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# SALT LAKE CITY COUNCIL STAFF REPORT

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**DATE:** October 14, 2005

**SUBJECT:** Petition 400-05-20 – City council request to create a new zoning district limited to natural open space

**AFFECTED COUNCIL DISTRICTS:** If the ordinance is adopted the Zoning Ordinance will affect Council Districts citywide

**STAFF REPORT BY:** Janice Jardine, Land Use Policy Analyst

**ADMINISTRATIVE DEPT. AND CONTACT PERSON:** Community Development Department, Planning Division  
Ray McCandless, Principal Planner

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

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## KEY ELEMENTS:

- A. On May 31, 2005 the Council initiated a Legislative Action requesting the Administration to create a new zoning district limited to natural open space and consider rezoning all or part of the North Salt Lake property, the adjacent Hunter/Bates property and portions of the Lakeview and Staker properties as natural open space.
- B. The Administration's transmittal notes that the Council's request has been split into two components: 1) the creation of a new Natural Open Space zoning district and 2) rezoning property. The proposal before the Council applies only to establishing the Natural Open Space zoning district as part of the Zoning Ordinance. The recommendation relating to rezoning properties will be provided at a later date.
- C. Two ordinances have been prepared for Council consideration:
  1. Creating a Natural Open Space District, and
  2. Amending the Table of Permitted and Conditional Uses for Special Purpose Zoning Districts.
- D. The proposed Natural Open Space zoning district includes the following sections:
  1. Purpose: To protect and ensure stewardship over important natural open land areas of Citywide or regional importance.
  2. Definition: Natural open space areas are lands which are principally undeveloped with near native vegetation and may include environmentally sensitive areas; areas of geologic significance; wetlands; stream corridors; foothills; mountains; shore lands; uplands and areas of significant wildlife habitat.
  3. Uses: Permitted activities in this district are limited to ecosystem management, conservation and passive recreational uses.

- E. The Table of Permitted and Conditional uses allows the following as permitted uses:
  1. Natural open space and conservation areas
  2. Nature preserves/conservation areas, public and private
  3. Trails and trailheads without parking lots and directional and informational signage specific to trail usage.
  
- E. On July 19, 2005, an open house was held to gather public input regarding the proposed zoning district and rezoning of properties. The Planning staff report notes items discussed included:
  1. Concern that the rezoning is specific to the North Salt Lake and Staker properties.
  2. Takings issues relating to the proposed rezoning and that the rezoning was an attempt to devalue the properties.
  3. Support of the new ordinance and rezoning.
  4. Recommended extending the rezoning to include other properties in the City such as Miller Park.
  
- F. On July 13, 2005, the Open Lands Board reviewed the proposed zoning district and rezoning of properties. The Board unanimously supported the creation of the new zoning district and property rezoning.
  
- G. On August 24 and September 14, 2005, the Planning Commission reviewed the proposed zoning district and received public comment. The Planning Commission voted to forward a favorable recommendation to the Council for the creation of the proposed Natural Open Space zoning district. Issues discussed at the hearing included:
  1. Concerns related to application of the proposed zoning district to private properties.
  2. The restrictive nature of the proposed zoning language and the elimination of many of the uses permitted in the existing Open Space zoning district.

## **MASTER PLAN AND POLICY CONSIDERATIONS:**

- B. The Administration notes that many of the City’s zoning districts currently allow “natural open space and conservation areas” as a permitted use. However, the districts also allow other types of uses that are not specific to the preservation of the City’s natural open spaces. The current Open Space zoning district, for example, allows golf courses, parks, private recreational facilities and country clubs as permitted uses.
  
- C. The City’s recently adopted Open Lands Ordinance notes:
  1. The need to protect diminishing open lands within Salt Lake City or its environs.
  2. The City has adopted an Open Space Master Plan to identify, protect and manage open lands.
  3. The City's general plan, zoning ordinance and site development ordinance recognize the need to protect the unique values offered by wetlands, foothills and urban trails.
  
- D. The 1992 Open Space Master Plan identifies a system of non-motorized transportation corridors that would re-establish connections between urban and natural land forms of the City. The Plan discusses the value of open space including recreational opportunities and preservation of wildlife habitat, wetlands, riparian and stream corridors, and the foothills. The Plan identifies the following goals:
  1. Conservation of the natural environment.
  2. Enhancement of open space amenities.
  3. Connecting various parts of the City to natural environments.
  4. Educating citizens on proper use of open space.

- E. Several adopted community master plans and small area plans contain policies and recommendations that emphasize for preservation, acquisition, protection, maintenance and management of watershed, foothills, wetlands, wildlife habitat, riparian/stream corridors, and natural open spaces. Implementation strategies include a range of options such as refining zoning regulations relating to open lands.
- F. The City’s Strategic Plan and the Futures Commission Report express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting, but not at the expense of minimizing environmental stewardship or neighborhood vitality. 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.

**CHRONOLOGY:**

The Administration’s transmittal provides a chronology of events relating to the proposed rezoning. Key dates are listed below. Please refer to the Administration’s chronology for details.

- May 31, 2005 Council Legislative Action initiated
- July 19, 2005 Planning Open House
- Aug. 24 & Sept. 14, 2005 Planning Commission hearing
- Aug. 29, 2005 Ordinances requested from City Attorney
- Sept. 19, 2005 Ordinances received from City Attorney
- Sept. 21, 2005 Transmittal paperwork completed by Planner
- Oct. 4, 2005 Transmittal paperwork received in Council office

cc: Sam Guevara, Rocky Fluhart, DJ Baxter, Lisa Romney, Rick Graham, LeRoy Hooton, Jeff Niermeyer, Ed Rutan, Lynn Pace, Louis Zunguze, Brent Wilde, Alex Ikefuna, Doug Wheelwright, Ray McCandless, Jan Aramaki, Marge Harvey, Sylvia Jones, Lehua Weaver, Barry Esham, Annette Daley, Gwen Springmeyer

File Location: Community Development Dept., Planning Division, Zoning Text Amendment – Natural Open Space Special Purpose Zoning District

A. LOUIS ZUNGUZE  
DIRECTOR

BRENT B. WILDE  
DEPUTY DIRECTOR

# SALT LAKE CITY CORPORATION

DEPT. OF COMMUNITY DEVELOPMENT  
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON  
MAYOR

## COUNCIL TRANSMITTAL

**TO:** Rocky Fluhart, Chief Administrative Officer *RF* **DATE:** September 29, 2005  
**FROM:** Louis Zunguze, Community Development Director *Louis Zunguze by Brent Wilde*  
**RE:** Petition 400-05-20 by the Salt Lake City Council requesting to create a new zoning district limited to Natural Open Space (NOS).

**STAFF CONTACT:** McCandless, Principal Planner, 535-7282 or  
ray.mccandless@slcgov.com

**DOCUMENT TYPE:** Ordinance

**BUDGET IMPACT:** None

### DISCUSSION:

On May 31, 2005, at the public hearing on the North Salt Lake 80 acre disconnection request, the City Council initiated petition number 400-05-20 to create a new zoning district limited to natural open space and to consider rezoning properties located on the high bench area above Beck Street as natural open space.

The City Council's request has been split into two components: (1) creation of the new Natural Open Space (NOS) zoning district; and (2) rezoning property. **This transmittal applies only to the implementation of the Natural Open Space (NOS) ordinance.** The rezoning of the property will occur at a later date.

Attached for City Council review are two ordinances. Both are text amendments to the zoning ordinance. One ordinance creates the zoning district, including the purpose statement, definition, and uses. The second ordinance amends Table 21A.32.140 Table of Permitted and Conditional Uses for Special Purpose Districts.

**Public Process:** Given the City-wide implications of the ordinance text amendment, an Open House was held on July 19, 2005, to gather public input and meet Community Council notification requirements. The comments raised at the Open House are included with the accompanying Staff report.

The proposed Natural Open Space zoning district text language was reviewed by the Planning Commission at public hearings held on August 24, 2005, and September 14, 2005. At the September 14, 2005, meeting, the Planning Commission voted to forward a favorable recommendation to the City Council that the zoning text amendment creating the new Natural Open Space zoning district be adopted.

**Section 21A.10 - General Application and Public Hearing Procedures of the Salt Lake City Zoning Ordinance** requires that the legislative body hold advertised public hearings for zoning text amendments. Newspaper advertised notice is required prior to consideration by the City Council. A draft notice has been provided in this transmittal packet.

**RELEVANT ORDINANCES:**

**Zoning Text Amendment:**

Section 21A.10 - General Application and Public Hearing Procedures

Section 21A.50.050 - Standards for General Amendments

Section 21A.32 - Special Purpose Districts

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5. Staff Report for the August 24, 2005 and September 14, 2005 Planning Commission Meetings.
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7. Planning Commission Public Hearing Notices.

## **1. CHRONOLOGY**



## **PROJECT CHRONOLOGY**

- June 14, 2005 Petition Received.
- June 16, 2005 Petition assigned.
- June 17, 2005 Request for City Departmental comments mailed.
- June 24, 2005 Notices for the July 19, 2005 Open House mailed.
- July 19, 2005 Open House.
- August 9, 2005 Notices for the August 24, 2005 Planning Commission hearing mailed.
- August 24, 2005 Planning Commission Hearing.
- August 30, 2005 Notices for the September 14, 2005 Planning Commission hearing mailed.
- September 14, 2005 Planning Commission Hearing.
- August 29, 2005 Ordinances requested from the City Attorney.
- September 19, 2005 Ordinances received from the City Attorney.
- September 21, 2005 City Council Transmittal Completed by the project Planner.

## **2. ORDINANCES**

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2005  
(Creating A Natural Open Space District)

AN ORDINANCE ADOPTING SECTION 21A.32.105, *SALT LAKE CITY CODE*,  
CREATING A NATURAL OPEN SPACE DISTRICT, PURSUANT TO PETITION NO. 400-  
05-20.

WHEREAS, the Planning Commission and the City Council of Salt Lake City, Utah, have held public hearings and have taken into consideration citizen testimony, filing, the long range general plans of the City, and any local master plan as part of their deliberations. Pursuant to these deliberations, the City Council has concluded that the proposed ordinance regarding the Natural Open Space District should be adopted; and

WHEREAS, the proposed ordinance is consistent with the purposes, goals, objectives and policies of the adopted general plan of Salt Lake City; and

WHEREAS, the proposed ordinance will enhance Salt Lake City's ability to delineate more precisely the different types of open space in the City's Master Plans and preserve the natural areas of the city.

