
MEMORANDUM

DATE: October 8, 2009

TO: Council Members

FROM: Janice Jardine
Land Use Policy Analyst

SUBJECT: Establishing criteria to be considered when amending the text of the
Zoning Ordinance
Petition PLNPCM2009-00105

On September 22, 2009, the Council received a briefing on this item. No issues were raised by Council Members.

POTENTIAL MOTIONS:

1. ["I move that the Council"] Adopt an ordinance amending Title 21A, Zoning, , of the *Salt Lake City Code* and establishing criteria to be considered when amending the text of the Zoning Ordinance.
2. ["I move that the Council"] Not adopt an ordinance amending Title 21A, Zoning, , of the *Salt Lake City Code* and establishing criteria to be considered when amending the text of the Zoning Ordinance.

SALT LAKE CITY CORPORATION

FRANK B. GRAY
DIRECTOR

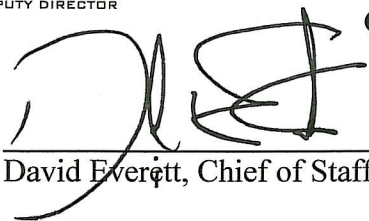
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
OFFICE OF THE DIRECTOR

RALPH BECKER
MAYOR

MARY DE LA MARE-SCHAEFER
DEPUTY DIRECTOR

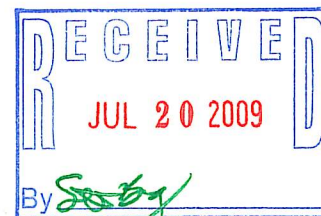
ROBERT FARRINGTON, JR.
DEPUTY DIRECTOR

CITY COUNCIL TRANSMITTAL



David Everett, Chief of Staff

Date Received:



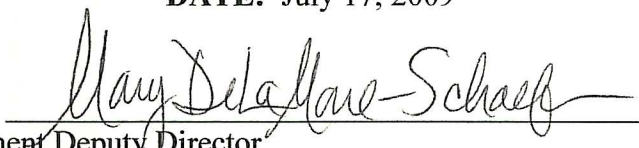
Date Sent to City Council:

07/21/2009

TO: Salt Lake City Council
Carlton Christensen, Chair

DATE: July 17, 2009

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



RE: Petition PLNPCM2009-00105: Zoning Text Amendment initiated by the City Council to differentiate between zoning text amendments and zoning map amendments.

STAFF CONTACTS: Bill Peperone, Principal Planner, at 801-535-7214 or bill.peperone@slcgov.com

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

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

DISCUSSION:

Issue Origin: By Ordinance 13 of 2004, the City Council directed staff to initiate an amendment to Section 21A.50.50 of the Salt Lake City Zoning Ordinance to create more specific criteria for evaluation of zoning text amendments versus zoning map amendments.

Analysis: Currently, Section 21A.50.50 lists five criteria by which all amendments to the Zoning Ordinance and Zoning Map are to be evaluated. These five criteria are primarily site specific and relate well to map amendments, but they do not relate very appropriately to amendments to the *text* of the zoning ordinance. The purpose of this amendment was to create criteria more fitting to each type of amendment, either map or text.

There were no issues raised by other departments.

There were no issues raised by other departments.

There were no public comments on this proposal at the Planning Commission meeting.

Master Plan Considerations: This amendment does not conflict with the adopted city Community Master Plans. It is intended that this amendment will allow for orderly growth by encouraging more appropriate evaluation of future amendments to the City's Zoning Ordinance or Zoning Map.

PUBLIC PROCESS:

The Community & Economic Development Department organized the Zoning Amendment Project Committee (ZAP) based on the group the City Council used as part of the Conditional Use discussion last year. The Committee includes approximately 35 people. The purpose of the ZAP is to review and comment on the various code amendments currently being processed by the Planning Division. A meeting of the ZAP was held on February 9, 2009. While reviewing this particular amendment, some members of the ZAP wondered if an additional criteria pertaining to economic impact a proposed amendment may have to existing and future businesses should be included. Others believed economics should not be a guiding factor for review. This issue was raised to the Planning Commission, which did not agree to include it in its recommendation. Staff also met with the Business Advisory Board (BAB) on March 11, 2009, and discussed amendments. The BAB raised the issue of being notified sooner about these types of issues so business group have time to inform their members of the proposed changes. Staff agreed to this and has already changed the process to include business group notification similar to what is done for community council notification.

An Open House was held at City & County Building on February 19, 2009. Although the Open House was well attended, there were no public, written comments specific to this proposal.

