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# MEMORANDUM

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**DATE:** August 6, 2009

**SUBJECT:** PLNPCM2009-00616 - Zoning text amendment to allow public parks in the Public Lands Zoning District PL

**AFFECTED COUNCIL DISTRICTS:** Citywide

**FROM:** Janice Jardine, Land Use Policy Analyst

**ADMINISTRATIVE DEPT. AND CONTACT PERSON:** Community Development Department, Planning Division  
Everett Joyce, Senior Planner

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## POTENTIAL MOTIONS:

1. ["I move that the Council"] Adopt an ordinance amending the text of the Zoning Ordinance to allow public parks as a permitted use in the Public Lands Zoning District PL.
  2. ["I move that the Council"] Not adopt the ordinance amending the text of the Zoning Ordinance to allow public parks as a permitted use in the Public Lands Zoning District PL.
  3. ["I move that the Council"] Close the public hearing and defer action to the August 18th Council meeting.
- 

## KEY ELEMENTS:

- A. An ordinance has been prepared for Council consideration that would amend the text of the Zoning Ordinance to allow public parks as a permitted use in the Public Lands Zoning District PL. This action would facilitate development of a new public park at 1920 West 400 North. The property was part of the Meadow Lark Elementary school site and originally owned by the Salt Lake City School District.
- B. Key points from the Administration's transmittal and Planning staff report note:
  1. The existing zoning ordinance Table 21A.32.140 Table of Permitted and Conditional Uses for Special Purpose Zoning Districts does not allow public parks as a permitted or conditional use in the Public Lands Zoning District.
  2. There are other existing public parks or spaces in the city that are currently zoned Public Lands such as Washington Square, the site of the City and County Building.
  3. Considering the type and character of development allowed within the Public Lands Zoning District a public park would be consistent with the overall character of Public Land development and adjacent development.

4. The proposed amendment is in response to a specific site however, the text change affects all properties zoned Public Lands.
  5. The proposed text change will not impact the character of existing development of a specific property.
  6. The proposed text change will not modify any existing setback or buffer regulations of the Public Lands Zoning District.
  7. Amendments to the City Code selected for fine tuning processing generally meet the following objectives:
    - a. Improve the clarity and usability of the Zoning Code without changing the intent behind the specific regulation in question, and clarifies wording that may be open to interpretation;
    - b. Address ongoing problems with administration of the existing Code language, and may result in a minor policy change of low significance;
    - c. Implement the City's Comprehensive Plan; and
    - d. Provide ordinance consistency with existing policies and objectives.
- C. The purpose of the Public Lands Zoning District is to specifically delineate areas of public use and to control the potential redevelopment of public uses, lands and facilities.
- D. The public process included a Planning Division sponsored Open House and written notification of the Planning Commission hearing to Community Council Chairs and the Planning Division electronic list serve. Notice was also posted on the City's website. The Administration's transmittal notes no comments were received regarding this issue.
- E. The Planning staff report provides the findings for the Zoning Ordinance Section 21A.50.050 - Standards for General Amendments. The standards were evaluated in the Planning staff report and considered by the Planning Commission. (Discussion and findings for the standards are found on pages 2-4 of the Planning staff report.)
- F. The Planning staff report notes that issues identified through City Departments and Divisions review of the proposed text change related to the applicability of the Public Lands Zoning District standards and the provision of an avigation easement for those properties that lie within the Airport influence zones.
- G. On June 24, 2009, the Planning Commission held a public hearing and voted to forward a positive recommendation to the City Council to adopt the proposed Zoning Ordinance text amendment.

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

- A. The Administration's transmittal letter and the Planning staff report note the following with regard to master plan policies.
  1. The community master plan land use policies generally define neighborhood, community and regional land use locations and characteristics.
  2. The plans do not specifically address the level of detail that are specific to individual zoning classifications or the specific zoning district tables of permitted and conditional uses.
  3. Several of the city's master plans support public parks through the entire community.
  4. The plans identify the land use category but do not specifically address which zoning district is appropriate for such uses.
- B. 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.

- C. The Council's growth policy notes that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
1. Is aesthetically pleasing;
  2. Contributes to a livable community environment;
  3. Yields no negative net fiscal impact unless an overriding public purpose is served; and
  4. Forestalls negative impacts associated with inactivity.
- D. The City's 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities.

## **CHRONOLOGY:**

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

- May 2009                                      Petition created and assigned to planner
- June 17, 2009                                Planning Division Open House
- June 24, 2009                                Planning Commission hearing
- June 25, 2009                                Ordinance requested from City Attorney's office
- July 9, 2009                                  Transmittal paperwork received in the Council office

cc: David Everitt, Karen Hale, Holly Hilton, Lyn Creswell, Ed Rutan, Lynn Pace, Paul Nielson, Jeff Niermeyer, Tom Ward, Rick Graham, Val Pope, Dell Cook, Frank Gray, Mary De La Mare-Schafer, Wilf Sommerkorn, Pat Comarell, Cheri Coffey, Joel Paterson, Craig Spangenberg, Randy Isbell, Everett Joyce, Orion Goff, Les Koch, Larry Butcher, City Council Liaisons, Community Affairs Specialists

File Location: Community and Economic Development Dept., Planning Division, Zoning Text Amendment – allowing public parks as a permitted use in the Public Lands Zoning District PL

