

Compatibility Zoning: What is it? What you can do with it?

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Our focus will be on all aspects of the process that led to the newly adopted SR-1A zone in the Avenues and Capitol Hill areas.

1. Issues leading communities to seek changes to zoning regulations.
2. How communities have approached identifying areas that may benefit from zoning modifications
3. Identifying aspects of an area's zoning regulations that may need attention.
4. Key characteristics of the "tiered permitting process" implemented in Salt Lake City in December, 2005.

Issues leading communities to seek changes to zoning regulations.

How do you know that you have a problem (Joel)?

- Complaints from existing property owners (usually in the direction of frustration with something that is being done but may also include frustration at not being able to do something)
- Challenges at the permits counter, etc.
- Lack of investment

What is typically driving current zoning problems?

- Rapidly increasing property values
- Weak or outdated zoning regulations
- Clash of views, "Community or Commodity"
- The sense that there is a lack of predictability

Identifying areas that may benefit from zoning modifications

- There is no ONE correct approach.
- Solicit input from a variety of interested parties
 - ALL property owners and residents
 - Community councils
 - City and County officials
 - Planning Staff
 - Architects
 - Contractors
 - Developers
- Approach will depend upon the nature of the problem as well as the nature of the area(s) being impacted.

- Is the area relatively homogenous or diverse?
 - Avenues SR-1 area is very diverse
 - May require modifications to permitting process
 - Yalecrest R-1-5000 area is much more homogenous
 - Modifications to zoning standards (overlay) may address issues
- Is the problem localized or widespread?
 - Widespread issues may require modification to administration, permitting process, or dimensional restrictions
 - Issues only impacting limited area may require narrow adjustment of dimensional zoning restrictions
- Often, problems are a combination of issues including administration, process and base dimensional limits.

Identifying aspects of an area's zoning regulations that may need attention.

- Do the characteristics of an area reflect the basic zoning requirements of the existing ordinance?
 - SR-1A – minimum 50 foot lot width
 - 85% of the existing properties are narrower than 50 feet
 - Lot coverage – allowed coverage versus typical existing coverage

Key characteristics of the “tiered permitting process”

Three tiered permitting process

- Tier One - Counter permit limits set to provide predictability for all residents. Tier one limits are set at a level that would assure nearly all qualifying projects would have little or no adverse impact on adjacent property owners.

The goal of the first tier is to encourage permit applicants to minimize the impact of their projects on the neighboring properties and the character of the community. The first tier is also intended to provide a quick and efficient way for the permit office to approve what is hoped would be a majority of permit applications.

- Tier Two - Administrative Public Hearing – faster, less expensive and less stringent burden of proof than BOA but still creates forum for assessment of impact on adjacent property owners.

Tier Two provides a mechanism to gain approval for those projects that would exceed the strict limits of tier one but that would remain consistent with the structures already in existence on the street.

- Tier Three - Board of Adjustment – Applicant must show hardship, more expensive and more time consuming. Tier three would provide a thorough review of those projects that are likely to significantly impact neighboring properties and potentially change the character of the community.

Key characteristics of the “tiered permitting process” implemented in Salt Lake City in December, 2005.

- Three tiered permitting process
 - Tier One - Counter permit limits set to provide predictability for all residents

The goal of the first tier is to encourage home owners interested in making exterior modifications to their houses and outbuildings to minimize the impact of those modifications on the neighboring properties and the character of the community. The first tier is also intended to provide a quick and efficient way for the permit office to approve what is hoped would be a majority of permit applications.

Tier one would define a relatively restrictive list of limits regarding building height, front, side and back setbacks, building volume, lot coverage, etc. Proposed projects that remain within these limits would be eligible for a “counter permit,” simply by showing that the modified buildings would remain within the tier one limits.

Outbuildings would be limited to a reasonable size to accommodate two average sized cars (perhaps 20 feet by 20 feet with a maximum exterior wall size of eight feet and a maximum 4/12 roof pitch). Out buildings exceeding the tier one limits would require the more involved approval process of tier two (routine and uncontested special exception – adjoining neighbors approval) or tier three.

