

AUG 17 2004

ALISON WEYHER  
DIRECTOR

**SALT LAKE CITY CORPORATION**  
COMMUNITY AND ECONOMIC DEVELOPMENT

ROSS C. "ROCKY" ANDERSON  
MAYOR

**COUNCIL TRANSMITTAL**

**TO:** Rocky Fluhart, Chief Administrative Officer **DATE:** August 6, 2004

**FROM:** Lee Martinez, Community Development Director

**RE: Petition 400-03-30:** A request by the Salt Lake City Planning Commission, requesting to amend the Salt Lake City Code to add language regarding the conversion of vacant properties, due to demolition, to commercial parking garages, lots, or decks in the "D-1" zone, requiring said lots to be adjacent to and associated with a primary use and/or a contributing factor to the overall downtown parking scheme. Additionally, vacant properties, due to demolition in the "D-1" zone, where no replacement use is proposed, would be required to install a landscape yard around the entire perimeter of the parcel with drought tolerant landscaping.

**STAFF CONTACT:** Lex Traughber, Principal Planner, Planning Division  
535-6184 or [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com)

**DOCUMENT TYPE:** Ordinance

**RECOMMENDATION:** The City Council hold a briefing and schedule a public hearing regarding said Salt Lake City Code text amendment.

**BUDGET IMPACT:** None

**DISCUSSION:** This petition was generated in response to a request for a parking lot on a property where the principal structure(s) had recently been demolished. The key comments expressed during the Planning Commission hearing at that time were that parking lots should not be allowed in the downtown area on an ad hoc basis, nor should demolition properties be allowed to remain totally vacant. The conversion of vacant lots, resulting from demolition activity, to parking lots is not a land use that is generally recognized as having a positive visual impact in the downtown area.

Currently, commercial parking garages, lots, or decks in the D-1 zone are only allowed through the conditional use process. Planning Staff has prepared ordinance language that requires new commercial parking garages, lots, or decks in the D-1 zone, on properties where demolition activity has occurred, to be associated with a primary use and/or a contributing factor to the overall downtown parking scheme (Downtown Alliance – Token Program). This language would provide further specific criteria upon which to base a decision regarding requests for parking spaces.

Additionally, vacant properties, due to demolition activity in the D-1 zone, where no replacement use is proposed, would be required to install a landscape yard around the entire perimeter of the parcel with drought tolerant landscaping, such that the property would not become an "eyesore" in the core of the downtown business district. Currently, landscaping is only required in the setback areas for a given zone. Because the D-1 zone has no setback, demolition sites in this zone have not been required to provide landscaping, resulting in vacant parcels that have a detrimental visual impact on the downtown area.

Planning Staff specifically composed ordinance language regarding the requirement for drought tolerant landscaping around the perimeter of a parcel for the purpose of water conservation. The requirement to landscape the entire lot was not proposed considering the current drought conditions in the area. A landscape buffer around the perimeter will accomplish the goal of mitigating potential negative visual impacts, and at the same time it will achieve the need to conserve precious water.

Additionally, a landscape buffer will not only mitigate negative visual impacts, but it will also deter those individuals from loitering on a property if it is entirely landscaped. A fully landscaped parcel in the D-1 zone may be perceived as a public park as opposed to private property. The landscape buffer around the entire perimeter will also prevent the interior of the parcel from becoming a de facto parking lot due to the absence of an access.

The proposed zoning ordinance text amendment would not be retroactive; current vacant parcels or commercial parking lots would not be required to comply with these proposed regulations.

#### **ANALYSIS:**

The proposed amendment will enhance the overall character of downtown through the elimination of ad hoc parking lots, as a result of demolition, that typically do not have a positive impact on the area. Additionally, the requirement of landscaping for demolition properties, without a replacement use, will aesthetically enhance said lots.

There is a need to ensure that additional parking in the downtown area accompanies a land use, such that the proportion between parking spaces and land use is maintained in order to keep a healthy visual appearance in the area.

#### **MASTER PLAN CONSIDERATIONS:**

Having reviewed the Salt Lake City Downtown Plan, the City Vision and Strategic Plan, and the Salt Lake City Council Policy Statement on the Future Economic Development of Downtown, it is evident that none of these documents specifically address demolition in the downtown area. On the other hand, they all address the need for parking and appropriate areas for this use. The purpose of this proposed text amendment is not to eliminate the possibility of additional parking areas in the D-1 zone, it is simply to encourage a healthy mix of land uses and proportional parking stall counts, and eliminate

potential uses on vacant properties that could have negative visual impacts on the downtown area.

**PUBLIC PROCESS:**

All property owners in the D-1 zoned district were mailed notification of the proposed zoning ordinance text amendment. In addition, Community Council chairs and various other organizations including but not limited to the Downtown Alliance, the Salt Lake Chamber of Commerce, and the Vest Pocket Business Coalition were notified. An open house was held on June 21, 2004. Those in attendance were generally supportive of the proposed amendments.

On July 14, 2004, the Planning Commission held a public hearing to consider the proposed text amendment. The Planning Commission passed a motion to transmit a favorable recommendation to the City Council to adopt the proposed text amendment with the recommendations as presented in the Planning Staff report.

**RELEVANT ORDINANCES:**

Salt Lake City Code Chapter 21A.30 – Downtown Districts, Chapter 21A.48 – Special Landscape Regulations, and Chapter 18.64 – Demolition

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## PROJECT CHRONOLOGY

November 6, 2003	Petition delivered to Planning Division.
December 18, 2003	Petition assigned to Lex Traughber, Principal Planner. Research and preparation was conducted intermittently on this petition as time permitted, considering current workload; hence, the lapse of time between the assignment of the petition and department/division referrals.
May 19, 2004	Memorandum sent requesting department/division comments.
June 10, 2004	Notice for an "Open House" on June 21, 2004, sent to all property owners in the D-1 zoning district, in addition to other interested parties including all Community Council Chairpersons.
June 21, 2004	Held an "Open House" to collect input and comments from the public regarding the text amendment proposal.
June 29, 2004	Notice sent for the July 14, 2004, Planning Commission hearing.
July 14, 2004	The Planning Commission held a public hearing and passed a motion to forward a favorable recommendation to the City Council to adopt the text amendment language as proposed by Planning Staff.
July 15, 2004	Requested ordinance from the City Attorney's office.
July 16, 2004	Began preparing transmittal.
July 26, 2004	Transmittal submitted to supervisor for review.

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2004

AN ORDINANCE AMENDING THE SALT LAKE CITY CODE REGARDING REGULATIONS FOR PARKING LOTS IN THE DOWNTOWN (D-1) ZONING DISTRICT, PURSUANT TO PETITION NO. 400-03-30.

WHEREAS, the Salt Lake City Code contains certain regulations regarding the creation and appearance of parking lots within the City; and

WHEREAS, the City Council now desires to amend the City Code to add language requiring that new parking lots, on vacant properties resulting from demolition activity in the Downtown (D-1) zoning district, must be associated with an adjacent primary land use or must contribute to the overall parking scheme in the downtown area; and

WHEREAS, the City Council also desires to amend the City Code to provide that vacant sites resulting from demolition activity in the Downtown (D-1) zoning district with no proposed replacement use shall be required to landscape the perimeter of the property with drought tolerant landscaping; and

WHEREAS, the City Council finds that the proposed amendments 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 18.64.040.D of the Salt Lake City Code shall be and hereby is enacted to read as follows:

**D. For parcels in the D-1 zone, a permit for the use replacing the demolished building or structure has been issued by Building Services and Licensing, or a landscape plan for the site has been approved in accordance with section 21A.48.100(D) of this Code. A performance**

**bond to assure timely and proper installation and maintenance of the landscaping shall be filed with the city in a form acceptable to the city.**

SECTION 2. Section 21A.30.020.D.3e of the Salt Lake City Code shall be and hereby is enacted to read as follows:

**e. Parking lots shall be permitted as conditional uses with the approval of the Planning Commission pursuant to the provisions of Chapter 21A.54 of this Title, where it is found that the parking lot is associated with an adjacent principal use and/or is contributory to the overall downtown parking program.**

SECTION 3. Section 21A.30.020.D.9 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

**9. Landscape Requirements for Demolition Sites: Vacant lots, resulting from demolition activities where no replacement use is proposed, shall conform to Chapter 21A.48 of this Title, special landscape requirements applicable to the D-1 Central Business District.**

SECTION 4. Section 21A.48.100.D.2 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

**2. Landscaping for Vacant Lots: Special landscaping shall be required on those lots becoming vacant, where no replacement use is proposed, in conformance with the following:**

**a. Landscape yard requirement: A landscape yard of fifteen feet (15') shall be required as measured from any point along all property lines.**

**b. Trees: Shade trees shall be provided at the rate of one tree per thirty feet (30') of yard length, rounded up to the nearest whole number.**

**c. Shrubs: Shrubs shall be provided at the rate of one plant for every three feet (3') of yard length, evenly spaced, limited to a height of not more than three feet (3'). All plants shall be drought tolerant; consult the Salt Lake City water-wise plant list for suggestions. At least forty percent (40%) of the plants must be evergreen.**

**d. Groundcover: Areas not planted with shrubs and trees shall be maintained in drought tolerant vegetative groundcover.**

e. Irrigation: Permanent irrigation shall be installed and used as needed to maintain plant materials in a healthy state.

f. Maintenance: Landscaping shall be installed and maintained in conformance with the approved landscape plan. Landscaping shall be kept free of weeds and litter.

SECTION 5. 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

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 8-10-04  
By [Signature]

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2004.

Published: \_\_\_\_\_.

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2004

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WHEREAS, the City Council also desires to amend the City Code to provide that vacant sites resulting from demolition activity in the Downtown (D-1) zoning district with no proposed replacement use shall be required to landscape the perimeter of the property with drought tolerant landscaping; and

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

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bond to assure timely and proper installation and maintenance of the landscaping shall be filed with the city in a form acceptable to the city.

SECTION 2. Section 21A.30.020.D.3e of the Salt Lake City Code shall be and hereby is enacted to read as follows:

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a. Landscape yard requirement: A landscape yard of fifteen feet (15') shall be required as measured from any point along all property lines.

b. Trees: Shade trees shall be provided at the rate of one tree per thirty feet (30') of yard length, rounded up to the nearest whole number.

c. Shrubs: Shrubs shall be provided at the rate of one plant for every three feet (3') of yard length, evenly spaced, limited to a height of not more than three feet (3'). All plants shall be drought tolerant; consult the Salt Lake City water-wise plant list for suggestions. At least forty percent (40%) of the plants must be evergreen.

d. Groundcover: Areas not planted with shrubs and trees shall be maintained in drought tolerant vegetative groundcover.

**e. Irrigation: Permanent irrigation shall be installed and used as needed to maintain plant materials in a healthy state.**

**f. Maintenance: Landscaping shall be installed and maintained in conformance with the approved landscape plan. Landscaping shall be kept free of weeds and litter.**

SECTION 5. 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: \_\_\_\_\_.

