CITY OF NORTH SALT LAKE
PLANNING COMMISSION & CITY COUNCIL-JOINT SESSION
SEPTEMBER 10, 2019

FINAL

Mayor Arave called the meeting to order at 6:35 p.m.

PRESENT: Mayor Len Arave
Council Member Brian Horrocks
Council Member Stan Porter
Council Member Ryan Mumford
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

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

OTHERS PRESENT: Dee Lalliss, Barry Bryson, residents.

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

Those present introduced themselves and included their occupation and years spent serving the City.

Ken Leetham relayed a time when he was employed by another city and called to be a witness in a zoning and land use court case. He said one thing that stood out to him from that experience was when the attorney for the plaintiff asked him why the city's zoning ordinance had a certain provision and if the city had the authority to impose that provision on landowners. Mr. Leetham answered the attorney by saying that the city had the authority to pass any reasonable provision that would help carry out their general plan.

Mr. Leetham said this was a good reminder that while reviewing the general plan and amending the zoning ordinances, that the City could adopt any legal and reasonable provision to obtain the vision for the City. The City is in control of its destiny and urban form.

Ken Leetham then reported on the general plan update, which was adopted in 2013. In 2011the City held several public workshops, and the results showed the desire to ensure balanced land uses, the creation of a town center, and review of the main corridors. He said the general plan contained nine chapters including an intro, existing conditions, land uses, etc. The land use plan focused on land use goals including enhancing livability and property values, developing a city center, compatibility with residential, commercial, and industrial development. The plan also focused on housing and where to place medium and high density housing to meet demand. Mr. Leetham showed a future land use map highlighting an activity center, village center, corridors, etc. The Town Center Master Plan included pedestrian circulation, an expansion of Hatch Park, mixed uses around Highway 89, and multifamily housing along three bus rapid transit (BRT) stops. The master plan for the Town Center was adopted in 2016 following multiple public meetings. This plan established the location of the BRT, created a distinct identity for the Town Center, and specific design standards, etc. He spoke on future development and said there were approximately 220 new units that could be built in the Town Center along Highway 89.

Council Member Baskin asked for clarification on the 220 units. Ken Leetham replied that if the available parcels projected were developed that this would equal an additional 220 multifamily units.

Commissioner Larson asked if that would be under the existing zoning or if this would require a zone change. Ken Leetham responded it would require an assemblage of property and a Planned (P) District rezone. He also said that previous analysis showed 725 units that were entitled but not yet completed. Buildout of the Town Center could have 950 units that do not currently exist.

Ken Leetham reviewed the initiatives that staff was currently working on including the Main Street neighborhood plan, the form based code ordinance, a comprehensive review of residential zones during the moratorium, the Hatch Park redesign, and the Davis County/Salt Lake BRT connector project. He spoke on what changes were made or tools were available to implement the plan including changes to the P District, the adoption of street cross sections and design guidelines in the town center, the Hatch Park property acquisitions, and the use of tax increment and impact fees to incentivize development.

Sherrie Llewelyn clarified that the P District was previously allowed in any zone with a minimum lot size of five acres but that a change had since been made reducing the minimum lot size allowed for a P District rezone.

Ken Leetham said there were some questions for the City Council and Planning Commission to consider such as if they were happy with the plan's vision, if they wanted to make changes to the

Town Center plan, what changes should be made to the Redwood Road corridor, what updates should be made to the parks, trails and recreation element of the general plan, and any amendments to residential zones and the zoning map during the moratorium.

Sherrie Llewelyn asked for feedback on what changes the Council and Commission would like to see. She mentioned items such as the R1-7, RM-7, RM-20 zones, form based code for the Town Center, conditional use/permitted uses compliance with State code, and updates to the site plan process, subdivision ordinances, the sign ordinance, the good landlord ordinance, tobacco/alcohol/medical cannabis, and the appeals review, as well as addressing food trucks, container homes, the general plan, and the Town Center master plan.

Council Member Horrocks mentioned unintended consequences of the general plan and some of the things the City could not foresee when the general plan was adopted several years ago, such as the death of retail or that Winegars would go out of business, etc. The City has been inundated with multifamily housing projects and the residents are pushing back. He asked when it was time to stop approving multifamily housing in the City and if the general plan addressed amounts or percentages of how much multifamily should be added to the City.

Council Member Porter commented that he had been greatly affected by the general plan but had spent a lot of time implementing the current plan. He said there was a vocal majority against multifamily and found that while he was campaigning many residents felt there was a loss of a sense of community. He said while the original plan included commercial that it had not come. He also expressed concern for high density in the R1-7 zone.

