
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: May 6, 2005

SUBJECT: Petition 400-04-18 – Planning Commission – request to amend the Temporary Use section of the Zoning Ordinance and remove regulations that require permits for movie and film locations to be reviewed by the Development Review Team. (Sec. 21A.42.070)

AFFECTED COUNCIL DISTRICTS: If the ordinance is adopted the zoning text amendment will affect Council Districts citywide

STAFF REPORT BY: Janice Jardine, Land Use Policy Analyst

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Community Development Department, Planning Division
Elizabeth Giraud, Senior Planner

NOTICE REQUIREMENTS: Newspaper advertisement and written notification to surrounding property owners 14 days prior to the Public Hearing

POTENTIAL OPTIONS AND MOTIONS:

1. **["I move that the Council"]** Adopt an ordinance amending the Temporary Use section of the Zoning Ordinance and removing regulations that require permits for movie and film locations to be reviewed by the Development Review Team.
2. **["I move that the Council"]** Not adopt an ordinance amending the Temporary Use section of the Zoning Ordinance and removing regulations that require permits for movie and film locations to be reviewed by the Development Review Team.
3. **I move that the Council** request that the Administration revise Chapter 3.50 of the City Code *Commercially Related Special Events and Free Expression Activities* and request that a proposal to establish a clearly defined permit process for the activities of movie/film production companies be returned for Council consideration by August 1, 2005. Said revisions should address, at a minimum, issues discussed at the Council's briefing. (*See Work Session Summary and New Information below for details.*)

WORK SESSION SUMMARY AND NEW INFORMATION

On April 14, 2005, the Council received a briefing from the Administration regarding the zoning text change. Council Members expressed support for the proposed change consolidating the permit review process for activities of movie/film production companies with the Special Events Coordinator and removing the requirements from the Zoning Ordinance.

Council Member Jergensen and Shawn McDonough, Special Events Coordinator, noted that currently the Special Events Chapter (3.50) in the City Code does not provide a clearly defined process to

specifically deal with the activities of movie/film production companies or a procedure to address negative impacts that are sometimes experienced by property owners in the area of such filming events. They noted the need to provide a balanced approach in dealing with the film production industry and constituent issues and concerns. Issues include:

1. Provide a formal permit process and clear, explicit standards, criteria, regulations, fees and/or compensation to monitor and regulate the activities of movie/film production companies.
2. Establish a procedure or mechanism to respond and address issues, concerns or impacts experienced by property owners such as parking in neighborhoods, blocking street access or driveways, and noise and light impacts at night.
3. Provide better coordination between the City, film companies and state or local entities (such as the Utah Film Commission, Salt Lake Convention and Visitor Bureau).
4. Address potential over saturation or length of time filming takes place in an area, neighborhood or on a street. Treat repeat locations differently than when in filming takes place one time in one location.
5. Provide adequate notification to and approval of affected property owners and/or the neighborhood.
6. Provide a summary of 'best practices' or processes used in other cities (such as Pasadena, Calif.).

The following information was provided previously for the Council Work Session on April 14, 2005. It is provided again for your reference.

KEY ELEMENTS:

- A. An ordinance has been prepared for Council consideration to amend the Temporary Use section of the Zoning Ordinance and remove regulations that require permits for movie and film locations to be reviewed by the Development Review Team. (Sec. 21A.42.070) The text amendment would refer to obtaining a filming permit pursuant to City Code 3.50, *Commercially Related Special Events and Free Expression Activities*.
- B. This action was initiated by the Planning Commission to facilitate consolidation and streamline the review process for movie and film location permits. The Administration notes:
 1. The Special Events Coordinator in the Public Services Department administers the movie and film permitting process.
 2. Requiring review by the Special Events Coordinator and by the Development Review Team as required in the Zoning Ordinance is redundant.
 3. The responsibilities and requirements associated with movie and film permitting extend beyond the scope of the Zoning Ordinance.
 4. The proposed text amendment does not currently protect property owners from the adverse effects of film and movie production. This protection cannot be addressed in the Zoning Ordinance, and is better administered by the Special Events Coordinator, who can coordinate efforts to insure that movie and film production does not interrupt citizens' peaceful enjoyment of property.
- C. The purpose of the Temporary Use section of the Zoning Ordinance is to provide general regulations, applicable in all zoning districts, for uses and structures which have only a seasonal or temporary duration. (Sec. 21A.42) Movie/film locations are subject to approval of the Development Review Team, with specific approvals from the City Transportation Division and the Police Department.
- D. The Commercially Related Special Events and Free Expression Activities section of the City Code (Chapter 3.50) is intended to establish a process for permitting commercially related special events and

free expression activities while maximizing safety of participants, minimizing inconvenience to the general public and disruption of public services and providing for cost recovery of City services that may be required for commercial related special events.

- E. The public process included an Open House on January 3, 2005. No members of the community attended.
- F. City Departments and Divisions have reviewed the request. A majority were supportive as requests for future movie/film will have to meet City regulations relating to public facilities and services on a case-by-case basis. Public Utilities noted that review by the Department is required for :
 - All proposals for movie work in watershed or foothill areas including City Creek and the Bonneville Shoreline Trail, and
 - Any request for the use of property owned by Public Utilities or taking water from fire hydrants (public or private).
- G. On January 26, 2005, the Planning Commission voted to forward a positive recommendation to the City Council to amend the text of the Zoning Ordinance to remove regulations that require permits for movie and film locations to be reviewed by the Development Review Team. No public comment was received and no issues were discussed.

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The City's Strategic Plan and the Futures Commission Report support development of business friendly licensing and regulatory practices. The Plans emphasize placing a high priority on maintaining and developing new affordable residential housing in attractive, friendly, safe environments and creating attractive conditions for business expansion including retention and attraction of large and small businesses.
- B. The City's 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities.

