

CITY OF NORTH SALT LAKE  
PLANNING COMMISSION & CITY COUNCIL-JOINT SESSION  
OCTOBER 8, 2019

**FINAL**

Mayor Arave called the meeting to order at 6:21 p.m.

PRESENT: Mayor Len Arave  
Council Member Brian Horrocks  
Council Member Stan Porter  
Council Member James Hood  
Council Member Lisa Watts Baskin

Commission Chair Ted Knowlton  
Commissioner Stephen Garn  
Commissioner Kent Kirkham  
Commissioner William Ward  
Commissioner Brandon Tucker  
Commissioner BreAnna Larson  
Commissioner Natalie Gordon

EXCUSED: Council Member Ryan Mumford

STAFF PRESENT: Ken Leetham, City Manager; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Ali Avery, Long Range Planner; Kate Werrett, Planner; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Megan Townsend, Alex Roy, Lauren Victor, Wasatch Front Regional Council.

1. APPROVE MINUTES OF SEPTEMBER 10, 2019 JOINT PLANNING COMMISSION  
AND CITY COUNCIL MEETING

The Joint City Council/Planning Commission minutes of September 10, 2019 were reviewed and amended. **Council Member Baskin moved to approve the minutes of the joint Planning Commission and City Council minutes of September 10, 2019 as amended. Council Member Horrocks seconded the motion. The motion was approved by Council Members Horrocks, Porter, Hood and Baskin. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker, Larson and Gordon. Council Member Mumford was excused.**

## 2. DISCUSSION OF POSSIBLE CODE AND GENERAL PLAN AMENDMENTS RELATED TO THE MORATORIUM AND DEVELOPMENT OF WORK PLAN

Sherrie Llewelyn introduced the consultants from Wasatch Front Regional Council (WFRC) who had worked with staff on the form based code. She said it was a template or a starting point to be applied to the town center area. WFRC analyzed the town center master plan, Main Street neighborhood survey, and the City's general plan to understand which direction to go in regards to what the town center area would look like.

Megan Townsend, WFRC, said that they had worked with City staff on this form based code for over a year. She said the form based code was a direct recommendation from the town center master plan which would be implemented through this code. It would regulate form of the place first and then use and density. Ms. Townsend explained that the form based code was a tool to implement the right design for a town center, regulate how buildings address and shape the public realm, provides the developer with certainty and understanding, allows for a variety of housing types, promotes different transportation options, regulates lands use, and ensures quality design. The form based code draft consisted of eight sections including an introduction and definitions, street types, subdistricts, uses, building types, parks, landscaping and amenities, parking, and sign types.

### **Commissioner Larson arrived at 6:30 p.m.**

Megan Townsend showed a map that divided the area into six subdistricts. These subdistricts included Core, Arts and Parks, Center and Orchard, Boulevard, North 89, and Edge. She then spoke on the five building types: storefront, stacked flats, row with pitched or flat roofs, limited bay, and yard buildings. Ms. Townsend said there would be design standards for each building type. She then showed a use chart for which building types were permitted or not permitted in every subdistrict.

Megan Townsend focused on the Edge subdistrict which would have a maximum height of three stories, allowed building types included row, yard and civic. This subdistrict would complete the transition into the surrounding neighborhoods with lower building heights and neighborhood centered services. The uses for this subdistrict included residential and supporting uses such as neighborhood retail at less than 12,000 square feet. Drive-through uses would only be allowed in this district. She said there was specific transition language to require additional setback requirements for single family homes of 20 feet from the property line of a single family for a two story building or 40 feet for a three story building. The permitted uses in the Edge subdistrict included residential/care, civic assembly, transit station, library/museum/post office, police and fire, neighborhood retail and service (under 12,000 square feet), utility and infrastructure, open space, home occupation, parking lot, and drive through retail.

Ms. Townsend then spoke on the North 89 subdistrict, which would have a bus rapid transit (BRT) station with a focus on enhancing the station and supporting riders. The maximum building height for the US 89 subdistrict would be three and a half stories. All building types would be permitted with the exception of the yard building on US 89 and Center Street. The uses would be similar to the Edge subdistrict along with general retail (over 12,000 square feet), craftsman industrial, and office. The Arts and Parks subdistrict would surround Hatch Park with a maximum height of 3.5 stories, all building types would be allowed except the yard building type. All uses would be permitted minus an outdoor sales lot, parking lot/structure, or outdoor display of goods.