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

SECTION 1. That Section 21A.32.105 of the Salt Lake City Code shall be and hereby is enacted to read as follows:

**Section 21A.32.105 NOS Natural Open Space District:**

A. **Purpose Statement:** The purpose of the NOS Natural Open Space District is to protect and ensure stewardship over important natural open land areas of City-wide or regional importance.

B. **Definition:** Natural open space areas are lands which are principally undeveloped with near native vegetation and may include environmentally sensitive areas; areas of geologic significance; wetlands; stream corridors; foothills; mountains; shorelands; uplands and areas of significant wildlife habitat.

C. **Uses:** Permitted activities in this district are limited to ecosystem management, conservation and passive recreational uses as listed in Table 21A.32.140, entitled "Table of Permitted and Conditional Uses for Special Purpose Districts."

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 \_\_\_\_\_.

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date September 20, 2005  
By Melanie Beif

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

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CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2005.

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

I:\Ordinance 05\Adopting 21A.32.105 Natural Open Space District - 09-20-05 clean.doc

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2005  
(Amending Table 21A.32.140)

AN ORDINANCE AMENDING TABLE 21A.32.140, *SALT LAKE CITY CODE*,  
PERTAINING TO PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE  
DISTRICTS, PURSUANT TO PETITION NO. 400-05-20.

WHEREAS, the Planning Commission and the City Council of Salt Lake City, Utah, have held public hearings and have taken into consideration citizen testimony, filing, the long range general plans of the City, and any local master plan as part of their deliberations. Pursuant to these deliberations, the City Council has concluded that the proposed change in Table 21A.32.140 to allow natural open space and conservation areas as well as public and private nature preserves and conservation areas as permitted uses in the Natural Open Space District is appropriate for the development of the community in that district.

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

SECTION 1. That the table, entitled Table of Permitted and Conditional Uses for Special Purpose Districts, which is located at Section 21A.32.140 of the *Salt Lake City Code*, shall be and hereby is, amended, in part, to allow natural open space and conservation areas as well as public and private nature preserves and conservation areas as permitted uses in the Natural Open Space District as set forth in the attached Exhibit "A."

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

(SEAL)

Bill No. \_\_\_\_\_ of 2005.  
Published: \_\_\_\_\_.

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date September 12, 2005  
By Yvonne H. Hays

**EXHIBIT A**

*Existing Table 21A.32.140 "Table Of Permitted And Conditional Uses For Special Purpose Districts:" (Partial Table)*

LEGEND	PERMITTED AND CONDITIONAL USES SPECIAL PURPOSE DISTRICTS			
	AG-5	AG-20	OS	A
C=Conditional Use P = Permitted Use				
Natural open space and conservation areas	P	P	P	
Nature preserves/conservation areas, public and private	P	P	P	

*Proposed Table 21A.32.140 "Table Of Permitted And Conditional Uses For Special Purpose Districts:" (Partial Table)*

**Note: The new NOS zone is inserted between the existing Open Space District and Airport District.**

LEGEND	PERMITTED AND CONDITIONAL USES SPECIAL PURPOSE DISTRICTS				
	AG-5	AG-20	OS	NOS	A
C=Conditional Use P = Permitted Use					
Natural open space and conservation areas	P	P	P	P <sup>9</sup>	
Nature preserves/conservation areas, public and private	P	P	P	P <sup>9</sup>	

**9. Trails and trailheads without parking lots and directional and informational signage specific to trail usage shall be permitted.**



### **3. NOTICES OF CITY COUNCIL PUBLIC HEARING**

**3. A. NOTICE OF CITY COUNCIL HEARING  
- POSTING AND MAILING DRAFT**

Posted \_\_\_\_\_  
By \_\_\_\_\_

**NOTICE OF PUBLIC HEARING**

On \_\_\_\_\_, the Salt Lake City Council will hold a public hearing to consider petition number 400-05-20, a request by the Salt Lake City Council to amend the text of the Salt Lake City Zoning Ordinance to create a new zoning district limited to natural open space.

The City Council is holding an advertised public hearing to receive comments regarding the petition request. 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 and County Building  
451 South State Street  
Salt Lake City

If you have any questions relating to this proposal, please attend the meeting or call Mr. Ray McCandless at 535-7282, Monday through Friday.

**3. B. NOTICE OF PUBLIC HEARING NEWSPAPER  
PUBLICATION TRANSMITTAL**

## MEMORANDUM

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To: Lynn Valdez  
Newspaper Corporation  
From: Salt Lake City Council's Office  
Re: **SPECIAL NOTICES - 010 - CLASSIFIED ADS**  
Date:

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Please run the following ad, one time only, on \_\_\_\_\_, in both papers

### NOTICE OF PUBLIC HEARING

On \_\_\_\_\_, the Salt Lake City Council will hold a public hearing to consider petition number 400-05-20, a request by the Salt Lake City Council to amend the text of the Salt Lake City Zoning Ordinance to create a new zoning district limited to natural open space.

The public meeting of the City Council begins at \_\_\_\_\_ p.m. in Room \_\_\_\_\_, City and County Building, 451 South State Street, Salt Lake City, Utah. For more information or special arrangements, call Mr. Ray McCandless at 535-7282.

### **3. C. MAILING LIST AND LABELS**

**COMMUNITY COUNCIL CHAIRS:**

Updated: 7/19/2005 sj

KEN FUTZ, CHAIR  
WEST POINTE COMM. COUNCIL  
1217 NO. BRIGADIER CIRCLE  
SALT LAKE CITY, UT 84116

KENNETH L. NEAL, CHAIR  
ROSE PARK COMMUNITY COUNCIL  
1071 NO. TOPAZ DR.  
SALT LAKE CITY, UT 84116

ANGIE VORHER, CHAIR  
JORDAN MEADOWS COMM. COUNCIL  
1988 SIR JAMES DRIVE  
SALT LAKE CITY, UT 84116

VICKY ORME, CHAIR  
FAIRPARK COMM. COUNCIL  
159 NORTH 1320 WEST  
SALT LAKE CITY, UT 84116

MIKE HARMAN, CHAIR  
POPLAR GROVE COMM. COUNCIL  
1044 WEST 300 SOUTH  
SALT LAKE CITY, UT 84104

RANDY SORENSON, CHAIR  
GLENDALE COMMUNITY COUNCIL  
1184 SO. REDWOOD DRIVE  
SALT LAKE CITY, UT 84104-3325

PETER VON SIVERS, CHAIR  
CAPITOL HILL COMMUNITY COUNCIL  
223 WEST 400 NORTH  
SALT LAKE CITY, UT 84103

JILL VAN LANGEVELD, CHAIR  
GRTR. AVENUES COMM. COUNCIL  
807 E. NORTHCLIFFE DRIVE  
SALT LAKE CITY, UT 84103

BILL DAVIS, CHAIR  
RIO GRANDE COMMUNITY COUNCIL  
329 E. HARRISON AVENUE  
SALT LAKE CITY, UT 84115

BILL PLASTOW, CHAIR  
PEOPLES FREEWAY COMM. COUNCIL  
1625 SOUTH WEST TEMPLE  
SALT LAKE CITY, UT 84115

THOMAS MUTTER, CHAIR  
CENTRAL CITY COMMUNITY COUNCIL  
228 EAST 500 SOUTH, #100  
SALT LAKE CITY, UT 84111

DENNIS GUY-SELL, CHAIR  
EAST CENTRAL COMMUNITY  
COUNCIL  
P.O. BOX 520473  
SALT LAKE CITY, UT 84152-0473

BRIAN WATKINS, CHAIR  
LIBERTY WELLS COMM. COUNCIL  
1744 SOUTH 600 EAST  
SALT LAKE CITY, UT 84106

JIM WEBSTER, CHAIR  
YALECREST COMMUNITY COUNCIL  
938 MILITARY DRIVE  
SALT LAKE CITY, UT 84108-1326

MARYDELLE GUNN, CHAIR  
WASATCH HOLLOW  
COMMUNITY COUNCIL  
1595 SOUTH 1300 EAST  
SALT LAKE CITY, UT 84105

LARRY SPENDLOVE, CHAIR  
SUNNYSIDE EAST ASSOCIATION  
2114 E. HUBBARD AVENUE  
SALT LAKE CITY, UT 84108

ELLEN REDDICK, CHAIR  
BONNEVILLE HILLS  
COMMUNITY COUNCIL  
2177 ROOSEVELT AVE.  
SALT LAKE CITY, UT 84108

DAVE MORTENSEN, CHAIR  
ARCADIA HEIGHTS/BENCHMARK  
COMMUNITY COUNCIL  
2278 SIGNAL POINT CIRCLE  
SALT LAKE CITY, UT 84109

MARK HOLLAND, CHAIR  
SUGAR HOUSE COMM. COUNCIL  
1942 BERKELEY STREET  
SALT LAKE CITY, UT 84105

PAM PEDERSEN, CHAIR  
EAST LIBERTY PARK  
(e-mail)

MICHAEL AKERLOW  
FOOTHILL/SUNNYSIDE  
COMMUNITY COUNCIL  
1940 E. HUBBARD AVENUE  
SALT LAKE CITY, UT 84108

PAUL TAYLER, CHAIR  
OAK HILLS COMMUNITY COUNCIL  
1165 SO. OAKHILLS WAY  
SALT LAKE CITY, UT 84108

MIKE ZUHL, CHAIR  
INDIAN HILLS COMMUNITY COUNCIL  
2676 E. COMANCHE DRIVE  
SALT LAKE CITY, UT 84108

DOUG FOXLEY, CHAIR  
ST. MARY'S COMMUNITY COUNCIL  
1449 DEVONSHIRE DRIVE  
SALT LAKE CITY, UT 84108

TIM DEE, CHAIR  
SUNSET OAKS COMMUNITY COUNCIL  
1575 DEVONSHIRE DRIVE  
SALT LAKE CITY, UT 84108

SHAWN McMILLEN, CHAIR  
H ROCK COMMUNITY COUNCIL  
1855 SOUTH 2600 EAST  
SALT LAKE CITY, UT 84108

STAKER PAVING & CONSTRUCT  
Sidwell No. 0813300010  
PO BOX 3429  
OGDEN UT 84409

~~DAVIS COUNTY PLANNING OFFICE  
ATTN. WILF SUMMERKORN  
P.O. Box 618  
FARMINGTON, UTAH 84025~~

PR

STAKER PAVING & CONSTRUCT  
Sidwell No. 0813300003  
PO BOX 3429  
OGDEN UT 84409

~~WILLIAM T. WILKIE  
203 N. VALLEY VIEW DR.  
NORTH SALT LAKE, UTAH  
84054~~

~~BONNEVILLE SHORELINE TRAIL COMMITTEE  
ATTN RICK REISE OR JIM BIENE  
P.O. Box 581136  
SALT LAKE CITY, UTAH  
84158-1136~~