# SALT LAKE CITY CORPORATION

FRANK B. GRAY  
DIRECTOR

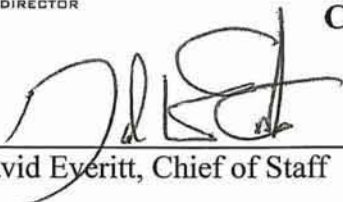
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT  
OFFICE OF THE DIRECTOR

RALPH BECKER  
MAYOR

MARY DE LA MARE-SCHAEFER  
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.  
DEPUTY DIRECTOR

## CITY COUNCIL TRANSMITTAL



David Eyerritt, Chief of Staff

Date Received:

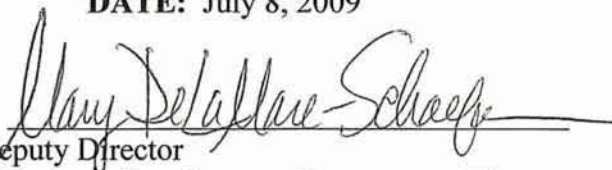


Date Sent to City Council: 07/09/2009

**TO:** Salt Lake City Council  
Carlton Christensen, Chair

**DATE:** July 8, 2009

**FROM:** Mary DeLaMare-Schaefer,  
Community & Economic Development Deputy Director  
on behalf of Frank Gray, Community & Economic Development Department Director



**RE:** Petition PLNPCM2009-00616: Zoning Text Amendment by Mayor Becker to allow public parks in the PL – Public Lands Zoning District

**STAFF CONTACTS:** Everett Joyce, Senior Planner at 801-535-7930 or  
everett.joyce@slcgov.com

**RECOMMENDATION:** That the City Council hold a briefing and schedule a Public Hearing

**DOCUMENT TYPE:** Ordinance

**BUDGET IMPACT:** None

### DISCUSSION:

**Issue Origin:** Petition PLNPCM2009-00616 by Salt Lake City Mayor Becker requests that the Planning Division analyze the appropriateness of amending the City Code to add public parks as a permitted use in Table 21A.32.140 Table of Permitted and Conditional Uses for Special Purpose Districts within the Public Lands Zoning District.

Salt Lake City is designing improvements for a new public park at 1920 West 400 North. The subject property is zoned PL – Public Lands Zoning District. The property used to be under the ownership of the Salt Lake City School District and therefore was zoned Public Lands consistent with the practice of zoning public school properties Public Lands. The existing zoning ordinance

Table 21A.32.140 Table Of Permitted And Conditional Uses For Special Purpose Districts does not allow for public parks as a permitted or conditional use in the Public Lands Zoning District.

**Analysis:** The proposed text change is to allow public parks within the Public Lands Zoning District. The proposed text change is shown in the table below. The specific text change is to add public parks as a permitted use in the Public Lands Zoning District within Section 21A.32.140 Table of Permitted and Conditional Uses for Special Purpose Districts.

**21A.32.140: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:**

Legend: C = Conditional use P = Permitted use

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Recreation, cultural and entertainment:																	
Park (public)	C							P			P	P		P			P

**Master Plan Considerations:** The community master plan land use policies generally define neighborhood, community, and regional land use locations and characteristics. They do not specifically address the level of detail that addresses a specific land use.

In Salt Lake City, the Zoning Ordinance has been one of the main tools used to implement the goals and objectives of the adopted land use planning documents. The proposed change to the text to allow public parks in the Public Lands Zoning District further advances the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City. The proposed change does not alter the various purpose and intent statements included in the Zoning Ordinance.

**PUBLIC PROCESS:**

An Open House was held on June 17, 2009. Notice of the Open House was sent to Community Council chairs and those whose names are on the Planning Division’s Listserve. Notice was also posted on the City’s website. There were no comments received.

The Planning Commission held a Public Hearing on June 24, 2009. There were no public comments and no issues were brought forward. The Planning Commission unanimously passed a motion to forward a favorable recommendation to the City Council.

**RELEVANT ORDINANCES:**

Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard." It does, however, list five standards, which should be analyzed prior to rezoning property (Section 21A.50.050 A-E). The five standards are discussed in detail starting on page 3 of the Planning Commission Staff Report.

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- ii. Newspaper Notice
- iii. Planning Commission Minutes
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## **5. Original Petition**

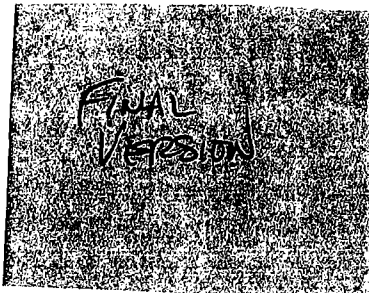
**Exhibit 1**  
**Chronology**



# **Chronology**

May 26, 2009	Petition assigned to Everett Joyce
May 27, 2009	Requested City departmental review
June 9, 2009	Mailed notices for Planning Commission public hearing. Posted public hearing agenda notice on website and Planning Listserve
June 10, 2009	Notice published in newspaper
June 17, 2009	City-wide Open House
June 18, 2009	Staff report posted on web page
June 24, 2009	Planning Commission public hearing
June 25, 2009	Ordinance request sent to City Attorney
July 8, 2009	Planning Commission ratified minutes of June 24, 2009 meeting

**Exhibit 2**  
**Ordinance**



SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2009

(An ordinance amending a portion of section 21A.32.140 of the *Salt Lake* to allow public parks in the Public Lands zoning district)

