

ERIN MENDENHALL
Mayor



DEPARTMENT of COMMUNITY
and NEIGHBORHOODS
Blake Thomas
Director

CITY COUNCIL TRANSMITTAL

Jill Love

Jill Love (May 23, 2024 16:27 MDT)

Jill Love, Chief Administrative Officer

05/23/2024

Date Received: _____

Date sent to Council: 05/23/2024

TO: Salt Lake City Council
Victoria Petro, Chair

DATE: 05/02/2024

FROM: Blake Thomas, Director, Department of Community & Neighborhoods

Handwritten signature of Blake Thomas.

SUBJECT: Text Amendment - Zoning Incentives for Adaptive Reuse and Preservation of Buildings

STAFF CONTACT: Amy Thompson, Planning Manager
amy.thompson@slcgov.com or 801-535-7281

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Adopt the Ordinance as recommended by the Planning Commission.

BUDGET IMPACT: None

BACKGROUND/DISCUSSION: This is a petition that was initiated by Mayor Erin Mendenhall to make changes to the zoning ordinance to both encourage and support the adaptive reuse and preservation of buildings. As the Salt Lake Valley continues to grow, the City's older neighborhoods and buildings face increasing pressure for redevelopment, presenting both challenges and opportunities. This proposal addresses barriers that currently prevent the reuse of existing buildings and introduces incentives into the zoning ordinance to encourage buildings to be retained rather than demolished. The proposed amendments would apply citywide.

To assist in developing the amendments, planning staff conducted research on several cities that have adopted ordinances that offer incentives for adaptive reuse and preservation of existing buildings. Key features that were researched include location of the program (certain neighborhoods, specific zones, etc.), eligibility criteria, goals, and the types of incentives offered. Additionally, a focus group was created to help staff better understand current challenges and barriers to utilizing existing buildings. The focus group was largely made up of architects and developers, some of which have specific experience with these types of projects. Additionally, staff worked closely with the City's Sustainability Division and Economic Development/Business Development on the proposal.

SUMMARY OF PROPOSED AMENDMENTS:

The proposed ordinance changes would be in Chapter 21A.52, Zoning Incentives. The proposal creates a new section within that chapter, "Building Preservation Incentives", which is separated into two sub-sections, "Adaptive Reuse for Additional Uses in Eligible Buildings" (21A.52.060.A), and "Preservation of a Principal Building" (21A.52.060.B). Each sub-section is discussed in greater detail below.

Adaptive Reuse for Additional Uses in Eligible Buildings – 21A.52.060.A ("A Incentives")

The "A Incentives" are primarily a use incentive to allow for flexibility of uses in eligible buildings, which usually include buildings that hold high artistic, historic, or cultural value, or large underutilized structures that are part of the neighborhood fabric. The current zoning ordinance for adaptive reuse of a landmark site allows nonresidential use of a landmark site in a residential zoning district, subject to meeting standards related to preserving building character and neighborhood compatibility. The proposed ordinance expands on this current process with the following changes:

- **Broadens eligibility** to include buildings that are individually listed on the National Register of Historic Places, buildings formerly used for churches, schools, or hospitals, and other culturally or historically significant buildings.
- **Allows residential uses** in addition to the nonresidential uses already allowed through this process. Additionally, the proposal would allow for residential uses in eligible buildings in the Public Lands (PL) and Institutional (I) zones where the only residential use currently allowed is living quarters for a caretaker or security guard.
- **Prohibit certain uses.** Impactful uses were identified as prohibited because of their potential for negative impacts on the surrounding neighborhood and to the eligible building.
- **Removes minimum square footage requirement.** The current building square footage minimum of 7,000 square feet is a significant obstacle to qualify for adaptive reuse incentives.

Preservation of a Principal Building – 21A.52.060.B ("B Incentives")

The "B Incentives" apply to the eligible building being preserved and can also apply to any new construction on the same development site. In contrast to the "A Incentives," this incentive is not a use incentive; these "B Incentives" are zoning modifications to the base zoning requirements for uses allowed in the zone. Projects that utilize the incentives in this subsection will be required to adhere to specific design standards for the new construction, retain existing active commercial uses on site, and enter into a restrictive covenant ensuring the eligible building used to qualify for the incentives is retained for at least 30 years.

Eligibility: The “B Incentives” apply to new development projects that preserve a building that is at least 50 years old and covers a minimum of 25% of the development site; a lower percentage may be considered in certain circumstances.

Summary of “B Incentives”

- **Removes the planned development requirement** for modifications that are commonly requested through this process but are generally straightforward such as creating lots without street frontage and having buildings on the same parcel without all buildings having public street frontage.
- **Includes the addition of an Administrative Planned Development** process for certain zoning modifications to allow for a more streamlined review process for eligible projects.
- **Removes minimum lot area and width requirements** for all zones except single family zoning districts.
- **Includes additional building height** in various zoning districts through administrative design review. Currently, there is no height incentive being offered in the single, two-family and RMF zoning districts.
- **Reduces parking** for eligible projects.

CONSIDERATIONS FOR CITY COUNCIL

Both the Historic Landmark Commission and Planning Commission held public hearings to review the proposed text amendment and unanimously forwarded a positive recommendation of approval to the City Council. Following these recommendations, staff identified the following for Council consideration.

- **“B Incentive” Building Age Eligibility** – The draft ordinance presented at the public hearings includes language that eligible buildings must be a minimum of 50 years old. Some planning commissioners expressed concerns with a rolling date and the ability for later period buildings (1980’s/1990’s) to become eligible for the incentives in the near future – typically, the development pattern of later eras may not be something worth preserving. Instead of the eligibility language “at least 50 years old,” the council could consider fixed date language that requires eligible buildings to be built prior to 1976.
- **Design Standards for New Construction Utilizing the “B Incentives”** – Unless a stricter design standard is required in the Design Standards chapter for the zoning district the property is located in, projects utilizing the incentives have to meet specific design standards outlined in the proposed ordinance. Staff is recommending some additional changes to the following design standards in the proposal:
 - **Upper Floor Glass** – The draft ordinance reviewed by the planning commission requires the surface area of the facade of each floor to contain a minimum of 50% glass, which can be reduced on the ground level for residential uses to 25%. After looking at this closer, staff is of the opinion that the 50% threshold is too high for

the upper levels of the building. Currently, only the Downtown zones and the Gateway Mixed Use (GMU) zones have an upper-level glass requirement of 50% and it is difficult for projects in those zones to meet the existing requirement without a request for a design review modification. The CG zone requires 25%, the FB-UN and RMF-30 zones require 15%, and the rest of the zones do not have an upper floor glass requirement. Staff is recommending reducing the upper floor glazing requirement to 20% for projects that use the incentives. Zones that have a higher % requirement in the Design Standards Chapter (21A.37) will still be subject to the higher standard. Staff is also recommending adding some clarifying language, so the glass requirements are consistent with the design standards chapter regarding the location of ground floor glass (between 3-8 FT on the building) and unobstructed visibility into the space.

- **Building Entrances** – Added language to the building entrances design standard to address that entry features (un-enclosed entry porch, portico, awning or canopy, or emphasized doorway) for required building entrances need to meet the description in 21A.37.050.P for these entry features.

The above recommendations are reflected in ordinance version 2 if the Council decides they would like these changes incorporated. If the Council does not want these changes incorporated, they have been left out of ordinance version 1.

PUBLIC PROCESS:

Open House: On April 17, 2023, a virtual open house page was created on Planning’s website and published via listserv. The initial information provided an introduction to the proposal to gather feedback early on in the process, and information was continually updated with revised draft ordinances and updated information throughout the process.

Initial Outreach: On April 20, 2023, all Salt Lake City recognized organizations, focus group members, and stakeholders, were sent initial information for the purpose of gathering early feedback to inform the draft ordinance.

Recognized Organizations: On July 18, 2023, the required 45-day notice and draft ordinance was sent to all recognized organizations for feedback.

Community Council Meetings: On August 21, 2023, at the request of the chair, staff attended the Sugar House Land Use Committee meeting to discuss the proposed text amendment and answer any questions from the community.

Comments Received:

- Comments from Recognized Organizations: The East Liberty Park Community Organization & and the Sugar House Community Council provided letters in support of the proposal. The Sugar House Community Council did express concerns with reducing parking as an incentive.
- Public Comments: Staff received four public comments in support of the proposal.

Historic Landmark Commission Public Hearing: On November 2, 2023, the Historic Landmark Commission held a public hearing and voted unanimously to forward a positive recommendation to the City Council. No one spoke during the public hearing.

Planning Commission Public Hearing: On February 28, 2024, the Planning Commission held a public hearing and voted unanimously to forward a positive recommendation to the City Council. One person spoke in favor of the proposal at the public hearing.

HISTORIC LANDMARK COMMISSION (HLC) RECORDS (click each item to access):

Briefing - August 3, 2023:

- [HLC Agenda](#)
- [HLC Briefing Memo](#)
- [HLC Minutes](#)

Public Hearing - November 2, 2023:

- [HLC Agenda](#)
- [HLC Staff Report](#)
- [HLC Minutes](#)
- [HLC Meeting Video](#)

PLANNING COMMISSION (PC) RECORDS (click each item to access):

Briefing – September 27, 2023

- [PC Agenda](#)
- [PC Briefing Memo](#)
- [PC Minutes](#)
- [PC Meeting Video](#)

Public Hearing – February 28, 2024

- [PC Agenda](#)
- [PC Staff Report](#)
- [PC Minutes](#)
- [PC Meeting Video](#)

EXHIBITS:

- 1) Ordinance - Version 2
- 2) Ordinance – Version 1
- 3) Project Chronology
- 4) Notice of City Council Public Hearing
- 5) Petition Initiation
- 6) Public Comments Received After Publication of the Staff Report

1. ORDINANCE (VERSION 2)

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- 31 4. Design review applications, that are subject to review by the planning commission as
- 32 provided in Chapter 21A.59;
- 33 5. Applications to demolish one or more landmark sites or contributing structures
- 34 located within a local historic district;
- 35 6. Master plans, including amendments, to be adopted by the city council;
- 36 7. Requests for certificates of appropriateness required for new construction of principal
- 37 structures, except for single family and two family dwellings;
- 38 8. Planned development applications that are subject to review by the planning
- 39 commission as provided in Chapter 21A.55; and
- 40 9. Zoning map amendments.

41

42

43 SECTION 2. Amending the text of Salt Lake City Code Subsection 21A.10.020.B. That

44 Subsection 21A.10.020.B of the *Salt Lake City Code* (Zoning: General Application, Public

45 Engagement, and Public Noticing Procedures: Public Hearing Notice Requirements: Special

46 Noticing Requirements for Certain Administrative Approvals) shall be, and hereby is amended to

47 read as follows:

48 B. Special Noticing Requirements for Administrative Approvals:

- 49
- 50 1. Notice of Application for Design Review and Planned Development:
- 51
- 52 a. Notification: At least twelve (12) days before a land use decision is made for an
 - 53 administrative design review application as authorized in Chapter 21A.59 of this
 - 54 title, or an administrative planned development as authorized by Chapter 21A.55
 - 55 of this title, the planning director shall provide written notice to the following:
 - 56 (1) All owners and identifiable tenants of the subject property, land abutting the
 - 57 subject property, and land located directly across the street from the subject
 - 58 property. In identifying the owners and tenants of the land the city shall use
 - 59 the Salt Lake City geographic information system records.
 - 60 (2) Recognized community organization(s) in which the subject property is
 - 61 located.
- 62
- 63 b. Contents of the Notice of Application: The notice shall generally describe the
 - 64 subject matter of the application, where the public may review the application, the
 - 65 expected date when the planning director will authorize a final land use decision,
 - 66 and the procedures to appeal the land use decision.
 - 67
- 68 c. End of Notification Period: If the planning director receives comments identifying
 - 69 concerns related to the design review application not complying with the
 - 70 requirements of Chapter 21A.59, or the planned development not complying with

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71 the requirements of Chapter 21A.55, the planning director may refer the matter to
72 the planning commission for their review and decision on the application.

73
74
75 SECTION 3. Amending the text of Salt Lake City Code Subsection 21A.24.010.S. That

76 Subsection 21A.24.010.S of the *Salt Lake City Code* (Zoning: Residential Districts: General
77 Provisions: Adaptive Reuse of a Landmark Building in Residential Districts) shall be, and hereby
78 is amended to read as follows:

79
80 S. Compliance with Noise Regulations Required: Any construction work in residential zoning
81 districts shall comply with Section 9.28.040, "Noises Prohibited."Adaptive Reuse Of A
82 Landmark Building In Residential Districts:

83 —1. Purpose Statement: The purpose of the adaptive reuse of a landmark site in a residential
84 district is to preserve landmark sites as defined in subsection 21A.34.020B of this title. In some
85 instances these sites have outlived their original use due to economic conditions, size of the
86 building, and/or a substantial degree of deterioration of the historic property. Such sites,
87 however, still contribute to the welfare, property and education of the people of Salt Lake City
88 because of their historic, architectural or cultural significance. The Planning Commission shall
89 consider the allowance of a nonresidential use of a landmark site in a residential district
90 according to the qualifying provisions outlined in subsection S2a of this section and pursuant
91 to chapter 21A.54 of this title, in order to ensure that the residential character of the surrounding
92 environment is preserved.

93 —2. Conditional Use Required: Where authorized by this title as shown in
94 section 21A.33.020, "Table Of Permitted And Conditional Uses For Residential Districts", of
95 this title, landmark sites in any residential district may be used for certain nonresidential uses.

96 — a. Qualifying Provisions: In order to qualify for conditional use review by the
97 Planning Commission under section 21A.54.080, "Standards For Conditional Uses", of
98 this title, the applicant must demonstrate compliance with the following:

99 — (1) The building is designated as a landmark site on the Salt Lake City
100 register of cultural resources. The designation process must be completed prior to the
101 City accepting a conditional use application for the structure unless the Planning
102 Director determines that it is in the best interest of the City to process the designation
103 and conditional use applications together.

104 — (2) The landmark building shall have a minimum of seven thousand (7,000)
105 square feet of floor area, excluding accessory buildings.

106 — (3) The new use will require minimal change as these features are important
107 in defining the overall historic character of the building and environment.

108 — (4) The use is conducive to the preservation of the landmark site.

