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## M E M O R A N D U M

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**DATE:** November 27, 2002  
**TO:** City Council Members  
**FROM:** Russell Weeks  
**RE:** Library Block – Proposed Ordinances to Create a New Public Lands Zoning District and Designate the block as a Public Lands-2 zone.  
**CC:** Cindy Gust-Jenson, Rocky Fluhart, David Nimkin, Nancy Tessman, Brent Wilde, DJ Baxter, Gary Mumford, Joel Paterson, Janice Jardine, Deeda Seed

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This memorandum addresses issues involved in proposed ordinances to create a new public lands zoning district titled *Public Lands-2*. The proposed ordinances were drafted to create a land use district specific to what is now known as the Library Block. If adopted, the proposed ordinances would apply to all facilities on the Library Block. The first ordinance would create a *Public Lands-2* zoning district. The second ordinance would amend the City’s zoning map to change Library Square from a *Public Lands* zoning designation to *Public Lands-2*. The City Council will hold a public hearing on both ordinances December 3.

It should be noted that the *Library Square Block Plan* the City Council adopted September 3 contains the following language: “A zoning amendment has been requested to allow the library to lease space for accessory retail outlets to benefit library patrons and other visitors. The main level of the crescent wall will include leasable space for food vendors, gift shops and other compatible uses.”

### **POTENTIAL MOTIONS**

#### **Public Hearing**

- I move that the City Council close the public hearing.
- I move that the City Council continue the public hearing to a later date.

#### **New Public Lands-2 Zoning District**

- I move that the City Council adopt an ordinance amending the *Salt Lake City Code* to create a new public lands zoning district, pursuant to Petition No. 400-02-28.
- I move that the City Council not adopt the ordinance.
- I move that the City Council adopt an ordinance amending the *Salt Lake City Code* to create a new public lands zoning district, pursuant to Petition No. 400-02-28 with the following amendments: that references to exterior signage in Section 3, Paragraph I-4 titled *Signage Standards for Accessory Usage*, and the words “no exterior signs shall be permitted” be included; that “Adult Daycare Center” be omitted from the list of permitted uses.

## ITEM A-3

### **Rezoning of Library Square Block**

- I move that the City Council adopt an ordinance rezoning the Library Square Block from PL to PL-2, pursuant to Petition No. 400-02-28.
- I move that the City Council not adopt the ordinance.
- I move that the City Council adopt an ordinance rezoning the Library Square Block from PL to PL-2, pursuant to Petition No. 400-02-28 with the following amendments: That the PL-2 designation apply only to the new main library under construction and open space on the block, but not the existing main library. That the Administration develop a new ordinance addressing compatible uses in the existing main library when the new main library begins operation.

### **BACKGROUND/DISCUSSION**

The Administration has provided two proposed ordinances for City Council action. The first proposed ordinance would create a new public lands zoning district titled *Public Lands-2* (PL-2). The second ordinance would amend the *Salt Lake City Zoning Map* to change the zoning designation of Library Square Block from *Public Lands* to *Public Lands-2*.

The *Potential Motions* section of this memorandum is divided into three parts. The first two bullet points pertain to the public hearing. The next three bullet points pertain to the first proposed ordinance in the Administration's transmittal. The final three bullet points pertain to the proposed ordinance that would actually designate the Library Square Block as a *Public Lands-2* zone. The City Council discussed both proposed ordinances at its November 5 meeting.

The ordinances involving PL-2 zoning were proposed to support the Salt Lake City Public Library System's plans to have retail businesses at the new Main Library. The businesses would cater to library users. The new library has about 10,000 square feet of space available for retail enterprises – about 3,600 square feet inside the library and 6,400 square feet outside the library's "lens" and facing the new plaza. At the July 9 City Council meeting Library System Director Nancy Tessman said the lease rates for the space would be about \$12 per square foot per year. She said the Library System expected to generate about \$100,000 a year of which \$60,000 to \$70,000 would be used to help generate events on the new plaza.

At a July 9 meeting Council Members said they were concerned about four things: 1.) The potential that the amendment to the existing *Public Lands Zoning District* would allow retail businesses to locate on other areas zoned as Public Lands within the City. 2.) The nature of businesses that would locate at the new Main Library. 3.) The potential for those businesses to compete with existing businesses. 4.) Potential lost opportunities for businesses to locate downtown, particularly along Main Street.

The Council suggested that the Administration develop options for Council consideration that would isolate the effect of the proposed amendment solely to the Library Block and would restrict the kinds of businesses that could locate at the new Main Library.

The Administration then drafted a proposed ordinance that would create a separate PL-2 zoning district. The proposed ordinance contained "accessory retail sales and services for use by the general public" as a permitted use.

## ITEM A-3

At the November 5 meeting Council Members raised further concerns about the proposed ordinances. In response, the Administration changed portions of the proposed ordinances to address those concerns.

As the Administration's transmittal letter indicates, the current version of the proposed ordinances, particularly the first ordinance creating the proposed district:

1. Drops one of the qualifying provisions for accessory retail sales and service uses.
2. Eliminates several of the permitted and conditional land uses for PL-2 zones.
3. Minimizes allowed signage and orients signage toward a block's interior.

The second proposed ordinance would designate the entire Library Square Block as a PL-2 zone, and the Administration recommends designating the whole block as that. According to the Administration's transmittal letter on Page 4, the Administration contends, "The definition of accessory use and the qualifying provisions included in the PL-2 district provides the needed regulation to control" accessory retail uses on the entire block. The Administration also contends that if the City Council chooses to separate uses on the Library Square Block between the existing and new main libraries, it probably would require creating a new zone specifically for the existing main library.

Two more issues the City Council may wish to consider:

The proposed ordinance to create the PL-2 zoning district retains "adult daycare center" in the list of permitted uses. According to the transmittal letter on Page 3, the Administration contends that, as portions of the population age, adult daycare centers may be a necessary service for Salt Lake City employees equal to that of a child daycare center. However, the Administration says adult daycare centers could be omitted as a permitted use if the City Council chooses.

The Administration also believes that it has addressed City Council concerns about the kind of signage allowed in a PL-2 zone. The requirements listed under *Signage Standards for Accessory Use* in the proposed ordinance and the transmittal letter are designed to make signs for organizations that may locate on the block visible to pedestrians within the block but not to people in vehicles on streets surrounding the block. Council staff included in the *Potential Motions* section of this memorandum an amendment to prohibit all exterior signage. However, staff included the amendment only because the Administration raised the possibility of such an amendment at the November 5 meeting in response to City Council concerns.

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