- Tier Two - Administrative Public Hearing – faster, less expensive and less stringent burden of proof than BOA but still creates forum for assessment of impact on adjacent property owners.

Tier Two provides a mechanism to gain approval for those projects that would exceed the strict limits of tier one but that would remain consistent with the structures already in existence on the street.

Tier two would require property owners to collect a clearly defined set of measurements from surrounding properties to show that the project they are proposing does not differ significantly from nearby structures already in existence.

The comparison properties could be defined as those properties on the same side of the street with similar front yard orientations as the proposed project property. The comparison properties would also include and be limited to the properties falling between the two closest cross streets on either side of the project property.

Comparison measurements include front setback, building height, side setback, and rear setback.

- Tier Three - Board of Adjustment – Applicant must show hardship, more expensive and more time consuming.

Tier three would provide a thorough review of those projects that are likely to significantly impact neighboring properties and potentially change the character of the community.

By definition, tier three projects exceed the height, volume, setbacks, etc. of the surrounding buildings and community. Because of their potential to significantly impact neighboring properties and permanently change the character of the community, approval of tier three projects would be granted only after thorough review of all specifications and a complete hearing of the community members' comments and concerns.

Approval for tier three projects could require that exemptions signed by ALL neighbors living within a given distance of the project property be obtained by the project owner. It is conceivable that it would also be necessary to seek the approval of the Board of Adjustment. Approval by the Board of Adjustment could be required in addition to the requirement to obtain signed exemption from ALL neighbors' within the specified distance or the Board's approval could be sought in the event that a neighbor refuses to sign the exemption but the project owner wishes to appeal the neighbors' denial. At a minimum, any project approved by the Board of Adjustment over a neighbor's objection would have to demonstrate that all steps have been taken to minimize the impact of the project on all neighbors, even when that requires modifications to the project that significantly impact the project owner.

Tier three would include all projects not qualifying under tier two. Some consideration should be given to setting dimensional or percentage limits that would move a project to tier three.

<http://www.slc-avenues.org/housing.htm>

Maps	
See HCC Final Overlay Documents below for maps to be submitted with the Overlay request.	
Doc ID	Description
001	Avenues SR-1 Zoning Map (127 kb gif)
002	Avenues All Zones Map (1.2 mb pdf from the SLC Planning website)
003	Updated SR-1 Zoning Map (756 kb pdf) including Avenues and Capitol Hill

Salt Lake City Planning Documents	
Doc ID	Description
100	Newly Adopted City-Wide Infill Ordinance (1209 kb pdf) Text of new infill document. Includes only those sections of code that were modified, added, or deleted. See Doc 103 for final version of document.
102	Temporary Infill Restrictions for SR-1 and Wasatch Hollow Areas (179 kb pdf) These temporary restrictions will expire in July 2006. They apply to the SR-1 area north of South Temple and east of I-15 and the R-1/5000 and R-1/7000 districts of Wasatch Hollow (the area from 1300 East to 1900 East and 1300 South to 1900 South). See Doc 104 for final version of document.
103	Newly Adopted City-Wide Infill Ordinance (1350 kb pdf). Final document signed by the Mayor.
104	Temporary Infill Restrictions for SR-1 and Wasatch Hollow Areas (223 kb pdf). Final document signed by the Mayor.
105	Letter to GACC from the Planning Department (95 kb pdf) --Outlines the requirements for an overlay.
106	Avenues Master Plan (10278 kb pdf from the SLC Planning website) , adopted July 1987.
107	Compatible Residential Infill Development Process (2075 kb pdf from the SLC Planning website) --How to use the new ordinance (documents 108 and 109 below)
108	Ordinance 90 of 2005-Infill Ordinance (1350 kb pdf from the SLC Planning website)
109	Ordinance 91 of 2005-Avenues, Capitol Hill, and Wasatch Hollow temporary restrictions (223 kb pdf from the SLC Planning website)
110	GACC HHCC Response (86 kb pdf) to the Planning Department recommendations
111	Planning Department response to the submitted Overlay Proposal (94 kb pdf) as presented at the 3/31/2006 meeting
112	Planning Department recommendations to be submitted at the 4/12/2006 Planning Commission hearing (96 kb pdf)
113	Planning Department Presentation at the 4/12/2006 Planning Commission hearing (773 kb pdf)
114	Ordinance 26 of 2006-Avenues and Capitol Hill SR-1A Overlay Zone (387 kb pdf)
115	Planning Department Presentation at the 6/15/2006 Open House (7006 kb pdf)