The Planning Commission first considered this petition in their study session on March 11, 2009. A public hearing was held by the Planning Commission on March 25, 2009. There were no issues raised by either the Planning Commission or the public. The vote was unanimous in favor of recommending adoption of the amendment.

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 pages 2-3 of the Planning Commission Staff Report (see Exhibit 5-B).

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March 25, 2009 – Planning Commission
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1. PROJECT CHRONOLOGY

Chronology
Petition PLNPCM2009-00105

November 14, 2008	Petition assigned to Bill Peperone
February 9, 2009	Task Force Meeting
February 19, 2009	City-wide Planning Division Open House
February 26, 2009	Planning Commission Study Session
March 2, 2009	Requested city department review
March 10, 2009	Mailed notices for Planning Commission public hearing to Community Council Chairs, Planning Division List serve and posted to city and state websites
March 11, 2009	Advertised in Deseret News and Salt Lake Tribune
March 13, 2009	Strike and bold ordinance placed on the website
March 19, 2009	Staff report posted on the web page
March 25, 2009	Planning Commission public hearing
March 31, 2009	Ordinance request sent to City Attorney
April 8, 2009	Planning Commission ratified minutes of March 25, 2009 meeting
April 27, 2009	City Attorney delivered ordinance to the Planning Division

2. PROPOSED ORDINANCE

21A.50.050 Standards for general amendments.

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. In making its decision concerning a proposed text amendment, the city council should consider the following factors:
 - 1. Whether the a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City City as stated through its various adopted planning documents;
 - 2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;
 - 3. Whether the a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
 - 4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.
- B. In making a decision to amend the zoning map, the city council should consider the following:
 - 1. Whether the a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City City as stated through its various adopted planning documents;
 - 2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;
 - ~~B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property;~~
- C. 3. The extent to which the a proposed map amendment will adversely affect adjacent properties;
- D. 4. Whether the a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and

E. 5. 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, stormwater drainage systems, water supplies, and wastewater and refuse collection. (Ord. 26-95 § 2(25-4), 1995)

FINAL VERSION
STAMPED

SALT LAKE CITY ORDINANCE
No. _____ of 2009
(An Ordinance Amending Section 21A.50.050 (Zoning - Standards for
General Amendments) of the *Salt Lake City Code*)

An ordinance amending section 21A.50.050 (Zoning - Standards for General Amendments) of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2009-00105 to provide additional clarity regarding zoning ordinance text and zoning map amendments.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held a public hearing on March 25, 2009 to consider a request made by Salt Lake City Mayor Ralph Becker (petition no. PLNPCM2009-00105) to amend the text of section 21A.50.050 (Zoning - Standards for General Amendments) of the *Salt Lake City Code* to provide further clarity regarding petitions for zoning ordinance text amendments and zoning map amendments; and

WHEREAS, at its March 25, 2009 hearing, the Planning Commission voted in favor of recommending to the City Council that the City Council amend section 21A.50.050 of the *Salt Lake City Code*; 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.50.050. That section 21A.50.050 of the *Salt Lake City Code* (Standards for General Amendments), shall be, and hereby is, amended to read as follows:

21A.50.050 Standards for general amendments.

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.

- A. In making its decision concerning a proposed text amendment, the city council should consider the following factors:
1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;
 2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;
 3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
 4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.
- B. In making a decision to amend the zoning map, the city council should consider the following:
1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;
 2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;
 3. The extent to which a proposed map amendment will affect adjacent properties;
 4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
 5. 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, stormwater drainage systems, water supplies, and wastewater and refuse collection.

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: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date: April 27, 2009
By: Paul C. Nielson
Paul C. Nielson, Senior City Attorney

HB_ATTYY-#8110-v2-Ord - _Amending_21A-50-050_StdS_for_Gen_Amendments

LEGISLATIVE
VERSION

SALT LAKE CITY ORDINANCE
No. _____ of 2009
(An Ordinance Amending Section 21A.50.050 (Zoning - Standards
General Amendments) of the *Salt Lake City Code*)

An ordinance amending section 21A.50.050 (Zoning - Standards for General Amendments) of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2009-00105 to provide additional clarity regarding zoning ordinance text and zoning map amendments.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held a public hearing on March 25, 2009 to consider a request made by Salt Lake City Mayor Ralph Becker (petition no. PLNPCM2009-00105) to amend the text of section 21A.50.050 (Zoning - Standards for General Amendments) of the *Salt Lake City Code* to provide further clarity regarding petitions for zoning ordinance text amendments and zoning map amendments; and

WHEREAS, at its March 25, 2009 hearing, the Planning Commission voted in favor of recommending to the City Council that the City Council amend section 21A.50.050 of the *Salt Lake City Code*; 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.50.050. That section 21A.50.050 of the *Salt Lake City Code* (Standards for General Amendments), shall be, and hereby is, amended to read as follows:

21A.50.050 Standards for general amendments.