### **NOTICE OF PUBLIC HEARING**

The Salt Lake City Council is considering Petition 400-03-30, a proposal requiring that new parking lots, on vacant properties as a result of demolition activity, in the "D-1" zoning district be associated with an adjacent primary land use or contributing to the overall parking scheme in the downtown area. Additionally, vacant sites as a result of demolition activity in the D-1 district with no proposed replacement use would be required to landscape the parcel perimeter with drought tolerant landscaping.

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, 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 & County Building  
451 South State Street  
Salt Lake City, Utah

If you have any questions relating to this proposal or would like to review the file, please call Lex Traughber at 535-6184 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com)

Assisted listening devices or interpreting services are available for public meetings. Salt Lake City complies with the American Disabilities Act (ADA). For further information, contact the TDD number 535-6021.

A. LOUIS ZUNGUZE  
PLANNING DIRECTOR

BRENT B. WILDE  
DEPUTY PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP  
DEPUTY PLANNING DIRECTOR

## **SALT LAKE CITY CORPORATION**

COMMUNITY DEVELOPMENT  
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON  
MAYOR

### **MEMORANDUM**

**To:** Salt Lake City Council

**From:** Lex Traugher  
Principal Planner



**Date:** July 26, 2004

**Re:** Original notice and postmark for the  
Planning Commission hearing on July 14, 2004

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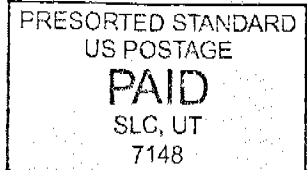
The Planning Division instituted an improved method for notifying citizens of Planning Commission meetings. The Planning Division is now sending out a Planning Commission agenda as the method of public hearing notification.

The meeting held on July 14, 2004, was the first meeting for which this new notification process took effect. The notifications were mailed on June 29, 2004, through the copy center. Unfortunately, the notifications were mailed out using a bulk rate and the postmark date does not show on the notifications sent for this meeting.

Since this initial mailing, the procedure has been modified so that the postmark date appears on each notification.



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



LEX-TRAUSHER  
577 N. WEST CAPITOL ST  
APT B  
SLC UT 84103

## NOTICE OF HEARING

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

**DATE:** July 14, 2004  
**TO:** Salt Lake City Planning Commission  
**FROM:** Lex Traughber  
Principal Planner  
Telephone: (801)535-6184  
Email: [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com)  
**RE:** **STAFF REPORT FOR THE JULY 14, 2004 MEETING**

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**CASE #:** 400-03-30  
**APPLICANT:** Planning Commission  
**STATUS OF APPLICANT:** City Board  
**PROJECT LOCATION:** This is a zoning ordinance text amendment affecting parcels zoned "D-1" (Central Business District). This zone is only found in the area bound by North Temple and 700 South between 300 West and 300 East.  
**PROJECT/PROPERTY SIZE:** Not applicable  
**COUNCIL DISTRICTS:** District Three – Eric Jergensen  
District Four – Nancy Saxton  
**REQUESTED ACTION:** Proposal requiring that new parking lots, on vacant properties as a result of demolition activity, in the "D-1" zoning district are associated with an adjacent primary land use or contributing to the overall parking scheme in the downtown area. Additionally, vacant sites as a result of demolition activity in the D-1 district with no proposed replacement use would be required to landscape the parcel perimeter with drought tolerant landscaping.  
**PROPOSED USE(S):** Not applicable  
**APPLICABLE LAND USE REGULATIONS:** Salt Lake City Zoning Ordinance,  
Salt Lake City Code Chapter 21A.30 – Downtown Districts & Chapter 18.64 – Demolition

**APPLICABLE****MASTER PLANS:**

Salt Lake City Downtown Plan  
City Vision and Strategic Plan  
The Salt Lake City Council Policy Statement on the  
Future Economic Development of Downtown

**SUBJECT PROPERTY****HISTORY:**

Not Applicable

**ACCESS:**

Not Applicable

**PROJECT DESCRIPTION:**

This petition was generated in response to a request for a parking lot on a property where the principal structure(s) had recently been demolished. The key comments expressed during the Planning Commission hearing then were that parking lots should not be allowed in the downtown area on an ad hoc basis, nor should demolition properties be allowed to remain totally vacant. The conversion of vacant lots, resulting from demolition activity, to parking lots is not a land use that is generally recognized as having a positive visual impact in the downtown area.

Currently, commercial parking garages, lots, or decks in the D-1 zone are only allowed through the conditional use process. Planning Staff has been assigned the task of preparing ordinance language requiring new commercial parking garages, lots, or decks in the D-1 zone, on properties where demolition activity has occurred, to be associated with a primary use and/or a contributing factor to the overall downtown parking scheme (Downtown Alliance – Token Program). This language would provide further specific criteria upon which to base a decision regarding requests for parking lots.

Additionally, vacant properties, due to demolition activity in the D-1 zone, where no replacement use is proposed, would be required to install a landscape yard around the entire perimeter of the parcel with drought tolerant landscaping, such that the property would not become an “eyesore” in the core of the downtown business district. Currently, landscaping is only required in the setback areas for a given zone. Because the D-1 zone has no setback, demolition sites in this zone have not been required to provide landscaping, resulting in vacant parcels that have a detrimental visual impact on the downtown area.

The proposed zoning ordinance text amendment would not be retroactive; current vacant parcels or commercial parking lots would not be required to comply with these proposed regulations.

**DEPARTMENT/DIVISION COMMENTS:**

The following is a summary of the comments received from the various Departments/Divisions. The comments in their entirety are attached to this staff report for review.

**1. Engineering**

Did not have any issues with the proposal.

**2. Fire**

Did not have any issues with the proposal.

**3. Permits & Zoning**

Wanted to know if the current petition could address residential lots as well.

Made specific language suggestions.

Planning Staff note: Because this petition relates only to the D-1 zone, Planning Staff has not expanded the parameters of this proposal to address the subject of demolition in other zoning districts including residential zones.

**4. Police**

Suggested that trees planted on the property be trimmed up to a height of 84 inches to allow for visibility on the lot, otherwise had no concerns.

**5. Public Utilities**

Provided specific suggestions for the proposed language. Suggestions are attached.

**6. Transportation**

Has no issue with the conversion of demolition site to parking lots as long as the proposal is in compliance with standards.

**PUBLIC COMMENT:**

All property owners in the D-1 zoned district were mailed notification of the proposed zoning ordinance text amendment. In addition, Community Council chairs and various other organizations including but not limited to the Downtown Alliance, the Salt Lake Chamber of Commerce, and the Vest Pocket Business Coalition were notified. An open house was held on June 21, 2004. The "Sign-in" sheet and questionnaires from this meeting are attached for review. In general, those attending the Open House supported the intent of the petition.

**ANALYSIS:**

Because this petition is a modification of the Zoning Ordinance, the Planning Commission must review the proposal and forward a recommendation to the City Council based on the following standards for general amendments as noted in Section 21A.50.050 of the Zoning Ordinance.

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

**Discussion:** This proposed text change specifically relates to demolition sites in the D-1 zone, and the conversion of said sites to parking lots or simply vacant ground. Having reviewed the Salt Lake City Downtown Plan, the City Vision and Strategic Plan, and the Salt Lake City Council Policy Statement on the Future Economic Development of Downtown, it is evident that none of these documents specifically address demolition in the downtown area. On the other hand, they all address the need for parking and appropriate areas for this use. The purpose of this proposed text amendment is not to eliminate the possibility of additional parking areas in the D-1 zone, it is simply to encourage a healthy mix of land uses and proportional parking stall counts, and eliminate potential uses on vacant properties that could have negative visual impacts on the downtown area.

**Finding:** The proposed text changes do not conflict 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.**

**Discussion:** The proposed amendment is not site specific, but would apply to all properties zoned D-1 (Central Business District). This particular zoning designation is found in the area bound by North Temple and 700 South between 300 West and 300 East.

**Findings:** The proposed amendment will enhance the overall character of downtown through the elimination of ad hoc parking lots as a result of demolition that typically do not have a positive impact on the area. Additionally, the requirement of landscaping for demolition properties without a replacement use will aesthetically enhance said lots.

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

**Discussion:** The amendments, although not site specific, are intended to reduce or minimize adverse affects on adjacent properties in the D-1 zoned area. Additionally, landscaping will minimize the negative visual impact associated with a vacant lot due to demolition.

**Findings:** The purpose of the proposed amendments is to reduce the potential negative impacts of ad hoc parking lots and the negative visual impact of vacant lots due to demolition.

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

**Discussion:** The Exchange Place Historic Preservation Overlay District is located within the boundaries of the D-1 district. Prior to the issuance of a demolition

permit, the Historic Landmark Commission must approve a replacement use on the property, which at a minimum would require landscaping.

**Finding:** The proposed amendment is consistent with the City's applicable 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 wastewater and refuse collection.**

**Finding:** Because this petition is not site specific, this criteria is not applicable.

One final point of discussion, based on a parking inventory received from the Downtown Alliance (attached), it appears that the number of parking spaces in the downtown area is proportional to the various uses in the same area. In other words, the perception that there is inadequate parking in the downtown area is somewhat of a misconception. As the attached matrix shows, there are approximately 16,649 stalls operated by various entities in the downtown area. It is noted that not all of these stalls are in the area of downtown zoned D-1, but all are within close vicinity.

In short, there is a need to ensure that additional parking accompanies a land use, such that the proportion between parking spaces and land use is maintained in order to keep a healthy visual appearance in the downtown area.

#### **RECOMMENDATION:**

Based on the comments, analysis, and findings of fact noted in this staff report, Planning Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to adopt the following text, amending the Salt Lake City Code concerning the replacement of demolished buildings with parking lots and the landscaping of demolition sites.

Please note that the following is a summary of the proposed changes. Attached to this staff report are the complete sections from the City Code with the proposed language inserted in an italicized bold format.

#### Parking Lots

In order to create criteria by which parking lots in the D-1 district can be evaluated, the following language is proposed to be inserted into the zoning ordinance under section 21A.30.020 – D-1 Central Business District.

*21A.30.020(D)(3)(e) – Parking lots shall be permitted as conditional uses with the approval of the Planning Commission pursuant to the provisions of Chapter 21A.54 of this Title, where it is found that the parking lot is associated with an adjacent principal use and/or is contributory to the overall downtown parking program.*

### Landscaping

Landscaping criteria for the D-1 zone is proposed so that vacant lots resulting from demolition activities do not become a detrimental visual element to the downtown district. The following language is proposed to be inserted into the zoning ordinance under section 21A.30.020 – D1 Central Business District.

*21A.30.020(D)(9) – Landscape Requirements for Demolition Sites: Vacant lots, resulting from demolition activities where no replacement use is proposed, shall conform to Chapter 21A.48 of this Title, special landscape requirements applicable to the D-1 Central Business District.*

This section would direct the reader to Chapter 21A.48, and more specifically Chapter 21A.48.100(D) – D-1 Central Business District where the following section would be added providing specific landscaping standards for vacant lots.