HCC Working Documents	
Doc ID	Description

200	HCC time line for an Overlay permit (36 kb pdf) Time line for completing an overlay before the current temporary ordinance expires.
201	Current Temporary Ordinances for the Avenues SR-1 zone (131 kb pdf)

HCC Final Overlay Documents	
Doc ID	Description
400	Letter to Joel Patterson requesting Planning Department surveys of example properties (24 kb pdf) -- Document 401 is a map of the requested properties and 402 is a table with the exact addresses.
401	Map of Planning Department Survey Request Properties (529 kb pdf)
402	Chart With Addresses of Planning Department Survey Properties (56 kb pdf)
403	Avenues SR-1 Inventory Criteria/Codes used on Maps (62 kb pdf)
404	Avenues SR-1 Inventory by building height (2091 kb pdf)
405	Avenues SR-1 Inventory of Flat Roofs (1056 kb pdf)
406	Avenues SR-1 Inventory of garages attached to front facade (1080 kb pdf)
407	Avenues SR-1 Overlay Summary--as of 2/23/06 (60 kb pdf)
408	Avenues SR-1 Overlay Counter Permit Dimensional Restrictions (141 kb pdf)
409 410	Avenues SR-1 Overlay Proposal (409-3447 kb pdf, 410-4225 kb pdf) - This is the package submitted to the Salt Lake City Planning Department on 3/6/2006. Document 409 is the main section, 96 pages, of the proposal and document 410 contains 3 maps referenced in the proposal.
411	Minutes of a meeting between Salt Lake City Planning and representatives of the Avenues HCC and Capitol Hill HCC (73 kb pdf)
412	GACC HHCC Response (86 kb pdf) to the Planning Department recommendations

Infill Scenarios	
Doc ID	Description
500	40% Lot Coverage example (119 kb pdf) -- Drawings illustrating an addition that would reach the 40% maximum lot coverage for an over-the-counter permit.
501	Interior Lot Side Setback example -- Drawings illustrating the proposed set back rules for an over-the-counter permit.
502	Accessory Building (detached garages and other structures not attached to the main building) example -- Drawings illustrating the proposed Accessory building rules for an over-the-counter permit.

Capitol Hill Documents	
Doc ID	Description

CH100	Capitol Hill All Zones Map (650 kb pdf from the SLC Planning website)
CH101	Capitol Hill-Avenues SR-1 Map (756 kb pd)
CH102	SR-1 Inventory Criteria/Codes used on Maps (62 kb pdf)
CH103	Capitol Hill SR-1 Inventory by building height (2120 kb pdf)
CH104	Capitol Hill SR-1 Inventory of Flat Roofs (1991 kb pdf)
CH105	Capitol Hill SR-1 Inventory of garages attached to front facade (1991 kb pdf)
CH106	Minutes of a meeting between Salt Lake City Planning and representatives of the Avenues HCC and Capitol Hill HCC (73 kb pdf)
CH107	Capitol Hill Master Plan There are two documents on this page, one for the Master Plan and one for the Future Land Use Plan

News articles and links	
Doc ID	Description
600	Salt Lake City Historic Landmarks Commission
601	Utah Heritage Foundation
602	Salt Lake City Planning and Zoning Home Page
602-A	Salt Lake City Planning and Zoning -- Forms and Information/Instructions --This web page has links to forms and information about Compatible Infill, Historic Landmarks, Board of Adjustment and many others.
603	Salt Lake City Planning Commission
604	Capitol Hill Community Council
605	Salt Lake City's Community Council web page
606	Wasatch Hollow Proposed Overlay Flyer