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. In making its decision concerning a proposed text amendment, the city council should consider the following factors:

1. Whether the a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City City as stated through its various adopted planning documents;
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;
3. Whether the a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

B. In making a decision to amend the zoning map, the city council should consider the following:

1. Whether the a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City City as stated through its various adopted planning documents;
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;

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

C. ~~3.~~ 3. The extent to which the a proposed map amendment will adversely affect adjacent properties;

D. ~~4.~~ 4. Whether the a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and

E. ~~5.~~ 5. 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, stormwater drainage systems, water supplies, and wastewater and refuse collection.

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_ATTU-#8110-v1-Ord_-_Amending_21A-50-050_StdS_for_Gen_Amendments

3. NOTICE OF CITY COUNCIL HEARING

NOTICE OF PUBLIC HEARING

The Salt Lake City Council will hold a public hearing regarding Petitions PLNPCM2009-00105 and PLNPCM2009-00106 to consider the following:

1. Amendments to Section 21A.50.50 of the Salt Lake City Zoning Ordinance regarding criteria for evaluating zoning map amendments verses zoning text amendments.
2. Various amendments to Zoning Ordinance sections related to public noticing and hearing requirements.

These amendments are city-wide so there is not specific property address.

As part of its review, the City Council is holding an advertised public hearing to receive comments regarding the petitions. 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: 7:00 p.m.

Place: Room 315 (City Council Chambers)*
Salt Lake City and County Building
451 S. State Street
Salt Lake City, UT

*Please enter building from east side.

If you have any questions relating to this proposal or would like to review the petition on file, please contact Bill Peperone, Principal Planner, at 535-7214 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at bill.peperone@slcgov.com.

People with disabilities may make requests for reasonable accommodations no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. The City & County Building is an accessible facility. For questions, requests, or additional information, please contact the City Council Office at 535-7600, or TDD 535-6021.

4. MAILING LABELS

LESLIE REYNOLDS-BENNS, PHD
WESTPOINTE CHAIR
1402 MIAMI ROAD
SALT LAKE CITY UT 84116

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

VICKY ORME
FAIRPARK CHAIR
159 NORTH 1320 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

WAYNE F GREEN
GREATER AVENUES CHAIR
371 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

JOEL BRISCOE
EAST CENTRAL CHAIR
PO BOX 58902
SALT LAKE CITY UT 84158

JIM FISHER
LIBERTY WELLS CHAIR
PO BOX 522318
SALT LAKE CITY, UT 84152

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

GREG MORROW
WASATCH HOLLOW CHAIR
EMAIL ONLY/ON LISTSERVE

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

MICHAEL AKERLOW
FOOTHILL/SUNNYSIDE CHAIR
1940 HUBBARD AVE
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

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

**5.A PLANNING COMMISSION
ORIGINAL NOTICE AND POSTMARK**

PO Box 145480
SIC 127 8414-548

AGENDA FOR THE SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, March 25, 2009 at 5:45 p.m.

The field trip is scheduled to leave at 4:00 p.m. Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m., in Room 126. **Work Session**—the Planning Commission may discuss project updates and other minor administrative matters. This portion of the meeting is open to the public for observation.

