

COUNCIL TRANSMITTAL

TO: Rocky Fluhart, Chief Administrative Officer **DATE:** July 28, 2004

AUG - 5 2004

FROM: Lee Martinez, Community Development Director

RE: Petition 400-00-52: A request from Salt Lake City Mayor Rocky Anderson (via the Department of Community Development) that parking lots be required to be located behind buildings, and not occupy street frontage, in all community-oriented commercial and mixed-use zoning districts.

STAFF CONTACT: Doug Dansie, Principal Planner 535-6182

RECOMMENDATION: That the City Council schedule a briefing and a public hearing regarding the proposed zoning text amendment.

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

DISCUSSION: The formal petition was initiated by the Salt Lake City Administration on September 14, 2000. The Salt Lake City Council and Planning Commission have previously reviewed **Petition 400-00-52** between October 2000 and spring 2003. As part of that review, comments were received from the business community and modifications were made. In its review of the petition, the Salt Lake City Council requested that a consultant provide Planning staff with input regarding the proposed ordinance and asked that the Planning Commission consider integrating the comments into the petition. In response, the Planning staff has prepared a revised ordinance that is designed to simplify the process when adherence to the technical requirements of the ordinance is not practical.

Analysis: The consultant for the City Council suggested to the Council that although the ordinance would work in its present form, Salt Lake City may wish to consider making the transition to a full fledged performance zoning code to incorporate design elements.

The costs of changing the entire zoning code to a performance based code are prohibitive at this time; therefore staff has reorganized the original ordinance to provide an alternative to the traditional conditional use procedure and to initiate a minimal design review approach, to be reviewed by the Planning Commission, for those instances where strict application of the code is impractical. The attached proposed ordinance is near identical in wording to the original proposed ordinance with the addition of a new Chapter 59. Because the primary issues involve site design, not land use, the new chapter

sets up a design review process and design criteria to provide flexibility in meeting the intent of the code while eliminating the standards outlined in the conditional use process (which generally apply to land use, not design).

Upon review of the original staff report, the current proposal is consistent with the original findings (as outlined in the attached original staff report). The current proposal was presented at an open house on May 26, 2004. No comments were received at the open house. The proposal was originally routed to other departments. It was not routed in its present form because all changes relate to procedural issues.

Master Plan:

The Urban Design Element encourages the maintenance of a pedestrian-oriented environment at the ground floor of all buildings.

Public Process:

The petition was routed through the entire public process between October 2000 to spring 2003. The City Council returned the petition to the Planning Commission for review.

On May 26, 2004, the Planning Staff held an open house to distribute information and receive comment regarding the new proposal.

On June 9, 2004, the Planning Commission held a public hearing. Based upon the findings in the original petition, the re-evaluation according to the current proposal and the responses received regarding the modification, the Planning Commission is forwarding a positive recommendation to the City Council to amend the zoning ordinance as proposed.

Relevant Ordinances: Amendments to the Zoning ordinance are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance. As detailed in Section 21A.50.050. "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard." It does, however, list five factors which should be analyzed prior to rezoning property (Section 21A.50.050 A-E).

Based on these five factors, staff analyzed master plan considerations, existing and potential future development in the immediate vicinity, impacts to adjacent properties, applicable overlay zones, the adequacy of existing services and facilities. The Planning Commission based its decision on these criteria; finding that the amendment meets the criteria.

Note: The original petition was transmitted in 2002 and is not included in this package. June 9, 2004 staff report contains previous staff reports and minutes.

CONTENTS

- 1 Chronology
- 2 Proposed Ordinances
- 3 City Council Public Hearing
 - Notice
 - Mailing list
- 4 Planning Commission Hearing
 - Original Notice and Postmark
 - Staff reports
 - (June 9, 2004 staff report contains previous staff reports and minutes)
 - Agenda
 - Minutes
- 5 Original Petition
 - (The original petition was transmitted in 2002 and is not included in this package)

1 Chronology

Chronology

October 5, 2000	The issue was presented to the Community Council Chairs at their monthly meeting with the Mayors Office.
November 2, 2000	The public hearing was advertised in the Salt Lake Tribune and Deseret News.
November 16, 2000	Planning Commission held a public hearing regarding the issue.
Dec. 2000 - Jan. 2001	Various real estate organizations were briefed: • Prime Realty (1/16-17), • CB Commercial (1/11), • Colliers CRG (12-11), • National Association of Industrial and Office Properties [NAIOP] (1/18), • International Council of Shopping Centers [ICSC] (1/18). The Business Advisory Board was also briefed on multiple dates.
January 18, 2001	The Planning Commission made a final decision and recommendation to the City Council.
January – December 2001	The Administration worked to resolve differences between the proposed ordinance and the business community.
December 13, 2001	The Planning Commission approved a revised ordinance and forwarded a positive recommendation to the City Council to approve Petition No. 400-00-52, amending the RB Residential Business, R-MU Residential Mixed-Use, CN Neighborhood Commercial, CB Community Business, CSHBD Sugar House Business District, MU Mixed Use zones and the SSSC South State Street Corridor Overlay
Autumn 2002 through Spring 2003	The petition was reviewed by Council Staff and consultant.
Spring 2003	The City Council returned the petition to the Planning Division to consider the consultants comments.
May 25, 2004	Notices sent for public hearing.

May 26, 2004

Staff held an open house to discuss new modifications to the ordinance.

June 9, 2004

The Planning Commission held a public hearing and passed a favorable recommendation to the City Council to amend the ordinance.

June 23, 2004

Minutes from the June 9 Planning Commission meeting were ratified.

July 6, 2004

Transmittal submitted to supervisor for review.

~~7/29~~, 2004

An ordinance was received from the Attorney.

2 Proposed Ordinance

SALT LAKE CITY ORDINANCE

No. _____ of 2004

(Amending the Salt Lake City Code to require that parking lots
be located behind buildings, rather than on street frontage,
in all community oriented commercial and mixed use zones)

AN ORDINANCE AMENDING THE SALT LAKE CITY CODE REQUIRING
THAT ALL PARKING LOTS BE LOCATED BEHIND BUILDINGS, RATHER THAN
ON STREET FRONTAGE, IN ALL COMMUNITY ORIENTED COMMERCIAL AND
MIXED USE ZONES, PURSUANT TO PETITION NO. 400-00-52.

WHEREAS, the City is anxious to encourage new development in community
oriented commercial and mixed use zones which would focus upon and emphasize the
buildings' relationship to pedestrians and mass transit, more than to automobiles; and

WHEREAS, the proposed changes to the Salt Lake City zoning ordinance set
forth herein would encourage buildings to be built near the front of the property (rather
than the rear), and would encourage a high degree of interaction with the sidewalk
(windows and doors), and place parking in a secondary position (in the side or rear yard);
and

WHEREAS, the proposed ordinance also allows flexibility for those unique
situations where pedestrian and transit friendly development does not work effectively;
and

WHEREAS, after public hearings before the Planning Commission and the City
Council, the Salt Lake City Council has determined that the proposed changes to the Salt
Lake City zoning code are in the best interest of the City;

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Section 21A.24.160 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.24.160 RB Residential/Business District.

- A. **Purpose Statement.** The purpose of the RB residential/business district is to provide for limited commercial use opportunities within existing residential areas located along higher volume streets while preserving the attractiveness of the area for single-family residential use. Such commercial areas are intended to be primarily pedestrian and transit oriented. Building design should be focused on compatibility with a residential setting.
- B. **Uses.** Uses in the RB residential/business district as specified in the Table of Permitted and Conditional Uses for Residential Districts found at Section 21A.24.190, are permitted subject to the general provisions set forth in Section 21A.24.010 and this section.
- C. **Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.**
- D. **Minimum Lot Area and Lot Width.** The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
1. Single-family detached dwellings	5,000 sq. ft.	50 ft.
2. Two-family dwellings	8,000 sq. ft.	50 ft.
3. Retail goods establishments, when located within an existing building originally designed for residential use	5,000 sq. ft.	50 ft.
4. Retail service establishments, when located within an existing building originally designed for residential use	5,000 sq. ft.	50 ft.
5. Offices, when located within an existing building originally designed for residential use	5,000 sq. ft.	50 ft.
6. A single dwelling unit located above first floor retail or office uses.	Included in principle use.	Included in principle use.
7. Natural open space and conservation areas, public and	No Minimum	No Minimum

private		
8. Public pedestrian pathways, trails and greenways	No Minimum	No Minimum
9. Utility substations and buildings	5,000 sq. ft.	50 ft.
10. Municipal service uses, including City utility uses and police and fire stations	No Minimum	No Minimum
11. Places of worship less than 4 acres in size	5,000 sq. ft.	50 ft.
12. Public/private utility transmission wires, lines, pipes and poles	No Minimum	No Minimum
13. Other permitted or conditional uses as listed in Section 21A.24.190.	5,000 sq. ft.	50 ft.

DE. Maximum Building Height. The maximum building height permitted in this district is thirty feet or two and one-half stories, whichever is less.

EF. Minimum Yard Requirements.

1. **Front Yard.** Twenty percent of lot depth, but need not exceed twenty-five feet. For buildings legally existing on April 12, 1995, the front yard shall be no greater than the existing yard.
2. **Corner Side Yard.** Ten feet. For buildings legally existing on April 12, 1995, the corner side yard shall be no greater than the existing yard.
3. **Interior Side Yard.** Six feet; provided, that on interior lots one yard must be at least ten feet. For buildings legally existing on April 12, 1995, the required yard shall be no greater than the existing yard.
4. **Rear Yard.** Twenty-five percent of the lot depth, but the yard need not exceed thirty feet.
5. **Accessory Building and Structures in Yards.** Accessory buildings and structures may be located in a required yard subject to Part IV, Chapter 21A.36, Section 21A.36.20B, Table 21A.36.020B, Obstructions in Yards.
6. **Parking in required yard area.** No parking is allowed within the front or corner side yard.

FG. Required Landscape Yards. All front and corner side yards shall be maintained as landscape yards.

GH. Maximum Building Coverage. The surface coverage of all principal and accessory buildings shall not exceed fifty percent of the lot area.

HI. Design Standards. All principal buildings constructed or remodeled after April 12, 1995, shall conform to the following design standards:

1. All roofs shall be of a hip or gable design, except additions or expansions to existing buildings may be of the same roof design as the original building;
 2. The remodeling of residential buildings for retail or office use shall be allowed only if the residential character of the exterior is maintained;
 3. The front building elevation shall contain not more than fifty percent glass;
 4. Special sign regulations of Part IV, Chapter 21A.46, Signs;
 5. Building orientation shall be to the front or corner side yard; and
 6. Building additions shall consist of materials, color and exterior building design consistent with the existing structure, unless the entire structure is resurfaced.
 7. **No parking is allowed within the front or corner side yard.**
- IJ. New Nonresidential Construction.** Construction of a new principal building, parking lot or addition to an existing building for a nonresidential use that includes the demolition of a residential structure shall only be approved as a conditional use pursuant to Part V, Chapter 21A.54, Conditional Uses, and subject to the design standards of subsection I of this section; provided, that in such cases the planning commission finds that the applicant has adequately demonstrated the following:
1. The location of the residential structure is impacted by surrounding nonresidential structures to the extent that it does not function as a contributing residential element to the residential-business neighborhood (RB district); and
 2. The property is isolated from other residential structures and does not relate to other residential structures within the residential-business neighborhood (RB district); and the design and condition of the residential structure is such that it does not make a material contribution to the residential character of the neighborhood.
- JK. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.**

SECTION 2. Section 21A.24.170 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.24.170 R-MU residential/mixed use district.

- A. Purpose Statement.** The purpose of the R-MU residential/mixed use district is to implement the objectives of the adopted East Downtown master plan through district regulations that reinforce the residential character of the area and encourage the development of areas as high density residential urban

neighborhoods containing supportive retail, service commercial, and small scale office uses. **The design guidelines are intended to facilitate the creation of a walkable urban neighborhood with an emphasis on pedestrian scale activity.**

- B. **Uses.** Uses in the R-MU residential/mixed use district as specified in the Table of Permitted and Conditional Uses for Residential Districts found at Section 21A.24.190, are permitted subject to the general provisions set forth in Section 21A.24.010 and this section.

- C. **Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.**

CD Minimum Lot Area and Lot Width. The minimum lot areas and lot widths required in this district are as follows:

	Land Use	Minimum Lot Area	Minimum Lot Width
1.	Single-family detached dwellings	5,000 sq. ft.	50 ft.
2.	Single-family attached dwellings	3,000 sq. ft. per dwelling unit	22 ft. for interior lot 32 ft. for corner lot
3.	Two-family dwellings	8,000 sq. ft.	50 ft.
4.	Twin home dwellings	4,000 sq. ft. per dwelling unit	25 ft.
5.	Multifamily dwellings	No minimum lot area required	50 ft.
6.	Nonresidential uses	No minimum	No minimum
7.	Natural open space and conservation areas, public and private	No minimum	No minimum
8.	Public pedestrian pathways, trails and greenways	No minimum	No minimum
9.	Utility substations and buildings	5,000 sq. ft.	50 ft.
10.	Municipal service uses,		

	including city utility uses and police and fire stations	No minimum	No minimum
11.	Places of worship less than four acres in size	5,000 sq. ft.	50 ft.
12.	Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
13.	Other permitted or con- additional uses as listed in Section 21A.24.190	5,000 sq. ft.	50 ft.

DE. Minimum Yard Requirements.

1. Single-Family Detached Dwellings.

- a. **Front Yard.** Fifteen feet.
- b. **Corner Side Yard.** Ten feet.
- c. **Interior Side Yard.**
 - i. **Corner Lots.** Four feet.
 - ii. **Interior Lots.** Four feet on one side and ten feet on the other.
- d. **Rear Yard.** Twenty-five percent of the lot depth, but need not be more than twenty feet.

2. Single-Family Attached, Two-Family and Twin Home Dwellings.

- a. **Front Yard.** Fifteen feet.
- b. **Corner Side Yard.** Ten feet.
- c. **Interior Side Yard.**
 - i. **Single-Family Attached.** No yard is required, however if one is provided it shall not be less than four feet.
 - ii. **Two-Family.**
 - (A) **Interior Lot.** Four feet on one side and ten feet on the other.
 - (B) **Corner Lot.** Four feet.
 - iii. **Twin Home.** No yard is required along one side lot line. A ten-foot yard is required on the other.
- d. **Rear Yard.** Twenty-five percent of lot depth or twenty-five feet, whichever is less.

3. Multifamily Dwellings and Any Other Residential Uses.

- a. **Front Yard.** No setback is required.
- b. **Corner Side Yard.** No setback is required.
- c. **Interior Side Yard.** No setback is required.
- d. **Rear Yard.** Twenty-five percent of lot depth, but need not exceed thirty feet.

4. Nonresidential Development.

- a. **Front Yard.** No setback is required.
 - b. **Corner Side Yard.** No setback is required.
 - c. **Interior Side Yard.** No setback is required.
 - d. **Rear Yard.** Twenty-five percent of lot depth, but need not exceed thirty feet.
5. Lots legally existing on the effective date of the ordinance codified in this title, April 12, 1995, shall be considered legal conforming lots.
6. For multiple unit residential uses, nonresidential and mixed uses, no minimum lot area is required. In addition, no yards or landscaped setbacks are required; ~~provided, that no front yard or corner side yard shall exceed fifteen feet and,~~ except where interior side yards are provided, they shall not be less than four feet. ~~If parking is located in the front or corner side yard of the building, then a fifteen-foot landscaped setback is required.~~
7. For buildings legally existing on the effective date of the ordinance codified in this title, required yards shall be no greater than the established setback line.
8. **Maximum setback.** A maximum setback is required for at least twenty five percent (25%) of the building façade. The maximum setback is 10 feet greater than the minimum setback or 15 feet if no minimum setback is required. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:
 - a. The architecture of the addition is compatible with the architecture of the original structure.
 - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.
9. **Parking setback.** Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a thirty foot (30') landscape setback from the front property line. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:
 - a. The parking addition is compatible with the architecture/design of the original structure.

- b. **The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.**

EF. Maximum Building Height. The maximum building height shall not exceed seventy-five feet, except that nonresidential buildings and uses shall be limited by subsections E1 and 2 of this section. Buildings taller than seventy-five feet, up to a maximum of one hundred twenty-five feet, may be authorized as conditional uses, subject to the requirements of Part V, Chapter 21A.54, Conditional Uses; and provided, that the proposed conditional use is located within the one-hundred-twenty-five-foot height zone of the height map of the East Downtown master plan.

1. **Maximum Height for Nonresidential Buildings.** Three stories or forty-five feet, whichever is less.
2. **Maximum Floor Area Coverage of Nonresidential Uses in Mixed Use Buildings of Residential and Nonresidential Uses.** Three floors.

FG. Minimum Open Space. For residential uses and mixed uses containing residential use, not less than twenty percent of the lot area shall be maintained as open space. This open space may take the form of landscape yards or plazas and courtyards, subject to site plan review approval.

GH. Landscape Yards. All front and corner side yards provided, ~~up to fifteen feet in depth,~~ shall be maintained as a landscape yard in conformance with Part IV, Chapter 21A.48, Landscaping and Buffers.

HI. Landscape Buffers. Where a lot in the R-MU district abuts a lot in a single-family or two-family residential district, landscape buffers shall be provided as required in Part IV, Chapter 21A.48, Landscaping and Buffers.

IJ. Entrance And Visual Access:

1. **Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front façade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:**
 - a. **The requirement would negatively impact the historic character of the building,**
 - b. **The requirement would negatively impact the structural stability of the building, or**

- c. The ground level of the building is occupied by residential uses, in which case the 40% glass requirement may be reduced to 25%.
 - 2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.
 - 3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
 - 4. Screening: All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.
- JK. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 3. Section 21A.26.020 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.26.020 CN Neighborhood Commercial District:

- A. **Purpose Statement:** The CN Neighborhood Commercial District is intended to provide for small scale commercial uses that can be located within residential neighborhoods without having significant impact upon residential uses. The design guidelines are intended to reinforce the historical scale and ambiance of traditional neighborhood retail that is designed with the pedestrian as the primary user.
- B. **Uses:** Uses in the CN Neighborhood Commercial District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 of this Chapter, are permitted subject to the general provisions set forth in Section 21A.36.010 of this Title and this Section.
- C. **Planned Development Review:** Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.
- ED. Lot Size Requirements:** No minimum lot area or lot width is required. No lot shall be larger than sixteen thousand five hundred (16,500) square feet.

DE. **Maximum District Size:** The total area of a contiguously mapped CN District shall not exceed ninety thousand (90,000) square feet, excluding all land in public rights of way.

EF. **Minimum Yard Requirements:**

1. **Front Or Corner Side Yard:** A fifteen foot (15') minimum front or corner side yard shall be required. Exceptions to this requirement may be authorized as a conditional use, subject to the requirements of Part V, Chapter 21A.54 of this title, and the review and approval of the Planning Commission.

2. **Interior Side Yard:** None required.

3. **Rear Yard:** Ten feet (10').

4. **Buffer Yards:** Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of Part IV, Chapter 21A.48 of this Title.

5. **Accessory Buildings And Structures In Yards:** Accessory buildings and structures may be located in a required yard subject to Table 21A.36.020B of this Title.

6. **Maximum setback.** A maximum setback is required for at least sixty five percent (65%) of the building façade. The maximum setback is twenty five feet (25').

Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

7. **Parking setback.** Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a thirty foot (30') landscape setback from the front property line. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- a. The parking addition is compatible with the architecture/design of the original structure.
- b. The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

EG. **Landscape Yard Requirements:** Front and corner side yards shall be maintained as landscape yards. Subject to site plan review approval, part or all of the landscape yard

may be a patio or plaza, conforming to the requirements of Section 21A.48.090 of this Title.

GH. Maximum Height: Twenty five feet (25') or two and one-half (2 1/2) stories, whichever is less.

HI. Entrance And Visual Access:

- 1. Minimum First Floor Glass:** The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front façade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:
 - a. The requirement would negatively impact the historic character of the building, or**
 - b. The requirement would negatively impact the structural stability of the building.**
- 2. Facades:** Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.
- 3. Maximum Length:** The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
- 4. Screening:** All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

IJ. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 4. Section 21A.26.030 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.26.030 CB Community Business District:

A. **Purpose Statement:** The CB Community Business District is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale.

B. **Uses:** Uses in the CB Community Business District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 of this Chapter are permitted subject to the general provisions set forth in Section 21A.26.010 of this Chapter and this Section.

C. **Planned Development Review:** Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.

CD. **Lot Size Requirements:** No minimum lot area or lot width is required, however any lot exceeding four (4) acres in size shall be allowed only as a conditional use.

DE. **Maximum Building Size:** Any building having a fifteen thousand (15,000) gross square foot floor area of the first floor or a total floor area of twenty thousand (20,000) gross square feet or more, shall be allowed only as a conditional use. An unfinished basement used only for storage or parking shall be allowed in addition to the total square footage.

EF. **Minimum Yard Requirements:**

1. **Front Or Corner Side Yard:** No minimum yard is required unless parking is provided between the building and the front or corner side yard lot line. ~~Where parking is provided between the building and the front or corner side yard lot line, such parking shall be set back fifteen feet (15') and the fifteen foot (15') setback shall be landscaped conforming to the requirements of Section 21A.48.090 of this Title.~~ If a front yard is provided, it shall comply with all provisions of this Title applicable to front or corner side yards, including landscaping, fencing, and obstructions.

2. **Interior Side Yard:** None required.

3. **Rear Yard:** Ten feet (10').

4. **Buffer Yards:** Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of Part IV, Chapter 21A.48 of this Title.

5. **Accessory Buildings And Structures In Yards:** Accessory buildings and structures may be located in a required yard subject to Table 21A.36.020B of this Title.

6. **Maximum setback.** A maximum setback is required for at least seventy five percent (75%) of the building façade. The maximum setback is fifteen feet (15'). Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or

intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

7. Parking setback. Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty foot (20') landscape setback from the front property line. Parking structures shall maintain a thirty five foot (35') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- a. The parking addition is compatible with the architecture/design of the original structure.
- b. The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

FG. Landscape Yard Requirements: If a front or corner side yard is provided, such yard shall be maintained as a landscape yard. The landscape yard can take the form of a patio or plaza, subject to site plan review approval.

GH. Maximum Height: Thirty feet (30') or two (2) stories, whichever is less.

HI. Entrance And Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front façade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:
 - a. The requirement would negatively impact the historic character of the building,
 - b. The requirement would negatively impact the structural stability of the building, or

- c. The ground level of the building is occupied by residential uses, in which case the 40% glass requirement may be reduced to 25%.
2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.
3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. Screening: All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

IJ. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 5. Section 21A.26.060 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.26.060 CSHBD Sugar House Business District:

A. **Purpose Statement:** The purpose of the CSHBD Sugar House Business District is to provide for commercial, office and high density residential use opportunities in a manner compatible with the existing form and function of the Sugar House master plan and the Sugar House Business District. The design guidelines are intended to accomplish the design criteria identified in the Sugar House Community Master Plan.

B. **Uses:** Uses in the CSHBD Sugar House Business District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 of this Chapter are permitted, subject to the general provisions set forth in Section 21A.26.010 of this Chapter and this Section.

C. **Planned Development Review:** All new construction of principal buildings or additions that increase the floor area and/or parking requirement by twenty five percent (25%) within the CSHBD District shall be subject to planned development review for compatibility and compliance with the design guidelines of the Sugar House master plan and the Sugar House Business District strategies and recommendations plan. Planned developments shall be approved in conformance with the provisions of Section 21A.54.150 of this Title.

D. **Minimum Lot Size:** No minimum lot area or lot width is required; provided, that for multi-family dwellings the minimum lot area required shall be nine thousand (9,000) square feet for three (3) dwelling units plus five hundred (500) square feet for each additional dwelling unit.

E. **Minimum Yard Requirements:**

1. **Front And Corner Side Yards:** No minimum yard is required.

2. **Interior Side Yards:** None required.

3. **Rear Yards:** No minimum yard is required.

4. **Buffer Yards:** All lots abutting a lot in a residential district shall conform to the buffer yards and landscape requirements of Part IV, Chapter 21A.48 of this Title.

5. **Maximum setback. A maximum setback is required for at least eighty percent (80%) of the building façade. The maximum setback is ten feet (10'). Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:**

a. **The architecture of the addition is compatible with the architecture of the original structure.**

b. **The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.**

6. **Parking setback. Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a fifteen foot (15') landscape setback from the front property line. Parking structures shall maintain a thirty foot (30') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:**

a. **The parking addition is compatible with the architecture/design of the original structure.**

b. **The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.**

F. **Maximum Building Size:** Any building having a first floor area of twenty thousand (20,000) square feet or more shall be allowed only as a conditional use.

G. **Maximum Height:** No building shall exceed ninety feet (90') or six (6) stories, whichever is less. Buildings higher than ninety feet (90') may be allowed in accordance with the provision of subsections G1 and G2 of this Section.

1. **Conditions For Taller Buildings:** Buildings may exceed the ninety foot (90') or six (6) story height limit provided they conform to the following requirements:

- a. **Location:** The site is located within the block bounded by 2100 South Street, 1100 East Street/ Highland Drive, Sugarmont Drive, and McClelland Street.
- b. **Setback:** The portion of the building exceeding ninety feet (90') shall be stepped back from the front property line to mitigate potential impacts upon the existing streetscape.
- c. **Taller Buildings Height Limit:** The excess height allowance shall be limited to one hundred fifty feet (150') or ten (10) stories.

2. **Procedure For Modification:** A modification to the height regulations in this subsection G may be granted as a planned development in conformance with the provisions of Section 21A.54.150 of this Title.

H. **Minimum First Floor Glass:** The first floor street front and front elevation on all new commercial and office buildings or buildings in which the property owner is modifying the size of windows on the front facade within the CSHBD Sugar House Business Zoning District, shall be at least forty percent (40%) nonreflective glass surfaces. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:

- 1. The requirement would negatively impact the historic character of the building, or
- 2. The requirement would negatively impact the structural stability of the building.

I. **Mechanical Equipment:** Rooftop mechanical equipment should be screened with architecturally integrated elements of the building.

J. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 6. Section 21A.32.130 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.32.130 MU mixed use district.

A. **Purpose.** The purpose of the MU mixed use district is to encourage the development of areas as a mix of compatible residential and commercial uses. The district is to provide for limited commercial use opportunities within existing mixed use areas while preserving the attractiveness of the area for residential use. The district is intended to provide a higher level of control over nonresidential uses to ensure that the use and enjoyment of residential properties is not substantially diminished by nonresidential redevelopment. The intent of this district shall be achieved by designating certain non-residential uses as conditional uses within the mixed use district and requiring future development and redevelopment to comply with established standards for

compatibility and buffering as set forth in this section. **The design guidelines are intended to facilitate walkable communities that are pedestrian and mass transit oriented.**

B. Permitted Uses. Uses in the MU mixed use district as specified in the Table of Permitted and Conditional Uses for Special Purpose Districts found at Section 21A.32.140, are permitted subject to the provisions set forth in Section 21A.32.010 and Section 21A.32.130.

C. Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.

CD. Minimum Lot Area and Width. The minimum lot areas and lot widths required in this district are as follows:

	Land Use	Minimum Lot Area	Minimum Lot Width
1.	Single-family detached dwellings	4,000 sq. ft.	40 ft.
2.	Single-family attached dwellings	3,000 sq. ft. per dwelling unit	22 ft. for interior lot 32 ft. for corner lot
3.	Two-family dwellings	6,000 sq. ft.	40 ft.
4.	Twin home dwelling unit	3,000 sq. ft. per	20 ft.
5.	Multifamily dwellings	9,000 sq. ft. + & (3 to 14 units)	50 ft.
6.	Multifamily dwellings (15 or more)	17,500 sq. ft. + &	80 ft.
7.	Nonresidential uses	No minimum	No minimum
8.	Natural open space and conservation areas, public and private	No minimum	No minimum
9.	Pedestrian pathways, trails and greenways	No minimum	No minimum
10.	Utility substations and buildings	5,000 sq. ft.	50 ft.
11.	Municipal service uses, including city utility uses and police and fire stations	5,000 sq. ft.	50 ft.
12.	Places of worship less than 4 acres in size	5,000 sq. ft.	50 ft.
13.	Public/private utility transmission wires, lines pipes, and poles	No minimum	No minimum
14.	Other permitted or conditional uses as listed in Section 21A.32.140.	5,000 sq. ft.	50 ft.

Qualifying Provisions:

+ 9,000 sq. ft. for 3 units; plus 800 sq. ft. for each additional dwelling unit up to and including 14 dwelling units. 17,500 sq. ft. for 15 units; plus 750 sq. ft. for each additional dwelling unit up to one acre. For developments greater than one acre 800 sq. ft. for each dwelling unit is required.

& Density Bonus. When the minimum open space requirement is increased to thirty percent (30%); or when eighty percent (80%) or more of the off-street parking is structured parking within the principal building or underground; or when a combined ratio of increased open space and structured parking within the principal building or underground is provided, the minimum lot area required, subject to site plan review approval, shall be as follows:

9,000 sq. ft. for 3 units; plus 800 sq. ft. for each additional dwelling unit up to and including 14 dwelling units. 17,500 sq. ft. for 15 units; plus 650 sq. ft. for each additional dwelling unit up to one acre. For developments greater than one acre, 700 sq. feet per dwelling unit is required.

DE. Minimum Yard Area Requirements.

1. Single-Family Detached, Single-Family Attached, Two-Family, and Twin Home Dwellings.

- a. **Front Yard:** Ten feet (10').
- b. **Corner Side Yard:** Ten feet (10').
- c. **Interior Side Yard:**
 - i. **Corner Lots:** Four feet (4').
 - ii. **Interior Lots:**
- (A) **Single-Family Attached:** No yard is required, however if one is provided it shall not be less than four feet (4').
- (B) **Single-Family Detached, Two-Family And Twin Home Dwellings:** Four feet (4') on one side and ten (10) on the other.
- d. **Rear Yard:** Twenty five percent (25%) of the lot depth, but need not be more than twenty feet (20').

2. Multi-Family Dwellings, Including Mixed Use Buildings With Less Than Twenty Five Percent Nonresidential Uses:

- a. **Front Yard:** Ten feet (10') minimum ~~with a twenty foot (20') maximum.~~
- b. **Corner Side Yard:** Ten feet (10').
- c. **Interior Side Yard:** Ten feet (10').
- d. **Rear Yard:** Twenty five percent (25%) of the lot depth, but need not exceed thirty feet (30'), however, if one hundred percent (100%) of the off-street parking is provided within the principal building and/or underground, the minimum required rear yard shall be fifteen feet (15').

3. Nonresidential Development, Including Mixed Uses With Greater Than Twenty Five Percent Nonresidential Uses:

- a. **Front Yard:** Ten feet (10') minimum ~~with a twenty foot (20') maximum.~~
- b. **Corner Side Yard:** Ten feet (10').
- c. **Interior Side Yard:** No setback is required.

- d. **Rear Yard:** Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').
 - 4. Lots legally existing on the effective date hereof, April 7, 1998, shall be considered legal conforming lots.
 - 5. For additions to buildings legally existing on the effective date hereof, required yards shall be no greater than the established setback line.
 - 6. **Maximum setback. A maximum setback is required for at least seventy-five percent (75%) of the building façade. The maximum setback is twenty feet (20'). Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:**
 - a. **The architecture of the addition is compatible with the architecture of the original structure.**
 - b. **The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.**
 - 7. **Parking setback. Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty five foot (25') landscape setback from the front property line. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:**
 - a. **The parking addition is compatible with the architecture/design of the original structure.**
 - b. **The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.**
- EF. Maximum Building Height:** The maximum building height shall not exceed forty five feet (45'), except that nonresidential buildings and mixed use buildings shall be limited by subsections E1 and E2 of this Section. Buildings taller than forty five feet (45'), up to a maximum of sixty feet (60'), may be authorized as conditional uses, subject to the requirements of Part V, Chapter 21A.54 of this Title, provided that the additional height is for residential uses only.

1. **Maximum Height For Nonresidential Buildings:** Nonresidential buildings shall not exceed thirty feet (30') or two (2) stories, whichever is less.
2. **Maximum Height Of Mixed Use Buildings Of Residential And Nonresidential Uses:** Mixed use buildings shall not exceed forty five feet (45'). Nonresidential uses in a mixed use building are limited to the first two (2) stories.

FG. Minimum Ground Floor Glass: The ground floor of the building elevation fronting the street on all nonresidential buildings and uses within the MU Mixed Use District shall contain not less than forty percent (40%) and not more than seventy percent (70%) non-reflective glass surfaces. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:

- (A) The requirement would negatively impact the historic character of the building,
- (B) The requirement would negatively impact the structural stability of the building, or
- (C) The ground level of the building is occupied by residential uses, in which case the 40% glass requirement may be reduced to 25%.

GH. Minimum Open Space: For residential uses and mixed uses containing residential use, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas and courtyards, subject to site plan review approval.

HJ. Required Landscape Yards: All front and corner side yards shall be maintained as landscape yards.

IJ. Landscape Buffers: Where a nonresidential or mixed use lot abuts a residential or vacant lot within the MU Mixed Use District or any residential district, a ten foot (10') landscape buffer shall be provided subject to the improvement requirements of subsection 21A.48.080D of this Title.

JK. Nonresidential Use Of A Residential Structure: The conversion and remodeling of a residential structure to a nonresidential use shall be allowed only if the exterior residential character is maintained.

KL. New Nonresidential Construction: Construction of a new principal building for a nonresidential use that includes the demolition of a residential structure or located between two (2) existing residential uses on the same block face shall only be approved

as a conditional use pursuant to Part V, Chapter 21A.54 of this Title, unless located on an arterial street.

L.M. Entrance And Visual Access:

1. **Facades:** Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.
2. **Maximum Length:** The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
3. **Screening:** All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

MN. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 7. Section 21A.34.090 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.34.090 SSSC South State Street Corridor Overlay District:

A. **Purpose:** The purpose of the SSSC South State Street Corridor Overlay District is to acknowledge and reinforce the historical land development patterns along South State Street between 900 South and 2100 South.

B. **Maximum Building Height Exemption:** Buildings located within the BP Business Park Base Zoning District within the SSSC South State Street Corridor Overlay District may exceed the height of the base zoning district to a height ~~of~~, **not to exceed**, six (6) stories or ninety feet (90'), whichever is less.

C. **Maximum Floor Area Ratio Exemption:** Buildings located within the BP Business Park Zoning District within the SSSC South State Street Corridor Overlay District are exempted from the maximum floor area ratio requirements.

D. **Minimum Yard Requirement Exemption:**

1. **Front Yard:** Structures located within the CC Commercial Corridor Base Zoning District and the SSSC South State Street Corridor Overlay District are exempted from the

minimum front yard setback requirement. The required fifteen foot (15') landscaped setback applies to all other uses, including open storage, parking lots and vacant land.

2. Maximum setback. A maximum setback is required for at least thirty five percent (35%) of the building façade. The maximum setback is twenty-five feet (25'). Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- a. **The architecture of the addition is compatible with the architecture of the original structure.**
- b. **The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.**

3. Parking setback. Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty-five foot (25') landscape setback from the front property line. Parking structures shall maintain a forty-five foot (45') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- a. **The parking addition is compatible with the architecture/design of the original structure.**
- b. **The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.**

E. District Location: The South State Street Corridor Overlay District is the area generally aligned with the State/Main Street corridor from 900 South to 2100 South, within the following approximate boundaries referenced on the Zoning Map:

Commencing 165 feet east of the east right-of-way line at the intersection of 2100 South and State Street, thence north to a point 165 feet east of the right-of-way line at the intersection of 900 South and State Street, thence west to a point 165 feet west of the right-of-way line at the intersection of 900 South and Main Street, thence south to the right-of-way line at 1300 South, thence east to the east right-of-way line at the intersection of 1300 South and Main Street, thence south to the intersection of 2100 South and Main Street, thence east along the north right-of-way line on 2100 South to the point of beginning.

F. Entrance And Visual Access:

1. **Minimum First Floor Glass:** The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front façade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:
 - a. The requirement would negatively impact the historic character of the building,
 - b. The requirement would negatively impact the structural stability of the building, or
 - c. The ground level of the building is occupied by residential uses, in which case the 40% glass requirement may be reduced to 25%.
2. **Facades:** Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.
3. **Maximum Length:** The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. **Screening:** All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

H. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 8. The table located at Section 21A.54.150.E.2 of the Salt Lake City Code shall be and hereby is amended to read as set forth on Exhibit "A" attached hereto.

SECTION 9. Section 21A.54.150.E.4 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.54.150.E.4 Planned developments within the RB, RMU, MU, CN, CB, and CSHBD zoning districts and the South State Street Overlay. Also planned developments within the CS zoning district, when the district is adjacent to more than 60% residential zoning (within 300 feet, either on the same block or across the street).

Planned developments within these zoning districts may be approved subject to consideration of the following general conceptual guidelines (a positive finding for each is not required):

- a. **The development shall be primarily oriented to the street, not an interior courtyard or parking lot,**
- b. **The primary access shall be oriented to the pedestrian and mass transit,**
- c. **The façade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,**
- d. **Architectural detailing shall emphasize the pedestrian level of the building,**
- e. **Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,**
- f. **Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,**
- g. **Dumpsters and loading docks shall be appropriately screened or located within the structure, and**
- h. **Signage shall emphasize the pedestrian/mass transit orientation.**

SECTION 10. Chapter 21A.59 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.59 Conditional building and site design review

21A.59.010 Purpose Statement:

The intent of building and site design review regulations is to provide for the flexible implementation of the specific design requirements set forth within individual zoning districts. The purpose statement of each zoning district provides the philosophical approach to defining that flexibility. This process is intended to supplement the review and administrative procedures which are carried out under this title or other city ordinances and regulations. The design review process is intended to help ensure that newly developed properties and redeveloped properties are designed to encourage pedestrian access, circulation and orientation.

21A.59.020 Authority:

Design review shall be required pursuant to the provisions of this chapter for uses as specified within individual zoning districts before zoning certificates, building permits or certificates of occupancy may be issued.

A. The Planning Commission shall approve design criteria upon consideration of comments received from city departments and determining whether modification of specific design regulations meet the intent of the individual zoning district.

B. The Planning Commission may modify individual design requirements for specific projects if they find that the intent of the basic design criteria of the zoning district has been met.

21A.59.030 Scope Of Application:

Design review approval shall be required for all permitted uses, conditional uses and accessory uses when specifically authorized and referenced by individual zoning districts.

21A.59.040 Scope Of Modifications Authorized:

The authority of the Planning Commission through the design review process shall be limited to modification of the specific element referenced within each zoning district.

21A.59.050 Application Requirements:

Each application for design review shall include the same information as required for site plan review as identified in 21A.58.060

21A.59.060 Standards For Design Review:

In addition to standards provided in other sections of this title for specific types of approval, the following standards shall be applied to all applications for design review:

- 1. The development shall be primarily oriented to the street, not an interior courtyard or parking lot,**
- 2. The primary access shall be oriented to the pedestrian and mass transit,**
- 3. The façade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,**

4. Architectural detailing shall emphasize the pedestrian level of the building,
5. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,
6. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,
7. Dumpsters and loading docks shall be appropriately screened or located within the structure, and
8. Signage shall emphasize the pedestrian/mass transit orientation.

21A.59.070 Procedures For Design Review:

A. Preapplication Conference: Before filing an application for design review, the applicant is encouraged to confer with the Development Review Team (DRT) regarding the general proposal. Such action does not require formal application fees, or filing of a site plan, or landscape plan and is not to be construed as an application for formal approval. No representation made by the zoning administrator, the DRT or other city departments during such conference shall be binding upon the city with respect to an application subsequently submitted.

B. Fees: Every Design Review application shall be accompanied by a fee as established in the fee schedule, Chapter 21A.64 of this title.

C. Submission Of Final Plans - Review And Approval:

1. Planning Commission Review: After the plans and related materials and fees have been submitted pursuant to section 21A.59.050 of this chapter, and the application has been determined by the zoning administrator to be complete pursuant to section 21A.10.010 of this title, the application shall be reviewed and processed through the Planning Commission in coordination with the appropriate city departments. If the plan is approved, the zoning administrator shall certify approval and state the conditions of such approval, if any. If the design is disapproved, the zoning administrator shall indicate reasons for such in writing to the applicant.

2. Appeal Of Planning Commission Decision: Any appeal of the Planning Commission decision shall be made to the Land Use Appeals Board, pursuant to Chapter 21A.16 of this title.

3. Certification By Planning Commission: The decisions of the Planning Commission approving the application shall be noted on all copies of applicable plans to be retained in the record, including any changes or conditions required as part of the design review approval. One such copy shall be returned to the

applicant, and others retained as required for records or further action by the Planning Commission or other affected agencies of the city.

4. Building Permits: Building permits shall be issued in accordance with approved plans. A copy of the approved plan shall be retained in the records of the office of the division of building services and licensing and all building and occupancy permits shall conform to the provisions of the approved design review.

5. Amendments Or Modifications To Approved Design review: Amendments or modifications to approved design review must be submitted to the zoning administrator. Such modifications shall be submitted in accordance with the procedures and requirements of this chapter and shall be distributed to the appropriate departments for review. The zoning administrator may waive this requirement if the zoning administrator determines that such modification of the original design review has no significant impact upon the original proposal and still remains in conformance with design concepts approved by the Planning Commission.

6. Time Limit On Approval: Approval of design review shall be void unless a building permit has been issued or use of the land has commenced within twelve (12) months from the date of approval. Upon request, revalidation of the site plan may be granted for an additional twelve (12) months if all factors of the original design review are the same. The written notice requesting revalidation shall be received by the zoning administrator prior to expiration of the original twelve (12) month period.

SECTION 11. The Fee Schedule set forth in Section 21A.64.010 of the Salt Lake City Code shall be and hereby is amended to include a fee for conditional building and site design review of \$300 plus \$100 per acre in excess of one acre.

SECTION 12. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2004.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2004.
Published: _____.

SALT LAKE CITY ORDINANCE

No. _____ of 2004

(Amending the Salt Lake City Code to require that parking lots
be located behind buildings, rather than on street frontage,
in all community oriented commercial and mixed use zones)

AN ORDINANCE AMENDING THE SALT LAKE CITY CODE REQUIRING
THAT ALL PARKING LOTS BE LOCATED BEHIND BUILDINGS, RATHER THAN
ON STREET FRONTAGE, IN ALL COMMUNITY ORIENTED COMMERCIAL AND
MIXED USE ZONES, PURSUANT TO PETITION NO. 400-00-52.

WHEREAS, the City is anxious to encourage new development in community
oriented commercial and mixed use zones which would focus upon and emphasize the
buildings' relationship to pedestrians and mass transit, more than to automobiles; and

WHEREAS, the proposed changes to the Salt Lake City zoning ordinance set
forth herein would encourage buildings to be built near the front of the property (rather
than the rear), and would encourage a high degree of interaction with the sidewalk
(windows and doors), and place parking in a secondary position (in the side or rear yard);
and

WHEREAS, the proposed ordinance also allows flexibility for those unique
situations where pedestrian and transit friendly development does not work effectively;
and

WHEREAS, after public hearings before the Planning Commission and the City
Council, the Salt Lake City Council has determined that the proposed changes to the Salt
Lake City zoning code are in the best interest of the City;

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Section 21A.24.160 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.24.160 RB Residential/Business District.

- A. Purpose Statement.** The purpose of the RB residential/business district is to provide for limited commercial use opportunities within existing residential areas located along higher volume streets while preserving the attractiveness of the area for single-family residential use. Such commercial areas are intended to be primarily pedestrian and transit oriented. Building design should be focused on compatibility with a residential setting.
- B. Uses.** Uses in the RB residential/business district as specified in the Table of Permitted and Conditional Uses for Residential Districts found at Section 21A.24.190, are permitted subject to the general provisions set forth in Section 21A.24.010 and this section.
- C. Planned Development Review:** Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.
- D. Minimum Lot Area and Lot Width.** The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
1. Single-family detached dwellings	5,000 sq. ft.	50 ft.
2. Two-family dwellings	8,000 sq. ft.	50 ft.
3. Retail goods establishments, when located within an existing building originally designed for residential use	5,000 sq. ft.	50 ft.
4. Retail service establishments, when located within an existing building originally designed for residential use	5,000 sq. ft.	50 ft.
5. Offices, when located within an existing building originally designed for residential use	5,000 sq. ft.	50 ft.
6. A single dwelling unit located above first floor retail or office uses.	Included in principle use.	Included in principle use.
7. Natural open space and conservation areas, public and private	No Minimum	No Minimum

8. Public pedestrian pathways, trails and greenways	No Minimum	No Minimum
9. Utility substations and buildings	5,000 sq. ft.	50 ft.
10. Municipal service uses, including City utility uses and police and fire stations	No Minimum	No Minimum
11. Places of worship less than 4 acres in size	5,000 sq. ft.	50 ft.
12. Public/private utility transmission wires, lines, pipes and poles	No Minimum	No Minimum
13. Other permitted or conditional uses as listed in Section 21A.24.190.	5,000 sq. ft.	50 ft.

E. Maximum Building Height. The maximum building height permitted in this district is thirty feet or two and one-half stories, whichever is less.

F. Minimum Yard Requirements.

1. **Front Yard.** Twenty percent of lot depth, but need not exceed twenty-five feet. For buildings legally existing on April 12, 1995, the front yard shall be no greater than the existing yard.
2. **Corner Side Yard.** Ten feet. For buildings legally existing on April 12, 1995, the corner side yard shall be no greater than the existing yard.
3. **Interior Side Yard.** Six feet; provided, that on interior lots one yard must be at least ten feet. For buildings legally existing on April 12, 1995, the required yard shall be no greater than the existing yard.
4. **Rear Yard.** Twenty-five percent of the lot depth, but the yard need not exceed thirty feet.
5. **Accessory Building and Structures in Yards.** Accessory buildings and structures may be located in a required yard subject to Part IV, Chapter 21A.36, Section 21A.36.20B, Table 21A.36.020B, Obstructions in Yards.
6. **Parking in required yard area.** No parking is allowed within the front or corner side yard.

G. Required Landscape Yards. All front and corner side yards shall be maintained as landscape yards.

H. Maximum Building Coverage. The surface coverage of all principal and accessory buildings shall not exceed fifty percent of the lot area.

I. Design Standards. All principal buildings constructed or remodeled after April 12, 1995, shall conform to the following design standards:

1. All roofs shall be of a hip or gable design, except additions or expansions to existing buildings may be of the same roof design as the original building;

2. The remodeling of residential buildings for retail or office use shall be allowed only if the residential character of the exterior is maintained;
 3. The front building elevation shall contain not more than fifty percent glass;
 4. Special sign regulations of Part IV, Chapter 21A.46, Signs;
 5. Building orientation shall be to the front or corner side yard; and
 6. Building additions shall consist of materials, color and exterior building design consistent with the existing structure, unless the entire structure is resurfaced.
 7. No parking is allowed within the front or corner side yard.
- J. New Nonresidential Construction.** Construction of a new principal building, parking lot or addition to an existing building for a nonresidential use that includes the demolition of a residential structure shall only be approved as a conditional use pursuant to Part V, Chapter 21A.54, Conditional Uses, and subject to the design standards of subsection I of this section; provided, that in such cases the planning commission finds that the applicant has adequately demonstrated the following:
1. The location of the residential structure is impacted by surrounding nonresidential structures to the extent that it does not function as a contributing residential element to the residential-business neighborhood (RB district); and
 2. The property is isolated from other residential structures and does not relate to other residential structures within the residential-business neighborhood (RB district); and the design and condition of the residential structure is such that it does not make a material contribution to the residential character of the neighborhood.
- K. Parking lot/structure lighting.** If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 2. Section 21A.24.170 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.24.170 R-MU residential/mixed use district.

- A. Purpose Statement.** The purpose of the R-MU residential/mixed use district is to implement the objectives of the adopted East Downtown master plan through district regulations that reinforce the residential character of the area and encourage the development of areas as high density residential urban neighborhoods containing supportive retail, service commercial, and small scale office uses. The design guidelines are intended to facilitate the creation of a walkable urban neighborhood with an emphasis on pedestrian scale activity.

B. **Uses.** Uses in the R-MU residential/mixed use district as specified in the Table of Permitted and Conditional Uses for Residential Districts found at Section 21A.24.190, are permitted subject to the general provisions set forth in Section 21A.24.010 and this section.

C. **Planned Development Review:** Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.

D **Minimum Lot Area and Lot Width.** The minimum lot areas and lot widths required in this district are as follows:

	Land Use	Minimum Lot Area	Minimum Lot Width
1.	Single-family detached dwellings	5,000 sq. ft.	50 ft.
2.	Single-family attached dwellings	3,000 sq. ft. per dwelling unit	22 ft. for interior lot 32 ft. for corner lot
3.	Two-family dwellings	8,000 sq. ft.	50 ft.
4.	Twin home dwellings	4,000 sq. ft. per dwelling unit	25 ft.
5.	Multifamily dwellings	No minimum lot area required	50 ft.
6.	Nonresidential uses	No minimum	No minimum
7.	Natural open space and conservation areas, public and private	No minimum	No minimum
8.	Public pedestrian pathways, trails and greenways	No minimum	No minimum
9.	Utility substations and buildings	5,000 sq. ft.	50 ft.
10.	Municipal service uses, including city utility uses and police and fire stations	No minimum	No minimum

- | | | | |
|-----|--|---------------|------------|
| 11. | Places of worship less than four acres in size | 5,000 sq. ft. | 50 ft. |
| 12. | Public/private utility transmission wires, lines, pipes and poles | No minimum | No minimum |
| 13. | Other permitted or con-additional uses as listed in Section 21A.24.190 | 5,000 sq. ft. | 50 ft. |

E. Minimum Yard Requirements.

1. Single-Family Detached Dwellings.

- a. **Front Yard.** Fifteen feet.
- b. **Corner Side Yard.** Ten feet.
- c. **Interior Side Yard.**
 - i. **Corner Lots.** Four feet.
 - ii. **Interior Lots.** Four feet on one side and ten feet on the other.
- d. **Rear Yard.** Twenty-five percent of the lot depth, but need not be more than twenty feet.

2. Single-Family Attached, Two-Family and Twin Home Dwellings.

- a. **Front Yard.** Fifteen feet.
- b. **Corner Side Yard.** Ten feet.
- c. **Interior Side Yard.**
 - i. **Single-Family Attached.** No yard is required, however if one is provided it shall not be less than four feet.
 - ii. **Two-Family.**
 - (A) **Interior Lot.** Four feet on one side and ten feet on the other.
 - (B) **Corner Lot.** Four feet.
 - iii. **Twin Home.** No yard is required along one side lot line. A ten-foot yard is required on the other.
- d. **Rear Yard.** Twenty-five percent of lot depth or twenty-five feet, whichever is less.

3. Multifamily Dwellings and Any Other Residential Uses.

- a. **Front Yard.** No setback is required.
- b. **Corner Side Yard.** No setback is required.
- c. **Interior Side Yard.** No setback is required.
- d. **Rear Yard.** Twenty-five percent of lot depth, but need not exceed thirty feet.

4. Nonresidential Development.

- a. **Front Yard.** No setback is required.
- b. **Corner Side Yard.** No setback is required.
- c. **Interior Side Yard.** No setback is required.
- d. **Rear Yard.** Twenty-five percent of lot depth, but need not exceed thirty feet.

