



COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: May 7, 2024

RE: Attached Garages Zoning Text Amendment
PLNPCM2023-00952

Item Schedule:

Briefing: April 2, 2024

Set Date: April 16, 2024

Public Hearing: May 7, 2024

Potential Action: May 21, 2024

BRIEFING UPDATE

During the April 2, 2024 briefing Council Members clarified whether the proposed changes would make City code more stringent than what is required by the State and if the City would lose the ability to regulate anything as a result of proposed changes. Planning staff said City code would not be more stringent than State code. They also noted the City would no longer be able to regulate building roof color in the foothills zoning districts. Currently the City does not allow light colored roofing materials in these districts, so contrasting colors do not detract from the natural surroundings. Planning also clarified the proposed changes do not affect current local historic districts in the city.

The following information was provided for the April 3, 2024 Council briefing. It is included again for background purposes.

The Council will be briefed about a proposal requested by the Salt Lake City Planning Division to update standards primarily for attached garages, but also includes design elements for attached structures, entrance landings, and building foundations.

In 2021 *Utah State Code* was amended by the State Legislature (HB1003) which limits what design elements such as exterior building color, exterior glass, and roofing materials and color municipalities can require. The proposed text amendment addresses changes required by the legislation to better align City code with State code; clarifies where accessory structures can be in rear and side yards; and removes redundant language.



It is worth noting that the proposed text amendment strives to clarify that accessory structures should not be located closer than 1 foot to any property line through an update to the Table 21A.36.020B, “Obstructions in Required Yards.” This is not a change, but rather a clarification of the current interpretation of the Code. The proposed language changes the phrase “side property lines” to “all property lines,” to include both side and rear property lines. The word “all” is being used because of the frequent confusion with abnormally shaped lots in determining which part of their yard is considered “side” or “rear.” This does not align with the requirement for accessory dwelling units (ADUs) to be at least three feet from the side or rear property lines. However, City code section 21A.40.200 related to ADUs says if there are conflicts with regulations in other sections of the code, the ADU requirements take precedence. Thus, the proposal would not change side or rear yard setbacks for detached ADUs.

The Planning Commission reviewed the proposed text amendment at its January 10, 2024 meeting and held a public hearing at which no one spoke. The Commission voted unanimously to forward a positive recommendation to the City Council.

Goal of the briefing: Review the proposed text amendment and determine if the Council supports moving forward with the proposal.

ADDITIONAL INFORMATION

Planning staff provided a summary of proposed changes on pages 2-3 of the Administration’s transmittal. It is replicated here for convenience.

1. Amendments to 21A.24.010 – General Provisions
 - Removal of language dictating design features such as exterior building colors, residential building foundation standards and entrance landing requirements.
2. Amendments to 21A.24.020, 030, 040, 050, 060, 070, 080, 100, 110, and 120
 - Removal of language dictating the location of garages doors. This language is a design element that was made illegal to regulate by the updates to the Utah State Code.
 - Clarification on the location that replacement garages can be built. This language matches the historic interpretation at the city and increases readability and understanding of the code.
 - Clarification that in FP and FR districts, accessory buildings are not permitted in any *required* yard, but are permitted in non-required yards.
3. Amendments to 21A.36.190: Residential Building Standards For Legal Conforming Single-Family Detached Dwellings, Two-Family Dwellings And Twin Homes In Nonresidential Zoning Districts
 - Removal of language dictating foundation standards and entrance landings. This language is redundant and unenforceable in the zoning code because it is already addressed in building code.
4. Amendments to 21A.40.050: General Yard, Bulk, and Height Limitations:
 - Clarification and addition of language dictating the location of accessory buildings, especially those located in side yards. This language clarifies that accessory buildings are permitted in required interior side yards when located a minimum of 4 feet from any portion of the principal building.
 - Addition of an illustrative graphic which helps depict this regulation.

- Clarification of language dictating the location of accessory buildings in rear yards, which is generally one foot from side and rear lot lines, and no closer than 4 feet to any portion of the principal building.
 - This clarification also helps distinguish pedestrian connections, such as breezeways, and helps distinguish ‘attached structures’ from structures that would not be considered attached.
5. Amendments to 21A.62.040 -Definitions of Terms
- Clarification in the definitions that impact accessory and attached structures.
 - Clarification in the definition of the “front line of buildings” and that uncovered porches aren’t considered when determining the front line. This is because the location of attached garages can hinge on the location of the porch.

KEY CONSIDERATIONS

Planning staff identified three key considerations related to the proposal, found on pages 2-3 of the Planning Commission staff report, and summarized below. For the complete analysis, please see the Planning staff report.

Consideration 1 – How the proposal helps implement City goals and policies identified in *Plan Salt Lake*:

Planning staff found the proposed zoning text amendment aligns with the Plan Salt Lake principle of “a local government that is collaborative, responsive, and transparent.” In addition, Planning stated “...this amendment adheres to the principles of collaboration, responsiveness, and transparency outlined in Plan Salt Lake by maintaining congruency between local and state authorities.”

Consideration 2 – How the proposal implements State regulations:

The proposed amendment will codify the City code limits HB1003 (2021) placed on municipalities and help align City and State codes.

Consideration 3 – Impact to City:

Planning noted removing design standards restrictions for color and materials will impact FP (Foothills Protection), and FR (Foothills Residential) districts by providing more flexibility. These restrictions do not exist for other zoning districts.

Currently City code does not allow attached garages forward of the front line of the building unless they meet one of the following conditions:

- New attached garages that are replacing existing ones forward of the front line of the building are required to be constructed in the same location with the same dimensions. The proposed changes would provide additional flexibility by requiring them to be constructed in a “similar location with dimensions that do not increase the degree of noncompliance.”
- At least 60% of existing garages on the block face are forward of the front line of the building. The proposal lowers this threshold to 50%.
- Currently, doors on garages forward of the front line of the building are required to face a corner side lot line. The proposal would remove this requirement.

These changes would apply to the FP, FR, single- and two-family residential, and Yalecrest Compatible Infill Overlay districts. In addition, the maximum garage door height of 8.5 feet in the Yalecrest overlay would be removed.

Planning staff noted that the proposed text amendment would not alter language in City code related to local historic districts, therefore they would not be affected by the proposal.

ANALYSIS OF STANDARDS

Attachment B (pages 14-15) of the Planning Commission staff report outlines zoning map amendment standards that should be considered as the Council reviews this proposal. The standards and findings are summarized below. Please see the Planning Commission staff report for additional information.

Factor	Finding
Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents.	<i>Complies</i>
Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance.	<i>Complies</i>
Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.	<i>Complies</i>
The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.	<i>Complies</i>

PROJECT CHRONOLOGY

- November 17, 2023 – Petition initiated by Salt Lake City Planning Division and assigned to Grant Amann, Principal Planner.
- November 21, 2023 –
 - Early notification sent to all recognized community councils.
 - 45-day comment period begins.
- December 28, 2023 – Planning Commission public hearing notice posted at various library locations.
- January 10, 2024 –
 - 45-day recognized community organization notice period ends.
 - Planning Commission public hearing. The Commission voted unanimously to forward a positive recommendation to the City Council.
- January 17, 2024 – Planning staff requested an ordinance from the Attorney’s Office.
- February 16, 2024 – Ordinance from the Attorney’s Office received by Planning Division.
- March 19, 2024 – Transmittal received in City Council Office.