putting a sign on the property with a general statement referring people to the website to look up what the public notice is. The developer will go over the County Recorder's Office and request mailing labels for everyone within 300 feet and the County prints those off for them and they bring them to the City in stamped envelopes and staff sends out the mailing notice. So, the expense is more on the developer than on the City. If the Council wanted to go to a bigger area that burden would not be paid by the City. If they wanted to do a sign, staff could spend a couple of hundred dollars on some signs. The cost is minimal.

Council Member Rapp recalled the Burton and Truman Avenue street closures. Three hundred feet from where they were closing the street didn't do justice because it didn't really tell the rest of the people on the street that it was going to be closed. That was one really big argument the people had was they didn't know. It was only because the neighbors, who did get the notice, talked to all the neighbors who didn't. He doesn't feel it is fair that those within 300 feet get noticed but the rest of the street is going to be affected.

Mr. Florence advised that with street closures they are required to post the property. So, on the alley and streets they do post notices of the proposed vacation. That is required by State law.

Council Chair Snow asked when the 300 feet notice requirement kicks in.

Mr. Florence said it happens on design reviews when there is a commercial building that is going to be constructed next to a residential zone, general plan amendments, street vacations and a zone changes.

Mr. Lilly added it happens on a conditional use application that goes to the Planning Commission. There are certain categories of conditional uses that require this noticing.

Council Chair Snow noted that about seven other communities have the 300 feet noticing requirement and a couple of other communities have a noticing requirement of about 1000 feet. She asked if it would be reasonable to bump the requirement up to 1000 feet or is this was too large of an area.

Council Member Kindred said that he would be fine increasing the noticing requirement to a bigger radius especially if this would be the developer's burden.

Council Member Mila asked if it was always the developer's burden.

Mr. Florence advised if the City that is doing the zone change or it is a City owned

property, then it would be the City's burden. He thinks 1000 feet is a little excessive. That would be over two blocks in every direction. His recommendation would be about 500 or 600 feet.

Council Member Siwik asked if this notice was for property owners or residents.

Mr. Florence advised it would go to the property owner of record.

Council Chair Snow asked if it was an apartment complex would it just be the owner of the building that got the notice and not the residents that live in the apartment.

Mr. Florence said yes, that is correct.

Council Member Siwik considered the cost that would borne by the developer if the noticing requirement was 1000 feet and they had to send something out to every resident.

Mr. Lilly explained that the City did a test of what it would be like if the City noticed 600 feet out of the Granite School District boundaries and there were about 200 homes that were captured in that and it took the radius out to about 700 East.

Council Member Beverly advised that in Sandy City the requirement is 300 feet but there is discretion to increase further. She asked if that is what the state criteria is.

Mr. Lilly answered no, the interesting thing is some cities don't have any ordinance requirements and it is just a policy. In the case of Sandy it is just a staff level decision.

Mr. Florence advised that the City of South Salt Lake ordinance needs to be updated because State law says that if the City is going to send out mailing notices then it should be as prescribed in the City ordinance. South Salt Lake's ordinance says if the City is going to send out mailing notices it should be as prescribed as in State law so the City does need to come up with a radius and 300 feet is what the City has always used.

Council Chair Snow clarified that the 300 feet is not something that is in the City's ordinance that is just the City's practice.

Mr. Florence advised that the City is required to send out notices for certain things such as street vacations and other items.

Council Member Mila said she personally likes the idea of a sign on the property but using discretion.

Council Chair Snow said she thinks with some of the higher profile issues citizens may ask why they did not get a notice. She would like to have some kind of bare minimum written in the City's ordinance. She advised it may be a good thing to have

a bare minimum amount with discretion on larger projects so the City is not handicapped as far as high profile projects.

Council Member Siwik asked where the 300 feet noticing requirement would start from.

Mr. Lilly advised it would be 300 feet from the boundary of the property.

Mr. Florence added it depends on the property. If it is a small enough parcel, the County often times goes right from the middle of the parcel. It really depends on the parcel and what direction the City gives the County to pull up the labels.