STAKER & PARSON COMPANIES  
Sidwell No. 0824100003  
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~~SALT LAKE RANGER DISTRICT  
ATTN. LOREN KROENKE  
6944 S. 3000 E.  
SALT LAKE CITY, UTAH  
84121~~

SALT LAKE CITY CORPORATIO  
Sidwell No. 0824100004  
451 S STATE ST  
SALT LAKE CITY UT 84111

~~SALT LAKE CITY PLANNING  
ATTN RAY WILSON  
451 S. STATE, RM 406  
SALT LAKE CITY, UTAH  
84111~~

~~SALT LAKE RANGER DISTRICT  
ATTN. LOREN KROENKE  
6944 S 3000 E.  
SALT LAKE CITY, UTAH  
84121~~

SALT LAKE CITY CORPORATIO  
Sidwell No. 0813300011  
451 S STATE ST # 245  
SALT LAKE CITY UT 84111

~~SALT LAKE CITY PLANNING  
ATTN. BRENN WILSON  
451 S. STATE ST. RM. 406  
SALT LAKE CITY, UTAH 84111~~

SALT LAKE CITY CORP  
Sidwell No. 0824400005  
451 S STATE ST # 345  
SALT LAKE CITY UT 84111

~~SALT LAKE CITY MAYORS OFFICE  
ATTN LISA ROMNEY - MOSAC  
451 S. STATE STREET - RM. 406  
SALT LAKE CITY, UTAH 84111~~

NORTH SALT LAKE CORP.  
Sidwell No. 0813300004  
PO BOX 540208  
NORTH SALT LAKE UT 84054

~~NORTH SALT LAKE CITY PLANNING  
ATTN. ROO WOOD  
P.O. Box 540208  
NORTH SALT LAKE, UTAH  
84054~~

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CLARKE, MARY L  
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PO BOX 651643  
SALT LAKE CITY UT 84165

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Sidwell No. 0824100002  
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BATES, EDNA L; ET AL  
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1926 E ORCHARD DR  
SALT LAKE CITY UT 84106

UNITED STATES OF AMERICA  
Sidwell No. 0813400001  
125 S STATE ST # 6107  
SALT LAKE CITY UT 84138





Catherine Dunn  
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Salt Lake City, UT 84103

Richard Dougherty  
172 West Clinton Avenue  
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Scott Anderson  
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~~Charles Coltrane  
D2~~

Julie Robertson  
1218 E 600 South  
Salt Lake City, UT 84102

~~Helen Cuomo~~

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Salt Lake City, UT 84109

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Lynne Olson  
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Salt lake City, UT 84105

Robin Gross  
280 Gary Way  
North Salt Lake, UT 84054

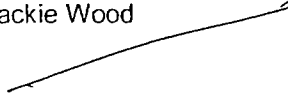
Chris Driscoll  
1593 S. 1000 E.  
Salt Lake City, UT 84105

Rhonda Devereaux  
88 Edgcombe Drive  
Salt Lake City UT 84103-2220



Bonnie Mangold  
326 Almond Street  
Salt Lake City, UT 84103

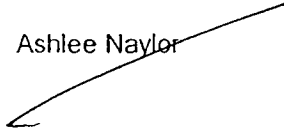
Jackie Wood



Beth Hoffman  
250 S 1100 E.  
Salt Lake City, UT 84102

John Sederquist  
7219 Ponderosa Drive  
Salt Lake City UT 84121-4961

Ashlee Naylor



Gerri Smith  
301 Gary Way  
North Salt Lake, UT 84054

Rafael A. Seminario  
281 Gary Way  
North Salt Lake, UT 84054

Daryl Arniston  
271 Gary Way  
North Salt Lake, UT 84054

Jim Morrissey  
261 Gary Way  
North Salt Lake, UT 84054

Margo Morrissey  
261 Gary Way  
North Salt Lake, UT 84054

David Christopher  
810 David Way  
North Salt Lake, UT 84054

Cassidy Christopher  
810 David Way  
North Salt Lake, UT 84054

Spring Bailey  
815 Davey Way  
North Salt Lake, UT 84054

Michael Willhard  
181 South Gary Way  
North Salt Lake, UT 84054

Tearrani Werrett  
171 Gary Way  
North Salt Lake, UT 84054

Cal Simmons and Cyndy Simmons  
290 Gary Way  
North Salt Lake, UT 84054

Myrta Gubler and Kyle Gubler  
270 Gary Way  
North Salt Lake, UT 84054

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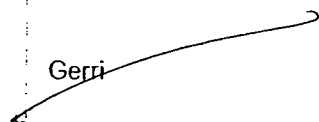
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PO Box 540208  
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Peter Von Sivers, Chair  
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Thomas Mutter, Chair  
Central City Community Council  
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Liberty Wells Community Council  
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Bill Plastow, Chair  
Peoples Freeway Community Council  
1625 South West Temple  
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Bill Davis, Chair  
Rio Grande Community Council  
329 Harrison Avenue  
Salt Lake City, UT 84115

Dave Mortensen, Chair  
Arcadia Heights/Benchmark Community  
Council  
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Salt Lake City, Utah 84109

Ellen Reddick, Chair  
Bonneville Hills Community Council  
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Salt Lake City, Utah 84108

FOOTHILL/SUNNYSIDE  
(Inactive)

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H Rock Community Council  
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Mike Zuhl, Chair  
Indian Hills Community Council  
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Doug Foxley, Chair  
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Sunnyside East Association  
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Sunset Oaks Community Council  
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Beth Bowman, Chair  
Wasatch Hollow Community Council  
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Kenneth L. Neal, Chair  
Rose Park Community Council  
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Poplar Grove Community Council  
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**4. PLANNING COMMISSION AGENDA FOR  
AUGUST 24, 2005 AND SEPTEMBER 14, 2005**

**McCandless, Ray**

**From:** slcplanningdivision@slcgov.com  
**Sent:** Wednesday, August 17, 2005 2:24 PM  
**Subject:** Amended Agenda - 08-24-05

***This newsletter was sent with automated software and is not monitored for replies. slcplanningdivision@slcgov.com is the group responsible for this newsletter.***

**AGENDA FOR THE  
 SALT LAKE CITY PLANNING COMMISSION MEETING  
 In Room 326 of the City & County Building at 451 South State Street  
 Wednesday, August 24, 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, August 10, 2005
2. **REPORT OF THE CHAIR AND VICE CHAIR**
3. **REPORT OF THE DIRECTOR**
  - a. Update **Petition 400-03-10** Shaw Homes, Inc. (R - 1/5,000 to CN) at approximately **1545 West 200 South Street and 1551 West 200 South Street**. This petition, a rezone and master plan amendment, was originally heard on May 14, 2003.
  - b. Discussion regarding LDS Church wards and parking needs in neighborhoods.
  - c. Request for Planning Commission to create a petition to allow multi-family developments in commercial and downtown districts.
  - d. Request for Planning Commission to create a petition to establish design guidelines for large retail uses.
4. **PUBLIC NOTICE AGENDA** - Salt Lake City Property Conveyance Matters (Staff: Karryn Greenleaf at 483-6769 or [karryn.greenleaf@slcgov.com](mailto:karryn.greenleaf@slcgov.com), Matt Williams at 535-6447 or [matt.williams@slcgov.com](mailto:matt.williams@slcgov.com), and Doug Wheelwright at 535-6178 or [doug.wheelwright@slcgov.com](mailto:doug.wheelwright@slcgov.com))
  - a. Cephalon, Inc. is expanding their operations within Salt Lake City and is seeking a Telecommunications Right-of-Way Permit at **4710 Wily Post Road** to connect the communications between the buildings across the street. Plans call for a perpendicular street crossing with the six 4" ducts installed via trenching (street cut design has already been approved by the Development Review Team).
5. **PUBLIC HEARINGS**
  - a. **Petition No. 400-03-34**, a request by Salt Lake City Council that the Planning Commission review additional refinement of the nonconforming use ordinance, looking specifically at guidelines and criteria to address neighborhood impacts and concerns relating to the enlargement and/or intensification of nonconforming uses. (Staff: Everett Joyce at 535-7930 or [everett.joyce@slcgov.com](mailto:everett.joyce@slcgov.com)).
  - b. **Petition No. 410-584**, from Salt Lake Apartment Builders to modify a previously approved planned development for the Emigration Court Apartments, generally located between **500 to 600 East and 300 to 400 South**. (Staff: Doug Dansie at 535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com))

**POSTPONED**



- c. **Petition No. 400-05-12**, a request initiated by the Planning Commission to review the definition of "automobile" found in Section 21A.62.060 of the Salt Lake City Zoning Ordinance, specifically considering the removal of the words "motor scooter" and "motorized bicycles" from the existing definition. (Staff: Kevin LoPiccolo at 535-6003 or kevin.lopiccolo@slcgov.com)
- d. **Petition No. 400-05-13**, a request initiated by the Planning Commission to comprehensively review all applicable regulations in the Zoning Ordinance that address the permitting of tents in both residential and commercial districts city wide. (Staff: Kevin LoPiccolo at 535-6003 or kevin.lopiccolo@slcgov.com)
- e. **Petition No. 410-753**, a request by the Housing Authority of Salt Lake City for conditional use approval of a proposed transitional treatment housing facility located at approximately **542 West 600 South**. The property is zoned CG General Commercial. (Staff: Everett Joyce at 535-7930 or everett.joyce@slcgov.com).
- f. **Petition 410-750**, by Qwest Corporation, requesting conditional use approval to install ground-mounted communication equipment cabinets at approximately **1092 North 2200 West**. The property is located in a Business Park "BP" zoning district. (Staff: Elizabeth Giraud at 535-7128 or elizabeth.giraud@slcgov.com)
- g. **Petition 400-05-11**, by the Salt Lake City Planning Division, requesting comments and a recommendation to the City Council for a text amendment to the Salt Lake City Zoning Ordinance allowing additional types of signage in the Open Space zoning district for parks that are 28 acres or larger in size. (Staff: Elizabeth Giraud at 535-7128 or elizabeth.giraud@slcgov.com)
- h. **Petition Number 490-05-10**, a preliminary subdivision approval to subdivide the existing parcel located at approximately **239 North Virginia Street** into three new single-family parcels. The project area is located in the SR-1, Special Development Pattern Residential District. (Staff: Wayne Mills at 535-6173 or wayne.mills@slcgov.com)
- i. **Petition Number 410-755**, by Architectural Nexus, representing Myriad Genetics, requesting conditional use approval to allow additional building height for a proposed research laboratory located in the Research Park (RP) zoning district at approximately **320 South Wakara Way**. (Staff: Ray McCandless at 535-7282 or ray.mccandless@slcgov.com)
- \* j. **Petition Number 400-05-20**, the Salt Lake City Council requesting to create a new zoning district limited to natural open space (Natural Open Space, NOS zone). (Staff: Ray McCandless at 535-7282 or ray.mccandless@slcgov.com)