An ordinance amending a portion of section 21A.32.140 (Table of Permitted and Conditional Uses For Special Purpose Districts) of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2009-00616 to allow public parks in the PL (Public Lands) zoning district.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held a public hearing on June 24, 2009 to consider a request made by Salt Lake City Mayor Ralph Becker (petition no. PLNPCM2009-00616) to amend section 21A.32.140 of the *Salt Lake City Code* to amend a portion of section 21A.32.140 (Table of Permitted and Conditional Uses For Special Purpose Districts) of the *Salt Lake City Code* to allow public parks in the PL (Public Lands) zoning district; and

WHEREAS, at its June 24, 2009 hearing, the Planning Commission voted to transmit a positive recommendation to the Salt Lake City Council (“City Council”) on said application; and

WHEREAS, after a public hearing on this matter the City Council has determined that the following ordinance is in the City’s best interests,

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

SECTION 1. Amending text of *Salt Lake City Code* section 21A.32.140. That the table, titled “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 to indicate that public parks are a permitted use in the PL (Public Lands) zoning district, such that the inserted provision shall appear and read as follows under the category of recreation, cultural and entertainment uses:

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Recreation, cultural and entertainment:																	
Amphitheaters											C						
Arenas, stadiums, fairgrounds										C		C	C				
Art galleries											P						P
Art studio																	P
Botanical gardens	C										C						
Commercial indoor recreation		C															
Community gardens as defined in chapter 21A.62 of this title																	P
Country clubs								P									
Dance studio																	P
Golf courses								P		P	P						
Movie theaters/live performance theaters											C						C
Museums	C									P	P	P	P				P
Music conservatory																	P
Natural open space and conservation areas				P	P	P	P	P	P <sup>9</sup>								P
Nature preserves/conservation areas, public and private			P	P	P	P	P	P	P <sup>9</sup>								P
Park (public)	C							P			P	P		P			P
Pedestrian pathways, trails and greenways														P			P
Performing arts production facility																	P
Private recreational facilities	P							P					P	P			P
Tavern/lounge/brewpub; 2,500 square feet or less in floor area																	C
Zoological park								P									

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 \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

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

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

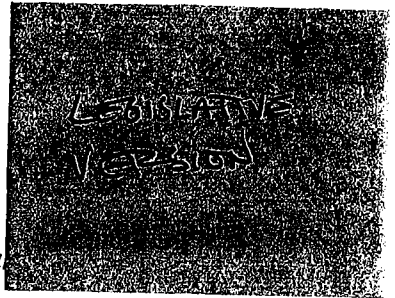
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.  
Published: \_\_\_\_\_.

<p><b>APPROVED AS TO FORM</b> Salt Lake City Attorney's Office Date: <u>July 7, 2009</u> By: <u>Paul C. Nielson</u> Paul C. Nielson, Senior City Attorney</p>
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Botanical gardens	C										C						
Commercial indoor recreation		C															
Community gardens as defined in chapter 21A.62 of this title																	P
Country clubs								P									
Dance studio																	P
Golf courses								P		P	P						
Movie theaters/live performance theaters												C					C
Museums	C										P	P	P	P			P
Music conservatory																	P
Natural open space and conservation areas				P	P	P	P	P	P <sup>9</sup>								P
Nature preserves/conservation areas, public and private			P	P	P	P	P	P	P <sup>9</sup>								P
Park (public)	C							P			P	P		P			P
Pedestrian pathways, trails and greenways														P			P
Performing arts production facility																	P
Private recreational facilities	P							P					P	P			P
Tavern/lounge/brewpub; 2,500 square feet or less in floor area																	C
Zoological park								P									

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 \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

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

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

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2009.

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

HB\_ATTYY-#9195-v1-Ordinance\_allowing\_public\_parks\_in\_PL\_zone\_district



**Exhibit 3**  
**City Council Notice**  
**and Mailing List**

**Exhibit 3i**  
**City Council Hearing Notice**

## **NOTICE OF PUBLIC HEARING**

The Salt Lake City Council will review petition **PLNPCM2009-00616** by Salt Lake City Mayor Becker requesting the Planning Division analyze the appropriateness of amending the City Ordinances to allow public parks in the Public Lands Zoning District. The specific code change is to add public parks as a permitted use in Table 21A.32.140 Table Of Permitted And Conditional Uses For Special Purpose Districts within the Public Lands Zoning District.

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

**DATE:**  
**TIME:** 7:00 P.M.  
**PLACE:** City Council Chambers, 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 Everett L. Joyce at 535-7930, between the hours of 8:30 a.m. and 5:30 p.m. Monday through Friday.

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this City Council meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Everett Joyce at 535-7930; TDD 535-6220.