#### *2. Landscaping for Vacant Lots*

*Special landscaping shall be required on those lots becoming vacant, where no replacement use is proposed, in conformance with the following:*

##### *a. Landscape yard requirement*

*A landscape yard of fifteen feet (15') shall be required as measured from any point along all property lines.*

##### *b. Trees*

*Shade trees shall be provided at the rate of one tree per thirty feet (30') of yard length, rounded up to the nearest whole number.*

##### *c. Shrubs*

*Shrubs shall be provided at the rate of one plant for every three feet (3') of yard length, evenly spaced, limited to a height of not more than three feet (3'). All plants shall be drought tolerant; consult the Salt Lake City water-wise plant list for suggestions. At least forty percent (40%) of the plants must be evergreen.*

##### *d. Groundcover*

*Areas not planted with shrubs and trees shall be maintained in drought tolerant vegetative groundcover.*

##### *e. Irrigation*

*Permanent irrigation shall be installed and used as needed to maintain plant materials in a healthy state.*

##### *f. Maintenance*

*Landscaping shall be installed and maintained in conformance with the approved landscape plan. Landscaping shall be kept free of weeds and litter.*

### Demolition

Additionally, the following language is proposed to be inserted into the City Code under Chapter 18.64 – Demolition.

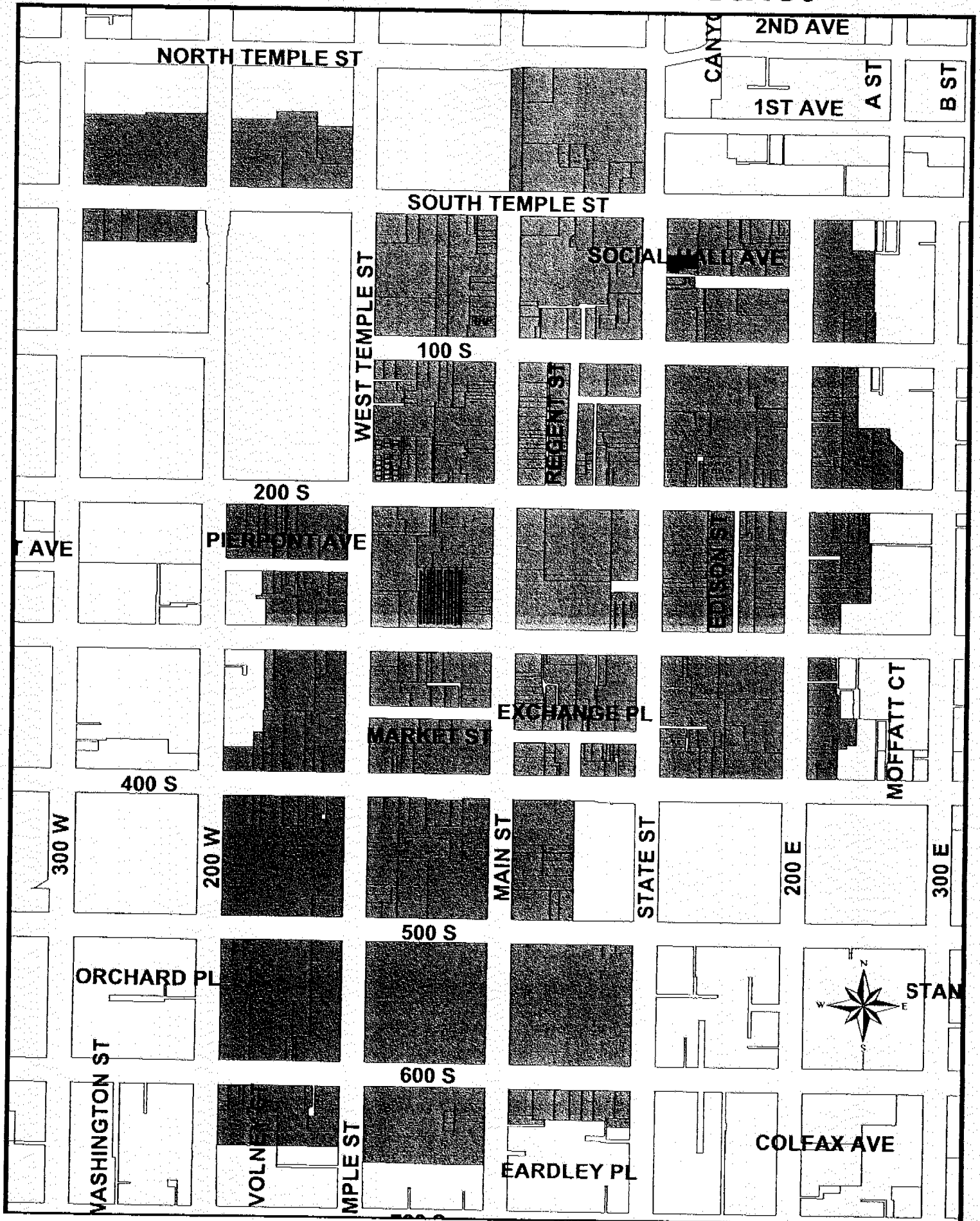
Section 18.64.040 – Post Demolition Use Plan Required, shall be changed in the following manner:

- D. *For parcels in the D-1 zone, a permit for the use replacing the demolished building or structure has been issued by Building Services and Licensing, or a landscape plan for the site has been approved in accordance with section 21A.48.100(D) of this Code. A performance bond to assure timely and proper installation and maintenance of the landscaping shall be filed with the city in a form acceptable to the city.*

**Attachments:**

- Exhibit 1 - Map of D-1 zone
- Exhibit 2- Department/Division Comments
- Exhibit 3 - Public Comments
- Exhibit 4 - Phone Log
- Exhibit 5 - Proposed Ordinance Language
- Exhibit 6- Downtown Alliance Parking Inventory

# Downtown Business District



**Exhibit 2 -**  
**Department/Division Comments**

## Traughber, Lex

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From: Smith, JR  
Sent: Tuesday, May 25, 2004 10:48 AM  
To: Traughber, Lex  
Cc: Johnson, Linda  
Subject: Petition # 400-03-30, text amendment for D-1 zone

Categories: Program/Policy

Lex,

I do not see any concerns on this amendment from a CPTED perspective except that possibly under:  
Chapter 21 A.48.100(D) - D-1 Central Business District 2. Landscaping for vacant lots  
b. Trees - Possibly include that tree limbs should be trimmed to a height of 84 inches to allow for visibility on lot.

Note: I have reviewed this with Linda Johnson.

Thanks,

J.R. Smith  
CAT Dist 4/5

## Traughber, Lex

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**From:** Butcher, Larry  
**Sent:** Wednesday, June 09, 2004 12:44 PM  
**To:** Traughber, Lex  
**Cc:** Goff, Orion; Zunguze, Louis; Wilde, Brent; Coffey, Cheri  
**Subject:** RE: Petition # 400-03-30, text amendment for the D-1 zone, relating to demolition, parking lots and landscaping  
**Categories:** Program/Policy

Sorry I didn't clarify that. Yes, when demos occur and a vacant lot remains. 18.64 requires landscaping per the Zoning Ordinance. It would be most helpful if we could link the requirements.

I'll be upstairs later and I will make a point to talk to you.

LB

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**From:** Traughber, Lex  
**Sent:** Wednesday, June 09, 2004 11:36 AM  
**To:** Butcher, Larry  
**Subject:** RE: Petition # 400-03-30, text amendment for the D-1 zone, relating to demolition, parking lots and landscaping

Larry,

Thanks for the comments. One quick clarification, the landscaping requirement for residential lots would be where demolition has occurred correct?

Lex

---

**From:** Butcher, Larry  
**Sent:** Wednesday, June 09, 2004 10:22 AM  
**To:** Traughber, Lex  
**Cc:** Goff, Orion; Brown, Ken; Isbell, Randy; Zunguze, Louis; Wilde, Brent  
**Subject:** RE: Petition # 400-03-30, text amendment for the D-1 zone, relating to demolition, parking lots and landscaping

Lex:

A couple of comments:

1) I know this petition is specifically for the D-1 zone, but we have traditionally struggled with landscaping requirements in the residential districts. Randy Isbell and I have required residential demo lots to be entirely landscaped. However, the ordinance does not specifically note this requirement. Is it possible to tie an amendment to this request and include a section in Chapter 48 that would specifically address the landscaping requirements for residential lots? If it is too late in the process I understand, but as late as last week this question came up with Randy and I.

2) Check the % listed under "Landscaping for Vacant Lots" (C) Written is forty percent and number is 50%.

3) Change "Post Demolition Use Plan" language in Title 18 from "Building and Housing" to "Building Services and

6/9/2004

Licensing" (bottom of your transmittal)

Hope this helps.

Larry

---

**From:** Goff, Orion

**Sent:** Wednesday, June 09, 2004 9:15 AM

**To:** Butcher, Larry

**Subject:** FW: Petition # 400-03-30, text amendment for the D-1 zone, relating to demolition, parking lots and landscaping

Will you follow up on this please. I believe Larry W. assigned this to one of the planning reviewers.

---

**From:** Traugher, Lex

**Sent:** Wednesday, June 09, 2004 9:06 AM

**To:** Goff, Orion; Bergenthal, Dan; Stewart, Brad; Smith, Craig; Larson, Bradley

**Subject:** Petition # 400-03-30, text amendment for the D-1 zone, relating to demolition, parking lots and landscaping

Hello,

Just a reminder that I need your comments (if any) on the above referenced zoning text amendment as soon as possible. On May 19<sup>th</sup>, 2004, I sent out a packet including the memorandum below and the attachment above for your review. If you did not receive this information here's a second chance. If I do not receive any response by this Friday, June 11<sup>th</sup>, 2004, I will make the assumption that you do not have any comments.

Thanks!

Lex

The Planning Division is currently reviewing the above referenced petition initiated by the Planning Commission. This is a proposal for a zoning ordinance text change that would affect parcels located in the area bound by North Temple and 700 South between 300 West and 300 East, and zoned D-1 (Central Business District). This proposal would require new parking lots in the D-1 zone to be associated with a principle/primary land use or contributing to the overall parking scheme in the downtown area. In other words, the proposed amendment would eliminate the potential for additional "stand alone" parking lots that do not result in a positive impact to the downtown area.

Additionally, vacant properties in the D-1 zone due to demolition would be required to install a landscape yard around the entire perimeter of the parcel with drought resistant landscaping. Currently, landscaping is only required in the setback areas for a given zone. Because the D-1 zone has no setback, demolition sites in this zone have not been required to provide landscaping, resulting in vacant parcels that have a detrimental impact on the downtown area.

Attached is proposed language to be inserted into the zoning ordinance addressing these issues for your review. Please consider this proposed text amendment and respond with any comments that you may have by **Friday, June, 2004**.

If you have any questions, please call me at 535-6184 or feel free to email. Thank you.

6/9/2004

## Traughber, Lex

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**From:** Stewart, Brad  
**Sent:** Wednesday, June 09, 2004 4:02 PM  
**To:** Traughber, Lex  
**Cc:** Goff, Orion; Bergenthal, Dan; Stewart, Brad; Smith, Craig; Larson, Bradley; Garcia, Peggy; Cowles, Vicki  
**Subject:** RE: Petition # 400-03-30, text amendment for the D-1 zone, relating to demolition, parking lots and landscaping  
**Categories:** Program/Policy

Lex,

Attached are Public Utilities comments in legislative format.