## 6. UNFINISHED BUSINESS

**McCandless, Ray**

**From:** slcplanningdivision@slcgov.com  
**Sent:** Tuesday, August 30, 2005 3:30 PM  
**Subject:** PC Agenda for 09-14-05

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slcplanningdivision@slcgov.com is the group responsible for this newsletter.***

**AGENDA FOR THE  
 SALT LAKE CITY PLANNING COMMISSION MEETING  
 In Room 326 of the City & County Building at 451 South State Street  
 Wednesday, September 14, 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, August 24, 2005**2. REPORT OF THE CHAIR AND VICE CHAIR****3. REPORT OF THE DIRECTOR**

- a. Petition for mapping Fine Tuning Round II
- b. Update on petition to create Banner Sign regulations
- c. Update on issues raised by Sunnyside East Community Council concerning Research Park Conditional Use petition

**4. PUBLIC NOTICE AGENDA**

- a) Douglas Bagley and Salt Lake City Property Management Division-City Property Management Division is requesting that the City convey to Mr. Bagley, the fee title interest to vacant property that the City owns, which is located at the approximately 471 West 500 South Street (the Southeast corner of the intersection of 500 West and 500 South Streets) which is zoned General Commercial CG. The subject property is approximately 13,412 Square feet in area (0.308 acres) and represents excess property that the City is not utilizing. The subject property results from a prior purchase by the City of a larger property from Mr. Bagley to accommodate a new railroad spur line to the Cereal Foods property, as part of the Interstate 15 reconstruction project, wherein the City sought to have the freeway off-ramps shortened. The original purchase agreement contained a provision to allow any remainder property to be re-sold to Mr. Bagley, after construction of the railroad spur. Portions of the original purchase agreement have been in legal dispute and the City has now agreed to terms which include the transfer of this property to Mr. Bagley, as part of a settlement agreement. (Staff - John Spencer at 535-6190 or john.spencer@slcgov.com or Doug Wheelwright at 535-6178 or doug.wheelwright@slcgov.com.)

**5. PUBLIC HEARINGS**

- a) **Petition No. 410-757**, by Mike Davie to construct a new LDS church at approximately **1401 West 700 South** in an R-1/5000 zoning district. A church is a conditional use in this zone. The existing church will be demolished in order to construct the new church. (Staff - Sarah Carroll at 535-6260 or sarah.carroll@slcgov.com)
- b) **Petition No. 490-05-39**, by Mike Davie to amend the Poplar Grove Addition Subdivision for property located at approximately **1401 West 700 South** in an R-1/5000 zoning district. The lots where the existing church is have not yet been combined. These lots must be combined in order to construct the new church. (Staff - Sarah Carroll at 535-6260 or sarah.carroll@slcgov.com)
-  c) **Petition Number 400-05-20**, the Salt Lake City Council requesting to create a new zoning district limited to natural open space (Natural Open Space, NOS zone). (Staff: Ray McCandless at 535-7282 or ray.mccandless@slcgov.com)
- d) **Petitions No. 400-01-21 and Petition No. 400-02-08**, to amend the text of the C-SHBD (Sugar House Business District) zone and the corresponding Sugar House Community Zoning Map, as well as the text of the Sugar House Community Master Plan (2001) and corresponding Sugar House Future Land Use Map. In addition, several rezones are proposed for specific properties located adjacent to the area currently zoned C-SHBD (Sugar House Business District). The area affected by these amendments is approximately **2100 South from 900 to 1300 East, and along 1100 East/Highland Drive from Hollywood Avenue to I-80, including the Granite Furniture block, the Sugar House Commons, and the Sugar House Center.** (Staff - Lex Traughber at 535-6184 or lex.traughber@slcgov.com)
- e) **Petition No. 400-04-46** to amend the text to allow indoor recreation as a conditional use in the Business Park District. (Staff - Jackie Gasparik at 535-6354 or Jackie.gasparik@slcgov.com)
- f) **Petition No. 410-708** to request approval for West Pointe Business Center for four lot Planned Development Subdivision to allow rear lots

without frontage onto a City street and modifications to setbacks and landscaping. The project is located at approximately **490 North 2200 West** and is located in the BP zoning District. (Staff - Jackie Gasparik at 535-6354 or [Jackie.gasparik@slcgov.com](mailto:Jackie.gasparik@slcgov.com))

g) **Petition No. 410-746** to allow Winners Motorsports at approximately **1490 North 2200 West**, to have indoor go-kart racing and interactive entertainment in the BP district. (Staff - Jackie Gasparik at 535-6354 or [Jackie.gasparik@slcgov.com](mailto:Jackie.gasparik@slcgov.com))

**6. UNFINISHED BUSINESS**

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**5. STAFF REPORT FOR THE AUGUST 24, 2005  
AND SEPTEMBER 14, 2005  
PLANNING COMMISSION MEETINGS**

**DATE:** August 24, 2005  
**TO:** Salt Lake City Planning Commission  
**FROM:** Ray McCandless, Principal Planner  
**RE:** **STAFF REPORT FOR THE AUGUST 24, 2005 MEETING**

---

**PETITION NUMBERS:** 400-05-20  
**APPLICANT:** Salt Lake City Council  
**STATUS OF APPLICANT:** Petitioner  
**PROJECT LOCATION:** Not Applicable  
**PROJECT/PROPERTY SIZE:** Not Applicable  
**COUNCIL DISTRICT:** All

**REQUESTED ACTION:**  
**Petition Number 400-05-20** - The Salt Lake City Council has requested that the Administration create a new zoning district limited to natural open space (Natural Open Space, NOS).

**PROPOSED USE(S):** Not applicable

**APPLICABLE LAND USE REGULATIONS:** **Zoning Text Amendments:**  
Section 21A.10 - General Application and Public Hearing Procedures

Section 21A.50.050 - Standards for General  
Amendments  
Section 21A.32 Special Purpose Districts

**SURROUNDING ZONING  
DISTRICTS:**

**North** - Not Applicable  
**South** - Not Applicable  
**East** - Not Applicable  
**West** - Not Applicable

**SURROUNDING LAND  
USES:**

**North** - Not Applicable  
**South** - Not Applicable  
**East** - Not Applicable  
**West** - Not Applicable

**MASTER PLAN SPECIFICATIONS:**

The proposed Natural Open Space (NOS) zoning district may be applied to property in various locations throughout the City and may or may not affect land use policies of the City's adopted Master Plans. The zoning of individual parcels of land will be considered on an individual basis by the Planning Commission and City Council as future petitions to rezone property to Natural Open Space (NOS) are initiated or as future community master plans are revised, which include specific recommendations for specific properties.

**SUBJECT PROPERTY HISTORY:**

Not Applicable

**ACCESS:**

Not applicable

**PROJECT DESCRIPTION:**

To create a new zoning district limited to natural open space as directed by the City Council.

**COMMENTS, ANALYSIS AND FINDINGS:**

**1. COMMENTS**

**Community Council:** An Open House to gather public comments was held on July 19, 2005.

Several residents from North Salt Lake attended the Open House as well as several citizens from Salt Lake City. The main discussions at the Open House included the following:

1. Regarding the advertised rezoning, attendees from North Salt Lake were very concerned that the rezoning is specific to the North Salt Lake and Staker properties. They indicated that there is a taking issue and that the rezoning was an attempt by Salt Lake City to devalue the property. A comment was made that the first proposal submitted to Salt Lake City by North Salt Lake was the best solution for the North Salt Lake owned property.
2. Several Open House attendees generally favored the new ordinance and rezoning. However, the idea of extending the rezoning to include other properties in the City such as Miller Park was encouraged.

All of the meeting attendees were invited to submit comments or attend the Planning Commission Meeting. The comments submitted by the Open House attendees are included in this Report.

**City Departments** – A request for departmental comments was sent to the City Department Directors on June 17, 2005. The comments received to date are as follows (Please refer to the attached Departmental Comment Letters for details):

**Police:** No comments have been received to date.

**Public Utilities:** No comments have been received to date.

**Transportation Division:** The Transportation Division has no concerns with the proposed ordinance.

**Property Management Division:** No comments have been received to date.

**Fire Department:** No comments have been received to date.

**Engineering Division:**  
No comments have been received to date.

**Public Services Department:** The Public Services Director met with the Open Space Lands Board on July 13, 2005 and discussed the draft ordinance creating a new Natural Open Space zoning district. The Open Space Lands Board unanimously supports the creation of the new zoning district.

**2. ANALYSIS AND FINDINGS**

The proposed zoning ordinance language and standards for the Natural Open Space zoning district are as follows (A clean copy of the proposed changes is included at the back of this report):

**Chapter 21A.32.  
SPECIAL PURPOSE DISTRICTS**

**Sections:**

**21A.32.105 NOS Natural Open Space District**

**21A.32.105 NOS Natural Open Space District:**

**A. Purpose Statement:** The purpose of the NOS Natural Open Space District is to protect and ensure stewardship over important natural open land areas of neighborhood, City-wide or regional importance.

**B. Definition:** Natural open land areas are principally undeveloped with near native vegetation and may include environmentally sensitive areas; areas of geologic significance; wetlands; stream corridors; foothills; mountains; shorelands; uplands and areas of significant wildlife habitat.

**C. Uses:** Permitted activities in this District are limited to ecosystem management, conservation and passive recreational uses as listed in Table 21A.32.140 "Table Of Permitted And Conditional Uses For Special Purpose Districts:"

**D. Special Natural Open Space Regulations:** Trails and trailheads without parking lots shall be permitted in the NOS Natural Open Space District. Directional and informational signage specific to trail usage shall be permitted.