**Exhibit 3ii**  
**City Council Mailing List**

TERRY THOMAS  
WESTPOINTE CHAIR  
EMAIL ONLY

RON JARRETT  
ROSE PARK CHAIR  
1441 WEST SUNSET DR  
SALT LAKE CITY UT 84116

ANGIE VORHER  
JORDAN MEADOWS CHAIR  
1988 SIR JAMES DRIVE  
SALT LAKE CITY UT 84116

GORDON STORRS  
FAIRPARK CHAIR  
223 NORTH 800 WEST  
SALT LAKE CITY UT 84116

MIKE HARMAN  
POPLAR GROVE CHAIR  
1044 WEST 300 SOUTH  
SALT LAKE CITY UT 84104

RANDY SORENSON  
GLENDALE CHAIR  
1184 SOUTH REDWOOD DR  
SALT LAKE CITY UT 84104

POLLY HART  
CAPITOL HILL CHAIR  
355 NORTH QUINCE STREET  
SALT LAKE CITY UT 84103

JUDITH LOCKE  
GREATER AVENUES CHAIR  
407 E 7TH AVENUE  
SALT LAKE CITY UT 84103

D. CHRISTIAN HARRISON  
DOWNTOWN CHAIR  
336 WEST BROADWAY, #308  
SALT LAKE CITY UT 84101

BILL DAVIS  
PEOPLE'S FREEWAY CHAIR  
332 WEST 1700 SOUTH  
SALT LAKE CITY UT 84115

THOMAS MUTTER  
CENTRAL CITY CHAIR  
EMAIL ONLY/ ON LISTSERVE

LOGGINS MERRILL  
EAST CENTRAL CHAIR  
EMAIL ONLY/ON LISTSERVE

DEWIT SMITH  
LIBERTY WELLS CHAIR  
328 EAST HOLLYWOOD AVE  
SALT LAKE CITY, UT 84115

LISETTE GIBSON  
YALECREST CHAIR  
1764 HUBBARD AVENUE  
SALT LAKE CITY UT 84108

MARK BRINTON  
WASATCH HOLLOW CHAIR  
1869 LOGAN AVE  
SALT LAKE CITY UT 84108

DIANE BARLOW  
SUNNYSIDE EAST CHAIR  
859 SOUTH 2300 EAST  
SALT LAKE CITY UT 84108

ELLEN REDDICK  
BONNEVILLE HILLS CHAIR  
2177 ROOSEVELT AVE  
SALT LAKE CITY UT 84108

DANNY MCDOWELL  
FOOTHILL/SUNNYSIDE CHAIR  
1107 SOUTH 1900 EAST  
SALT LAKE CITY UT 84108

MARIELLA SIRAA/MARGARET  
BRADY  
EAST LIBERTY PARK CO-  
CHAIRS  
EMAIL ONLY, SEE City Council  
site

ARCADIA  
HEIGHTS/BENCHMARK CHAIR  
Vacant

MAGGIE SHAW  
SUGAR HOUSE CHAIR  
1150 WILSON AVE  
SALT LAKE CITY UT 84105

OAK HILLS CHAIR  
Vacant

KEVIN JONES  
EAST BENCH CHAIR  
2500 SKYLINE DR  
SALT LAKE CITY, UT 84108

SUNSET OAKS CHAIR  
Vacant

INDIAN HILLS CHAIR  
Vacant

ST. MARY'S CHAIR  
Vacant

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Downtown Alliance  
Bob Farrington, Director  
175 East 400 South #100  
Salt Lake City, UT 84111

S.L. Chamber of Commerce  
175 East 400 South, Suite #100  
Salt Lake City, UT 84111

Attn: Carol Dibblee  
Downtown Merchants Assn.  
10 W. Broadway, Ste #420  
P.O. Box  
Salt Lake City, UT 84101

Sugar House Merchant's Assn.  
C/o Barbara Green  
Smith-Crown  
2000 South 1100 East  
Salt Lake City, UT 84106

Hispanic Chamber of Commerce  
P.O. Box 1805  
Salt Lake City, UT 84110

Vest Pocket Business Coalition  
P.O. Box 521357  
Salt Lake City, UT 85125-1357

Westside Alliance  
C/o Neighborhood Housing Svcs.  
Maria Garcia  
622 West 500 North  
Salt Lake City, UT 84116

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**Exhibit 4**  
**Planning Commission**

**Public Hearing Notice/Postmark/Agenda**

**Newspaper Notice**

**Planning Commission Minutes**

**Staff Report**

**Exhibit 4i**  
**Public Hearing Notice/Postmark/Agenda**



## SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA

In Room 326 of the City & County Building at 451 South State Street

Wednesday, June 24, 2009 at 5:45 p.m.

There will be no field trip. Dinner will be served to the Planning Commissioners and staff at 5:00 p.m., in Room 126. **Early Work Session** (This portion of the meeting is open to the public for observation)—The work session will begin at **3:00 p.m.** and will include discussion on Long Range Planning including:

1. Sustainable Community Development Code Revision Project. The Planning Commission will receive a presentation by Clarion Associates regarding the purpose and status of the Sustainable Community Development Code Revision Project. This project includes recommendations regarding ways the City can amend its development codes, including the Zoning and Subdivision ordinances, to improve implementation of sustainability in Salt Lake City. (Staff contact: Wilf Sommerkorn at 801.535.7226 or [wilford.sommerkorn@slcgov.com](mailto:wilford.sommerkorn@slcgov.com)).
2. Long range general plan approach.
3. Updates on the North Temple Plan, Euclid Plan, etc.