Thanks,

Brad

---

**From:** Traughber, Lex  
**Sent:** Wednesday, June 09, 2004 9:06 AM  
**To:**  
**Subject:** Petition # 400-03-30, text amendment for the D-1 zone, relating to demolition, parking lots and landscaping

Hello,

Just a reminder that I need your comments (if any) on the above referenced zoning text amendment as soon as possible. On May 19<sup>th</sup>, 2004, I sent out a packet including the memorandum below and the attachment above for your review. If you did not receive this information here's a second chance. If I do not receive any response by this Friday, June 11<sup>th</sup>, 2004, I will make the assumption that you do not have any comments.

Thanks!

Lex

The Planning Division is currently reviewing the above referenced petition initiated by the Planning Commission. This is a proposal for a zoning ordinance text change that would affect parcels located in the area bound by North Temple and 700 South between 300 West and 300 East, and zoned D-1 (Central Business District). This proposal would require new parking lots in the D-1 zone to be associated with a principle/primary land use or contributing to the overall parking scheme in the downtown area. In other words, the proposed amendment would eliminate the potential for additional "stand alone" parking lots that do not result in a positive impact to the downtown area.

Additionally, vacant properties in the D-1 zone due to demolition would be required to install a landscape yard around the entire perimeter of the parcel with drought resistant landscaping. Currently, landscaping is only required in the setback areas for a given zone. Because the D-1 zone has no setback, demolition sites in this zone have not been required to provide landscaping, resulting in vacant parcels that have a detrimental impact on the downtown area.

6/10/2004

## Parking Lots

Deleted:

In order to create criteria by which parking lots in the D-1 district can be evaluated, the following language is proposed to be inserted into the zoning ordinance under section 21A.30.020 – D-1 Central Business District.

*21A.30.020(D)(3)(e) – Parking lots shall be permitted as conditional uses with the approval of the Planning Commission pursuant to the provisions of Chapter 21A.54 of this Title, where it is found that the parking lot is associated with an adjacent principal use and/or is contributory to the overall downtown parking program.*

## Landscaping

Landscaping criteria for the D-1 zone is proposed so that vacant lots resulting from demolition activities do not become a detrimental element to the downtown district. The following language is proposed to be inserted into the zoning ordinance under section 21A.30.020 – D1 Central Business District.

*21A.30.020(D)(9) – Landscape Requirements for Demolition Sites: Vacant lots, resulting from demolition activities where no replacement use is proposed, shall conform to Chapter 21A.48 of this Title, special landscape requirements applicable to the D-1 Central Business District.*

This section would direct the reader to Chapter 21A.48, and more specifically Chapter 21A.48.100(D) – D-1 Central Business District where the following section would be added providing specific landscaping standards for vacant lots.

### *2. Landscaping for Vacant Lots*

*Special landscaping shall be required on those lots becoming vacant, where no replacement use is proposed, in conformance with the following:*

#### *a. Landscape yard requirement*

*A landscape yard of fifteen feet (15') shall be required as measured from any point along all property lines.*

#### *b. Trees*

*Shade trees shall be provided at the rate of one tree per thirty feet (30') of yard length, rounded up to the nearest whole number.*

#### *c. Shrubs*

*Shrubs shall be provided at the rate of one plant for every three feet (3') of yard length, evenly spaced, limited to a height of not more than three feet (3'). All plants shall be drought tolerant; consult the SLC water-wise plant list for suggestions. At least twenty percent (20%) shall be evergreen.*

**Deleted:** A mix of drought tolerant shrub species is required and at least forty percent (50%) of the plants must be evergreen

#### *d. Groundcover*

*Areas not planted with shrubs and trees shall be maintained in drought tolerant vegetative groundcover; consult the SLC water-wise plant list for suggestions.*

Deleted:

#### *e. Irrigation*

*Permanent irrigation shall be installed and used as needed to maintain plant materials in a healthy state.*

#### *f. Maintenance*

*Landscaping shall be installed and maintained in conformance with the approved landscape plan. Landscaping shall be kept free of weeds and litter.*

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*f. Any new landscaping or irrigation installation or re-installation in a median, park strip, parking lot island, or similar strip of permeable surface ten (10) feet or less in any horizontal direction or less than five (5) feet in radius, adjacent to a public roadway or right-of-way, or contained within a parking area shall not be irrigated using overhead or spray irrigation.*

(This language is from city code 21A.48.060 Proposed Park Strip Language The intent is to prohibit the use of overhead spray irrigation in narrow areas adjacent to public spaces, whether adjacent to a sidewalk, roadway, or within a parking lot, and regardless if the park strip, median, or parking lot island is on municipal, commercial/industrial, institutional, or residential property.)

Definitions:

Overhead or Spray Irrigation: application of water by a stream or spray where travel through the air becomes instrumental in the distribution of water.

Source: Utah Irrigation Association and the Irrigation Association (International)

Demolition

Additionally, the following language is proposed to be inserted into the Zoning Ordinance under Chapter 18.64 – Demolition.

Section 18.64.040 – Post Demolition Use Plan Required, shall be changed in the following manner:

- D. *For parcels in the D-1 zone, a permit for the use replacing the demolished building or structure has been issued by the Building and Housing Division, or a landscape plan for the site has been approved in accordance with section 21A.48.100(D) of this Code. A performance bond to assure timely and proper installation and maintenance of the landscaping shall be filed with the city in a form acceptable to the city.*

## Traughber, Lex

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**From:** Smith, Craig  
**Sent:** Wednesday, June 16, 2004 10:05 AM  
**To:** Traughber, Lex  
**Subject:** petition 400-03-30  
**Categories:** Program/Policy

Hi Lex,  
Engineering has no issues regarding this petition.  
Craig

6/16/2004

**Traughber, Lex**

---

**From:** Walsh, Barry  
**Sent:** Wednesday, June 16, 2004 9:13 AM  
**To:** Traughber, Lex  
**Cc:** Young, Kevin; Brown, Ken; Smith, Craig  
**Subject:** RE: Petition 400-03-30, Downtown Demolition for Parking in the D-1 Zone and related  
**Categories:** Program/Policy

June 16, 2004

Lex Traughber

Petition 400-03-30

Our review issue for the proposed zoning change to address Demos becoming vacant lot in the D-1 zone to be developed as parking lots or landscaping is as follows.

As long as the new parking lot is in compliance we have no issues with the conversion to a parking lot. In reading the proposed text there is one correction where it reads .... at least forty percent (50%) of the plants...is it 40 or 50?. Another question, is it proposed to landscape 15' along all property lines or is the intent to landscape the frontage?

If you have any questions please feel free to call me at 535-6630.

Sincerely

Barry Walsh

Cc Kevin Young  
Ken Brown  
Craig Smith  
File

---

**From:** Traughber, Lex  
**Sent:** Monday, June 14, 2004 11:33 AM  
**To:** Walsh, Barry  
**Subject:** Petition 400-03-30, Downtown Demolition for Parking in the D-1 Zone and related

Barry,

Attached is the original memo I sent out regarding the above referenced petition. Also attached is the proposed language to amend the zoning ordinance for your review. Thank you for your assistance!

Lex

6/16/2004

**Traughber, Lex**

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**From:** Larson, Bradley  
**Sent:** Thursday, June 17, 2004 10:51 AM  
**To:** Traughber, Lex  
**Subject:** Text Amendment for demolition in a D-1 Zone

Lex,

Please consider this note as Fire Department approval for the above referenced request. Feel free to contact me should you have any questions or need further assistance.

*Thank you.*

*Brad Larson  
Deputy Fire Marshal*

6/17/2004

**Exhibit 3 -**  
**Public Comments**

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

### NOTICE OF OPEN HOUSE SALT LAKE CITY PLANNING

June 9, 2004

The Salt Lake City Planning Division is currently reviewing a proposal for a zoning ordinance text change that would affect parcels located in the area bound by North Temple and 700 South between 300 West and 300 East, and zoned D-1 (Central Business District). This proposal would require new parking lots in the D-1 zone to be associated with a principle/primary land use or contributing to the overall parking scheme in the downtown area. In other words, the proposed amendment would eliminate the potential for additional "stand alone" parking lots that do not result in a positive impact to the downtown area.

Additionally, vacant properties in the D-1 zone due to demolition would be required to install a landscape yard around the entire perimeter of the parcel with drought resistant landscaping. Currently, landscaping is only required in the setback areas for a given zone. Because the D-1 zone has no setback, demolition sites in this zone have not been required to provide landscaping, resulting in vacant parcels that have a detrimental impact on the downtown area.

The Planning Division is requesting your input at an informal presentation on the aforementioned subject. As part of our review regarding this matter, we will hold a public open house to describe the proposed amendment and take your comments. Your comments will be presented to the Planning Commission at a later date. You are invited to the public open house to be held:

**MONDAY, JUNE 21, 2004  
FROM 4:00 to 5:30 P.M.  
ROOM 542  
CITY AND COUNTY BUILDING  
451 SOUTH STATE STREET  
SALT LAKE CITY, UTAH**

Salt Lake City complies with all ADA guidelines. Assistive listening devices and interpretive services will be provided upon request 24 hours advance. If you have any questions on this issue, please call Lex Traugher at 535-6184, or by e-mail [lex.traugher@slcgov.com](mailto:lex.traugher@slcgov.com).

*We strongly support this measure*  
*John Larson*  
*363-2900*

PANOS, JOHN E &  
Sidwell No. 501283142  
44 W BROADWAY ST # 1102S  
SALT LAKE CITY UT 84101

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

# OPEN HOUSE SIGN IN SHEET

MEETING FOR: Petition 400-03-30, Downtown (D-1 zone) Demolition for Parking Lots/Landscaping

DATE: Monday, June 21, 2004

FULL NAME (PLEASE PRINT)	MAILING ADDRESS, CITY & ZIP	PHONE #	If you did not receive notification of this meeting by mail, would you like to be added to the list?
JOHN BRENNAN	1093 SO 2000 E SLC 84108	581-1166	
CLINT ENSIGN	P.O. Box 30825 SLC UT 84130 0825	<del>355</del> 2767	
Kathy Carter	66 Exchange 84111	355 5740	
Jason Carter	66 Exchange PL 84111	815-2165	
Susan Crook	48 W. Broadway #108 SLC UT 84101	355-6471	
K.E. NIELSEN	P.O. 511196 S.L.C. UT 84151-1196	240-6446	

# QUESTIONNAIRE

Petition 400-03-30, Downtown (D-1 zone) Demolition for Parking Lots/Landscaping

DATE: Monday, June 21, 2004

Your comments are critical to the outcome of this process. Please take some time to fill out this series of questions. Use the back of this page if additional space is needed. Thank you for your participation.

Name William Brennan  
Address 1093 So. 2000 East SLC 84108  
Phone 581-1166

For what location(s) do you have specific interest regarding the proposed zoning ordinance text amendment?

So. Temple - 1st So. State - 2nd East

Do you have specific comments regarding the proposed zoning ordinance text amendment?

Good idea

Do you support or oppose this proposal? If you oppose, please state why.

