

MINUTES OF THE SALT LAKE CITY COUNCIL
Tuesday, December 5, 2023

PENDING MINUTES – NOT APPROVED

The City Council of Salt Lake City, Utah, met in Formal Session on Tuesday, December 5, 2023.

The following Council Members were present:

Ana Valdemoros, Alejandro Puy, Chris Wharton, Daniel Dugan, Darin Mano, Sarah Young, Victoria Petro

Present Legislative Leadership:

Jennifer Bruno – Deputy Director, Lehua Weaver – Associate Deputy Director

Present Administrative Leadership:

Rachel Otto – Chief of Staff

Present City Staff:

Katherine Lewis – City Attorney, Cindy Lou Trishman – City Recorder, Brian Fullmer – Public Policy Analyst, Stephanie Elliott – Minutes & Records Clerk, Thais Stewart – Deputy City Recorder, Taylor Hill – Constituent Liaison/Policy Analyst, Scott Corpany – Staff Assistant, Achintya Mahajan – Constituent Liaison Intern

The meeting was called to order at 7:10 pm

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A. OPENING CEREMONY:

1. Council Member Darin Mano will conduct the formal meeting.
2. Pledge of Allegiance.
3. Welcome and Public Meeting Rules.
4. The Council will approve the work session meeting minutes of October 17, 2023.

Motion:

Moved by Council Member Puy, seconded by Council Member Dugan to approve the work session meeting minutes of October 17, 2023.

AYE: Ana Valdemoros, Alejandro Puy, Chris Wharton, Daniel Dugan, Darin Mano, Sarah Young, Victoria Petro

Final Result: 7 – 0 Pass

B. PUBLIC HEARINGS:

1. Ordinance: Rezone at Approximately 1380 South 900 West

The Council will accept public comment and consider adopting an ordinance that would amend the zoning of the properties located at approximately 1380 South 900 West, 1361 South 1000 West, and 1367 South 1000 West from R-1/7,000 (Single Family Residential District) to RMF-30 (Low-Density Multi-Family Residential District). The applicant owns the property located at 1380 South 900 West and intends to only develop that property. The other two properties are owned by a separate organization that asked to be included in this request to enable additional development flexibility. This proposal would accommodate a redevelopment proposal to be submitted at a later date. Consideration may be given to rezoning the property to another zoning district with similar characteristics. The project is within Council District 2. Petitioner: Drake Powell of TAG SLC, representing the various property owners. Petition No.: PLNPCM2023-00172.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, November 7, 2023

Set Public Hearing Date - Tuesday, November 7, 2023

Hold hearing to accept public comment - Tuesday, December 5, 2023 at 7 p.m.

TENTATIVE Council Action - Tuesday, December 5, 2023

Staff Recommendation - Refer to motion sheet(s).

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Brian Fullmer introduced the rezone ordinance at 1380 South and 900 West.

Cameron Williams provided Council a written comment regarding the rezone. (See meeting materials for full comment.)

Albert Eslie Barlow spoke in opposition of the rezone and stated mass opposition from the neighboring homes due to multi-family housing not fitting into the old-growth community.

Nephi Wyman spoke against the rezone and stated current parking and outside space issues that would arise with a new development.

Motion:

Moved by Council Member Dugan, seconded by Council Member Petro to close the public hearing and defer action to a future Council meeting.

AYE: Ana Valdemoros, Alejandro Puy, Chris Wharton, Daniel Dugan, Darin Mano, Sarah Young, Victoria Petro

Final Result: 7 – 0 Pass

2. Ordinance: Rezone at 680 South Gladiola Street

The Council will accept public comment and consider adopting an ordinance that would amend the zoning of the property located at approximately 680 South Gladiola Street from M-2 (Heavy Manufacturing District) to M-1 (Light Manufacturing District). This proposal would enable the use of the property as a commercial truck driving school, classified as a vocational school with outdoor activities. The applicant has not included development plans with this request. Consideration may be given to rezoning the property to another zoning district with similar characteristics. The project is within Council District 2. Petitioner: Tony Sieverts. Petition No.: PLNPCM2023-00236.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, November 7, 2023

Set Public Hearing Date - Tuesday, November 7, 2023

Hold hearing to accept public comment - Tuesday, December 5, 2023 at 7 p.m.