Approval of Minutes from Wednesday, May 27, 2009 and June 10, 2009

Report of the Chair and Vice Chair

Report of the Director

Public Hearings

4. **Petition PLNPCM2009-00616, Zoning Text Amendment**—The Planning Division is reviewing a petition requested by Mayor Becker to amend the Salt Lake City Zoning Ordinance, to allow “public parks” in the Public Lands Zoning District. The proposed text change affects all properties zoned Public Lands citywide (Staff contact: Everett Joyce at 801.535.7390 or [everett.joyce@slcgov.com](mailto:everett.joyce@slcgov.com)).
5. **Petition No. PLNPCM2008-00640, Salt Lake City Code Maintenance; Fine Tuning text amendments** – a request by Salt Lake City Mayor Becker to analyze the feasibility of amending the City Zoning Ordinance to provide for clarity and efficiency of use as part of an ongoing process of code maintenance. The following issues are being considered:
  - a. Chapter 21A.36 Home Day Care and Home Occupations: Allow home day care and home occupations in legal conforming single family and duplex properties that are located within commercial or other non-residential zones.
  - b. Chapter 21A.36 General Provisions: Add the (MU) Mixed Use Zoning District to the Assisted Living, Nursing Care, Small Group Homes, Large Group Homes, Adult Day Care and Child Day Care uses listed in Chapter 36.
  - c. Chapter 21A.40 Accessory Uses, section 21A.40.090E: Add the (MU) Mixed Use Zoning District to the table (wireless communications facilities)
  - d. Chapter 21A.26 Commercial Districts: Amend 21A.26.080 Table of Permitted and Conditional Uses. Allow single-family and duplex uses as part of a mixed use development in the CN Zoning District.
  - e. Chapter 21A.46 Signs, section 21A.46.110 Signs, Corporate Flag: Allow additional anchoring at the bottom of flag to prevent excessive movement.

These text changes are Citywide (Staff contact: Everett Joyce at 535-7930 or [everett.joyce@slcgov.com](mailto:everett.joyce@slcgov.com)).

Briefing

6. **Petition PLNPCM2009-00168 Northwest Quadrant Master Plan** —a request by the City Council to develop a community master plan for the Northwest Quadrant. The Northwest Quadrant includes the incorporated area of the City located between the Bangerter Highway and the west City limits (8800 West) from 2100 South to the north City limits (3700 North). A public hearing on the matter will be held at a future date. There will be no decision made at this meeting. The community is located in City Council District One, represented by Carlton Christensen and in City Council District Two, represented by Van Turner (Staff contact: Everett Joyce at 801. 535.7930 or [everett.joyce@slcgov.com](mailto:everett.joyce@slcgov.com)).

Visit the Planning Division's website at [www.slcgov.com/CED/planning](http://www.slcgov.com/CED/planning) for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission

Tami Hansen  
ON MAY 14 4 30

# PUBLIC HEARING NOTICE



Salt Lake City Planning Division  
451 South State Street, Room 406  
PO Box 145480  
Salt Lake City UT 84114

1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing
3. In order to be considerate of everyone attending the meeting, public comments are limited to two (2) minutes per person, per item. A spokesperson who has already been asked by a group to summarize their concerns will be allowed five (5) minutes to speak. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting.  
Written comments should be sent to:  

Salt Lake City Planning Commission  
451 South State Street, Room 406  
Salt Lake City UT 84111
4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. The Salt Lake City Corporation complies with all ADA guidelines. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Office at 535-7757; TDD 535-6220.

**Exhibit 4ii**  
**Newspaper Notice**

4770 S. 5600 W.  
P.O. POX 704005  
WEST VALLEY CITY, UTAH 84170  
FED.TAX I.D.# 87-0217663

CUSTOMER'S COPY

PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
PLANNING DIVISION, 451 SOUTH STATE STREET, ROOM 4  SALT LAKE CITY UT 84111	9001394298	6/11/2009

ACCOUNT NAME	
PLANNING DIVISION,	
PHONE	ADDRESS INVOICE NUMBER
8015356184	0000463291 /
DATES	
Start 06/10/2009	End 06/10/2009
CITY / ZIP	
SECTION	
SALT LAKE CITY PLANNING COMMISSION ZONIN	
NO. OF LINES	NO. OF COLUMNS
50 Lines	1.00 COLUMN
NO. OF PAGES	NO. OF COPIES
2	
MISC CHARGES	AD. CHARGES
	67.50

SALT LAKE CITY PLANNING COMMISSION ZONING TEXT AMENDMENTS PUBLIC HEARING

On Wednesday June 24, 2009 at 5:45 P.M., the Salt Lake City Planning Commission will hold hearings to take comment on petitions PLNPCM2008-00643 and PLNPCM2009-00616 amending the zoning text. Petition 00643 allows home day care and home occupations in legal conforming single family and duplex properties in non-residential zones; Assisted Living, Nursing Care, Small Group Homes, Large Group Homes, Adult Day Care and Child Day Care uses and wireless communications facilities in the MU District; single-family and duplex uses as part of a mixed use development in the CN District; and anchoring of corporate flags. Petition 00616 allows public parks in the PL District.

All persons interested and present will be given an opportunity to be heard. The hearing will be held in Room 326 of the Salt Lake City and County Building, 451 South State Street. Accessible parking and entrance is located on the east side of the building. Hearing impaired individuals who wish to attend this hearing should contact our TDD service number, 535-6220, four days in advance. For further information regarding this hearing, call Everett Joyce at 535-7930. 463291 UPAXLP

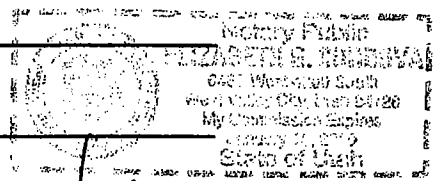
AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY CORPORATION LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF SALT LAKE CITY PLANNING COMMISSION ZONIN FOR PLANNING DIVISION, WAS PUBLISHED BY THE NEWSPAPER AGENCY CORPORATION, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH.