Council Member Kindred said he is in favor of a larger radius and thinks that 500 feet with discretion is a good place to start.

Council Member Mila agreed that 500 feet would be good and having the discretion in there is good for larger projects.

Mr. Lilly asked the Council if they like the idea of a sign on the property.

The Council all agreed on a sign.

Mr. Florence advised that the sign is nothing that would need to be codified. The City can just get those signs and have them put up when needed.

Council Member Kindred asked what the sign would look like.

Mr. Florence said in other communities the sign is usually three by three and gives notice to refer to the City's website for further information.

Council Member Siwik asked how big of a difference would the extra 200 feet add.

Mr. Florence said each lot is usually about 50 feet wide and it would be picking up about four more homes.

Council Member Rapp advised that there should be a special requirement for street closures. He thinks the whole street should be notified.

Council Member Mila asked if the City was closing a street how far in each direction would noticing need to go.

Council Member Rapp clarified the City should only need to notify the residents on the street that is being closed, not farther East or West.

Mr. Florence advised that they could craft the language that street closures would need to notify residents to the next intersection or it could say 500 feet or to the nearest intersection.

Council Member Pender agreed with extending the noticing requirement out a little bit more. He likes the idea of extending it out to about 600 feet to capture a few more residents. He wonders if with street closures that is something that can be published in the City Journal because these closures could affect other people not just the people that live on the street.

Mr. Florence said that could work as long as the timing was right with the City Journal.

Mayor Wood stated that the City has a hard deadline with the City Journal for the 18th of every month.

Council Member Kindred asked what the largest noticing requirement the City has ever seen.

Mr. Lilly said when the City did the zone change of the Downtown South Salt Lake there were about 400 letters sent out.

Council Member Kindred advised that sending out letter to that many residents would not be too large of an expense to the City.

Mr. Lilly advised that State code speaks to what and how the City can notice things. State code is usually not too specific about noticing with the exception of street vacations. State code reads ten days before the public hearing notices shall be mailed to the record of owner of each parcel that is accessed by the public street right away or easement and to the effected entities those would be the school district, Wasatch Front Regional Council, water/sewer utility providers, etc. These notices need to be posted on or near the street right away or easement and published in the newspaper and on the State's public notice website. These are the five things the City has to do by State law for noticing with street vacations. Typically the City does default to what the State law requires.

Council Member Kindred said he would like to start at 600 feet for noticing requirements.

Mr. Florence advised that they will come up with some draft language and bring this before the Planning Commission and then bring it back to the City Council.

- 2. Discussion of Holiday Lights at Historic Scott School,** Council Chair Snow advised that she had discussed with Mayor Wood about putting up Holiday lights for the upcoming Holiday Season at Historic Scott School. She likes that as a place to put up lights in the City because it is on a busy intersection. She got a response back from Mont Roosendaal, Public Assets Director and his recommendation would be that the City contracts with vendors because the City does not have any lights left over from previous years. She wanted to bring this before the Council so this could be discussed in more detail. There would be a cost to this project. She wants to know if the Council supports the idea.

Council Member Mila said her only concern would be the cost. She thinks the idea sounds great but is this something that is necessity because there are so many things that are a necessity.

Mr. Roosendaal advised that they did look into the pricing to contract this out and this would include installing the lights, taking down of the lights, night checks, timers, etc. The company would provide the lights and they would come and get them. The price for this would be about \$2,000. The City has about \$500-\$1,000 in electrical repair to provide the outside electrical to those lights. The City has started some of that repair but they would need to get an electrician into help with the rest.

Council Chair Snow asked if the City would have to do the electrical repair in order to have the lights up or any kind of lights outside at all.

Mr. Roosendaal advised that it is outside lighting so the City has to have the right kind of outlets. He said that the City did have the right kind of electrical outside but when the City cut the tree down there was damage to the electrical. The lights were left on the tree so the lights became damaged and worn out that is where a lot of the City's lights went. As his department looked at the outside of the buildings there were also receptacles that are not working that need to be repaired. He has been told by an electrician the cost would be about \$500-\$1,000 to do these repairs.