CHRONOLOGY:

The Administration's transmittal provides a chronology of events relating to the proposed zoning text amendment. Key dates are listed below. Please refer to the Administration's chronology for details.

- April 23, 2004 Petition assigned to planner
- January 3, 2005 Open House
- January 26, 2005 Planning Commission hearing

cc: Sam Guevara, Rocky Fluhart, DJ Baxter, Ed Rutan, Boyd Fergerson, Melanie Reif, Rick Graham, Shawn McDonough, Alison McFarlane, Ed Butterfield, Louis Zunguze, Brent Wilde, Doug Wheelwright, Cheri Coffey, Elizabeth Giraud, Jan Aramaki, Marge Harvey, Sylvia Jones, Lehua Weaver, Russell Weeks, Jennifer Bruno, Barry Esham, Annette Daley, Gwen Springmeyer

File Location: Community Development Dept., Planning Division, Zoning Text Change, movie and film locations

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ROSS C. ANDERSON
MAYOR

CITY COUNCIL TRANSMITTAL

TO: Rocky Fluhart, Chief Administrative Officer *RF* **DATE:** March 4, 2005
FROM: Louis Zunguze, Community Development Director *LZ*
RE: **Petition 400-04-18:** A Petition by the Salt Lake City Planning Commission requesting to amend the Zoning Ordinance by shifting the review responsibility regarding movie/film locations, from the City Development Review Team Staff (DRT) to the City Special Events Staff.

STAFF CONTACTS: Elizabeth Giraud, Senior Planner (535-7128)
e-mail: elizabeth.giraud@slcgov.com

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

DISCUSSION: Petition 400-04-18 is a request by the Salt Lake City Planning Commission requesting to amend the Zoning Ordinance by shifting the review responsibility regarding movie/film locations, from the City Development Review Team Staff (DRT) to the City Special Events Staff.

ISSUE ORIGIN: The Planning Division brought this issue to the attention of the Planning Commission as a duplication of review by two City entities. The Special Events Coordinator, an employee of the Public Services Department, already administers the movie/film permitting process. The Planning Division finds that including language in the Zoning Ordinance and requiring DRT review is redundant. Additionally, the responsibilities associated with movie/film permitting extend beyond the scope of the Zoning Ordinance.

PUBLIC PROCESS: The Planning Division Staff notified the Community Council Chairpersons of an Open House to present issues, and have them ask questions, and learn about the proposed text amendment. Special Events Coordinator Shawn McDonough and Assistant City Attorney Boyd Ferguson attended the Open House, as resource for questions about movie/film and special events permitting. No members of the community attended.

CITY COUNCIL POLICY AND MASTER PLAN CONSIDERATIONS: The adopted land use policy document that pertains to this text amendment is Standard 20.1 in the *Salt Lake City Vision and Strategic Plan*, stating that the City seeks to “develop ‘business friendly’

licensing and regulatory practices.” Removing the redundancy of requiring those seeking movie/film permits from both the Development Review Team (DRT) and the Special Events Coordinator is consistent with this objective and policy.

RELEVANT ORDINANCES: The proposed zoning text change refers to Salt Lake City Code Chapter 21A.42.070 *Permitted Temporary Uses*. The proposed language would refer interested parties to Chapter 3.50 *Commercially Related Special Events and Free Expression* (see Exhibit 5B, Planning Commission Staff Report to review the relevant findings).

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Exhibit 1

CHRONOLOGY

CHRONOLOGY

PETITION 400-04-18 BY THE SALT LAKE CITY PLANNING COMMISSION

April 23, 2004	Petition assigned to Elizabeth Giraud.
December 20, 2004	Notice of Open House sent to Community Council Chairpersons
January 3, 2005	Open House held in Room 542, City and County Building
January 11, 2005	Notice of Planning Commission public hearing mailed.
January 26, 2005	Planning Commission public hearing. The Planning Commission recommended that the City Council vote to approve the proposed zoning text amendment.

Exhibit 2

PROPOSED ORDINANCE

SALT LAKE CITY ORDINANCE
No. _____ of 2005
(Amending Permitted Temporary Uses)

AN ORDINANCE AMENDING SECTION 21A.42.070(E), *SALT LAKE CITY CODE*,
PERTAINING TO PERMITTED TEMPORARY USES.

WHEREAS, Section 21A.42.070 the Salt Lake City Code contains certain regulations regarding temporary uses and requires that permits for movie and film locations be reviewed by the development review team.

WHEREAS, Chapter 3.50 of the Salt Lake City Code contains certain regulations regarding special events and free expression activities and requires that permits for special events and free expression activities be reviewed by the special events coordinator.

WHEREAS, the special events coordinator is better suited to review permits for movie and film locations allowed under Section 21A.42.070.

WHEREAS, in light of the review process under Chapter 3.50, the review process set forth in Section 21A.42.070 is redundant.

WHEREAS, the City Council finds that Section 21A.42.070 should be amended to eliminate its redundancy and to make it consistent with the review process set forth under Chapter 3.50.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 21A.42.070, *Salt Lake City Code*, pertaining to permitted temporary uses be, and the same hereby is, amended to read as follows:

21A.42.070 Permitted Temporary Uses:

Subject to the specific regulations and time limits and to the other applicable regulations of the zoning district in which the use is permitted, the following temporary uses shall be permitted in the zoning districts specified, upon a finding by the zoning administrator that the parcel upon which the temporary use will be located is adequate in size, that there are adequate parking provisions and traffic access, and that the applicant has agreed to comply with such other conditions as the zoning administrator deems necessary to ensure that the temporary use will not have any material detrimental impact upon other properties:

A. Outdoor Sales Of Plant Products During Spring And Summer: Outdoor sales of plant products during the spring and summer are permitted in the CN, CB, CS, CC, CSHBD, CG, D-2, M-1, M-2, and I districts. Such use shall be limited to a period between April and October. No tree or temporary structure shall be displayed obstructing the "sight distance triangle" as defined in part VI, chapter 21A.62 of this title.