**Table 21A.32.140 "Table Of Permitted And Conditional Uses For Special Purpose Districts:" (Partial Table)**

**Note: New text is shaded.**

LEGEND	PERMITTED AND CONDITIONAL USES SPECIAL PURPOSE DISTRICTS			
	AG-5	AG-20	OS	NOS
C=Conditional Use P = Permitted Use				
Natural open space and conservation areas	P	P	P	P
Nature preserves / conservation areas, public and private	P	P	P	P



The Planning Commission's recommendation concerning this proposed text amendment will be forwarded to the City Council which is the final decision making authority.

**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 **Salt Lake City Open Space Plan**, adopted in 1992, discusses the value of open space. The main goals of the Open Space plan include:

- Conserve the natural environment
- Enhance open space amenities for all citizens
- Connect the various parts of the City to natural environments.
- Educate the citizens on proper use of open space.

Many of the City's zoning districts currently allow "Natural open space and conservation areas" as a permitted use. However, the districts also allow other types of uses that are not specific to the preservation of the City's natural open spaces. The City's Open Space (OS) zoning district, for example, allows golf courses, parks, private recreational facilities and country clubs as permitted uses.

The **Capitol Hill Community Master Plan**, which was adopted in 1999, recognizes a need to "Create a new zoning district for public lands in the foothills which prohibits the development of structures" and "Ensure the minimization of negative impacts to watershed, wildlife habitat and soil erosion associated with high utilization of trails and open space."

The proposed Natural Open Space (NOS) zoning district is consistent with the Open Space Plan as it helps to implement the goals of the plan by conserving the natural environment. It also implements one of the action items of the Capitol Hill Community Master Plan by creating a new zoning district specific to the preservation of natural open space.

**Findings:** The proposed zoning text amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City because it will enhance the City's ability to delineate more precisely the different types of open spaces in the City's Master Plans and preserve the natural areas of the City.

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

**Discussion:** At this time no properties are being considered to be rezoned. However, as properties are considered for rezoning in the future, the compatibility of the proposed zoning will be evaluated on an individual property parcel basis. This standard does not apply to this petition as it is not property specific.

**Findings:** This standard does not apply.

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

**Discussion:** This standard is not applicable at this time as the proposed ordinance is not property or parcel specific.

**Findings:** This standard does not apply.

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

**Discussion:**

The proposed amendment provides the City the ability to appropriately delineate various types of open space in all zoning and overlay districts.

**Findings:**

This standard is met.

**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:**

By providing the ability to delineate different types of open space, the proposed amendment will enhance the City's ability to determine the adequacy of public facilities for each type of open space.

**Findings:**

This standard is met.

**RECOMMENDATION**

In light of the comments, analysis and findings noted above, Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to create a new Natural Open Space (NOS) zoning district as contained in this Report.

**DEPARTMENTAL COMMENTS:**

RICHARD GRAHAM  
PUBLIC SERVICES DIRECTOR

**SALT LAKE CITY CORPORATION**  
DEPARTMENT OF PUBLIC SERVICES

ROSS C. "ROCKY" ANDERSON  
MAYOR

July 18, 2005

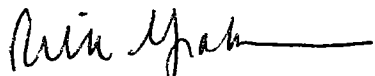
Ray McCandless  
Planning Division  
City & County Building, Room 406  
Salt Lake City, UT 84111

**RE: Natural Open Space Zone – Petition 400-05-02**

Dear Ray:

The purpose of this letter is to report that the Open Space Lands Board met on July 13, 2005, and as part of its agenda discussed the draft ordinance creating a new zoning district limited to natural open space called the NOS Natural Open Space District. The Board also discussed the merits of rezoning all or parts of the North Salt Lake property, Hunter/Bates property, and portions of the Lakeview and Staker properties as natural open space. In a vote the Open Space Lands Board unanimously supports the creation of a new zoning district and rezoning of the properties.

Sincerely,



Rick Graham

cc: Board Minutes

**McCandless, Ray**

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**From:** Harpst, Tim  
**Sent:** Friday, June 17, 2005 12:15 PM  
**To:** McCandless, Ray  
**Cc:** Young, Kevin  
**Subject:** FW: Natural Open Space Zone - Petition 400-05-20  
**Attachments:** Draft Text Language.doc; Vicinity Map II.JPG

no comment

**Timothy P. Harpst, P.E., PTOE**

**Transportation Director**

Salt Lake City Transportation Division Phone: 801 535-6630

349 South 200 East, Suite 450 Fax: 801 535-6019

Salt Lake City, Utah 84111 email: [tim.harpst@ci.slc.ut.us](mailto:tim.harpst@ci.slc.ut.us)

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**From:** McCandless, Ray  
**Sent:** Friday, June 17, 2005 12:03 PM  
**To:** Boskoff, Nancy; Campbell, Tim; Clark, Luann; Dinse, Rick; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; Zunguze, Louis; McFarlane, Alison; Oka, Dave; Querry, Chuck; Rutan, Ed  
**Cc:** Wheelwright, Doug; LoPiccolo, Kevin  
**Subject:** Natural Open Space Zone - Petition 400-05-20

All:

On May 31, 2005, the City Council voted to adopt a Legislative Action requesting that the Administration create a new zoning district limited to natural open space, and consider rezoning all or parts of the North Salt Lake property, the adjacent Hunter/Bates property, and portions of the Lakeview and Staker properties as natural open space.

Attached is a draft ordinance and map showing the boundary of the proposed rezoning. Please review the accompanying information and forward me your comments by **July 1, 2005**. A response by e-mail would be appreciated.

Thank You.

**OTHER**

SALT LAKE CITY CORPORATION  
PUBLIC MEETING REGISTRATION FORM

Please Print

DATE: 7.19.05

NAME: GENE MADSEN

PHONE: 298.4314

ADDRESS: 168 NO VAUGHNVIEW DR

SUBJECT: OPEN SPACE - NSL 80 ACRES

I wish to speak.

In Support.

In Opposition.

I do not wish to speak, however, I would like to submit the following comments:  
(Use back if necessary.)

I WILL FORWARD FURTHER COMMENTS; HOWEVER, IT'S A SHAME THAT YOU WANT ALL OR NOTHING - IN THIS CASE →

Yes, I would like information about my Neighborhood Council.

How did you learn of this meeting? Neighbor  Mail  Newspaper

Other (specify) NSL CITY

NOTHING ALLOWED IN THE 80 ACRES... OTHER THAN  
NO SPACE. YOUR OPEN SPACE ZONING DOES NOT  
ALLOW FOR THINGS THAT SHOULD BE ALLOWED.

THE ALL OR NOTHING APPROACH BY SLC  
(NOTHING AGAIN EMPHASIZED) IS WRONG & NOT  
RIGHT.

SALT LAKE CITY CORPORATION  
PUBLIC MEETING REGISTRATION FORM

Please Print

DATE: July 19, 2005

NAME: Bonnie Mangold

PHONE: 363-4634

ADDRESS: 326 Almond St.

SUBJECT: Natural Open Space Zoning

I wish to speak.

In Support.  In Opposition.

I do not wish to speak, however, I would like to submit the following comments:  
(Use back if necessary.)

I'm strongly in favor of having an open space zone that does not allow for buildings or development (parks, etc.) of any kind. Such a zone should be applied

Yes, I would like information about my Neighborhood Council. →

How did you learn of this meeting? Neighbor  Mail  Newspaper

Other (specify) \_\_\_\_\_

→ as appropriate to lands important to ecological significance. We need such a zone. Whether it's the best answer to the current conflict I'm unsure.

Let's proceed with the ordinance and then figure out how to use it.

My understanding is that a reduced value of land due to regulation, zoning, etc. does not in and of itself constitute a "takings." The land still has value.



SALT LAKE CITY CORPORATION  
PUBLIC MEETING REGISTRATION FORM

Please Print DATE: 7-19-05  
NAME: Helen Peters PHONE: 466-7170  
ADDRESS: 2803 Beverly Street 84106  
SUBJECT: \_\_\_\_\_

\_\_\_\_\_ I wish to speak.  
\_\_\_\_\_  In Support. \_\_\_\_\_ In Opposition.

\_\_\_\_\_ I do not wish to speak, however, I would like to submit the following comments:  
(Use back if necessary.)

I support the <sup>creation</sup> Natural  
Open Space District.

\_\_\_ Yes, I would like information about my Neighborhood Council.

How did you learn of this meeting? Neighbor \_\_\_ Mail \_\_\_ Newspaper \_\_\_

Other (specify) \_\_\_\_\_

SALT LAKE CITY CORPORATION  
PUBLIC MEETING REGISTRATION FORM

Please Print DATE: 7/19/05  
NAME: Bryan Morley PHONE: 936-9369  
ADDRESS: 192 Eugene St. North Salt Lake, UT 84051  
SUBJECT: NOS - Natural Open Space District

\_\_\_\_\_ I wish to speak.  
\_\_\_\_\_ In Support. \_\_\_\_\_  In Opposition.

\_\_\_\_\_ I do not wish to speak, however, I would like to submit the following comments:  
(Use back if necessary.)

\_\_\_ Yes, I would like information about my Neighborhood Council.

How did you learn of this meeting? Neighbor  Mail \_\_\_ Newspaper \_\_\_

Other (specify) \_\_\_\_\_

## McCandless, Ray

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**From:** Jim & Linda Thompson [lthompson28@msn.com]  
**Sent:** Monday, June 27, 2005 3:09 PM  
**To:** McCandless, Ray  
**Subject:** Open House for new zoning

Dear Mr. McCandless,

(June 27, 2005)

I'm writing to you to submit comments concerning the newly proposed zoning district that would limit land use to natural open space only--especially on the property that the city of North Salt Lake wishes to develop and sell off to rich homeowners. I hope you'll accept these as part of the official record, since I am unable to attend the public open house on July 19 due to my being out of town. Please consider the following:

I realize I'm not a resident of Salt Lake City, but I do reside in Salt Lake County--near the mouth of Millcreek Canyon, in a unincorporated community called East Millcreek. I'm an avid hiker, mountain-biker, bird and wildlife advocate, and a strong supporter of open space--not necessarily for human recreational purposes, but more for wildlife habitat purposes and clean water sources. Thus, even if the property in question were completely closed to even human foot-travel, I wouldn't mind because I would know that the wildlife would be greatly benefited. Therefore, I strongly support what Salt Lake City proposes with the Natural Open Space zoning.

I have been following this issue for some time, and I attended Mayor Anderson's press conference on the City Library's plaza, back in mid-June.