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109 ~~———— (5) Significant archaeological resources affected by the project shall be~~
110 ~~protected and preserved. If such resources must be disturbed, mitigation measures~~
111 ~~shall be undertaken.~~

112 ~~———— (6) The use is compatible with the surrounding residential neighborhood.~~

113 ~~———— (7) Distinctive features, finishes, and construction techniques or examples of~~
114 ~~craftsmanship that characterize the property shall be preserved.~~

115 ~~———— (8) The use does not result in the removal of residential characteristics of the~~
116 ~~structure or site including mature landscaping.~~

117 ~~———— (9) The change in use from residential to nonresidential is necessary due to~~
118 ~~the excessive size of the landmark site for residential uses allowed in the residential~~
119 ~~district, and/or demonstration that the building cannot reasonably be used for its~~
120 ~~original intended use.~~

121 ~~———— (10) The proposed use will not have a material net cumulative adverse~~
122 ~~impact on the neighborhood or the City as a whole by considering the following:~~

123 ~~———— (A) The spatial distribution of:~~

124 ~~———— (i) Business licenses issued for properties located within three~~
125 ~~hundred feet (300') of any property line and the block frontage on both sides~~
126 ~~of the street between 100-series addresses; and~~

127 ~~———— (ii) Previously approved conditional uses for nonresidential uses~~
128 ~~in landmark sites within the same planning community, as shown on a map of~~
129 ~~planning communities maintained by the Zoning Administrator.~~

130 ~~———— (B) Impacts on neighboring properties including, but not limited to:~~

131 ~~———— (i) Traffic;~~

132 ~~———— (ii) Parking;~~

133 ~~———— (iii) Signs;~~

134 ~~———— (iv) Lighting;~~

135 ~~———— (v) Removal of landscaping; and~~

136 ~~———— (vi) For the purposes of evaluating subsections S2a(10)(B)(i)~~
137 ~~through S2a(10)(B)(v) of this section, professionally prepared impact studies~~
138 ~~shall not be required unless specifically requested by the Zoning~~
139 ~~Administrator;~~

140 ~~———— (vii) Noise, fumes or odors;~~

141 ~~———— b. Credit For On Street Parking: Some or all of the off street parking spaces~~
142 ~~required in section 21A.44.030 of this title may be met by the provision of on street~~
143 ~~spaces. Such credit shall require the site plan review approval. Requests for on street~~
144 ~~parking shall meet the following requirements:~~

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145 ~~—— (1) All on street parking facilities shall be designed in conformance with the~~
146 ~~standards established by the City Transportation Engineer;~~

147 ~~—— (2) Prior to approving any requests for on street parking, the development~~
148 ~~review team shall determine that the proposed on street parking will not materially~~
149 ~~adversely impact traffic movements and related public street functions; and~~

150 ~~—— (3) Credit for on street parking shall be limited to the number of spaces~~
151 ~~provided along the street frontage adjacent to the use.~~

152
153 SECTION 4. Repealing the text of Salt Lake City Code Subsection 21A.24.010.W. That
154 Subsection 21A.24.010.W of the *Salt Lake City Code* (Zoning: Residential Districts: General
155 Provisions: Compliance with Noise Regulations Required) shall be, and hereby is repealed in its
156 entirety as follows:

157
158 ~~W. Compliance With Noise Regulations Required: Any construction work in residential~~
159 ~~zoning districts shall comply with section 9.28.040, "Noises Prohibited", of this Code.~~

160
161 SECTION 5. Amending the text of Salt Lake City Code Subsection 21A.24.130.E.6.
162 That Subsection 21A.24.010.E.6 of the *Salt Lake City Code* (Zoning: Residential Districts: RMF-
163 35 Moderate Density Multi-Family Residential District: Minimum Yard Requirements: Existing
164 Yards) shall be, and hereby is amended to read as follows:

165 6. Existing Yards: For buildings legally existing on April 12, 1995, the required yard
166 shall be no greater than the established setback line of the existing building ~~unless the~~
167 ~~proposed yard encroachment is to accommodate additional units. New principal~~
168 ~~buildings must conform to current yard area requirements, unless the new principal~~
169 ~~two family dwelling or twin home has legal conforming status as outlined in~~
170 ~~section 21A.38.070 of this title.~~

171
172 SECTION 6. Amending the text of Salt Lake City Code Subsection 21A.24.160.D. That
173 Subsection 21A.24.160.D of the *Salt Lake City Code* (Zoning: Residential Districts: RB
174 Residential/Business District: Minimum Lot Area and Lot Width) shall be, and hereby is

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175 amended only to eliminate the Land Use “A single dwelling unit located above first floor retail
176 or office uses” from the table in said subsection, with no other changes to the table:

177

Land Use	Minimum Lot Area	Minimum Lot Width
A single dwelling unit located above first floor retail or office uses	Included in principal use	Included in principal use

178

179 SECTION 7. Amending the text of Salt Lake City Code Subsection 21A.24.180.I. That
180 Subsection 21A.24.180.I of the *Salt Lake City Code* (Zoning: Residential Districts: RO
181 Residential/Office District: Offices in Existing Buildings on Lots Less Than Twenty Thousand
182 Square Feet) shall be, and hereby is amended to read as follows:

- 183 I. Offices in Existing Buildings on Lots Less Than Twenty Thousand Square Feet:
- 184 Offices occupying existing buildings are permitted on a five thousand (5,000) square foot
- 185 minimum lot. Additions to existing buildings that are greater than fifty percent (50%) of
- 186 the existing building footprint or that exceed the height of the existing building shall be
- 187 subject to design review (chapter 21A.59 of this title) unless the existing building is using
- 188 the incentives in 21A.52.060.

189

190 SECTION 8. Repealing the text of Salt Lake City Code Subsection 21A.26.010.K. That
191 Subsection 21A.26.010.K of the *Salt Lake City Code* (Zoning: Commercial Districts: General
192 Provisions: Bed and Breakfast Establishments and Reception Centers in Landmark Sites in the
193 CN Neighborhood Commercial and CB Community Business Districts) shall be, and hereby is
194 repealed in its entirety as follows:

195

196 ~~K. Bed And Breakfast Establishments And Reception Centers In Landmark Sites In The CN~~
197 ~~Neighborhood Commercial And CB Community Business Districts:~~

- 198 ~~—1. Conditional Use Required: Where not otherwise authorized by this title and after~~
- 199 ~~conditional use approval by the Planning Commission pursuant to chapter 21A.54 of this~~

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200 title, landmark sites in a CN or CB District may be used for a bed and breakfast
201 establishment or reception center subject to the following standards:

202 ~~a. Standards: In addition to the standards for conditional uses, section 21A.54.080 of~~
203 ~~this title, the Planning Commission shall find the following:~~

204 ~~—— (1) The structure is designated as a landmark site on the Salt Lake City Register of~~
205 ~~Cultural Resources. The designation process must be completed prior to the City~~
206 ~~accepting a conditional use application for the structure unless the Planning~~
207 ~~Director determines that it is in the best interest of the City to process the~~
208 ~~designation and conditional use applications at the same time because of the risk~~
209 ~~of probable demolition;~~

210 ~~—— (2) The use is conducive to the preservation of the landmark site;~~

211 ~~—— (3) The use is compatible with the surrounding residential neighborhood; and~~

212 ~~—— (4) The use does not result in the removal of residential characteristics of the~~
213 ~~structure (if the structure is a residential structure), including mature landscaping.~~

214 ~~b. Condition Of Approval: A preservation easement in favor of the City shall be placed~~
215 ~~upon the landmark site.~~

216
217 SECTION 9. Amending the text of Salt Lake City Code Section 21A.33.020. That Section

218 21A.33.020 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and
219 Conditional Uses for Residential Districts) shall be amended only as to the use categories “Adaptive
220 reuse of a landmark site”, “Dwelling, multi-family” and “Mixed use development” and to repeal
221 only the use category “Temporary use of closed schools and churches”, with no other changes to the
222 table, which aforementioned use categories shall read and appear in that table as follows:

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223

Use	Permitted And Conditional Uses By District																		
	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	RMF- 30	RMF- 35	RMF- 45	RMF- 75	RB	R-MU- 35	R-MU- 45	R-MU	RO
Adaptive reuse for additional uses in eligible buildings of a landmark site	C ⁸	C ⁸	C ⁸	C ⁸	C ⁸	C ⁸	C ⁸		C ⁸	C ⁸	C ⁸	C ⁸	C ⁸	C ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸⁶
Dwelling, multi-family	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P	P	P	P	P	P	P	P	P
Mixed use development															P ⁺	P	P	P	P
Temporary use of closed schools and churches	C ¹⁹	C ¹⁹	C ¹⁹	C ¹⁹	C ¹⁹	C ¹⁹	C ¹⁹		C ¹⁹		C ¹⁹	C ¹⁹	C ¹⁹	C ¹⁹		C ¹⁹	C ¹⁹		

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226 SECTION 10. Amending the text of Salt Lake City Code Section 21A.33.020. That the
227 “Qualifying Provisions” notes to the Table of Permitted and Conditional Uses for Residential
228 Districts of Section 21A.33.020 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of
229 Permitted and Conditional Uses for Residential Districts) shall be and hereby is amended only as to
230 notes “1”, “6”, “8” and “19” which shall appear in numerical order with the other notes and read as
231 follows:

- 232 1. Reserved. ~~A single apartment unit may be located above first floor retail/office.~~
- 233
- 234 6. Building additions on lots less than 20,000 square feet for office uses may not exceed 50
235 percent of the building's footprint. Building additions greater than 50 percent of the
236 building's footprint or new office building construction are subject to a design review
237 unless the building qualifies for the incentives in 21A.52.060.
- 238
- 239 8. Subject to conformance with the provisions of ~~s~~Subsection 21A.52.060.A ~~21A.24.010S~~
240 ~~of this title.~~
- 241
- 242 19. Reserved. ~~Subject to section 21A.36.170 of this title.~~

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245 SECTION 11. Amending the text of Salt Lake City Code Section 21A.33.030. That Section
246 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and
247 Conditional Uses for Commercial Districts) shall be amended only as to the use category “Bed and
248 breakfast” and to repeal only the use categories “Adaptive reuse of a landmark site”, “House
249 museum in landmark sites” and “Offices and reception centers in landmark sites”, with no other
250 changes to the table, which aforementioned use categories shall read and appear in that table as
251 follows:
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Use	Permitted and Conditional Uses by District
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	CN	CB	CS ¹	CC	CSHBD ¹	CG	SNB
Adaptive reuse of a landmark site	P	P	P	P	P	P	
Bed and breakfast manor	E ³	E ³		P	P	P	
House museum in landmark sites (see subsection 21A.24.010S of this title)							E
Offices and reception centers in landmark sites (see subsection 21A.24.010S of this title)							E

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 258
 259 SECTION 12. Amending the text of *Salt Lake City Code* Section 21A.33.030. That the
 260 “Qualifying Provisions” notes to the Table of Permitted and Conditional Uses for Commercial
 261 Districts of Section 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of
 262 Permitted and Conditional Uses for Commercial Districts) shall be and hereby is amended only as to
 263 note “3” which shall appear in numerical order with the other notes and read as follows:

- 264 3. ~~Reserved. When located in a building listed on the Salt Lake City register of cultural~~
 265 ~~resources (see subsections 21A.26.010S and 21A.26.010K of this title).~~

266
 267 SECTION 13. Amending the text of *Salt Lake City Code* Section 21A.33.035. That Section
 268 21A.33.035 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and
 269 Conditional Uses for Transit Station Area Districts) is amended only to repeal the use categories
 270 “Adaptive reuse of a landmark site”, “House museum in landmark sites” and “Offices and reception
 271 centers in landmark sites”, in the Table of Permitted and Conditional Uses for Transit Station Area
 272 Districts, with no other changes to the table, as follows:

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Use	Permitted and Conditional Uses by District							
	TSA-UC		TSA-UN		TSA-MUEC		TSA-SP	
	Core	Transition	Core	Transition	Core	Transition	Core	Transition
Adaptive reuse of a landmark site	P	P	P	P	P	P	P	P
House museum in landmark sites (see subsection 21A.24.010S of this title)	P	P	P	P	P	P	P	P
Offices and reception centers in landmark sites (see subsection 21A.24.010.S of this title)	P	P	P	P	P	P	P	P

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276

SECTION 14. Amending the text of *Salt Lake City Code* Section 21A.33.040. That Section

277

21A.33.040 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and

278

Conditional Uses for Manufacturing Districts) shall be amended only to repeal the use category

279

“Adaptive reuse of a landmark site”, in the Table of Permitted and Conditional Uses for

280

Manufacturing Districts, with no other changes to the table, as follows:

Use	Permitted and Conditional Uses by District	
	M-1	M-2
Adaptive reuse of a landmark site	C	C ⁷

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282 SECTION 15. Amending the text of *Salt Lake City Code* Section 21A.33.040. That the
283 “Qualifying Provisions” notes to the Table of Permitted and Conditional Uses for Manufacturing
284 Districts of Section 21A.33.040 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of
285 Permitted and Conditional Uses for Manufacturing Districts) shall be and hereby is amended only as
286 to note “7” which shall appear in numerical order with the other notes and read as follows:

287 7. ~~Reserved. Building additions on lots less than 20,000 square feet for office uses may not~~
288 ~~exceed 50 percent of the building's footprint. Building additions greater than 50 percent~~
289 ~~of the building's footprint or new office building construction are subject to a design~~
290 ~~review.~~

291
292 SECTION 16. Amending the text of *Salt Lake City Code* Section 21A.33.050. That Section
293 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and
294 Conditional Uses for Downtown Districts) shall be amended only to repeal the use category
295 “Adaptive reuse of a landmark site”, in the Table of Permitted and Conditional Uses for Downtown
296 Districts, with no other changes to the table, as follows:

Use	Permitted and Conditional Uses by District			
	D-1	D-2	D-3	D-4
Adaptive reuse of a landmark site	P	P	P	P⁴

298
299 SECTION 17. Amending the text of *Salt Lake City Code* Section 21A.33.050. That the
300 “Qualifying Provisions” notes to the Table of Permitted and Conditional Uses for Downtown
301 Districts of Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of
302 Permitted and Conditional Uses for Downtown Districts) shall be and hereby is amended only as to
303 note “4” which shall appear in numerical order with the other notes and read as follows:

304 4. ~~Reserved. Building additions on lots less than 20,000 square feet for office uses may not~~
305 ~~exceed 50 percent of the building's footprint. Building additions greater than 50 percent~~

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306 of the building's footprint or new office building construction are subject to a design
307 review (chapter 21A.59 of this title).