B. Christmas Tree And Other Seasonal Item Sales: Christmas tree and other seasonal item sales are permitted in the CN, CB, CC, CS, CSHBD, CG, D-2, D-3, M-1, and M-2 districts. Such use shall be limited to a period not to exceed forty five (45) days, per calendar year. Display of Christmas trees need not comply with the yard requirements of this title. No tree shall be displayed obstructing the "sight distance triangle" as defined in part VI, chapter 21A.62 of this title.

C. Festivals, Bazaars, Outdoor Sale Events, Carnivals, Circuses And Other Special Events: Festivals, bazaars, outdoor sale events, carnivals, circuses and other special events are permitted in any commercial, manufacturing, institutional and downtown districts. Such use shall be limited to a period not to exceed fourteen (14) days. Such use need not comply with the yard

requirements of this title except that structures or equipment that might block the view of operators of motor vehicles on any public or private street shall not be located within the "sight distance triangle" defined in part VI, chapter 21A.62 of this title. Such use need not comply with the maximum height requirements of this title. The concessionaire responsible for the operation of any such festival, bazaar, outdoor sale event, carnival or circus shall submit at least ten (10) calendar days in advance of the event date a site layout displaying adequate ingress and egress plan for emergency vehicles with no dead end aisles.

D. Farmers' Markets: Farmers' markets are permitted in all commercial districts, except the CN district and in all downtown districts. Such use shall be limited to the period from June through October. Such uses need not comply with the yard requirements of this title except that structures or equipment that might block the view of operators of motor vehicles on any public or private street and shall not be located within the "sight distance triangle" defined in part VI, chapter 21A.62 of this title. Such uses need not comply with the maximum height requirements of this title. The person responsible for the operation of any such farmers' market shall submit at least ten (10) calendar days in advance of the event date a site layout displaying adequate ingress and egress plan for emergency vehicles.

E. Movie/Film Locations: Movie/film locations are ~~permitted~~allowed in all zoning districts subject to ~~approval of the development review team, with specific approvals from the Salt Lake City division of transportation and police departments~~the obtaining of a filming permit pursuant to Chapter 3.50 of this code.

F. Tents: Tents smaller than two hundred (200) square feet and canopies smaller than four hundred (400) square feet, associated with outdoor sales from a business that is legally licensed

as a permanent business or a temporary business as outlined in this chapter, are permitted in all nonresidential districts. No tent shall be allowed to remain for a period of more than two (2) days longer than the period during which the use with which it is associated is allowed to remain, or a maximum of forty five (45) days, per calendar year. Tents larger than two hundred (200) square feet and canopies larger than four hundred (400) square feet, associated with outdoor sales from a business that is legally licensed as a permanent business or a temporary business as outlined in this chapter, are permitted in D-1, D-2, D-3, D-4, M-1, M-2, CG, PL, PL-2, BP, RP and OS zoning districts. No tent shall be allowed to remain for a period of more than two (2) days longer than the period during which the use with which it is associated is allowed to remain, or a maximum of forty five (45) days, per calendar year.

The zoning administrator may approve tents or canopies in the D-1, D-2, D-3, D-4, M-1, M-2, CG, PL, PL-2, BP, RP zoning districts for a period not to exceed one hundred eighty (180) days, per calendar year, if the tent or canopy also meets the parking requirements for the intended use and upon receiving a positive recommendation from the Salt Lake City transportation division, public utilities department, business licensing division, fire department, police department and historic landmark commission (when located within a historic district or on a landmark site).

Unless waived in writing by the zoning administrator, every tent shall comply with the bulk and yard requirements of the district in which it is located.

Tents smaller than two hundred (200) square feet and canopies smaller than four hundred (400) square feet are permitted in all residential districts, without a permit, for personal home use or homeowner hosted function, for a period of not more than five (5) days per calendar year. Tents larger than two hundred (200) square feet and canopies larger than four hundred (400) square feet

are permitted in all residential districts, with a fire department permit, for personal home use, for a period of not more than five (5) days.

For purposes of this regulation, "canopies" are defined as a tent structure that is open on more than seventy five percent (75%) of its sides.

G. Construction Trailers And Temporary Contractor's Storage Yards: In conjunction with development during the construction period, trailers serving as contractor's offices and temporary on site storage yards for construction materials are permitted. Such facilities shall not be located in any required front yard on the site. When, due to site constraints, location outside of the required front yards is not feasible, the location of such facilities may be approved by the zoning administrator. Temporary construction facilities shall be removed upon the completion of construction.

H. Outdoor Sales Of Fireworks: Outdoor sales of fireworks are permitted in any commercial, manufacturing or the downtown D-2 district from temporary stands or trailers only subject to the requirements of title 18 of this code.

I. Relocatable Offices: Relocatable offices as defined in part VI, chapter 21A.62 of this title, are permitted in all zoning districts that permit offices subject to the requirements of title 18 of this code.

J. Bus Shelters, Kiosks And Other Temporary Buildings: Bus shelters, kiosks and other temporary buildings are permitted in all commercial, manufacturing and downtown districts. Such uses shall be limited to a period not to exceed six (6) months. Such facilities shall not be located in any required yard or any required parking area and sales from these facilities shall be prohibited.