Commission Chair Knowlton said that when he reflected on the general plan process it was clear that residents wanted and still want a town center area but retail was not what everyone thought it would be. He suggested that it may be beneficial to focus on the definition of a great town center with input from residents.

Mayor Arave asked if the City was happy with the general plan's vision. He said he liked a lot of the changes that had made along Highway 89 and Redwood Road.

Dee Lalliss, resident, commented that he had lived in the City for 50 years and had seen the changes that had been made. He felt that the bowling alley property and the gravel pit areas had become high density housing and not a Town Center. Mr. Lalliss said that Redwood Road was the town center for the west side of the City.

Mayor Arave said that if the residents wanted restaurants or shopping that the City needed population concentration. The general plan focused on residential in some areas to attract other uses such as commercial. He said the Town Center was not completely developed at this point but questioned if people had different thoughts on what the term Town Center meant to different people.

Council Member Porter said he also felt the term "high density" had different connotations to different people. He said some residents thought Foxboro was high density at the time it was proposed but felt that the resulting residential development was better than an industrial use.

Mayor Arave said that the ideal home had changed over the years from tiny homes on small lots to large houses on a quarter acre. He said not everyone wanted the large home/lot as it could be very expensive.

Commissioner Tucker commented that the Planning Commission heard a lot of negative public opinion and that many of the comments were related to change. He said people had trouble adjusting to change including the dynamics of changing retail, the housing crisis, and letting go of old ways. He felt the current general plan had the foresight to understand those issues.

Council Member Mumford said that the general plan signaled to developers and businesses what the City wanted built. He said there was a demand for a variety of different building types that were not in the general plan or did not fit in the current zones. He said the biggest issue he had seen was for things that the general plan did not address such as high density housing on Main Street, the sense of community, etc.

Dee Lalliss asked what would happen to the existing homes on Main Street and 200 North. He said the houses were old and would have to be demolished and he worried the properties would be subdivided. Mayor Arave said that the plan did not currently address that section of town.

Council Member Hood said that retail was turning into online ordering and delivery. He felt the City already had too much high density and that the layouts of the multifamily housing were generally not conducive to delivery.

Commission Chair Knowlton said that it was important to look at housing products related to income levels. He said the market had changed and it was helpful to look forward. He asked what affordability meant for different markets and how it related to demand. Sherrie Llewelyn clarified that the moderate income for the City was 80% of the average median income which was $68,000 per year for a family of four, low income was 50-80% or $42,500 with a very low income at 40% of the adjusted moderate income (AMI) at $25,750. She said housing costs should be 30% of the AMI for mortgage/rent and utilities.

Commissioner Garn said that time could change things and that many of the things being discussed could change. He spoke on how a Walmart and movie theater had been proposed for the Kimball property but that the plan had changed. Commissioner Garn said it was predicted that there would be another recession in two years. He said he was done with the higher density housing in the City.

Ken Leetham said that the town center plan was a healthy plan and the right direction as defined in the plan. He said other areas outside of the town center needed to be addressed per the moratorium with the City Council and the Planning Commission to determine zoning and density. Mr. Leetham said the City needed solutions for some areas and to make corrections to the general plan to attract the kind of projects the Council and Commission would be proud to approve. He said staff would bring the Main Street neighborhood plan, changes to the R1-7, RM-7, and RM-20, and the form based code before the City Council.

Sherrie Llewelyn clarified that the form based code would cover the Town Center master plan and would dictate the design aesthetics on how the properties were redesigned. She said that this code would replace the P District in some areas. It would also address some of the edge neighborhoods as well.

Council Member Mumford commented that the City had to make the best decision for certain parcels and then the developer would build what was allowed per the free market. Commissioner Tucker said that adjusting the zoning may change the rights of the current property owner.

Commission Chair Knowlton said that there needed to be good design in the current zoning and part of the problem was a P District allowed for that negotiation but that there were limited tools outside the P District. He asked if there needed to be clarification on when and where the P District could be used. Sherrie Llewelyn suggested the City could give a developer what they were entitled to under the current zoning with conditions to address design, height, setbacks, and landscaping, etc. which would then allow them the maximum density.

Mayor Arave said the beauty of the P District was that the City did not have to think of every possible condition ahead of time.

Sherrie Llewelyn said that the reasons the P District could be problematic in the edge neighborhoods was that there was not clear guidelines or basic parameters for developers.