I had the opportunity to personally speak with several North Salt Lake folks who were in attendance, even Mayor Davis?, who were seemingly "ranting and raving" about losing their private property rights and having "big bad city beat up on poor little city", because Salt Lake City already had allowed similar developments on their foothills. They also kept saying that they were only proposing to develop 30% of the land in question, and that the remaining 70% would be dedicated to open space, and that they would ensure that the Bonneville Shoreline trail would still exist, (although it would have to be rerouted).

Anyway, that very afternoon, I went with my brother-in-law, who lives in Salt Lake's avenues, on a mountain bike ride along the Bonneville Shoreline Trail just to the west of Ensign Peak and north. Granted, I wasn't too happy about accessing the area from the south by riding past a gated street with new homes going in--but it is my guess that those lots were sold and set up for development long ago, probably way before Mayor Anderson or the present City Council had anything to do with granting new foothill development proposals or worrying about open space. Also, as I understand it, no new development higher than existing homes or lots is being allowed by Salt Lake City, which is a good thing--as all cities and counties having interface-land adjacent to National Forest lands need to limit or better yet, completely stop allowing encroaching development onto what now is even more than foothills, but actual mountainsides.

As we headed north, and checking our maps, we believe we had found the property in question--an area fairly flat, because it's right on one of ancient Lake Bonneville's terraces, and with an abandoned dirt road passing through the middle, which of course was serving as the trail. The grasses were between two and three feet tall, and were exceptionally green this year. What a beautiful place!! According to what I remember North Salt Lake's development plans were, that the flat areas were all to be subdivided, and the steep portions were going to be left as open space, with the Bonneville Trail rerouted up into the steep sections. What a pity, that something so beautiful and already serving well as open space with a trail intact, might be carved all up just so that a few rich folks can have mansions, complete with 5-car garages and swimming pools, and nice views down upon the rest of us poor peons!

We continued on past the county line, and sure enough, we saw construction stakes with little pink ribbons marking new lots all along this same band of flat space. It wasn't long before we came upon dumptrucks, bulldozers, and backhoes, who were clearing the natural grasses, shrubs, and small oaks for new subdivisions. The land was definitely being changed!!

A little past construction/war zone, we finally came on to paved streets lined with the biggest houses I have ever seen!!! I couldn't help but think what excessive living--why do people, even with 9 kids, (and I'm not against kids--I have 5 of my own, and I teach public high school), need that much house? Most of them looked like hotels.

Anyway, we were looking for Bonneville Shoreline Trail markers, and they all pointed the way along more paved streets. Again, excessive development came to mind. Now, I think North Salt Lake feels picked on, and it's unfortunate that they are desiring some

small piece of undeveloped property that happens to be located on an existing piece of desirable and valuable open space. It's just too bad that they are caught in the middle of an issue where people who value productive open space have the power and the political will to do something about runaway development. So, contrary to what North Salt Lake is claiming, I don't think Salt Lake City is singling them out with any particular "vendetta". It's just that it's got to stop somewhere!!!

With all the above in mind, again, I strongly support Salt Lake City's proposal and I thank you for having enough foresight and wisdom to stand up to rich developers. Please let me know if these comments need to be submitted in another way in order to be counted on the official record. Thank you for your attention. Sincerely, James W. Thompson, 3801 Viking Road, Salt Lake City, Utah, 84109, ph: (801) 272-3683.

**McCandless, Ray**

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**From:** c.f.bohn@att.net  
**Sent:** Sunday, July 10, 2005 1:04 PM  
**To:** McCandless, Ray  
**Subject:** Open Space

Mr. McCandless,

Please do everything you can to keep the open space that exist's between SLC and NSL. It is very important that the land be left as natural as possible for everybodys sake. I hike and bike there with my family, deer herds winter there, coyotes roam openly. Great citys have great open areas.

Thank you,

Chuck Bohn

## **PROPOSED TEXT LANGUAGE**

## PROPOSED TEXT LANGUAGE

### Chapter 21A.32. SPECIAL PURPOSE DISTRICTS

**Sections:**

**21A.32.105 NOS Natural Open Space District**

**21A.32.105 NOS Natural Open Space District:**

**A. Purpose Statement:** The purpose of the NOS Natural Open Space District is to protect and ensure stewardship over important natural open land areas of City-wide or regional importance.

**B. Definition:** Natural open land areas are principally undeveloped with near native vegetation and may include environmentally sensitive areas; areas of geologic significance; wetlands; stream corridors; foothills; mountains; shorelands; uplands and areas of significant wildlife habitat.

**C. Uses:** Permitted activities in this District are limited to ecosystem management, conservation and passive recreational uses as listed in Table 21A.32.140 "Table Of Permitted And Conditional Uses For Special Purpose Districts."

**D. Special Natural Open Space Regulations:** Trails and trailheads without parking lots shall be permitted in the NOS Natural Open Space District. Directional and informational signage specific to trail usage shall be permitted.

**Table 21A.32.140 "Table Of Permitted And Conditional Uses For Special Purpose Districts:" (Partial Table)**

**Note: New text is shaded.**

LEGEND	PERMITTED AND CONDITIONAL USES SPECIAL PURPOSE DISTRICTS			
C=Conditional Use P = Permitted Use				
USE	AG-5	AG-20	OS	NOS
Natural open space and conservation areas	P	P	P	P
Nature preserves / conservation areas, public and private	P	P	P	P

## **6. PLANNING COMMISSION MINUTES**

**Petition Number 400-05-20, the Salt Lake City Council requesting to create a new zoning district limited to natural open space (Natural Open Space, NOS zone).**

At 9:39 P.M. Chairperson Chambless introduced Petition Number 400-05-20 and Mr. Ray McCandless, Principal Planner. At this point, Commissioner De Lay notified the Chair that she would be leaving at 9:50 p.m., thus breaking the quorum if this petition was not completed. Chairperson Chambless announced that this last item would be handled very expeditiously.

Mr. McCandless briefly outlined the petition, stating the petition was not about zoning property but was to create a zoning district that could be applied to other properties within the City, such as the foothills area. It was targeted specifically towards natural open space.

Chairperson Chambless asked if the Commissioners had any questions of staff. Seeing none, he opened the public hearing.

Greg Simonson, Lakeview Rock Product, said his company had a rock aggregate operation near the north Salt Lake City border and he was very concerned as to how this ordinance would apply to private property. He stated that open space was a burden that must be bourn by the entire community, not just the people that happened to own private property in the area. He then referred to the staff report and asked if the criteria discussed in the report "Is consistent with the purpose and goals?"

Mr. Simonson said that clearly open space was a legitimate goal but the report referred to the Capitol Hill Community Master Plan which he said stated "one of the goals is to create a new zoning district for public lands in the foothills which prohibit the development of structures".

Mr. Simonson believed the language went too far if applied to private lands, totally eliminating the uses to which the ordinance restricted itself. Mr. Simonson felt he could then do nothing with his private property under the specific language used in the ordinance. He referred to Lucas vs. South Carolina Coastal Council decision that stated under some circumstances, where all uses are viable economic uses, they are eliminated. He would urge the Commission to look at some of the restrictions on the ordinance as it applied to private property and the severe impact it would have. He stated that even the wording of the ordinance under Section A, "to ensure stewardship" as a purpose, implies ownership. He conceded that the Planning Commission clearly had the right to regulate for the public, but stated that the Planning Commission does not have the right to ensure the absolute preservation of natural lands, which means taking away rights of private property rights.

A discussion with the Commissioners ensued on the language and the meaning of "specific ownership". Mr. Simonson referred the Commissioners to page 4 of the staff report and stated he had received a notice from Mr. McCandless, dated July 18, 2005, wherein his property was specifically named in the recommendation of open spaces.

Mr. Zunguze stated that the request before them was to simply create a definition of open space. The issues raised by Mr. Simonson would become germane when the definition was completed and a petition to rezone specific property comes up to apply the NOS zoning.



Mr. Dak Maxfield, real estate manager for Staker and Parson Companies then stated that the issue that caught his attention was a letter sent by Mr. McCandless that specifically mentioned Lakeview property and Staker property. Mr. Maxfield's concern was that the language removed many of the uses for open space zones, namely, corporate retreat, cemetery, community recreational center, and golf courses. He felt that Salt Lake City was trying to illegally control the property. He stated that Staker property was already 400 yards from public land and they were opposed to any open space zone because the Planning Commission was basically restricting the use of the private land to nothing. He said he understood that the Commissioners' recommendation goes before the City Council, and he felt the City was left with only the option of going forward with the zoning of these private properties this way. He stated that if the City targets his company, they would oppose it. It was a "taking" in his mind.

At this point, Commissioner De Lay recommended the item under discussion be tabled and carried over to the next Planning Commission meeting because she had to leave. Chairperson Chambless verified the rules concerning voting and discussion without a quorum with Brent Wilde and Doug Wheelwright. Chairperson Chambless then announced that due to a lack of a quorum, Petition Number 400-05-20 would be tabled until September 14, 2005.

**Petition No. 400-05-20, the Salt Lake City Council requesting to create a new zoning district limited to natural open space (Natural Open Space, NOS zone).**

At 6:09 p.m. Chairperson Chambless introduced Petition Number 400-05-20 and Ray McCandless, Principal Planner. Mr. McCandless stated that this petition had been tabled from the August 24, 2005 Planning Commission meeting. At the public hearing for the North Salt Lake City disconnection request on May 31, 2005, the Salt Lake City Council initiated a legislative action and requested that the administration create a new zoning district specifically limited to natural open space. In response to that request, the Planning Division developed a new Open Space Zoning District. Mr. McCandless read the pertinent parts of the proposed ordinance. Mr. McCandless stated that the permitted uses in the zoning district were listed on the table that was included in the staff report, and Land Uses allowed in the new Open Space Zoning District would be limited to natural open space, conservation areas and nature preserves, both public and private. It was a restricted zoning district that provided protection for the foothill areas.

At the public hearing for the proposed North Salt Lake disconnection, the City Council requested that staff look at rezoning properties on the high bench areas east of Beck Street. However, the Planning Commission was not considering rezoning properties at that time but was only considering the creation of proposed natural open space zoning district.

Chairperson Chambless asked if anyone had questions for Mr. McCandless. Commissioner Diamond asked if Mr. McCandless would explain the zoning of parcels on an individual basis by the Planning Commission. Mr. McCandless stated that the matter before the Planning Commission was the adoption of the ordinance only; a creation of the new zoning district. He said rezoning specific pieces of property, or any property, is not being considered at this point. Cheri Coffey then said that the text change was all that had been advertised in the agenda.