K. Snow Cones And Shaved Ice Huts: Snow cone and shaved ice huts are permitted in the CB, CC, CN, CS, CG, CSHBD, M-1, M-2, D-1, D-2, D-3, D-4, G-MU, RP, BP, and MU zoning districts between the dates of May 15 and September 15 of each calendar year. Such facilities shall not be located in any required yard area or any required parking area. Their placement shall not interfere with pedestrian access to other businesses on the site. The building should be located to minimize any light or noise impacts on adjacent residential properties. The temporary buildings shall be limited to: 1) Snowie models: eight (8) or twelve foot (12') kiosk, or 2) Sno Shack models: Sno Shack building, Sno Shack 2000, Sno Shack concession, or 3) equivalent, as determined by the zoning administrator. Inflated signs, banners or other signage exceeding the regulations of the applicable zoning districts are specifically prohibited.

SECTION 2. 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 _____, 2005.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date Feb. 10, 2005
By Melanie King

(SEAL)

Bill No. _____ of 2005.

Published: _____.

Exhibit 3

**CITY COUNCIL
HEARING NOTICE**

Transmittal of Petition 400-04-18
Movie/Film Zoning Text Amendment

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition 400-18-04, to amend the text of the Zoning Ordinance to shift the review responsibility regarding movie/film locations from the City's Development Review Team (DRT) to the City Staff that regulates Special Events. Because the Special Events Coordinator, an employee of the Public Services Department, already administers the movie/film permitting process, the Planning Division finds that including language in the zoning ordinance and requiring DRT review is redundant. Also, the responsibilities associated with movie/film permitting extend beyond the scope of the zoning ordinance. The proposed text change pertains to Chapter 21A.42.070(E) of the Salt Lake City Zoning Ordinance.

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

DATE:

TIME:

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

Salt Lake City complies with all ADA guidelines. Assistive listening devices and interpretive services will be provided upon with 24 hours advance request.

If you have any questions relating to this proposal, please attend the meeting or call Elizabeth Giraud or Elizabeth.giraud@slcgov.com between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Exhibit 4

MAILING LABELS

Impression antibourrage et à séchage rapide
Utilisez le gabarit 5960^{MC}



www.avery.com
1-800-GO-AVERY



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Updated January 21, 2005
LJH



Exhibit 5

PLANNING COMMISSION

Exhibit 5a

**PLANNING COMMISSION
HEARING NOTICE
AND POSTMARK**

Transmittal of Petition 400-04-18
Movie/Film Zoning Text Amendment

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, January 26, 2005, 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, January 12, 2005

2. REPORT OF THE CHAIR AND VICE CHAIR

3. REPORT OF THE DIRECTOR

- a. Report on the status of the settlement negotiations on the Romney Lumber property. (Staff: Deputy Director Doug Wheelwright)

4. PUBLIC NOTICE AGENDA – Salt Lake City Property Conveyance Matters:

- a. PRISA Hotel LLC and Salt Lake City Property Management Division—PRISA Hotel LLC has purchased the Hotel Monaco and is requesting that they be allowed to continue the encroachment rights, previously granted under a long term lease agreement with the City, by entering into a new lease agreement with the City, for the existing under sidewalk vaults on both 200 South Street and on Main Street, as well as for 14 overhead window canopies. The Hotel Monaco is located at 202 South Main Street, and has been purchased by PRISA Hotel LLC, and is located within the Central Business District D-1 zoning district. Property Management intends to approve the new lease to allow the existing encroachments to continue with the new ownership.
- b. Petty Investments and Salt Lake City Property Management Division—Petty Investments is requesting approval of a new lease agreement to allow new encroachments, in the form of two decorative columns being added as architectural elements to the face of the existing building located at 26 East 600 South Street, which are proposed to encroach approximately three (3) feet into the 600 South Street right-of-way. The existing building is currently located abutting the street right-of-way line, and is being remodeled for a new tenant. The property is located within the Central Business District D-1 zoning district. Property management intends to approve the lease request to allow the proposed encroachments. (Staff: Doug Wheelwright, 535-6178 and John Spencer at 535-6398)

5. PUBLIC HEARINGS

- a. **PUBLIC HEARING** – Petition 400-04-18, by the Salt Lake City Planning Commission requesting a modification to the Zoning Ordinance to address the review of moving/film locations. The proposed text would shift the review responsibility from the Development Review Team to the City Special Events Staff. (Staff: Elizabeth Giraud at 535-7128, or elizabeth.giraud@slcgov.com).
- b. **PUBLIC HEARING** – Petition No. 490-04-43, by KFR Utah / Forest City, requesting preliminary approval of a 2-lot minor subdivision located at approximately 550 South 5900 West in a Light Manufacturing (M-1) Zoning District. (Staff: Ray McCandless at 535-7282, or ray.mccandless@slcgov.com).
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6. UNFINISHED BUSINESS

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Exhibit 5b

**PLANNING COMMISSION
STAFF REPORT**

DATE: January 18, 2005

TO: Salt Lake City Planning Commission

FROM: Elizabeth Giraud, AICP, Senior Planner

RE: STAFF REPORT FOR THE JANUARY 26, 2005 MEETING

CASE#: 400-04-18

APPLICANT: Salt Lake City Planning Commission

STATUS OF APPLICANT: City Board

PROJECT LOCATION: Citywide

PROJECT/PROPERTY SIZE: Not applicable

COUNCIL DISTRICT: All districts.

REQUESTED ACTION: A request to modify the Zoning Ordinance to shift the review responsibility from the City's Development Review Team to the City Staff that regulates Special Events.

PROPOSED USE(S): The proposed change shifts the review responsibility from the City's Development Review Team (DRT) to the City Staff that

regulates Special Events. Because the Special Events Coordinator, an employee of the Public Services Department, already administers the movie/film permitting process, the Planning Division finds that including language in the zoning ordinance and requiring DRT review is redundant. Also, the responsibilities associated with movie/film permitting extend beyond the scope of the zoning ordinance. A reference to filming would still be included in Chapter 21A.42.070 *Permitted Temporary Uses*, but the language would refer interested parties to Chapter 21A.3.50 *Commercially Related Special Events and Free Expression*.