308

309 SECTION 18. Amending the text of Salt Lake City Code Section 21A.33.060. That Section

310 21A.33.060 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and

311 Conditional Uses in the Gateway District) shall be amended only to repeal the use category

312 “Adaptive reuse of a landmark site”, in the Table of Permitted and Conditional Uses in the Gateway

313 District, with no other changes to the table, as follows:

Use	G-MU
Adaptive reuse of a landmark site	P

314

315 SECTION 19. Amending the text of Salt Lake City Code Section 21A.33.070. That Section

316 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and

317 Conditional Uses for Special Purpose Districts) shall be amended only for the use categories

318 “Adaptive reuse of a landmark site” and “Dwelling: Multi-family”, in the Table of Permitted and

319 Conditional Uses for Special Purpose Districts, with no other changes to the table, as follows:

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320

Use	Permitted and Conditional Uses by District																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Adaptive reuse for additional uses in eligible buildings of a landmark site								C ²			C ²	<u>C²</u>	C ²	<u>P²</u>			P ²
Dwelling:																	
Multi-family											<u>P²</u>	<u>P²</u>	<u>P²</u>	P			P

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322
 323 SECTION 20. Amending the text of Salt Lake City Code Section 21A.33.070. That the
 324 “Qualifying Provisions” notes to the Table of Permitted and Conditional Uses for Special Purpose
 325 Districts of Section 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of
 326 Permitted and Conditional Uses for Special Purpose Districts) shall be and hereby is amended only
 327 as to note “2” which shall appear in numerical order with the other notes and read as follows:

328 2. Subject to conformance with the provisions of Subsection 21A.52.060.A. ~~When located~~
 329 ~~in a building listed on the Salt Lake City Register of Cultural Resources.~~

330
 331 SECTION 21. Amending the text of Salt Lake City Code Section 21A.33.080. That Section
 332 21A.33.080 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and
 333 Conditional Uses in Form Based Districts) shall be amended only as to the use categories “Adaptive
 334 reuse of a landmark site”, “Dwelling: Multi-family”, and “Reception center” and to repeal only the
 335 use categories “House museum in a landmark”, and “Office and/or reception center in a landmark
 336 site”, in the Table of Permitted and Conditional Uses in Form Based Districts, with no other changes
 337 to the table, as follows:

Use	Permitted and Conditional Uses by District				
	FB-UN1	FB-UN2	FB-MU11	FB-SC	FB-SE
Adaptive reuse for additional uses <u>in eligible of a landmark buildings</u>	<u>C</u> ⁹		P		
Dwelling:					
Multi-family	<u>P</u> ⁹	P	P	P	P
House museum in landmark site	P	P	P	P	P
Office and/or Reception center in a landmark site		P	P	P	P
Reception center		<u>P</u>	P	<u>P</u>	<u>P</u>

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340 SECTION 22. Amending the text of *Salt Lake City Code* Section 21A.33.080. That the
341 “Qualifying Provisions” notes to the Table of Permitted and Conditional Uses in Form Based
342 Districts of Section 21A.33.870 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of
343 Permitted and Conditional Uses in Form Based Districts) shall be amended to add an additional note
344 “9”, which shall appear in numerical order with the other notes and read as follows:

345 9. Subject to conformance with the provisions of Subsection 21A.52.060.A.
346

347 SECTION 23. Repealing the text of *Salt Lake City Code* Section 21A.36.170. That Section
348 21A.36.170 of the *Salt Lake City Code* (Zoning: General Provisions: Reuse of Church and School
349 Buildings) is hereby repealed in its entirety as follows:

350 **21A.36.170: RESERVED USE OF CHURCH AND SCHOOL BUILDINGS:**

351 ~~—A. Change Of Use: In the PL, PL-2, I, UI or any residential district, a change of use of~~
352 ~~any church or school to a use that is allowed as a permitted use or conditional use in the zoning~~
353 ~~district may be allowed as a conditional use pursuant to the provisions of chapter 21A.54 of this~~
354 ~~title.~~

355 ~~—B. Temporary Use Of Closed Schools And Churches; Authorized As Conditional Use: The~~
356 ~~temporary use of closed schools and churches may be allowed as a conditional use pursuant to~~
357 ~~the provisions of chapter 21A.54 of this title, in the zoning districts indicated in the land use~~
358 ~~tables of this title, provided that:~~

359 ~~—1. Use: The temporary use is for office space or educational purposes for public or private~~
360 ~~charities.~~

361 ~~—2. Application: The application for a temporary use of a closed school or church shall~~
362 ~~include, in addition to the application submission requirements of chapter 21A.54 of this title, the~~
363 ~~following information:~~

364 ~~— a. Building Plans: As part of the application, the applicant shall provide a site plan drawn~~
365 ~~to scale showing existing structures, auxiliary buildings, existing~~
366 ~~parking and landscaping, and any proposed changes to the site. In converting the existing facility~~
367 ~~to the proposed conditional use, no major exterior or interior alterations of the building shall be~~
368 ~~made which render the building incompatible with a return to its use as a school or church; and~~

369 ~~— b. Use Plan: A proposed use plan including:~~

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- 370 ———(1) ~~Hours and days of operation,~~
371 ———(2) ~~Evidence of noise, odor or vibration emissions,~~
372 ———(3) ~~Evidence of the number of classes, including hours taught, days taught, and the~~
373 ~~expected class size,~~
374 ———(4) ~~Average number of clients per day and the frequency of turnover of the clients, and~~
375 ———(5) ~~Number of employees, staff or volunteers, both total and expected to be on the~~
376 ~~premises at any given time.~~
- 377 —3. ~~Prohibition: No provision of this section shall be construed to allow any use in a~~
378 ~~closed school or church for retail, residential or industrial purposes, or any use involving any~~
379 ~~type of correctional or institutional facility.~~
- 380 —4. ~~Ownership: The School Board or church shall remain the owner of the property during~~
381 ~~the period of time for which the conditional use is granted and any change of ownership away~~
382 ~~from the School Board or church shall immediately cause the conditional use to terminate.~~
- 383 —5. ~~Automatic Termination Of Use: If the School Board or church group determines that no~~
384 ~~future public or religious use will be made of the building as a public school or church, the~~
385 ~~conditional use as granted under this section shall immediately cease and the property shall~~
386 ~~thereafter be used only for uses permitted in the zoning district.~~
- 387 —6. ~~Temporary Use: The conditional use provided by this section shall be temporary only.~~
388 ~~The time of such use shall be subject to the decision of the Planning Commission based on its~~
389 ~~consideration of the criteria specified in subsection B7 of this section. The Planning Commission~~
390 ~~may authorize the conditional use for a period not to exceed five (5) years, which may be~~
391 ~~renewed for additional periods not in excess of five (5) years.~~
- 392 —7. ~~Termination For Excess Use: If the Planning Commission determines that the conditional~~
393 ~~use is being used substantially in excess of the plan for use submitted pursuant to subsection B2b~~
394 ~~of this section, the Planning Commission may, after an informal hearing, revoke the conditional~~
395 ~~use if it determines that the excess use is having a negative impact on the neighborhood.~~

396

397 SECTION 24. Amending the text of Subsection 21A.44.060.A.1 That Subsection
398 21A.44.060.A.1 of the *Salt Lake City Code* (Zoning: Off Street Parking, Mobility and Loading:
399 Parking Location and Design: Generally: Parking Located on Same Lot as Use or Building
400 Served), shall be and hereby is amended to read as follows:

- 401 1. Parking Located on Same Lot as Use or Building Served: All parking spaces required
402 to serve buildings or uses erected or established after the effective date of this
403 ordinance shall be located on the same lot or parcel as the building or use served,

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404 unless otherwise allowed pursuant to Subsection 21A.44.060.A.4, "Off-Site Parking
405 Permitted", or 21A.55.020, "Planned Developments – Authority".
406

407 SECTION 25. Amending the text of Salt Lake City Code Section 21A.52.020. That
408 Section 21A.52.020 of the *Salt Lake City Code* (Zoning: Zoning Incentives: Applicability) shall
409 be, and hereby is amended to read as follows:

410
411 **21A.52.020 APPLICABILITY:**

- 412 A. This chapter applies as indicated within each subsection.
- 413 B. The planned development process in Chapter 21A.55 is not required as indicated within
414 this chapter.
- 415 C. The administrative planned development process in Chapter 21A.55, and the
416 administrative design review process in Chapter 21A.59 may be applicable as indicated
417 within this chapter.

418
419 SECTION 26. Amending the text of Salt Lake City Code Section 21A.52.030. That
420 Section 21A.52.030 of the *Salt Lake City Code* (Zoning: Zoning Incentives: Relationship to Base
421 Zoning District and Overlay Zoning Districts) shall be, and hereby is amended to read as
422 follows:

423
424 **21A.52.030: RELATIONSHIP TO BASE ZONING DISTRICTS AND OVERLAY**
425 **ZONING DISTRICTS:**

426 Unless otherwise indicated in this chapter, all base zoning district or overlay zoning district
427 standards and requirements take precedence ~~except as indicated in this section.~~

428
429 SECTION 27. Amending the text of Salt Lake City Code Section 21A.52.040. That
430 Section 21A.52.040 of the *Salt Lake City Code* (Zoning: Zoning Incentives: Approval Process)
431 shall be, and hereby is amended to read as follows:

432
433 **21A.52.040: APPROVAL PROCESS:**

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434 Unless specifically exempted or modified by this chapter, all requirements of this title shall
435 apply.

- 436 A. Zoning Incentives: Applicants using the zoning incentives in this chapter shall submit a
437 zoning incentives application and provide the following information:
- 438 1. The applicant's name, address, telephone number and interest in the property to which
439 the incentives shall apply;
 - 440 2. The owner's name, address and telephone number, if different than the applicant, and
441 the owner's signed consent to the filing of the application;
 - 442 3. The street address, tax parcel number and legal description of the subject property;
 - 443 4. The zoning classification, zoning district boundaries and present use of the subject
444 property;
 - 445 5. The location of all existing and proposed buildings and structures, accessory and
446 principal, showing the number of stories and height, dwelling type, if applicable,
447 major elevations and the total square footage of the floor area by proposed use and
448 any additional information required for site plan review set forth in Chapter 21A.58;
 - 449 6. The total number of dwelling units in the project, the number of affordable units, the
450 number of bedrooms in the affordable units, the location of the affordable units, and
451 level of affordability; ~~and~~
 - 452 7. Any additional information required by Chapter 21A.59 design review or 21A.55
453 planned development, ~~to demonstrate compliance with the requirements of this~~
454 ~~chapter~~, as applicable; ~~and~~
 - 455 8. Any additional information the zoning administrator deems necessary to demonstrate
456 compliance with this chapter.
- 457 B. Preliminary approval shall authorize the preparation, filing and processing of applications
458 for any permits or approval that may be required by the city, including, but not limited to,
459 a building permit. Notwithstanding the foregoing, no permits shall be issued until final
460 approval is obtained pursuant to this Chapter. Preliminary approval shall be valid for a
461 period of one year unless complete building plans have been submitted to the Division of
462 Building Services.
- 463 C. Administrative design review and administrative planned development, where applicable,
464 shall be exempt from the application fees and noticing fees otherwise required pursuant
465 to Chapters 21A.59 and 21A.55.
- 466 D. Following the approval of any administrative design review or planned development
467 application, any future alteration to the property, building or site shall comply with the
468 approved ~~design review~~ application unless a modification is approved subject to the
469 process outlined in Chapters 21A.59 and 21A.55, as applicable.
- 470 E. Final approval shall occur following the recording of the restrictive covenant.
- 471 F. Preliminary and final approvals shall be administrative approvals by the planning director
472 or the planning director's designee.
- 473

474 SECTION 28. Amending the text of Salt Lake City Code Subsection 21A.52.050.A. That
475 Subsection 21A.52.050.A of the *Salt Lake City Code* (Zoning: Zoning Incentives: Affordable
476 Housing Incentives: Purpose) shall be and hereby is amended to read as follows:

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477

478 **21A.52.050 AFFORDABLE HOUSING INCENTIVES:**

479 A. Purpose: The incentives set forth in this ~~section~~ chapter are intended to encourage the
480 development of affordable housing. The provisions within this section are intended to
481 facilitate the construction of affordable housing by allowing more inclusive development
482 than would otherwise be permitted in the base zoning districts. Housing constructed using
483 the incentives is intended to be compatible in form with the neighborhood and provide for
484 safe and comfortable places to live and play.
485

486 SECTION 29. Amending the text of Salt Lake City Code Subsection 21A.52.050.G.3.

487 That Subsection 21A.52.050.G.3 of the *Salt Lake City Code* (Zoning: Zoning Incentives:

488 Affordable Housing Incentives: Incentives) shall be and hereby is amended to read as follows:

489

490 3. Incentives in the CB Community Business, CC Corridor Commercial, CG General
491 Commercial, and I Institutional Zoning Districts:

492 a. The following housing types: row houses, sideways row houses, and cottage
493 developments are authorized ~~provided the affordability requirements in~~
494 ~~subsection b. are complied with;~~

495 b. The minimum open space requirements in the I Institutional zoning district do
496 not apply.

497 c. To be eligible for the incentives listed in this subsection 3a., a development shall
498 meet the affordability requirements for Type C in Table 21A.52.050.G.

499

500 SECTION 30. Amending the text of Salt Lake City Code Chapter 21A.52. That Chapter

501 21A.52 of the *Salt Lake City Code* (Zoning: Zoning Incentives) shall be, and hereby is amended

502 to add a new Section 21A.52.060, with no other revisions to the chapter, to read as follows:

503 **21A.52.060: BUILDING PRESERVATION INCENTIVES:**

504 The provisions in this section provide optional incentives to development projects that include
505 the preservation of an existing building. The incentives located in Subsection 21A.52.060.A may
506 be combined with the incentives outlined in Subsection 21A.52.060.B.

507 A. Adaptive Reuse for Additional Uses in Eligible Buildings:

508

509 1. Purpose: To allow additional land uses in buildings that generally contribute to the
510 character of the city so they can be redeveloped for economically viable uses. These

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511 buildings may be underutilized or have outlived their original use due to economic
512 conditions, size of the building, a substantial degree of deterioration of the property,
513 or other factors. Eligible buildings may hold historical or cultural significance or
514 contribute to the existing neighborhood fabric through their architectural features,
515 size, or previous use.