TENTATIVE Council Action - Tuesday, December 5, 2023

Staff Recommendation - Refer to motion sheet(s).

Brian Fullmer introduced the ordinance to rezone 680 South Gladiola Street.

There was no public comment.

Motion:

Moved by Council Member Puy, seconded by Council Member Wharton to

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close the public hearing and adopt Ordinance 71 of 2023: Rezone at 680 South Gladiola Street.

AYE: Ana Valdemoros, Alejandro Puy, Chris Wharton, Daniel Dugan, Darin Mano, Sarah Young, Victoria Petro

Final Result: 7 – 0 Pass

3. Ordinance: Rezone and Master Plan Amendment at 711 and 721 South 1200 East

The Council will accept public comment and consider adopting an ordinance that would amend the zoning of the properties located at 711 and 721 South 1200 East Street from R-2 (Single- and Two-Family Residential District) to I (Institutional District). The proposal also would amend the Central Community Master Plan Future Land Use Map. The proposal would allow the use of the existing church building as a school. Consideration may be given to rezoning the property to another zoning district with similar characteristics. The project is within Council District 4. Petitioner: Jim Brewer, Head of the McGillis School. Petition No.: PLNPCM2023-00496 & PLNPCM2023-00639

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, November 14, 2023

Set Public Hearing Date - Tuesday, November 14, 2023

Hold hearing to accept public comment - Tuesday, December 5, 2023 at 7 p.m.

TENTATIVE Council Action - Tuesday, December 5, 2023

Staff Recommendation - Refer to motion sheet(s).

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Brian Fullmer introduced the rezone ordinance and master plan amendment at 711 and 721 South 1200 East.

Joel Briscoe spoke in support of the rezone and described the positive impact the new developments would create in the community.

Kristina Robb expressed parking concerns from the neighbors and asked the Council to review those concerns before adopting the ordinance.

Arla Funk spoke in support of the item and thanked Council Member Valdemoros for giving attention to the community's needs.

Kathy Scott stated unanimous support from the East Central Community and stated other support throughout the neighboring communities.

Council Member Valdemoros expressed gratitude for the collaboration and involvement of the City and community for the rezone.

Motion:

Moved by Council Member Dugan, seconded by Council Member Valdemoros to close the public hearing and adopt Ordinance 72 of 2023 Rezone and Master Plan Amendment at 711 and 721 South 1200 East.

AYE: Ana Valdemoros, Alejandro Puy, Chris Wharton, Daniel Dugan, Darin Mano, Sarah Young, Victoria Petro

Final Result: 7 – 0 Pass

C. POTENTIAL ACTION ITEMS:

1. Ordinance: Subdivision Code Amendments

The Council will consider adopting an ordinance repealing and replacing all text, tables, and illustrations in Title 20 of the *Salt Lake City Code* pertaining to subdivisions and condominiums. This proposal reorganizes the subdivision regulations, updates application requirements, makes minor changes to subdivision approval processes, updates the standards for approval for dividing land and modifying lots and parcels, updates the subdivision standards to align with City goals identified in the City's general plan, and makes changes necessary to align with State code mandates for review times and review processes. The changes are necessary to bring the City's subdivision regulations into compliance with recent State code changes that require Cities to update their codes by February 1, 2024. Petition No.: PLNPCM2023-00494.

For more information visit tinyurl.com/SubdivisionCodeUpdates.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, November 7, 2023

Set Public Hearing Date - Tuesday, November 7, 2023

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Staff Recommendation - Refer to motion sheet(s).

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Motion:

Moved by Council Member Puy, seconded by Council Member Petro to adopt Ordinance 73 of 2023: Subdivision Code Amendments.