5. Lots legally existing on the effective date of the ordinance codified in this title, April 12, 1995, shall be considered legal conforming lots.
 6. For multiple unit residential uses, nonresidential and mixed uses, no minimum lot area is required. In addition, no yards or landscaped setbacks are required; except where interior side yards are provided, they shall not be less than four feet.
 7. For buildings legally existing on the effective date of the ordinance codified in this title, required yards shall be no greater than the established setback line.
 8. **Maximum setback.** A maximum setback is required for at least twenty five percent (25%) of the building façade. The maximum setback is 10 feet greater than the minimum setback or 15 feet if no minimum setback is required. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:
 - a. The architecture of the addition is compatible with the architecture of the original structure.
 - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.
 9. **Parking setback.** Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a thirty foot (30') landscape setback from the front property line. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:
 - a. The parking addition is compatible with the architecture/design of the original structure.
 - b. The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.
- F. Maximum Building Height.** The maximum building height shall not exceed seventy-five feet, except that nonresidential buildings and uses shall be limited by subsections E1 and 2 of this section. Buildings taller than seventy-five feet, up to a maximum of one hundred twenty-five feet, may be authorized as conditional uses, subject to the requirements of Part V, Chapter 21A.54, Conditional Uses; and provided, that the proposed conditional use is located within the one-hundred-twenty-five-foot height zone of the height map of the East Downtown master plan.

1. **Maximum Height for Nonresidential Buildings.** Three stories or forty-five feet, whichever is less.
2. **Maximum Floor Area Coverage of Nonresidential Uses in Mixed Use Buildings of Residential and Nonresidential Uses.** Three floors.

G. Minimum Open Space. For residential uses and mixed uses containing residential use, not less than twenty percent of the lot area shall be maintained as open space. This open space may take the form of landscape yards or plazas and courtyards, subject to site plan review approval.

H. Landscape Yards. All front and corner side yards provided shall be maintained as a landscape yard in conformance with Part IV, Chapter 21A.48, Landscaping and Buffers.

I. Landscape Buffers. Where a lot in the R-MU district abuts a lot in a single-family or two-family residential district, landscape buffers shall be provided as required in Part IV, Chapter 21A.48, Landscaping and Buffers.

J. Entrance And Visual Access:

1. **Minimum First Floor Glass:** The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front façade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:
 - a. The requirement would negatively impact the historic character of the building,
 - b. The requirement would negatively impact the structural stability of the building, or
 - c. The ground level of the building is occupied by residential uses, in which case the 40% glass requirement may be reduced to 25%.
2. **Facades:** Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.
3. **Maximum Length:** The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. **Screening:** All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public

right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

- K. **Parking lot/structure lighting.** If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 3. Section 21A.26.020 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.26.020 CN Neighborhood Commercial District:

- A. **Purpose Statement:** The CN Neighborhood Commercial District is intended to provide for small scale commercial uses that can be located within residential neighborhoods without having significant impact upon residential uses. The design guidelines are intended to reinforce the historical scale and ambiance of traditional neighborhood retail that is designed with the pedestrian as the primary user.
- B. **Uses:** Uses in the CN Neighborhood Commercial District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 of this Chapter, are permitted subject to the general provisions set forth in Section 21A.36.010 of this Title and this Section.
- C. **Planned Development Review:** Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.
- D. **Lot Size Requirements:** No minimum lot area or lot width is required. No lot shall be larger than sixteen thousand five hundred (16,500) square feet.
- E. **Maximum District Size:** The total area of a contiguously mapped CN District shall not exceed ninety thousand (90,000) square feet, excluding all land in public rights of way.
- F. **Minimum Yard Requirements:**
1. **Front Or Corner Side Yard:** A fifteen foot (15') minimum front or corner side yard shall be required. Exceptions to this requirement may be authorized as a conditional use, subject to the requirements of Part V, Chapter 21A.54 of this title, and the review and approval of the Planning Commission.
 2. **Interior Side Yard:** None required.

3. **Rear Yard:** Ten feet (10').

4. **Buffer Yards:** Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of Part IV, Chapter 21A.48 of this Title.

5. **Accessory Buildings And Structures In Yards:** Accessory buildings and structures may be located in a required yard subject to Table 21A.36.020B of this Title.

6. **Maximum setback.** A maximum setback is required for at least sixty five percent (65%) of the building façade. The maximum setback is twenty five feet (25'). Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

7. **Parking setback.** Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a thirty foot (30') landscape setback from the front property line. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- a. The parking addition is compatible with the architecture/design of the original structure.
- b. The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

G. **Landscape Yard Requirements:** Front and corner side yards shall be maintained as landscape yards. Subject to site plan review approval, part or all of the landscape yard may be a patio or plaza, conforming to the requirements of Section 21A.48.090 of this Title.

H. **Maximum Height:** Twenty five feet (25') or two and one-half (2 1/2) stories, whichever is less.

I. **Entrance And Visual Access:**

1. **Minimum First Floor Glass:** The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front façade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review,

subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:

- a. The requirement would negatively impact the historic character of the building, or
 - b. The requirement would negatively impact the structural stability of the building.
2. **Facades:** Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.
 3. **Maximum Length:** The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
 4. **Screening:** All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

J. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 4. Section 21A.26.030 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.26.030 CB Community Business District:

A. Purpose Statement: The CB Community Business District is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale.

B. Uses: Uses in the CB Community Business District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 of this Chapter are permitted subject to the general provisions set forth in Section 21A.26.010 of this Chapter and this Section.

C. Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections,

may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.

D. **Lot Size Requirements:** No minimum lot area or lot width is required, however any lot exceeding four (4) acres in size shall be allowed only as a conditional use.

E. **Maximum Building Size:** Any building having a fifteen thousand (15,000) gross square foot floor area of the first floor or a total floor area of twenty thousand (20,000) gross square feet or more, shall be allowed only as a conditional use. An unfinished basement used only for storage or parking shall be allowed in addition to the total square footage.

F. **Minimum Yard Requirements:**

1. **Front Or Corner Side Yard:** No minimum yard is required. If a front yard is provided, it shall comply with all provisions of this Title applicable to front or corner side yards, including landscaping, fencing, and obstructions.

2. **Interior Side Yard:** None required.

3. **Rear Yard:** Ten feet (10').

4. **Buffer Yards:** Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of Part IV, Chapter 21A.48 of this Title.

5. **Accessory Buildings And Structures In Yards:** Accessory buildings and structures may be located in a required yard subject to Table 21A.36.020B of this Title.

6. **Maximum setback.** A maximum setback is required for at least seventy five percent (75%) of the building façade. The maximum setback is fifteen feet (15'). Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

7. **Parking setback.** Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty foot (20') landscape setback from the front property line. Parking structures shall maintain a thirty five foot (35') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following;

- a. The parking addition is compatible with the architecture/design of the original structure.

- b. The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

G. **Landscape Yard Requirements:** If a front or corner side yard is provided, such yard shall be maintained as a landscape yard. The landscape yard can take the form of a patio or plaza, subject to site plan review approval.

H. **Maximum Height:** Thirty feet (30') or two (2) stories, whichever is less.

I. **Entrance And Visual Access:**

1. **Minimum First Floor Glass:** The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front façade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:
 - a. The requirement would negatively impact the historic character of the building,
 - b. The requirement would negatively impact the structural stability of the building, or
 - c. The ground level of the building is occupied by residential uses, in which case the 40% glass requirement may be reduced to 25%.
2. **Facades:** Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.
3. **Maximum Length:** The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. **Screening:** All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

J. **Parking lot/structure lighting.** If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 5. Section 21A.26.060 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.26.060 CSHBD Sugar House Business District:

A. **Purpose Statement:** The purpose of the CSHBD Sugar House Business District is to provide for commercial, office and high density residential use opportunities in a manner compatible with the existing form and function of the Sugar House master plan and the Sugar House Business District. The design guidelines are intended to accomplish the design criteria identified in the Sugar House Community Master Plan.

B. **Uses:** Uses in the CSHBD Sugar House Business District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 of this Chapter are permitted, subject to the general provisions set forth in Section 21A.26.010 of this Chapter and this Section.

C. **Planned Development Review:** All new construction of principal buildings or additions that increase the floor area and/or parking requirement by twenty five percent (25%) within the CSHBD District shall be subject to planned development review for compatibility and compliance with the design guidelines of the Sugar House master plan and the Sugar House Business District strategies and recommendations plan. Planned developments shall be approved in conformance with the provisions of Section 21A.54.150 of this Title.

D. **Minimum Lot Size:** No minimum lot area or lot width is required; provided, that for multi-family dwellings the minimum lot area required shall be nine thousand (9,000) square feet for three (3) dwelling units plus five hundred (500) square feet for each additional dwelling unit.

E. **Minimum Yard Requirements:**

1. **Front And Corner Side Yards:** No minimum yard is required.
2. **Interior Side Yards:** None required.
3. **Rear Yards:** No minimum yard is required.
4. **Buffer Yards:** All lots abutting a lot in a residential district shall conform to the buffer yards and landscape requirements of Part IV, Chapter 21A.48 of this Title.
5. **Maximum setback.** A maximum setback is required for at least eighty percent (80%) of the building façade. The maximum setback is ten feet (10'). Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:
 - a. The architecture of the addition is compatible with the architecture of the original structure.

- b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

6. **Parking setback.** Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a fifteen foot (15') landscape setback from the front property line. Parking structures shall maintain a thirty foot (30') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following;

- a. The parking addition is compatible with the architecture/design of the original structure.
- b. The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

F. **Maximum Building Size:** Any building having a first floor area of twenty thousand (20,000) square feet or more shall be allowed only as a conditional use.

G. **Maximum Height:** No building shall exceed ninety feet (90') or six (6) stories, whichever is less. Buildings higher than ninety feet (90') may be allowed in accordance with the provision of subsections G1 and G2 of this Section.

1. **Conditions For Taller Buildings:** Buildings may exceed the ninety foot (90') or six (6) story height limit provided they conform to the following requirements:

- a. **Location:** The site is located within the block bounded by 2100 South Street, 1100 East Street/ Highland Drive, Sugarmont Drive, and McClelland Street.
- b. **Setback:** The portion of the building exceeding ninety feet (90') shall be stepped back from the front property line to mitigate potential impacts upon the existing streetscape.
- c. **Taller Buildings Height Limit:** The excess height allowance shall be limited to one hundred fifty feet (150') or ten (10) stories.

2. **Procedure For Modification:** A modification to the height regulations in this subsection G may be granted as a planned development in conformance with the provisions of Section 21A.54.150 of this Title.

H. **Minimum First Floor Glass:** The first floor street front and front elevation on all new commercial and office buildings or buildings in which the property owner is modifying the size of windows on the front facade within the CSHBD Sugar House Business Zoning District, shall be at least forty percent (40%) nonreflective glass surfaces. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:

- 1. The requirement would negatively impact the historic character of the building, or
- 2. The requirement would negatively impact the structural stability of the building.

I. **Mechanical Equipment:** Rooftop mechanical equipment should be screened with architecturally integrated elements of the building.

J. **Parking lot/structure lighting.** If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 6. Section 21A.32.130 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.32.130 MU mixed use district.

A. **Purpose.** The purpose of the MU mixed use district is to encourage the development of areas as a mix of compatible residential and commercial uses. The district is to provide for limited commercial use opportunities within existing mixed use areas while preserving the attractiveness of the area for residential use. The district is intended to provide a higher level of control over nonresidential uses to ensure that the use and enjoyment of residential properties is not substantially diminished by nonresidential redevelopment. The intent of this district shall be achieved by designating certain non-residential uses as conditional uses within the mixed use district and requiring future development and redevelopment to comply with established standards for compatibility and buffering as set forth in this section. The design guidelines are intended to facilitate walkable communities that are pedestrian and mass transit oriented.

B. **Permitted Uses.** Uses in the MU mixed use district as specified in the Table of Permitted and Conditional Uses for Special Purpose Districts found at Section 21A.32.140, are permitted subject to the provisions set forth in Section 21A.32.010 and Section 21A.32.130.

C. **Planned Development Review:** Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.

D. **Minimum Lot Area and Width.** The minimum lot areas and lot widths required in this district are as follows:

	Land Use	Minimum Lot Area	Minimum Lot Width
1.	Single-family detached dwellings	4,000 sq. ft.	40 ft.
2.	Single-family attached dwellings	3,000 sq. ft. per dwelling unit	22 ft. for interior lot 32 ft. for corner lot
3.	Two-family dwellings	6,000 sq. ft.	40 ft.

4.	Twin home dwelling unit	3,000 sq. ft. per	20 ft.
5.	Multifamily dwellings	9,000 sq. ft. + & (3 to 14 units)	50 ft.
6.	Multifamily dwellings (15 or more)	17,500 sq. ft. + &	80 ft.
7.	Nonresidential uses	No minimum	No minimum
8.	Natural open space and conservation areas, public and private	No minimum	No minimum
9.	Pedestrian pathways, trails and greenways	No minimum	No minimum
10.	Utility substations and buildings	5,000 sq. ft.	50 ft.
11.	Municipal service uses, including city utility uses and police and fire stations	5,000 sq. ft.	50 ft.
12.	Places of worship less than 4 acres in size	5,000 sq. ft.	50 ft.
13.	Public/private utility transmission wires, lines pipes, and poles	No minimum	No minimum
14.	Other permitted or conditional uses as listed in Section 21A.32.140.	5,000 sq. ft.	50 ft.

Qualifying Provisions:

+ 9,000 sq. ft. for 3 units; plus 800 sq. ft. for each additional dwelling unit up to and including 14 dwelling units. 17,500 sq. ft. for 15 units; plus 750 sq. ft. for each additional dwelling unit up to one acre. For developments greater than one acre 800 sq. ft. for each dwelling unit is required.

& Density Bonus. When the minimum open space requirement is increased to thirty percent (30%); or when eighty percent (80%) or more of the off-street parking is structured parking within the principal building or underground; or when a combined ratio of increased open space and structured parking within the principal building or underground is provided, the minimum lot area required, subject to site plan review approval, shall be as follows:

9,000 sq. ft. for 3 units; plus 800 sq. ft. for each additional dwelling unit up to and including 14 dwelling units. 17,500 sq. ft. for 15 units; plus 650 sq. ft. for each additional dwelling unit up to one acre. For developments greater than one acre, 700 sq. feet per dwelling unit is required.

E. Minimum Yard Area Requirements.

1. Single-Family Detached, Single-Family Attached, Two-Family, and Twin Home Dwellings.
 - a. Front Yard: Ten feet (10').
 - b. Corner Side Yard: Ten feet (10').
 - c. Interior Side Yard:
 - i. Corner Lots: Four feet (4').

- ii. Interior Lots:
 - (A) Single-Family Attached: No yard is required, however if one is provided it shall not be less than four feet (4').
 - (B) Single-Family Detached, Two-Family And Twin Home Dwellings: Four feet (4') on one side and ten (10) on the other.
 - d. Rear Yard: Twenty five percent (25%) of the lot depth, but need not be more than twenty feet (20').
- 2. Multi-Family Dwellings, Including Mixed Use Buildings With Less Than Twenty Five Percent Nonresidential Uses:
 - a. Front Yard: Ten feet (10') minimum.
 - b. Corner Side Yard: Ten feet (10').
 - c. Interior Side Yard: Ten feet (10').
 - d. Rear Yard: Twenty five percent (25%) of the lot depth, but need not exceed thirty feet (30'), however, if one hundred percent (100%) of the off-street parking is provided within the principal building and/or underground, the minimum required rear yard shall be fifteen feet (15').
- 3. Nonresidential Development, Including Mixed Uses With Greater Than Twenty Five Percent Nonresidential Uses:
 - a. Front Yard: Ten feet (10') minimum.
 - b. Corner Side Yard: Ten feet (10').
 - c. Interior Side Yard: No setback is required.
 - d. Rear Yard: Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').
- 4. Lots legally existing on the effective date hereof, April 7, 1998, shall be considered legal conforming lots.
- 5. For additions to buildings legally existing on the effective date hereof, required yards shall be no greater than the established setback line.
- 6. Maximum setback. A maximum setback is required for at least seventy-five percent (75%) of the building façade. The maximum setback is twenty feet (20'). Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:
 - a. The architecture of the addition is compatible with the architecture of the original structure.
 - b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

7. **Parking setback.** Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty five foot (25') landscape setback from the front property line. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:
 - a. The parking addition is compatible with the architecture/design of the original structure.
 - b. The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

F. Maximum Building Height: The maximum building height shall not exceed forty five feet (45'), except that nonresidential buildings and mixed use buildings shall be limited by subsections E1 and E2 of this Section. Buildings taller than forty five feet (45'), up to a maximum of sixty feet (60'), may be authorized as conditional uses, subject to the requirements of Part V, Chapter 21A.54 of this Title, provided that the additional height is for residential uses only.

1. **Maximum Height For Nonresidential Buildings:** Nonresidential buildings shall not exceed thirty feet (30') or two (2) stories, whichever is less.
2. **Maximum Height Of Mixed Use Buildings Of Residential And Nonresidential Uses:** Mixed use buildings shall not exceed forty five feet (45'). Nonresidential uses in a mixed use building are limited to the first two (2) stories.

G. Minimum Ground Floor Glass: The ground floor of the building elevation fronting the street on all nonresidential buildings and uses within the MU Mixed Use District shall contain not less than forty percent (40%) and not more than seventy percent (70%) non-reflective glass surfaces. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:

- (A) The requirement would negatively impact the historic character of the building,
- (B) The requirement would negatively impact the structural stability of the building,
- or
- (C) The ground level of the building is occupied by residential uses, in which case the 40% glass requirement may be reduced to 25%.

H. Minimum Open Space: For residential uses and mixed uses containing residential use, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas and courtyards, subject to site plan review approval.

I. Required Landscape Yards: All front and corner side yards shall be maintained as landscape yards.

J. Landscape Buffers: Where a nonresidential or mixed use lot abuts a residential or vacant lot within the MU Mixed Use District or any residential district, a ten foot (10') landscape buffer shall be provided subject to the improvement requirements of subsection 21A.48.080D of this Title.

K. Nonresidential Use Of A Residential Structure: The conversion and remodeling of a residential structure to a nonresidential use shall be allowed only if the exterior residential character is maintained.

L. New Nonresidential Construction: Construction of a new principal building for a nonresidential use that includes the demolition of a residential structure or located between two (2) existing residential uses on the same block face shall only be approved as a conditional use pursuant to Part V, Chapter 21A.54 of this Title, unless located on an arterial street.

M. Entrance And Visual Access:

1. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.
2. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
3. Screening: All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

N. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 7. Section 21A.34.090 of the Salt Lake City Code shall be and hereby is amended to read as follows:

21A.34.090 SSSC South State Street Corridor Overlay District:

A. **Purpose:** The purpose of the SSSC South State Street Corridor Overlay District is to acknowledge and reinforce the historical land development patterns along South State Street between 900 South and 2100 South.

B. **Maximum Building Height Exemption:** Buildings located within the BP Business Park Base Zoning District within the SSSC South State Street Corridor Overlay District may exceed the height of the base zoning district to a height of, not to exceed, six (6) stories or ninety feet (90'), whichever is less.

C. **Maximum Floor Area Ratio Exemption:** Buildings located within the BP Business Park Zoning District within the SSSC South State Street Corridor Overlay District are exempted from the maximum floor area ratio requirements.

D. **Minimum Yard Requirement Exemption:**

1. **Front Yard:** Structures located within the CC Commercial Corridor Base Zoning District and the SSSC South State Street Corridor Overlay District are exempted from the minimum front yard setback requirement. The required fifteen foot (15') landscaped setback applies to all other uses, including open storage and vacant land.

2. **Maximum setback.** A maximum setback is required for at least thirty five percent (35%) of the building façade. The maximum setback is twenty-five feet (25'). Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

3. **Parking setback.** Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty-five foot (25') landscape setback from the front property line. Parking structures shall maintain a forty-five foot (45') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- a. The parking addition is compatible with the architecture/design of the original structure.

- b. The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

E. **District Location:** The South State Street Corridor Overlay District is the area generally aligned with the State/Main Street corridor from 900 South to 2100 South, within the following approximate boundaries referenced on the Zoning Map:

Commencing 165 feet east of the east right-of-way line at the intersection of 2100 South and State Street, thence north to a point 165 feet east of the right-of-way line at the intersection of 900 South and State Street, thence west to a point 165 feet west of the right-of-way line at the intersection of 900 South and Main Street, thence south to the right-of-way line at 1300 South, thence east to the east right-of-way line at the intersection of 1300 South and Main Street, thence south to the intersection of 2100 South and Main Street, thence east along the north right-of-way line on 2100 South to the point of beginning.

F. **Entrance And Visual Access:**

1. **Minimum First Floor Glass:** The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front façade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:
 - a. The requirement would negatively impact the historic character of the building,
 - b. The requirement would negatively impact the structural stability of the building, or
 - c. The ground level of the building is occupied by residential uses, in which case the 40% glass requirement may be reduced to 25%.
2. **Facades:** Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.
3. **Maximum Length:** The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').
4. **Screening:** All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to

minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

H. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

SECTION 8. The table located at Section 21A.54.150.E.2 of the Salt Lake City Code shall be and hereby is amended to read as set forth on Exhibit "A" attached hereto.

SECTION 9. Section 21A.54.150.E.4 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.54.150.E.4 Planned developments within the RB, RMU, MU, CN, CB, and CSHBD zoning districts and the South State Street Overlay. Also planned developments within the CS zoning district, when the district is adjacent to more than 60% residential zoning (within 300 feet, either on the same block or across the street).

Planned developments within these zoning districts may be approved subject to consideration of the following general conceptual guidelines (a positive finding for each is not required):

- a. The development shall be primarily oriented to the street, not an interior courtyard or parking lot,
- b. The primary access shall be oriented to the pedestrian and mass transit,
- c. The façade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,
- d. Architectural detailing shall emphasize the pedestrian level of the building,
- e. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,
- f. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,
- g. Dumpsters and loading docks shall be appropriately screened or located within the structure, and
- h. Signage shall emphasize the pedestrian/mass transit orientation.

SECTION 10. Chapter 21A.59 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

21A.59 Conditional building and site design review

21A.59.010 Purpose Statement:

The intent of building and site design review regulations is to provide for the flexible implementation of the specific design requirements set forth within individual zoning districts. The purpose statement of each zoning district provides the philosophical approach to defining that flexibility. This process is intended to supplement the review and administrative procedures which are carried out under this title or other city ordinances and regulations. The design review process is intended to help ensure that newly developed properties and redeveloped properties are designed to encourage pedestrian access, circulation and orientation.

21A.59.020 Authority:

Design review shall be required pursuant to the provisions of this chapter for uses as specified within individual zoning districts before zoning certificates, building permits or certificates of occupancy may be issued.

- A. The Planning Commission shall approve design criteria upon consideration of comments received from city departments and determining whether modification of specific design regulations meet the intent of the individual zoning district.
- B. The Planning Commission may modify individual design requirements for specific projects if they find that the intent of the basic design criteria of the zoning district has been met.

21A.59.030 Scope Of Application:

Design review approval shall be required for all permitted uses, conditional uses and accessory uses when specifically authorized and referenced by individual zoning districts.

21A.59.040 Scope Of Modifications Authorized:

The authority of the Planning Commission through the design review process shall be limited to modification of the specific element referenced within each zoning district.

21A.59.050 Application Requirements:

Each application for design review shall include the same information as required for site plan review as identified in 21A.58.060

21A.59.060 Standards For Design Review:

In addition to standards provided in other sections of this title for specific types of approval, the following standards shall be applied to all applications for design review:

1. The development shall be primarily oriented to the street, not an interior courtyard or parking lot,

2. The primary access shall be oriented to the pedestrian and mass transit,
3. The façade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,
4. Architectural detailing shall emphasize the pedestrian level of the building,
5. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,
6. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,
7. Dumpsters and loading docks shall be appropriately screened or located within the structure, and
8. Signage shall emphasize the pedestrian/mass transit orientation.

21A.59.070 Procedures For Design Review:

- A. **Preapplication Conference:** Before filing an application for design review, the applicant is encouraged to confer with the Development Review Team (DRT) regarding the general proposal. Such action does not require formal application fees, or filing of a site plan, or landscape plan and is not to be construed as an application for formal approval. No representation made by the zoning administrator, the DRT or other city departments during such conference shall be binding upon the city with respect to an application subsequently submitted.
- B. **Fees:** Every Design Review application shall be accompanied by a fee as established in the fee schedule, Chapter 21A.64 of this title.

C. Submission Of Final Plans - Review And Approval:

1. **Planning Commission Review:** After the plans and related materials and fees have been submitted pursuant to section 21A.59.050 of this chapter, and the application has been determined by the zoning administrator to be complete pursuant to section 21A.10.010 of this title, the application shall be reviewed and processed through the Planning Commission in coordination with the appropriate city departments. If the plan is approved, the zoning administrator shall certify approval and state the conditions of such approval, if any. If the design is disapproved, the zoning administrator shall indicate reasons for such in writing to the applicant.
2. **Appeal Of Planning Commission Decision:** Any appeal of the Planning Commission decision shall be made to the Land Use Appeals Board, pursuant to Chapter 21A.16 of this title.

3. Certification By Planning Commission: The decisions of the Planning Commission approving the application shall be noted on all copies of applicable plans to be retained in the record, including any changes or conditions required as part of the design review approval. One such copy shall be returned to the applicant, and others retained as required for records or further action by the Planning Commission or other affected agencies of the city.

4. Building Permits: Building permits shall be issued in accordance with approved plans. A copy of the approved plan shall be retained in the records of the office of the division of building services and licensing and all building and occupancy permits shall conform to the provisions of the approved design review.

5. Amendments Or Modifications To Approved Design review: Amendments or modifications to approved design review must be submitted to the zoning administrator. Such modifications shall be submitted in accordance with the procedures and requirements of this chapter and shall be distributed to the appropriate departments for review. The zoning administrator may waive this requirement if the zoning administrator determines that such modification of the original design review has no significant impact upon the original proposal and still remains in conformance with design concepts approved by the Planning Commission.

6. Time Limit On Approval: Approval of design review shall be void unless a building permit has been issued or use of the land has commenced within twelve (12) months from the date of approval. Upon request, revalidation of the site plan may be granted for an additional twelve (12) months if all factors of the original design review are the same. The written notice requesting revalidation shall be received by the zoning administrator prior to expiration of the original twelve (12) month period.

SECTION 11. The Fee Schedule set forth in Section 21A.64.010 of the Salt Lake City Code shall be and hereby is amended to include a fee for conditional building and site design review of \$300 plus \$100 per acre in excess of one acre.

SECTION 12. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2004.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2004.

Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 7-29-04
By [Signature]

**3 City Council Public Hearing
Notice
Mailing List**

Notice

NOTICE OF PUBLIC HEARING

Salt Lake City Mayor Rocky Anderson (via the Salt Lake City Department of Community and Economic Development) initiated **Petition 400-00-52** requesting that parking lots be required to be located behind buildings, and not occupy street frontage, in all community oriented commercial and mixed-use zoning districts.

In its review of the petition, the Salt Lake City Council requested that a consultant provide Planning Staff with input regarding the proposed ordinance and asked that the Planning Commission consider integrating the comments into the petition. In response, the Planning Commission has recommended a revised ordinance that is designed to simplify the process when adherence to the technical requirements of the ordinance is not practical.

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, the Planning Staff may present information on the petition and anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

DATE:

TIME:

PLACE: Room 315
City and County Building
451 South State Street
Salt Lake City, Utah

If you have any questions relating to this proposal, please attend the meeting or call Doug Dansie at 535-6182 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

If you are the owner of a rental property, please inform your tenants of this hearing.

We comply with all ADA guidelines. Assistive listening devices and interpreter services provided upon 24 hour advance request.

Mailing List

East Valley Chamber of Commerce
2299 S Highland Drive
Salt Lake City, Utah 84106

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C/O Barbara Green
Smith-Crown
2000 South 1100 East
Salt Lake City, Utah 84106**

Wade Williams
Smiths Management
1550 South Redwood Rd.
Salt Lake City, Utah 84104

Robert Moore
Prime Realty
6900 South 900 East
Midvale, Utah 84047

Lew Swain
Boyer Company
127 South 500 East
Salt Lake City, Utah 84102

Rad Dye
CB Richard Ellis Commercial
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Salt Lake City, Utah 84101

Floyd Hatch
Intermountain Development Group
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Stuart Thain
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175 East 400 South
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Kyung Chun
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Charlie Davis
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Salt Lake City, Utah 84102

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SLC UT 84103

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Salt Lake City, Utah 84102

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POPLAR GROVE
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Salt Lake City, Utah 84104

Helen Peters
SUGAR HOUSE
2803 Beverly Street
Salt Lake City, Utah 84106

Peter Von Sivers
CAPITOL HILL
223 West 400 North
Salt Lake City, Utah 84103

Jeff Davis
PEOPLES FREEWAY
1407 South Richards Street
Salt Lake City, Utah 84115

Ellen Reddick
BONNEVILLE HILLS
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INDIAN HILLS
2676 Comanche Dr.
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Larry Spendlove
SUNNYSIDE EAST ASSOC.
2114 E. Hubbard Avenue
Salt Lake City, UT 84108

Kenneth L. Neal
ROSE PARK
1071 North Topaz Dr.
Salt Lake City, Utah 84116

Boris Kurz
EAST LIBERTY PARK
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Jilene Whitby
STATE FAIRPARK
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Salt Lake City, Utah 84116

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GLENDALE
1184 S Redwood Drive
Salt Lake City, Utah 84104

Thomas Mutter
CENTRAL CITY
340 South 600 East #14
Salt Lake City, Utah 84111

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RIO GRANDE
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Salt Lake City, Utah 84101-2201

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Vacant

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1575 Devonshire Dr.
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Tom Bonacci
YALECREST
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Angie Vorher
JORDAN MEADOWS
1988 Sir James Dr.
Salt Lake City, Utah 84116

Kadee Nielson
WESTPOINTE
1410 N. Baroness Place.
Salt Lake City, Utah 84116

4 Planning Commission Hearing
Original Notice and Postmark
Staff report
Agenda and Minutes

Original Notice and Postmark

A. LOUIS ZUNGUZE
PLANNING DIRECTOR

BRENT B. WILDE
DEPUTY PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP
DEPUTY PLANNING DIRECTOR

SALT LAKE CITY CORPORATION
COMMUNITY AND ECONOMIC DEVELOPMENT
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON
MAYOR

May 25, 2004

NOTICE OF PUBLIC HEARING

The Salt Lake City Council and Planning Commission have previously reviewed **Petition 400-00-52** from Salt Lake City Mayor Rocky Anderson (via the Salt Lake City Department of Community and Economic Development) requesting that parking lots be required to be located behind buildings, and not occupy street frontage, in all community oriented commercial and mixed-use zoning districts.

In its review of the petition, the Salt Lake City Council requested that a consultant provide Planning Staff with input regarding the proposed ordinance and asked that the Planning Commission consider integrating the comments into the petition. In response, the Planning Staff has prepared a revised ordinance that is designed to simplify the process when adherence to the technical requirements of the ordinance is not practical.

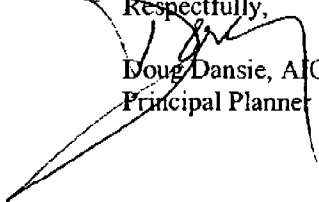
The Planning Commission will hold a Public Hearing to accept comment. Anyone desiring to address the Planning Commission concerning the proposal will be given the opportunity to speak. The public hearing will be held:

June 9, 2004
Salt Lake City/County Building
451 South State Street
Room 326
5:45 P.M.

Since it is very difficult for us to inform all interested parties about this request, we would appreciate you discussing this matter with your neighbors and informing them of the hearing. If you are the owner of rental properties, please inform your tenants of this meeting.

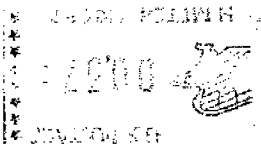
If you have any questions regarding this issue, please call Doug Dansie (535-6182). Copies of the staff report are available at the Planning Division Office after 5:00 P.M. the Friday before the public hearing. The Planning Division is located in the City & County Building, 451 South State Street, Room 406. Salt Lake City complies with all ADA guidelines. Assistive listening devices and interpretive services will be provided upon 24-hour advance request.

Respectfully,


Doug Dansie, AICP
Principal Planner

451 SOUTH STATE STREET, ROOM 406, SALT LAKE CITY, UTAH 84111
TELEPHONE: 801-535-7757 FAX: 801-535-6174





Salt Lake City Planning Division
451 South State Street
Salt Lake City, Utah 84111

1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. Speakers will be called by the Chair.
4. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
5. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
6. A time limit may be placed on speakers to ensure everyone has a chance to comment. The Chair will make that determination upon reviewing the number of people wishing to speak.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. Meeting notices are made available 14 days in advance. If persons wish to submit written comments, they should be directed to the Planning Division at least 7 days in advance to enable Planning Commissioners to consider those written comments. Comments should be sent to:

Salt Lake City Planning Director
451 South State Street, Room 406
SLC, UT 84111

Note: We comply with all ADA guidelines. Assistive listening devices & interpreter services provided upon 24 hour advance request.

NOTICE OF HEARING

SLC

Staff report

MEMORANDUM

Date: June 4, 2004
To: Salt Lake City Planning Commission
From: Doug Dansie, AICP
Subject: Petition 400-00-52: Walkable Communities

Please find attached a copy of the proposed Walkable Communities ordinance for your review (changes are generally noted). Proposed Chapter 21A.59 is entirely new to the zoning ordinance and includes criteria and the process for projects where the applicant desires more flexibility from the proposed regulations.

The Planning Commission previously reviewed the proposed ordinance, but agreed to look at it once again based upon City Council request.

After the original petition was forwarded to the City Council, the Council hired a private consultant to review that proposed ordinance. The consultant suggested to the Council that although the ordinance would work in its present form, Salt Lake City may wish to consider making the transition to a full fledged Performance Zoning Code to incorporate design elements.

The costs of changing our entire code to a performance based code are prohibitive at this time; therefore staff has reorganized the original ordinance to provide an alternative to the traditional Conditional Use procedure and to initiate a minimal Design Review approach, to be reviewed by the Planning Commission, for those instances where strict application of the code is impractical. The attached proposed ordinance is near identical in wording to the original proposed ordinance (supported by the Planning Commission) with the addition of a new Chapter 59. Because the primary issues involve site design, not land use, the new chapter sets up a design review process and criteria to provide flexibility in meeting the intent of the code while eliminating the standards outlined in the conditional use process (which generally apply to land use, not design).

Since the request is a modification of the existing zoning ordinance, the Planning Commission must review the proposal with a view towards forwarding a recommendation to the City Council. In undertaking the task, the Planning Commission must use the following standards:

- A. **Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.**

- B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.**
- C. The extent to which the proposed amendment will adversely affect adjacent properties.**
- D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.**
- E. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.**

Upon review of the original staff report, the current proposal is consistent with the original findings (as outlined in the attached original staff report). The current proposal was presented at an open house on May 26, 2004 (no comments). The proposal was originally routed to other departments. It was not routed in its present form because all changes relate to procedural issues.

Based upon the findings in the original petition, the re-evaluation according to the current proposal and the responses received regarding the modification, staff recommends forwarding a positive recommendation to the City Council to amend the zoning ordinance as proposed.

Attached is the proposed ordinance, the original staff report [including subsequent memos], and minutes. All attachments and previous incarnations of the proposed ordinance have been eliminated from this report.

Attachments: Exhibit 1 – Proposed Ordinance. Exhibit 2 – Original staff report [including memos], Exhibit 3 – Minutes from Original Public Hearings.

Exhibit 1
Proposed Ordinance

21A.24.160 RB Residential/Business District.

- A. **Purpose Statement.** The purpose of the RB residential/business district is to provide for limited commercial use opportunities within existing residential areas located along higher volume streets while preserving the attractiveness of the area for single-family residential use. Such commercial areas are intended to be primarily pedestrian and transit oriented. Building design should be focused on compatibility with a residential setting.
- B. **Uses.** Uses in the RB residential/business district as specified in the Table of Permitted and Conditional Uses for Residential Districts found at Section 21A.24.190, are permitted subject to the general provisions set forth in Section 21A.24.010 and this section.

C. Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.

CD Minimum Lot Area and Lot Width. The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
1. Single-family detached dwellings	5,000 sq. ft.	50 ft.
2. Two-family dwellings	8,000 sq. ft.	50 ft.
3. Retail goods establishments, when located within an existing building originally designed for residential use	5,000 sq. ft.	50 ft.
4. Retail service establishments, when located within an existing building originally designed for residential use	5,000 sq. ft.	50 ft.
5. Offices, when located within an existing building originally designed for residential use	5,000 sq. ft.	50 ft.
6. A single dwelling unit located above first floor retail or office uses.	Included in principle use.	Included in principle use.
7. Natural open space and conservation areas, public and private	No Minimum	No Minimum
8. Public pedestrian pathways, trails and greenways	No Minimum	No Minimum

9. Utility substations and buildings	5,000 sq. ft.	50 ft.
10. Municipal service uses, including City utility uses and police and fire stations	No Minimum	No Minimum
11. Places of worship less than 4 acres in size	5,000 sq. ft.	50 ft.
12. Public/private utility transmission wires, lines, pipes and poles	No Minimum	No Minimum
13. Other permitted or conditional uses as listed in Section 21A.24.190.	5,000 sq. ft.	50 ft.

DE Maximum Building Height. The maximum building height permitted in this district is thirty feet or two and one-half stories, whichever is less.

EF Minimum Yard Requirements.

1. **Front Yard.** Twenty percent of lot depth, but need not exceed twenty-five feet. For buildings legally existing on April 12, 1995, the front yard shall be no greater than the existing yard.
2. **Corner Side Yard.** Ten feet. For buildings legally existing on April 12, 1995, the corner side yard shall be no greater than the existing yard.
3. **Interior Side Yard.** Six feet; provided, that on interior lots one yard must be at least ten feet. For buildings legally existing on April 12, 1995, the required yard shall be no greater than the existing yard.
4. **Rear Yard.** Twenty-five percent of the lot depth, but the yard need not exceed thirty feet.
5. **Accessory Building and Structures in Yards.** Accessory buildings and structures may be located in a required yard subject to Part IV, Chapter 21A.36, Section 21A.36.20B, Table 21A.36.020B, Obstructions in Yards.
6. **Parking in required yard area.** No parking is allowed within the front or corner side yard.

FG Required Landscape Yards. All front and corner side yards shall be maintained as landscape yards.

GH Maximum Building Coverage. The surface coverage of all principal and accessory buildings shall not exceed fifty percent of the lot area.

HI Design Standards. All principal buildings constructed or remodeled after April 12, 1995, shall conform to the following design standards:

1. All roofs shall be of a hip or gable design, except additions or expansions to existing buildings may be of the same roof design as the original building;
2. The remodeling of residential buildings for retail or office use shall be allowed only

if the residential character of the exterior is maintained;

3. The front building elevation shall contain not more than fifty percent glass;
4. Special sign regulations of Part IV, Chapter 21A.46, Signs;
5. Building orientation shall be to the front or corner side yard; and
6. Building additions shall consist of materials, color and exterior building design consistent with the existing structure, unless the entire structure is resurfaced.
7. No parking is allowed within the front or corner side yard.

IJ. New Nonresidential Construction. Construction of a new principal building, parking lot or addition to an existing building for a nonresidential use that includes the demolition of a residential structure shall only be approved as a conditional use pursuant to Part V, Chapter 21A.54, Conditional Uses, and subject to the design standards of subsection I of this section; provided, that in such cases the planning commission finds that the applicant has adequately demonstrated the following:

1. The location of the residential structure is impacted by surrounding nonresidential structures to the extent that it does not function as a contributing residential element to the residential-business neighborhood (RB district); and
2. The property is isolated from other residential structures and does not relate to other residential structures within the residential-business neighborhood (RB district); and the design and condition of the residential structure is such that it does not make a material contribution to the residential character of the neighborhood. (Ord. 8-97 §§ 1, 2, 1997; Ord. 26-95 § 2(12-15), 1995)

JK. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

21A.24.170 R-MU residential/mixed use district.

A. **Purpose Statement.** The purpose of the R-MU residential/mixed use district is to implement the objectives of the adopted East Downtown master plan through district regulations that reinforce the residential character of the area and encourage the development of areas as high density residential urban neighborhoods containing supportive retail, service commercial, and small scale office uses. The design guidelines are intended to facilitate the creation of a walkable urban neighborhood with an emphasis on pedestrian scale activity.

B. **Uses.** Uses in the R-MU residential/mixed use district as specified in the Table of Permitted and Conditional Uses for Residential Districts found at Section 21A.24.190, are permitted subject to the general provisions set forth in Section 21A.24.010 and this section.

C. **Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.**

CD. Minimum Lot Area and Lot Width. The minimum lot areas and lot widths required in this district are as follows:

	Land Use	Minimum Lot Area	Minimum Lot Width
1.	Single-family detached dwellings	5,000 sq. ft.	50 ft.
2.	Single-family attached dwellings	3,000 sq. ft. per dwelling unit	22 ft. for interior lot 32 ft. for corner lot
3.	Two-family dwellings	8,000 sq. ft.	50 ft.
4.	Twin home dwellings	4,000 sq. ft. per dwelling unit	25 ft.
5.	Multifamily dwellings	No minimum lot area required	50 ft.
6.	Nonresidential uses	No minimum	No minimum
7.	Natural open space and conservation areas, public and private	No minimum	No minimum

8.	Public pedestrian pathways, trails and greenways	No minimum	No minimum
9.	Utility substations and buildings	5,000 sq. ft.	50 ft.
10.	Municipal service uses, including city utility uses and police and fire stations	No minimum	No minimum
11.	Places of worship less than four acres in size	5,000 sq. ft.	50 ft.
12.	Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
13.	Other permitted or conditional uses as listed in Section 21A.24.190	5,000 sq. ft.	50 ft.

DE. Minimum Yard Requirements.

1. Single-Family Detached Dwellings.

- a. **Front Yard.** Fifteen feet.
- b. **Corner Side Yard.** Ten feet.
- c. **Interior Side Yard.**
- i. **Corner Lots.** Four feet.
- ii. **Interior Lots.** Four feet on one side and ten feet on the other.
- d. **Rear Yard.** Twenty-five percent of the lot depth, but need not be more than twenty feet.

2. Single-Family Attached, Two-Family and Twin Home Dwellings.

- a. **Front Yard.** Fifteen feet.
- b. **Corner Side Yard.** Ten feet.
- c. **Interior Side Yard.**
- i. **Single-Family Attached.** No yard is required, however if one is provided it shall not be less than four feet.
- ii. **Two-Family.**
- (A) **Interior Lot.** Four feet on one side and ten feet on the other.
- (B) **Corner Lot.** Four feet.
- iii. **Twin Home.** No yard is required along one side lot line. A ten-foot yard is required on the other.
- d. **Rear Yard.** Twenty-five percent of lot depth or twenty-five feet, whichever is less.

3. Multifamily Dwellings and Any Other Residential Uses.

- a. **Front Yard.** No setback is required.
- b. **Corner Side Yard.** No setback is required.
- c. **Interior Side Yard.** No setback is required.

d. Rear Yard. Twenty-five percent of lot depth, but need not exceed thirty feet.

4. Nonresidential Development.

a. Front Yard. No setback is required.

b. Corner Side Yard. No setback is required.

c. Interior Side Yard. No setback is required.

d. Rear Yard. Twenty-five percent of lot depth, but need not exceed thirty feet.

5. Lots legally existing on the effective date of the ordinance codified in this title, April 12, 1995, shall be considered legal conforming lots.

6. For multiple unit residential uses, nonresidential and mixed uses, no minimum lot area is required. In addition, no yards or landscaped setbacks are required; ~~provided, that no front yard or corner side yard shall exceed fifteen feet and, except where~~ interior side yards are provided, they shall not be less than four feet. ~~If parking is located in the front or corner side yard of the building, then a fifteen-foot landscaped setback is required.~~

7. For buildings legally existing on the effective date of the ordinance codified in this title, required yards shall be no greater than the established setback line.

8. Maximum setback. A maximum setback is required for at least twenty five percent (25%) of the building facade. The maximum setback is 10 feet greater than the minimum setback or 15 feet if no minimum setback is required. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- The architecture of the addition is compatible with the architecture of the original structure.
- The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

9. Parking setback. Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a thirty foot (30') landscape setback from the front property line. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- The parking addition is compatible with the architecture/design of the original structure.
- The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

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FF. Maximum Building Height. The maximum building height shall not exceed seventy-five feet, except that nonresidential buildings and uses shall be limited by subsections E1 and 2 of this section. Buildings taller than seventy-five feet, up to a maximum of one hundred twenty-five feet, may be authorized as conditional uses, subject to the requirements of Part V, Chapter 21A.54, Conditional Uses; and provided, that the proposed conditional use is located within the one-hundred-twenty-five-foot height zone of the height map of the East Downtown master plan.

1. Maximum Height for Nonresidential Buildings. Three stories or forty-five feet, whichever is less.

2. Maximum Floor Area Coverage of Nonresidential Uses in Mixed Use Buildings of Residential and Nonresidential Uses. Three floors.

FG. Minimum Open Space. For residential uses and mixed uses containing residential use, not less than twenty percent of the lot area shall be maintained as open space. This open space may take the form of landscape yards or plazas and courtyards, subject to site plan review approval.

GH. Landscape Yards. All front and corner side yards provided, up to fifteen feet in depth, shall be maintained as a landscape yard in conformance with Part IV, Chapter 21A.48, Landscaping and Buffers.

HI. Landscape Buffers. Where a lot in the R-MU district abuts a lot in a single-family or two-family residential district, landscape buffers shall be provided as required in Part IV, Chapter 21A.48, Landscaping and Buffers. (Ord. 26-95 § 2(12-16), 1995)

IJ. Entrance And Visual Access:

i. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:

(A) The requirement would negatively impact the historic character of the building,

(B) The requirement would negatively impact the structural stability of the building, or

(C) The ground level of the building is occupied by residential uses, in which case the 40% glass requirement may be reduced to 25%.

ii. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have

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one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.

iii. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

iv. Screening: All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

JK. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

21A.32.130 MU mixed use district.

A. **Purpose.** The purpose of the MU mixed use district is to encourage the development of areas as a mix of compatible residential and commercial uses. The district is to provide for limited commercial use opportunities within existing mixed use areas while preserving the attractiveness of the area for residential use. The district is intended to provide a higher level of control over nonresidential uses to ensure that the use and enjoyment of residential properties is not substantially diminished by nonresidential redevelopment. The intent of this district shall be achieved by designating certain non-residential uses as conditional uses within the mixed use district and requiring future development and redevelopment to comply with established standards for compatibility and buffering as set forth in this section. The design guidelines are intended to facilitate walkable communities that are pedestrian and mass transit oriented.

B. **Permitted Uses.** Uses in the MU mixed use district as specified in the Table of Permitted and Conditional Uses for Special Purpose Districts found at Section 21A.32.140, are permitted subject to the provisions set forth in Section 21A.32.010 and Section 21A.32.130.

C. **Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.**

GD. Minimum Lot Area and Width. The minimum lot areas and lot widths required in this district are as follows:

	Land Use	Minimum Lot Area	Minimum Lot Width
1.	Single-family detached dwellings	4,000 sq. ft.	40 ft.
2.	Single-family attached dwellings	3,000 sq. ft. per dwelling unit	22 ft. for interior lot 32 ft. for corner lot
3.	Two-family dwellings	6,000 sq. ft.	40 ft.
4.	Twin home dwelling unit	3,000 sq. ft. per	20 ft.
5.	Multifamily dwellings	9,000 sq. ft. + & (3 to 14 units)	50 ft.
6.	Multifamily dwellings (15 or more)	17,500 sq. ft. + &	80 ft.
7.	Nonresidential uses	No minimum	No minimum
8.	Natural open space and conservation areas, public and private	No minimum	No minimum
9.	Pedestrian pathways, trails	No minimum	No minimum

	and greenways		
10.	Utility substations and buildings	5,000 sq. ft.	50 ft.
11.	Municipal service uses, including city utility uses and police and fire stations	5,000 sq. ft.	50 ft.
12.	Places of worship less than 4 acres in size	5,000 sq. ft.	50 ft.
13.	Public/private utility transmission wires, lines pipes, and poles	No minimum	No minimum
14.	Other permitted or conditional uses as listed in Section 21A.32.140.	5,000 sq. ft.	50 ft.

Qualifying Provisions:

+ 9,000 sq. ft. for 3 units; plus 800 sq. ft. for each additional dwelling unit up to and including 14 dwelling units. 17,500 sq. ft. for 15 units; plus 750 sq. ft. for each additional dwelling unit up to one acre. For developments greater than one acre 800 sq. ft. for each dwelling unit is required.

& Density Bonus. When the minimum open space requirement is increased to thirty percent (30%); or when eighty percent (80%) or more of the off-street parking is structured parking within the principal building or underground; or when a combined ratio of increased open space and structured parking within the principal building or underground is provided, the minimum lot area required, subject to site plan review approval, shall be as follows:

9,000 sq. ft. for 3 units; plus 800 sq. ft. for each additional dwelling unit up to and including 14 dwelling units. 17,500 sq. ft. for 15 units; plus 650 sq. ft. for each additional dwelling unit up to one acre. For developments greater than one acre, 700 sq. feet per dwelling unit is required.

DE. Minimum Yard Area Requirements.

1. Single-Family Detached, Single-Family Attached, Two-Family, and Twin Home Dwellings.

a. **Front Yard.** Ten feet (10').

b. **Corner Side Yard:** Ten feet (10').

c. **Interior Side Yard:**

i. **Corner Lots:** Four feet (4').

ii. **Interior Lots:**

(A) **Single-Family Attached:** No yard is required, however if one is provided it shall not be less than four feet (4').

(B) **Single-Family Detached, Two-Family And Twin Home Dwellings:** Four feet (4') on one side and ten (10) on the other.

d. **Rear Yard:** Twenty five percent (25%) of the lot depth, but need not be more than twenty feet (20').

2. Multi-Family Dwellings, Including Mixed Use Buildings With Less Than Twenty Five Percent Nonresidential Uses:

a. **Front Yard:** Ten feet (10') minimum with a twenty foot (20') maximum.

b. **Corner Side Yard:** Ten feet (10').

c. **Interior Side Yard:** Ten feet (10').

d. **Rear Yard:** Twenty five percent (25%) of the lot depth, but need not exceed thirty feet (30'), however, if one hundred percent (100%) of the off-street parking is provided within the principal building and/or underground, the minimum required rear yard shall be fifteen feet (15').

3. Nonresidential Development, Including Mixed Uses With Greater Than Twenty Five Percent Nonresidential Uses:

a. **Front Yard:** Ten feet (10') minimum with a twenty foot (20') maximum.

b. **Corner Side Yard:** Ten feet (10').

c. **Interior Side Yard:** No setback is required.

d. **Rear Yard:** Twenty five percent (25%) of lot depth, but need not exceed thirty feet (30').

4. Lots legally existing on the effective date hereof, April 7, 1998, shall be considered legal conforming lots.

5. For additions to buildings legally existing on the effective date hereof, required yards shall be no greater than the established setback line.

6. Maximum setback. A maximum setback is required for at least seventy-five percent (75%) of the building façade. The maximum setback is twenty feet (20').

Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- The architecture of the addition is compatible with the architecture of the original structure.
- The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

7. Parking setback. Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty five foot (25') landscape setback from the front property line. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- The parking addition is compatible with the architecture/design of the original structure.
- The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

FF. Maximum Building Height: The maximum building height shall not exceed forty five feet (45'), except that nonresidential buildings and mixed use buildings shall be limited by subsections E1 and E2 of this Section. Buildings taller than forty five feet

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(45'), up to a maximum of sixty feet (60'), may be authorized as conditional uses, subject to the requirements of Part V, Chapter 21A.54 of this Title, provided that the additional height is for residential uses only.

1. **Maximum Height For Nonresidential Buildings:** Nonresidential buildings shall not exceed thirty feet (30') or two (2) stories, whichever is less.

2. **Maximum Height Of Mixed Use Buildings Of Residential And Nonresidential Uses:** Mixed use buildings shall not exceed forty five feet (45'). Nonresidential uses in a mixed use building are limited to the first two (2) stories.

FG. Minimum Ground Floor Glass: The ground floor of the building elevation fronting the street on all nonresidential buildings and uses within the MU Mixed Use District shall contain not less than forty percent (40%) and not more than seventy percent (70%) nonreflective glass surfaces. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:

(A) The requirement would negatively impact the historic character of the building,

(B) The requirement would negatively impact the structural stability of the building, or

(C) The ground level of the building is occupied by residential uses, in which case the 40% glass requirement may be reduced to 25%.