516
517 2. Applicability: The incentives in this subsection apply to adaptive reuse of a building
518 that meets the eligibility standards in 21A.52.060.A.3.
519

520 3. Eligibility Standards:

521 a. The following buildings are eligible for the incentives in this subsection:

522 (1) Landmark Sites;

523 (2) Buildings individually listed on the National Register of Historic Places;

524 (3) Buildings designed and formerly used for schools, hospitals, places of
525 worship, or other similar institutional uses; and

526 (4) Buildings that the planning director has deemed significant based on the
527 structure's association with events that have contributed to broad patterns of
528 history, association with lives of persons important in the city's past, or
529 displays distinctive characteristics of a type, period, or method of
530 construction.

531 b. Exterior features that are important in defining the overall character of the
532 building shall be retained.

533 c. Exterior alterations to the eligible building shall meet the standards in
534 21A.34.020.G.

535 d. The proposed use is conducive to the preservation of the building.

536 e. A change of use to a residential use is not permitted in the OS (Open Space)
537 zoning district.

538 f. If the eligible building is located in a residential zoning district, and the existing
539 use is residential, a change of use to nonresidential is not permitted.

540 g. Properties subject to the H Historic Preservation Overlay must obtain a Certificate
541 of Appropriateness in accordance with 21A.34.020.

542 4. Incentives:

543 a. Additional Uses: Unless prohibited by Subsection 21A.52.060.A.4.a(1), any use
544 may be allowed as a permitted or conditional use in zoning districts where
545 Adaptive Reuse for Additional Uses in Eligible Buildings is listed in the land use
546 tables in Chapter 21A.33, subject to the provisions in this subsection and any
547 specific provisions applicable to the use in this title. Any conditional use shall be
548 reviewed pursuant to the procedures and standards outlined in Chapter 21A.54.

549 (1) Prohibited Uses: A change of use to one of the following uses is prohibited:

550 Ambulance services (indoor and outdoor), amusement park, auditorium, bio-
551 medical facility, bus line station/terminal, bus line yard and repair facility, car
552 wash, check cashing/payday loan business, community correctional facility
553 (large and small), contractor's yard/office, drive-through facility associated
554 with any use, equipment rental (indoor and outdoor), gas station, heliport,
555 hotel/motel, impound lot, intermodal transit passenger hub, jail, large wind
556 energy system, laundry and dry cleaning establishments, limousine service

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- 557 (large and small), heavy manufacturing, pet cemetery, recycling collection
558 station, sexually oriented business, sign painting/fabrication, storage
559 (outdoor), public storage (outdoor), wireless telecommunications facility,
560 homeless resource centers, and any other uses that are only allowed in the
561 manufacturing districts.
- 562 b. Parking and Loading: The following are the minimum off-street parking and
563 loading requirements for the eligible building. These minimums may be further
564 reduced with the alternatives to minimum parking calculations in 21A.44.050.
565 (1) Multi-Family: 0.5 off-street parking space per dwelling unit is required;
566 (2) Nonresidential: The minimum number of required off-street parking spaces
567 for the proposed use listed in the general context of the required off-street
568 parking table in 21A.44 may be reduced by 40%;
569 (3) Existing Parking Below the Minimum: If the existing parking for the eligible
570 building does not meet the minimum off-street parking requirements above,
571 no additional parking shall be required;
572 (4) Loading areas as indicated in Table 21A.44.070-A shall not be required.
- 573 c. Minimum Lot Area and Lot Width: Minimum lot area and lot width requirements
574 of the zoning district do not apply for the adaptive reuse in all zoning districts. In
575 the RMF-30 zoning district, the minimum lot size per dwelling unit does not
576 apply.
- 577
- 578 5. Restrictive Covenant Required: Any owner who uses the incentives in Subsection
579 21A.52.060.A shall enter into a legally binding restrictive covenant, the form of
580 which shall be approved by the city attorney. The restrictive covenant shall be
581 recorded on the property with the Salt Lake County Recorder prior to issuance of a
582 building permit for a building using the incentives. The restrictive covenant shall run
583 with the land for the duration of the adaptive reuse and shall provide for the
584 following, without limitation:
- 585 a. Acknowledge the use of the incentives, the nature of the approval, and any
586 conditions thereof;
- 587 b. Shall guarantee that the physical elements of the eligible building used to qualify
588 for the incentives shall remain in substantially the same form and exterior features
589 important to the character of the building shall be preserved for the duration of the
590 adaptive reuse or if subject to 21A.34.020, indefinitely unless otherwise permitted
591 by the terms of a certificate of appropriateness;
- 592 c. The terms of compliance with all applicable regulations and the potential
593 enforcement actions for any violation of the restrictive covenant.
- 594
- 595 6. Modifications to Approved Adaptive Reuse: Any modification to the use approved
596 under these incentives requires a new zoning incentives application. Any new
597 adaptive reuse shall also require a new zoning incentives application unless the new
598 use is permitted in the table of permitted and conditional uses for the zoning district.
599
- 600 7. Enforcement: Violations of this Subsection A, or the restrictive covenant on the
601 property as set forth in 21A.52.060.A.5, shall be investigated and prosecuted pursuant
602 to 21A.20. The city shall have additional remedies or financial penalties for

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violations as identified in the terms of the restrictive covenant required by Subsection 21A.52.060.A.5, which shall be reasonably related to enforcement of the requirements and purpose of Subsection 21A.52.060.A.

B. Preservation of a Principal Building:

1. Purpose: The incentives set forth in this section are intended to encourage the preservation of buildings, supporting city goals related to sustainability, neighborhoods, economy, and housing. The provisions are designed to support developments that include preserving an eligible building by allowing flexibility with certain zoning regulations while still maintaining the unique urban fabric and character of neighborhoods.
2. Applicability: The incentives in this subsection apply to projects in all zoning districts that preserve an existing principal building that meets the eligibility standards in 21A.52.060.B.3. These incentives may be applied to existing principal buildings and new construction within the same development area. For the purposes of this subsection, the development area may include multiple abutting lots or parcels.
3. Eligibility Standards:
 - a. **Building Age: The existing building to be preserved was built prior to 1976.**
 - b. Minimum Footprint of Eligible Building: The footprint of the eligible building to be preserved covers a minimum of 25% of the development area. A lower percentage may be considered by the planning director if the building has frontage on a public street, contains a publicly accessible use such as retail, restaurant, or entertainment, or would be highly visible from public spaces within the interior of the site.
 - c. Retention of All Existing Principal Structures: In the FR-1, FR-2, FR-3, R - 1/12,000, R-1/7,000 and R-1/5,000, R-2, SR-1, SR-1A, SR-3, and all RMF zoning districts, all existing principal structures included in the overall development area shall be retained.
 - d. Modifications to Existing Building: A maximum of 25% of each street facing building wall may be removed to accommodate modifications or additions. No more than 50% of the building's exterior walls may be removed. Portions of a building wall with character defining architectural features shall not be removed.
 - e. Retention of Existing Active Commercial Uses: Eligible buildings with existing active commercial uses with ground level street frontage are subject to the following requirements. For the purpose of this subsection, active commercial uses are those that support the vibrancy and usability of the public realm adjacent to a building and encourage pedestrian activity and walk-in traffic. Active uses may include retail goods/service establishments, restaurants, bars, art and craft studios, or other uses determined to be substantially similar in terms of activation by the planning director.
 - (1) A minimum of 50% of the length shall be retained along the street frontage in the existing building or be included as part of the new development. If included in the new development, the active commercial use shall have the

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649 primary entrance on the street frontage with direct public access from the
650 street frontage.

651 (2) The existing depth of the active commercial use shall be maintained or a
652 minimum depth of 25 feet, whichever is less.

653 (3) These requirements do not apply to nonconforming active commercial uses
654 with ground level street frontage.

655

656 4. Incentives:

657 a. Planned Development Waived: A planned development is not required for the
658 following:

659 (1) More Than One Principal Building Per Lot: More than one principal building
660 per lot is allowed without having frontage along a public street.

661 (2) Lots without Frontage on a Public Street: Lots do not require frontage on a
662 public street if necessary cross access easements are provided.

663 b. Administrative Planned Development: The following are authorized through an
664 administrative planned development pursuant to the procedures and standards in
665 Chapter 21A.55. The minimum planned development size required by
666 21A.55.060 does not apply:

667 (1) Modification to the minimum yard requirements.

668 (2) Modification to the open space and landscaping requirements when the
669 modification specifically relates to preserving the existing building(s).

670 (3) Modifications to the provisions for awnings and canopies, balconies, patios,
671 and porches in Table 21A.36.020.B, Obstructions in Required Yards.

672 (4) Modifications to the parking location and setback requirements in Table
673 21A.44.060.A.

674 (5) Parking within the boundary of a planned development area but located on a
675 different parcel or lot than the use(s) it is intended to serve, is allowed and is
676 not considered off-site parking. The parking must only serve the uses within
677 the planned development area unless otherwise authorized by other provisions
678 of this title.

679 c. Minimum Lot Area, Width & Coverage:

680 (1) The minimum lot width for the land use found in the minimum lot area and lot
681 width tables of the zoning district does not apply.

682 (2) The minimum lot area for the land use found in the minimum lot area and lot
683 width tables of the zoning district only applies for the following zoning
684 districts: FR-1, FR-2, FR-3, R -1/12,000, R-1/7,000 and R-1/5,000.

685 (3) RMF-30 zoning district: The minimum lot size per dwelling unit does not
686 apply.

687 (4) Lot coverage may be calculated for the overall development area not the
688 individual lot or parcel within the development area.

689 d. Height: Additional building height is authorized in zoning districts as indicated in
690 the following sections through administrative design review. The maximum
691 height per story of the additional building height incentive shall not exceed 12
692 feet. Administrative design review shall be reviewed pursuant to the procedures
693 and standards in Chapter 21A.59. The additional height authorized by this

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subsection shall not be combined with the additional height authorized by
Subsection 21A.52.050, Affordable Housing Incentives.

(1) Residential districts:

<u>Zoning District</u>	<u>Permitted Maximum Height with Incentive</u>
<u>RMU-35</u>	<u>45', regardless of abutting use or zone.</u>
<u>RMU-45</u>	<u>55', regardless of abutting use or zone.</u>
<u>RB</u>	<u>1 additional story equal to or less than the average height of the other stories in the building.</u>
<u>RMU</u>	<u>3 additional stories equal to or less than the average height of the other stories in the building.</u>
<u>RO</u>	<u>1 additional story equal to or less than the average height of the other stories in the building.</u>

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(2) Commercial Districts:

<u>Zoning District</u>	<u>Permitted Maximum Height with Incentive</u>
<u>CB</u>	<u>1 additional story equal to or less than the average height of the other stories in the building.</u>
<u>CN</u>	<u>May build one additional story equal to or less than the average height of the other stories in the building.</u>
<u>CC</u>	<u>45'</u>
<u>CG</u>	<u>2 additional stories equal to or less than the average height of the other stories in the building.</u> <u>3 additional stories equal to or less than the average height of the other stories in the building for properties in the boundary described in 21A.26.070.G.</u>
<u>CSHBD1</u>	<u>105' and 2 additional stories equal to or less than the average height of the other stories in the building.</u>
<u>CSHBD2</u>	<u>60' and 1 additional story equal to or less than the average height of the other stories in the building.</u>
<u>TSA-Transition</u>	<u>1 additional story equal to or less than the average height of the other stories in the building.</u>
<u>TSA-Core</u>	<u>2 additional stories equal to or less than the average height of the other stories in the building.</u>

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701 (3) Form-based districts:

<u>Zoning District</u>	<u>Permitted Maximum Height with Incentive</u>
<u>MU-8</u>	<u>90' and 2 additional stories equal to or less than the average height of the other stories in the building.</u>
<u>FB-MU11</u>	<u>125' and 3 additional stories equal to or less than the average height of the other stories in the building.</u>
<u>FB-UN2</u>	<u>1 additional story equal to the average height of the other stories in the building.</u>
<u>FB-SC</u>	<u>1 additional story equal to the average height of the other stories in the building.</u>
<u>FB-SE</u>	<u>1 additional story equal to the average height of the other stories in the building.</u>
<u>FB-UN1</u>	<u>3 stories and 30' in height.</u>

702

703 (4) Downtown districts:

<u>Zoning District</u>	<u>Permitted Maximum Height with Incentive</u>
<u>D-2</u>	<u>120' and 2 additional stories equal to or less than the average height of the other stories in the building.</u>
<u>D-3</u>	<u>180' and 3 additional stories equal to or less than the average height of the other stories in the building.</u>

704

705 (5) Other districts:

<u>Zoning District</u>	<u>Permitted Maximum Height with Incentive</u>
<u>GMU</u>	<u>180' and 2 additional stories equal to or less than the average height of the other stories in the building.</u>
<u>MU</u>	<u>60' provided that the additional height is for residential uses only.</u>
<u>I</u>	<u>Building heights in excess of 35' but not more than 75' provided, that for each foot of height over 35', each required yard shall be increased 1'.</u>
<u>UI</u>	<u>Building heights in excess of 75' but not more 120' provided that the additional height is supported by the master plan and compatible with the adjacent neighborhood.</u>
<u>OS – Lots greater than 4 acres</u>	<u>Building heights in excess of 45' up to 60' provided that for each foot of height over 45', each required yard and landscaped yard shall be increased by 1'.</u>

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- e. Administrative design review is permitted for the following:
 - (1) Buildings in the CSHBD1 or CSHBD2 zoning district that exceed 20,000 square feet in size.
 - (2) Buildings in the CB zoning district that exceed 7,500 gross square feet of floor area for a first-floor footprint or in excess of 15,000 gross square feet floor area.
 - f. Parking: The following are the minimum off-street parking requirements unless a lesser requirement is listed in the required off-street parking table in 21A.44. These minimums may be further reduced with the alternatives to minimum parking calculations in 21A.44.050.
 - (1) Residential: 0.5 space per dwelling unit for multi-family; 1 space per dwelling unit for all other residential uses.
 - (2) Nonresidential: The minimum number of required off-street parking spaces for the proposed use listed in the required off-street parking table in 21A.44 may be reduced by 40%.
 - (3) Existing Parking Below the Minimum: If the existing parking for the eligible building does not meet the minimum off-street parking requirements above, no additional parking shall be required.
 - (4) Loading areas as indicated in Table 21A.44.070-A shall not be required.
 - g. Minimum Required Yards: The minimum required yards may apply to the perimeter of the development area and not to the individual lot or parcel within the development area.
5. Design Standards for New Construction: Unless a stricter design standard related to each of the following is included in the base zone or Chapter 21A.37, the following design standards are required for all zones except single and two-family zoning districts:
- a. Building Materials: Other than windows and doors, 50% of any street facing facade shall be clad in durable materials. Durable materials include stone, brick, masonry, textured or patterned concrete, fiber cement board or other material that includes a minimum manufacturer warranty of 20 years from color fading, weather, and local climate induced degradation of the material. Other materials may be used for the remainder of the facade facing the street. Other materials proposed to satisfy the durable requirement may be approved at the discretion of the planning director if it is found that the proposed material is durable and is appropriate for the proposed location on the building.
 - b. Ground Floor Glass: The surface area of the ground floor of a street facing façade shall contain a minimum percentage of glass as indicated below, calculated between 3 feet and 8 feet above grade. All ground floor glass shall allow unhampered and unobstructed visibility into the building for a depth of at least 5 feet, excluding any glass etching and window signs when installed and permitted in accordance with Chapter 21A.46, "Signs", of this title.
 - (1) Nonresidential Uses: 50% ground floor glass
 - (2) Residential Uses: If the ground level of the building is occupied by residential uses that face the street, the minimum glass requirement is 20%.