Council Member Porter said that residents did not originally want the golf course but the developers were going to build Eaglewood and the golf course as either part of the City or in Bountiful and it was better to have this development in the City.

Commission Chair Knowlton spoke on the Main Street plan and the transition outside of the Town Center. He asked if there needed to be an urban design philosophy for Orchard Drive. Council Member Mumford said that there were five one-acre deep residential lots on Orchard Drive that would eventually be redeveloped and asked how the City could signal to developers what was appropriate there.

The Council and Commission discussed obtaining public input, the potential annexation, and the pros and cons of a P District and the form based code.

Council Member Baskin commented that this political climate had been divisive and the City needed to do better in both listening to citizens and having uniform provisions. She expressed concern that the P District created a perspective that everything was discretionary but said the vision for the City must be consistent and incorporate what was realistic.

Dee Lalliss said the City needed to look at how these smaller properties could be redeveloped nicely. Council Member Baskin replied that the master plan criteria was to address balanced use, the Town Center, and the corridors. She felt that the City had made great headway with the Town Center and the corridors but there was not a balanced use of the land.

The City Council and Commission discussed balanced use and how it was directed by the market including recessions. Staff said that two-thirds of the housing stock were single family dwellings so the City would need to determine what the right mix of housing would be.

The City Council and Commission also discussed the long-range view related to housing options including if there was a need for more units that are ADA compliant and for those 55 and over, the success of current developments in the City that were ADA or 55+ communities, the necessity to review the Town Center plan relating to high density housing as well as the Orchard Drive area, review of the corridors, the balance of NIMBY (not in my back yard), and landowner rights.

Commission Chair Knowlton commented on the master plan relating to retail and the need to define where the City would try to obtain retail. He suggested there could be conditions to development that would require retail or restaurants. He said the market would most likely not show this so the City would have to be strategic and aggressive in obtaining this.

The City Council and Planning Commission determined that the main areas for review would be the Town Center plan, Orchard Drive, Main Street, the corridors, zoning, unintended consequences, probabilities, etc. Sherrie Llewelyn suggested that staff present the form based code and address some of the concerns from this meeting at a joint meeting to be held in one month before a review of the entire general plan.

Ken Leetham said that the City may need to go through a land use planning process for Orchard Drive as it may be determined that the properties should not be rezoned. He said the Main Street plan included these properties and would provide some direction. Dee Lalliss commented that his concern was that many of the property owners on Orchard could no longer afford the property taxes on those large lots.

Commissioner Larson asked how to make the edges more uniform in the transitional areas between uses. Ken Leetham said this should be addressed in the master plan. Sherrie Llewelyn

clarified that the form based code would address those edge neighborhoods with a transition between the town center and the neighborhoods.

Council Member Mumford spoke on the zoning map and the problem areas that were zoned RM-20 and RM-7 which were surrounded by R1-10. He said the City should hold charrettes to obtain public input on what should be done with those properties particularly those that were prime for redevelopment.

Council Member Porter clarified that the original intent for those parcels zoned R1-7 and RM-7 was for one duplex building on the lot. He said this was to address the existing duplexes at the time to ensure they were not nonconforming. He felt the City should work on these zones including clarification that the intent was for one building per lot as well as standards for duplexes. Sherrie Llewelyn commented that the language was not clear and needed to be more explicit instead of implied.

Mayor Arave spoke on the areas ripe for redevelopment and asked if there needed to be a review of Redwood Road and the vacant parcels there. He expressed concern with current zoning.

Commissioner Gordon said her concern was the gun club property and the desire to wait and obtain better development in the future. The Council said that it may be too late as a proposal had already come in for the Kimball parcel. They briefly reviewed the proposal for that property.

Staff proposed design charrettes for public opinion on the three properties to be redeveloped along 1100 North and Redwood Road.

Mayor Arave said that there was a CDA in that area that had already been triggered. The Council and Commission discussed the fifteen year CDA and the potential to incentivize construction of potential uses on that corridor.

Mayor Arave clarified that staff, the City Council, and Commission would focus on the form based code, master plan for Orchard and the Town Center, Main Street, and Redwood Road. Those present also suggested that staff help to determine the order of the priority list that was presented.

Ken Leetham said there was a time limit driving the zoning changes per the moratorium. Sherrie Llewelyn suggested that the next joint City Council and Planning Commission meeting be held October 8th.

2. ADJOURN

Mayor Arave adjourned the meeting at 8:58 p.m.

Mayor

City Recorder

Commission Chair