Yes  
Prevent Expansion of unneeded parking area

Would you like to speak further with a member of planning staff regarding this proposal?

☐ Yes ☒ No

If you need additional time to complete this questionnaire, please feel free to do so, however please return as soon as possible to:

Salt Lake City Planning Division  
Attention: Lex Traughber  
451 S. State Street, Room 406  
Salt Lake City, UT 84111

Or email: [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com)  
Fax: (801)535-6174

# QUESTIONNAIRE

Petition 400-03-30, Downtown (D-1 zone) Demolition for Parking Lots/Landscaping

DATE: Monday, June 21, 2004

Your comments are critical to the outcome of this process. Please take some time to fill out this series of questions. Use the back of this page if additional space is needed. Thank you for your participation.

Name Susan Crook  
Address 48 West Broadway #908, SL, UT 84101  
Phone 355-6471

For what location(s) do you have specific interest regarding the proposed zoning ordinance text amendment?

South side of 3rd South between Main & 100 West;  
West side of Main between 400 & 500 South

Do you have specific comments regarding the proposed zoning ordinance text amendment?

While parking is needed downtown, attractive parking  
lots that serve specific parking needs should be  
encouraged.

Do you support or oppose this proposal? If you oppose, please state why.

Support

Would you like to speak further with a member of planning staff regarding this proposal?

☐ Yes ☒ No

If you need additional time to complete this questionnaire, please feel free to do so, however please return as soon as possible to:

Salt Lake City Planning Division  
Attention: Lex Traughber  
451 S. State Street, Room 406  
Salt Lake City, UT 84111

Or email: [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com)  
Fax: (801)535-6174

# QUESTIONNAIRE

Petition 400-03-30, Downtown (D-1 zone) Demolition for Parking Lots/Landscaping

DATE: Monday, June 21, 2004

Your comments are critical to the outcome of this process. Please take some time to fill out this series of questions. Use the back of this page if additional space is needed.  
Thank you for your participation.

Name

Kathy Carter

Address

3671 Millbrook Terrace

Phone

801-442-5740

For what location(s) do you have specific interest regarding the proposed zoning ordinance text amendment?

We have a bldg with an abandoned ex-parking lot across the street which causes problems in leasing property.

Do you have specific comments regarding the proposed zoning ordinance text amendment?

I wish this proposal included existing vacant lots where demolition occurred prior.

Do you support or oppose this proposal? If you oppose, please state why.

Support it. Keeps the downtown thriving & would add to aesthetics of Area - & add pkg.

Would you like to speak further with a member of planning staff regarding this proposal?

☐ Yes ☒ No

If you need additional time to complete this questionnaire, please feel free to do so, however please return as soon as possible to:

Salt Lake City Planning Division  
Attention: Lex Traughber  
451 S. State Street, Room 406  
Salt Lake City, UT 84111

Or email: [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com)  
Fax: (801)535-6174

**LOG OF COMMENTS, CONCERNS RECEIVED BY TELEPHONE:**

[illegible]

## **21A.30.020 D-1 Central Business District:**

- A. **Purpose Statement:** The purpose of the D-1 Central Business District is to foster an environment consistent with the area's function as the business, retail and cultural center of the community and the region. Inherent in this purpose is the need for careful review of proposed development in order to achieve established objectives for urban design, pedestrian amenities and land use control, particularly in relation to retail commercial uses.
- B. **Uses:** Uses in the D-1 Central Business District as specified in the Table of Permitted and Conditional Uses for Downtown Districts found at Section 21A.30.050 of this Chapter, are permitted subject to the general provisions set forth in Section 21A.30.010 of this Chapter. In addition, all conditional uses in the D-1 District shall be subject to design review approval by the Planning Commission.
- C. **Organization Of District Regulations:** In addition to regulations that apply to the D-1 Central Business District as a whole, three (3) sets of regulations are contained in this District that apply to specific geographical areas:
1. **Special Controls Over Block Corners:** These regulations apply only to properties within a specified distance from street intersections, as established in subsection E of this Section.
  2. **Special Controls Over Mid-Block Areas:** These regulations apply only to the intervening property between block corner properties, as established in subsection F of this Section.
  3. **Special Controls Over The Main Street Retail Core:** These regulations apply only to the Main Street retail core area, as established in subsection G of this Section. The regulations governing block corners and mid-block areas also apply to the Main Street retail core.
- D. **D-1 District General Regulations:** The regulations established in this Section apply to the D-1 District as a whole.
1. **Minimum Lot Size:** No minimum lot area or lot width is required, except in block corner areas as specified in subsection E5 of this Section.
  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.

b. **Interior Side And Rear Yards:** None required.

**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.

***e. Parking lots shall be permitted as conditional uses with the approval of the Planning Commission pursuant to the provisions of Chapter 21A.54 of this Title, where it is found that the parking lot is associated with an adjacent principal use and/or is contributory to the overall downtown parking program.***

**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.
- 5. Interior Plazas, Atriums And Galleries:** Interior plazas, atriums and galleries shall be permitted throughout the D-1 Central Business District.
- 6. Location Of Service Areas:** All loading docks, refuse disposal areas and other service activities shall be located on block interiors away from view of any public street. Exceptions to this requirement may be approved through the site plan review process when a permit applicant demonstrates that it is not feasible to accommodate these activities on the block interior. If such activities are permitted adjacent to a public street, a visual screening design approved by the Zoning Administrator shall be required.
- 7. Landscape Requirements:** All buildings constructed after April 12, 1995, shall conform to the special landscape requirements applicable to the D-1 Central Business District as contained in Part IV, Chapter 21A.48 of this Title.
- 8. Mid-Block Walkways:** As part of the City's plan for the downtown area, it is intended that mid-block walkways be provided to facilitate pedestrian movement within the area. To delineate the public need for such walkways, the City has formulated an official plan for their location and implementation, which is on file at the Planning Division office. All buildings constructed after the effective date hereof within the D-1 Central Business District shall conform to this officially adopted plan for mid-block walkways.
- 9. Landscape Requirements for Demolition Sites:** *Vacant lots, resulting from demolition activities where no replacement use is proposed, shall conform to Chapter 21A.48 of this Title, special landscape requirements applicable to the D-1 Central Business District.*

**E. Special Controls Over Block Corners:**

1. **Intent:** Special controls shall apply to land at block corners to encourage greater commercial vitality in the downtown by focusing a higher level of development intensity at street intersections. Control over the intensity of

development on blocks is needed due to the large size of blocks and streets and the resulting effects on pedestrian/vehicular circulation and business activity.

2. "Block corner" means the ninety degree (90o) intersection of private property adjacent to the intersection of two (2) public street rights of way both of which are at least one hundred thirty two feet (132') wide.

3. "Corner building" means a building, the structure of which rises above the ground within one hundred feet (100') of a block corner on the street face and one hundred feet (100') in depth.

4. For corner buildings, the provisions of this subsection shall extend to one hundred sixty five feet (165') from the block corner on the street face and one hundred sixty five feet (165') in depth.

5. **Lot Size And Shape:** The size and shape of the lot shall conform to the following. Lots existing prior to April 12, 1995, which do not meet these requirements shall be exempt.

a. **Minimum Lot Area:** Ten thousand (10,000) square feet.

b. **Minimum Lot Width:** One hundred feet (100').

6. **Height Regulations:** No corner building shall be less than one hundred feet (100') nor more than three hundred seventy five feet (375') in height. The minimum one hundred foot (100') high portion of the building shall be located not further than five feet (5') from the lot line along front and corner lot lines. Buildings higher than three hundred seventy five feet (375') may be allowed in accordance with the provisions of subsections E6a and E6b of this Section.

a. **Conditions For Taller Corner Buildings:** Corner buildings may exceed the three hundred seventy five foot (375') height limit provided they conform to the following requirements:

i. To minimize excessive building mass at higher elevations and preserve scenic views, some or all of the building mass over the three hundred seventy five foot (375') height level shall be subject to additional setback, as determined appropriate through the conditional use approval process.

ii. Not less than one percent (1%) of the building construction budget shall be used for enhanced amenities, including art visible to the public, enhanced design elements of the exterior of the building or exterior spaces available to the public for cultural or recreational activities. The property owner shall not be required to exceed one hundred thousand dollars (\$100,000.00) in required amenities.

iii. The operation of uses within the building, including accessory parking facilities, shall comply with the adopted traffic demand management guidelines administered by the City Traffic Engineer.

**b. Additional Standards For Certain Height Modifications:**

i. The first one hundred feet (100') of height shall not be set back from the street front more than five feet (5') except that setbacks above the first fifty feet (50') may be approved as a conditional use.

ii. Modifying the height will achieve the preservation of a landmark site or contributing structure in an H Historic Preservation Overlay District.

iii. Modifying the height will allow interim service commercial uses to support the downtown community.

c. **Conditional Use Approval:** A modification to the height regulations in subsection E6a 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.

**F. Special Controls Over Mid-Block Areas:**

1. **Intent:** Special controls shall apply to land located at the middle of blocks. Such controls are needed to establish coordinated levels of development intensity and to promote better pedestrian and vehicular circulation.

2. **Area Of Applicability:** The controls established under this subsection shall apply to:

a. Buildings constructed after April 12, 1995; and

b. All intervening land between block corner properties, as established in subsection E2 of this Section.

3. **Height Regulations:** No building shall be more than one hundred feet (100') in height; provided, that taller buildings may be authorized as a conditional use, subject to the requirements of Part V, Chapter 21A.54 of this Title, and design review.

**G. Special Controls Over The Main Street Retail Core:**

1. **Intent:** Special controls shall apply to land located within the Main Street retail core area to preserve and enhance the viability of retail uses within the

downtown area. The regulations of this subsection shall be in addition to the requirements of subsections E and F of this Section.

**2. Area Of Applicability:** The controls established in this subsection shall apply to property developed or redeveloped after April 12, 1995, when located along any block face on the following streets:

- a. Main Street between South Temple Street and 400 South Street;
- b. 100 South Street between West Temple Street and State Street;
- c. 200 South Street between West Temple Street and State Street; and
- d. 300 South Street between West Temple Street and State Street.

**3. First Floor Retail Required:** The first floor space of all buildings within this area shall be required to provide uses consisting of retail goods establishments, retail service establishments or restaurants, public service portions of businesses, department stores, art galleries, motion picture theaters or performing arts facilities.

**4. Restrictions On Driveways:** Driveways shall not be permitted along Main Street, but shall be permitted along other streets within the Main Street retail core area, provided they are located at least eighty feet (80') from the intersection of two (2) street right-of-way lines. (Ord. 35-99 §§ 33-35, 1999; Ord. 88-95 § 1 (Exh. A), 1995; Ord. 26-95 § 2(15-1), 1995)

## **21A.48.100 Special Landscape Regulations:**

This section has been affected by a recently passed ordinance, No. 13 of 2004.  
[Go to new ordinance.](#)

In addition to the foregoing requirements, special landscape regulations shall apply to certain zoning districts. These regulations are established below.