Approval of Minutes from Wednesday, March 11, 2009

Report of the Chair and Vice Chair

Report of the Director

Public Hearing

1. **PLNPCM2008-00918; Zoning Map Amendment**—a request by Paul L. Willie to amend the Zoning Map for property located at approximately 230 West North Temple from PL Public Lands to RMU Residential Mixed Use. This property is located in City Council District 3, represented by Council Member Luke Garrott (Staff Contact: Nole Walkingshaw at 801- 535-7128 or nole.walkingshaw@slcgov.com).
2. **PLNPCM2008-00917; Preliminary Minor Subdivision**—a request by Paul L. Willie for property located at approximately 230 West North Temple to combine three parcels. This property is located in City Council District 3, represented by Council Member Luke Garrott (Staff contact: Nole Walkingshaw at 801-535-7128 or nole.walkingshaw@slcgov.com).
3. **PLNPCM2009-00003; Red Moose Roasting and Coffee Conditional Use**—a request by Red Moose Roasting and Coffee, represented by Rob Karas and Teresa Nelson, for a drive thru window for a coffee shop located at approximately 1693 South 900 East. A coffee shop is a permitted use in the CN Neighborhood Commercial Zoning District; however, a drive thru window requires a conditional use. The property is located in City Council District 5 represented by Council Member Jill Remington-Love (Staff contact: Nick Norris at 801-535-6173 or nick.norris@slcgov.com).
4. **PLNPCM2009-00106; Zoning Ordinance Text Amendment**—a petition initiated by the Planning Commission to amend Sections 21A.10.010 and 21A.10.020, and other related Sections of the Salt Lake City Zoning Ordinance, pertaining to Public Hearing and Notice Requirements. The proposed amendments are not site specific (Staff contact: Bill Peperone at 535-7214 or bill.peperone@slcgov.com)
5. **PLNPCM2009-00105; Zoning Ordinance Text Amendment**—a petition initiated by the City Council to amend Section 21A.50.050 of the Salt Lake City Zoning Ordinance, *Standards for General Amendments*. The proposed amendment is not site specific (Staff contact: Bill Peperone at 801-535-7214 or bill.peperone@slcgov.com)

Visit the Planning Division's website at 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. The Record of Decision will be posted on the Division's website the day following the meeting where a final decision on a petition is made.

Not Williams

PUBLIC HEARING NOTICE

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

MAILED FROM ZIP CODE 84116
0004632097 MAR 11 2009
02 1A
\$ 00.42
UNITED STATES POSTAGE
PITNEY BOWES



FIRST CLASS

STATE MAIL SVCS 03/12/2009 09:30

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.

08

Order Confirmation for Ad #0000430833-01

Client	PLANNING DIVISION	Payor Customer	PLANNING DIVISION
Client Phone	801-535-6184	Payor Phone	801-535-6184
Account#	9001394298	Payor Account	9001394298
Address	PO BOX 145455 SALT LAKE CITY UT 84114-5455 USA	Payor Address	PO BOX 145455 SALT LAKE CITY UT 84114-5455
Fax		Ordered By	Acct. Exec
EEmail	everett.joyce@slcgov.com	Tami Hansen	Ivaldez

Total Amount	\$87.50			
Payment Amt	\$0.00			
Amount Due	\$87.50	<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>
		0	0	1

Payment Method PO Number

Confirmation Notes:

Text:

Ad Type	Ad Size	Color
Legal Liner	2.0 X 33 Li	<NONE>

Product	Placement
Deseret News::	Legal Liner Notice - 0998
Scheduled Date(s):	03/11/2009

Product	Placement
deseretnews.com::	Legal Liner Notice - 0998
Scheduled Date(s):	03/11/2009

Ad Content Proof Actual Size

Proposed amendments to the Salt Lake City Zoning Ordinance

On March 25, 2009, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations to the City Council regarding the following petitions:

Petition PLNPCM2009-00105 filed by the Salt Lake City Council to amend Section 21A.50.050 of the Salt Lake City Zoning Ordinance related to Standards for General Amendments. This proposed amendment is intended to differentiate between zoning map amendments and zoning text amendments and to adopt criteria for evaluating each type of amendment.

Petition PLNPCM2009-00106 filed by the Salt Lake City Planning Commission to amend Sections 21A.10.010, 21A.10.020, 21A.10.030 and other related sections pertaining to public noticing and advertisement requirements. The proposed amendments are intended to make the city Zoning Ordinance more internally consistent and more consistent with changes that have taken place in State law.

The public hearing will begin at 5:45 PM in room 326 of the City County Building, 451 South State Street, Salt Lake City, UT. For more information or for special ADA accommodations, which may include alternative formats, interpreters, and other auxiliary aids or additional information, please contact Bill Peperone at 801-535-7241 or TDD call 801-535-6220. UPAXLP 430833

**5.B PLANNING COMMISSION
STAFF REPORT**

PLANNING COMMISSION STAFF REPORT

Salt Lake City Code Maintenance Zoning Text Amendment Petition PLNPCM2009- 00105 – City-wide March 25, 2009



Planning Division
Department of Community and
Economic Development

Applicant: Salt Lake City Mayor

Staff: Bill Peperone 535-7214
bill.peperone@slegov.com

Master Plan Designation:
City-wide

Council District: City-wide

Applicable Land Use Regulations:

Affected Text:
21A.50.050, Standards for General
Amendments

Notification

- Notice mailed on 2009

Attachments:

- A. Minutes from March 9,
2004 city council meeting
- B. Summary Table of the
Amendment

Request

The Salt Lake City Council has requested that the Planning Division bring forth an amendment to Section 21A.50.050 of the Salt Lake City Zoning Ordinance. The purpose of this amendment is to differentiate between proposed amendments to the text of the Zoning Ordinance verses proposed amendment to the city's zoning map.