**PROPOSED ZONING TEXT
AMENDMENT:**

The proposed text change is as follows:

21A.42.070(E): **Movie/Film Locations:** Movie/film locations are permitted allowed in all zoning districts subject to approval of the development review team, with specific approvals from the Salt Lake City division of transportation and police departments the obtaining of a filming permit pursuant to Chapter 3.50 of this code.

**APPLICABLE LAND
USE REGULATIONS:**

The proposed change modifies the text associated with the Salt Lake City Code Chapter 21A.42.070(E).

MASTER PLAN SPECIFICATIONS:

The *Salt Lake City Vision and Strategic Plan* applies to this proposed text amendment: 20.0: Develop “business friendly” licensing and regulatory practices.

SUBJECT PROPERTY HISTORY:

Not applicable.

ACCESS:

Not applicable.

PROJECT DISCRPTION:

The proposed text change is essentially a “housekeeping” measure moving the responsibility of movie/film permitting from DRT to the Special Events Coordinator in the Public Services Department.

COMENTS, ANALYSIS AND FINDINGS:

1. COMMENTS

The proposal is to modify the text.

Comments from City departments and Community Council(s):

- a) **Transportation** does not have any objections to the proposed text amendment, adding that they did not see a reason for the extra process.
- b) **Public Utilities** stated that it did not have any objections to the proposed text amendment, but offered comments that are included in the analysis of Chapter 21A.50.50(E), discussed below.
- c) **Building Services** expressed support for the proposed text change.
- d) **Police** expressed no opposition to the proposed text change.
- e) **Engineering** did not respond to the requests for comments.
- f) **Fire** did not respond to the requests for comments.
- g) **Community Council(s):** The Planning Division held an open house for community councils and interested parties on January 3, 2005. Only City staff attended. Planning Division Staff received one inquiry via email from a community council representative, Jilene Whitby, Chairperson of the Fairpark Community Council, asking what the proposed text change would be. Staff responded, and the email correspondence is included in Exhibit 3 of this report.

ANALYSIS AND FINDINGS

Issues that are being generated by this proposal.

Since the request is a modification of the zoning text, the Planning Commission shall review the proposed text change and forward a recommendation to the City Council. In undertaking the task, the Planning Commission must use the following standards:

CODE CRITERIA / DISCUSSION / FINDINGS OF FACT

21A.50.050 Standards for general amendments.

A. Whether the proposed amendment is consistent with the purposes, goals,

objectives, and policies of the adopted general plan of Salt Lake City.

Discussion: The proposed text amendment is consistent with standard in the *Salt Lake City Vision and Strategic Plan*, stating that the City seeks to “develop ‘business friendly’ licensing and regulatory practices.” Removing the redundancy of requiring those seeking movie/film permits from both DRT and the Special Events Coordinator is consistent with this objective and policy.

Findings:

The proposed rezone is consistent with Master Plan policies.

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

Discussion: The text amendment is not site specific, but rather applies to removing a regulatory redundancy that affects movie film permitting in the entire city.

Findings: The proposed text amendment meets this standard.

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

Discussion: Movie and film production can adversely affect adjacent properties. The determination of such activity; however, is administered by the Special Events Coordinator, who coordinates permitting and considers issues extending beyond the scope of the zoning ordinance. The proposed text amendment merely removes a requirement from the Zoning Code that is better addressed in another section of the City code: Chapter 21A.3.50 *Commercially Related Special Events and Free Expression*. This code is currently under revision and is in a draft format for staff review. Chapter 21A.3.50 *Commercially Related Special Events and Free Expression* will include measures to insure that movie/film permitting remains a harmonious activity for the affected property owners and residents, while contributing to the economic vitality of the city.

Findings: The proposed text amendment does not currently protect property owners from the adverse effects of film and movie production. This protection cannot be addressed in the zoning ordinance, and is better administered by the Special Events Coordinator, who can coordinate efforts to insure that movie and film production does not interrupt citizens’ peaceful enjoyment of property. The proposed text amendment meets this standard.

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

Discussion: The proposed text amendment is not site specific, and is not associated with any overlay zoning districts.

Findings: The proposed text amendment meets this standard.

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

Discussion: The Planning Division staff routed the proposed text amendment to various City departments. A majority were supportive, as requests for future movie/film will have to meet City regulations relating to public facilities and services on a case-by-case basis. Salt Lake Public Utilities offered the following observations:

- All proposals for movie work in watersheds or foothill areas need to be forwarded to Public Utilities for review. This includes City Creek and the Bonneville Shoreline Trail.
- Any request for the use of property owned by Public Utilities will need to also be approved by Public Utilities.
- Taking water from fire hydrants (public or private) is not allowed. Movie companies will have to make other arrangements for water. Public Utilities can fill water trucks upon request.

Findings:

The text amendment is not site specific. Requests for movie/film will have to comply with adopted City regulations; which will address the need for increased services at any location, and will be coordinated and administered by the Events Coordinator. The text amendment meets this standard.

RECOMMENDATION: The Planning Division recommends that the Planning Commission forward a positive recommendation to the City Council for adoption of the proposed text amendment.

Attachments: Exhibit 1 - Other Division Recommendations. Exhibit 2 – Public Inquiries.

Exhibit 1
Other Division Recommendations

Giraud, Elizabeth

From: Walsh, Barry
Sent: Wednesday, December 15, 2004 10:09 AM
To: Giraud, Elizabeth
Cc: Brown, Ken; Smith, Craig; Stewart, Brad; Young, Kevin
Subject: RE: zoning text change for movie/film permits
Categories: Program/Policy

Elizabeth

I have talked with Scott Vaterlaus and he has no objections. They work thru Shawn and are in the loop.

I have only seen one or two in the past 15 years of DRT and see no reason for the extra process.

