



RECEIVED

OCT 07 2010

Memorandum

Community & Economic Development
Department

To: Salt Lake City Council

From: Frank Gray, Director

Thru: David Everitt, Chief of Staff

Date: October 7, 2010

Re: Extension of Ordinance 74 of 2006

In 2006, the City Council adopted Ordinance 74, the purpose of which was to enact expedited approval processes for temporary construction related activities in a portion of Downtown. These regulations granted the Community and Economic Development Director the authority to modify specific regulations for the purpose of facilitating stream lined development in Downtown. The Ordinance was in response to major construction activities occurring in Downtown and the desire to be proactive to address construction needs and impacts resulting from the major construction activities.

Specifically, the Ordinance granted the CED Director to modify the following sections:

- Sign regulations in section 21A.46.110;
- General off-street parking requirements as set forth in section 21A.44.020;
- Landscaping and buffering requirements as set forth in Chapter 21A.48
- Permitted temporary uses of construction trailers and temporary contractors storage yards as set forth in Section 21A.42.070(G);
- Setback regulations as set forth in Title 21A; and
- Other land use regulations for temporary construction related activities.

The Ordinance states that in modifying the regulations, the CED Director shall use the standards for either a Special Exception (Chapter 21A.52) or Planned Development (Chapter 21A.55) to evaluate a written request for a modification.

RECEIVED
OCT 1 10 10
The Ordinance also allows the CED to modify certain engineering and transportation standards not identified in Title 21A.

The Ordinance was approved by the City Council on October 17th 2006 and was originally intended to sunset in two years. In 2008, the City Council approved an additional 2 year extension to Ordinance 74 of 2006. With the expiration date approaching and the fact that major construction work will continue until at least 2012, the Community and Economic Development Department is proposing that the ordinance be extended for an additional 5 years. The purpose for a 5 year extension instead of 2 year extension is the anticipation of ongoing major construction activity, including:

- City Creek Center
- Potential Convention Center Hotel
- Potential Broadway Theater

With the exception of City Creek Center, there are no time frames on other major projects in the downtown area.

The Planning Commission will be reviewing the request to extend the ordinance to 2015 at their October 13 meeting. As the current ordinance is due to sunset on October 21, 2010, we respectfully request that the City Council set a public hearing date regarding this ordinance prior to receiving the recommendation from the Planning Commission.

Attachment A

Ordinance 74 of 2006

SALT LAKE CITY ORDINANCE
No. 74 of 2006

(Expedited Approval Processes for Downtown Reconstruction Projects and Grant of Authority to City Administrative Staff to Modify Certain City Regulations Related to Construction Activities)

AN ORDINANCE ENACTING EXPEDITED APPROVAL PROCESSES FOR TEMPORARY CONSTRUCTION-RELATED ACTIVITIES IN A PORTION OF THE DOWNTOWN AREA, WHICH IS BOUNDED BY NORTH TEMPLE STREET; 600 SOUTH; INTERSTATE 15 AND 200 EAST, AND GRANTING THE AUTHORITY TO CITY ADMINISTRATIVE STAFF TO MODIFY CERTAIN CITY REGULATIONS FOR CONSTRUCTION ACTIVITIES, PURSUANT TO PETITION NO. 400-06-32.

WHEREAS, the Planning Commission and the City Council of Salt Lake City, Utah, have held public hearings and have taken into consideration citizen testimony, filing, and demographic details of the area, the long range general plans of the City, and the local master plan as part of their deliberation. Pursuant to these deliberations, the City Council has concluded that the proposed ordinance is in the best interest of the City;

WHEREAS, during the next two (2) to five (5) years more than one and a half billion dollars (\$1,500,000,000.00) in public and private funds will be invested in the City's downtown, making it one of the most significant periods of redevelopment in the City's history;

WHEREAS, the City finds that taking a proactive approach to address construction needs and impacts that will likely result from major construction activities in the downtown area is in the best interest of the City; and

WHEREAS, the City finds that facilitating expedited approval processes for temporary construction-related activities in the downtown area is in the best interest of the City.

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

SECTION 1. Application for Expedited Process: Notwithstanding other provisions in the Salt Lake City Code, any person may request an expedited approval process, which may include a request for a change, alteration, modification or waiver of any one or more of the regulations set forth in Section 2 of this ordinance.

Such request shall be in writing, addressed to the Community Development Director, shall describe the anticipated construction related activity and any modifications requested with reasonable specificity, and shall be accompanied by a \$300.00 application fee. This provision shall apply to only those projects which are located between North Temple Street; 600 South; Interstate 15 and 200 East.

SECTION 2. Authority to Modify Regulations: Upon receipt of a written application for an expedited approval process for a project which is located in the area referred to in the foregoing section, the Community Development Director, after consultation with the Planning Director, Transportation Engineer and/or City Engineer, as appropriate, has the authority to change, alter, modify or waive any one or more of the regulations set forth herein.

A. For the regulations listed below, any request for a change, alteration, modification or waiver shall be evaluated upon consideration of the standards for either a Special Exception set forth in Chapter 21A.52 of the Salt Lake City Code, or the standards for a Planned Development set forth in Chapter 21A.54 of the Salt Lake City Code.

1. Sign regulations, as set forth in Section 21A.46.110 of the Salt Lake City Code;

2. General off street parking requirements, as set forth in Section 21A.44.020 of the Salt Lake City Code;

3. Landscaping and buffering requirements, as set forth in Chapter 21A.48 of the Salt Lake City Code;

4. Permitted temporary uses of construction trailers and temporary contractor's storage yards, as set forth in Section 21A.42.070(G) of the Salt Lake City Code, provided that the Zoning Administrator first finds that the project meets the standards set forth in Section 21A.42.070 of the Salt Lake City Code;

5. Setback regulations as set forth in Title 21A; and

6. Other land use regulations for temporary construction related activities.

B. For the additional regulations set forth below, any request for a change, alteration, modification or waiver shall be evaluated based on the standards referenced below.

1. Driveway construction, as set forth in Section 14.32.350 of the Salt Lake City Code, provided that the Transportation Engineer, to the extent required under Section 14.32.350, first issues a favorable recommendation;

2. Driveway restrictions, as set forth in Section 18.80.040 of the Salt Lake City Code;

3. Construction, excavation and obstruction in the public right of way, as set forth in Chapter 14.32 of the Salt Lake City Code, subject to the approval of the City Engineer; and

4. Regulations for controlling construction in the City's public way, subject to the approval of the City Engineer.

Any decision issued by the Community Development Director pursuant to the authority granted herein shall be in writing, delivered to the applicant and to the community council and abutting property owners, and a copy shall be kept in the Community Development Department files.

SECTION 3. Notice to City Council: The Community Development Director shall notify the City Council, in writing, within five (5) days of receipt of an application for expedited process, and the City Council shall have five (5) days thereafter to provide comment on the pending application.

SECTION 4. Appeals: Appeals shall be filed with the Planning Division, in writing, within ten (10) days following the Community Development Director's decision, addressed to the Planning Commission, and shall be accompanied by a \$200.00 appeal fee.

SECTION 5. Sunset Provision: This ordinance, and all permits and approvals granted pursuant to this ordinance, shall expire twenty-four (24) months from the effective date of this ordinance, unless earlier amended, modified or repealed.

SECTION 6. 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 17th day of October, 2006.

Bill No. 74 of 2006.

Published: October 21, 2006.

Attachment B

Map of Downtown Area where regulations would apply

Expedited Approval Process for Temporary Construction-Related Activities in a Portion of the Downtown Area