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GH. Minimum Open Space: For residential uses and mixed uses containing residential use, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas and courtyards, subject to site plan review approval.

HI. Required Landscape Yards: All front and corner side yards shall be maintained as landscape yards.

IJ. Landscape Buffers: Where a nonresidential or mixed use lot abuts a residential or vacant lot within the MU Mixed Use District or any residential district, a ten foot (10') landscape buffer shall be provided subject to the improvement requirements of subsection 21A.48.080D of this Title.

JK. Nonresidential Use Of A Residential Structure: The conversion and remodeling of a residential structure to a nonresidential use shall be allowed only if the exterior residential character is maintained.

KL. New Nonresidential Construction: Construction of a new principal building for a nonresidential use that includes the demolition of a residential structure or located between two (2) existing residential uses on the same block face shall only be approved as a conditional use pursuant to Part V, Chapter 21A.54 of this Title, unless located on an arterial street. (Ord. 12-98 § 3, 1998)

LM. Entrance And Visual Access:

i. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.

ii. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

iii. Screening: All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

MN. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

21A.26.020 CN Neighborhood Commercial District:

A. Purpose Statement: The CN Neighborhood Commercial District is intended to provide for small scale commercial uses that can be located within residential neighborhoods without having significant impact upon residential uses. The design guidelines are intended to reinforce the historical scale and ambiance of traditional neighborhood retail that is designed with the pedestrian as the primary user.

B. Uses: Uses in the CN Neighborhood Commercial District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 of this Chapter, are permitted subject to the general provisions set forth in Section 21A.36.010 of this Title and this Section.

C. Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.

CD. **Lot Size Requirements:** No minimum lot area or lot width is required. No lot shall be larger than sixteen thousand five hundred (16,500) square feet.

DE. **Maximum District Size:** The total area of a contiguously mapped CN District shall not exceed ninety thousand (90,000) square feet, excluding all land in public rights of way.

EF. **Minimum Yard Requirements:**

1. Front Or Corner Side Yard: A fifteen foot (15') minimum front or corner side yard shall be required. Exceptions to this requirement may be authorized as a conditional use, subject to the requirements of Part V, Chapter 21A.54 of this title, and the review and approval of the Planning Commission.

2. Interior Side Yard: None required.

3. Rear Yard: Ten feet (10').

4. Buffer Yards: Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of Part IV, Chapter 21A.48 of this Title.

5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in a required yard subject to Table 21A.36.020B of this Title.

6. Maximum setback. A maximum setback is required for at least sixty five percent (65%) of the building façade. The maximum setback is twenty five feet (25').

Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

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- The architecture of the addition is compatible with the architecture of the original structure.
- The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

7. Parking setback. Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a thirty foot (30') landscape setback from the front property line. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- The parking addition is compatible with the architecture/design of the original structure.
- The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

FG Landscape Yard Requirements: Front and corner side yards shall be maintained as landscape yards. Subject to site plan review approval, part or all of the landscape yard may be a patio or plaza, conforming to the requirements of Section 21A.48.090 of this Title.

GH. Maximum Height: Twenty five feet (25') or two and one-half (2 1/2) stories, whichever is less. (Ord. 88-95 § 1 (Exh. A), 1995; Ord. 26-95 § 2(13-1), 1995)

HI Entrance And Visual Access:

i. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:

- (A) The requirement would negatively impact the historic character of the building, or
- (B) The requirement would negatively impact the structural stability of the building.

ii. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have

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one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.

iii. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

iv. Screening: All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

IJ. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

21A.26.030 CB Community Business District:

A. **Purpose Statement:** The CB Community Business District is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale.

B. **Uses:** Uses in the CB Community Business District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 of this Chapter are permitted subject to the general provisions set forth in Section 21A.26.010 of this Chapter and this Section.

C. **Planned Development Review:** Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the Planning Commission pursuant to the provisions of Section 21A.54.150 of this Title.

CD. **Lot Size Requirements:** No minimum lot area or lot width is required, however any lot exceeding four (4) acres in size shall be allowed only as a conditional use.

DE. **Maximum Building Size:** Any building having a fifteen thousand (15,000) gross square foot floor area of the first floor or a total floor area of twenty thousand (20,000) gross square feet or more, shall be allowed only as a conditional use. An unfinished basement used only for storage or parking shall be allowed in addition to the total square footage.

EF. **Minimum Yard Requirements:**

1. **Front Or Corner Side Yard:** No minimum yard is required ~~unless parking is provided between the building and the front or corner side yard lot line. Where parking is provided between the building and the front or corner side yard lot line, such parking shall be set back fifteen feet (15') and the fifteen foot (15') setback shall be landscaped conforming to the requirements of Section 21A.48.090 of this Title.~~ If a front yard is provided, it shall comply with all provisions of this Title applicable to front or corner side yards, including landscaping, fencing, and obstructions.

2. **Interior Side Yard:** None required.

3. **Rear Yard:** Ten feet (10').

4. **Buffer Yards:** Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of Part IV, Chapter 21A.48 of this Title.

5. **Accessory Buildings And Structures In Yards:** Accessory buildings and structures may be located in a required yard subject to Table 21A.36.020B of this Title.

6. **Maximum setback.** A maximum setback is required for at least seventy five percent (75%) of the building facade. The maximum setback is fifteen feet (15').

Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning

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Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- The architecture of the addition is compatible with the architecture of the original structure.
- The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

7. Parking setback. Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty foot (20') landscape setback from the front property line. Parking structures shall maintain a thirty five foot (35') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- The parking addition is compatible with the architecture/design of the original structure.
- The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

FG. Landscape Yard Requirements: If a front or corner side yard is provided, such yard shall be maintained as a landscape yard. The landscape yard can take the form of a patio or plaza, subject to site plan review approval.

GH. Maximum Height: Thirty feet (30') or two (2) stories, whichever is less. (Ord. 88-95 § 1 (Exh. A), 1995; Ord. 26-95 § 2(13-2), 1995)

HI. Entrance And Visual Access:

i. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:

(A) The requirement would negatively impact the historic character of the building,

(B) The requirement would negatively impact the structural stability of the building, or

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(C) The ground level of the building is occupied by residential uses, in which case the 40% glass requirement may be reduced to 25%.

ii. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.

iii. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

iv. Screening: All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

JJ. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

21A.26.060 CSHBD Sugar House Business District:

A. **Purpose Statement:** The purpose of the CSHBD Sugar House Business District is to provide for commercial, office and high density residential use opportunities in a manner compatible with the existing form and function of the Sugar House master plan and the Sugar House Business District. The design guidelines are intended to accomplish the design criteria identified in the Sugar House Community Master Plan.

B. **Uses:** Uses in the CSHBD Sugar House Business District as specified in the Table of Permitted and Conditional Uses for Commercial Districts found at Section 21A.26.080 of this Chapter are permitted, subject to the general provisions set forth in Section 21A.26.010 of this Chapter and this Section.

C. **Planned Development Review:** All new construction of principal buildings or additions that increase the floor area and/or parking requirement by twenty five percent (25%) within the CSHBD District shall be subject to planned development review for compatibility and compliance with the design guidelines of the Sugar House master plan and the Sugar House Business District strategies and recommendations plan. Planned developments shall be approved in conformance with the provisions of Section 21A.54.150 of this Title.

D. **Minimum Lot Size:** No minimum lot area or lot width is required; provided, that for multi-family dwellings the minimum lot area required shall be nine thousand (9,000) square feet for three (3) dwelling units plus five hundred (500) square feet for each additional dwelling unit.

E. **Minimum Yard Requirements:**

1. **Front And Corner Side Yards:** No minimum yard is required.

2. **Interior Side Yards:** None required.

3. **Rear Yards:** No minimum yard is required.

4. **Buffer Yards:** All lots abutting a lot in a residential district shall conform to the buffer yards and landscape requirements of Part IV, Chapter 21A.48 of this Title.

5. **Maximum setback.** A maximum setback is required for at least eighty percent (80%) of the building façade. The maximum setback is ten feet (10'). Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- The architecture of the addition is compatible with the architecture of the original structure.
- The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

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6. Parking setback. Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a fifteen foot (15') landscape setback from the front property line. Parking structures shall maintain a thirty foot (30') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- The parking addition is compatible with the architecture/design of the original structure.
- The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

F. **Maximum Building Size:** Any building having a first floor area of twenty thousand (20,000) square feet or more shall be allowed only as a conditional use.

G. **Maximum Height:** No building shall exceed ninety feet (90') or six (6) stories, whichever is less. Buildings higher than ninety feet (90') may be allowed in accordance with the provision of subsections G1 and G2 of this Section.

1. **Conditions For Taller Buildings:** Buildings may exceed the ninety foot (90') or six (6) story height limit provided they conform to the following requirements:

- a. **Location:** The site is located within the block bounded by 2100 South Street, 1100 East Street/ Highland Drive, Sugarmont Drive, and McClelland Street.
- b. **Setback:** The portion of the building exceeding ninety feet (90') shall be stepped back from the front property line to mitigate potential impacts upon the existing streetscape.
- c. **Taller Buildings Height Limit:** The excess height allowance shall be limited to one hundred fifty feet (150') or ten (10) stories.

2. **Procedure For Modification:** A modification to the height regulations in this subsection G may be granted as a planned development in conformance with the provisions of Section 21A.54.150 of this Title.

H. **Minimum First Floor Glass:** The first floor street front and front elevation on all new commercial and office buildings or buildings in which the property owner is modifying the size of windows on the front facade within the CSHBD Sugar House Business Zoning District, shall be at least forty percent (40%) nonreflective glass surfaces. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:

1. The requirement would negatively impact the historic character of the building, or
2. The requirement would negatively impact the structural stability of the building.

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I. **Mechanical Equipment:** Rooftop mechanical equipment should be screened with architecturally integrated elements of the building. (Ord. 35-99 §§ 25, 26, 1999; Ord. 26-95 § 2(13-5), 1995)

J. **Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.**

21A.34.090 SSSC South State Street Corridor Overlay District:

A. **Purpose:** The purpose of the SSSC South State Street Corridor Overlay District is to acknowledge and reinforce the historical land development patterns along South State Street between 900 South and 2100 South.

B. **Maximum Building Height Exemption:** Buildings located within the BP Business Park Base Zoning District within the SSSC South State Street Corridor Overlay District may exceed the height of the base zoning district to a height ~~of~~ not to exceed six (6) stories or ninety feet (90'), whichever is less.

C. **Maximum Floor Area Ratio Exemption:** Buildings located within the BP Business Park Zoning District within the SSSC South State Street Corridor Overlay District are exempted from the maximum floor area ratio requirements.

D. **Minimum Yard Requirement Exemption:**

1. **Front Yard:** Structures located within the CC Commercial Corridor Base Zoning District and the SSSC South State Street Corridor Overlay District are exempted from the minimum front yard setback requirement. The required fifteen foot (15') landscaped setback applies to all other uses, including open storage, ~~parking lots~~ and vacant land.

2. Maximum setback. A maximum setback is required for at least thirty five percent (35%) of the building facade. The maximum setback is twenty five feet (25'). Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- The architecture of the addition is compatible with the architecture of the original structure.
- The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

3. Parking setback. Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty five foot (25') landscape setback from the front property line. Parking structures shall maintain a forty five foot (45') minimum setback from a front or corner side yard property line. There are no minimum or maximum setback restrictions on underground parking. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Zoning Administrator finds the following:

- The parking addition is compatible with the architecture/design of the original structure.

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- The parking addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

E. **District Location:** The South State Street Corridor Overlay District is the area generally aligned with the State/Main Street corridor from 900 South to 2100 South, within the following approximate boundaries referenced on the Zoning Map:

Commencing 165 feet east of the east right-of-way line at the intersection of 2100 South and State Street, thence north to a point 165 feet east of the right-of-way line at the intersection of 900 South and State Street, thence west to a point 165 feet west of the right-of-way line at the intersection of 900 South and Main Street, thence south to the right-of-way line at 1300 South, thence east to the east right-of-way line at the intersection of 1300 South and Main Street, thence south to the intersection of 2100 South and Main Street, thence east along the north right-of-way line on 2100 South to the point of beginning.

F. **Entrance And Visual Access:**

i. **Minimum First Floor Glass:** The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front façade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of Part V, Chapter 21A.59 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:

(A) The requirement would negatively impact the historic character of the building,

(B) The requirement would negatively impact the structural stability of the building, or

(C) The ground level of the building is occupied by residential uses, in which case the 40% glass requirement may be reduced to 25%.

ii. **Facades:** Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.

iii. **Maximum Length:** The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

iv. **Screening:** All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited

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to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

H. Parking lot/structure lighting. If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to 16 feet in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

(Ord. 26-95 § 2(17-8), 1995)

21A.54.150.E.4 Planned developments within the RB, RMU, MU, CN, CB, and CSHBD zoning districts and the South State Street Overlay. Also planned developments within the CS zoning district, when the district is adjacent to more than 60% residential zoning (within 300 feet, either on the same block or across the street).

Planned developments within these zoning districts may be approved subject to consideration of the following general conceptual guidelines (a positive finding for each is not required):

- The development shall be primarily oriented to the street, not an interior courtyard or parking lot,
- The primary access shall be oriented to the pedestrian and mass transit,
- The façade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,
- Architectural detailing shall emphasize the pedestrian level of the building,
- Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,
- Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,
- Dumpsters and loading docks shall be appropriately screened or located within the structure, and
- Signage shall emphasize the pedestrian/mass transit orientation.

21A.54.150.E.2

<i>District</i>	<i>Minimum Planned Development Size</i>
Residential Districts	
FR-1/43,560 Foothills Estate Residential District	5 acres
FR-2/21,780 Foothills Residential District	5 acres
FR-3/12,000 Foothills residential District	5 acres
R-1/12,000 Single-Family Residential District	5 acres
R-1/7,000 Single-Family Residential District	20,000 square feet
R-1/5,000 Single-Family Residential District	20,000 square feet
SR-1 Special Development Pattern Residential District	9,000 square feet
SR-2 Special Development Patter Residential	Reserved
SR-3 Interior Block Single-Family Residential District	9,000 square feet
R-2 Single and Two-Family Residential District	9,000 square feet
RMF-30 Low Density Multi-Family Residential District	9,000 square feet
RMF-35 Moderate Density Multi-Family Residential District	9,000 square feet
RMF-45 Moderate / High Density Multi-Family Residential District	20,000 square feet
RMF-75 High Density Multi-Family District	20,000 square feet
RO Residential/Office District	20,000 square feet
RB Residential/Business District	20,000 square feet No minimum required
R-MU Residential/Mixed Use District	20,000 square feet No minimum required
Commercial Districts	
CN Neighborhood Commercial District	20,000 square feet No minimum required
CB Community Business District	20,000 square feet No minimum required
CS Community Shopping District	60,000 square feet
CC Corridor Commercial District	20,000 square feet
CSHBD Sugar House Business District	20,000 square feet No minimum required
CG General Commercial District	1 acre
Manufacturing Districts	
M-1 Light Manufacturing District	2 acres
M-2 General Manufacturing District	2 acres
Downtown Districts	
D-1 Central Business District	2 acres
D-2 Downtown Support Commercial District	2 acres
D-3 Downtown Warehouse/Residential District	1 acre
Special Purpose Districts	
RP Research Park District	10 acres
BP Business Park District	10 acres
FP Foothills Protection District	32 acres
AG Agricultural District	10 acres
AG-2 Agricultural District	4 acres
AG-5 Agricultural District	10 acres
AG-20 Agricultural District	40 acres
A Airport District	2 acres
PL Public Lands District	5 acres
I Institutional District	5 acres
UI Urban Institutional District	1 acre
OS Open Space District	2 acres
MH Mobile Home Park District	10 acres
EI Extractive Industries District	10 acres
MU Mixed-Use	No minimum required

21A.59 Conditional building and site design review

21A.59.010 Purpose Statement:

The intent of building and site design review regulations is to provide for the flexible implementation of the specific design requirements set forth within individual zoning districts. The purpose statement of each zoning district provides the philosophical approach to defining that flexibility. This process is intended to supplement the review and administrative procedures which are carried out under this title or other city ordinances and regulations. The design review process is intended to help ensure that newly developed properties and redeveloped properties are designed to encourage pedestrian access, circulation and orientation.

21A.59.020 Authority:

Design review shall be required pursuant to the provisions of this chapter for uses as specified within individual zoning districts before zoning certificates, building permits or certificates of occupancy may be issued.

- A. The Planning Commission shall approve design criteria upon consideration of comments received from city departments and determining whether modification of specific design regulations meet the intent of the individual zoning district.
- B. The Planning Commission may modify individual design requirements for specific projects if they find that the intent of the basic design criteria of the zoning district has been met.

21A.59.030 Scope Of Application:

Design review approval shall be required for all permitted uses, conditional uses and accessory uses when specifically authorized and referenced by individual zoning districts.

21A.59.040 Scope Of Modifications Authorized:

The authority of the Planning Commission through the design review process shall be limited to modification of the specific element referenced within each zoning district.

21A.59.050 Application Requirements:

Each application for design review shall include the same information as required for site plan review as identified in 21A.58.060

21A.59.060 Standards For Design Review:

In addition to standards provided in other sections of this title for specific types of approval, the following standards shall be applied to all applications for design review:

1. The development shall be primarily oriented to the street, not an interior courtyard or parking lot,
2. The primary access shall be oriented to the pedestrian and mass transit,
3. The façade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,
4. Architectural detailing shall emphasize the pedestrian level of the building,
5. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,
6. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,
7. Dumpsters and loading docks shall be appropriately screened or located within the structure, and
8. Signage shall emphasize the pedestrian/mass transit orientation.

21A.59.070 Procedures For Design Review:

A.Preapplication Conference: Before filing an application for design review, the applicant is encouraged to confer with the Development Review Team (DRT) regarding the general proposal. Such action does not require formal application fees, or filing of a site plan, or landscape plan and is not to be construed as an application for formal approval. No representation made by the zoning administrator, the DRT or other city departments during such conference shall be binding upon the city with respect to an application subsequently submitted.

B. **Fees:** Every Design Review application shall be accompanied by a fee as established in the fee schedule, Chapter 21A.64 of this title.

C. **Submission Of Final Plans - Review And Approval:**

1. **Planning Commission Review:** After the plans and related materials and fees have been submitted pursuant to section 21A.59.050 of this chapter, and the application has been determined by the zoning administrator to be complete pursuant to section 21A.10.010 of this title, the application shall be reviewed and processed through the Planning Commission in coordination with the appropriate city departments. If the plan is approved, the zoning administrator shall certify approval and state the conditions of such approval, if any. If the design is disapproved, the zoning administrator shall indicate reasons for such in writing to the applicant.

2. **Appeal Of Planning Commission Decision:** Any appeal of the Planning Commission decision shall be made to the Land Use Appeals Board, pursuant to Chapter 21A.16 of this title.

3. **Certification By Planning Commission:** The decisions of the Planning Commission approving the application shall be noted on all copies of applicable plans to be retained in the record, including any changes or conditions required as part of the design review approval. One such copy shall be returned to the applicant, and others retained as required for records or further action by the Planning Commission or other affected agencies of the city.

4. **Building Permits:** Building permits shall be issued in accordance with approved plans. A copy of the approved plan shall be retained in the records of the office of the division of building services and licensing and all building and occupancy permits shall conform to the provisions of the approved design review.

5. **Amendments Or Modifications To Approved Design review:** Amendments or modifications to approved design review must be submitted to the zoning administrator. Such modifications shall be submitted in accordance with the procedures and requirements of this chapter and shall be distributed to the appropriate departments for review. The zoning administrator may waive this requirement if the zoning administrator determines that such modification of the original design review has no significant impact upon the original proposal and still remains in conformance with design concepts approved by the Planning Commission.

6. **Time Limit On Approval:** Approval of design review shall be void unless a building permit has been issued or use of the land has commenced within twelve (12) months from the date of approval. Upon request, revalidation of

the site plan may be granted for an additional twelve (12) months if all factors of the original design review are the same. The written notice requesting revalidation shall be received by the zoning administrator prior to expiration of the original twelve (12) month period.

21A.64.010 Fee Schedule:

Petition Or Application	Fee
Administrative interpretation and verification	\$25.00 plus \$25.00 per hour for research after first hour
Alley vacation	\$100.00 (fee waiver available)
Alternative parking	\$200.00
Amendment:	
Master Plan	\$500.00 plus \$100.00 per acre in excess of 1 acre
Zoning: Text or Map	\$500.00 plus \$100.00 per acre in excess of 1 acre
Appeal of decision:	
Administrative decision	\$100.00
Historic Landmarks Commission	\$100.00
Planning Commission	\$100.00
	Fee waiver available
Appearance before the zoning enforcement hearing officer:	No fee
First scheduled hearing	\$50.00
Second scheduled hearing	
Billboard construction or demolition	\$100.00
Conditional use	\$300.00 plus \$100.00 per acre in excess of 1 acre
Condominium:	
Preliminary	\$300.00 plus \$10.00 per unit
Final	\$200.00 plus \$10.00 per unit
Conditional building and site design review	\$300.00 plus \$100.00 per acre in excess of 1 acre
Dwelling unit legalization	\$100.00
Historic preservation:	
HLC decision	
Alteration of a principal building	\$25.00
Signs	\$25.00
New construction of a principal building	\$200.00
Demolition of a principal building	\$200.00
Relocation of a principal building	\$200.00
Home occupation:	
Nonconditional	\$0.00
Conditional	\$100.00

Planned development	\$300.00 plus \$100.00 per acre in excess of 1 acre
Routine and uncontested matters	\$100.00
Signs:	
Plan review fee	10% of building permit value
Identification tag	\$10.00
Site development permit	\$200.00 plus \$50.00 per acre in excess of 1 acre
Special exception	\$200.00 ¹
Street closure	\$300.00 (fee waiver available)
Street name change	\$250.00
Subdivision (preliminary review):	
Minor residential	\$150.00 plus \$25.00 per lot
Minor nonresidential	\$150.00 plus \$25.00 per lot
Residential	\$250.00 plus \$25.00 per lot
Nonresidential	\$150.00 plus \$50.00 per lot
FR and FP Zones	\$600.00 plus \$100.00 per lot ²
Subdivision (final review):	
Residential and nonresidential	\$300.00 plus \$75.00 per lot
FR and FP Zones	\$600.00 plus \$150.00 per lot
Subdivision lot line adjustment	\$200.00
Subdivision amendments and vacations:	
Amendments	\$350.00 plus \$25.00 per lot
Vacations	\$350.00
Temporary uses	\$50.00
Zoning variance	\$200.00 ¹

1. A fee for a special exception or variance shall not be required for alterations of contributing structures or new construction located within an H Historic Preservation Overlay District or alterations of a landmark site when the Historic Landmark Commission finds that the development, as proposed, is more consistent with the intent of Section 21A.34.020 of this Title or subsection 21A.46.070V of this Title, than by strict compliance with the Ordinance.

(Ord. 35-99 § 103, 1999)

Exhibit 2
Original staff report
(Attachments to the original staff report have been eliminated for brevity)
[Including subsequent memos]

Salt Lake City Planning Commission
Staff Report
Petition 400-00-52
November 16, 2000

REQUEST

Petition 400-00-52 from the Salt Lake City Administration requesting that parking in front of commercial buildings, between the building and the street, be prohibited in all neighborhood oriented commercial zones and to adopt other neo-traditional town planning concepts to encourage more walkable communities throughout Salt Lake City.

COMMUNITY/NEIGHBORHOOD COUNCIL(S) REVIEW:

The petition was introduced to the Community Council Chairs on October 5, 2000. Issues raised included; security, lighting (particularly as it pertains to adjacent properties) and traffic safety. No vote was taken at the Community Council Chairs Mayors meeting and there have been no requests for follow up information or presentations. The issue was advertised in the newspaper November 2, 2000.

GENERAL BACKGROUND AND OVERVIEW

Applicant:	Salt Lake City Administration
Purpose of proposal and proposed amendment:	The creation of more neo-traditional development patterns for commercial areas within Salt Lake City.
Existing Zoning and Overlay Districts:	Multiple zoning districts
Existing Master Plan Policies:	Multiple master plans
Affected areas and parcel numbers:	Multiple parcel numbers

In order to encourage walkable communities, the Administration is requesting that all new commercial developments within neighborhood oriented commercial zones follow neo-traditional design principles and not be designed as traditional strip malls have been

generally designed in the post World War Two era. Neo-traditional development patterns favor commercial development be located near the street, with the entry oriented to the street, and the parking be generally located behind the primary building.

Specific zones

The commercial zoning districts which have the most interface with residential areas of the City are: RB Residential Business, RMU Residential Mixed Use, MU Mixed Use, CN Neighborhood Commercial, CB Community Business, CS Shopping Center, CC Commercial Corridor, SHBD Sugar House Business District.

The manufacturing, general commercial and special purpose zones are not being included in this study because they have minimal interface with residential areas, or the use of neo-traditional design concepts are less critical in application to their development patterns.

IDENTIFICATION AND ANALYSIS OF ISSUES

Concept

The Administration has expressed an interest in creating more walkable shopping districts, similar to the 9th and 9th shopping area, and less "strip malls".

In many neighborhood areas where older commercial buildings exist, they were built at a time when the auto was not the predominant method of transportation. Therefore they are very pedestrian oriented. As the use of the auto became more prominent, so did the parking lot. The City has aggravated this phenomenon to a certain degree by requiring landscaped setback (in part to soften parking) where they previously were not required or needed. The intent is to reverse that trend and return to a more pedestrian friendly method of development.

Methods of Design Control

The City presently has design controls in most of the Downtown and Gateways zones, which encourage neo-traditional development. These changes were instigated in 1995 and 1998. They are derived from a philosophy that in mixed-use areas, zoning should worry less about the uses, as traditional zoning does, and more about the general design and compatibility. For example; Toronto has a neighborhood near Downtown where their zoning ordinance is oriented more towards design than use. Over the last few years this area has become a very vibrant mixed-use area. The design controls that Salt Lake City has instigated are minimal, involving setbacks massing and sidewalk interface. The concept is to set general parameters and let the architect/developer create the detail of the actual design.