The Center and Orchard subdistrict would serve as a walkable transitional area that was a pedestrian friendly realm with residential, office, main street retail and sidewalk cafes. The maximum height allowed would be three and a half stories. All building types would be allowed except the yard building type. Residential would only be allowed in the upper stories on the buildings fronting Center Street.

The Core subdistrict would be the center of life and activity for the City. As BRT would become a part of the City's transportation network, transit oriented development located within the core would support ridership as well as providing services and activities. The maximum height would be five and a half stories, all building types except the yard building would be allowed, and most uses would be permitted with residential fronting US-89 and Center Street to be in the upper stories.

The Boulevard District would be the southern entrance to the town center and provided the City the opportunity to house growth and expand the commercial tax base. The maximum height would be five and a half stories, all building types except the yard building would be allowed, and most uses would be allowed including accessory outdoor sales lots.

Council Member Baskin asked if the proposed names of the subdistrict would be the actual titles. Megan Townsend responded that they had spent some time on these titles but were open to changing them if necessary.

Ken Leetham asked about the Boulevard subdistrict and if the Eaglewood Village frontage parcels should be included in that district. He suggested that Boulevard subdistrict be amended to include these parcels. Sherrie Llewelyn replied that staff had tried to incorporate these design guidelines into the development agreement for the Eaglewood Village parcels.

Commissioner Gordon commented that if the drive-through was allowed in the Edge subdistrict that an existing home on Odell Lane could be turned into a drive-through building in the future. Sherrie Llewelyn clarified that drive-through facilities were only permitted in the North 89 Subdistrict and that the use table needed to be corrected to reflect this.

Council Member Hood asked if a six story civic building with a maximum height of 20 feet per story would be allowed in the Core district. Sherrie Llewelyn responded that the first story could be up to 20 feet and the additional stories would generally be less.

Mayor Arave said that the City Council and Planning Commission should not focus on the minutiae today as the Planning Commission would review the form based code and then the City Council could review and make any revisions at that time.

**Council Member Porter arrived at 6:51 p.m.**

Alex Roy reported that the parking standards were slightly less than the rest of the City to increase the walkability and vibrancy of the neighborhood. He said the goal was to identify the right sized parking and when it was needed which would result in benefits such as a vibrant streetscape, accessibility, and creating a destination. Mr. Roy said parking usage was obtained from existing uses at peak times as well as comparisons gathered from similar city codes such as South Salt Lake, Salt Lake City, and Fort Collins as well as existing City Code. Parking recommendations were then created for subdistricts based on use.

Sherrie Llewelyn asked Alex Roy to further elaborate on how they obtained current parking usage from existing uses. Alex Roy said they identified peak parking times for different land uses and then reviewed several land use types including several apartment buildings within North Salt Lake, the Woodside office building, Sunshine Café, and the Marmalade library and then assessed the number of stalls per each use type, day of the week, and time of day. He said that this informed the parking recommendations.

Ken Leetham asked about shared parking and if it followed the City's existing plan. Sherrie Llewelyn said that they determined the actual uses and planned a parking strategy based on peak times.

Council Member Porter spoke on the definition of parking spaces and how it could be difficult to determine parking requirements with tandem parking or when residents used their garages for storage and not parking. Alex Roy said that the parking requirements were more for multi-family and office type developments.

Alex Roy reported on the street section of the code and said this chapter focused on the feel and nature of the streets. He showed streetscape plans for Center Street with bike lanes and US 89 with BRT as well as a street map showing US 89, Center Street, connector streets, and neighborhood streets in the proposed area.

Council Member Horrocks asked about the proposed back in parking as he felt it would block traffic. Alex Roy replied that there would be back in parking on Center Street. He said that

parking would cause a pause in vehicle flow regardless and the benefits of back in parking was visibility and that it was safer for bike riders.

Sherrie Llewelyn said that back in parking was easier than parallel parking. Council Member Baskin commented that back up parking had a learning curve and drivers would slow down the flow of traffic when backing in.

Alex Roy said all of the US 89 cross sections were designed in coordination with UTA to ensure appropriate right of ways for the BRT system.

Commission Chair Ted Knowlton asked if the street types had other significance for the form based code and if other things tied to the streets rather than the subdistrict. Megan Townsend replied that there were more details for each street type including furnishings, landscaping, etc. and that most of the way the buildings addressed the street were classified by building type and subdistrict.

Ali Avery commented that there were footnotes in the use table which would address the street types.

Sherrie Llewelyn said this form base code would become a chapter in the current land use section of the City Code and the town center zone would become a new zone on the map. She said this form based code would not replace the land use code and that any code amendments to the land use code would still need to be made. Mrs. Llewelyn asked if this was the right direction the Commission and Council wanted to take during the moratorium.