### **A. FP Foothills Protection District:**

1. **Landscape Plan Required:** A landscape plan, conforming to sections 21A.48.030 and 21A.48.050 of this chapter, shall be required for all uses within this district. This plan shall delineate the proposed revegetation of disturbed areas of the site, and road/driveway areas. The landscape plan shall extend one hundred feet (100') beyond the disturbed site area and twenty five feet (25') beyond the limits of grading for roads/driveways, but need not include any portions of the site designated as undevelopable unless these areas are disturbed.
2. **Maximum Disturbed Area:** The maximum disturbed area shall not exceed ten percent (10%) of the total site area.
3. **Tree Preservation And Replacement:** Existing trees over two inches (2") in caliper that are removed from the site to accommodate development shall be replaced. Whenever microclimate conditions make it practical, the proportion of replacement tree species shall be the same as the trees removed.
4. **Limits On Domestic Turf:** To help promote the intent of this district by minimizing the impact on the natural landscape, the area of domestic turf grasses shall not exceed thirty percent (30%) of the area to be landscaped and shall not encroach into undevelopable areas.
5. **Slope Revegetation:** All slopes graded or otherwise disturbed shall be restored/replanted. Restored vegetation shall consist of native or adapted grasses, herbaceous perennials, or woody trees and shrubs as appropriate for slope, soil and microclimate conditions.
6. **Irrigation:** Irrigation shall be installed to provide needed water for at least the first two (2) years of growth to establish revegetation of natural areas. Irrigation for areas of domestic turf and ornamental landscaping shall be provided at the discretion of the property owner, however all systems shall be subject to the review and approval of the zoning administrator.
7. **Erosion Protection:** As a condition of site plan approval, a plan for erosion protection shall be submitted with the landscape plan.

B. FR-1 And FR-2 Foothills Residence District:

1. Landscape Plan Required: A landscape plan conforming to sections 21A.48.030 and 21A.48.050 of this chapter, shall be required for all uses within this district. This plan shall delineate the proposed revegetation of disturbed site areas.
2. Tree Preservation And Replacement: Existing trees over two inches (2") in caliper that are removed from the site to accommodate development shall be replaced. Whenever microclimate conditions make it practical, the proportion of replacement tree species shall be the same as the trees removed.
3. Slope Revegetation: All slopes graded or otherwise disturbed shall be restored/replanted. Restored vegetation shall consist of native or adapted grasses, herbaceous perennials, or woody trees and shrubs as appropriate for slope and microclimate conditions.
4. Irrigation: Irrigation shall be installed to provide needed water for at least the first two (2) years of growth to establish revegetation of natural areas. Irrigation for areas of domestic turf and ornamental landscaping shall be provided at the discretion of the property owner, however all systems shall be subject to city review and approval.
5. Erosion Protection: As a condition of site plan approval, a plan for erosion protection shall be submitted with the landscape plan.

C. CC Commercial District:

1. Special Front Yard Landscaping: Special front yard landscaping shall be required in conformance with the following:
  - a. The first fifteen feet (15') of lot depth shall be devoted to landscaping. Driveways and sidewalks may be located within this area to serve the building and use on the lot;
  - b. Shrubs limited to a height of not more than three feet (3'), shall be provided at the rate of one shrub for every two feet (2') of lot width. A mix of shrub species is recommended, and at least forty percent (40%) of the shrubs must be evergreen;
  - c. Trees shall be provided at the rate of one tree for every twenty five feet (25') of lot width, rounded to the nearest whole number. Evergreen trees or shade trees may be substituted with ornamental trees, subject to the review and approval of the development review team; and

- d. Areas not planted with shrubs or trees shall be maintained in turf or as vegetative groundcover. A drought tolerant groundcover is recommended.
- 2. Irrigation: Permanent irrigation shall be installed and used as needed to maintain plant material in a healthy state.
- 3. Maintenance: Landscaping shall be installed and maintained in substantial conformance with the approved landscape plan. Landscaping shall be kept free of weeds and litter.

D. D-1 Central Business District:

1. Right Of Way Landscaping: The principal area of focus for landscaping in the D-1 district shall be along sidewalks and parkways. Landscaping on private property shall be subject to the regulations below and in the D-1 district.

a. Location: Landscape areas shall be located a minimum of two feet (2') from back of the street curb and shall be located in conformance with the adopted beautification plan for an approved beautification district. If the beautification plan does not address the site in question, the location of landscape areas shall be determined through the site plan review process.

b. Trees: Shade trees shall be planted as specified through the site plan review process.

c. Shrubs/Groundcover: The ground surface of the landscape area may be suitable for the planting of shrubs, groundcover or flowers depending on use and pedestrian patterns. Tree grates or other improvements may be required to facilitate pedestrian circulation along the street. The ground surface shall be determined by the beautification plan, or in the absence of specific direction from the plan, the site plan review process.

**2. Landscaping for Vacant Lots: Special landscaping shall be required on those lots becoming vacant, where no replacement use is proposed, in conformance with the following:**

**a. Landscape yard requirement: A landscape yard of fifteen feet (15') shall be required as measured from any point along all property lines.**

**b. Trees: Shade trees shall be provided at the rate of one tree per thirty feet (30') of yard length, rounded up to the nearest whole number.**

**c. Shrubs: Shrubs shall be provided at the rate of one plant for every three feet (3') of yard length, evenly spaced, limited to a height of not**

***more than three feet (3') . All plants shall be drought tolerant; consult the Salt Lake City water-wise plant list for suggestions. At least forty percent (40%) of the plants must be evergreen.***

***d. Groundcover: Areas not planted with shrubs and trees shall be maintained in drought tolerant vegetative groundcover.***

***e. Irrigation: Permanent irrigation shall be installed and used as needed to maintain plant materials in a healthy state.***

***f. Maintenance: Landscaping shall be installed and maintained in conformance with the approved landscape plan. Landscaping shall be kept free of weeds and litter.***

E. Transitional Overlay District: All conditional uses in the transitional overlay district shall conform to the following landscape/buffer requirements. Permitted uses shall be exempt from these requirements.

1. Landscaped Front And Corner Side Yard: All front and corner side yards shall be maintained as landscape yards. The improvement of such landscape yards shall be consistent with the character of the residential neighborhood.

2. Landscaped Interior Side Yard: Where the interior side yard abuts a residential use, a landscape yard eight feet (8') in width shall be provided. This landscape yard shall be improved as set forth below:

a. A six foot (6') high solid fence or wall shall be constructed from the front yard setback line to the rear lot line. The outside edge of this fence or wall shall be located no less than seven feet (7') from the side lot line. The requirement for a fence or wall may be waived by the zoning administrator if the building elevation facing the residential property is of a design not requiring screening by a fence or wall;

b. Deciduous shade trees shall be planted within the landscape yard. One tree per thirty (30) linear feet of landscape yard shall be required, although the spacing of trees may be arranged in an informal manner.

c. A continuous row of shrubs (deciduous or evergreen) shall be planted along the entire length of the landscape yard. The size of the shrubs shall not be less than four feet (4') in height at the time of maturity. The spacing of shrubs shall not be greater than five feet (5') on center. Shrubs must be set back from the side lot line at least four feet (4') on center; and

d. All parts of the landscape yard not covered by shrubs shall be planted in grass.

3. Landscaped Rear Yard: Where the rear yard abuts a residential use, a solid fence or wall shall be constructed along the entire length of the rear lot line. The requirement for a fence or wall may be waived if conditions on the lot, including landscape screening within the rear yard, eliminate the need for a fence or wall. (Ord. 88-95 § 1 (Exh. A), 1995; Ord. 26-95 § 2(24-10), 1995)

#### **18.64.040 Post-demolition use plan required.**

No demolition permit shall be issued until one of the following requirements has been met:

- A. A permit for the use replacing the demolished building or structure has been issued by the Building and Housing Division.
- B. A landscaping plan for the site, showing the sprinkling system and planted areas, has been approved and a performance bond to assure timely and proper installation and maintenance of the landscaping has been filed with the city in a form acceptable to the city. In the event the building official determines that landscaping is impracticable or unnecessary given the characteristics of the site and the neighborhood, the landscaping requirement may be waived subject to the provisions of Section 18.64.070 below.
- C. In the event of a natural disaster, fire or other similar event or where immediate demolition and clearing of the land is necessary to remove hazardous or blighting conditions, the building official may waive the landscaping requirement and order immediate demolition. (Ord. 13-91 § 2 (part), 1991)
- D. For parcels in the D-1 zone, a permit for the use replacing the demolished building or structure has been issued by Building Services and Licensing, or a landscape plan for the site has been approved in accordance with section 21A.48.100(D) of this Code. A performance bond to assure timely and proper installation and maintenance of the landscaping shall be filed with the city in a form acceptable to the city.***