Present examples of design controls

Several zones presently have restrictions on parking in the front yard. For example;

- 1) The Downtown D-1 and D-4 districts require a maximum 5 foot building setback and prohibit parking within 75 feet of a block corner. The Planning Commission can waive those design requirements through the conditional use process.
- 2) The R-MU zone varies in its landscaped setback requirement. It does not have a required front yard landscape setback for multi-family or commercial building, but it does for parking lots (15 feet).
- 3) The GMU has 5 foot maximum building setback for at least 25% of the building façade and design controls which encourage orientation to the street.

Parking in the front yard (between the street and building) may be discouraged through the use of maximum setback requirements which require the building to be built close to the street (eliminating room for parking). Parking in the front yard is may also be discouraged by requiring greater setbacks for parking than for structures. It is also possible to incorporate an outright prohibition of parking in the front yard into the zoning ordinance.

Maximum Setback

In order to discourage parking in front of the building, a maximum setback for structures could easily be required in each of the proposed zones. This would prohibit developers from setting the structure to the rear of the property, with parking in front. A maximum setback, approximately 10 feet deeper than the minimum, would allow for facade variations while not providing enough room for parking in the front yard.

Presently the minimum landscape setbacks in the considered zoning districts are as follows;

RMU Residential Mixed Use,	varies between 0 to 15 feet depending on use, 15 feet required for parking lots.
SHBD Sugar House Business District,	no setback required
MU Mixed Use,	no setback required
CB Community Business,	none, except 15 feet setback required for parking lots
CS Shopping Center,	30 feet (may be waived by the Planning Commission through conditional use process)
CC Commercial Corridor,	15 feet
CN Neighborhood Commercial,	15 feet
RB Residential Business	20% of lot depth or 25 feet, whichever is less

If each of these zoning districts were modified to have both a maximum and minimum setback, the parking would inherently be forced into another location on the site. Presently, the Planning Commission retains the authority to waive or modify setbacks as a conditional use to accommodate unique designs/situations in existing districts where maximum setbacks are used. The conditional use "out" should also be included within additional zoning districts where maximum setbacks are used. The entire facade could be subject to a maximum setback, or merely a percentage of the facade (similar to the present G-MU zone).

Orientation

Another major design concept of neo-traditional planning is the building orientation to the street

The City presently encourages this several ways:

- 1) Requirements that the main entry be oriented to the sidewalk, and
- 2) Requirements for minimum percentage of glass on the ground level to encourage pedestrian interaction with the building.

There is also a statement in the general provisions of the residential section of the zoning ordinance requiring all residential structures face the street. This was included to discourage "box car" apartments where the main entry is oriented to the side-yard. All residential zones are presently required (listed within the general requirements) to orient their front entry, windows, balconies etc to the street. This presently applies to the RMU an RB zoning districts. Similarly, the D-1, D- 4, SHBD and GMU zones presently require minimum percentage of glass at the ground level.

TYPICAL LANGUAGE

The following language exists elsewhere in the zoning ordinance. This language is supportive of neo-traditional design principles. By using language similar to what already exists within the ordinance, interpretation is more consistent. This information is included primarily for reference and will be appropriately modified to accommodate the idiosyncrasies of each zoning district within the proposed ordinance changes that are attached.

21A.24.010.I. [Residential General Provisions – already apply to R-MU and RB]

Front Facade Controls: To maintain architectural harmony and primary orientation along the street, all buildings shall be required to include an entrance door, and such other features as windows, balconies, porches, and other such architectural features in the front facade of the building, totaling not less than ten percent (10%) of the front facade elevation area, excluding any area used for roof structures. For buildings constructed on a corner lot, only one front facade is required in either the front or corner side facade of the building.

21A.30.010.D [Downtown]

Impact Controls And General Restrictions In The Downtown Districts:

1. **Refuse Control:** Refuse containers must be covered and shall be stored within completely enclosed buildings or screened in conformance with the requirements of Part IV, Chapter 21A.48 of this Title. For buildings existing as of April 12, 1995, this screening provision shall be required if the floor area or parking requirements are increased by twenty five percent (25%) or more by an expansion to the building or change in the type of land use.

2. **Lighting:** On-site lighting, including parking lot lighting and illuminated signs, shall be located, directed or designed in such a manner so as not to create glare on adjacent properties.

21A.30.020.D [Downtown]

2. Yard Requirements:

a. **Front And Corner Side Yards:** No minimum yards are required, however, no yard shall exceed five feet (5') except as authorized as a conditional use. Such conditional uses shall be subject to the requirements of Part V, Chapter 21A.54 of this Title, as well as design review by the Planning Commission. Where an entire block frontage is under one ownership, the setback for that block frontage shall not exceed twenty five feet (25'). Exceptions to this requirement may be authorized as conditional uses, subject to the requirements of Part V, Chapter 21A.54 of this Title, and the review and approval of the Planning Commission.

3. **Restrictions On Parking Lots And Structures:** An excessive influence of at- or aboveground parking lots and structures can negatively impact the urban design objectives of the D-1 District. To control such impacts, the following regulations shall apply to at- or aboveground parking facilities:

a. Within block corner areas and on Main Street, parking lots and structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.

b. Within the mid-block areas, parking lots and structures shall conform to the following:

i. Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floor shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.

ii. Levels of parking above the first level facing the front or corner side lot line shall have floors/facades that are horizontal, not sloped.

c. Accessory parking structures built prior to the principal use, and commercial parking structures, shall be permitted as conditional uses with the approval of the Planning Commission pursuant to the provisions of Part V, Chapter 21A.54 of this Title.

d. No special restrictions shall apply to belowground parking facilities.

4. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the D-1 Central Business District shall be at least forty percent (40%) glass surfaces, except that in the Main Street retail core where this requirement shall be sixty percent (60%). All first floor glass in the Main Street retail core shall be nonreflective-type glass. Exceptions to this requirement may be authorized as conditional uses, subject to the requirements of Part V, Chapter 21A.54 of this Title. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:

1. The requirement would negatively impact the historic character of the building, or
2. The requirement would negatively impact the structural stability of the building.

21A.31.010.H. [Gateway]

Restrictions On Parking Lots And Structures: The following regulations shall apply to surface or aboveground parking facilities.

1. Block Corner Areas: Within block corner areas, surface parking lots and structures shall be located behind principal buildings, or at least seventy five feet (75') from front and corner side lot lines.

2. Mid-Block Areas: Within the mid-block areas, parking structures shall be located behind principal buildings, or at least thirty feet (30') from front and corner side lot lines. A modification to this requirement may be granted as a conditional use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title. Parking structures shall meet the following:

a. Retail goods/service establishments, offices and/or restaurants shall be provided on the first floor adjacent to the front or corner side lot line. The facades of such first floors shall be compatible and consistent with the associated retail or office portion of the building and other retail uses in the area.

b. Levels of parking above the first level facing the front or corner side lot line shall have floors and/or facades that are horizontal, not sloped.

- c. Mid-block surface parking lots shall have a fifteen foot (15') landscaped setback.
3. **Accessory And Commercial Parking Structures:** Accessory parking structures built prior to the principal use, and commercial parking structures, shall be permitted as conditional uses with the approval of the Planning Commission pursuant to the provisions of Part V, Chapter 21A.54 of this Title.
4. **Belowground Parking Facilities:** No special design and setback restrictions shall apply to belowground parking facilities.
5. **Height Requirements:** The minimum height for a parking structure shall be forty five feet (45'). The maximum height shall not exceed seventy five feet (75').
6. **Site Plan Review:** Parking structures shall be required to go through the site plan review process.
7. **Landscape Requirements:** Surface parking lots shall have a landscaped setback of at least twenty feet (20') and meet interior landscaped requirements as outlined in Chapter 21A.48 of this Title.
8. **Conditional Use Approval:** A modification to the restrictions on parking lots and structures provisions of this Section may be granted as a conditional use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title. Such conditional uses shall also be subject to design review.

21A.31.010.P. [Gateway]

2. Windows And Building Fenestration:

a. Buildings whose exteriors are smooth, and do not provide any three-dimensional (3-D) details or fenestration are not appropriate in the gateway district. Recessed windows will eliminate flat, sterile elevations. Highly reflective materials are distracting, and focus attention away from the positive qualities of the gateway district. Therefore, all buildings in the gateway districts are subject to the following standards:

- i. Buildings with completely smooth exterior surfaces shall not be permitted, all new construction shall have three-dimensional (3-D) details on the exterior that includes: cornices, windowsills, headers and similar features.
- ii. All windows shall be recessed from the exterior wall a minimum of three inches (3"). Bay windows, projecting windows, and balcony doors are exempt from this requirement.
- iii. The reflectivity of the glass used in the windows shall be limited to eighteen percent (18%) as defined by the ASTA Standard.

3. Entrance And Visual Access:

a. The intent in the gateway district is to encourage pedestrian activity between the public street/sidewalk and buildings. Sidewalks shall provide continuous, uninterrupted interest to the pedestrian by providing visual interest and/or amenities. The gateway environment will benefit with increased pedestrian activity; this activity will only occur if opportunities are provided that make walking to a destination a preferred and an enjoyable pursuit. The use of blank building facade walls is discouraged. Therefore, all buildings in the gateway area are subject to the following standards:

- i. **Minimum First Floor Glass:** The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade within the gateway district shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be non-reflective. Display windows that are three-dimensional (3-D) and are at least two feet (2') deep are permitted and may be

counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional uses, subject to the requirements of Part V, Chapter 21A.54 of this Title, and the review and approval of the Planning Commission. The Zoning Administrator may approve a modification to this requirement, as a routine and uncontested special exception, pursuant to the procedures found in Part II, Chapter 21A.14 of this Title, if the Zoning Administrator finds:

- (A) The requirement would negatively impact the historic character of the building, or
- (B) The requirement would negatively impact the structural stability of the building.

ii. **Facades:** Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty percent (40%) glass requirement.

iii. **Maximum Length:** The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

iv. **Screening:** All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

4. Building Lines And Front Area Requirements:

a. A continuity of building frontage adjacent and parallel to the street encourages a more active involvement between building uses and pedestrians. Leftover or ambiguous open space that has no apparent use or sense of place will not contribute positively to an active street life. Therefore, all buildings in the gateway district are subject to the following standard:

- i. The majority of the ground level facade of a building shall be placed parallel, and not at an angle, to the street.

5. Public Amenities And Public Art:

a. Amenities and works of art enhance quality of life as well as visual interest. Public amenities and public art encourage pedestrian activity and contribute to the pedestrian experience. A cohesive, unified lighting and amenity policy will help give the gateway district its own distinctive identity. Therefore, public amenities and public art are subject to the following standards:

- i. Sidewalks and street lamps installed in the public right of way shall be of the type specified in the Sidewalk/Street Lighting Policy Document.
- ii. Public art (which may include artists' work integrated into the design of the building and landscaping, sculpture, painting, murals, glass, mixed media or work by artisans), that is accessible or directly viewable to the general public shall be included in all projects requiring conditional use approval for a site or design standard. The plan to incorporate public art shall be reviewed by the Salt Lake Art Design Board.

6. Conditional Use Approval: A modification to the urban design provisions of this Section may be granted as a conditional use, subject to conformance with the standards and procedures of Part V, Chapter 21A.54 of this Title. Such conditional uses shall also be subject to design review.

21A.31.020.G [Gateway]

Minimum Yard Requirements: No minimum setback requirements. There is not a maximum front yard or corner side yard setback except that a minimum of twenty five percent (25%) of the length of the facade of a principal building shall be set back no further than five feet (5') from the street right-of-way line. Surface parking lots shall have a fifteen foot (15') landscape setback from the front property line.

PROPOSED ORDINANCE CHANGES - SUMMARY

To accomplish neo-traditional concepts, each individual zone must be amended. The amendments are focused on maximum setbacks, minimum percentages of glass, and parking lot restrictions. These amendments encourage the building to be built closer to the street and to be more pedestrian oriented.

The following is a brief overview of the changes made to each zoning district. A strike/bold example of each zone is attached in the appendix.

RB Residential Business: As a residential zone, the RB zone already has a general provision requiring orientation to the street. This zone has the most adjacency to residential areas. The purpose of this zone is to allow small businesses in residentially appearing structures. This zone has been altered by including a prohibition of parking in the front or corner side yard and regulating parking lot/structure lighting.

RMU Residential Mixed Use: This is a mixed-use zone with a residential emphasis. It already has orientation guidelines as part of the Residential general provisions. The minimum setback varies according to use. There is not minimum or maximum setback for mixed-use or multifamily buildings. The zone has been modified to include: A maximum setback, design guidelines (similar to Gateway), and a prohibition of parking in the front and corner side yard. The proposed maximum setback is for 25% of the building façade. The percentage is set lower because "U" shaped buildings with a central courtyard are a traditional development pattern within this district. Requirements for ground level glass, screening and parking lot/structure lighting have also been included.

MU Mixed Use: This is a mixed-use zone that primarily exists between 300 and 400 West between 300 and 900 North. There is presently a 10-foot setback required for all structures and a 20-foot maximum setback for multi-family residential and non-residential. This has been altered to include a maximum setback of 20-feet for 75% of the building façade for all structures. Ground level glass is presently required, but other design criteria have been added. Restrictions on parking lot/structure lighting have also been added.

CN Neighborhood Commercial: The CN zone is primarily used on small lots scattered throughout the city. A 15-foot minimum setback is presently required; a 25-foot maximum setback for 65% of the façade has been added. A prohibition of parking in the front and corner side yard has been added, as well as requirements for ground level glass, screening and parking lot/structure lighting restrictions.

CB Community Business: The CB zone is used in several neighborhood shopping districts such as 9th and 9th. There is no minimum setback, but a 15-foot maximum for 75% of the façade has been added, as well as design requirements for ground level glass, screening and parking lot/structure lighting restrictions.

CC Commercial Corridor: The CC zoning district is primarily used on the transportation corridors of 400 South, North Temple and State Street. It has traditionally functioned as highway commercial. Drive through restaurants and banks are common. A transit-

oriented district will likely be proposed to replace the CC Zoning along 400 South in the near future (as University light rail is completed).

The CC zone has a 15-foot minimum landscaped setback, although the "South State Street overlay district" exempts South State Street from that setback. The zone is proposed to be modified by including a maximum setback of 25-feet for 75% of the building façade. This will significantly alter the "highway" character of the zone. Requirement for ground level glass, screening and restrictions on parking lot/structure lighting adjacent to residential areas have been included.

CS Shopping Center: This zone is written to be very "suburban" in its orientation with a 30-foot setback required. Presently it is used at: Foothill Village, Family Center (Fred Meyer/400 South), Sutherlands (North Temple) and Shopko (Sugar House). These are all traditional shopping centers.

The proposed changes would reduce the 30-foot minimum setback to 15-feet and include a maximum setback of 25-feet for 65% of the façade. Design controls for ground level glass, screening and restrictions on parking lot/structure lighting have been included.

SHBD Sugar House Business District: This is an urban zoning district where location of buildings adjacent to the sidewalk is encouraged. No minimum setback is presently required. A maximum setback would further encourage this design concept. A 10-foot maximum setback has been included. The zoning district already has a requirement for glass on the street level.

The Planning Commission is being specifically asked for their input and recommendations regarding the percentage of façade required to meet maximum setback. The "percentage of façade" requirement (to meet the maximum set back) is intended to allow design flexibility. For example: If 100% of the façade were required to meet the maximum setback, it would result in a relatively consistent building front with no indentation. If only 25% of the façade is required to meet the setback, the designer may choose to construct a "U" or "L" shaped building where only the "ends" meet the street and a courtyard is created. Different percentages are used in different zones according to their desired development pattern. For example: Within the RMU zoning district where only 25% of the façade is proposed to meet the maximum setback, "U" shaped apartment complexes are common and the need to force residential adjacent to the street is minimal. In other zoning districts where 75% of the façade is proposed to meet the setback, there is a desire to maintain more of a streetwall and to minimize indentation from the street. An illustration of this concept is attached in Exhibit 3.

CODE CRITERIA / DISCUSSION / FINDINGS OF FACT

21A.50.050 Standards for general amendments.

- A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.**

Discussion: While specific plans do not necessarily discuss neo-traditional development concepts, most master plans in Salt Lake City reference the need to create a "sense of place" and create a walkable community. With the expansion of Light Rail Transit within the City, there is a renewed emphasis on transit-oriented development.

Findings: The changes are consistent with Salt Lake City Master Plans.

- B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.**

Discussion: Neo-traditional development has traditionally been the model for commercial development in Salt Lake City prior to World War Two. Older shopping areas already are located adjacent to the street and have a high pedestrian orientation. Many of Salt Lake's older neighborhoods are "streetcar suburbs" developed prior to world war two, where neo-traditional development patterns are typical.

Findings: The amendments are in harmony with existing development.

- C. The extent to which the proposed amendment will adversely affect adjacent properties.**

Discussion: The proposed changes will force much of the parking onto the rear yard. A primary concern of the Community Councils has been the adjacency of parking to residential structures. In each case, restrictions on lighting have been included to lessen this problem. The maximum height of 16 feet for light poles was chosen because there is less "over spray" of lighting with a shorter pole. Screening of parking areas is also required. For reference: Sixteen feet is the height of the new streetlights to be installed on 400 South as part of LRT construction.

Findings: Issues affecting compatibility with neighboring properties exist, but may be mitigated with lighting restrictions and screening.

- D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.**

Discussion: The primary overlay district which interfaces with most neighborhood oriented commercial development are historic districts. Since neo-traditional development is historically the norm, the new zoning changes will support the Historic Landmarks Commission in encouraging traditional development patterns. The South State Street Overlay District interfaces with the CC zoning district. The overlay already exempts building from the minimum setback in order to encourage adjacency to the sidewalk.

Findings: The ordinance changes are compatible with other overlay districts.

- E. **The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.**

Discussion: The changes to the setbacks and other design standards have no net effect on public facilities.

Findings: Not applicable.

RECOMMENDATION:

Based upon the findings, the staff recommends approval and forwarding the recommendation to the City Council to adopt an ordinance amending the RB, RMU, MU, CN, CB, CC, CS, and SHBD zoning districts to include a maximum setback, faced design controls and controls on parking location, lighting and screening.

Respectfully submitted,

Doug Dansie
Principal Planner

Attachments:

Exhibit 1 – Draft Ordinance.

Exhibit 2 – Other Division Recommendations

Exhibit 3 – Illustration

Memorandum

Date: January 10, 2001
To: Salt Lake Planning Commission
From: Doug Dansie, AICP
Subject: Walkable Community zoning concepts

At the November 16, 2000 meeting, the Planning Commission considered changes to multiple zoning districts to encourage walkable commercial development. The Planning Commission asked that the CC Commercial Corridor and CS Community Shopping center zones be further reviewed. The Planning Commission was concerned that while the proposed concepts may be appropriate in some of the areas that are zoned CS and CC, it was inappropriate in others. Specifically the Planning Commission felt the concepts were inappropriate on North Temple and Redwood Road until mass transit was provided or the development character of those streets changed significantly (including the Sutherlands location).

Attached is a map illustrating the location of the CS and CC zones.

CS Zoning District

The Administration is asking that the petition be forwarded to the City Council without the CS zone for the following reasons:

- 1) There are nine general locations where the CS zoning district is being used. Of those nine, only two are not fully developed (Sutherlands at North Temple and Redwood Road and 300 West at 600 North) and one is subject to redevelopment (Smiths at 6th Avenue).
- 2) As was pointed out at the hearing, all new development in the CS zoning district is subject to Planning Commission review as a planned development.
- 3) Both the 6th Avenue location and the 300 West locations are also within historic districts, which require further review by the Historic Landmarks Commission.
- 4) Additionally, the 300 West location is owned by the Salt Lake City Redevelopment Agency.

While the inclusion of neo-traditional concepts within the base zoning district gives the zoning more "teeth", there is sufficient control over most CS locations to encourage neo-traditional planning concepts through the planned development process without also including the design controls in the base zoning.

CC Zoning District

The Administration is also asking that the proposed zoning changes be forwarded to the City Council without including the CC zoning district, but instead applying the following changes:

- 1) The Planning Commission felt the proposed design concepts were inappropriate on Redwood Road and on North Temple, but they were appropriate in other CC locations. A review of the CC zoning district indicates the majority of the walkable community planning concept issues, may be resolved through other measures.
- 2) By modifying the South State Street Overlay District, all of the walkable community planning concepts may be applied along State Street. The primary purpose of the overlay was to exempt State Street properties from the 15 foot minimum setback required in the CC zoning district. Traditionally, south State Street development has not been setback from the street. The overlay district requirements are applied in addition to the CC zoning standards. Therefore by including the proposed changes within the overlay text it is unnecessary to change the underlying zoning to apply the proposed concepts to this area. In order to affect all of the CC zoning in the State/Main Street corridor, the boundary of the overlay district needs to be modified to include the west side of Main Street. Staff recommends that the Planning Commission initiate a petition to expand the overlay district to encompass the west side of Main Street.
- 3) The CC zoning district along 400 South is being reviewed for a potential change to a Transit Oriented Development zoning district within the next six months. The Planning Commission may wish to formally initiate a petition to instigate this zoning change. The Light Rail Transit system is proposed for completion in the fall of 2001; therefore, it would be appropriate to adopt the Transit Oriented zone prior the opening of light rail. The walkable community design controls should be integrated into the new transit zoning district.
- 4) The small portion of CC zoning in the Sugar House area, between 700 and 900 East, will likely be folded into either the SHBD zoning district or the CB zoning district through the implementation Sugar House master planning effort. This is the location of Walgreen's. The Planning Commission may wish to initiate a zone change petition to eliminate further controversy at this location.
- 5) The small portion of CC zoning along North Temple at 300 West is being reviewed as part of the Capitol Hill Master Plan and may be folded into another zoning district.

Text Modifications

At the November 16, 2000 meeting the Planning Commission also requested that the proposed zoning changes be modified to include;

- 1) An escape clause for remodeling of non-conforming structures, and
- 2) A lumen level cap and additional screening for parking lot lighting.

Attached are new drafts for the affected zoning districts. Language has been added to allow the Zoning Administrator to waive setback requirements for any addition that increases the square footage or parking requirement by less than 50%.

The staff contacted the Transportation Division regarding light lumen levels.

Transportation stated that they felt listing defined lumen levels for lighting was difficult because of extraneous conditions (seasonal foliage, background light etc.). Therefore, lumen levels have not been included in the current draft. A requirement for light-proof fencing has been included.

Recommendation:

Based upon the findings of the previous staff report, the staff recommends adoption of the attached zoning modifications, including the modifications to the South State Street Overlay District (but not including the CC or CS commercial zoning districts).

The staff also recommends the Planning Commission take the following actions:

1. Initiate a petition to rezone the CC Commercial Corridor District along 2100 South, between 700 East and 900 East, to either a SHBD Sugar House Business District or CB Commercial Business zoning district. The staff recommends the rezoning be initiated immediately and that there be a goal of completing the rezoning by September of 2001.
2. Initiate a petition to create a Transit Oriented zoning district to replace the CC zoning on 400 South. The staff recommends the new Transit Oriented District includes the walkable community design concepts and be completed within six months of initiation.
3. Initiate a petition to amend the boundary of the South State Street Corridor Overlay to include the properties that front on the west side of Main Street between 1300 South and 2100 South Streets within 12 months.

The staff recommends the review of the CC zoning at North Temple and 300 West. The Capitol Hill Community is presently reviewing the area as part of the master plan implementation.

Memorandum

Date: February 26, 2001
To: Janice Jardine
From: Doug Dansie, AICP
Subject: Walkable Community zoning concepts (petition 400-00-52).

The full transmittal for the "walkable community" commercial zoning changes will be forthcoming, however, in the mean time I am providing you with this brief summary of the proposed zoning ordinance changes, in case you receive any inquiries.

Request

By the Administration; that all new commercial development within residential/neighborhood oriented commercial areas follow neo-traditional "walkable community" design principles.

Concept

The "walkable community" concept favors commercial development that is located near the street, with the entry oriented to the street and the parking generally located behind (or minimally, to the side) of the primary building.

Goal

Make pedestrian access the primary focus of development.

Text Changes

Affected zoning districts: RB, MU, RMU, CN, CB, CSHBD, South State Street Corridor Overlay

1. Most zoning districts allowing commercial uses are being affected (with the exception of the Downtown districts, the CG General Commercial district and all of the M Manufacturing districts). The CS and CC zones are also not included, by action of the Planning Commission (see explanation below). Both Mixed Use districts (MU and R-MU) and the RB residential business district are affected.
2. The proposed changes are generally based upon the following concepts:
 - The staff generally used language that is already used elsewhere in the zoning code. This was done to maintain consistency in interpretation.
 - Surface parking is generally prohibited in the front yard. The guidelines require a greater landscaped setback for the parking than the building.

- The maximum building setback applies to only a percentage of a façade. This was done to allow for design flexibility. Maximum setbacks vary from zone to zone to accommodate the historical development pattern of each district.
- Most of the other changes have to do with simple design concepts such as; orienting the door to the street, providing transparent glass at the ground level, etc. Requirements for screening and lighting of rear yard parking are also included to minimize potential conflicts with adjacent residential uses.
- The conditional use process is being used to accommodate workable designs that may not meet the "letter of the law", due to existing development patterns of a site and adjacent properties.

Summary of Major Changes

Zoning District	Maximum setback	% of façade subject to max. setback	Surface Parking Lot setback
RB	N/A	N/A	Not in front yard
RMU	15'*	25%	30'
MU	20'	75%	25'
CN	25'	65%	30'
CB	15'	75%	20'
CSHBD	10'	80%	15'
SSSC	25'	35%	25'

*see detail in zoning district

The Planning Commission did not include the CS zone in this petition for the following reasons:

- 1) There are nine general locations where the CS zoning district is being used. Of those nine, only two are not fully developed (Sutherlands at North Temple and Redwood Road and 300 West at 600 North) and one is subject to redevelopment (Smiths at 6th Avenue).
- 2) All new development in the CS zoning district is subject to Planning Commission review as a planned development, which allows the Planning Commission to control the design of the new buildings and insure that the development meets walkable community concepts.
- 3) Both the 6th Avenue location and the 300 West locations are also within historic districts, which require further review by the Historic Landmarks Commission.
- 4) Additionally, the 300 West location is owned by the Salt Lake City Redevelopment Agency, which has the power to ensure appropriate design criteria design criteria.