Ken Leetham said these would be land development regulations to be added to the zoning requirements and not just suggestions like the general plan. Sherrie Llewelyn replied that it would replace the existing Commercial Highway (CH) zoning and Planned (P) District. She said these regulations were only for the town center area at this time.

Council Member Hood asked for clarification on the section related to changing subdistricts and zoning. He asked if the Planning Commission could change the subdistrict boundaries.

Sherrie Llewelyn commented that an individual could request to change their subdistrict, similar to a zone change, through a process with evaluation by the City Council.

Council Member Hood commented that the current language stated that the Planning Commission could approve the subdistrict change. Sherrie Llewelyn clarified that it should state the Planning Commission would make a recommendation to the City Council.

Ken Leetham asked if the subdistrict had the same impact as a zoning district. Sherrie Llewelyn replied that in practical effect the subdistrict would be similar to the zoning district; however, there would be a town center zone with the subdistricts.

Ken Leetham commented that this would incentivize design more than uses. Sherrie Llewelyn said this code clarified what the City wanted and would help the developer meet good design standards.

Mayor Arave asked about the exact process to rezone when a property owner had not asked for the zone change. He said that the current processes worked and asked why this was better. Sherrie Llewelyn replied that this was a better way as it implemented the goals in the general plan and the town center master plan. She said this would give the developer the requirements up front for setbacks, landscaping, architectural requirements, etc. without having to negotiate. The process would start with public outreach through public notice, open houses, and hearings.

Mayor Arave spoke on the transitional areas and asked about the other benefits of the form based code. Ali Avery replied that the form based code communicated the vision of the town center master plan with visuals and graphics. She said it would demonstrate what the City wanted to accomplish to property owners and developers.

Commission Chair Knowlton said that there needed to be a clear articulation of the form based code with graphics for the public open house.

Ken Leetham said from a staff perspective that they had worked hard to complete this project that would be beneficial to the City and the form based code was another set of tools to obtain the projects the City wanted.

Commissioner Larson said that the form based code would provide transparency for everyone including residents, staff, the Planning Commission, the City Council, and developers.

Council Member Baskin said that the Development Review Committee (DRC), which was comprised of City staff, troubled her as they had always started the process of a project and too many things were decided by the DRC instead of the Commission or Council. She said there was too much leeway up front and at the end of the process with the Commission and Council determining the law in the middle of the process with the P District exception which felt unfair to applicants.

Commissioner Kirkham said the form based code would save developers time and money as they would know what was required up front.

Council Member Horrocks said that if the process worked perfectly with the DRC and Planning Commission doing their part that the City Council would only need to provide rubber stamp

approval of a project. He commented that the elephant in the room was apartment buildings and when enough was enough. He said the question needed to be asked how many more apartments the City wanted.

Sherrie Llewelyn said the BRT was a major influencer of the town center and if the City wanted the BRT to be successful there needed to be densification. Commission Chair Knowlton said that when he thought of the town center and the objective to make it the heart of the City. He said apartments could aid in vitality if they were used to obtain retail, etc.

Megan Townsend said the form based code required that there be commercial uses along Highway 89. She said the code would not define a balance or cap on density.

Ken Leetham said the two projects adjacent to City Hall were approved through the P District with office and retail space. He said they would not have been approved without the commercial square footage.

The Commission and Council discussed multifamily housing, the potential for a developer to build mixed use and leave the commercial portion empty, finding the right balance, what the market would support regarding density or retail, potential quid pro quo with developers, conditions to guarantee retail, the CDA, the need for service industry type businesses, and potentially handpicking tenants.

Megan Townsend said that the form based code was structured to help create a vibrant and walkable place. She then focused on open space and said there were three types including private open space amenities (provided to tenants), privately owned public space (BRT station, etc.), and landscaping adjacent to public right of ways. Ms. Townsend spoke on trails and said there would be different treatments for the Bamberger Trail opposed to the rest of the trails in the City. This included branding and wayfinding, paved or pervious surfaces, etc. She then talked about corner plazas at BRT stations with requirements for a minimum depth and width as well as architectural and furnishing requirements. The town center was meant to be walkable so active transportation corridors/connections would be required on blocks longer than 500 feet.

