Attached is the most current draft (October 1, 2004) of the Walkable Communities Ordinance. It is in revision format. Following are the areas the Planning Division has indicated it addresses (summarized from a memo prepared by Planning Director Louis Zunguze):

1. The Sugar House CSHBT portion has been removed because the entire district is being reviewed as part of other planning processes. Some design guidelines, such as glass at the ground level, already appear in the Sugar House zoning.

2. A notification Process has been specifically outlined for the Conditional Building and Site Design Review.

3. The Planning Director is specified as the review authority, rather than the Zoning Administrator. (Council staff suggested this so that the Planning Director has the option of retaining the authority, or delegating to the Zoning Administrator.)

The Planning Division has indicated that the proposed ordinance on Walkable Communities will be coordinated with other efforts being undertaken by other City Departments and Divisions. For instance, the recently-adopted Bicycle and Pedestrian Master Plan, which was prepared by the City's Transportation Division, with input from the Planning Division, outlines opportunities and programs to make the City more bicycle and pedestrian friendly, and hence more livable. The Mayor's Office, in concert with Planning and Community Councils, has produced brochures on 'livable communities' aimed at raising public awareness about the concept of livability and the key elements associated with promoting livable communities.

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 on 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.10.020.B.3 of the Salt Lake City Code shall be and hereby is amended to read as follows:

3. **Notification To Recognized And Registered Organizations:** The City shall give notification a minimum of fourteen (14) calendar days in advance of the public hearing by first-class mail to any organization which is entitled to receive notice pursuant to Chapter 2.62 of this Code.

~~If the conditional use also requires design review, the Planning Commission shall give public notification of its meeting(s) to consider the application in the same manner as set forth in this Section.~~

SECTION 2. Section 21A.10.020.C of the Salt Lake City Code shall be and hereby is amended to read as follows:

~~C. **Applications Requiting Design Review Only:** The Planning Commission shall hold at least one public hearing to review, consider and approve, approve with conditions, or deny the application after the following public notification:~~

~~1. **Mailing:** Notice by first class mail shall be provided a minimum of fourteen (14) calendar days in advance of the Planning Commission's public hearing, to all owners of the land, as shown on the latest published property tax records of the County Assessor, included in the application requiring design review, as well as to all owners of land, as shown on the latest published property tax records of the County Assessor, within one hundred feet (100') (exclusive of intervening streets), of the periphery of the land subject to the application requiring design review. Notice shall be given to each individual property owner if an affected property is held in condominium ownership.~~

~~2. **Notification To Recognized And Registered Organizaitons:** The City shall give notification a minimum of fourteen (14) calendar days in advance of the Planning Commission's meeting by first class mail to any organization which is entitled to receive notice pursuant to Chapter 2.62 of this Code.~~

C. **Conditional building and site design review: The Planning Commission may delegate authority for approval to the Planning Director or designee. Prior to the approval of a decision for conditional building and site design review, the Planning Director shall provide written notice of the requested action to all owners of the land subject to the application, as shown on the latest published property tax records of the County Assessor, included in the**

application, as well as to the Planning Commission and to all owners of land as shown on the latest published property tax records of the County Assessor adjacent to and contiguous with the land subject to the application. At the end of the fourteen (14) day notice period, the Planning Director shall either address the issue administratively or refer the application to the Planning Commission.

SECTION 3. 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.**

~~C~~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	5,000 sq. ft.	50 ft.

existing building originally designed for residential use		
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.

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

~~E~~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.

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

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

~~H~~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.**

~~I~~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.

~~J~~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 4. 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.**

~~C~~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.

~~D~~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; ~~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 Planning Director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Planning Director 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 Planning Director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Planning Director 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~~**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.

~~F~~**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.

~~G~~**H**. **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.

~~H~~**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.

~~I~~**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 Planning Director 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 Planning Director 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~~**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 5. 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.

~~C~~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.

~~D~~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.

~~E~~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 Planning Director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Planning Director 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 Planning**

Director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Planning Director 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~~**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.

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

~~H~~**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 Planning Director 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 Planning Director 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.**

~~I~~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.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.

~~C~~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.

~~D~~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.

~~E~~F. **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 Planning Director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Planning Director 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 Planning Director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Planning Director 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~~**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.

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

~~H~~**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 Planning Director 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 Planning Director 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.

~~I~~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 7. 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.**

~~C~~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	5,000 sq. ft	50 ft.

as listed in Section 21A.32.140.

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.

~~D~~**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 ~~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 Planning Director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Planning Director 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 Planning Director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Planning Director 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~~**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.

~~F~~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 Planning Director 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 Planning Director 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%.

~~G~~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.

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

~~I~~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.

~~J~~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.

~~K~~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.

~~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.**

~~M~~**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 8. 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 Planning Director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Planning Director 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 Planning Director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than 50% if the Planning Director 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 Planning Director 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 Planning Director 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 9. 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 10. 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 11. 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 Planning Director, 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 Planning Director 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 Planning Director shall certify approval and state the conditions of such approval, if any. If the design is disapproved, the Planning Director 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 Planning Director. 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 Planning Director may waive this requirement if the Planning Director 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 Planning Director prior to expiration of the original twelve (12) month period.

SECTION 12. 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.

SECTON 13. 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: _____.

G:\Ordinance 04\Amending Code re parking lots behind bldgs - Oct 1, 2004.doc