Chairperson Chambless stated that everything received by the Planning Commission would be entered into the official record. He asked for further questions. No response was heard. Mr. McCandless was also speaking for the petitioner and the Salt Lake City Council. He had nothing to add. Chairperson Chambless asked for a representative of the Community Council, and no one responded. The matter was then opened up for public hearing comment.

Mr. Scott Hughes, owner of Lakeview Rock Products located on Beck Street, stated he was against the zoning change on his property because the property was private and not public land. He felt the City was changing his property use, which was a gravel pit. Mr. Hughes said his property was not a pristine wildlife area with trees and water and it was not a public area that could be accessed for jogging, walking or viewing. The property was completely fenced off and was not a valued piece of property for open land. The land had been purchased for use as a gravel pit when first purchased by his family. The use of that land had never changed. He further stated that the zoning for his property had been changed several times and the owner of Lakeview Rock Products had not agreed to any of the rezonings. Mr. Hughes stated that he had tried meeting and working with the City several times to develop a reclamation plan but had not been able to reach an agreement. He felt his eighty eight (88) acres adjacent on the east had been held hostage between North Salt Lake and Salt Lake City. His land was surrounded by gravel pits, and there were no neighborhoods within sight. Mr. Hughes said that on the maps mailed out from

Salt Lake City Corporation, his property had been specifically listed as a natural open space.

Chairperson Chambless asked if there were questions for Mr. Scott. Commissioner De Lay asked if maps had been sent out as stated by Mr. Hughes. Mr. Wheelwright stated that a notice had been mailed Friday, September 9, 2005 for an open house to be held September 27, 2005. At that open house specific rezoning would be discussed. After that meeting Planning would approach the Planning Commission with that issue sometime in October.

Greg Simonsen spoke to the open space issue and proposed a modification to the ordinance. He realized that just the ordinance and not specific properties, was being considered, but said it did seem strange to him that at that time, before the ordinance was even recommended by that body and passed upon by the City Council, invitations had been sent out to an open house. He stated that in the general plan it said that the only use for the property would be to maintain eco systems. He stated that it was appropriate to limit it to just public properties. He again proposed that the ordinance be modified to be appropriate only for public properties. Mr. Simonsen sent City Attorney, Lynn Pace, a letter to which Mr. Pace responded. Mr. Simonsen wanted the Planning Commission to know that he would be at each and every meeting to address the open space issue so the City would know of his concern and the money involved "up there on the hill".

Chairperson Chambless asked if there were any questions for Mr. Simonsen. No response was heard. Chairperson Chambless asked Mr. Cliff Porter to come forward and speak.

Mr. Cliff Porter stated that he was a long time real estate broker for forty (40) years and was crying foul. He said he received a copy of the letter from Rick Graham, of Salt Lake City Corporation, to Ray McCandless (as part of the staff report), that specifically identified the North Salt Lake City properties of Staker, Lakeview, and Hunter-Bates as subject to this proposed zoning change. He stated that the map he had, that had been included with the open house meeting, specifically named those properties as being affected by the new Open Space Zone. He stated the City had wanted to acquire this property for years but had failed. Now the City was attempting to acquire it through a zoning change and thus accomplish a taking of the economic value of this property.

Mr. Porter stated that this property had been rezoned in 1995 to the current open space status. That rezoning had been marginally legal under the Takings Clause of the Constitution. This zoning, as proposed, would strip all economic value out of the property except for the aesthetic value and aesthetic value is worthless to anyone other than the public. The proper course of action would be to take the property through a condemnation action and pay fair market value at that time.

Chairperson Chambless asked if there were any questions for Mr. Porter. No response was heard. No one else in the audience wished to speak to this matter. Chairperson Chambless closed the public meeting and asked if there was a motion or discussion.

Commissioner Muir had a question for staff pertaining to language under definitions. He stated that the categories were listed and separated by semi-colons. He concluded that the intent would be that only one of the categories had to be met, but not all of them. Commissioner Galli stated that the clause read "and may include" which meant that it could include any of the categories, but may not.

Chairperson Chambless asked for a motion and a vote.

Motion for Petition No. 400-05-20:

**Commissioner Muir moved that the Planning Commission approve Petition No. 400-05-20, based on the analysis and findings outlined in the staff memorandum. Commissioner Noda seconded the motion. Commissioner De Lay, Commissioner Galli, Commissioner Muir, Commissioner McDonough, Commissioner Noda, and Commissioner Diamond voted "Aye". Commissioner Scott and Commissioner Seelig were not present. The motion passed.**

**7. NOTICES FOR THE JULY 19, 2005 OPEN  
HOUSE AND AUGUST 24, 2005  
AND SEPTEMBER 14, 2005  
PLANNING COMMISSION PUBLIC  
HEARINGS**

June 22, 2005

## **NOTICE OF OPEN HOUSE**

The Salt Lake City Council has initiated petition number 400-05-20 requesting that the Salt Lake City Administration create a new zoning district limiting land use to natural open space only and consider rezoning all or parts of the properties as shown on the accompanying map as Natural Open Space.

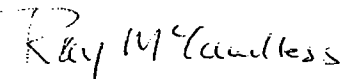
The Planning Staff would like to receive your input regarding this proposal and invites you to a public open house regarding this issue:

**Tuesday, July 19, 2005**  
**Salt Lake City County Building**  
**451 South State Street**  
**Room 126**  
**Between the hours of 4:30 and 6:00 P.M.**

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

If you have any questions on this issue, please call Doug Wheelwright at 535-6178 or Ray McCandless at 535-7282 or email [ray.mccandless@slcgov.com](mailto:ray.mccandless@slcgov.com)

Respectfully,



Ray McCandless  
Principal Planner

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

**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, August 24, 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, August 10, 2005
2. **REPORT OF THE CHAIR AND VICE CHAIR**
3. **REPORT OF THE DIRECTOR**
  - a. Update **Petition 400-03-10** Shaw Homes, Inc. (R – 1/5,000 to CN) at approximately **1545 West 200 South Street and 1551 West 200 South Street**. This petition, a rezone and master plan amendment, was originally heard on May 14, 2003.
  - b. Discussion regarding LDS Church wards and parking needs in neighborhoods.
  - c. Request for Planning Commission to create a petition to allow multi-family developments in commercial and downtown districts.
  - d. Request for Planning Commission to create a petition to establish design guidelines for large retail uses.
4. **PUBLIC NOTICE AGENDA** – Salt Lake City Property Conveyance Matters (*Staff: Karryn Greenleaf at 483-6769 or karryn.greenleaf@slcgov.com, Matt Williams at 535-6447 or matt.williams@slcgov.com, and Doug Wheelwright at 535-6178 or doug.wheelwright@slcgov.com*)
  - a. Cephalon, Inc. is expanding their operations within Salt Lake City and is seeking a Telecommunications Right-of-Way Permit at **4710 Wily Post Road** to connect the communications between the buildings across the street. Plans call for a perpendicular street crossing with the six 4" ducts installed via trenching (street cut design has already been approved by the Development Review Team).
5. **PUBLIC HEARINGS**
  - a. **Petition No. 400-03-34**, a request by Salt Lake City Council that the Planning Commission review additional refinement of the nonconforming use ordinance, looking specifically at guidelines and criteria to address neighborhood impacts and concerns relating to the enlargement and/or intensification of nonconforming uses. (*Staff: Everett Joyce at 535-7930 or everett.joyce@slcgov.com*).
  - b. **Petition No. 410-584**, from Salt Lake Apartment Builders to modify a previously approved planned development for the Emigration Court Apartments, generally located on the block between **500 to 600 East and 300 to 400 South**. (*Staff: Doug Dansie at 535-6182 or doug.dansie@slcgov.com*)
  - c. **Petition No. 400-05-12**, a request initiated by the Planning Commission to review the definition of "automobile" found in Section 21A.62.060 of the Salt Lake City Zoning Ordinance, specifically considering the removal of the words "motor scooter" and "motorized bicycles" from the existing definition. (*Staff: Kevin LoPiccolo at 535-6003 or kevin.lopiccolo@slcgov.com*)
  - d. **Petition No. 400-05-13**, a request initiated by the Planning Commission to comprehensively review all applicable regulations in the Zoning Ordinance that address the permitting of tents in both residential and commercial districts city wide. (*Staff: Kevin LoPiccolo at 535-6003 or kevin.lopiccolo@slcgov.com*)

- e. **Petition No. 410-753**, a request by the Housing Authority of Salt Lake City for conditional use approval of a proposed transitional treatment housing facility located at approximately **542 West 600 South**. The property is zoned CG General Commercial. (Staff: *Everett Joyce at 535-7930 or everett.joyce@slcgov.com*).
- f. **Petition 410-750**, by Qwest Corporation, requesting conditional use approval to install ground-mounted communication equipment cabinets at approximately **1092 North 2200 West**. The property is located in a Business Park "BP" zoning district. (Staff: *Elizabeth Giraud at 535-7128 or elizabeth.giraud@slcgov.com*)
- g. **Petition 400-05-11**, by the Salt Lake City Planning Division, requesting comments and a recommendation to the City Council for a text amendment to the Salt Lake City Zoning Ordinance allowing additional types of signage in the Open Space zoning district for parks that are 28 acres or larger in size. (Staff: *Elizabeth Giraud at 535-7128 or elizabeth.giraud@slcgov.com*)
- h. **Petition Number 490-05-10**, a preliminary subdivision approval to subdivide the existing parcel located at approximately **239 North Virginia Street** into three new single-family parcels. The project area is located in the SR-1, Special Development Pattern Residential District. (Staff: *Wayne Mills at 535-6173 or wayne.mills@slcgov.com*)
- i. **Petition Number 410-755**, by Architectural Nexus, representing Myriad Genetics, requesting conditional use approval to allow additional building height for a proposed research laboratory located in the Research Park (RP) zoning district at approximately **320 South Wakara Way**. (Staff: *Ray McCandless at 535-7282 or ray.mccandless@slcgov.com*)
- j. **Petition Number 400-05-20**, the Salt Lake City Council requesting to create a new zoning district limited to natural open space (Natural Open Space, NOS zone). (Staff: *Ray McCandless at 535-7282 or ray.mccandless@slcgov.com*)