Operator	Lot Name	Address	Still Count	0-17 hr	17-19 hr	19-24 hr	All Day	Early Bird	Evening	Event	Weekend	Monthly
Ampco	185 S State	299 S Main	513	2	4	6	8	NA	NA	NA	NA	85-115
	Wells Fargo Center	400 S Main	1308	1	1	2	2	NA	NA	NA	NA	50-70
	First Security Bank	125 W 300 S	608	FREE	2	2	2	NA	NA	NA	NA	NA
	Broadway Parking	125 W 300 S	277	2	2	3	3	NA	NA	NA	NA	60-80
	Bank One	275 S West Temple	240	3	3	3	3	NA	NA	NA	NA	25-35
	Kramm Building	126 S Main St	396	NA	NA	NA	5	NA	NA	NA	NA	45-65
	175 Garage											
	Broadway Center	111 East Broadway	513	2	4	6	8	NA	NA	NA	NA	85-115
	Trad Center	150 North 300 West	1308	1	1	2	2	NA	NA	NA	NA	50-70
	222 S Main St		608	FREE	2	2	2	NA	NA	NA	NA	NA
Diamond Parking	SLOC Public Library	210 E 400 S	89	2	2	3	3	NA	NA	NA	NA	NA
	Blanco Lot	157 E Broadway	277	2	2	3	3	NA	NA	NA	NA	60-80
	126 E South Temple		240	3	3	3	3	NA	NA	NA	NA	25-35
	Shelton East Lot		396	NA	NA	NA	5	NA	NA	NA	NA	45-65
	Quasar South Surface lot	(Monthly lot)										
	Odellhow Hall	47 W Post Office Place	30	NA	NA	NA	NA	NA	NA	NA	NA	NA
	Parkside Tower	215 S State	358	2	2	4	8	NA	NA	NA	NA	NA
	225 S Floral St		48	2	2	4	8	NA	NA	NA	NA	NA
	Diamond Plaza	56 W 400 S	21	2	2	3	5	3.50 PM 5:00pm	3	3	5	65
	Port O'Call	355 S West Temple	38	4	4	5	5	4.00 PM 3:00 pre-pay	5	5	5	75
Expo Mart (Royal Wood Prop)	223-231 South 300 E		83	2	2	4	8	4.00 PM 3:00 pre-pay	5	5	5	75
	Hotel Monaco	200 S Main St	110	2	2	3	3	4.00 PM 3:00 pre-pay	5	5	5	75
	Matheson Courthouse	450 S State	275	2	2	3	3	4.00 PM 3:00 pre-pay	5	5	5	75
	Broadway Pharmacy	258 E 300 S	120	2	2	4	8	4.00 PM 3:00 pre-pay	5	5	5	75
	Delta Center - event lot	279 West South Temple	45	NA	NA	NA	NA	4.00 PM 3:00 pre-pay	5	5	5	75
	Safety Brakes	168 E 600 S	22	NA	NA	NA	NA	4.00 PM 3:00 pre-pay	5	5	5	75
	Chancellor Garage	220 S 200 E	55	1	2	4	8	4.00 PM 3:00 pre-pay	5	5	5	75
	Walker Garage	28 E 200 S	442	3	3	4	4	4.00 PM 3:00 pre-pay	5	5	5	75
	Royal Wood Property Lot	230 W 200 S	229	NA	2	4	8	4.00 PM 3:00 pre-pay	5	5	5	75
	RP	129 S 300 W	229	NA	2	4	8	4.00 PM 3:00 pre-pay	5	5	5	75
Gastronomy	First Commerce	175 W South Temple	350	NA	NA	NA	NA	4.00 PM 3:00 pre-pay	5	5	5	75
	New York Lot	334 S West Temple	54	NA	NA	NA	NA	4.00 PM 3:00 pre-pay	5	5	5	75
	190 West 200 South		600	NA	NA	NA	NA	4.00 PM 3:00 pre-pay	5	5	5	75
	250 West 100 South		455	NA	NA	NA	NA	4.00 PM 3:00 pre-pay	5	5	5	75
	Crossroads Mall		2320	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	The Gateway		2686	FREE	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	ZCM Center-Upper Structure	1620/day, 272/monthly	1620/day, 272/monthly	FREE	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	ZCM Center-Lower Structure	523 monthly, 1027 monthly	523 monthly, 1027 monthly	FREE	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	Regent Hotel	75/day, 203/monthly	75/day, 203/monthly	FREE	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	Social Hall Terrace	113 North West Temple	180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
San Palace Parking	West Temple Lot	180	180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	130 West South Temple		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	130 Main Main		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	57 E 200 S		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	140 E Social Hall		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	113 North West Temple		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	130 West South Temple		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	130 Main Main		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	57 E 200 S		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	140 E Social Hall		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
Standard Parking	Crossroads Mall		2320	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	The Gateway		2686	FREE	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	ZCM Center-Upper Structure	1620/day, 272/monthly	1620/day, 272/monthly	FREE	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	ZCM Center-Lower Structure	523 monthly, 1027 monthly	523 monthly, 1027 monthly	FREE	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	Regent Hotel	75/day, 203/monthly	75/day, 203/monthly	FREE	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	Social Hall Terrace	113 North West Temple	180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	West Temple Lot	180	180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	130 West South Temple		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	130 Main Main		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	57 E 200 S		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
Zions Securities	140 E Social Hall		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	113 North West Temple		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	130 West South Temple		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	130 Main Main		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	57 E 200 S		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	140 E Social Hall		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	113 North West Temple		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	130 West South Temple		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	130 Main Main		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75
	57 E 200 S		180	1	1	3	5	4.00 PM 3:00 pre-pay	5	5	5	75

**NOTE: The field trip is scheduled to leave at 4:00 p.m.**

**AGENDA FOR THE  
SALT LAKE CITY PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building at 451 South State Street  
Wednesday, July 14, 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, June 23, 2004
2. **REPORT OF THE CHAIR AND VICE CHAIR**
3. **REPORT OF THE DIRECTOR**
4. **CONSENT AGENDA** – Salt Lake City Property Conveyance Matters:
  - a. Salt Lake Arts Academy and Salt Lake City Property Management Division – Salt Lake Arts Academy, a public charter middle school, is requesting that Salt Lake City lease approximately 15,000 square feet of the Old Library Building located at 209 East 500 South on an interim basis. The Old Library Building contains approximately 120,000 square feet and is located in a "PL-2" Public Lands Zoning District.
  - b. Lapis Development L.L.C. and Salt Lake City Property Management Division – Lapis Development L.L.C is requesting that an existing public waterline be removed and that new privately owned facilities be constructed to serve a proposed Planned Development located at approximately 8970 S. Danish Road. The easement associated with this water line will be quit claimed back to the property owner at current market value as determined by the Salt Lake City Property Management Division. This project is located outside Salt Lake City Limits.  
(Staff – Linda Cordova at 535-6308 or Doug Wheelwright at 535-6178)
5. **PUBLIC HEARINGS** (Public Hearings will generally begin at 5:45)
  - a. **PUBLIC HEARING** – Petition No. 410-668, by Richard Young, requesting a planned development approval to construct an addition on the existing art studio at 602 West South Temple. The property is located in the "GMU", Gateway Mixed Use zoning district. The Applicant is also requesting conditional use approval to waive the design standards and minimum height requirement of the "GMU" zoning district for the addition. (Staff – Cheri Coffey at 535-6188)
  - b. **PUBLIC HEARING** – Petition No. 400-03-30, by the Salt Lake City Planning Commission, requesting to amend the Salt Lake City Zoning Ordinance to add language relating to the conversion of vacant properties, due to demolition to commercial parking garages, lots, or decks in the "D-1" zone, requiring said lots to be adjacent to and associated with a primary use and/or a contributing factor to the overall downtown parking scheme. Additionally, vacant properties, due to demolition in the "D-1" zone, where no replacement use is proposed, would be required to install a landscape yard around the entire perimeter of the parcel with drought resistant landscaping. (Staff – Lex Traughber at 535-6184 or [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com))
  - c. **PUBLIC HEARING** – Petition No. 400-04-02 & 410-673, by Rick Plewe (developer), requesting approval for a rezone, master plan amendment, and planned development located at 2665 E. Parley's Way. The Applicant requests that the property be rezoned from "CB" Community Business to "RMF-35" Moderate Density Multifamily Residential, in order to construct a new 42-unit condominium complex. The requested rezone requires that the East Bench Community Master Plan be amended to reflect a residential rather than a commercial land use category. The Applicant also requests planned development consideration to specifically address special design elements of the proposed building.  
(Staff – Lex Traughber at 535-6184 or [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com))
  - d. **PUBLIC HEARING** – Petition No. 400-04-12, by Jack Plumb, requesting to rezone the property located at 518 East Third Avenue from Multi-Family Residential "RMF-35" to Neighborhood Commercial "CN" as part of a two parcel commercial enterprise at 502 and 518 East Third Avenue. This petition will also require an amendment of the Avenues Community Master Plan by modifying the land use map designation from Medium Density Residential to Business Commercial.  
(Staff – Everett Joyce at 535-7930)
6. **UNFINISHED BUSINESS**

Salt Lake City Corporation complies with all ADA guidelines. If you are planning to attend the public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City 48 hours in advance of the meeting and we will try to provide whatever assistance may be required. Please call 535-7757 for assistance.

**PLEASE TURN OFF CELL PHONES AND PAGERS BEFORE THE MEETING BEGINS. AT YOUR REQUEST A SECURITY ESCORT WILL BE PROVIDED TO ACCOMPANY YOU TO YOUR CAR AFTER THE MEETING. THANK YOU.**

Commissioner De Lay made a motion regarding Petition No. 410-668, based on the findings of fact noted in the staff report that the Planning Commission grant approval for the Planned Development and Conditional Use at 602 West South Temple Street with the following conditions:

- 1) The Planning Commission modify the minimum five foot setback requirement for 25% of the building to those as shown on the site plan.
- 2) Any on-site parking meet City standards including but not limited to access and hardsurfacing requirements.
- 3) Staff further recommends that a conditional use be granted to allow a 13 foot high building rather than 45 foot high building and to waive the following Urban Design Requirements of the GMU Zoning District
  - All buildings shall have a minimum of 70% of the exterior material (excluding windows) be brick, masonry, textured or patterned concrete and / or cut stone. Corrugated metal is only allowed as a conditional use.
  - Two dimensional curtain wall veneer of glass, spandrel glass or metal as a primary building material is prohibited. The fenestration of all new construction shall be three-dimensional (recessed windows, protruding cornice, etc.)
  - Awnings and / or marquees, with or without signage, are required over entry doors which are set back from the property line.
  - All new construction shall have three dimensional (3-D) details on the exterior that includes: cornices, windowsills, headers and similar features.
  - All windows shall be recessed from the exterior wall a minimum of three inches.
  - The size of windows on the front façade within the gateway district shall not have less than forty percent glass surfaces.
  - The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet.
- 4) Final architectural drawing approval be delegated to the Planning Director.

Commissioner Chambless seconded the motion.

Commissioner Chambless, Commissioner Daniels, Commissioner De Lay, Commissioner Diamond, Commissioner McDonough, Commissioner Noda, and Commissioner Scott voted "Aye". Prescott Muir as Chair did not vote. All voted in favor, and therefore the motion passed.

**Petition No. 400-03-30, by the Salt Lake City Planning Commission, requesting to amend the Salt Lake City Zoning Ordinance to add language relating to the conversion of vacant properties, due to demolition to commercial parking garages, lots, or decks in the "D-1" zone, requiring said lots to be adjacent to and associated with a primary use and/or a contributing factor to the overall downtown parking scheme. Additionally, vacant properties, due to demolition in the "D-1" zone, where no replacement use is proposed, would be required to install a landscape yard around the entire perimeter of the parcel with drought resistant landscaping.**

This item was heard at 6:13 p.m.

Principal Planner Lex Traugher presented the petition as written in the staff report. He noted should the proposed amendment be approved it would not be retroactive. Current vacant parcels or parking lots will not be required to comply with the proposed regulations. The purpose of the proposed amendment is a means to keep the ratio of parking spaces to land use balanced so that the City maintains a healthy visual appearance in the Downtown Area. The relevant City departments and divisions reviewed the proposal and their comments were included in the staff report. Mr. Traugher stated that Staff held an Open House in June and those in attendance were generally in support of the petition. Mr. Traugher noted that Staff has included in the staff report an analysis of the amendment based upon the City Code. Based upon the comments, analysis, and findings of fact noted in the staff report Planning Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to adopt the proposed text, amending the Salt Lake City Code concerning the replacement of demolished buildings with parking lots and the landscaping of demolition sites.

Commissioner Diamond asked if the three major land owners in the area attended that Open House in June. He asked if the proposed language was available at that time.

Mr. Traugher said that he believed that those stakeholders had representation at that Open House. He added that the proposed language was available and it was very well received.

Chair Muir asked how the proposal has been noticed.

Mr. Traugher replied that all of the property owners within the "D-1" zone as well as the Community Council Chairs and various other entities including the Downtown Alliance and such were noticed.

Chair Muir referred to Larry Butcher's recommendation that the Planning Commission follow the residential requirement, by requiring complete landscaping. He asked Mr. Traugher to comment.

Mr. Traugher replied that it was discussed, and Staff decided that was beyond the parameters of the current proposal. He added that perhaps that would warrant another petition.

Chair Muir asked Staff what is purpose of the proposal.

Mr. Traugher replied that the primary purpose is to eliminate uses that may have a detrimental impact on the Downtown area. He added that it is also intended to provide language to assist the decision makers with requests of this nature.

