

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
MARCH 28, 2023

FINAL

Commission Vice Chair William Ward called the meeting to order at 6:30 p.m.

PRESENT: Commissioner Ryan Holbrook
Commissioner Ron Jorgensen
Commissioner Katherine Maus
Commissioner Irene Stone
Commissioner Brandon Tucker
Commissioner William Ward

EXCUSED: Commission Chair BreAnna Larson

STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Johnson, Planner.

OTHERS PRESENT: Dee Lalliss, resident; Rachel Butterfield, Janet Welsh, Health & Wellness Committee; Via Zoom: Mike Robinson.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A TOTAL
COMBINED DRIVEWAY WIDTH OF 40 FEET AT 14 EAST 250 NORTH, MIKE
ROBINSON, APPLICANT

Mackenzie Johnson reported on the conditional use permit application for a total combined driveway width of 40 feet at 14 East 250 North. The property, zoned R1-7, is a corner lot with frontage on Main Street and 250 North. The existing structure on the lot has two units with one above the other, a two car carport, and a one car garage. The existing drive approach on 250 North measured 25 feet wide at the back of the sidewalk. The property owner, Mike Robinson, desired to convert the existing garage and carport into a third dwelling unit but was informed by the City that only single-family or two-family (duplex) dwelling units were permitted in the R1-7 zone. In response, Mr. Robinson changed his plan from adding a third unit to remodeling the structure by turning the carport and garage into additional living space for the lower unit of the duplex. Per the floor plan submitted by the applicant, the plan would be converting the existing

kitchen and laundry room in the lower unit into a bedroom, converting the carport into a family room with a new kitchen, bathroom, mudroom, and laundry room, as well as converting the garage into three additional bedrooms. These changes would increase the bedroom count in the lower unit from two to six. The proposed remodel would eliminate the existing required covered parking which necessitated the addition of two covered spaces elsewhere on the property.

Mackenzie Johnson explained that the R1-7 zone permitted single-family and two-family dwellings (duplex) and prohibited three-family dwellings (triplex). The City did not limit the number of bedrooms in a dwelling unit but regulated occupancy. City code defined a dwelling unit as “one or more rooms in a dwelling, apartment complex, hotel or motel, providing complete, independent living facilities for a single person or family, including permanent provisions for living, sleeping, eating, cooking and sanitation”. City code defined a family as “one individual, or two (2) or more persons related by blood, marriage or adoption, living together in a single dwelling unit and maintaining a common household. A family may include four (4), but not more than four (4), nonrelated persons living with the residing family. The term “family” shall not be construed to mean a group of nonrelated individuals, a fraternity, club or institutional group”. The Development Review Committee (DRC) recommended that the Commission place a clear condition on the approval that the property may only be used as a duplex and each unit may only be rented or used by a single family or no more than four unrelated individuals at any given time, as defined by code.

The applicant, Mike Robinson, proposed to meet the required parking onsite by building a new carport to the east of the existing garage and a new carport south of the existing home. City code requires a minimum of two parking stalls, one of which must be covered , per unit for a duplex. Mr. Robinson requested to increase the existing driveway width from 25 feet to 30 feet on 250 North and to create a new 10 foot wide driveway on Main Street to access the new carports.

Staff reviewed the proposal and determined it to be in compliance with City code, particularly in regard to distance from the intersection and property lines. City code 10-6-2 allowed residential lots with a frontage greater than 100 feet to be permitted up to two access driveways. The property would be allowed a total maximum driveway width of 30 feet, or as established by a conditional use permit not to exceed 40 feet. Additionally, code regulated that a driveway be a minimum of three feet from the nearest side property line, a minimum of 50 feet from an intersection, and could not be built over an existing water meter.

Staff recommended a condition that an engineered site plan be prepared to ensure the accuracy of the property lines and site improvements prior to the issuance of an excavation permit or building permit for the accessory structures. There appeared to be a discrepancy or overlap of property lines in the legal descriptions of this property and the property to the south, likely attributable to the two legal descriptions beginning from two different monuments. The final determination on the exact property line location would be a civil matter between the two property owners which may be resolved by a boundary line agreement or additional survey work.

The DRC recommended approval of the conditional use permit for a total combined driveway width of 40 feet at 14 East 250 North with the conditions that the property may only be used as duplex and each unit may only be rented or used by a single family or no more than four unrelated individuals at any given time, as defined by code 10-1-47 as well as a requirement for an engineered site plan to be prepared to ensure accuracy of the property lines and location of site improvements prior to the issuance of an excavation permit or building permit for the accessory structures.

Commissioner Jorgensen asked about parking and if spaces would be assigned to each unit. Mike Robinson did not have a plan in place for the management of the parking and asked if the Commission had a recommendation.

Commissioner Jorgensen mentioned that the ground floor unit would have six bedrooms and asked for clarification on the code language “one individual, or two (2) or more persons related by blood, marriage or adoption, living together in a single dwelling unit and maintaining a common household. A family may include four (4), but not more than four (4), nonrelated persons living with the residing family.” He asked if this meant four nonrelated persons in addition to a related family. Sherrie Pace clarified that this meant either four unrelated persons or a related family.

Commissioner Holbrook asked if there was a basement as part of the existing duplex. He said it would be very easy to turn the bottom duplex into a third unit. Sherrie Pace responded that there was a half basement that was part of the bottom unit. She said all of the existing plumbing for the existing kitchen would need to be capped so they could not create a third unit. The existing construction would also need to meet the building code and pass inspection.

Mackenzie Johnson commented that the property owner originally commenced construction on the duplex without obtaining a building permit. The City was notified and the Building Official “red tagged” the building, meaning that construction stopped and could not continue or restart until the proper permits were issued.