AYE: Ana Valdemoros, Alejandro Puy, Chris Wharton, Daniel Dugan, Darin Mano, Sarah Young, Victoria Petro

Final Result: 7 – 0 Pass

2. Ordinance: Rezone at 2157 South Lincoln Street

The Council will consider adopting an ordinance that would amend the zoning of the property located at 2157 South Lincoln Street from RB (Residential/Business District) to CSHBD2 (Sugar House Business District). This proposal would facilitate the redevelopment of this, and the adjacent parcels into a multi-family residential project. The property is currently occupied by a Victorian home used as an office building. Under the proposal, the home would be preserved and used as part of the project. Consideration may be given to rezoning the property to another zoning district with similar characteristics. The project is within Council District 7. Petitioner: Mark Isaac, representing the property owners. Petition No.: PLNPCM2023-00239

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, October 3, 2023

Set Public Hearing Date - Tuesday, October 17, 2023

Hold hearing to accept public comment - Tuesday, November 7, 2023 at 7 p.m.

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Staff Recommendation - Refer to motion sheet(s).

Item pulled and rescheduled for a future Council meeting.

3. Ordinance: Affordable Housing Incentives

The Council will consider adopting an ordinance amending various sections of Title 21A of the *Salt Lake City Code* establishing a chapter for zoning incentives and adding affordable housing incentives. The proposed amendments would incentivize and reduce barriers for affordable housing. The incentives would include administrative design review and additional building height in various zoning districts, planned development requirement modifications, removal of the density requirements in the RMF zoning districts, and additional dwelling types in various zoning districts. Other sections of Title 21A – Zoning may also be amended as part of this petition. The changes would apply Citywide. The City Council may consider modifications to other related sections of the code as part of this proposal. Petition No.: PLNPCM2019-00658.

For more information visit tinyurl.com/AffordableHousingIncentives.

FYI – Project Timeline: (subject to change per Chair direction or Council

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discussion)

Briefing - Tuesday, September 19, 2023; Tuesday, October 3, 2023; Tuesday, October 10, 2023 and Tuesday, November 7, 2023

Set Public Hearing Date - Tuesday, October 3, 2023

Hold hearing to accept public comment - Tuesday, October 17, 2023 at 7 p.m.

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Staff Recommendation - Refer to motion sheet(s).

Council Member Dugan thanked the community for their involvement and thanked fellow Council Members for being open to other discussions.

Council Member Petro thanked Council Member Dugan for advocating for home ownership in the City and urged the rest of the community to get involved in the conversation about housing.

Council Member Puy applauded the community and Council for coming to an agreement that would benefit the residents and the future of the City.

Council Member Wharton thanked the community and City employees for all their efforts on this ordinance and expressed excitement for the future development.

Council Member Valdemoros expressed excitement for the growth in Salt Lake City and commended the Council for being proactive in future development.

Council Member Mano thanked staff and everyone involved for creating this ordinance and being able to collaborate and complete the incentive this year.

Motion:

Moved by Council Member Petro, seconded by Council Member Young to adopt Ordinance 74 of 2023 establishing a chapter for zoning incentives and adding affordable housing incentives in City code.

I further move the Council to initiate a legislative action requesting the Administration work with the Attorney's Office to draft an ordinance that:

- Clarifies City code to ensure that construction work does not damage adjacent properties.**
- Establishes penalties to deter damage from occurring.**
- Defines a process for the City to effectively enforce City code in situations where damage occurs.**
- Outlines a process to remediate situations when damage occurs.**

I further move the Council request that the Administration transmit a report to the Council outlining the implementation plan to administer and enforce the Affordable Housing Incentives program by April 30, 2024.

AYE: Ana Valdemoros, Alejandro Puy, Chris Wharton, Darin Mano, Sarah Young, Victoria Petro

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NAY: Daniel Dugan

Final Result: 6 – 1 Pass

4. Ordinances: Form Based Urban Neighborhood Zoning Text Amendments (Fleet Block Rezone and Public Square Designation)

The Council will consider adopting an ordinance that would create the Form-Based Mixed Use 11 (FB-MU11), previously titled Form-Based Urban Neighborhood 3 or FB-UN3, as well as an ordinance that would amend the zoning map to apply the FB-MU11 to the fleet block property. The ordinance would also establish the southeast portion of the block as a public square in Title 15. The fleet block property is between 800 South and 900 South Streets and 300 West and 400 West Street. Form-Based code focuses on the form and appearance of buildings. It has more regulations that control those aspects of development than traditional zones. The proposal would apply regulations such as building design, height, bulk, use, and other development standards and land uses. Consideration may be given to rezoning the property to another zoning district with similar characteristics. Other sections of Title 21A – Zoning may also be amended as part of this petition. A portion of the fleet block property will also be added to the City's public square inventory identified in Title 15. Petition No.: PLNPCM2019-00277

For more information on this item visit tinyurl.com/SLCFleetBlock.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, July 18, 2023

Set Public Hearing Date - Tuesday, August 8, 2023

Hold hearing to accept public comment - Tuesday, September 5, 2023 at 7 p.m.