Barry

From: Giraud, Elizabeth
Sent: Monday, December 13, 2004 6:15 PM
To: Stewart, Brad; Butcher, Larry; Goff, Orion; Walsh, Barry; Larson, Bradley; Smith, JR; Guess, Kim; Johnson, Linda
Cc: Ferguson, Boyd; Graham, Rick; McDonough, Shawn; LoPiccolo, Kevin
Subject: zoning text change for movie/film permits

Greetings:

The Planning Division is processing a petition for a zoning text change to modify Chapter 21A.42.070 (E) of the zoning ordinance addressing the review of movie/film locations. The new text would shift the review responsibility from the Development Review Team to the City Staff that regulates Special Events. Because the Special Events Coordinator, Shawn McDonough, already administers the movie/film permitting process, the Planning Division finds that including language in the zoning ordinance and requiring DRT review is redundant. A reference to filming would still be included in Chapter 21A.42.070 *Permitted Temporary Uses*, but the language would refer interested parties to Chapter 21A.3.50 *Commercially Related Special Events and Free Expression*. Boyd Ferguson, attorney, is drafting text for revisions to 21A.3.50. The status of this text is still under review at the staff level. At any rate, the Planning Division views the following text change as a "housekeeping" item to remove a redundant process from the zoning ordinance that is better handled through the Special Events Coordinator's office.

The proposed text change is as follows:

- E. **Movie/Film Locations:** Movie/film locations are ~~permitted~~ allowed in all zoning districts subject to ~~approval of the development review team, with specific approvals from the Salt Lake City division of transportation and police departments~~ the obtaining of a filming permit pursuant to Article V of Chapter 3.50 of this code.

This petition was initiated by the Planning Commission, at the request of the Planning Division. Please email me with any comments you might have via email at Elizabeth.giraud@slcgov.com. If you have questions, I can be reached at 535-7128.

12/15/2004

Thank you for your attention to this request.

Elizabeth Giraud, AICP
Planning Programs Supervisor

Giraud, Elizabeth

From: Stewart, Brad
Sent: Tuesday, December 14, 2004 12:21 PM
To: Giraud, Elizabeth; Butcher, Larry; Goff, Orion; Walsh, Barry; Larson, Bradley; Smith, JR; Guess, Kim; Johnson, Linda
Cc: Ferguson, Boyd; Graham, Rick; McDonough, Shawn; LoPiccolo, Kevin; Ward, Thomas; Garcia, Peggy; Cowles, Vicki
Subject: RE: zoning text change for movie/film permits
Categories: Program/Policy

Elizabeth,

Salt Lake Public Utilities has no objection to the proposed change but offers the following comments:

- All proposals for movie work in watersheds or foothill areas need to be forwarded to PU for review. This includes City Creek and the Bonneville Shoreline Trail.
- Any request for the use of property owned by PU will need to also be approved by PU.
- Taking water from fire hydrants (public or private) is not allowed. Movie companies will have to make other arrangements for water. PU can fill water trucks upon request.

Will you forward these comments to the Special Events Coordinator?

Thanks,

Brad

From: Giraud, Elizabeth
Sent: Monday, December 13, 2004 6:15 PM
To: Stewart, Brad; Butcher, Larry; Goff, Orion; Walsh, Barry; Larson, Bradley; Smith, JR; Guess, Kim; Johnson, Linda
Cc: Ferguson, Boyd; Graham, Rick; McDonough, Shawn; LoPiccolo, Kevin
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Thank you for your attention to this request.

Elizabeth Giraud, AICP
Planning Programs Supervisor

Giraud, Elizabeth

From: Butcher, Larry
Sent: Tuesday, December 14, 2004 7:15 AM
To: Giraud, Elizabeth; Stewart, Brad; Goff, Orion; Walsh, Barry; Larson, Bradley; Smith, JR; Guess, Kim; Johnson, Linda
Cc: Ferguson, Boyd; Graham, Rick; McDonough, Shawn; LoPiccolo, Kevin
Subject: RE: zoning text change for movie/film permits
Categories: Program/Policy

I support this change.

LB

From: Giraud, Elizabeth
Sent: Monday, December 13, 2004 6:15 PM
To: Stewart, Brad; Butcher, Larry; Goff, Orion; Walsh, Barry; Larson, Bradley; Smith, JR; Guess, Kim; Johnson, Linda
Cc: Ferguson, Boyd; Graham, Rick; McDonough, Shawn; LoPiccolo, Kevin
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Thank you for your attention to this request.

1/17/2005

Giraud, Elizabeth

From: Guess, Kim
Sent: Tuesday, December 14, 2004 7:40 AM
To: Giraud, Elizabeth
Subject: RE: zoning text change for movie/film permits

Sounds good to me - KIM

From: Giraud, Elizabeth
Sent: Monday, December 13, 2004 6:15 PM
To: Stewart, Brad; Butcher, Larry; Goff, Orion; Walsh, Barry; Larson, Bradley; Smith, JR; Guess, Kim; Johnson, Linda
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Elizabeth Giraud, AICP
 Planning Programs Supervisor

Exhibit 2
Public Inquiries

Giraud, Elizabeth

From: Jilene Whitby [jwhitby@utah.gov]
Sent: Friday, December 17, 2004 9:20 AM
To: Giraud, Elizabeth
Subject: 1-3-05

Open house regarding change in ordinance regarding filming location notifications. Is this on the web or can you email this so I can review and share it with our council?

Giraud, Elizabeth

From: Jilene Whitby [jwhitby@utah.gov]
Sent: Monday, December 20, 2004 8:54 AM
To: Giraud, Elizabeth
Subject: Re: proposed text change

Thank you.

>>> "Giraud, Elizabeth" <Elizabeth.Giraud@slcgov.com> 12/19/2004
12:51:27 PM >>>

Ms. Whitby:

The proposed text change is very simple:

21A.42.070 Movie/Film Locations: Movie/film locations are permitted allowed in all zoning districts subject to approval of the development review team, with specific approvals from the Salt Lake City division of transportation and police departments the obtaining of a filming permit pursuant to Article V of Chapter 3.50 of this code.