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- 754 c. Upper Floor Glass: The surface area of the façade of each street facing floor
755 above the ground floor must contain a minimum of 20% glass.
- 756 d. Maximum Length of a Blank Wall: The maximum length of any blank wall
757 uninterrupted by windows or doors at the ground floor level along any street
758 facing façade is 15 feet. Emergency exit doors and doors to access structured
759 parking or utility equipment shall not count as an interruption.
- 760 e. Maximum Length of Street Facing Facades:
761 (1) The maximum length of each street facing building facade shall not exceed
762 100 feet in the RMF-30, RMF-35, RMF-45 and RMF-75 districts.
763 (2) The maximum length of each street facing building façade shall not
764 exceed 175 feet in all other zoning districts.
- 765 f. Building Entrances: A building entrance that provides direct access to the use
766 with a walkway connected to the public sidewalk is required for each ground floor
767 street facing façade as follows:
768 (1) Single Family Attached: All units abutting a street shall have the primary
769 entrance on the street.
770 (2) Multi-family: At least one building entrance is required for each street facing
771 façade. Additional building entrances shall be required every 75 feet.
772 (3) Unless the base zone of the property has specific entry feature requirements,
773 all required residential building entries shall have an unenclosed entry porch,
774 portico, awning or canopy, or emphasized doorway entry feature as described
775 in 21A.37.050.P. The entry feature may encroach in the front yard setback,
776 but the encroachment shall not be closer than 5 feet from the front property
777 line.
778 (4) Nonresidential Uses: At least one building entrance is required for each street
779 facing façade. Additional building entrances shall be required every 40 feet.
- 780 g. Garage Doors Facing Street: Garage doors are prohibited on the façade of the
781 building that is parallel to, or located along, a public street.
- 782 h. Screening of Mechanical Equipment: All mechanical equipment shall be screened
783 from public view and sited to minimize their visibility and impact. Examples of
784 siting include on the roof, enclosed or otherwise integrated into the architectural
785 design of the building, or in a rear or side yard area subject to yard location
786 restrictions found in Section 21A.36.020, Table 21A.36.020B, “Obstructions In
787 Required Yards”.
- 788
- 789 6. Restrictive Covenant Required: Any owner who uses the incentives in Subsection
790 21A.52.060.B shall enter into a legally binding restrictive covenant, the form of
791 which shall be approved by the city attorney. The restrictive covenant shall be
792 recorded on the property with the Salt Lake County Recorder prior to issuance of a
793 building permit for a building using the incentives. The restrictive covenant shall run
794 with the land and shall provide for the following, without limitation:
795 a. Acknowledge the use of the incentives, the nature of the approval, and any
796 conditions thereof;
797 b. Shall guarantee that the physical elements of the eligible building used to qualify
798 for the incentives shall remain in substantially the same form and exterior features
799 important to the character of the building shall be preserved during the term;
800 c. Projects that apply the incentives to new buildings on the development site shall
801 guarantee retention of the eligible building used to qualify for the incentives for a

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802 minimum term of 30 years or, if the eligible building is subject to 21A.34.020,
803 indefinitely unless otherwise permitted by the terms of a certificate of
804 appropriateness after such 30 year period;

805 d. The terms of compliance with all applicable regulations and the city's potential
806 remedies for any violation of the restrictive covenant.

807
808 7. Enforcement: Violations of this Subsection B, or the restrictive covenant on the
809 property as set forth in 21A.52.060.B.6, shall be investigated and prosecuted pursuant
810 to 21A.20. The city shall have additional remedies or financial penalties for violations
811 as identified in the terms of the restrictive covenant required by Subsection
812 21A.52.060.B.6, which shall be reasonably related to enforcement of the
813 requirements and purpose of Subsection 21A.52.060.B. Financial remedies for a
814 violation of the covenant may include liquidated damages representing a reasonable
815 estimate of the value of the incentives, plus other associated damages valued up to
816 20% of the tax assessed value of the preserved building over the three preceding
817 years.

818
819
820 SECTION 31. Amending the text of Salt Lake City Code Section 21A.55.020. That

821 Section 21A.55.020 of the *Salt Lake City Code* (Zoning: Planned Developments: Authority) shall
822 be, and hereby is amended to read as follows:

823
824 **21A.55.020: AUTHORITY:**

825 A. Administrative Review: The planning director may approve, approve with
826 modifications, deny, or refer to the planning commission modifications to specific
827 zoning standards outlined in 21A.52.060.B.4.b for projects that meet the qualifying
828 provisions in 21A.52.060.B in accordance with the standards and procedures set forth in
829 this chapter and other regulations applicable to the district in which the property is
830 located.

831
832 B. Planning Commission Review: The Pplanning Ccommission may approve planned
833 developments for uses listed in the tables of permitted and conditional uses for each
834 category of zoning district or districts. The approval shall be in accordance with the
835 standards and procedures set forth in this chapter and other regulations applicable to the
836 district in which the property is located.

837 In approving a planned development, the Pplanning Ccommission may change, alter,
838 modify or waive the following provisions of this title:

839 1A. Zoning Aand Subdivision Regulations: Any provisions of this title or of the Ccity's
840 subdivision regulations as they apply to the proposed planned development except
841 that the Pplanning Ccommission cannot approve a use that is not allowed in the
842 zoning district in which the planned development is located, with the exception of
843 off-site parking as further described in this section.

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844 ~~2B.~~ Off-Site Parking: Off-site parking within the boundary of a planned development
845 area, but located on a different parcel or lot than the use(s) it is intended to serve, is
846 in zoning districts where off-site parking is not an allowed and not considered off-
847 site parking use. The parking must only serve the uses ~~be located~~ within the planned
848 development area unless otherwise authorized by other provisions of this title.

849 ~~3C.~~ Building Height: Up to five feet (5') of additional building height, except in the FR,
850 R-1, SR, or R-2 Zoning Districts where additional building height cannot be
851 approved through the planned development process.

852 ~~4D.~~ Density: Residential planned developments shall not exceed the density limitation
853 of the zoning district where the planned development is proposed except as allowed
854 below. The calculation of planned development density may include open space that
855 is provided as an amenity to the planned development. Public streets located within
856 or adjacent to a planned development shall not be included in the planned
857 development area for the purpose of calculating density.

858 ~~a1.~~ In the RMF Zoning Districts and on lots 0.20 acres or more in size,
859 developments that change a nonconforming commercial use to a residential use
860 that is allowed in the zoning district are exempt from the density limitations of
861 the zoning district when approved as a planned development.

862
863 SECTION 32. Amending the text of Salt Lake City Code Section 21A.55.030. That
864 Section 21A.55.030 of the *Salt Lake City Code* (Zoning: Planned Developments: Planning
865 Commission Decision) shall be and hereby is amended to read as follows:

866
867 **~~21A.55.030: PLANNING COMMISSION DECISION:~~**
868

869 A. ~~No Presumption Of Approval:~~ A request for a planned development does not constitute
870 an assurance or presumption that such planned development will be approved. Rather,
871 each proposed planned development shall be evaluated on an individual basis, in relation
872 to its compliance with the standards and factors set forth in this chapter and with the
873 standards for the zoning district in which it is located, in order to determine whether the
874 planned development is appropriate at a particular location.

875
876 B. ~~Approval:~~ The Planning Commission or planning director in the case of administrative
877 planned developments, may approve a planned development as proposed or may impose
878 conditions necessary or appropriate for the planned development to comply with the
879 standards and factors set forth in this chapter.

880
881 C. ~~Denial:~~ The Planning Commission or planning director in the case of administrative
882 planned developments, may deny an application for a planned development if it finds that
883 the proposal does not meet the intent of the base zoning district, does not meet the

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884 purpose of this chapter, or is not consistent with the standards and factors as set forth in
885 this chapter.

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888

SECTION 33. Amending the text of Salt Lake City Code Section 21A.55.040. That

889 Section 21A.55.040 of the *Salt Lake City Code* (Zoning: Planned Developments: Procedures)

890 shall be and hereby is amended to read as follows:

891

21A.55.040: PROCEDURES:

892

893
894 A. Application: An application for a planned development shall be made on an application
895 form prepared by the zoning administrator and accompanied by applicable fees as noted
896 in the Salt Lake City consolidated fee schedule. The applicant shall also be responsible
897 for payment of all mailing fees established for required public noticing. ~~The applicant~~
898 ~~must file an application for planned development approval with the Planning Director.~~ A
899 complete application shall contain at least the following information submitted by the
900 applicant, unless certain information is determined by the zoning administrator ~~Planning~~
901 ~~Director~~ to be inapplicable or unnecessary to appropriately evaluate the application. ~~The~~
902 ~~application submittal shall include one paper copy and one digital copy:~~

903

- 904 1. A complete description of the proposed planned development including the zoning
- 905 regulations being modified in the planned development and the planning objectives
- 906 being met;
- 907 2. When the proposed planned development includes provisions for common open space
- 908 or recreational facilities, a statement describing the provision to be made for the care
- 909 and maintenance of such open space or recreational facilities;
- 910 3. A written statement with supporting graphics showing how the proposed planned
- 911 development is compatible with other property in the neighborhood;
- 912 4. Plans, as required pursuant to sSection 21A.58.060 of this title, with the exception of
- 913 the number of copies required;
- 914 5. Architectural graphics including floor plans, elevations, profiles and cross sections;
- 915 6. A preliminary subdivision plat, if required;
- 916 7. Traffic impact analysis, where required by the City Transportation Division; and
- 917 8. Other information or documentation the zoning administrator ~~Planning Director~~ may
- 918 deem necessary for proper review and analysis of a particular application.

919

920 B. ~~Determination Of~~ Determination of Completeness: Upon receipt of an application for a planned
921 development, the zoning administrator ~~Planning Director~~ shall make a determination of
922 completeness of the application pursuant to sSection 21A.10.010 of this title.

923

924 C. Public Notification and Engagement:

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- 926 1. Notice of Application for Administrative Review: Prior to the approval of an
- 927 application that qualifies for administrative review, the planning director shall
- 928 provide written notice as provided in Chapter 21A.10.020.B.
- 929
- 930 2. Required Notice for Planning Commission Review:
- 931 a. Applications subject to planning commission review are subject to the notification
- 932 requirements of Chapter 2.60.
- 933 b. Any required public hearing is subject to the public hearing notice requirements
- 934 found in Chapter 21A.10.
- 935

936 ~~Staff Report: Upon completing a site plan review and receiving recommendations from~~
937 ~~applicable City department(s)/division(s), a staff report evaluating the planned development~~
938 ~~application shall be prepared by the Planning Division and forwarded to the applicant and the~~
939 ~~Planning Commission.~~

940

941 ~~D. Public Hearing: The Planning Commission shall hold a public hearing to review the~~
942 ~~planned development application in accordance with the standards and procedures set~~
943 ~~forth in chapter 21A.10 of this title.~~

944

945 ~~E. Planning Commission Action: Following the public hearing, the Planning Commission~~
946 ~~shall decide, on the basis of the standards contained in section 21A.55.050 of this chapter~~
947 ~~whether to approve, approve with modifications or conditions, or deny the application.~~

948

949 ~~F. Notification Of Decision: The Planning Director shall notify the applicant of the decision~~
950 ~~of the Planning Commission in writing, accompanied by one copy of the submitted plans~~
951 ~~marked to show such decision and a copy of the motion approving, approving with~~
952 ~~modifications, or denying the development plan application.~~

953

954

955 SECTION 34. Amending the text of Salt Lake City Code Section 21A.55.050. That

956 Section 21A.55.050 of the *Salt Lake City Code* (Zoning: Planned Developments: Standards for
957 Planned Developments) shall be, and hereby is amended, as to the preamble only with
958 Subsections A through G unchanged:

959

960 **21A.55.050: STANDARDS FOR PLANNED DEVELOPMENTS:**

961

962 The Pplanning Ccommission, or the planning director in the case of an administrative planned
963 development, may approve, approve with conditions, or deny a planned development based upon
964 written findings of fact according to each of the following standards. It is the responsibility of the
965 applicant to provide written and graphic evidence demonstrating compliance with the following
966 standards:

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968
969 SECTION 35. Amending the text of Salt Lake City Code Section 21A.55.070. That
970 Section 21A.55.070 of the *Salt Lake City Code* (Zoning: Planned Developments: Appeal of the

971 Planning Commission Decision) shall be and hereby is amended to read as follows:

972

973 **21A.55.070: APPEAL OF THE ~~PLANNING COMMISSION~~ DECISION:**

974 Any person adversely affected by a final decision of the ~~P~~planning ~~C~~ommission or planning
975 director in the case of administrative planned developments, on an application for a planned
976 ~~development~~ may appeal to the ~~A~~ppeals ~~H~~earing ~~O~~fficer in accordance with the provisions
977 of ~~e~~Chapter 21A.16 of this title. The filing of the appeal shall not stay the pending the outcome
978 of the appeal, except as provided for under ~~s~~Section 21A.16.030F of this title.