Staff Recommendation

Based on the comments and analysis given in the staff report, the Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to adopt the proposed text amendment for Standards for General Amendments.

Potential Motion

Approval of the proposed amendments to Section 21A.50.050 of the Zoning Ordinance
I move to forward a recommendation to the City Council for approval of PLNPCM2009-00105 for the proposed amendments to Section 21A.50.050 of the Salt Lake City Zoning Ordinance, based on the following findings:

1. That distinction between zoning text amendments and zoning map amendments is beneficial to the city;
2. That the current language of Section 21A.50.050 of the Salt Lake City Zoning Ordinance makes no such distinction;

Background/ Project Description

On March 9, 2004, the City Council adopted Ordinance 13 of 2004 which included a “request that the Administration and Planning Commission advance an update to the zoning ordinance to establish separate criteria for analyzing amendments to the zoning text and zoning maps.”

The City adopted a comprehensive Zoning Ordinance in April 1995. At that time, it was understood that adjustments to the Zoning Ordinance would be necessary once it had been implemented, and people had an opportunity to work with it. Salt Lake City intermittently processes Fine Tuning ordinance adjustments to provide code maintenance for the City’s ordinances. Previous ordinance adjustments have been processed by the Administration in 1995, 1999 and in 2004.

Overall, the framework and structure of Salt Lake City’s zoning regulations and development standards are sound and do not require wholesale restructuring of the code. However, at times significant code changes are processed due to land use policy changes adopted by the City or because of State enabling regulation changes. It would be beneficial for Salt Lake City to make minor code revisions that lead to a greater ease of use and understanding.

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
- Provide ordinance consistency with existing policies and objectives.

The type of code amendments processed through the fine tuning, include the consistency, clarification and correction. Consistency amendments are intended to eliminate conflicts or ambiguities within existing language. Clarification amendments are intended to clarify existing language to facilitate daily use and improve readability of the code. Correction amendments identify typographical errors within the text of the code or incorrect placement of lines on maps within the Zoning District Maps.

Comments

Public Comments

A Task Force meeting was held in January 2009. Members of the business community who were present suggested that an additional criteria be added to text amendments that would consider the impact a proposed amendment may have on existing or future commercial or industrial businesses. An Open House was held on February 19, 2009. Notice of the Open House was sent to Community Council chairs 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 this Open House issue.

City Department Comments:

Staff sent information regarding the proposed text changes to applicable City Departments. Department responses are included in Attachment B. Department issues received were reviewed and addressed within the proposed text amendments.

Analysis and Findings

The proposed amendment to Section 21A.50.050 is as follows:

21A.50.050 Standards for general amendments.

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. In making its decision concerning a proposed text amendment, the city council should consider the following factors:
 - 1. ~~Whether the a~~ proposed text amendment is consistent with the purposes, goals, objectives, and policies of the ~~adopted general plan of Salt Lake City~~ City as stated through its various adopted planning documents;
 - 2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;
 - 3. ~~Whether the a~~ proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
 - 4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.
- B. In making a decision to amend the zoning map, the city council should consider the following:
 - 1. ~~Whether the a~~ proposed map amendment is consistent with the purposes, goals, objectives, and policies of the ~~adopted general plan of Salt Lake City~~ City as stated through its various adopted planning documents;
 - 2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;
- ~~B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property;~~
- ~~C.~~ 3. The extent to which ~~the a~~ proposed map amendment will adversely affect adjacent properties;
- ~~D.~~ 4. Whether ~~the a~~ proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
- E. 5. 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, stormwater drainage systems, water supplies, and wastewater and refuse collection. (Ord. 26-95 □ 2(25-4), 1995)

Attachment "A"
City Council minutes from March 9, 2004

Crandall, Scott

From: Crandall, Scott
Sent: Thursday, March 18, 2004 10:41 AM
To: Paterson, Joel; Wilde, Brent; Zunguze, Louis
Cc: Jardine, Janice
Categories: Program/Policy

FYI: The Council adopted the following motion on March 9, 2004. Please take whatever steps are necessary to implement the request. Please forward this to anyone else who needs to be involved. Thanks.