Instead, the Planning Commission initiated a petition to reevaluate the CS zoning district only where it is adjacent to residential areas (surrounding land uses are more than 60% residential). This petition will be forthcoming.

The Planning Commission did not including the CC zoning district for the following reasons:

- 1) The Planning Commission felt the proposed design concepts were inappropriate on Redwood Road and on North Temple, but they were appropriate in other CC locations. A review of the CC zoning district locations indicates the majority of the walkable community planning concept issues, may be resolved through other measures.
- 2) By modifying the South State Street Overlay District, all of the walkable community planning concepts may be applied along State Street (and most of Main Street). The original purpose of the overlay was to exempt State Street properties from the 15-foot minimum setback required in the CC zoning district. Traditionally, south State Street development has not been setback from the street. The overlay district requirements are applied in addition to the CC zoning standards. Therefore by including the proposed changes within the overlay text, it is unnecessary to change the underlying zoning to apply the proposed concepts to this area. In order to affect all of the CC zoning in the State/Main Street corridor, the boundary of the overlay district will need to be modified to include the west side of Main Street (the Planning Commission initiated a separate new petition to do this).
- 3) The CC zoning district along 400 South is being reviewed for a potential change to a Transit Oriented Development zoning district within the next six months. The Light Rail Transit system is proposed for completion in the fall of 2001; therefore, it would be appropriate to adopt the Transit Oriented zone prior the opening of light rail. The walkable community design controls should be integrated into the new transit zoning district.
- 4) The small portion of CC zoning in the Sugar House area, between 700 and 900 East, will likely be folded into either the SHBD zoning district or the CB zoning district through the implementation Sugar House master planning effort.
- 5) The small portion of CC zoning along North Temple at 300 West is being reviewed as part of the Capitol Hill Master Plan and may be folded into another zoning district.

The Planning Commission initiated three new petitions regarding the CC Commercial Corridor zoning;

- 1) Rezone the 400 South corridor to a new Transit Oriented zoning District (TOD)
- 2) Rezone the small portion of CC zoning in Sugar House to SHBD
- 3) Realign the South State Street Overlay District to include both sides of Main Street (only one side is presently within the overlay)

You will be receiving a full transmittal as soon as I receive an ordinance from the Attorneys office. I hope this answers any questions you may have or receive in the meantime.

CC: Stephen Goldsmith

Memorandum

Date: October 11, 2001
To: Business Advisory Board members
From: Doug Dansie, AICP
Subject: Petition 400-00-52, Walkable Communities
Petitions 400-01-12 and 400-01-48, Transit oriented zoning

The Planning Commission recommended approval of petition 400-00-52 on January 18, 2001. The petition created design guidelines within specific zoning districts in order to facilitate a walkable community.

Since the Planning Commission's action, several business owners have approached the Administration and asked that the ordinance be slightly modified to allow for more design flexibility. Their specific request is to allow the planned development process to exempt proposals from specific design requirements if they met the intent of the ordinance. The Administration is requesting that the Planning Commission consider this proposal.

Technically, planned developments are already allowed in each of the subject zoning districts. However, the proposed amendments emphasize the potential design flexibility allowed in the planned development process.

The changes affect planned developments within the RB, RMU, MU, CN, CB, CC, CS, and SHBD zoning districts. The South State Street Overlay was not altered because it is not a zoning district, but an overlay that provides exemption from base zoning district requirements.

Changes previously reviewed by the Planning Commission are bold and underlined in the attached draft. Changes proposed by this modification are **bold, underlined and italicized**.

Also attached are the transit zoning districts proposed by petition 400-01-12. The transit oriented districts have not yet been to the Planning Commission. The transit districts are meant to replace the CC zoning along 400 South. They are shown in strike and bold to highlight the differences between the existing CC zoning and the transit zoning.

Memorandum

Date: October 31, 2001
To: Historic Landmark Commission members
From: Doug Dansie, AICP
Subject: Petition 400-00-52, Walkable Communities

The Planning Commission recommended approval of petition 400-00-52 on January 18, 2001. The petition created design guidelines within specific zoning districts in order to facilitate a walkable community.

Since the Planning Commission's action, several business owners have approached the Administration and asked that the ordinance be slightly modified to allow for more design flexibility. Their specific request is to allow the planned development process to exempt proposals from specific design requirements if they met the intent of the ordinance. The Administration is requesting that the Planning Commission consider this proposal.

Technically, planned developments are already allowed in each of the subject zoning districts. However, the proposed amendments emphasize the potential design flexibility allowed in the planned development process.

The changes affect planned developments within the RB, RMU, MU, CN, CB, CS, and SHBD zoning districts. The text of the South State Street Corridor Overlay (SSSC) was not altered because it is not a zoning district. It is an overlay that provides exemption from base zoning district requirements. However planned developments within the SSSC are also subject to new planned development standards.

Changes previously reviewed and approved by the Planning Commission are **bold** and **underlined** in the attached draft. Changes proposed by this modification are **bold**, **underlined** and **italicized**.

This information is being provided to the Historic Landmark Commission for their review and comment. The Planning Commission will likely schedule the petition again in December of 2001.

Memorandum

Date: December 7, 2001
To: Planning Commission members
From: Doug Dansie, AJCP
Subject: Petition 400-00-52 Walkable Communities

The Planning Commission recommended approval of Petition 400-00-52 on January 18, 2001. The petition created design guidelines within specific zoning districts in order to facilitate a walkable community.

Since the Planning Commission's action, several business owners have approached the Administration and asked that the ordinance be slightly modified to allow for more design flexibility. Their specific request is to allow the planned development process to exempt proposals from specific design requirements if they meet the intent of the ordinance.

The Administration is requesting that the Planning Commission consider this proposal. If the proposal is acceptable, the Administration is asking that the ordinance, with the proposed changes, be forwarded to the City Council with a positive recommendation.

Technically, planned developments are already allowed in each of the subject zoning districts. However, the proposed amendments emphasize the potential design flexibility allowed in the planned development process. [The amendments also modify or eliminate associated minimum lot sizes for planned developments.]

The changes affect planned developments within the RB, RMU, MU, CN, CB, CS, and CSHBD zoning districts. The text of the South State Street Corridor Overlay (SSSC) was not altered because it is not a zoning district. It is an overlay that provides exemption from base zoning district requirements. However planned developments within the SSSC are also subject to new planned development standards.

Changes previously reviewed by the Planning Commission are bold and underlined in the attached draft. Changes proposed by this modification are **bold, underlined** and italicized.

Exhibit 3
Minutes from
Original Public Hearings

SALT LAKE CITY PLANNING COMMISSION

Minutes of the meeting held Thursday, November 16, 2000
451 South State Street, Room 126

Present from the Planning Commission were Chairperson Max Smith, Judi Short, Kay (berger) Arnold, Andrea Barrows, Robert "Bip" Daniels, Jeff Jonas, Mary McDonald, and Craig Mariger. Arla W. Funk was excused.

Present from the Planning Staff were Planning Director Stephen J. Goldsmith, Deputy Planning Director Brent Wilde, Ray McCandless, Margaret Pahl, Doug Wheelwright, and Doug Dansie.

PUBLIC HEARING— Petition No. 400-00-52 from the Salt Lake City Administration regarding parking in front of commercial buildings, between the building and the street, within all neighborhood oriented commercial zones (RB Residential Business, RMU Residential Mixed Use, MU Mixed Use, CN Neighborhood Commercial, CB Community Business, CS Shopping Center, CC Commercial Corridor, SHBD Sugar House Business District). The petition requests eliminating parking in the front yard (between the front property line and the building) and to adopt other neo-traditional town planning concepts to encourage a more walkable community throughout Salt Lake City.

Mr. Jonas is a managing member of a company that owns some RMU Zone property, and disclosed this information to the Commission. After some discussion, the Commission felt that the presence of Mr. Jonas was acceptable in the situation.

Mr. Doug Dansie described that in order to encourage walkable communities, the Administration is requesting that all new commercial developments within neighborhood oriented commercial zones follow neo-traditional design principles and not be designed as traditional strip malls have been generally designed in the post World War II era. Neo-traditional development patterns favor commercial development located near the street, with the entry oriented to the street and the parking be generally located behind the primary building.

The Commission then asked questions of Mr. Dansie relating to the case:

Ms. Barrows asked whether this petition prevents any parking lot from ever being built at the street line. Mr. Dansie replied "No."

Ms. Arnold asked for the area where this petition would apply. Mr. Dansie replied, "basically 2nd East, to 4th West."

Ms. McDonald addressed the problem of parking lot lights. Mr. Dansie explained that restricted lighting rules will apply because of the nearby housing.

Mr. Jonas asked about the "interior side yard" concept. Mr. Dansie explained an "interior" yard meant interior to the block, with private property, not a street on each side.

Ms. Arnold questioned minimum yard requirements listed at 21A.26.030 CB Community Business District, E. The sentence should read, "No minimum yard is required."

Mr. Jonas questioned 21A.26.050 C Corridor Commercial District, D., 6. Mr. Dansie clarified that the first sentence should read "(35%)."

Ms. Arnold expressed a need for back entrances to stores. Mr. Jonas pointed out that more doors lead to more problems with security, etc. Mr. Smith used the Oasis Restaurant as an example of how security problems were dealt with. Ms. Arnold agreed, and added that glass should be present in the back as well as front.

Mr. Smith asked about trash disposal problems. Mr. Daniels described how this arrangement worked in an area of Sugar House.

Mr. Wilde expressed the theory that diagonal street parking slows down traffic. Ms. Arnold wondered why shoppers couldn't angle park in the center of the street.

Mr. Smith opened the meeting to the public.

Ms. Kadee Neilson, of the West Point City Council, expressed concerns regarding difficult traffic at the corner of 9th and 9th, because of the angled parking. She was concerned about how this planning would eventually affect the West side of the City. She opposed the back parking idea because of shoplifting problems. She wondered how the back parking would affect handicapped individuals, and shoppers at night. She felt that the concept would be very unappealing, and inconsistent with buildings already present.

Ms. McDonald asked Ms. Neilson if she'd ever seen the area of Sugar House Commons. Ms. Neilson had not experienced the shopping in that area, and Ms. Arnold then asked her where she goes to shop. Ms. Neilson replied that she goes to Valley Fair Mall, and Bountiful City.

Mr. Jeff Schindewolf was opposed to parking in the back of shops. He suggested using parking in the center of shops, to enable the walkabout feeling. He felt that Salt Lake City is a commuting city, and people are constantly driving into, and around the city, instead of parking somewhere and walking around. He expressed a concern regarding street width.

Ms. Short answered Mr. Schindewolf's question about street length, adding that everything being discussed this evening is only a part of the entire plan.

Ms. Chamonix Wilson disagreed with the comments stating that people don't shop in the downtown area. She felt a need to investigate what Planning can do to promote

downtown shopping, and expressed an example of how she feels unsafe walking from Barnes and Noble over to a nearby store. She suggested pedestrian connections which would make walking around downtown easier.

Mr. Smith closed the public hearing and turned the discussion over to the Planning Commission.

Ms. Barrows asked a question about opt out features which are available to builders. She was concerned that specific locations may be prime examples of why this should not be done, and worried that getting architects to plan in these areas may be more difficult than its worth. Mr. Dansie detailed how, with the building up of the west side, this area would be identical to the east side, and more suitable for this type of design.

Ms. Barrows wondered if Redwood Rd was such an area where this design would falter. Mr. Smith brought up the point that significant housing is being built up on Redwood Rd.

Ms. Arnold agreed that a store such as Target would draw more crowds in outlining areas, than in downtown, and Mr. Smith argued that this is true for how we presently view Target stores. He then went on to describe a Target store plan involving housing above the store, and how this design could eventually occur in the future.

Ms. Arnold added that while she wouldn't go downtown at lunch right now, the addition of a light rail near her office would allow her to do so very easily. Mr. Mariger couldn't see how any major downtown changes, such as putting tracks down North Temple, could affect Redwood Rd. He disagreed with the concept of applying these ideas on a zone wide basis. He felt that this regulation did not apply to every Commercial Corridor.

Mr. Smith wanted to approach this issue another way. He felt that very few places exist where this plan would not work, and that maybe the Commission needed to sit down and investigate all possibilities.

Mr. Jonas accepted these regulations, but was under the impression that many of them will not be used in the near future.

Mr. Mariger acknowledged that this plan would not work for all downtown planning.

Ms. Arnold made the motion to accept the recommendation, except for CC zoning. Mr. Daniels proposed an amendment regarding CS zoning. Ms. Barrows expressed a desire to give Staff guidelines on the other two zones. Ms. Short seconded the motion.

Ms. Arnold, Ms. Barrows, Mr. Mariger, Mr. Jonas, Ms. Short, Mr. Daniels, and Ms. McDonald, voted "Aye". Mr. Smith, as chairman, did not vote. The motion passed.

Mr. Dansie wondered if he should forward this petition onto the City Council, or hold it. The Commission decided to hold onto it now and come back to it after the first of the year.

A ten minute break was issued by Mr. Smith.

The meeting adjourned at 10:00 p.m.

Christine Wade, Secretary

SALT LAKE CITY PLANNING COMMISSION
Minutes of the Meeting Held Thursday, January 18, 2001
451 South State Street, Room 126

Present from the Planning Commission were Chairperson Max Smith, Kay (berger) Arnold, Robert "Bip" Daniels, Jeff Jonas, Craig Mariger, Mary McDonald and Judi Short.

Present from the Planning Staff were Planning Director Stephen Goldsmith, Deputy Planning Director Brent Wilde, Doug Dansie, Everett Joyce, Ray McCandless, and Doug Wheelwright.

A roll is being kept of all who attended the Planning Commission meeting. Mr. Smith called the meeting to order at 5:05 p.m. Minutes are presented in agenda order, not necessarily as cases were heard by the Planning Commission. Tapes of the meeting will be retained in the Planning Office for a period of one year, after which, they will be erased.

APPROVAL OF MINUTES

Mr. Brent Wilde explained that inasmuch as the Commission had received the minutes from the January 4, 2001, just this evening, those minutes wouldn't be approved until the meeting scheduled on February 1, 2001.

PUBLIC HEARINGS

FINAL DECISION - Petition No. 400-00-52 from Salt Lake City Administration regarding parking in front of commercial buildings, between the building and street, within all neighborhood oriented commercial zones (RB residential Business, RMU Residential Mixed use, MU Mixed Use, CN Neighborhood Commercial, CB Community Business, CS Shopping Center, CC Commercial Corridor, and the SHBD Sugar House Business District.) The petition requests eliminating parking in the front yard (between the front property line and the building) and to adopt other neo-traditional town planning concepts to encourage a more walkable community throughout Salt Lake City.

Mr. Dansie presented the staff report. He explained that since he last met with the Planning Commission on this issue, he has met with various realty groups or professional organizations to explain what the City is trying to accomplish with this issue. The input from the community has been mostly positive.

Mr. Dansie explained that when this issue was brought before the Commission in November, the Planning Commission asked two things: 1) that the CC and CS zones be looked at again and; 2) include language regarding a threshold as to when these become effective.

Mr. Dansie illustrated where the CC and CS zones are via the map on the wall. He explained that as the issue was examined, it became obvious that it wasn't so critical that all the urban design principles be included in the CS zones. All new construction in the CS zone is conditional use, so review is occurring anyhow. One of the sites that is not fully built out is the Sutherland site on North Temple. Another is the frontage along 300 West, that is owned by RDA, which they have been marketing. The last site is the Smith's store in the avenues. That is in a historic district so it has Landmark review and it is also in a CS zone, so any new construction that is done has to be approved by the Planning Commission.

Mr. Dansie continued by saying that in terms of the CC zone, the greatest portion is on the west side along Redwood Road and North Temple.

After the November meeting, Mr. Dansie said he started looking at what could be done regarding the CC zone. In the ordinance there is a South State Street overlay which overlays the CC zone along State Street. When the zoning rewrite was done in 1995, the overlay was placed on State Street because the CC zone required a 15-foot landscape setback, but most of the development on State Street is not set back. That overlay exempted State Street from the setback so you could build right up to the property line. By writing all of the design concepts that were discussed into the overlay zone, all of the area has been covered. However, there is one caveat in that the old overlay zone did not include the west side of Main Street. This area wasn't included because the majority of the commercial properties there are converted homes, so they are set back from the street. Thus, the landscape setback was retained. There are some that are built out to the street. By including the west side of Main Street in the overlay it effectively allows building out to the street.

Mr. Dansie went on to describe the other CC zones, including a group in Sugar House which includes the Walgreen's corner. In the staff report there is a recommendation that the Planning Commission may want to initiate a petition to rezone this. The Sugar House Business District is to the east of the CC zone; immediately to the west of it is CB.

On 400 South there is a draft of the transit-oriented district which includes high density/medium density along 400 South. Since this is in the works, it will take care of this zone upon adoption.

Another area is the corner of 300 West and North Temple. Capitol Hill, in their master planning process, is reviewing some implementation policies in that area. In the staff report Mr. Dansie has recommended that as long as the review is in process, that this corner be examined and perhaps a recommendation be made to deal with this area.

The remaining area is the Commercial Corridor on North Temple and Redwood Road where design concepts are not included. The message Mr. Dansie got from the Commission the last time this was discussed, is that they did not want this included. At such time that light rail is extended out North Temple, there will be some transit districts in the code. It will be a matter of rezoning at that point.

Mr. Goldsmith added that there is a critical issue here that he wants the Commission's recommendations on. The City Council, along with the Mayor and the Sugar House neighborhoods, have made it abundantly clear that until the TOD ordinance is adopted, the City is at risk. One of the things that came up was the idea of a moratorium in the CC zones to give us the six-month period to get the TOD in place. Mr. Goldsmith explained that he doesn't know if this can be done by specifying specific portions of the CC zone, or if it would have to be done in all CC zones. He asked if the moratorium was put in place, would it have to be in all CC zones or can selected areas in the CC zone be designated?

Mr. Dansie responded that in the staff report he recommended initiating a rezone petition. So, if there is an active petition on these, there is justification for a moratorium.

Mr. Goldsmith asked that the Commission recommend that the City proceed with a rezone of the transit oriented development corridor along 400 South. He went on to say that he would like to explore another mechanism for the CC zone in Sugar House as well, but he doesn't know what the language is as yet.

Another issue he would like to have the Commission consider is the one relating to community shopping. Even though it is true we have only a few isolated areas, he would like some language considered that says in areas where it is zoned as community shopping, if the land use in the surrounding quarter mile exceeds 60 percent residential, that community shopping area is subject to the same requirements of the new zone.

The question was raised as to rebuild vs. remodel. Mr. Dansie explained that in the new draft it includes that the regulations become effective when the project is increased in size by 50 percent. The 50 percent is either square footage or parking requirements.

Mr. Jonas stated he was not clear as to what the Commission is being asked to do.

Mr. Goldsmith explained that he wants to make sure that we get the community shopping around the Smith's location included in this ordinance.

Mr. Smith stated that Mr. Dansie had mentioned there is a control mechanism in place that anything that happens in that location has to come before the Planning Commission. Mr. Dansie explained that it is a CS zone so any new construction, not necessarily remodel, come to the Commission. However, even external remodel goes to Historic Landmark Commission. Mr. Goldsmith said he doesn't think there is any mechanism that would require that you build out to the curb. Mr. Dansie agreed and pointed out that the Landmark Commission had the same dialog on 400 South Market. The Landmark Commission was trying to get them to pull out more than what happened, but they didn't have the teeth in the ordinance to do it.

Ms. Short asked what the zoning of Circuit City is. Mr. Dansie informed her it is CB, so that is already folded in.

Mr. Jonas stated there is a sizable CS zone at 400 South and 700 East where Hostess is located.

Ms. Short asked for an explanation of a moratorium. Mr. Smith commented that the Planning Commission doesn't recommend moratoriums. Mr. Wilde explained that in most cases what we are talking about are map amendments. For example, in Sugar House, if you initiated a petition, it would be to change that CC zone into either Sugar House or CB. It would require only a map amendment; it wouldn't necessitate a text change.

Ms. Arnold asked if a moratorium is placed on the area, does that mean everything comes to a halt. Mr. Goldsmith responded that he has discussed this issue with the Mayor and a moratorium would be done in such a way that any commercial development along that corridor would include a residential component. It would not require a residential development within that six-month period.

Mr. Wilde explained that another approach during the interim would be to offer a permit if they comply with the new standards.

Ms. Arnold asked if that affects a remodel. Mr. Wilde said that the moratorium ordinance could actually define what it controls; the threshold could be created wherever the Commission wants it to be. He went on to explain that in the CC zone areas, the Commission doesn't want to impose the new standards in a blanket approach. They could selectively determine other mechanisms to force the building to adhere to the new standards.

Ms. Arnold addressed the issue of 400 South again stating that the Neff building and those buildings to the west have all been vacated clear to the Executive Building. If there is something in the works to get that cleaned up, will a moratorium foul that up? Mr. Jonas responded that he thinks the owner of that building intends to get a demo permit for the Neff Building. Ms. Arnold asked if they were planning to build again, do they have to have a plan before they can do a demo. The answer is that they could landscape the area.

Mr. Wilde stated that they are going to present the issue to the City Attorney and ask that along the 400 South corridor the CC zone not be changed. We intend to adopt a transit-oriented zone. If we created a petition to initiate a transit-oriented zone, but yet have these new zoning proposals in the CB draft as a basis for interim permits, that would be a way to provide an interim solution for those developments that are willing to adhere to these standards. Whether the City Attorney will be comfortable doing this is not known. You need a complete set of development standards to regulate it so that in the interim, the CB zone could be referred to as the underlying standard.

Mr. Mariger stated he doesn't see a problem with it because all you're doing is saying that in the interim you have to comply with this set of standards that you're drawing from a different zoning district.

At this point Mr. Jonas said that whomever prepared the map did a terrific job. It is the clearest, most concise map they have had to work with.

Mr. Mariger stated he said he thinks the recommendations made by staff (1,2,3) with the moratorium, if one were to be recommended, accomplishes what Mr. Goldsmith is talking about with one exception, and that is the Smith's property up on Sixth Avenue. If you were going to try to do something there, you would have to initiate a petition to rezone that property. Right now, we are doing a petition to rezone something subject to a moratorium that applies a design standard during the interim. He stated, that to his knowledge there is no suggestion of rezoning that property into something different. Mr. Mariger asked for a better understanding of what is being proposed for the Smith's property.

Mr. Goldsmith explained that in those areas that fall within the CS zone, if the surrounding land within one quarter mile exceeds 50 or 60 percent residential occupancy, then that CS zone falls within the same criteria as the other walkable zones.

Mr. Mariger asked if that only applies to that one parcel. Mr. Goldsmith answered that from his fairly close look at the issue, he thinks that is the case.

The question was asked if Trolley Square would fall within that category. Mr. Goldsmith responded that there are certain edges where that would be the case, but he said he doesn't have a problem where it applies to those edges if they are separate parcels.

Mr. Mariger commented that he doesn't know if that satisfies the reason we had the issue in the first place. Wasn't the initial reason because the people on the west side wanted to have the ability to have stores and services that they don't think they are going to be afforded the opportunity to have if the developer has to comply with these restrictions.

Mr. Goldsmith informed that him it wouldn't apply to the CC, only to the CS.

Mr. Mariger asked about the Sutherland site. Mr. Goldsmith told him that site is not 60 percent residential.

Mr. Wilde explained that if you go north from that point, it will be 100 percent residential, but if you go east, south or west, it is commercial.

Ms. Short stated that, therefore, it is an average of the corridor, not the full circle. Mr. Wilde answered in the affirmative.

Mr. Smith stated he is very sympathetic with what is trying to be accomplished here, but is the Commission walking a fine line by introducing this at this point after a public hearing when it is not on the agenda? Is that an issue?

Mr. Smith asked if there is anything imminent for Sixth Avenue and G Street?

Mr. Wilde explained that with the exception of Smith's, the CC zones have been on the table. He continued by saying that if the Planning Commission is really bold, under standards for conditional use in a planned development, which Smith's would be, there are sufficient standards to accomplish compatibility through a planned development process.

Mr. Smith suggested that, since there doesn't appear to be anything on the immediate horizon, staff look at this issue and bring it back to the next meeting when it can be put on the agenda.

Ms. McDonald said that Smith's might be on the immediate horizon. She has heard that they are starting up again.

Mr. Goldsmith stated that for the record a moratorium cannot be placed on Smith's.

Mr. Jonas referred back to the map and the TOD that is being looked at. He asked what the zoning of the Salt Lake Clinic is. Mr. Dansie informed him the Salt Lake Clinic is institutional; it is not in the CC. Mr. Goldsmith said it could be included in the TOD.

Mr. Mariger reiterated that we are just showing what CC zoning will get changed. Mr. Dansie explained that where we are going with the TOD now is a higher density. Obviously, we could live with higher heights and density at the west end than at the east end. There would probably be at least two districts.

Mr. Jonas said he had a couple of comments on the language. On South State Street overlay district, he felt Paragraph D (maximum building height exemption) was very confusing. Does this mean it exceeds the base by six feet or six stories, or can it only go to a maximum of six stories? Mr. Dansie explained that it means six stories or 90 feet, whichever is less. But someone may do a four-story building that's 90 feet if they build higher stories. Mr. Jonas asked if the wording should be changed to "not to exceed a height of six stories or 90 feet"? Mr. Dansie agreed.

Mr. Jonas asked if the language on Paragraph E shouldn't also be changed to include the west side of Main Street. Mr. Dansie explained that in the original draft he had it in bold to change that. Mr. Wilde explained that we could do text amendments without property owner notification. But we cannot do map amendments without property owner notification.