The proposed text change will be addressed at the open house on January 3, 2005, from 5:30 p.m. to 6:30 p.m. in Room 542 of the City and County Building.

Sincerely,

Elizabeth Giraud, AICP
Planning Programs Supervisor

Exhibit 5c

**PLANNING COMMISSION
AGENDAS/MINUTES**

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SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, January 26, 2005

Present from the Planning Commission were Chairperson Tim Chambless, Vice Chairperson Laurie Noda, Craig Galli, Babs De Lay, John Diamond, Peggy McDonough, Prescott Muir, Kathy Scott, and Jennifer Seelig.

Present from the Planning Division Staff were Deputy (Acting) Planning Director Doug Wheelwright, Planning Programs Supervisor Cheri Coffey, Zoning Administrator Kevin LoPiccolo, Senior Planner Elizabeth Giraud, Principal Planner Ray McCandless, Principal Planner Wayne Mills, and Acting Planning Commission Secretary Shirley Jensen.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson Chambless called the meeting to order at 5:45 p.m. Minutes are presented in agenda order and not necessarily as cases were heard by the Planning Commission. Tapes of the meeting will be retained in the Planning Office for a period of one year, after which they will be erased.

PUBLIC HEARINGS

PUBLIC HEARING – Petition No. 400-04-18, by the Salt Lake City Planning Commission, requesting a modification to the Zoning Ordinance to address the review of movie/film locations. The proposed text would shift the review responsibility from the Development Review Team to the City Special Events Staff.

(This item was heard at 5:52 P.M.)

Planner Elizabeth Giraud explained that the petition was a “house keeping” matter. She said that the proposed change would shift the review responsibility from the City’s Development Review Team (DRT) to the City Staff who regulates Special Events. Ms. Giraud noted that because the Special Events Coordinator, an employee of the Public Services Department, already administers the movie/film permitting process, the Planning Division found that the language in the zoning ordinance and requiring DRT review is redundant. Also, she said that the responsibilities associated with the movie/film permitting extend beyond the scope of the zoning ordinance; however reference would still be included in zoning ordinance. Ms. Giraud stated that Mr. Boyd Ferguson, from the City Attorney’s office, who is working on the revisions, as well as Ms. Shawn McDonough, the Special Events permitting Staff, were in attendance. Ms. Giraud concluded by saying that the majority of other pertinent departments concurred with the revision. She added that Public Utilities offered additional observations.

Chairperson Chambless asked who constituted the membership of the Development Review Team and the City Events Staff. Ms. Giraud said that the DRT is triggered by

requests for building permits and composed by a representative from Transportation, Engineering, Permitting, Zoning, and Public Utilities. She said that Ms. McDonough coordinates movie/film and special events permitting.

Ms. Giraud suggested that Ms. Shawn McDonough respond to a question asked by Commissioner McDonough. Ms. McDonough said that Public Utilities would be involved with the permitting process if the request for a permit involved the use of property owned by Public Utilities.

There was no one from the respective Community Council or public to speak to the issue.

The public hearing was closed to public comment and there was no further discussion.

Motion for Petition #400-04-18

Commissioner De Lay moved to forward a positive recommendation to the City Council for the adoption of the proposed text amendment, as presented to the Planning Commission in the staff report. Commissioner Noda seconded the motion. Commissioner De Lay, Commissioner Diamond, Commissioner Galli, Commissioner McDonough, Commissioner Noda, Commissioner Muir, Commissioner Scott, and Commissioner Seelig voted "Aye". Chairperson Chambless did not vote. The motion passed.

APPROVAL OF MINUTES FOR WEDNESDAY, JANUARY 12, 2005

(This item was heard at 5:47 P.M.)

Commissioner Scott moved for the Planning Commission to approve the minutes, as presented. Commissioner De Lay seconded the motion. Commissioner De Lay, Commissioner Galli, Commissioner Noda, Commissioner Muir, Commissioner Scott, and Commissioner Seelig voted "Aye". Commissioner Diamond and Commissioner McDonough abstained. Chairperson Chambless did not vote. The motion passed.

REPORT OF THE CHAIR AND VICE CHAIR

(This item was heard at 5:48 P.M.)

Chairperson Chambless explained that he and Vice Chairperson Noda had not met since their last report, and they had no matters to report at this time. He noted that he did not have a confirmation date to meet with the Chairperson and Vice Chairperson of the City Council.

REPORT OF THE PLANNING DIRECTOR

(This item was heard at 5:49 P.M.)

Mr. Wheelwright announced that Mr. Louis Zunguze, Planning Director, and Mr. Brent Wilde, Deputy Planning Director, were attending a "Smart Growth Conference" with the Mayor in Miami, Florida. He mentioned that Ms. Cheri Coffey and Mr. Kevin LoPiccolo were in attendance to assist in any technical matter if needed.

Mr. Wheelwright pointed out the copy of the memorandum which was a brief statement about the settlement negotiations with Romney Lumber Company on the 300 acres of property located east of the Benchmark Subdivision. He added that the Planning Office was awaiting a new draft of the settlement agreement from the Romney's legal representative.

Mr. Wheelwright stated that the Planning Commission Policies and Procedures were approved at the last Planning Commission meeting and a formal copy was provided to Commissioner Chambless, Chairperson, for his signature. He reminded the Commission that the new policies are now in place and will be followed.

In answer to questions regarding the American Planning Association (APA) Annual Conference in San Francisco, Mr. Wheelwright said that there was enough money in the budget to send one Planning Commissioner, and the decision would be made Tuesday, as to which Commissioner would be invited to attend.