979

980 SECTION 36. Amending the text of Salt Lake City Code Section 21A.55.080. That

981 Section 21A.55.080 of the *Salt Lake City Code* (Zoning: Planned Developments: Time Limit on

982 Approved Planned Development) shall be and hereby is amended to read as follows:

983

984 **21A.55.080: TIME LIMIT ON APPROVED PLANNED DEVELOPMENT:**

985 No planned development approval shall be valid for a period longer than one year unless a
986 building permit has been issued or complete building plans have been submitted to the Division
987 of Building Services and Licensing. The ~~P~~planning ~~C~~ommission or planning director in the case
988 of an administrative planned development, may grant an extension of a planned development for
989 up to one additional year when the applicant is able to demonstrate no change in circumstance
990 that would result in an unmitigated impact. Extension requests must be submitted prior to the
991 expiration of the planned development approval.

992

993 SECTION 37. Amending the text of Salt Lake City Code Section 21A.55.090. That

994 Section 21A.55.090 of the *Salt Lake City Code* (Zoning: Planned Developments: Effect of

995 Approval of Planned Development) shall be and hereby is amended to read as follows:

996

997 **21A.55.090: EFFECT OF APPROVAL OF PLANNED DEVELOPMENT:**

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998 The approval of a proposed planned development by the ~~P~~planning ~~C~~ommission or planning
999 director in the case of an administrative planned development, shall not authorize the
1000 establishment or extension of any use nor the development, construction, reconstruction,
1001 alteration or moving of any building or structure, but shall authorize the preparation, filing and
1002 processing of applications for any permits or approvals that may be required by the regulations
1003 of the ~~C~~ity, including, but not limited to, a building permit, a certificate of occupancy and
1004 subdivision approval.

1005
1006 SECTION 38. Amending the text of Salt Lake City Code Section 21A.55.100. That
1007 Section 21A.55.100 of the *Salt Lake City Code* (Zoning: Planned Developments: Modifications
1008 to Development Plan) shall be and hereby is amended to read as follows:

1009
1010 **21A.55.100: MODIFICATIONS TO DEVELOPMENT PLAN:**

1011 Following planned development approval, the development plan approved by the ~~P~~planning
1012 ~~C~~ommission or planning director in the case of an administrative planned development, shall
1013 constitute the site design in relation to building placement and design, landscaping, mobility and
1014 circulation elements, and any elements that were approved as zoning modifications through the
1015 planned development process. Modifications to the development plan may be allowed pursuant
1016 to this section.

1017 A. New Application Required ~~F~~or Modifications ~~A~~and Amendments: ~~No substantial~~
1018 ~~M~~odifications or amendments shall be made in the construction, development or use
1019 without a new application under subject to the provisions of this section. ~~Minor~~
1020 ~~modifications or amendments may be made subject to written approval of the Planning~~
1021 ~~Director and the date for completion may be extended by the Planning Commission upon~~
1022 ~~recommendation of the Planning Director.~~

1023 B. Minor Modifications: The ~~P~~planning ~~D~~irector may authorize minor modifications to the
1024 approved development plan pursuant to the provisions for modifications to an approved
1025 site plan as set forth in chapter 21A.58 of this title when such modifications appear
1026 necessary in light of technical or engineering considerations necessary to comply with an
1027 adopted building, fire, or engineering code or standard or when the modification complies
1028 with the applicable standards in the underlying zoning district or overlay district. Such
1029 minor modifications shall be limited to the following elements:

- 1030 1. Adjusting the distance as shown on the approved development plan between any
1031 one structure or group of structures, and any other structure or group of structures,
1032 or any vehicular circulation element ~~or any boundary of the site~~;
- 1033 2. Adjusting the location of any open space;

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- 1034 3. Adjusting any final grade;
- 1035 4. Altering the types of landscaping elements and their arrangement within the
1036 required landscaping buffer area;
- 1037 5. Signs;
- 1038 6. Relocation or construction of accessory structures that comply with the provisions
1039 of 21A.40 and any applicable accessory structure regulations; or
- 1040 7. Additions which comply with the lot and bulk requirements of the underlying
1041 zone.

1042 Such minor modifications shall be consistent with the intent and purpose of this title and
1043 the development plan as approved pursuant to this chapter and shall be the minimum
1044 necessary to ~~overcome the particular difficulty~~ comply with the standards of the
1045 underlying zoning district or the applicable building, fire, or engineering code or standard
1046 ~~and shall not be approved if such modifications would result in a violation of any~~
1047 ~~standard or requirement of this title.~~ A minor modification shall not be approved if the
1048 modification reduces a required building setback, authorizes an increase in lot coverage,
1049 or increases building height.

1050 C. Major Modifications: Any modifications to the approved development plan not
1051 authorized by ~~s~~Subsection B ~~of this section~~ shall be considered to be a major
1052 modification. ~~The P~~planning C~~commission or planning director in the case of an~~
1053 administrative planned development, shall give notice to all property owners consistent
1054 with notification requirements located in chapter 21A.10 of this title. ~~The P~~planning
1055 C~~commission or planning director in the case of an administrative planned development~~,
1056 may approve an application for a major modification to the approved development plan,
1057 not requiring a modification of written conditions of approval or recorded easements,
1058 upon finding that any changes in the plan as approved will be in substantial conformity
1059 with the approved development plan. ~~If the commission or planning director in the case~~
1060 ~~of an administrative planned development~~, determines that a major modification is not in
1061 substantial conformity with the approved development plan, then the ~~commission or~~
1062 planning director in the case of an administrative planned development, shall review the
1063 request in accordance with the procedures set forth in this section.

1064 D. Other Modifications: Any modification to the planned development that complies with
1065 the standards of the underlying zoning district or overlay zoning district is allowed
1066 provided the modification does not violate a condition of approval or other requirement
1067 placed on the planned development as part of the approval of the application and required
1068 permits and approvals are obtained.

1069

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1070 SECTION 39. Amending the text of Salt Lake City Code Subsection 21A.59.020.A. That
1071 Subsection 21A.59.020 of the *Salt Lake City Code* (Zoning: Design Review: Authority:
1072 Administrative Review) shall be, and hereby is amended to read as follows:

1073 A. Administrative Review: The planning director may approve, approve with modifications,
1074 deny or refer to the planning commission modifications to specific design standards when
1075 proposed as new construction, an addition or modification to the exterior of an existing
1076 structure, or a modification to an existing structure as authorized in Section 21A.59.040,
1077 Table 21A.59.040 of this chapter or when authorized ~~in the specific zoning district~~
1078 elsewhere in this title.

1079 1. The director shall approve a request to modify a design standard if the director
1080 finds that the proposal complies with the purpose of the individual zoning district,
1081 the purpose of the individual design standards that are applicable to the project,
1082 the proposed modification is compatible with the development pattern of other
1083 buildings on the block face or on the block face on the opposite side of the street,
1084 and the project is compliant with the applicable design review objectives
1085 (Section 21A.59.050 of this chapter).

1086 2. The director may approve a request to modify a design standard with conditions
1087 or modifications to the design if the director determines a modification is
1088 necessary to comply with the purpose of the base zoning district, the purpose of
1089 the applicable design standards of the base zoning, to achieve compatibility with
1090 the development pattern of other buildings on the block face or on the block face
1091 on the opposite side of the street, or to achieve the applicable design review
1092 objectives.

1093 3. The director shall deny a request to modify a design standard if the design does
1094 not comply with the purpose of the base zoning district, the purpose of the
1095 applicable design standards or the applicable design review objectives and no
1096 modifications or conditions of approval can be applied that would make the
1097 design comply.

1098 4. The director may forward a request to modify a design standard to the planning
1099 commission if the director finds that the request for modification is greater than
1100 allowed by this chapter, a person receiving notice of the proposed modification
1101 can demonstrate that the request will negatively impact their property, or at the
1102 request of the applicant if the director is required to deny the request as provided
1103 in this section.

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1105 SECTION 40. Amending the text of Salt Lake City Code Section 21A.62.040. That
1106 Section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms) shall
1107 be, and hereby is amended to read as follows:

1108 a. Amending the definition of “ADAPTIVE REUSE OF A LANDMARK
1109 BUILDING.” That the definition shall be amended to read as follows:

1110 ADAPTIVE REUSE FOR ADDITIONAL USES IN ELIGIBLE OF A LANDMARK
1111 BUILDINGS: The process of reusing a building for a purpose other than which it was built or
1112 designed for landmark buildings original use is no longer feasible. Other land uses, in addition to
1113 those specifically listed in the land use tables, may be allowed as a permitted or conditional use
1114 subject to the provisions in Subsection 21A.52.060.A.

1115

1116 b. Amending the definition of “PARKING, OFF SITE.” That the definition of
1117 “PARKING, OFF SITE” shall be amended to read as follows:

1118 PARKING, OFF SITE: An off-street parking area intended to serve one or more uses and that is
1119 located on a different parcel or lot than the use(s) it is intended to serve. Parking approved within
1120 the boundary of a planned development that only serves uses within the planned development
1121 area is not considered off-site parking.

1122 c. Repealing the definition “HOUSE MUSEUM IN A LANDMARK SITE” as
1123 follows:

1124 ~~HOUSE MUSEUM IN LANDMARK SITE: A dwelling unit which is converted from its original~~
1125 ~~principal use as a dwelling unit to a staffed institution dedicated to educational, aesthetic or~~
1126 ~~historic purposes. Such museum should include a staff who commands an appropriate body of~~
1127 ~~special knowledge necessary to convey the historical, aesthetic or architectural attributes of the~~
1128 ~~building and its collections to the general public. Such staff should also have the ability to reach~~
1129 ~~museumological decisions consonant with the experience of his or her peers and have access to and~~
1130 ~~acquaintance with the literature of the field. Such museum should maintain either regular hours~~
1131 ~~or be available for appointed visits such that access is reasonably convenient to the public.~~

1132

1133 SECTION 15. Effective Date. This Ordinance shall become effective on the date of its
1134 first publication.

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1135 Passed by the City Council of Salt Lake City, Utah, this _____ day of _____,
1136 2024.

1137

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1139

CHAIRPERSON

1140 ATTEST AND COUNTERSIGN:

1141

1142

1143

CITY RECORDER

1145

1146 Transmitted to Mayor on _____.

1147

1148

1149 Mayor's Action: _____Approved. _____Vetoed.

1150

1151

1152

1153

MAYOR

1154

CITY RECORDER

1156

(SEAL)

1157

1158 Bill No. _____ of 2024.

1159

Published: _____.

1160

Adaptive Reuse Preservation Incentives_Opt2(legislative)v1

1161

2. ORDINANCE (VERSION 1)

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SALT LAKE CITY ORDINANCE

No. _____ of 2024

(Amending the zoning text of various sections of Title 21A of the *Salt Lake City Code* pertaining to zoning incentives for adaptive reuse and preservation of buildings)

An ordinance amending the text of various sections of Title 21A of the *Salt Lake City Code* pertaining to zoning incentives for adaptive reuse and preservation of buildings pursuant to Petition No. PLNPCM2023-00155.

WHEREAS, on February 28, 2024, the Salt Lake City Planning Commission (“Planning Commission”) held a public hearing on a petition submitted by Salt Lake City Mayor, Erin Mendenhall to amend the zoning code pertaining to zoning incentives for adaptive reuse and preservation of buildings (Petition No. PLNPCM2023-00155); and

WHEREAS, at its February 28, 2024 meeting, the Planning Commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council on said petition;

WHEREAS, after a public hearing on this matter the City Council has determined that adopting this 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 the text of *Salt Lake City Code* Subsection 21A.10.015.A. That Subsection 21A.10.015.A of the *Salt Lake City Code* (Zoning: General Application, Public Engagement, and Public Noticing Procedures: Public Engagement: Land Use Projects Subject to Public Engagement) shall be, and hereby is amended to read as follows:

- A. Land Use Projects Subject to Public Engagement: The following are considered land use projects for purposes of this chapter and are subject to the public engagement process and requirements herein:
 - 1. Request for an alley/street closure or vacation;
 - 2. Amendments to Title 21A;
 - 3. Conditional use applications;

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- 31 4. Design review applications, that are subject to review by the planning commission as
- 32 provided in Chapter 21A.59;
- 33 5. Applications to demolish one or more landmark sites or contributing structures
- 34 located within a local historic district;
- 35 6. Master plans, including amendments, to be adopted by the city council;
- 36 7. Requests for certificates of appropriateness required for new construction of principal
- 37 structures, except for single family and two family dwellings;
- 38 8. Planned development applications that are subject to review by the planning
- 39 commission as provided in Chapter 21A.55; and
- 40 9. Zoning map amendments.

41

42

43 SECTION 2. Amending the text of Salt Lake City Code Subsection 21A.10.020.B. That

44 Subsection 21A.10.020.B of the *Salt Lake City Code* (Zoning: General Application, Public

45 Engagement, and Public Noticing Procedures: Public Hearing Notice Requirements: Special

46 Noticing Requirements for Certain Administrative Approvals) shall be, and hereby is amended to

47 read as follows:

48 B. Special Noticing Requirements for Administrative Approvals:

- 49
- 50 1. Notice of Application for Design Review and Planned Development:
- 51
- 52 a. Notification: At least twelve (12) days before a land use decision is made for an
 - 53 administrative design review application as authorized in Chapter 21A.59 of this
 - 54 title, or an administrative planned development as authorized by Chapter 21A.55
 - 55 of this title, the planning director shall provide written notice to the following:
 - 56 (1) All owners and identifiable tenants of the subject property, land abutting the
 - 57 subject property, and land located directly across the street from the subject
 - 58 property. In identifying the owners and tenants of the land the city shall use
 - 59 the Salt Lake City geographic information system records.
 - 60 (2) Recognized community organization(s) in which the subject property is
 - 61 located.
- 62
- 63 b. Contents of the Notice of Application: The notice shall generally describe the
 - 64 subject matter of the application, where the public may review the application, the
 - 65 expected date when the planning director will authorize a final land use decision,
 - 66 and the procedures to appeal the land use decision.
- 67
- 68 c. End of Notification Period: If the planning director receives comments identifying
 - 69 concerns related to the design review application not complying with the
 - 70 requirements of Chapter 21A.59, or the planned development not complying with

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71 the requirements of Chapter 21A.55, the planning director may refer the matter to
72 the planning commission for their review and decision on the application.