PUBLISHED ON Start 06/10/2009 End 06/10/2009

SIGNATURE *J. Lewis*

6/11/2009



*Elizabeth S. Johnson*

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"  
PLEASE PAY FROM BILLING STATEMENT

**Exhibit 4iii**  
**Planning Commission Minutes**

## SALT LAKE CITY PLANNING COMMISSION MEETING

In Room 326 of the City & County Building

451 South State Street, Salt Lake City, Utah

Wednesday, June 24, 2009

Present for the Planning Commission meeting were Chair Mary Woodhead and Vice Chair Susie McHugh; Commissioners Michael Gallegos, Angela Dean, Prescott Muir, Michael Fife, Tim Chambless, Kathleen Hill, Matthew Wirthlin, Frank Algarin, and Babs De Lay.

6:16:54 PM **Petition PLNPCM2009-00616, Zoning Text Amendment**—The Planning Division is reviewing a petition requested by Mayor Becker to amend the Salt Lake City Zoning Ordinance, to allow “public parks” in the Public Lands Zoning District. The proposed text change affects all properties zoned Public Lands citywide. View: [Staff Report](#)

Chair Woodhead recognized Everett Joyce as staff representative.

Mr. Joyce stated that this ordinance amendment would allow the City to place a public park in a Public Land zoning district. He stated that the zone was originally created for public lands like school districts, but there was a piece of property that a school district did not need, they sold it to the City and the process was started to develop a public neighborhood park on that land. Mr. Joyce stated that this zoning change was necessary to accomplish that.

Commissioner Chambless inquired when the City started creating pocket parks with pieces of land like this in the City.

Mr. Joyce stated that this text amendment would not affect an interior block, but the pocket parks would have been created in the late 1970s and 80s starting in the East Central neighborhood.

### 6:19:01 PM **Public Hearing**

Chair Woodhead opened the public hearing portion of the petition. She noted that no one was present to speak and closed the public hearing.

### 6:19:21 PM **Motion**

**Commissioner De Lay made a motion regarding Petition PLNPCM2009-00616; Fine Tuning Zoning Text Amendment based on the findings in the staff report, the Planning Commission finds that this does meet the applicable standards and transmits a favorable recommendation to the City Council.**

**Commissioner Chambless seconded the motion.**

**Commissioners De Lay, Fife, Hill, Algarin, Dean, Chambless, Wirthlin, McHugh, and Gallegos voted, “Aye”. The motion passed unanimously.**

**Exhibit 4iv**  
**Staff Report**

# PLANNING COMMISSION STAFF REPORT

## Salt Lake City Code Maintenance, Fine Tuning Zoning Text Amendment PLNPCM2009-00616 City-wide

June 24, 2009



Planning and Zoning Division  
Department of Community and  
Economic Development

**Applicant:** Salt Lake City Mayor  
Ralph Becker

**Staff:** Everett Joyce 535-7930  
[everett.joyce@slcgov.com](mailto:everett.joyce@slcgov.com)

**Tax ID:** n/a

**Current Zone:** n/a

**Master Plan Designation:**  
City-wide.

**Council District:** City-wide

**Lot Size:** n/a

**Current Use:** n/a

**Applicable Land Use  
Regulations:**  
*Review Standards:* 21A.50.050  
Standards for General Amendments

**Affected Text:**  
21A.32.140, Table Of Permitted And  
Conditional Uses For Special  
Purpose Districts

### **Notification**

- Notice mailed on June 9, 2009
- Agenda posted on the Planning  
Division and Utah Public Meeting  
Notice websites June 9, 2009
- Newspaper Notice on June 10,  
2009

### **Attachments:**

- A. Proposed Ordinance  
Amendments
- B. Public Input
- C. Department Comments

### **Request**

Salt Lake City Mayor Ralph Becker is requesting the Planning Commission analyze and adjust the City Ordinances to allow public parks in the Public Lands Zoning District. The specific code change is to add public parks as a permitted use in Table 21A.32.140 Table Of Permitted And Conditional Uses For Special Purpose Districts within the Public Lands Zoning District.

### **Staff Recommendation**

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the project generally meets the applicable standards and therefore, recommends the Planning Commission transmit a favorable recommendation to the City Council.



## ***Background***

### **Project Description**

Salt Lake City is designing improvements for a new public park at 1920 West 400 North. The subject property is zoned PL – Public Lands Zoning District. The property used to be under the ownership of the Salt Lake City School District and therefore was zoned Public Lands consistent with the practice of zoning public school properties Public Lands.

The Public Lands Zoning District is part of the City's Special Purpose Chapter. The existing zoning ordinance Table 21A.32.140 Table Of Permitted And Conditional Uses For Special Purpose Districts does not allow for public parks as a permitted or conditional use in the Public Lands Zoning District. There are other existing public parks or spaces in the city that are currently zoned Public Lands, such as Washington Square, the site of the City and County Building. The purpose of the public lands district is to specifically delineate areas of public use and to control the potential redevelopment of public uses, lands and facilities.

Amendments to the City Code selected for Fine Tuning processing meet the following objectives:

- Improves the clarity and usability of the Zoning Code without changing the intent behind the specific regulation in question, and clarifies wording that may be open to interpretation;
- Addresses ongoing problems with administration of the existing Code language, and may result in a minor policy change of low significance;
- Implement the City's Comprehensive Plan: and
- Provides ordinance consistency with existing policies and objectives.

