



4/15/2009

Millcreek Township Planning Commission
% Salt Lake County
Planning and Development
2001 South State Street
Suite N3600
Salt Lake City, UT 84190-4050

Re: East Mill Creek Community Council Recommendation –
Millcreek Township Residential Infill (MTRI)

Dear Commissioners:

Based on a subsequent motion and vote at our regularly scheduled meeting April 2, 2009, East Millcreek Community Council (EMCCC) reaffirms our Feb. 19, 2009 recommendation to have East Mill Creek area released from the Millcreek Township Residential Infill overlay proposal (MTRI).

EMCCC recognizes that our community has diverse perspectives on this issue. Appropriately, EMCCC has given extraordinary effort and time to gather public input and deliberate this issue.

As requested, to help the Planning Commission better understand the thought process behind our recommendation, EMCCC has supplied the following:

1) Public input that EMCCC gathered was adverse to MTRI.

The majority of East Mill Creek residents who our Members communicated with; provided to our Council written and verbal comment, or completed an informal on-line survey, indicated that they preferred the current zoning ordinance or had serious concerns with the MTRI and/or felt MTRI was too restrictive.

2) Lack of MTRI to include important concepts previously recommended by EMCCC.

Previous recommendations made by EMCCC (July 7, 2008) were not effectively incorporated into MTRI (see specifically height, story pole height).

3) The overly restrictive nature of MTRI.

MTRI is too restrictive regarding building height, side yard setbacks and encroachments (see EMCCC previous recommendations on these specific items dated July 7, 2008).

4) The extremely subjective concept: 'compatibility'.

Compatibility as proposed by MTRI, is not necessarily desirable for areas like EMC that already have diverse housing inventories. Concepts like "compatible" or "in harmony with" are so subjective that definition of, and administration of such, are not feasible.

5) Diversity in the existing housing inventory and consideration for terrain is not adequately addressed.

Based on the diversity of inventory and terrain in neighborhoods within East Mill Creek and in different community council areas, a single overlay approach is not appropriate. EMC area has substantial terrain variations (hills) and many irregularly shaped lots.

6) Possible special needs of EMC Historic District.

MTRI fails to address special needs of East Mill Creek's historic district (see EMCCC Feb. 19, 2009 recommendation for an EMC overlay). This could include special considerations for the Historic District.

7) Ineffective treatment of core planning issues.

MTRI does not deal effectively with core issues: building footprint, mass and scale, blank walls or the "billboard effect" and garages (see EMCCC recommendation July 7, 2008 for specific ways to address these issues). MTRI cannot effectively address residents' concerns regarding loss of privacy and views.

8) Option B's narrow scope does not allow for reasonable neighborhood growth and revitalization.
"Option B" as proposed in MTRI, is onerous and unfeasible.

9) MTRI does not encourage diverse housing options, retention of growing families, prevention of blight or protection of property rights.

MTRI runs contrary to desired community values and goals of welcoming and encouraging a diverse population (diverse populations need diverse housing options), including, retention of growing families, prevention of blight, and protection of property rights. Any zoning ordinance amendment should strongly encourage these values.

10) MTRI risks loss of property values and loss of tax base.

The restrictive nature of MTRI fails to enhance and preserve property values and our vital tax base. Increased setbacks, severe reduction of home size potential along with limiting design options, narrows market segment, thereby reducing market and appraisal value, as well as reducing tax base. Reduction in property value is particularly undesirable and as it harms populations that depend on home equity – especially our large senior segment.

11) PUD density issues need to be addressed separately.

Many housing concerns are rooted in P.U.D. density via the county's current P.U.D. ordinance. While P.U.D.s may be desirable, the issue is complex. Further investigation and the adjustment of P.U.D code may be more effective in addressing community concerns than restricting zoning ordinances for all areas.

12) MTRI has been conceived without professional evaluation of scope or impact.

To date Salt Lake County Planning has not provided accurate information regarding the number of teardowns and major remodels over the last three years; or accurate data regarding their footprints and ridge heights. County Planning has not provided modeling or professional analysis of new construction regarding public safety, property values, revitalization cycles and goals or light and space. These evaluations are prerequisites to forming effective zoning changes that best serve the community and individual residents.

EMCCC has dedicated more time and gathered more community input than most community councils within our Township. We believe that it is in the best interest of our residents to withdraw from MTRI.

It is the intent of EMCCC to continue to work on this issue per our previous recommendation 2/19/09 (. . . *EMC reserves the right to make recommendations for an East Mill Creek overlay*) and to submit recommendations for an EMC area overlay.

Respectfully,



Leslie Riddle
EMCCC