Council Chair Snow asked how long it has been since the City used to put up the lights.

Mr. Roosendaal said it has been about five or six years since the City has done the lights. He said Promise will do the inside lighting in the Historic Scott School and Pioneer Craft House does the inside of their buildings.

Council Chair Snow said the idea came from a citizen that thought it was really nice when the City used to light up Historic Scott School. It would also be nice to put up a sign that said "Happy Holidays from South Salt Lake". She said other cities do other festive things for the holidays and it is not a necessity, but it is really a nice touch.

Council Member Kindred asked if the \$2,000 cost was just for lights on the buildings or on trees too.

Mr. Roosendaal advised that the tree is gone.

Council Member Kindred asked if the City could have a tree brought in for the holidays.

Mr. Roosendaal said that is probably something that could be done but they did not check into that. He thinks it may be a little late to do that.

Council Member Siwik asked how much it would be for the City to just buy the lights and have City employees put them up.

Mr. Roosendaal advised it would be about the same cost and the City does not have the man power to put up the lights.

Council Member Mila said if it is going to cost the same the City should just contract out. She advised that there are a lot of companies that are going with the permanent lighting for the holidays. It is expensive but it could be a long term investment. This is something where the lights are left in place year around and the lights never have to be taken down.

Council Member Beverly said it may be best if right now, the City focused on getting the outlets repaired so something could be done in the future and then put lighting in the budget for next year.

Council Member Rapp asked if the electrical repairs needed to be done regardless of whether or not the lights are put in.

Mr. Roosendaal said right now those outlets are not used at this point but yes they do need to be repaired.

Council Chair Snow agreed that for events outside the Scott School those outlets should be repaired.

Council Member Rapp said it would be a long term investment getting those electrical repairs done. He also asked if the old stump could be torn out and a new tree be planted.

Council Chair Snow said she would like to see the City work towards fixing the property and getting it prepared for some kind of Holiday display. Something could be done at City Hall but that is not a central area like Scott School.

Council Member Mila agreed that the City may be a little late for putting up a display this holiday season so getting the electrical done now and working towards this would be the best thing to do. Down the road the City could look into the cost of permanent lighting because that would be a long term investment for the City.

Council Chair Snow said that is fine with her and asked if that was the consensus of the Council. She asked if there is currently money in the budget to get the electrical fixed.

Mr. Roosendaal's answer was inaudible.

Council Chair Snow said the Council can circle back around to this subject with the budget next year. She asked if there were any other comments or questions about this item.

The meeting adjourned at 6:50 p.m.


Deborah A. Snow, Council Chair


Craig D. Burton, City Recorder

NOTICING REQUIREMENTS FOR MUNICIPALITIES IN SALT LAKE/NORTHERN UTAH COUNTY

Salt Lake City 300 feet

West Valley City 300 Feet

Salt Lake County 300 feet

Murray

Rezoning

Mailing Distance

Less than 2 acres 300 feet

2 to 5 acres 400 feet

More than 5 acres 500 feet

Conditional Use

Mailing Distance

Less than 2 acres:

2 stories or less 300 feet

3 to 6 stories 450 feet

Above 6 stories 500 feet

2 to 5 acres:

2 stories or less 400 feet

3 to 6 stories 450 feet

Above 6 stories 500 feet

More than 5 acres:

2 stories or less 400 feet

3 to 6 stories 500 feet

Above 6 stories 600 feet

Midvale 300 feet

West Jordan 300 feet

South Jordan 300 feet (plus sign posted on property for zone changes / GP Amendments)

Sandy	300 feet, but there's discretion to increase further.
Cottonwood Heights	1,000 feet for map amendments and CUPs
Bluffdale	1,000 feet for map amendments and CUPs
Riverton	300 feet for CUP/Subdivisions, 1,000 feet for zoning and GP amendments
Lehi	300 feet, plus sign posted for zone changes/GP/annexation/area plans/concepts
American Fork	Sign posted on property. Mailed notice is discretionary