Mr. Zunguze added that there needs to be a balance maintained between properties that are set aside for actual uses and those that are set aside for parking. The City is constantly fighting a battle of perception regarding the notion that there is not enough parking, as noted in the staff report there are over 16,000 parking stalls currently in the Downtown. Mr. Zunguze stated that the Planning Commission also recently acted on a petition regarding signage that indicates where parking is available. The intent of this petition is to maintain a healthy balance between uses while having a nice visual appearance of Downtown.

Chair Muir opened the public hearing.

No one was forthcoming.

Chair Muir closed the public hearing.

Chair Muir asked if the Commission may require drought tolerant vegetation to ensure that property owners use proper landscaping.

Mr. Traugher indicated that the City provides a list of drought tolerant species which could be used as a guide.

Commissioner Diamond asked if a property owner were to landscape an entire parcel, would they then assume the liability of the public on their property as if it were a park. He asked if this proposal allows property owners to construct a harmonious fence that would respect their rights as a property owner.

Mr. Zunguze agreed that that is needed and stated that there is a fencing ordinance that Staff could look to as an example.

Commissioner Scott referred to the proposed 15-foot perimeter of landscaping saying that she felt that is not adequate as a visual barrier for an unsightly interior of a lot. She added that there would be less of a chance for the lot to be used as an illegal parking lot if the entire lot were landscaped.

#### Motion for Petition No. 400-03-30

Commissioner Scott made a motion regarding Petition No. 400-03-30, based on the comments, analysis, and findings of fact noted in the staff report that the Planning Commission forward a favorable recommendation to the City Council to adopt the proposed text, amending the Salt Lake City Code concerning the replacement of demolished buildings with parking lots and the landscaping of demolition sites as noted in the staff report with the following modification regarding the landscaping for vacant lots section 2 a. ***Landscaping shall be required for the entire lot.***

Commissioner Daniels seconded the motion.

Commissioner Daniels said that in the past the Planning Commission has allowed petitioners to include a portion of a lot if their intent is to have temporary parking when they would eventually have another use for the property. He wondered if the motion with the landscaping modification is in conformance with the Planning Commission's past practice.

Chair Muir agreed with Commissioner Daniels that perhaps a precedent has been set when a lot is associated with an existing use.

Commissioner Scott noted that the vacant lots which are being discussed are those without a replacement use proposed.

Commissioner Diamond felt that if the Commission requires more stringent landscaping, it may accelerate the thought process and the urgency to do something positive with vacant property. He felt that the landscaping should be defined in detail.

Chair Muir felt that the landscaping requirement is reasonable considering the value of the property Downtown.

Commissioner Scott noted that the proposal requires that a landscaping plan be submitted. She did not feel that the Commission needs to be more specific in that regard. She felt that the review of the landscaping plan by the Planning Director is sufficient.

Commissioner McDonough indicated concern with water use when requiring the entire lot to be landscaped. She noted that drought tolerant plants require a considerable amount of water initially. She said that she is reticent to require more than the 15-foot buffer, which she felt would accomplish the issues which are being discussed. Commissioner McDonough stated that if the Commission is going to require complete landscaping then the entire landscaping portion of the proposal should be rethought from a conservancy standpoint and the center of the lot should have different requirements.

Chair Muir called for the question.

Commissioner Chambless and Commissioner Scott voted "Aye". Commissioner Daniels, Commissioner De Lay, Commissioner Diamond, Commissioner McDonough, and Commissioner Noda voted "Nay". Prescott Muir as Chair did not vote. Two Commissioners voted in favor, and five Commissioners voted against, and therefore the motion failed.

#### Motion for Petition No. 400-03-30

Commissioner De Lay made a motion regarding Petition No. 400-03-30, based on the comments, analysis, and findings of fact noted in the staff report that the Planning Commission forward a favorable recommendation to the City Council to adopt the following text, amending the Salt Lake City Code concerning the replacement of demolished buildings with parking lots and the landscaping of demolition sites.

Please note that the following is a summary of the proposed changes.

#### Parking Lots

In order to create criteria by which parking lots in the D-1 district can be evaluated, the following language is proposed to be inserted into the zoning ordinance under section 21A.30.020 – D-1 Central Business District.

*21A.30.020(D)(3)(e) – Parking lots shall be permitted as conditional uses with the approval of the Planning Commission pursuant to the provisions of Chapter 21A.54 of this Title, where it is found that the parking lot is associated with an adjacent principal use and/or is contributory to the overall downtown parking program.*

#### Landscaping

Landscaping criteria for the D-1 zone is proposed so that vacant lots resulting from demolition activities do not become a detrimental visual element to the downtown district.

The following language is proposed to be inserted into the zoning ordinance under section 21A.30.020 – D1 Central Business District.

*21A.30.020(D)(9) – Landscape Requirements for Demolition Sites: Vacant lots, resulting from demolition activities where no replacement use is proposed, shall conform to Chapter 21A.48 of this Title, special landscape requirements applicable to the D-1 Central Business District.*

This section would direct the reader to Chapter 21A.48, and more specifically Chapter 21A.48.100(D) – D-1 Central Business District where the following section would be added providing specific landscaping standards for vacant lots.

*2. Landscaping for Vacant Lots*

*Special landscaping shall be required on those lots becoming vacant, where no replacement use is proposed, in conformance with the following:*

*a. Landscape yard requirement*

*A landscape yard of fifteen feet (15') shall be required as measured from any point along all property lines.*

*b. Trees*

*Shade trees shall be provided at the rate of one tree per thirty feet (30') of yard length, rounded up to the nearest whole number.*

*c. Shrubs*

*Shrubs shall be provided at the rate of one plant for every three feet (3') of yard length, evenly spaced, limited to a height of not more than three feet (3'). All plants shall be drought tolerant; consult the Salt Lake City water-wise plant list for suggestions. At least forty percent (40%) of the plants must be evergreen.*

*d. Groundcover*

*Areas not planted with shrubs and trees shall be maintained in drought tolerant vegetative groundcover.*

*e. Irrigation*

*Permanent irrigation shall be installed and used as needed to maintain plant materials in a healthy state.*

*f. Maintenance*

*Landscaping shall be installed and maintained in conformance with the approved landscape plan. Landscaping shall be kept free of weeds and litter.*

Demolition

Additionally, the following language is proposed to be inserted into the City Code under Chapter 18.64 – Demolition.

Section 18.64.040 – Post Demolition Use Plan Required, shall be changed in the following manner:

- D. For parcels in the D-1 zone, a permit for the use replacing the demolished building or structure has been issued by Building Services and Licensing, or a landscape plan for the site has been approved in accordance with section 21A.48.100(D) of this Code. A performance bond to assure timely and proper installation and maintenance of the landscaping shall be filed with the city in a form acceptable to the city.*

Commissioner Daniels seconded the motion.

Commissioner Daniels, Commissioner De Lay, Commissioner Diamond, and Commissioner Noda voted "Aye". Commissioner Chambliss, Commissioner McDonough, and Commissioner Scott voted "Nay". Prescott Muir as Chair did not vote. Four Commissioners voted in favor, and three Commissioners voted against, and therefore the motion passed.

Commissioner Diamond suggested that Staff look at other Cities as examples of promoting garden space on the rooftops of buildings as well as using roof drainage for irrigation purposes.

Mr. Zunguze appreciated that suggestion and stated that that is something that will be discussed with the Public Services Division.

**Petition No. 400-04-02 & 410-673, by Rick Plewe (developer), requesting approval for a rezone, master plan amendment, and planned development located at 2665 E. Parley's Way. The Applicant requests that the property be rezoned from "CB" Community Business to "RMF-35" Moderate Density Multifamily Residential, in order to construct a new 42-unit condominium complex. The requested rezone requires that the East Bench Community Master Plan be amended to reflect a residential rather than a commercial land use category. The Applicant also requests planned development consideration to specifically address special design elements of the proposed building.**

This item was heard at 7:59 p.m.

Principal Planner Lex Traugher presented the petition as written in the staff report. He stated that in addition to the requested zoning change and Master Plan amendment, the Applicant has requested approval of several design features for the proposed condominium complex that do not meet that "RMF-35" zoning requirements, through the conditional use process. Mr. Traugher stated that originally the Applicant requested the "RMF-45" zone which allows for a maximum building height of 45-feet. The Developer having had the input of Planning Staff, the Planning Commission, as well as other interested parties has revised the plan to request the "RMF-35" zone which allows a maximum height of 35-feet. Mr. Traugher stated that all of the comments in the staff report were received in reference to the "RMF-45" zone request. Since that time the Applicant has spoken with members of the community to re-present the project. Mr. Traugher referred to the conditional use for approval of certain design features. The first design feature is a request for an increased height for the center entrance and the two façade treatments on both sides of that entrance. The second feature is an encroachment of the porte-cochere into the front yard setback. Mr. Traugher noted that Staff received comments in support and in opposition of the project. Staff is suggesting, based on the findings noted in the staff report, that the Planning Commission forward a favorable recommendation to the City Council to rezone the subject property from "CB" to "RMF-35" and amend the East Bench Community Master Plan Map to show the subject property as "High Density Residential – Over 20 Units per Gross Acre". In addition Staff recommends based on the comments, analysis, and findings of fact noted in the staff report that the Planning Commission approve the planned development with the four conditions noted in the staff report.

Commissioner Diamond asked why the change from "RMF-45" to "RMF-35".

# PETITION CHECKLIST

<u>Date</u>	<u>Initials</u>	<u>Action Required</u>
<u>4/6/03</u>	<u>DA</u>	Petition delivered to Planning
<u>12.18.03</u>	<u>PA</u>	Petition assigned to: <u>LEX TRANHUBER REC 1218.03</u>
<u>7.14.04</u>	<u>PA</u>	Planning Staff or Planning Commission Action Date
<u>7.26.04</u>	<u>PA</u>	Return Original Letter and Yellow Petition Cover
<u>7.16.04</u>	<u>PA</u>	Chronology
<u>NA</u>		Property Description (marked with a post it note)
<u>NA 7.16.04</u>	<u>PA</u>	Affected Sidwell Numbers Included
<u>7.26.04</u>	<u>PA</u>	Mailing List for Petition, include appropriate Community Councils
<u>7.26.04</u>	<u>PA</u>	Mailing Postmark Date Verification
<u>7.29.04</u>	<u>PA</u>	Planning Commission Minutes
<u>7.26.04</u>	<u>PA</u>	Planning Staff Report
<u>7.26.04</u>	<u>PA</u>	Cover letter outlining what the request is and a brief description of what action the Planning Commission or Staff is recommending.
		Ordinance Prepared by the Attorney's Office
<u>NA</u>	<u>NA</u>	Ordinance property description is checked, dated and initialed by the Planner. Ordinance is stamped by Attorney.
<u>LEX TRANHUBER</u>		Planner responsible for taking calls on the Petition <u>PA. 535.6184</u>
		Date Set for City Council Action
		Petition filed with City Recorder's Office

REMARKS

**Petition No.** 400-03-30

**By** Planning Commission

Is requesting a petition to investigate potential opportunities to mitigate any negative impacts and enhance any positive impacts of vacant lots in the "D-1" Downtown zoning district.

**Date Filed** \_\_\_\_\_

**Address** \_\_\_\_\_