Councilmember Turner moved and Councilmember Saxton seconded to **adopt Ordinance 13 of 2004 including a request that the Administration and Planning Commission advance an update to the zoning ordinance to establish separate criteria for analyzing amendments to the zoning text and zoning maps**, which motion carried, all members present voted aye.

#2. RE: Accept public comment and consider adopting an ordinance making **miscellaneous housekeeping amendments** to the Salt Lake City Zoning Code, pursuant to Petition No. 400-02-20. (Fine Tuning)

Cindy Cromer said she was concerned about creating separate criteria for zoning text and zoning maps. She said separating the issues would create problems with interpretation. She said even though zoning text and maps were different media, they needed to communicate the same thing.

Councilmember Saxton moved and Councilmember Turner seconded to close the public hearing, which motion carried, all members present voted aye.

Councilmember Lambert said he understood the Planning Commission (PC) wanted to remove Items 1, 18, 20, 22, 24, 25, 26, and 37. He asked if the proposed ordinance reflected those changes. Brent Wilde, Deputy Planning Director, said he would review the ordinance but he believed all of the intended items had been pulled.

Discussion was held on Item 3 of the Council staff report establishing separate criteria for analyzing amendments to zoning text and zoning maps. Councilmember Christensen said Patricia Comarell, Planning Consultant, suggested the Council request the Planning Department to develop those criteria. He asked if the Planning Department had any opposition to the suggestion. Mr. Wilde said no. He said they agreed there were issues which needed to be addressed and would prepare a proposal for Council.

Councilmember Christensen asked if the request needed to be included in the motion. Mr. Wilde said he felt that would be appropriate because that was clearly the intent.

Councilmember Turner said he would amend the motion to include the request. Councilmember Saxton seconded the amendment.

Councilmember Turner moved and Councilmember Saxton seconded to adopt Ordinance 13 of 2004 including a request that the Administration and Planning Commission advance an update to the zoning ordinance to establish separate criteria for analyzing amendments to the zoning text and zoning maps, which motion carried, all members present voted aye.

(O 04-3)

Attachment "B"
Summary Table of the Amendment

PROPOSED CHANGES TO STANDARDS FOR GENERAL AMENDMENTS (Sec. 21A.50.050)

Current Criteria	Proposed Changed	Staff Reasoning	Task Force Remarks
A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City;	<p>(Text) Whether a proposed text amendment is consistent with the purposes, goals, objectives and policies of the City as stated through its various adopted planning documents.</p> <p>(Map) Whether a proposed map amendment is consistent with the purposes, goals, objectives and policies of the City as stated through its various adopted planning documents.</p>	<ul style="list-style-type: none"> • Unlike some of the other criteria, this one applies well to both text and map amendments • The City does not have one general plan, like most jurisdictions do, but rather has community master plans. In addition to the master plans, the city has other planning documents that should be considered for consistency. 	Support proposal
B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.	<p>(Text) Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;</p> <p>(Map) Whether a map amendment furthers the specific purpose statements of the zoning ordinance;</p>	<ul style="list-style-type: none"> • This is a similar application of the current text but is written to make it more applicable to text amendments. • Map amendments should further the purpose statements of the zoning ordinance. 	Support proposal
C. The extent to which the proposed amendment will adversely affect adjacent properties	<p>(Text) Deleted;</p> <p>(Map) The extend to which the proposed amendment will adversely affect adjacent properties;</p>	<ul style="list-style-type: none"> • (Text) This criterion is site-specific and applies more readily to map amendments than it does to text amendments. • Text amendments usually relate to progressive planning policies of clarification of an existing regulation. • (Map) Because the current criteria applied well to map amendments, no change to the current wording is proposed. 	<p>Text. Clarify what “best practices of urban planning and design” means. Ensure that it means current best professional practices.</p> <p>Map. Support proposal</p>
D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards; and	<p>(Text) No change</p> <p>(Map) No change</p>	<ul style="list-style-type: none"> • Text amendments are seldom lot or parcel specific while map amendments are always parcel specific. • This criterion applies well to map amendments so no change to the current wording is proposed. 	The “public interest” phrase is too vague. Do not include that language. Both Text and Map changes should be in keeping with Overlay District regulations. Retain the language relating to the Overlay Districts for both text and map amendments.
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,	<p>(Map) No change</p>	<ul style="list-style-type: none"> • This criterion applies well to map amendment and has value so the current wording is being maintained. 	Support proposal.

water supplies, and wastewater and refuse collection.