Megan Townsend spoke on transitions to single family home areas and said there would be greater setbacks and maximum height limitations. There was also a section related to dealing with slope and massing with a graphic to help determine the average slope of a lot and the maximum width for a portion of the building that may be measured from a single point. She then reviewed the design standards related to walkability including a maximum building length of 400 feet, the required number of entrances which was one per 75 to 100 feet depending on building type and subdistrict, transparency requirements ranging from 15% to 65% depending on building type and subdistrict, horizontal façade divisions every 30 to 50 feet of façade width, vertical façade divisions every other floor above the ground floor, materials and color addressing primary and secondary materials and accent colors, awnings, balconies, signs, lighting, and imageability.

Megan Townsend talked about public outreach regarding the form based code proposal and said there would be two to three neighborhood meetings this fall with a presentation and open house format.

Council Member Porter suggested that residents who attended the public meetings be allowed to vote anonymously as this would allow them to express their opinions without being influenced by those who may be more outspoken.

Ken Leetham asked if there was form based code that required a contribution to public art. He said that the town center master plan anticipated public art but there was no method to achieve this. Sherrie Llewelyn said that staff could review this request.

Megan Townsend said that some city codes encouraged murals or art at the corner plazas. She said the City could identify where the art should go such as the corner plazas or along the trails.

The Council and Commission discussed historical artifacts, public art, using incentives such as density or open space credits to obtain art or amenities, and how public art can revive a city.

Council Member Hood asked for clarification on the wording related to multifamily in the Edge district. Megan Townsend replied that it was intended to say that each building shall have at least three units except in the Edge district where duplexes were allowed. She also said the multifamily stacked flats needed to be a minimum of five units, which needed to be clarified in the code as well.

Ken Leetham commented that there should be examples of how the code could work. He said there needed to be a realistic way to show this code implemented. Sherrie Llewelyn replied that staff could work with developers to prepare case studies.

The Council and Commission asked if the form based code would address the historic area from the general plan, affordable housing, density, the potential to include Orchard Drive and Main Street into the form based code.

Ken Leetham asked the Council and Commission if this was the right concept and direction for the town center.

Commissioner Larson said she felt the form based code and the subdistricts were heading in a direction that she could support. She said the code brought transparency to developers, the City, and residents.

Commissioner Kirkham said he was in agreeance with Commissioner Larson. He asked about the process to make changes after the code had been implemented. Mayor Arave said there

would need to be a public hearing and then review and approval by the Planning Commission and City Council.

Commissioner Garn said he felt the form based code was headed in the right direction. He felt this would eliminate a lot of existing concerns from residents.

Commissioner Tucker commented that he liked the transition elements of the subdistricts. He expressed some concerns with providing too much detail in the form based code as this would restrict flexibility.

Commissioner Ward said that he was more concerned with the results and not as much about the process. He said the City needed the ability to dictate favorable outcomes and felt the form based code allowed for incentivizing urbanization. He said the market was already achieving this and felt that this was not the direction he wanted to see the City go.

Commissioner Gordon said that the Planning Commission had received a lot of pushback from residents. She said that the Planning Commission was tasked with applying the ordinances so the clearer the ordinances the better. She felt the form based code would allow for clarity and transparency.

Commission Chair Knowlton commented that without the form based code it put the developers in a tough position because they had to guess what the City's vision was. The City was also in a bad position as they had to negotiate and had inadequate tools to refine a project. He felt clear articulation of the City's goal was a win/win for the City, developer, and the community.

Council Member Porter said he liked the idea of having detail in the code as it would help to prevent developers from finding loopholes and it would set architectural standards to deter cheaper projects.

Council Member Baskin commented that she was in favor of the form based code as it was developing high standards which would be uniformly applied in a context with open communication. She said the end product would be an image or brand of North Salt Lake.

Council Member Hood said that the City was on the right path with the form based code and the devil would be in the details. He had some concerns and asked that the Safety Review Committee review the setbacks on all the proposed projects.

Council Member Horrocks said he was comfortable that the City was on the right track and supported the process.

Mayor Arave said he was encouraged that the community would provide feedback on what they wanted. He asked if some of the boundaries for the subdistricts should be extended.

Sherrie Llewelyn said that the Planning Commission would review the form based code as well as City Codes for concerns outside of the town center. Several open houses would then be held to obtain input from residents followed by a review by the City Council.

Ken Leetham said if the goal was to adopt the form based code before the end of the moratorium that a process to implement the code would need to be determined and maintained. He said the concepts needed to go before the public for feedback as soon as possible.

Megan Townsend commented that WFRC would be available to make changes but needed time to make edits to the code.

Ken Leetham said that the focus should be obtaining public input and adopting the right town center code and not necessarily by the end of the moratorium.

3. ADJOURN

Mayor Arave adjourned the meeting at 8:45 p.m.



Mayor



Recorder



Commission Chair

