

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2007

(An Ordinance Enacting Temporary Land Use Regulations  
for the Sugar House Business District, with the Exception of Certain Properties Within the  
Granite Block Area Generally Located Between 2100 South Street South to Sugarmont Drive  
(2225 South) and Highland Drive (1100 East) West to McClelland Street (1045 East))

AN ORDINANCE ENACTING TEMPORARY LAND USE REGULATIONS FOR THE  
SUGAR HOUSE BUSINESS DISTRICT, WITH THE EXCEPTION OF CERTAIN  
PROPERTIES WITHIN THE GRANITE BLOCK AREA GENERALLY LOCATED  
BETWEEN 2100 SOUTH STREET SOUTH TO SUGARMONT DRIVE (2225 SOUTH) AND  
HIGHLAND DRIVE (1100 EAST) WEST TO MCCLELLAND STREET (1045 EAST)

WHEREAS, Section 10-9a-504 of the Utah Code allows cities, without a public hearing,  
to enact ordinances establishing temporary land use regulations for any part or all of the City if  
the City Council makes a finding of compelling, countervailing public interest; and

WHEREAS, Section 10-9a-504 of the Utah Code allows the City in a temporary land use  
regulation to prohibit or regulate the erection, construction, reconstruction or alteration of any  
building or structure; and

WHEREAS, the Sugar House Business District is a unique and thriving business districts;  
and

WHEREAS, the Sugar House Business District is zoned as “CHSBD” pursuant to  
Chapter 21A.26, Salt Lake City Code of Ordinances, which includes two sub-areas, CHSBD1  
and CHSBD2;

WHEREAS, the Sugar House Community Master Plan calls for preserving the look and  
feel of the Sugar House Business District as a unique place, part of the image and character of  
which relies on the older buildings that have made up the core area since early in the 20<sup>th</sup>  
Century.

WHEREAS, maintaining the unique character of the Sugar House Business District requires preserving the district's historic commercial and residential properties and ensuring that new development respects the district's historic development and architectural patterns;

WHEREAS, the City has hired a consultant to conduct an historic reconnaissance-level survey and an historic intensive-level survey of buildings within the Sugar House Business District, and to develop design guidelines based on these surveys;

WHEREAS, following the completion of the surveys and design guidelines, the City anticipates that it will revise its zoning regulations for the CSHBD to provide appropriate protection for historic buildings; and

WHEREAS, the current zoning regulations for the CSHBD do not provide adequate preservation and conservation tools, options or incentives to protect the historic character of historic properties identified within the Sugarhouse Business District; and

WHEREAS, due to escalating land values, redevelopment activities, and increasing development pressures, there is a substantial risk that the City may be required to approve land use applications within the CSHBD zone which under the current criteria may be incompatible with historic preservation, and which would damage the unique character of the Sugarhouse Business District; and

WHEREAS, the City Council has serious concerns regarding the need to protect and preserve the unique historic character of the Sugarhouse Business District from incompatible land uses; and

WHEREAS, the City finds that the need to provide greater protection for the Sugar House Business District while the City awaits completion of the historic reconnaissance and historic

intensive level studies and design guidelines for the area and evaluates any appropriate changes to the zoning code, constitutes a compelling, countervailing public interest which justifies a temporary land use regulation; and

WHEREAS, the City Council finds that the City's interest in adopting these temporary land use regulations outweighs any private interest in developing under other existing standards;

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

SECTION 1. Finding of compelling, countervailing public interest. Pursuant to Section 10-9a-504 of the Utah Code, the City Council expressly finds that the risk of a long term detrimental impact upon the Sugar House Business District resulting from the potential approval of inappropriate land use applications while the City awaits completion of the historic building surveys and design guidelines constitutes a compelling, countervailing public interest sufficient to justify these temporary land use regulations.

SECTION 2. Balancing of Public vs. Private Interests. The City Council further finds that any harm to private interests is outweighed by the City's compelling countervailing public interest in maintaining the unique character of the Sugar House Business District while the City Council reviews and evaluates specific proposals for changes to the CSHBD zone regulations to ensure preservation of historic properties within the Sugar House Business District. The City Council finds that any land use application that includes the demolition or significant alteration of the exterior of any building fifty years of age or older within the CSHBD zone that has not received final approval from the City prior to 5:00 p.m. on August 31, 2007, in full compliance with existing zoning regulations, and other applicable City ordinances and requirements applicable to new construction, has no right to develop under the existing regulations but is

instead subject to this temporary land use regulation.

SECTION 3. Temporary zoning regulations. Notwithstanding any other ordinance which the City Council may have adopted which may provide otherwise, during the period of this temporary land use regulation, the City shall not accept, process or approve any land use application that includes the demolition or significant alteration of the exterior of any building fifty years of age or older within the CSHBD zone.

SECTION 4. Boundaries. This temporary land use regulation shall apply to all properties within the CSHBD zone, except those properties located between 2100 South Street South to Sugarmont Drive (2225 South) and Highland Drive (1100 East) West to McClelland Street (1045 East) for which a pre-demolition application has been filed by 5 p.m. on August 31, 2007.

SECTION 5. Duration. This temporary land use regulation shall remain in effect for a period of six months from the effective date of this ordinance, or until the effective date of the City Council's action adopting revisions to the City's CSHBD zoning regulations, whichever occurs first.

SECTION 6. Effective date. This ordinance shall become effective upon signature.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of September, 2007.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

**APPROVED AS TO FORM**  
**Salt Lake City Attorney's Office**  
Date 09/31/07  
By [Signature]

Transmitted to Mayor on \_\_\_\_\_.

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

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2007.

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