TENTATIVE Council Action - Tuesday, December 5, 2023

Staff Recommendation - Refer to motion sheet(s).

Council Member Puy expressed excitement for this ordinance to create more open space and thanked the community for their input on the ordinance throughout the process.

Motion:

Moved by Council Member Puy, seconded by Council Member Valdemoros to adopt Ordinance 75 of 2023 that:

- 1. Establishes the Form Based Mixed Use 11 zoning district, and**
- 2. Rezones the Fleet Block to Form Based Mixed Use 11**

I further move the Council adopt an ordinance that establishes the southeast portion of the block as a public square in Title 15, pursuant to the boundaries included in the ordinance.

I further move the Council adopt a legislative action requiring a restrictive covenant be recorded against the property that identifies that area of the fleet block as a public square.

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AYE: Ana Valdemoros, Alejandro Puy, Chris Wharton, Daniel Dugan, Darin Mano, Sarah Young, Victoria Petro

Final Result: 7 – 0 Pass

D. COMMENTS:

1. Questions to the Mayor from the City Council.
There were no comments.
2. Comments to the City Council. (Comments are taken on any item not scheduled for a public hearing, as well as on any other City business. Comments are limited to two minutes.)

Levy Woodruff spoke regarding the Fleet Block rezone, the current housing issues in the area and requested the neighborhood voices be heard.

Rae Duckworth spoke regarding police brutality and the affordable housing crisis surrounding the Fleet Block murals and memorials.

Tim Dwyer spoke regarding the Fleet Block rezone and parking considerations, and applauded the City for listening to the community's needs.

Karina McLellan spoke on behalf of The Work Activity Center, described the services and programs they provide to the community and those with disabilities.

Cindy Cromer spoke regarding the extent of authority of City boards and commissions and offered suggestions regarding future nominees for City boards and commissions.

Kristina Robb thanked the Council for listening to the community's concerns, comments, and suggestions in the affordable housing ordinance.

Ilana Raskind spoke on the Fleet Block rezone and urged the Council to listen to the public request about the community square being used for resources for the residents.

Wendy Garvin expressed concern regarding empty housing in the City that was not being filled while people are dying and freezing on the street.

E. NEW BUSINESS:

1. **Resolution: Recertifying the Salt Lake City Justice Court**
The Council will consider approving a resolution requesting the recertification of the Justice Court of Salt Lake City in order to provide for the Court's continued operation.

FYI – Project Timeline: (subject to change per Chair direction or Council

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discussion)

Briefing - Tuesday, December 5, 2023

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

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Staff Recommendation - Refer to motion sheet(s).

Motion:

Moved by Council Member Wharton, seconded by Council Member Dugan to adopt Resolution 34 of 2023 requesting the recertification of the Salt Lake City Justice Court by the Board of Justice Court Judges and the Utah Judicial Council.

AYE: Ana Valdemoros, Alejandro Puy, Chris Wharton, Daniel Dugan, Darin Mano, Sarah Young, Victoria Petro

Final Result: 7 – 0 Pass

F. UNFINISHED BUSINESS:

1. Ordinance: Local Business Direct Assistance ARPA Grant Awards

The Council will consider adopting an ordinance that would approve the disbursement of local business direct assistance grant awards from the City's American Rescue Plan Act (ARPA) fiscal recovery funds. A business needs to show an economic hardship caused by the pandemic and meet other eligibility and compliance standards per federal ARPA guidance.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, November 14, 2023

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, December 5, 2023

Staff Recommendation - Refer to motion sheet(s).