The specific proposed code changes are provided in Exhibit A – Proposed Ordinance Amendments.

## ***Comments***

### **Public Comments**

An Open House was held on June 17, 2009. Notice of the Open House was sent to Community Council chairs, business groups and those whose names are on the Planning Divisions List serve. Notice was also posted on the City's website. There were no comments received directly related to the Open House issue.

### **City Department Comments**

The Planning Division received comments from the applicable City Departments / Divisions. The specific responses are included within Attachment B. In summary the department issues were related the applicability of other PL Zoning District standards and the provision of an avigation easement for those properties that lie within the Airport influence zones.

## ***Analysis and Findings***

**Section 21A.50.050. A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment, the city council should consider the following factors:**

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

**Analysis:** The community master plan land use policies generally define neighborhood, community and regional land use locations and characteristics. They do not specifically address the level of detail that are specific to individual zoning classifications or the specific zoning district tables of permitted and conditional uses. Several of the city's master plans support public parks through the entire community. These plans identify the land use category but do not specifically address which zoning district is appropriate for such uses.

**Finding:** The proposed change does not alter the purpose statements in the Zoning Ordinance. The proposed text change further advances the purposes, goals, objectives and policies of the adopted general plan of Salt Lake City.

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

**Analysis:** The proposed amendment is in response to a specific site however, the text change affects all properties zoned Public Lands. The proposed text change will not interfere with the character of existing development of a specific property. The proposed text change will not modify any existing setback or buffer regulations of the Public Lands Zoning District.

**Finding:** Considering the type and character of development allowed within the Public Lands Zoning District a public park would be consistent with the overall character of Public Land development and adjacent development. The proposed amendment does not impact the overall character of existing development within the immediate vicinity.

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

**Analysis:** This amendment is not project specific. Development of specific public parks will be required to be consistent with the standards of the Public Lands Zoning district. These standards maintain setbacks and buffer requirements deemed appropriate for where the Public Lands zoning is mapped and the types of uses allowed within the district.

**Finding:** The proposed text changes will not adversely affect adjacent properties. The proposed text change does not modify any existing setback, buffer or other regulations of the Public Lands Zoning District and would have no adverse affect on adjacent properties.

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

**Analysis:** The proposed text amendment does not specifically relate, nor impact provisions of any adopted overlay zone.

**Finding:** The proposed text amendment is consistent with the provisions of all applicable overlay zoning districts that may impose additional standards.

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

**Analysis:** This standard relates to ensuring new development can be served by existing public facilities. Allowing parks in the Public Lands Zoning District does not directly relate to a specific development. This standard is not applicable since this is a text amendment affecting all parcels zoned Public Lands.

**Finding:** The proposed zoning text amendment is not project specific and therefore this standard is not applicable.

**Attachment A**  
**Proposed Ordinance Amendment**

# Petition PLNPCM2009-00616 Salt Lake City Code Maintenance

## Recommended Code Text Changes

Language to be **added** is underlined.  
 Language to be **deleted** is ~~striketrough~~

### 21A.32.140: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Legend: C = Conditional use P = Permitted use

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Recreation, cultural and entertainment:																	
Park (public)	C							P			P	P		P			P

**Attachment B**  
**Department Comments**

## Joyce, Everett

---

**From:** Miller, David  
**Sent:** Tuesday, June 02, 2009 8:16 AM  
**To:** Joyce, Everett  
**Cc:** McCandless, Allen  
**Subject:** RE: Petition PLNPCM2009-00616 Zoning Text Amendment

**Categories:** Program/Policy

Everett,

Thank you for the notice regarding proposed amendment to the Salt Lake City Zoning Ordinance, to allow "public parks" in the Public Lands Zoning District. The requested text amendment will allow for a new public park at 1920 West 400 North. This address is in the Salt Lake City's airport influence zone "C" and is listed as a area exposed to moderate levels of aircraft noise and having specific height restrictions. Salt Lake City requires an aviation easement for new development in this zone. The owner or developer should contact me at the address or email below, to complete the aviation easement if one has not already been created. This project creates no observed impacts to airport operations.

David Miller  
Airport Principal Planner  
Salt Lake City Department of Airports  
P.O. Box 145550  
Salt Lake City, UT 84114-5550  
801.575.2972  
[david.miller@slcgov.com](mailto:david.miller@slcgov.com)

---

**From:** Joyce, Everett  
**Sent:** Wednesday, May 27, 2009 9:29 AM  
**To:** Walsh, Barry; Smith, Craig; Garcia, Peggy; Itchon, Edward; Butcher, Larry; Brede, Richard; McCandless, Allen  
**Cc:** Harpst, Tim; Peterson, Max; Niermeyer, Jeff; Goff, Orion; Riley, Maureen; Spencer, John  
**Subject:** Petition PLNPCM2009-00616 Zoning Text Amendment

The Planning Division is reviewing a petition request by Mayor Becker to amend the Salt Lake City Zoning Ordinance, to allow "public parks" in the Public Lands Zoning District. Please see the attached documents and review and provide comment.

Thank you for your assistance.

Everett L. Joyce, AICP  
Senior Planner  
801-535-7930  
Salt Lake City Planning Division  
451 South State Street, Rm 406  
PO Box 145480  
Salt Lake City, UT 84114-5480

**Joyce, Everett**

---

**From:** Butcher, Larry  
**Sent:** Wednesday, May 27, 2009 3:05 PM  
**To:** Joyce, Everett  
**Subject:** RE: Petition PLNPCM2009-00616 Zoning Text Amendment

**Categories:** Program/Policy

Everett,

I assume that the heights, setbacks, and lot area requirement will be the same as the "other uses" category.