## 6. UNFINISHED BUSINESS



AGENDA FOR THE  
SALT LAKE CITY PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building at 451 South State Street  
Wednesday, September 14, 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, August 24, 2005
2. REPORT OF THE CHAIR AND VICE CHAIR
3. REPORT OF THE DIRECTOR
  - a. Petition for mapping Fine Tuning Round II
  - b. Update on petition to create Banner Sign regulations
  - c. Update on issues raised by Sunnyside East Community Council concerning Research Park Conditional Use petition
4. PUBLIC NOTICE AGENDA
  - a) Douglas Bagley and Salt Lake City Property Management Division—City Property Management Division is requesting that the City convey to Mr. Bagley, the fee title interest to vacant property that the City owns, which is located at the approximately 471 West 500 South Street (the Southeast corner of the intersection of 500 West and 500 South Streets) which is zoned General Commercial CG. The subject property is approximately 13,412 Square feet in area (0.308 acres) and represents excess property that the City is not utilizing. The subject property results from a prior purchase by the City of a larger property from Mr. Bagley to accommodate a new railroad spur line to the Cereal Foods property, as part of the Interstate 15 reconstruction project, wherein the City sought to have the freeway off-ramps shortened. The original purchase agreement contained a provision to allow any remainder property to be re-sold to Mr. Bagley, after construction of the railroad spur. Portions of the original purchase agreement have been in legal dispute and the City has now agreed to terms which include the transfer of this property to Mr. Bagley, as part of a settlement agreement. (Staff - John Spencer at 535-6190 or john.spencer@slcgov.com or Doug Wheelwright at 535-6178 or doug.wheelwright@slcgov.com.)
5. PUBLIC HEARINGS
  - a) **Petition No. 410-757**, by Mike Davie to construct a new LDS church at approximately **1401 West 700 South** in an R-1/5000 zoning district. A church is a conditional use in this zone. The existing church will be demolished in order to construct the new church. (Staff – Sarah Carroll at 535-6260 or sarah.carroll@slcgov.com)
  - b) **Petition No. 490-05-39**, by Mike Davie to amend the Poplar Grove Addition Subdivision for property located at approximately **1401 West 700 South** in an R-1/5000 zoning district. The lots where the existing church is have not yet been combined. These lots must be combined in order to construct the new church. (Staff – Sarah Carroll at 535-6260 or sarah.carroll@slcgov.com)
  - c) **Petition Number 400-05-20**, the Salt Lake City Council requesting to create a new zoning district limited to natural open space (Natural Open Space, NOS zone). (Staff: Ray McCandless at 535-7282 or ray.mccandless@slcgov.com)
  - d) **Petitions No. 400-01-21 and Petition No. 400-02-08**, to amend the text of the C-SHBD (Sugar House Business District) zone and the corresponding Sugar House Community Zoning Map, as well as the text of the Sugar House Community Master Plan (2001) and corresponding Sugar House Future Land Use Map. In addition, several rezones are proposed for specific properties located adjacent to the area currently zoned C-SHBD (Sugar House Business District). The area affected by these amendments is approximately **2100 South from 900 to 1300 East, and along 1100 East/Highland Drive from Hollywood Avenue to I-80, including the Granite Furniture block, the Sugar House Commons, and the Sugar House Center.** (Staff – Lex Traugher at 535-6184 or lex.traugher@slcgov.com)
  - e) **Petition No. 400-04-46** to amend the text to allow indoor recreation as a conditional use in the Business Park District. (Staff - Jackie Gasparik at 535-6354 or Jackie.gasparik@slcgov.com)
  - f) **Petition No. 410-708** to request approval for West Pointe Business Center for four lot Planned Development Subdivision to allow rear lots without frontage onto a City street and modifications to setbacks and landscaping. The project is located at approximately **490 North 2200 West** and is located in the BP zoning District. (Staff: - Jackie Gasparik at 535-6354 or Jackie.gasparik@slcgov.com)
  - g) **Petition No. 410-746** to allow Winners Motorsports at approximately **1490 North 2200 West**, to have indoor go-kart racing and interactive entertainment in the BP district. (Staff - Jackie Gasparik at 535-6354 or Jackie.gasparik@slcgov.com)
6. UNFINISHED BUSINESS

PETITION NO. 400-05-20

**PETITION CHECKLIST**

<u>Date</u>	<u>Initials</u>	<u>Action Required</u>
<u>6/14/05</u>	<u>WTH</u>	Petition delivered to Planning
<u>6-15-05</u>	<u>DFW</u>	Petition assigned to: <u>Ray McCandless</u> <span style="float: right;">Petition Received 6/16/05</span>
<u>9-14-05</u>	<u>RW</u>	Planning Staff or Planning Commission Action Date
<u>9-20-05</u>	<u>RW</u>	Return Original Letter and Yellow Petition Cover
<u>9-20-05</u>	<u>RW</u>	Chronology
<u>N/A</u>	<u>RW</u>	Property Description (marked with a post it note).
<u>N/A</u>	<u>RW</u>	Affected Sidwell Numbers Included
<u>9-20-05</u>	<u>RW</u>	Mailing List for Petition, include appropriate Community Councils
<u>9/20/05</u>	<u>RW</u>	Mailing Postmark Date Verification
<u>9/20/05</u>	<u>RW</u>	Planning Commission Minutes
<u>9/20/05</u>	<u>RW</u>	Planning Staff Report
<u>9/20/05</u>	<u>RW</u>	Cover letter outlining what the request is and a brief description of what action the Planning Commission or Staff is recommending.
<u>9/20/05</u>	<u>RW</u>	Ordinance Prepared by the Attorney's Office
<u>N/A</u>	<u>RW</u>	Ordinance property description is checked, dated and initialed by the Planner. Ordinance is stamped by Attorney.
<u>Ray McCandless</u>		Planner responsible for taking calls on the Petition
_____	_____	Date Set for City Council Action _____
_____	_____	Petition filed with City Recorder's Office

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MAY 31, 2005

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, May 31, 2005, at 7:11 p.m. in Room 315, City Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Carlton Christensen	Van Turner	Eric Jergensen
Nancy Saxton	Jill Remington Love	Dave Buhler
Dale Lambert		

Cindy Gust-Jenson, Executive Council Director; Rocky Fluhart, Chief Administrative Officer; Ed Rutan, City Attorney; and Chris Meeker, Deputy City Recorder were present.

Councilmember Lambert presided at and Councilmember Jergensen conducted the meeting.

**#1.** The Council led the Pledge of Allegiance.

**#2.** Councilmember Turner moved and Councilmember Christensen seconded to approve the **minutes** of the Salt Lake City Council meeting **held May 24, 2005**, which motion carried, all members voted aye.

(M 05-1)

COMMENTS TO THE CITY COUNCIL

**Douglas Cotant** commented on a trip he had taken to Idaho.

UNFINISHED BUSINESS

**#1. Request for disconnection** from North Salt Lake City to disconnect 80 acres from Salt Lake City's municipal boundary.

Councilmember Jergensen asked Councilmember Lambert to conduct the next item of business.

Councilmember Jergensen moved and Councilmember

Christensen seconded to adopt **Resolution 29 of 2005 to deny the disconnection** and initiate a **Legislative Action** requesting the Administration to **create a new zoning district limited to natural open space**, and **consider rezoning all or parts of the North Salt Lake property, the adjacent Hunter/Bates property, and portions of the Lakeview and Staker properties as natural open space.**, which motion carried, all members voted aye except Councilmember Turner who voted nay.

Councilmember Jergensen said the process was long and complex. He said the resolution identified 27 specific findings relating to the property and City policy. He said the motion to deny advanced the findings and policy. He said an important issue was the value of land and members of the Council felt the best value for the property was open space. He said it was not an effort by one municipality to tell another how to use land.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MAY 31, 2005

Councilmember Christensen said the beauty and unique elements of the property needed to be saved as open space. He said the conclusion had been difficult.

Councilmember Turner said North Salt Lake owned the property and should have the right to develop 30 acres. He said he would vote for approval of the disconnection.

Councilmember Love said since the late 1970's Salt Lake City held the property in the strictest of preservation zones. She said she supported the resolution to deny the disconnect. She said the best use of the property was to be open space.

Councilmember Saxton said preservation of open space was on everyone's mind and had become a mainstream issue. She said she was in support of the resolution to deny.

Councilmember Lambert said it was important in dealing with a sister city to respectfully consider the petition. He said the Council had appointed a sub-committee to meet with North Salt Lake to exchange ideas. He said he was convinced the property should not be divided. He said division would destroy the natural open space. He said the character of the property was at stake. He said this was an opportunity to stand up for open space preservation. He said he supported the resolution to deny.

Councilmember Lambert asked

Councilmember Jergensen to conduct the remainder of the meeting.

CONSENT AGENDA

Councilmember Love moved and Councilmember Turner seconded to **adopt the Consent Agenda**, which motion carried, all members voted aye.

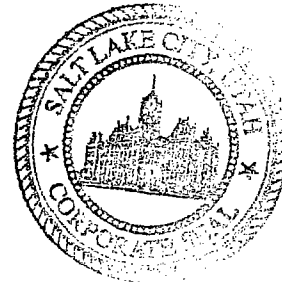
#1. Approving the reappointment of **Patricia Comarell** to the **Metropolitan Water District Board** for a term extending through January 5, 2009.  
(I 05-17)

The meeting adjourned at 7:32 p.m.

*Nancy Stanton*  
\_\_\_\_\_  
Council Chair

*Christine Meek*  
\_\_\_\_\_  
Chief Deputy City Recorder

cm



**Zunguze, Louis**

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**From:** Meeker, Chris  
**Sent:** Thursday, June 02, 2005 2:54 PM  
**To:** Zunguze, Louis  
**Cc:** Wilde, Brent  
**Subject:** ZunguzeCouncilLetter.doc  
**Categories:** Program/Policy

Legislative Action

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**Date:** June 2, 2005  
**To:** Louis Zunguze, Planning Director  
**From:** Chris Meeker, Deputy City Recorder  
**RE:** FYI, Disconnection from North Salt Lake

On May 31, 2005 the City Council voted to adopt a Legislative Action requesting the Administration **create a new zoning district limited to natural open space, and consider rezoning all or parts of the North Salt Lake property, the adjacent Hunter/Bates property, and portions of the Lakeview and Staker properties as natural open space.**

**Petition No.** 400-05-20

*By* City Council

Is requesting the Administration create a new zoning district limited to natural open space, and consider rezoning all or parts of the North Salt Lake property, the adjacent Hunter/Bates property, and portions of the Lakeview and Staker properties as natural open space.

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

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