



## Item 6.a

AT-22-001 and AT-22-002, Master Fee  
Schedule Update, and Policy Statement  
Update

## | Background

- AT-22-001 and AT-22-002
  - **AT-22-001 - Updates related to residential development** including regulations for **SB 9 developments**
  - **AT-22-002 – Updates to add Seasonal Sale Lots to CF Zoning District** to facilitate continued operation of existing tree lot at Logan High School and related updates to Chapter 18.54
  - Both amendments brought up together to increase efficiencies although reviewed at two different PC meetings
- Related action to **update the Master Fee Schedule** to add fees for **ministerial review of SB 9 projects**
- Related action to **update Policy Statement** for Regulation of Seasonal Sales Lots to **reflect allowance in CF Zoning District**

## | Senate Bill 9

Senate Bill (SB) 9 became effective on January 1, 2022 and allows:

- Ministerial approval of SB 9 Housing developments requests
  - Up to 4 residences and a lot split allowed on an existing single-family lot
- Only objective standards can be applied
- The City adopted an urgency ordinance (Ordinance 892-21) on November 23, 2021





# |Chapter 18.31: SB 9 Subdivisions and Development Projects

## ***18.31.090 Objective Development Standards***

- Setbacks
- Height
- Lot Coverage
- Parking
- Ability to Rent Unit

## ***18.31.110 Objective Design Standards***

- Roof Form and Detailing
- Building Facades and Materials
- Windows and Glazing
- Principal entrance standards