Larry

---

**From:** Joyce, Everett  
**Sent:** Wednesday, May 27, 2009 9:29 AM  
**To:** Walsh, Barry; Smith, Craig; Garcia, Peggy; Itchon, Edward; Butcher, Larry; Brede, Richard; McCandless, Allen  
**Cc:** Harpst, Tim; Peterson, Max; Niermeyer, Jeff; Goff, Orion; Riley, Maureen; Spencer, John  
**Subject:** Petition PLNPCM2009-00616 Zoning Text Amendment

The Planning Division is reviewing a petition request by Mayor Becker to amend the Salt Lake City Zoning Ordinance, to allow "public parks" in the Public Lands Zoning District. Please see the attached documents and review and provide comment.

Thank you for your assistance.

Everett L. Joyce, AICP  
Senior Planner  
801-535-7930  
Salt Lake City Planning Division  
451 South State Street, Rm 406  
PO Box 145480  
Salt Lake City, UT 84114-5480



**Joyce, Everett**


---

**From:** Stoker, Justin  
**Sent:** Friday, June 05, 2009 12:03 PM  
**To:** Joyce, Everett  
**Cc:** Garcia, Peggy  
**Subject:** FW: Petition PLNPCM2009-00616 Zoning Text Amendment  
**Attachments:** Request for Comments.doc; PLNPCM2009-00616 Proposed Text Change.doc  
  
**Categories:** Program/Policy

Public Utilities supports the proposed text change.

Justin

**Justin D. Stoker, PE, LEED® AP**  
**Salt Lake City Public Utilities**  
1530 S. West Temple, SLC, UT 84115  
ph. (801) 483-6786 - [justin.stoker@slcgov.com](mailto:justin.stoker@slcgov.com)

 Please consider the environment before printing this e-mail

---

**From:** Garcia, Peggy  
**Sent:** Wednesday, May 27, 2009 3:24 PM  
**To:** Stoker, Justin  
**Subject:** FW: Petition PLNPCM2009-00616 Zoning Text Amendment

Please respond to Planning before June 4, 2009

---

**From:** Joyce, Everett  
**Sent:** Wednesday, May 27, 2009 9:29 AM  
**To:** Walsh, Barry; Smith, Craig; Garcia, Peggy; Itchon, Edward; Butcher, Larry; Brede, Richard; McCandless, Allen  
**Cc:** Harpst, Tim; Peterson, Max; Niermeyer, Jeff; Goff, Orion; Riley, Maureen; Spencer, John  
**Subject:** Petition PLNPCM2009-00616 Zoning Text Amendment

The Planning Division is reviewing a petition request by Mayor Becker to amend the Salt Lake City Zoning Ordinance, to allow "public parks" in the Public Lands Zoning District. Please see the attached documents and review and provide comment.

Thank you for your assistance.

Everett L. Joyce, AICP  
Senior Planner  
801-535-7930  
Salt Lake City Planning Division  
451 South State Street, Rm 406  
PO Box 145480  
Salt Lake City, UT 84114-5480

**Exhibit 5**  
**Original Petition**



# Petition Initiation Request

Planning Division  
Community & Economic Development Department

To: Mayor Becker

From: Pat Comarell, Assistant Planning Director *PC*

Date: May 19, 2009

CC: Frank Gray, Community & Economic Development Director; Mary De La Mare-Schaefer, Community & Economic Development Department Deputy Director; Wilf Sommerkom, Planning Director; Cheri Coffey, Planning Manager; file

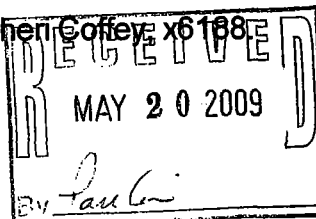
Re: Initiate Petition to amend the zoning ordinance to allow public parks in the Public Lands zoning district.

The Planning Staff is requesting that you initiate a petition to analyze the appropriateness of amending the Zoning Ordinance to allow public parks in the Public Lands Zoning District. Public parks are currently allowed in various zoning districts including the Open Space Zone and the Public Lands-2 zone. However, it has come to the Planning Division's attention that they are not an allowed use (either permitted or conditional) in the Public Lands Zoning District.

Typically staff would have included this request in a routine Code Maintenance type of petition. However, the Engineering Division is at the 90% construction drawing phase for a new park at 1920 West 400 North in the Jordan Meadows Community Council boundaries and therefore, Staff is of the opinion that the petition should be processed separately from other issues. The property is currently zoned Public Lands due to its adjacency to Meadowlark Elementary School.

Once a draft ordinance is prepared, the text amendment will be taken through the formal City adoption process including citizen input and public hearings with the Planning Commission and City Council.

If you have any questions, please contact Cheri Coffey, x6188

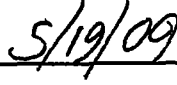


Thank you.

***Concurrence to initiating the zoning text amendment petition as noted above.***



**Ralph Becker, Mayor**



**Date**

**Remarks:**

**Petition No: PLNPCM2009-00616**

**By: Salt Lake City Planning Division**

**Amendment to the Zoning Ordinance to allow public parks  
in the Public Lands zoning district.**

**Date Filed: 05/19/2009**

**Address: Citywide**