**5.C PLANNING COMMISSION
AGENDA AND MINUTES**

AMENDED AGENDA FOR THE SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, March 25, 2009 at 5:45 p.m.

The field trip is scheduled to leave at 4:00 p.m. Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m., in Room 126. **Work Session**—the Planning Commission may discuss project updates and other minor administrative matters. This portion of the meeting is open to the public for observation.

Approval of Minutes from Wednesday, March 11, 2009

Report of the Chair and Vice Chair

Report of the Director

Public Hearing

1. **PLNPCM2008-00918; Zoning Map Amendment**—a request by Paul L. Willie to amend the Zoning Map for property located at approximately 230 West North Temple from PL Public Lands to RMU Residential Mixed Use. This property is located in City Council District 3, represented by Council Member Eric Jergensen (Staff contact: Nole Walkingshaw at 801- 535-7128 or nole.walkingshaw@slcgov.com).
2. **PLNPCM2008-00917; Preliminary Minor Subdivision**—a request by Paul L. Willie for property located at approximately 230 West North Temple to combine three parcels. This property is located in City Council District 3, represented by Council Member Eric Jergensen (Staff contact: Nole Walkingshaw at 801-535-7128 or nole.walkingshaw@slcgov.com).
3. **PLNPCM2009-00003; Red Moose Roasting and Coffee Conditional Use**—a request by Red Moose Roasting and Coffee, represented by Rob Karas and Teresa Nelson, for a drive thru window for a coffee shop located at approximately 1693 South 900 East. A coffee shop is a permitted use in the CN Neighborhood Commercial Zoning District; however, a drive thru window requires a conditional use. The property is located in City Council District 5 represented by Council Member Jill Remington-Love (Staff contact: Nick Norris at 801-535-6173 or nick.norris@slcgov.com).
4. **PLNPCM2009-00106; Zoning Ordinance Text Amendment**—a petition initiated by the Planning Commission to amend Sections 21A.10.010 and 21A.10.020, and other related Sections of the Salt Lake City Zoning Ordinance, pertaining to Public Hearing and Notice Requirements. The proposed amendments are not site specific (Staff contact: Bill Peperone at 535-7214 or bill.peperone@slcgov.com).
5. **PLNPCM2009-00105; Zoning Ordinance Text Amendment**—a petition initiated by the City Council to amend Section 21A.50.050 of the Salt Lake City Zoning Ordinance, *Standards for General Amendments*. The proposed amendment is not site specific (Staff contact: Bill Peperone at 801-535-7214 or bill.peperone@slcgov.com).
6. **Foothill Stake Planned Development/Conditional Use and Zoning Map Amendment**—a request by the Church of Latter Day Saints, represented by Bradley Gygi, architect, for an approval to allow for the redevelopment of the existing site by removing the existing meeting house building and constructing an addition to the existing stake office at property located at approximately 1933 South 2000 East. The property is located in City Council District Six represented by J.T. Martin (Staff contact: Kevin LoPiccolo at 535-6003 or kevin.lopiccolo@slcgov.com).
 - a. **Petition PLNPCM2008-00795 Planned Development/Conditional Use**—a request approval to allow the LDS Foothill Stake to replace an existing chapel with an addition to the building along 2000 East. The new chapel/stake center would be approximately 27,000 square feet. As part of the Planned Development, the applicant is requesting a reduction of required landscaping for the parking lot.
 - b. **Petition PLNPCM2009-00074 Zoning Map Amendment**—the applicant is requesting approval to rezone the property from R-1-7000 (Single Family Residential) to Institutional.

Visit the Planning Division's website at 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. The Record of Decision will be posted on the Division's website the day following the meeting where a final decision on a petition is made.

MEETING GUIDELINES

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, hearing swill 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. Salt Lake City Corporation complies will 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.

On Tuesday, March 10, 2009 I personally posted copies of the foregoing notice within the City and County Building at 451 South State Street at the following locations: Planning Division, Room 406; City Council Bulletin Board, Room 315; and Community Affairs, Room 345. A copy of the agenda has also been faxed/e-mailed to all Salt Lake City Public Libraries for posting and to the Salt Lake Tribune and Deseret News.