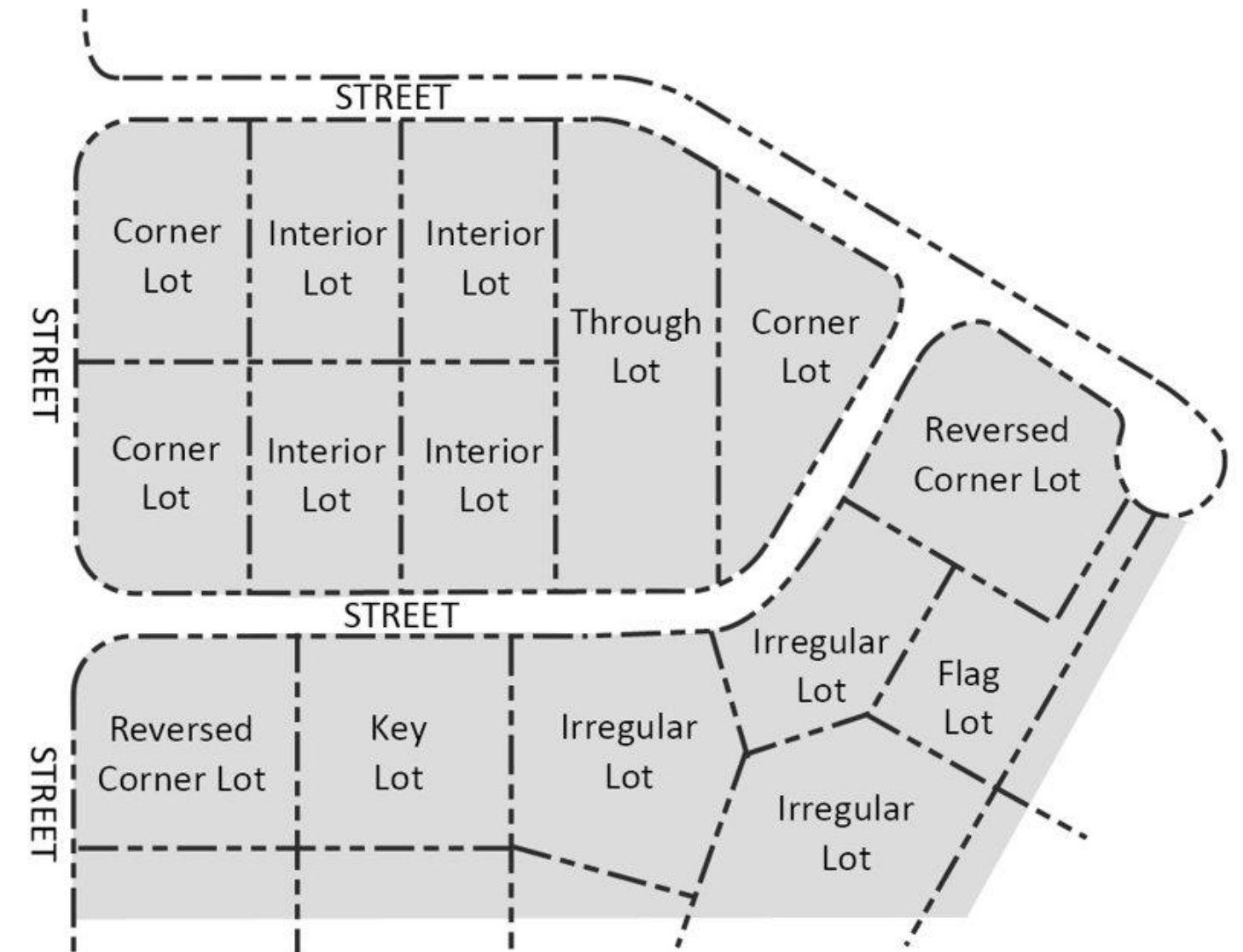




# |Chapter 18.31: SB 9 Subdivisions and Development Projects

## ***18.31.100 Objective Subdivision Standards***

- SB Lot split – No more than two parcels
  - Cannot exceed a 60/40 split (the second parcel cannot be smaller than 40 percent of the original parcel)
- Flag lots – Only allowed if a conventional lot does not allow a parcel of at least 1,200 square feet or a unit of at least 800 square feet
- Driveway Standards – 12 feet paved, except where greater width is required for Fire Department access



# | Chapter 18.32/18.24/18.100 Updates

Reflects ongoing effort to update and clarify City's standards for residential development to further streamline City review and to reflect existing practices

- Align objective design standards for SB 9 developments, ADUs, and single-family residential developments.
  - Provide greater clarity in evaluating design features
- Clarify requirements for accessory structures, retaining walls, home occupations, and parking
- Minor update to Chapter 18.24, Bulk Regulations, and 511 Zoning District for consistency





# Chapter 18.32: Residential Districts

## ***18.32.020 Permitted uses***

- Manufactured home design criteria
- Microenterprise Home Kitchen Operation (MEHKO)
- Accessory Structures

## ***18.32.040 Walls Fences and Hedges***

- Added requirements for retaining walls

## ***18.32.045 Decks and Balconies***

- Clarify requirements for decks and balconies to address privacy concerns





## ***18.32.125 Design Criteria***

- Added objective design standards; very similar to SB 9 Chapter
- Relocated existing standards for manufactured homes to this section

## ***8.32.160 Off-street parking***

- Tandem spots – Added size requirements
- Clarified required unobstructed dimensions for parking spaces



# | Chapter 18.34: Accessory Dwelling Units

- Align objective design standards for SB 9 developments, ADUs, and single-family residential developments
- Responds to feedback received from the State Housing and Community Development Department (HCD)
- Minor updates to address formatting and wording



# | Chapter 18.72: Administrative Site Development (ASD) Review

Ongoing effort to streamline the City's Review process

- Update applicability and criteria
- Minor updates to address consistency
- Clarify procedures/submittal requirements to reflect current practice of referring ASDs to PC when project is a matter of public interest



# | Chapter 18.50 and 18.54 Updates

## **Chapter 18.50 – Civic Facilities (CF)**

- Conditionally allow seasonal sales lots (sale of holiday trees and pumpkins) in the CF Zoning District (includes City owned properties and other public entities including USD and NHUSD)
- Use subject to AUP (similar to A and PI Zoning Districts)

## **Chapter 18.54 - Administrative Use Permit**

- Updates related to addition of Seasonal Sales Lots in CF



# | Policy Statement Update

- Seasonal sales lots are subject to the provisions of the *Policy Statement For Regulation of Seasonal Sales Lots*
- The Policy Statement includes operational requirements for Seasonal Sales Lots
- Policy Statement updated to reflect addition of seasonal sales lots in CF Zoning District





# | Master Fee Schedule Update

Staff recommends the following fees

- Planning Division - SB 9 Ministerial Review (Per Unit): **\$3,946**
- Planning Division - SB 9 Ministerial Urban Lot Split Review: **\$3,946**
- Public Works Department – SB 9 Urban Lot Split: **\$6,807**

Staff took into consideration the estimated amount of time necessary to complete the review for similar types of projects.

# | Planning Commission Review (AT-22-001)

Planning Commission held a Study Session at its July 21, 2022 meeting and a Public Hearing on August 18, 2022 to review Residential Zoning amendments

- PC asked clarifying questions and provided feedback
- PC recommended minor updates to the proposed amendments
- Updated language reflected in Exhibit A provided to CC

Planning Commission recommended approval on a 5-0 vote



## | Planning Commission Review (AT-22-002)

Planning Commission held a public hearing at its September 1, 2022 meeting for seasonal sales lot amendments

- PC asked clarifying questions and provided feedback
- PC recommended minor updates to the proposed amendments
- Updated language reflected in Exhibit A provided to CC

Planning Commission recommended approval on a 4-0 vote

## | Recommendation

Consistent with the Planning Commission recommendation, staff recommends the City Council make the following motion:

- Motion that the City Council hold a public hearing, introduce the attached Ordinance approving AT-22-001 and AT-22-002. adopt a Resolution Amending the Master Fee Schedule to add fees for ministerial review of SB 9 Development Projects and adopt a Resolution Amending the Policy Statement for the Regulation of Seasonal Sales Lots for consistency with the proposed amendments