Mr. Wheelwright introduced the new Planning Commission Secretary, Ms. Andrea Curtis, to the Commissioners and Staff. He noted that Ms. Curtis will start Monday, January 31, 2005.

PUBLIC NOTICE AGENDA – Salt Lake City Property Conveyance Matters

(These items were heard at 5:51 P.M.)

- a. PRISA Hotel LLC and Salt Lake City Property Management Division - PRISA Hotel LLC has purchased the Hotel Monaco and is requesting that they be allowed to continue the encroachment rights, previously granted under a long term lease agreement with the City, by entering into a new lease agreement with the City, for the existing under sidewalk vaults on both 200 South Street and on Main Street, as well as for 14 overhead window canopies. The Hotel Monaco is located at 202 South Main Street, and has been purchased by PRISA Hotel LLC, and is located within the Central Business District D-1 zoning district. Property Management intends to approve the new lease to allow the existing encroachments to continue with the new ownership.

- b. Petty Investments and Salt Lake City Property Management Division - Petty Investments is requesting approval of a new lease agreement to allow new encroachments, in the form of two decorative columns being added as architectural elements to the face of the existing building located at 26 East 600 South Street, which are proposed to encroach approximately three (3) feet into

the 600 South Street right-of-way. The existing building is currently located abutting the street right-of-way line, and is being remodeled for a new tenant. The property is located within the Central Business District D-1 zoning district. Property Management intends to approve the lease request to allow the proposed encroachments.

It was noted that these items are published for the benefit of the public and no action is required by the Planning Commission. Any public comments or concerns may be directed to the respective department managing the project. Chairperson Chambless asked if anyone on the Commission or from the public had any questions or wished to comment on the public notice agenda items. Hearing none, Chairperson Chambless moved to the first public hearing.

PUBLIC HEARINGS

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Motion for Petition #400-04-18

Commissioner De Lay moved to forward a positive recommendation to the City Council for the adoption of the proposed text amendment, as presented to the Planning Commission in the staff report. Commissioner Noda seconded the motion. Commissioner De Lay, Commissioner Diamond, Commissioner Galli, Commissioner McDonough, Commissioner Noda, Commissioner Muir, Commissioner Scott, and Commissioner Seelig voted "Aye". Chairperson Chambless did not vote. The motion passed.

Exhibit 6

**OPEN HOUSE NOTICE AND
POSTMARK**

A. LOUIS ZUNGUZE
PLANNING DIRECTOR

BRENT B. WILDE
DEPUTY PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP
DEPUTY PLANNING DIRECTOR

SALT LAKE CITY CORPORATION
COMMUNITY DEVELOPMENT
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON
MAYOR

December 16, 2004

NOTICE OF OPEN HOUSE

The Salt Lake City Planning Commission has initiated a Petition requesting to modify Chapter 21A.42.070(E) of the Salt Lake City Zoning ordinance addressing the review of movie/film locations. The new text would shift the review responsibility from the Development Review Team to the City Staff that regulates Special Events.

The Planning Staff would like to receive your input regarding this proposal and invites you to a public open house:

Monday, January 3, 2005
Salt Lake City & County Building
451 South State Street
Room 542 (Roger Cutler Conference Room)
Between the hours of 5:30 and 6:30 p.m.

Since it is very difficult for us to inform all interested parties about this request, we would appreciate you discussing this matter with your neighbors and informing them of the open house.

If you have any questions on this issue, please call Elizabeth Giraud (535-7128) or email Elizabeth.giraud@slcgov.com

Respectfully, -



Elizabeth Giraud, AICP
Planning Programs Supervisor

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

A. LOUIS ZUNGUZE
PLANNING DIRECTOR

BRENT B. WILDE
DEPUTY PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP
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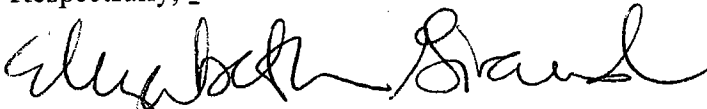
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Planning Programs Supervisor

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Exhibit 7

ORIGINAL PETITION

PETITION CHECKLIST

<u>Date</u>	<u>Initials</u>	<u>Action Required</u>
<u>4/23/04</u>	<u>EMH</u>	Petition delivered to Planning
_____	_____	Petition assigned to: <u>Elizabeth Grand</u>
<u>1/20/05</u>	<u>EMH</u>	Planning Staff or Planning Commission Action Date
_____	_____	Return Original Letter and Yellow Petition Cover
<u>2/7/05</u>	<u>EMH</u>	Chronology
<u>W/a</u>	_____	Property Description (marked with a post it note)
<u>W/a</u>	_____	Affected Sidwell Numbers Included
<u>2/7/05</u>	<u>EMH</u>	Mailing List for Petition, include appropriate Community Councils
<u>2/7/05</u>	<u>EMH</u>	Mailing Postmark Date Verification
_____	_____	Planning Commission Minutes
<u>1/2/05</u>	<u>EMH</u>	Planning Staff Report
<u>2/7/05</u>	<u>EMH</u>	Cover letter outlining what the request is and a brief description of what action the Planning Commission or Staff is recommending.
<u>1/25/05</u>	<u>EMH</u>	Ordinance Prepared by the Attorney's Office
<u>2/10/05</u>	<u>EMH</u>	Ordinance property description is checked, dated and initialed by the Planner. Ordinance is stamped by Attorney.
<u>Elizabeth Grand</u>	_____	Planner responsible for taking calls on the Petition
_____	_____	Date Set for City Council Action _____
_____	_____	Petition filed with City Recorder's Office

REMARKS

Petition No. 400-04-18

By Planning Commission

Is requesting a petition to modify Zoning Ordinance to address the review of movie/film locations, to shift the review responsibility from the Development Review Team to the City Staff that regulates Special Events.

Date Filed _____

Address _____