Signed: _____
Tami Hansen

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN to before me this day March 10, 2009

SALT LAKE CITY PLANNING COMMISSION MEETING

In Room 326 of the City & County Building

451 South State Street, Salt Lake City, Utah

Wednesday, March 25, 2009

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

A field trip was held prior to the meeting. Planning Commissioners present were: Tim Chambless, Angela Dean, Michael Fife, Susie McHugh, and Mary Woodhead. Staff members present were: Joel Paterson, Nick Norris, Nole Walkingshaw, and Kevin LoPiccolo.

A roll is being kept of all who attended the Planning Commission Meeting. Chair Woodhead called the meeting to order at 5:47 p.m. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time. Planning staff members present at the meeting were: Wilf Sommerkorn, Planning Director; Joel Paterson, Programs Manager; Paul Neilson, City Attorney; Bill Peperone, Senior Planner; Nick Norris, Senior Planner; Nole Walkingshaw, Senior Planner; Kevin LoPiccolo, Programs Supervisor; and Tami Hansen, Planning Commission Secretary.

7:07:18 PM PLNPCM2009-00105; Zoning Ordinance Text Amendment—a petition initiated by the City Council to amend Section 21A.50.050 of the Salt Lake City Zoning Ordinance, *Standards for General Amendments*. The proposed amendment is not site specific. View: [Staff Report](#)

Chair Woodhead recognized Bill Peperone as staff representative.

Mr. Peperone stated that this petition was initiated by the City Council to differentiate between amendments to the Zoning Map versus amendments to text of the Zoning Ordinance.

He stated that this simply would make it easier for the City Council and Planning Commission to use when evaluating a text amendment versus a map amendment.

7:08:39 PM Public Hearing:

Chair Woodhead open the public hearing portion of this petition, there were no members of the public present to speak to the petition. Chair Woodhead closed the public hearing.

7:09:04 PM **Motion:**

Commissioner De Lay made a motion regarding Petition PLNPCM2009-00105, based on the staff report, that the Planning Commission forwards a positive recommendation to the City Council, to adopt the proposed text amendments for Standards for General Amendments.

Commissioner Dean seconded the motion.

Commissioners De Lay, Dean, Fife, Chambless, Muir, and McHugh voted, "Aye". The motion passed unanimously.

Chair Woodhead announced a break at 7:09 p.m.

6. TASK FORCE MINUTES

2009 Zoning Text Amendment Project

February 9, 2009

Task Force Meeting

Members Present

Jim Ack, Betsy Burton, Cindy Cromer, Alison Einerson, David Fitzsimmons, Sydney Foncesbeck, Lisette Gibson, Barbara Green, Gerald Green, Sandra Hatch, Ron Jarrett, Bob Lund, Gregg Morrow, Bill Nighswonger, Rex Olsen, Tracy Oulman, Helen Peters, Vasilios Priskos, Ellen Reddick, Dave Richards, Steven Rosenberg, Judi Short, Maria Vyes, Ray Whitchurch, Carla Wiese,

Members Absent

Margaret Brady, Paula Carl, Shane Carlson, Mary Corporon, Bob Evans, Jim Fisher, Kirk Hufaker, Maria Garcia, Lori Gutierrez, Jim Jenkin, Maria Olguin, Craig Peterson, Inga Regenass, Grace Sperry,

Staff Present

Wilf Sommerkorn, Planning Director; Pat Comarell, Assistant Planning Director; Cheri Coffey, Planning Manager; Nick Norris, Senior Planner; Ray Milliner, Principal Planner; Janice Lew, Principal Planner; Janice Jardine, Policy Analyst for City Council

Discussion relating to proposed Zoning Text and Map Amendment Criteria:

Best Practices; The language is too vague. Need to define / clarify what is meant by “best professional practices.” Ensure it includes “current” best professional practices.

Remove the criteria relating to the “public interest.” That term is too nebulous.

Retain the language relating to overlay districts for both text and map amendments. The purpose statements of the overlay zoning districts may have information that would help determine whether a proposed text amendment is consistent and does not conflict with the overlay zones.

Look at the appropriateness of including a criteria that requires considering the economic impacts the new regulation may have on businesses or the City in

general. Oftentimes these regulations have unintended consequences. However, economic impact needs to be looked at broadly and not just on the basis of profitability of a business. The criteria of economic impacts need to be specific on what should be considered. Economics should not be the dominant factor of whether the regulation is appropriate or not, but economics should be considered. Must focus on a balance of the interests.

7. OPEN HOUSE NOTICE

8. ORIGINAL PETITION

Remarks:

Petition No: **PLNPCM2009-00105**

By: **Salt Lake City Planning Division**

Zoning Text Amendment

Date Filed: 02/02/2009

Address: n/a