Commissioner Jorgensen asked about parking capacity on the existing driveway accessible off 250 North versus what was proposed. Mackenzie Johnson responded that the existing parking allowed for four to five vehicles and estimated that two additional spaces would be created with the Main Street access and carport for a total of five to seven parking spaces.

Sherrie Pace clarified that per State code a conditional use was a permitted use with conditions. She said the conditions the Commission could place on the driveway must be related to that driveway and serve the purpose of mitigating any potential impacts such as those related to clear view requirements.

Vice Chair Ward commented that the first condition was more of a restatement of the code. He said the second condition requiring an engineered site plan was related to the driveway. Sherrie Pace replied that there was a current property overlap and clarification was needed on the property lines.

Mackenzie Johnson said that a correct survey would allow staff to determine that the property lines and setbacks were correct and met code requirements.

Commissioner Tucker asked about the property overlap. Sherrie Pace commented staff had determined that the difference was approximately three feet.

Commissioner Tucker moved that the Planning Commission approve the conditional use permit for a total combined driveway width of 40 feet at 14 East 250 North with the following condition:

- 1) An engineered site plan be prepared to ensure accuracy of the property lines and location of site improvements prior to the issuance of an excavation permit or building permit for the accessory structures.**

And the statement that the property may only be used as duplex and each unit may only be rented or used by a single family or no more than four unrelated individuals at any given time, as defined by code 10-1-47.

Commissioner Stone spoke on the history of the property and that there was no way to enforce the occupancy. Sherrie Pace replied that there was a building code violation as construction was started without a permit. She said there were two remedies for the violation which included removing any additions and construction and restoring the property to its previous condition or the applicant could apply for and receive a building permit. A building permit could not be issued for the work without the applicant also providing the required parking.

Commissioner Jorgensen commented that the first issue was whether the parking was adequate. He spoke on the proposal for six bedrooms in the ground floor unit and that the recommendations from the DRC made sense.

Sherrie Pace said the rear parking would most likely be used by the bottom unit as it had a rear entry door.

Commissioner Holbrook was in agreement and said that staff and the inspectors would ensure the duplex did not become a triplex. Commissioner Tucker said the request met the requirements of the code.

Commissioner Holbrook seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Maus, Stone, Tucker and Ward. Commissioner Larson was excused.

HEALTH & WELLNESS COMMITTEE PRESENTATION

Rachel Butterfield reported that the Health & Wellness Committee was created in December of 2021 per the request of Mayor Arave. The Committee had since established roles and found overlap with other committees and boards in the City. She shared the 2022 Committee accomplishments including establishing “who we are” with a focus on specific areas, adopting organizational bylaws, procedures, and protocols, having a presence at the Night Out Against Crime event, creating a partnership with Communities That Care and holding two weekly classes and one evening training meeting, participating in the County Emergency Preparedness Fair, receiving the State of Utah Healthy Communities Award, attending the Senior Lunch Bunch events, and increased social media outreach.

Rachel Butterfield shared the established duties of the Committee including a review of research and programs related to five specific areas of interest which were physical and mental health, emergency preparedness, personal wellness, food and housing access, addiction, and any other public health and general welfare issues.

The goals for physical and mental health were to complete an inventory of existing City open space, parks, and outdoor assets (Hatch Park, mountain trails, etc.), to conduct four classes a year with Communities That Care, and to complete an inventory of school safe walking routes, trails, and pathways.

For emergency preparedness, the goal was for social media outreach four times per year related to emergency preparedness and three times per year related to CERT training or as often as needed to educate residents about CERT training opportunities.

The personal wellness goals included a quarterly newsletter spotlight on an outdoor amenity available to residents, to issue letters of support and encouragement to the Parks, Trails, Arts & Recreation Advisory Board, the Planning Commission, and the City Council related to the provisions of personal wellness amenities and activities in the City, to combine a Committee activity with the City’s Night Out Against Crime event, and completion of the Wellness Survey through Utah State University.

The food and housing goal was to provide letters of support and encouragement to the City Council, Youth City Council, City staff, and the PTAR Board for the creation of events such as food drives and support of existing food pantries.

The goals related to addiction was the creation of a resource document with links to be placed on the City's website related to addiction recovery resources as well as providing addiction recovery materials at the Night Out Against Crime event.

Rachel Butterfield said they were happy to work together on any ideas the Commission might have.

Commissioner Jorgensen mentioned mobile food pantries could be set up in a church parking lot or somewhere similar. He also spoke on emergency preparedness and the unique hazards in the City and what preparation could be done.

Janet Welsh asked the Commission to focus on optimizing biking and walkability in future developments.

Commissioner Tucker mentioned the Wellness Study through Utah State University. Commissioner Ward asked about the results of the study. Sherrie Pace replied that staff would share the results with the Commission.

3. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY PLANNING COMMISSION

Sherrie Pace reported on the site plan for the WDG Flex Building which was approved at the last City Council meeting. The Commission was reminded of the need to complete their required training hours before June 30th.

4. APPROVAL OF MINUTES

The Planning Commission meeting minutes of March 14, 2023 were reviewed and approved.

Commissioner Jorgensen moved to approve the Planning Commission meeting minutes as drafted for March 14, 2023. Commissioner Tucker seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Maus, Stone, Tucker and Ward. Commissioner Larson was excused.

5. ADJOURN

Commission Vice Chair Ward adjourned the meeting at 7:22 p.m.

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The foregoing was approved by the Planning Commission of the City of North Salt Lake on Tuesday, April 25, 2023 by unanimous vote of all members present.



Wendy Page, City Recorder