Mr. Smith stated that at this meeting a petition could be initiated to make the change, but it can't be changed here until you go through the process. Mr. Wilde explained that all that is being done tonight is creating a petition to begin the process.

Mr. Smith stated that on Page 15 there has been discussion that the 15-foot front yard or corner side yard setback might be changed to less. He asked if he is correct in his conclusion. Also he wondered if this is an opportune time to do that. Mr. Dansie replied it is a possibility. He stated that right now there is a 15-foot minimum setback, and it has been there for years. Mr. Dansie explained that, for example he had a woman come in dealing with the corner of 600 East and 600 South which is a CN zone. Historically the small commercial building is out to the property line. If it went to Landmarks, they would probably say that is what you should build. Language could be added, similar to what has been done in other situations, where a maximum setback has been established. Through the conditional use process, the Planning Commission could alter that. At the present time, to waive that 15-foot minimum you would have to go to the Board of Adjustment and prove a hardship. A hardship is difficult to prove on a square, flat lot.

Mr. Smith stated he had a question on the item on Page 9 relating to screening all building equipment in service areas including on-grade and roof mechanical equipment ***. We had one recently where we go back an alley and turn 90° into the service area which is an overhead door. If it is a service area, you can't further screen it. Mr. Dansie stated that, in his mind, a garage door is a screen.

Mr. Jonas asked if lightproof fencing means solid fencing. Mr. Dansie said it does but he didn't want to specify masonry or chain link with slats, etc. Mr. Dansie said he just wanted to assure fencing that would block car lights from shining in a neighbor's yard.

Mr. Dansie stated that in each of the zones it is designated what percent of the façade has to be out towards the front. The percentages vary from as little as 25 percent in the RMU zone to up as high as 80 percent in the Sugar House zone. He said he has tried not to make it one size fits all but adjust it to the zones. He just wanted to ask the Commission if they are comfortable with the percentages.

Mr. Jonas said his personal feeling is that Mr. Dansie has thought it through well, and that his presentation last time made a lot of sense.

Motion for Petition 400-00-52

Ms. Short made a motion for the Planning Commission to initiate a petition to rezone CC Commercial Corridor District along 2100 South, between 700 East and 900 East, to Sugar House Business District. Mr. Jonas seconded the motion. The motion passed unanimously.

Mr. Jonas made a motion that the Planning Commission initiate a petition to create a transit-oriented zoning district to replace the CC zoning on 400 South and that in the

interim, until standards are developed for this TOD zone, that the CB standards be used. Mr. Daniels seconded the motion.

Mr. Mariger suggested that Mr. Jonas include in his motion the statement "To create a transit-oriented zoning district to replace the CC zoning on 400 South and to be placed on other appropriate properties." The idea is that transit-oriented district might be broader. Mr. Jonas accepted the change to his motion. The motion passed unanimously.

Mr. Jonas made a motion that the Planning Commission initiate a petition to amend the boundary of the South State Street Corridor Overlay District to include properties that front on the west side of Main Street between 1300 South and 2100 South; the process is targeted to be completed within 12 months. Ms. McDonald seconded the motion. Ms. Arnold, Mr. Daniels, Mr. Jonas, Mr. Mariger and Ms. McDonald voted "Aye." Ms. Short opposed. Mr. Smith, as Chairman, did not vote.

Ms. Short stated that Main Street, through the area in question, is one of her favorite streets, and she doesn't like the idea of seeing it changed.

Ms. McDonald made a motion to initiate a petition for the CS zones that are surrounded by 60 per cent residential properties within one-quarter mile to fall within the same criteria for the walkable zones. Ms. Short seconded the motion. The motion passed unanimously.

Mr. Jonas made a motion that the Planning Commission adopt the attached zoning modifications as presented by the staff, including the South State Street Overlay District, but not including the CC or CS zoning districts, and that the adoption also incorporate a change to Paragraph B of 21A.24.090 for clarification and also incorporate the change that was discussed on Paragraph D of 21A.26.020 so that a conditional use can be granted for less than a 15-foot minimum front or corner side yard. Ms. Arnold seconded the motion.

Mr. Smith asked a vote on the issue. The motion was unanimously passed.

There being no further business the Commission at this time, the meeting was adjourned at 6:50 pm.

SALT LAKE CITY

HISTORIC LANDMARK COMMISSION

Minutes of the Meeting

Held at 451 South State Street, Room 126

November 7, 2001

A field trip preceded the meeting and was attended by Peter Ashdown, Noreen Heid, Oktai Parvaz, Robert Young, Doug Dansie, Elizabeth Giraud, and Nelson Knight.

Present from the Historic Landmark Commission were Peter Ashdown, Wayne Gordon, Noreen Heid, Magda Jakovcev-Ulrich, William Littig, Vicki Mickelsen, Oktai Parvaz, Alex Protasevich, Amy Rowland, Soren Simonsen, Mark Wilson, and Robert Young. Scott Christensen was excused.

Present from the Planning Staff were Elizabeth Giraud, Planning Programs Supervisor, Nelson Knight, Preservation Planner, and Doug Dansie, Planner.

Discussion concerning Petition No. 400-00-52, Walkable Communities.

Mr. Doug Dansie, a planner on the City Planning Staff, also presented the staff report by outlining the major issues of the case, the findings of fact, and staff's recommendation, a copy of which was filed with the minutes. Mr. Dansie said that the Planning Commission recommended approval of the petition on January 18, 2001, but has not been transmitted to the City Council to be finalized. He indicated that he wanted to discuss how walkable communities would interface with historic preservation.

Mr. Dansie stated that the Planning Commission recommended approval of Petition No. 400-00-52 on January 18, 2001. He said that the petition would create design guidelines within specific zoning districts in order to facilitate a walkable community. Mr. Dansie noted that since the Planning Commission's action, several business owners approached the Administration and asked that the ordinance be slightly modified to allow for more design flexibility. He indicated that their specific request is to allow the planned development process to exempt proposals from specific design requirements if they met the intent of the ordinance. Mr. Dansie said that the Administration is requesting that the Planning Commission consider this proposal.

Mr. Dansie stated that the zoning districts that will be affected are RB, RMU, MU, CN, CB, CS, and SHBD. He added that industrial and general commercial districts would not be affected by the change. Mr. Dansie said that the districts were selected to discourage strip malls by adding a maximum 20-foot setback requirement, but for a parking lot, the maximum setback would be 30 feet. Mr. Dansie pointed out that a developer would have to pay less for landscaping when the parking is in the rear of a building. He also stated that there would be a 40%

glass requirement on the ground level, which has already been included in several zoning districts. Mr. Dansie added that on downtown Main Street, the requirement is 60%. He said that one other requirement is a door in the building facing the street.

Mr. Dansie stated that when the Fourth South Market was developed on 400 South, the City did not have the strength in the zoning ordinance to require maximum setbacks so buildings would be built closer to the street.

A short discussion took place regarding the issues surrounding the walkable communities.

Mr. Parvaz thanked Mr. Dansie for his presentation.

Shirley S. Jensen

SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 126 of the City & County Building at 451 South State Street
Thursday, December 13, 2001, at 5:51 p.m.

Present from the Planning Commission were Chairperson Robert "Bip" Daniels, Jeff Jonas, Tim Chambless, Laurie Noda, Kay (berger) Arnold, Prescott Muir and Peggy McDonough.

Present from the Planning Staff were Planning Director Stephen Goldsmith, Deputy Planning Directors Brent Wilde and Doug Wheelwright, Cheri Coffey, Greg Mikolash, Doug Dansie, Jackie Gasparik, Janice Lew and Ray McCandless.

Final clarifications to the walkable communities Ordinance to be discussed immediately after the Transit Oriented Development Ordinance hearing.

Mr. Dansie presented the staff report. The Planning Commission recommended approval of Petition 400-00-52 on January 18, 2001. The petition created design guidelines within specific zoning districts in order to facilitate a walkable community. Since the Planning Commission's action, several business owners have approached the Administration and asked that the ordinance be slightly modified to allow for more design flexibility. Mr. Dansie presented a powerpoint presentation to illustrate the fundamental purposes of the ordinance.

Mr. Goldsmith stated that he has met representatives of large corporations. They are concerned that Salt Lake City does not give the impression that it is an "anti-business" place because of the guidelines. Staff has worked hard to weave the City's goals to an ordinance which is responsive to its shareholders. He felt that this ordinance is a result of achieving the administrative goals.

Mr. Jonas felt that the people who wanted these changes should have been present at the meeting to discuss them.

Mr. Goldsmith stated staff has done a lot of work and made negotiations to make this ordinance acceptable to the community.

Mr. Prescott stated that the 45-foot maximum residential height restriction that is on the 400 South area, isn't what's allowed in the building code.

Mr. Dansie stated that area is a transit corridor issue that will be heard separately from the walkable communities ordinance. The heights didn't get changed in the

walkable communities.

Mr. Jonas asked what the 60% residential zoning meant.

Mr. Dansie explained that originally, there were issues as to whether the CC and CS zoning district should be included within the walkable communities. The Planning Commission decided not to include the CC zoning district. The Planning Commission initiated a petition to include the walking community concepts in the CS zoning district that have 60% residential use. The inclusion of the proposed statement in the proposed planned development guidelines eliminates the need for another petition.

Mr. Jonas asked about the statement saying, "The development shall be primarily oriented to the street, not in the interior or in the parking lot." He stated that he could think of examples where there would be an equal orientation between the street and the courtyard.

Mr. Dansie stated that is why the business community wanted the planned development process considered. The basic intent is to get businesses closer to the sidewalk.

Motion for 400-00-52:

Mr. Jonas made a motion based on the findings of fact, as stated in the staff report, Petition No. 400-00-52, to approve the Ordinance changes for the walkable communities.

Mr. Chambless seconded the motion.

Ms. McDonough asked what power did the City have to enforce this ordinance. She felt that there should be a contingent to give the Planning Commission power to require a percent, majority or a number of points on a case-by-case basis.

Mr. Goldsmith explained that through the planned development process, the City is able to negotiate on the larger scale projects. The larger projects will need flexibility for their developments. He felt that being able to negotiate and be flexible would cause better success.

Mr. Dansie stated that the planned development process is an option for the developer. If they don't want that option, they can go to the permits counter and receive a permit if they follow the specific design guidelines..

Mr. Muir felt that it was regrettable that the building heights are not matched to what is permitted by the building code in the Mixed-Use Zones.

Mr. Jonas asked if this caused a negative impact on developments.

Mr. Muir stated that developers try to cram as many stories into their projects as possible. He proposed to amend the ordinance to change the maximum building height from 45 feet to 50 feet in the Mixed- Use and Residential Mixed-Use zones.

Mr. Wilde asked what height Mr. Muir would recommend on a residential structure.

Mr. Muir stated a minimum of 10 feet. He felt 11 or 12 feet is nice if it can be achieved.

Mr. Goldsmith explained that the proposed amendment by Mr. Muir needed to go through the public hearing process.

Mr. Jonas, Mr. Chambless, Ms. Noda, Ms. Arnold, Ms. McDonough and Mr. Muir voted "Aye". Mr. Daniels, as Chairperson, did not vote. The motion carried.

Meeting adjourned at 9:00 pm.

A. LOUIS ZUNGUZE
PLANNING DIRECTOR

BRENT B. WILDE
DEPUTY PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP
DEPUTY PLANNING DIRECTOR

SALT LAKE CITY CORPORATION
COMMUNITY AND ECONOMIC DEVELOPMENT
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON
MAYOR

May 11, 2004

NOTICE OF OPEN HOUSE

The Salt Lake City Council and Planning Commission have previously reviewed **Petition 400-00-52** from Salt Lake City Mayor Rocky Anderson (via the Salt Lake City Department of Community and Economic Development) requesting that parking lots be required to be located behind buildings, and not occupy street frontage, in all community oriented commercial and mixed-use zoning districts.

In its review of the petition, the Salt Lake City Council requested that a consultant provide Planning Staff with input regarding the proposed ordinance and asked that the Planning Commission consider integrating the comments into the petition. In response, the Planning Staff has prepared a revised ordinance that is designed to simplify the process when adherence to the technical requirements of the ordinance is not practical. The staff would like to receive your input regarding the revised ordinance language.

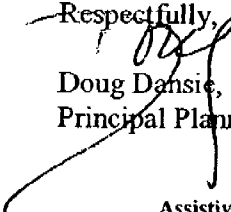
The Planning Staff will hold an open house to discuss those changes on:

Wednesday, May 26, 2004
Salt Lake City County Building
451 South State Street
Room 126
Between the hours of 4:30 and 6:00 P.M.

Since it is very difficult for us to inform all interested parties about this request, we would appreciate you discussing this matter with your neighbors and informing them of the open house.

If you have any questions on this issue, please call Doug Dansie (535-6182).

Respectfully,

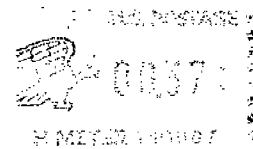

Doug Dansie, AICP
Principal Planner

We comply with all ADA guidelines.
Assistive listening devices and interpreter services provided upon 24-hour advance request.

451 SOUTH STATE STREET, ROOM 406, SALT LAKE CITY, UTAH 84111
TELEPHONE: 801-535-7757 FAX: 801-535-6174



Salt Lake City Planning Division
451 South State Street
Salt Lake City, Utah 84111



Donna Dancie

Agenda and Minutes

**AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, June 9, 2004, at 5:45 p.m.**

The Planning Commission will be having dinner at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting will be open to the public.

1. **APPROVAL OF MINUTES** from Wednesday, May 26, 2004
2. **REPORT OF THE CHAIR AND VICE CHAIR**
3. **REPORT OF THE DIRECTOR**
 - a. Request for the Planning Commission to initiate a petition to create an "SR-2" Zoning District.
4. **CONSENT AGENDA** – Salt Lake City Property Conveyance Matters:
 - a. Sorensen Construction/Comcast and Salt Lake City Public Utilities Department – Sorensen/Comcast is requesting that Salt Lake City Public Utilities grant a standard utility permit to allow buried fiber optics conduits to cross the Jordan and Salt Lake City Canal right-of-way property, located at approximately 200 West 11400 South in South Jordan City. (Staff – Karryn Greenleaf at 483-6769 or Doug Wheelwright at 535-6178)
5. **PUBLIC HEARINGS (Public Hearings will generally begin at 5:45)**
 - a. **PUBLIC HEARING** – Petition No. 400-03-33, by the Salt Lake City Council, requesting to consider alterations to the definition of "brewpub" to allow for limited wholesale off-premise sales of beer. By comparison; "Breweries" and "Microbreweries", which are separately defined and distinguished by the level of production, are allowed to wholesale beer, but are restricted to more intensive commercial and industrial zoning districts. This proposal would allow brewpubs, which are allowed in a wider range of zoning districts, to wholesale produce up to 500 barrels (164,400 bottles) per year and to allow the sales of beer in 3 and 5 gallon kegs (in addition to the 15.5 gallon kegs they can presently sell) for special events. Presently, brewpubs are not allowed to wholesale beer, they are restricted to production that is consumed on-site or sales that are limited to brew fests and charity functions. (Staff – Doug Dansie at 535-6182)
 - b. **PUBLIC HEARING** – Petition No. 400-00-52, by the Salt Lake City Administration, requesting that parking in front of commercial buildings, between the building and the street, be prohibited in all neighborhood oriented commercial zones and to adopt other neo-traditional town planning concepts to encourage more walkable communities throughout Salt Lake City. (Staff – Doug Dansie at 535-6182)
 - c. **PUBLIC HEARING** – Petition No. 490-04-16, by Todd A. Lloyd / Richard Grow, requesting to amend Lot 4 of the Arlington Hills Plat "O" Subdivision to correct a survey mapping error on a roadway easement through the property that provides access to a Salt Lake City water tank. The property is located at 689 North New Bonneville Place in a Foothills Protection "FP" Zoning District. (Staff – Ray McCandless at 535-7282)

6. UNFINISHED BUSINESS

- a.** Presentation by MOSAC of the Jordan River Parkway Trail: Property Values and Public Safety.

SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, June 9, 2004, 5:45 pm

Present from the Planning Commission were Acting Chair, Tim Chambless, Bip Daniels, Babs De Lay, John Diamond, Craig Galli, Laurie Noda, and Kathy Scott. Peggy McDonough, Prescott Muir, and Jennifer Seelig were excused.

Present from the City Staff were Planning Director Louis Zunguze; Deputy Planning Director Doug Wheelwright; Principal Planner Doug Dansie, Principal Planner Ray McCandless; Planning Commission Secretary Kathy Castro; and Deputy City Attorney Lynn Pace.

PUBLIC HEARINGS

Petition No. 400-00-52, by the Salt Lake City Administration, requesting that parking in front of commercial buildings, between the building and the street, be prohibited in all neighborhood oriented commercial zones and to adopt other neo-traditional town planning concepts to encourage more walkable communities throughout Salt Lake City.

This item was heard at 6:15 p.m.

Principal Planner Doug Dansie presented the petition as written in the staff report. He stated that this ordinance has been through several public hearings with the Historic Landmark Commission, Planning Commission, and City Council. Mr. Dansie stated that the primary purpose of the ordinance is to encourage buildings to respond to pedestrian and transit uses, as well as the automobile. Key elements of the ordinance are maximum building setback requirements and design guidelines for buildings to encourage doors and windows to face the street. The primary difference between this ordinance and a similar ordinance that was considered by the City Council one year ago is that this ordinance creates a process for those developments that meet the intent of the ordinance, but not the letter of the ordinance, without going through the traditional conditional use process. Staff has developed a conditional design review process, Chapter 59 of the zoning ordinance. Mr. Dansie noted that the proposed additional Chapter 59 allows the Applicant to come before the Planning Commission for design review, which will be more simplified than the conditional use process. Mr. Dansie outlined the specific criteria and concepts for the Planning Commission design review. Staff is proposing that the Planning Commission forward a favorable recommendation to the City Council regarding the proposed ordinance.

Commissioner Galli wondered why the areas along the 400 South Trax Line and other transit stops were not included in this proposal.

Mr. Dansie replied that there is a petition in the City Council Office requesting to rezone the area along 400 South from "CC" to Transit Corridor "TC" which is a newly proposed zoning district. He said that a lot of the same ideas are included in that petition.

Commissioner Galli indicated a need for uniformity of the walkable communities zone as well as the new transit corridor zone.

Commissioner Galli asked if there is a reason to not allow higher density in the walkable districts.

Mr. Dansie stated that all of the walkable districts are commercial with the exception of the "RB" and the "R-MU" which allow for the commercial element. He stated that the "R-MU" allows unlimited density.

Commissioner Galli felt that the ultimate goal is to encourage more walkable, less auto-dependant zones as well as encourage mixed use development. He wondered if this ordinance accomplishes that.

Mr. Dansie replied that the current proposal affects the design of commercial buildings and commercial zones. He said that there are other tools in place to create mixed development.

Commissioner Galli noted that there is a need for a Salt Lake City Comprehensive Master Plan. He felt that this proposal is a piecemeal approach in that it does not address all of the transit-oriented issues.

Mr. Dansie replied that the areas affected by transit on the north-south Trax line or the University Trax line have some of the walkable communities concepts written into those plans, and the density is being modified in those areas. In the areas that should have higher density the associated transit issues are being addressed.

Mr. Zunguze noted that within the last few years there has been a consistent drive from the City's standpoint to address density issues. He specifically noted the "R-MU" and the "RMF" zoning districts which have been expanded to allow higher density in various parts of the community. Mr. Zunguze stated that the City has not addressed how the new development will fit into those existing neighborhoods. Trax has reoriented transportation, and yet the City has not introduced design elements to complement that amenity. He said that this proposal is a way to do that, as well as send the message to the community that the vehicle is no longer the predominant transportation element. Mr. Zunguze stated that this petition is more design oriented rather than density. He said that Staff is being sensitive to the various differences in communities and at the same time including all the elements from a transportation standpoint.

Commissioner Galli stated that he hopes that the proposed plan is nimble enough to accommodate the needs of the Salt Lake Valley within the next 10 or 15 years. He said that the City will need to develop plans that encourage higher density within the City.

Mr. Zunguze stated that City Staff is completely cognizant of that; however, one needs to be sensitive to where and how density is increased to ensure that it is done appropriately. He said that this proposal is not density focused; there are other proposals such as the TOD Ordinance that address that issue.

Acting Chair Chambless referred to the State Street Corridor from 900 South to 2100 South and asked why the delineation does not continue up to the Central Business District and up to the Capitol Building.

Mr. Dansie replied that currently in that area there is a maximum setback requirement and that 40 percent of the façade of a structure has to be glass. He added that there is a State Street Overlay District which exempts all of the buildings of that setback requirement in the "CC" Zoning District. Mr. Dansie stated that there are two blocks in the "D-2" Zoning District which are not included within the existing boundary of the State Street Overlay District.

Acting Chair Chambless asked if the area between 700 South and 900 South should be included in this petition. Mr. Dansie stated that the Planning Commission has initiated a petition to reevaluate the boundary of the State Street Corridor.

Acting Chair Chambless opened the public hearing.

Ms. Helen Peters, Chair of the Sugar House Community Council addressed the Commission. She said that the Sugar House Community Council is very interested in keeping Sugar House a walkable community. She referred to the concerns with transit-oriented development and density saying that an area within Sugar House has been designated to allow density that will coordinate with the Sugar House Trax Line. She stated that they would like to eventually extend the Sugar House Business District to 700 East and possibly proceeding west; however, they prefer that the walkable communities ordinance is adopted before they proceed with that process.

Mr. Rawlins Young, Historian for the Salt Lake Transit Committee addressed the Commission. He referred to a map showing an overlay of the UTA Bus Routes over the proposed zoning changes. Mr. Young felt that the zoning changes should be transit-oriented as part of the intent statement. Mr. Young referred to the comments regarding increasing density, saying that he felt that the logical places to increase density is where east-west bus routes meet north-south bus routes. He added that the logical place to cluster residential zoning is along bus

routes. Mr. Young provided the Commission with a handout from the Planning Communities with Transit book. The handout shows the amount of physical space that is required to build a shelter at a bus stop. He felt that where there are commercial nodes, bus shelters should be required. He suggested that rather than allowing a structure to be built to the property line, each zone should require an additional 4 foot entrance walk that would run parallel to structures and the public right-of-way and would allow enough space for the bus shelters and ADA accessibility.

Commissioner Diamond referred to the minutes from the past Planning Commission discussions which are included in the staff report. He asked if Staff is suggesting that the Planning Commission adopt the past recommendation as part of their approval this evening. He specifically mentioned the portion which dealt with the transit-oriented district.

Mr. Dansie replied that is part of the past Planning Commission recommendation which is currently at the City Council for review separately.

Commissioner Diamond asked Mr. Dansie to address the suggestion by Mr. Young that the Planning Commission should include language that the zoning changes should be transit-oriented as part of the intent statement.

Mr. Dansie clarified that the issues in terms of the sidewalk, bus stops and such are governed by design standards within the Transportation Division.

Commissioner De Lay referred to the philosophy of "live work space" saying that she felt that this ordinance did not address that issue. She wondered if the Commission should address that with this petition to encourage more live work spaces throughout the City.

Mr. Zunguze stated that he felt that the live work philosophy is there within the City. He restated that this petition primarily focuses on design. Mr. Zunguze stated that the "R-MU" districts are all mixed use. If the Commission feels that there is a need to revisit those definitions Staff will do so. He stated that the intent of this petition is to reorient the community in the direction that the automobile is no longer the only form of transportation. Unless there are design elements in place that encourage people to walk, the mixed use zoning will not be utilized.

Mr. Zunguze referred to the concerns raised by Mr. Young and the UTA issues. He stated that the Planning Office is in close contact with UTA to address some of those issues that show a mismatch between the transportation routes and zoning. He stated that there is a discussion initiated by the Mayor to make the City's bus shelters more aesthetically pleasing and ADA friendly. He stated that the struggle with that project is how to fund it.

Mr. Zunguze referred to the design implications of the proposed ordinance saying that there will be corresponding best practices policies that will be discussed with the Transportation Division to see what implications the proposed walkable elements will have on how amenities in the public way will be looked at. Mr. Zunguze stated that there will be corresponding changes that will be more administrative in nature and may not appear in the ordinance.

Mr. Dansie agreed and added that integrating the design criteria will give structures a more urban feel.

Mr. Gerald McDonough, a resident of 1997 South 800 East addressed that Commission with concerns regarding the possibility of increased traffic with the expansion of the Sugar House Business District. He stated that he submitted a letter to Mr. Zunguze.

Mr. Zunguze noted that the Planning Commission is not specifically addressing the expansion of the Sugar House Business District this evening. He noted that he and Mr. McDonough have an upcoming meeting to discuss the issues raised by Mr. McDonough.

Acting Chair Chambless asked Mr. McDonough if he has been involved with his Community Council meetings. Mr. McDonough replied that he does not involve himself any longer because he feels that those efforts are pointless.

Commissioner Galli inquired as to the amount of review UTA gave regarding the proposed petition. Mr. Dansie replied that UTA was not heavily involved because it is not a direct response to the bus routes. He added that Staff has not reviewed ordinance changes with UTA in the past; however, UTA received copies of earlier proposals of this ordinance.

Mr. Zunguze restated that Planning Staff, the Mayor's Office, and the General Manager of UTA are looking at the overall development of Downtown and what opportunities Trax brings.

Commissioner Galli felt that UTA has expertise that would be valuable and asked that in the future UTA is more involved.

Acting Chair Chambless closed the public hearing.

Motion for Petition No. 400-00-52

Commissioner Daniels made a motion regarding Petition No. 400-00-52, based upon the findings noted in the original petition, the re-evaluation according to the current proposal and the responses received regarding the modification, that the Planning Commission forward a positive recommendation to the City Council to amend the zoning ordinance as proposed.

Commissioner Diamond seconded the motion.

Commissioner Daniels, Commissioner De Lay, Commissioner Diamond, Commissioner Galli, Commissioner Noda, and Commissioner Scott voted "Aye". Tim Chambless Acting Chair did not vote. All voted in favor, and therefore the motion passed.

5 Original Petition

(The original petition was transmitted in 2002 and is not included in this package)