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Motion:

Moved by Council Member Petro, seconded by Council Member Dugan to adopt Ordinance 76 of 2023 approving American Rescue Plan Act local business direct assistance grant awards and contingency as shown in the Exhibit A Funding Log.

AYE: Ana Valdemoros, Alejandro Puy, Chris Wharton, Daniel Dugan, Darin Mano, Sarah Young, Victoria Petro

Final Result: 7 – 0 Pass

2. Resolution: Local Nonprofit Direct Assistance Grant Awards

The Council will consider approving a resolution that would approve the disbursement of local nonprofit direct assistance grant awards. The Council will review the Community Recovery Committee's funding recommendations of twenty-three applicants for the \$2,000,000 of available one-time awards.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, October 17, 2023 and Tuesday, November 14, 2023

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, December 5, 2023

Staff Recommendation - Refer to motion sheet(s).

Motion:

Moved by Council Member Dugan, seconded by Council Member Young to adopt Resolution 35 of 2023 approving local nonprofit direct assistance grant awards and contingency as shown in the Exhibit A Funding Log.

AYE: Ana Valdemoros, Alejandro Puy, Chris Wharton, Daniel Dugan, Darin Mano, Sarah Young, Victoria Petro

Final Result: 7 – 0 Pass

3. Ordinance: Economic Development Revolving Loan Fund – Ocean City Seafood Market

The Council will consider adopting an ordinance that would approve a \$90,000 loan for Ocean City Seafood Market at 1701 South State Street from the Economic Development Loan Fund (EDLF). Ocean City Seafood Market is a local grocer specializing in Asian foods, international foods, and seafood. This loan will assist in the creation of one new job in the next year and the retention of three current jobs.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, November 14, 2023

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Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

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Staff Recommendation - Refer to motion sheet(s).

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Motion:

Moved by Council Member Petro, seconded by Council Member Wharton to adopt Ordinance 77 of 2023 approving a \$90,000 loan for Ocean City Seafood Market from the Economic Development Loan Fund.

AYE: Ana Valdemoros, Alejandro Puy, Chris Wharton, Daniel Dugan, Darin Mano, Sarah Young, Victoria Petro

Final Result: 7 – 0 Pass

G. CONSENT:

1. Grant Holding Account Items (Batch No.2) for Fiscal Year 2023-24

The Council will consider approving Grant Holding Account Items (Batch No. 2) for Fiscal Year 2023-24.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - n/a

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

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Staff Recommendation - Approve.

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2. Board Appointment: Transportation Advisory Board – Matt Gray

The Council will consider approving the appointment of Matt Gray to the Transportation Advisory Board for a term ending September 28, 2026.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, December 5, 2023

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, December 5, 2023

Staff Recommendation - Approve.

3. Board Appointment: Citizens Compensation Advisory Committee (CCAC) – J. Clair Baldwin

The Council will consider approving the appointment of J.Clair Baldwin to the Citizens Compensation Advisory Committee for a term ending December 5, 2027. This is a Council-appointed position, therefore an Administrative Recommendation letter is not included.

FYI – Project Timeline: (subject to change per Chair direction or Council discussion)

Briefing - Tuesday, December 5, 2023

Set Public Hearing Date - n/a

Hold hearing to accept public comment - n/a

TENTATIVE Council Action - Tuesday, December 5, 2023

Staff Recommendation - Approve.

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Motion:

Moved by Council Member Wharton, seconded by Council Member Dugan to approve the Consent agenda.

AYE: Ana Valdemoros, Alejandro Puy, Chris Wharton, Daniel Dugan, Darin Mano, Sarah Young, Victoria Petro

Final Result: 7 – 0 Pass

H. ADJOURNMENT:

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Meeting adjourned at 8:08 pm

Minutes Approved:

City Council Chair Darin Mano

City Recorder

Please refer to Meeting Materials (available at www.data.slcc.gov by selecting Public Body Minutes) for supportive content including electronic recordings and comments submitted prior to or during the meeting. Websites listed within the body of the Minutes may not remain active indefinitely.

This document along with the digital recording constitutes the official minutes of the City Council Formal meeting held Tuesday, December 5, 2023 and is not intended to serve as a full transcript. Please refer to the electronic recording for entire content pursuant to Utah Code §52-4-203.