73
74
75 SECTION 3. Amending the text of Salt Lake City Code Subsection 21A.24.010.S. That

76 Subsection 21A.24.010.S of the *Salt Lake City Code* (Zoning: Residential Districts: General
77 Provisions: Adaptive Reuse of a Landmark Building in Residential Districts) shall be, and hereby
78 is amended to read as follows:

79
80 S. Compliance with Noise Regulations Required: Any construction work in residential zoning
81 districts shall comply with Section 9.28.040, "Noises Prohibited."~~Adaptive Reuse Of A~~
82 ~~Landmark Building In Residential Districts:~~

83 ~~—1. Purpose Statement: The purpose of the adaptive reuse of a landmark site in a residential~~
84 ~~district is to preserve landmark sites as defined in subsection 21A.34.020B of this title. In some~~
85 ~~instances these sites have outlived their original use due to economic conditions, size of the~~
86 ~~building, and/or a substantial degree of deterioration of the historic property. Such sites,~~
87 ~~however, still contribute to the welfare, property and education of the people of Salt Lake City~~
88 ~~because of their historic, architectural or cultural significance. The Planning Commission shall~~
89 ~~consider the allowance of a nonresidential use of a landmark site in a residential district~~
90 ~~according to the qualifying provisions outlined in subsection S2a of this section and pursuant~~
91 ~~to chapter 21A.54 of this title, in order to ensure that the residential character of the surrounding~~
92 ~~environment is preserved.~~

93 ~~—2. Conditional Use Required: Where authorized by this title as shown in~~
94 ~~section 21A.33.020, "Table Of Permitted And Conditional Uses For Residential Districts", of~~
95 ~~this title, landmark sites in any residential district may be used for certain nonresidential uses.~~

96 ~~— a. Qualifying Provisions: In order to qualify for conditional use review by the~~
97 ~~Planning Commission under section 21A.54.080, "Standards For Conditional Uses", of~~
98 ~~this title, the applicant must demonstrate compliance with the following:~~

99 ~~— (1) The building is designated as a landmark site on the Salt Lake City~~
100 ~~register of cultural resources. The designation process must be completed prior to the~~
101 ~~City accepting a conditional use application for the structure unless the Planning~~
102 ~~Director determines that it is in the best interest of the City to process the designation~~
103 ~~and conditional use applications together.~~

104 ~~— (2) The landmark building shall have a minimum of seven thousand (7,000)~~
105 ~~square feet of floor area, excluding accessory buildings.~~

106 ~~— (3) The new use will require minimal change as these features are important~~
107 ~~in defining the overall historic character of the building and environment.~~

108 ~~— (4) The use is conducive to the preservation of the landmark site.~~

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109 ~~———— (5) Significant archaeological resources affected by the project shall be~~
110 ~~protected and preserved. If such resources must be disturbed, mitigation measures~~
111 ~~shall be undertaken.~~

112 ~~———— (6) The use is compatible with the surrounding residential neighborhood.~~

113 ~~———— (7) Distinctive features, finishes, and construction techniques or examples of~~
114 ~~craftsmanship that characterize the property shall be preserved.~~

115 ~~———— (8) The use does not result in the removal of residential characteristics of the~~
116 ~~structure or site including mature landscaping.~~

117 ~~———— (9) The change in use from residential to nonresidential is necessary due to~~
118 ~~the excessive size of the landmark site for residential uses allowed in the residential~~
119 ~~district, and/or demonstration that the building cannot reasonably be used for its~~
120 ~~original intended use.~~

121 ~~———— (10) The proposed use will not have a material net cumulative adverse~~
122 ~~impact on the neighborhood or the City as a whole by considering the following:~~

123 ~~———— (A) The spatial distribution of:~~

124 ~~———— (i) Business licenses issued for properties located within three~~
125 ~~hundred feet (300') of any property line and the block frontage on both sides~~
126 ~~of the street between 100-series addresses; and~~

127 ~~———— (ii) Previously approved conditional uses for nonresidential uses~~
128 ~~in landmark sites within the same planning community, as shown on a map of~~
129 ~~planning communities maintained by the Zoning Administrator.~~

130 ~~———— (B) Impacts on neighboring properties including, but not limited to:~~

131 ~~———— (i) Traffic;~~

132 ~~———— (ii) Parking;~~

133 ~~———— (iii) Signs;~~

134 ~~———— (iv) Lighting;~~

135 ~~———— (v) Removal of landscaping; and~~

136 ~~———— (vi) For the purposes of evaluating subsections S2a(10)(B)(i)~~
137 ~~through S2a(10)(B)(v) of this section, professionally prepared impact studies~~
138 ~~shall not be required unless specifically requested by the Zoning~~
139 ~~Administrator;~~

140 ~~———— (vii) Noise, fumes or odors;~~

141 ~~———— b. Credit For On Street Parking: Some or all of the off street parking spaces~~
142 ~~required in section 21A.44.030 of this title may be met by the provision of on street~~
143 ~~spaces. Such credit shall require the site plan review approval. Requests for on street~~
144 ~~parking shall meet the following requirements:~~

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145 ~~———— (1) All on street parking facilities shall be designed in conformance with the~~
146 ~~standards established by the City Transportation Engineer;~~

147 ~~———— (2) Prior to approving any requests for on street parking, the development~~
148 ~~review team shall determine that the proposed on street parking will not materially~~
149 ~~adversely impact traffic movements and related public street functions; and~~

150 ~~———— (3) Credit for on street parking shall be limited to the number of spaces~~
151 ~~provided along the street frontage adjacent to the use.~~

152
153 SECTION 4. Repealing the text of Salt Lake City Code Subsection 21A.24.010.W. That
154 Subsection 21A.24.010.W of the *Salt Lake City Code* (Zoning: Residential Districts: General
155 Provisions: Compliance with Noise Regulations Required) shall be, and hereby is repealed in its
156 entirety as follows:

157
158 ~~W. Compliance With Noise Regulations Required: Any construction work in residential~~
159 ~~zoning districts shall comply with section 9.28.040, "Noises Prohibited", of this Code.~~

160
161 SECTION 5. Amending the text of Salt Lake City Code Subsection 21A.24.130.E.6.
162 That Subsection 21A.24.010.E.6 of the *Salt Lake City Code* (Zoning: Residential Districts: RMF-
163 35 Moderate Density Multi-Family Residential District: Minimum Yard Requirements: Existing
164 Yards) shall be, and hereby is amended to read as follows:

165 6. Existing Yards: For buildings legally existing on April 12, 1995, the required yard
166 shall be no greater than the established setback line of the existing building ~~unless the~~
167 ~~proposed yard encroachment is to accommodate additional units. New principal~~
168 ~~buildings must conform to current yard area requirements, unless the new principal~~
169 ~~two family dwelling or twin home has legal conforming status as outlined in~~
170 ~~section 21A.38.070 of this title.~~

171
172 SECTION 6. Amending the text of Salt Lake City Code Subsection 21A.24.160.D. That
173 Subsection 21A.24.160.D of the *Salt Lake City Code* (Zoning: Residential Districts: RB
174 Residential/Business District: Minimum Lot Area and Lot Width) shall be, and hereby is

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175 amended only to eliminate the Land Use “A single dwelling unit located above first floor retail
176 or office uses” from the table in said subsection, with no other changes to the table:

177

Land Use	Minimum Lot Area	Minimum Lot Width
A single dwelling unit located above first floor retail or office uses	Included in principal use	Included in principal use

178

179 SECTION 7. Amending the text of Salt Lake City Code Subsection 21A.24.180.I. That
180 Subsection 21A.24.180.I of the *Salt Lake City Code* (Zoning: Residential Districts: RO
181 Residential/Office District: Offices in Existing Buildings on Lots Less Than Twenty Thousand
182 Square Feet) shall be, and hereby is amended to read as follows:

183 I. Offices ~~i~~n Existing Buildings ~~o~~n Lots Less Than Twenty Thousand Square Feet:
184 Offices occupying existing buildings are permitted on a five thousand (5,000) square foot
185 minimum lot. Additions to existing buildings that are greater than fifty percent (50%) of
186 the existing building footprint or that exceed the height of the existing building shall be
187 subject to design review (chapter 21A.59 of this title) unless the existing building is using
188 the incentives in 21A.52.060.

189

190 SECTION 8. Repealing the text of Salt Lake City Code Subsection 21A.26.010.K. That
191 Subsection 21A.26.010.K of the *Salt Lake City Code* (Zoning: Commercial Districts: General
192 Provisions: Bed and Breakfast Establishments and Reception Centers in Landmark Sites in the
193 CN Neighborhood Commercial and CB Community Business Districts) shall be, and hereby is
194 repealed in its entirety as follows:

195

196 ~~K. Bed And Breakfast Establishments And Reception Centers In Landmark Sites In The CN~~
197 ~~Neighborhood Commercial And CB Community Business Districts:~~

198 ~~—1. Conditional Use Required: Where not otherwise authorized by this title and after~~
199 ~~conditional use approval by the Planning Commission pursuant to chapter 21A.54 of this~~

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200 title, landmark sites in a CN or CB District may be used for a bed and breakfast
201 establishment or reception center subject to the following standards:

202 ~~a. Standards: In addition to the standards for conditional uses, section 21A.54.080 of~~
203 ~~this title, the Planning Commission shall find the following:~~

204 ~~—— (1) The structure is designated as a landmark site on the Salt Lake City Register of~~
205 ~~Cultural Resources. The designation process must be completed prior to the City~~
206 ~~accepting a conditional use application for the structure unless the Planning~~
207 ~~Director determines that it is in the best interest of the City to process the~~
208 ~~designation and conditional use applications at the same time because of the risk~~
209 ~~of probable demolition;~~

210 ~~—— (2) The use is conducive to the preservation of the landmark site;~~

211 ~~—— (3) The use is compatible with the surrounding residential neighborhood; and~~

212 ~~—— (4) The use does not result in the removal of residential characteristics of the~~
213 ~~structure (if the structure is a residential structure), including mature landscaping.~~

214 ~~b. Condition Of Approval: A preservation easement in favor of the City shall be placed~~
215 ~~upon the landmark site.~~

216

217 SECTION 9. Amending the text of Salt Lake City Code Section 21A.33.020. That Section

218 21A.33.020 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and

219 Conditional Uses for Residential Districts) shall be amended only as to the use categories “Adaptive

220 reuse of a landmark site”, “Dwelling, multi-family” and “Mixed use development” and to repeal

221 only the use category “Temporary use of closed schools and churches”, with no other changes to the

222 table, which aforementioned use categories shall read and appear in that table as follows:

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223

Use	Permitted And Conditional Uses By District																		
	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	RMF- 30	RMF- 35	RMF- 45	RMF- 75	RB	R-MU- 35	R-MU- 45	R-MU	RO
Adaptive reuse for additional uses in eligible buildings of a landmark site	C ⁸	C ⁸	C ⁸	C ⁸	C ⁸	C ⁸	C ⁸		C ⁸	C ⁸	C ⁸	C ⁸	C ⁸	C ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸⁶
Dwelling, multi-family	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P	P	P	P	P	P	P	P	P
Mixed use development															P ⁺	P	P	P	P
Temporary use of closed schools and churches	C ¹⁹	C ¹⁹	C ¹⁹	C ¹⁹	C ¹⁹	C ¹⁹	C ¹⁹		C ¹⁹		C ¹⁹	C ¹⁹	C ¹⁹	C ¹⁹		C ¹⁹	C ¹⁹		

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225
226 SECTION 10. Amending the text of Salt Lake City Code Section 21A.33.020. That the
227 “Qualifying Provisions” notes to the Table of Permitted and Conditional Uses for Residential
228 Districts of Section 21A.33.020 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of
229 Permitted and Conditional Uses for Residential Districts) shall be and hereby is amended only as to
230 notes “1”, “6”, “8” and “19” which shall appear in numerical order with the other notes and read as
231 follows:

- 232 1. Reserved. ~~A single apartment unit may be located above first floor retail/office.~~
- 233
- 234 6. Building additions on lots less than 20,000 square feet for office uses may not exceed 50
- 235 percent of the building's footprint. Building additions greater than 50 percent of the
- 236 building's footprint or new office building construction are subject to a design review
- 237 unless the building qualifies for the incentives in 21A.52.060.
- 238
- 239 8. Subject to conformance with the provisions of ~~s~~Subsection 21A.52.060.A ~~21A.24.010S~~
- 240 ~~of this title.~~
- 241
- 242 19. Reserved. ~~Subject to section 21A.36.170 of this title.~~

243
244
245 SECTION 11. Amending the text of Salt Lake City Code Section 21A.33.030. That Section
246 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and
247 Conditional Uses for Commercial Districts) shall be amended only as to the use category “Bed and
248 breakfast” and to repeal only the use categories “Adaptive reuse of a landmark site”, “House
249 museum in landmark sites” and “Offices and reception centers in landmark sites”, with no other
250 changes to the table, which aforementioned use categories shall read and appear in that table as
251 follows:
252

253
254
255

Use	Permitted and Conditional Uses by District
------------	---

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	CN	CB	CS ¹	CC	CSHBD ¹	CG	SNB
Adaptive reuse of a landmark site	P	P	P	P	P	P	
Bed and breakfast manor	€ ³	€ ³		P	P	P	
House museum in landmark sites (see subsection 21A.24.010S of this title)							€
Offices and reception centers in landmark sites (see subsection 21A.24.010S of this title)							€

257
 258
 259 SECTION 12. Amending the text of *Salt Lake City Code* Section 21A.33.030. That the
 260 “Qualifying Provisions” notes to the Table of Permitted and Conditional Uses for Commercial
 261 Districts of Section 21A.33.030 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of
 262 Permitted and Conditional Uses for Commercial Districts) shall be and hereby is amended only as to
 263 note “3” which shall appear in numerical order with the other notes and read as follows:

- 264 3. ~~Reserved. When located in a building listed on the Salt Lake City register of cultural~~
 265 ~~resources (see subsections 21A.26.010S and 21A.26.010K of this title).~~

266
 267 SECTION 13. Amending the text of *Salt Lake City Code* Section 21A.33.035. That Section
 268 21A.33.035 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and
 269 Conditional Uses for Transit Station Area Districts) is amended only to repeal the use categories
 270 “Adaptive reuse of a landmark site”, “House museum in landmark sites” and “Offices and reception
 271 centers in landmark sites”, in the Table of Permitted and Conditional Uses for Transit Station Area
 272 Districts, with no other changes to the table, as follows:

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Use	Permitted and Conditional Uses by District							
	TSA-UC		TSA-UN		TSA-MUEC		TSA-SP	
	Core	Transition	Core	Transition	Core	Transition	Core	Transition
Adaptive reuse of a landmark site	P	P	P	P	P	P	P	P
House museum in landmark sites (see subsection 21A.24.010S of this title)	P	P	P	P	P	P	P	P
Offices and reception centers in landmark sites (see subsection 21A.24.010S of this title)	P	P	P	P	P	P	P	P

274

275

276

SECTION 14. Amending the text of *Salt Lake City Code* Section 21A.33.040. That Section

277

21A.33.040 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and

278

Conditional Uses for Manufacturing Districts) shall be amended only to repeal the use category

279

“Adaptive reuse of a landmark site”, in the Table of Permitted and Conditional Uses for

280

Manufacturing Districts, with no other changes to the table, as follows:

Use	Permitted and Conditional Uses by District	
	M-1	M-2
Adaptive reuse of a landmark site	C	C ⁷

281

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282 SECTION 15. Amending the text of *Salt Lake City Code* Section 21A.33.040. That the
283 “Qualifying Provisions” notes to the Table of Permitted and Conditional Uses for Manufacturing
284 Districts of Section 21A.33.040 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of
285 Permitted and Conditional Uses for Manufacturing Districts) shall be and hereby is amended only as
286 to note “7” which shall appear in numerical order with the other notes and read as follows:

287 7. ~~Reserved. Building additions on lots less than 20,000 square feet for office uses may not~~
288 ~~exceed 50 percent of the building's footprint. Building additions greater than 50 percent~~
289 ~~of the building's footprint or new office building construction are subject to a design~~
290 ~~review.~~

291
292 SECTION 16. Amending the text of *Salt Lake City Code* Section 21A.33.050. That Section
293 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and
294 Conditional Uses for Downtown Districts) shall be amended only to repeal the use category
295 “Adaptive reuse of a landmark site”, in the Table of Permitted and Conditional Uses for Downtown
296 Districts, with no other changes to the table, as follows:

Use	Permitted and Conditional Uses by District			
	D-1	D-2	D-3	D-4
Adaptive reuse of a landmark site	P	P	P	P⁴

298
299 SECTION 17. Amending the text of *Salt Lake City Code* Section 21A.33.050. That the
300 “Qualifying Provisions” notes to the Table of Permitted and Conditional Uses for Downtown
301 Districts of Section 21A.33.050 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of
302 Permitted and Conditional Uses for Downtown Districts) shall be and hereby is amended only as to
303 note “4” which shall appear in numerical order with the other notes and read as follows:

304 4. ~~Reserved. Building additions on lots less than 20,000 square feet for office uses may not~~
305 ~~exceed 50 percent of the building's footprint. Building additions greater than 50 percent~~

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306 of the building's footprint or new office building construction are subject to a design
307 review (chapter 21A.59 of this title).

308

309 SECTION 18. Amending the text of Salt Lake City Code Section 21A.33.060. That Section

310 21A.33.060 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and

311 Conditional Uses in the Gateway District) shall be amended only to repeal the use category

312 “Adaptive reuse of a landmark site”, in the Table of Permitted and Conditional Uses in the Gateway

313 District, with no other changes to the table, as follows:

Use	G-MU
Adaptive reuse of a landmark site	P

314

315 SECTION 19. Amending the text of Salt Lake City Code Section 21A.33.070. That Section

316 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and

317 Conditional Uses for Special Purpose Districts) shall be amended only for the use categories

318 “Adaptive reuse of a landmark site” and “Dwelling: Multi-family”, in the Table of Permitted and

319 Conditional Uses for Special Purpose Districts, with no other changes to the table, as follows:

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320

Use	Permitted and Conditional Uses by District																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Adaptive reuse for additional uses in eligible buildings of a landmark site								C ²			C ²	<u>C²</u>	C ²	<u>P²</u>			P ²
Dwelling:																	
Multi-family											<u>P²</u>	<u>P²</u>	<u>P²</u>	P			P

321

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322
 323 SECTION 20. Amending the text of Salt Lake City Code Section 21A.33.070. That the
 324 “Qualifying Provisions” notes to the Table of Permitted and Conditional Uses for Special Purpose
 325 Districts of Section 21A.33.070 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of
 326 Permitted and Conditional Uses for Special Purpose Districts) shall be and hereby is amended only
 327 as to note “2” which shall appear in numerical order with the other notes and read as follows:

328 2. Subject to conformance with the provisions of Subsection 21A.52.060.A. When located
 329 in a building listed on the Salt Lake City Register of Cultural Resources.

330
 331 SECTION 21. Amending the text of Salt Lake City Code Section 21A.33.080. That Section
 332 21A.33.080 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of Permitted and
 333 Conditional Uses in Form Based Districts) shall be amended only as to the use categories “Adaptive
 334 reuse of a landmark site”, “Dwelling: Multi-family”, and “Reception center” and to repeal only the
 335 use categories “House museum in a landmark”, and “Office and/or reception center in a landmark
 336 site”, in the Table of Permitted and Conditional Uses in Form Based Districts, with no other changes
 337 to the table, as follows:

Use	Permitted and Conditional Uses by District				
	FB-UN1	FB-UN2	FB-MU11	FB-SC	FB-SE
Adaptive reuse for additional uses in eligible of a landmark buildings	<u>C</u> ⁹		P		
Dwelling:					
Multi-family	<u>P</u> ⁹	P	P	P	P
House museum in landmark site	P	P	P	P	P
Office and/or Reception center in a landmark site		P	P	P	P
Reception center		<u>P</u>	P	<u>P</u>	<u>P</u>

338
 339

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340 SECTION 22. Amending the text of *Salt Lake City Code* Section 21A.33.080. That the
341 “Qualifying Provisions” notes to the Table of Permitted and Conditional Uses in Form Based
342 Districts of Section 21A.33.870 of the *Salt Lake City Code* (Zoning: Land Use Tables: Table of
343 Permitted and Conditional Uses in Form Based Districts) shall be amended to add an additional note
344 “9”, which shall appear in numerical order with the other notes and read as follows:

345 9. Subject to conformance with the provisions of Subsection 21A.52.060.A.
346

347 SECTION 23. Repealing the text of *Salt Lake City Code* Section 21A.36.170. That Section
348 21A.36.170 of the *Salt Lake City Code* (Zoning: General Provisions: Reuse of Church and School
349 Buildings) is hereby repealed in its entirety as follows:

350 **21A.36.170: RESERVED USE OF CHURCH AND SCHOOL BUILDINGS:**

351 ~~—A. Change Of Use: In the PL, PL-2, I, UI or any residential district, a change of use of~~
352 ~~any church or school to a use that is allowed as a permitted use or conditional use in the zoning~~
353 ~~district may be allowed as a conditional use pursuant to the provisions of chapter 21A.54 of this~~
354 ~~title.~~

355 ~~—B. Temporary Use Of Closed Schools And Churches; Authorized As Conditional Use: The~~
356 ~~temporary use of closed schools and churches may be allowed as a conditional use pursuant to~~
357 ~~the provisions of chapter 21A.54 of this title, in the zoning districts indicated in the land use~~
358 ~~tables of this title, provided that:~~

359 ~~—1. Use: The temporary use is for office space or educational purposes for public or private~~
360 ~~charities.~~

361 ~~—2. Application: The application for a temporary use of a closed school or church shall~~
362 ~~include, in addition to the application submission requirements of chapter 21A.54 of this title, the~~
363 ~~following information:~~

364 ~~— a. Building Plans: As part of the application, the applicant shall provide a site plan drawn~~
365 ~~to scale showing existing structures, auxiliary buildings, existing~~
366 ~~parking and landscaping, and any proposed changes to the site. In converting the existing facility~~
367 ~~to the proposed conditional use, no major exterior or interior alterations of the building shall be~~
368 ~~made which render the building incompatible with a return to its use as a school or church; and~~

369 ~~— b. Use Plan: A proposed use plan including:~~

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- 370 ———(1) Hours and days of operation,
371 ———(2) Evidence of noise, odor or vibration emissions,
372 ———(3) Evidence of the number of classes, including hours taught, days taught, and the
373 expected class size,
374 ———(4) Average number of clients per day and the frequency of turnover of the clients, and
375 ———(5) Number of employees, staff or volunteers, both total and expected to be on the
376 premises at any given time.
- 377 —3. Prohibition: No provision of this section shall be construed to allow any use in a
378 closed school or church for retail, residential or industrial purposes, or any use involving any
379 type of correctional or institutional facility.
- 380 —4. Ownership: The School Board or church shall remain the owner of the property during
381 the period of time for which the conditional use is granted and any change of ownership away
382 from the School Board or church shall immediately cause the conditional use to terminate.
- 383 —5. Automatic Termination Of Use: If the School Board or church group determines that no
384 future public or religious use will be made of the building as a public school or church, the
385 conditional use as granted under this section shall immediately cease and the property shall
386 thereafter be used only for uses permitted in the zoning district.
- 387 —6. Temporary Use: The conditional use provided by this section shall be temporary only.
388 The time of such use shall be subject to the decision of the Planning Commission based on its
389 consideration of the criteria specified in subsection B7 of this section. The Planning Commission
390 may authorize the conditional use for a period not to exceed five (5) years, which may be
391 renewed for additional periods not in excess of five (5) years.
- 392 —7. Termination For Excess Use: If the Planning Commission determines that the conditional
393 use is being used substantially in excess of the plan for use submitted pursuant to subsection B2b
394 of this section, the Planning Commission may, after an informal hearing, revoke the conditional
395 use if it determines that the excess use is having a negative impact on the neighborhood.

396

397 SECTION 24. Amending the text of Subsection 21A.44.060.A.1 That Subsection
398 21A.44.060.A.1 of the *Salt Lake City Code* (Zoning: Off Street Parking, Mobility and Loading:
399 Parking Location and Design: Generally: Parking Located on Same Lot as Use or Building
400 Served), shall be and hereby is amended to read as follows:

- 401 1. Parking Located on Same Lot as Use or Building Served: All parking spaces required
402 to serve buildings or uses erected or established after the effective date of this
403 ordinance shall be located on the same lot or parcel as the building or use served,

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404 unless otherwise allowed pursuant to Subsection 21A.44.060.A.4, "Off-Site Parking
405 Permitted", or 21A.55.020, "Planned Developments – Authority".
406

407 SECTION 25. Amending the text of Salt Lake City Code Section 21A.52.020. That
408 Section 21A.52.020 of the *Salt Lake City Code* (Zoning: Zoning Incentives: Applicability) shall
409 be, and hereby is amended to read as follows:

410
411 **21A.52.020 APPLICABILITY:**

- 412 A. This chapter applies as indicated within each subsection.
413 B. The planned development process in Chapter 21A.55 is not required as indicated within
414 this chapter.
415 C. The administrative planned development process in Chapter 21A.55, and the
416 administrative design review process in Chapter 21A.59 may be applicable as indicated
417 within this chapter.

418
419 SECTION 26. Amending the text of Salt Lake City Code Section 21A.52.030. That
420 Section 21A.52.030 of the *Salt Lake City Code* (Zoning: Zoning Incentives: Relationship to Base
421 Zoning District and Overlay Zoning Districts) shall be, and hereby is amended to read as
422 follows:

423
424 **21A.52.030: RELATIONSHIP TO BASE ZONING DISTRICTS AND OVERLAY**
425 **ZONING DISTRICTS:**

426 Unless otherwise indicated in this chapter, all base zoning district or overlay zoning district
427 standards and requirements take precedence ~~except as indicated in this section.~~

428
429 SECTION 27. Amending the text of Salt Lake City Code Section 21A.52.040. That
430 Section 21A.52.040 of the *Salt Lake City Code* (Zoning: Zoning Incentives: Approval Process)
431 shall be, and hereby is amended to read as follows:

432
433 **21A.52.040: APPROVAL PROCESS:**

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434 Unless specifically exempted or modified by this chapter, all requirements of this title shall
435 apply.

- 436 A. Zoning Incentives: Applicants using the zoning incentives in this chapter shall submit a
437 zoning incentives application and provide the following information:
- 438 1. The applicant's name, address, telephone number and interest in the property to which
439 the incentives shall apply;
 - 440 2. The owner's name, address and telephone number, if different than the applicant, and
441 the owner's signed consent to the filing of the application;
 - 442 3. The street address, tax parcel number and legal description of the subject property;
 - 443 4. The zoning classification, zoning district boundaries and present use of the subject
444 property;
 - 445 5. The location of all existing and proposed buildings and structures, accessory and
446 principal, showing the number of stories and height, dwelling type, if applicable,
447 major elevations and the total square footage of the floor area by proposed use and
448 any additional information required for site plan review set forth in Chapter 21A.58;
 - 449 6. The total number of dwelling units in the project, the number of affordable units, the
450 number of bedrooms in the affordable units, the location of the affordable units, and
451 level of affordability; ~~and~~
 - 452 7. Any additional information required by Chapter 21A.59 design review or 21A.55
453 planned development, to demonstrate compliance with the requirements of this
454 chapter, as applicable; and
 - 455 8. Any additional information the zoning administrator deems necessary to demonstrate
456 compliance with this chapter.
- 457 B. Preliminary approval shall authorize the preparation, filing and processing of applications
458 for any permits or approval that may be required by the city, including, but not limited to,
459 a building permit. Notwithstanding the foregoing, no permits shall be issued until final
460 approval is obtained pursuant to this Chapter. Preliminary approval shall be valid for a
461 period of one year unless complete building plans have been submitted to the Division of
462 Building Services.
- 463 C. Administrative design review and administrative planned development, where applicable,
464 shall be exempt from the application fees and noticing fees otherwise required pursuant
465 to Chapters 21A.59 and 21A.55.
- 466 D. Following the approval of any administrative design review or planned development
467 application, any future alteration to the property, building or site shall comply with the
468 approved ~~design review~~ application unless a modification is approved subject to the
469 process outlined in Chapters 21A.59 and 21A.55, as applicable.
- 470 E. Final approval shall occur following the recording of the restrictive covenant.
- 471 F. Preliminary and final approvals shall be administrative approvals by the planning director
472 or the planning director's designee.
- 473

474 SECTION 28. Amending the text of Salt Lake City Code Subsection 21A.52.050.A. That

475 Subsection 21A.52.050.A of the *Salt Lake City Code* (Zoning: Zoning Incentives: Affordable

476 Housing Incentives: Purpose) shall be and hereby is amended to read as follows:

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478 **21A.52.050 AFFORDABLE HOUSING INCENTIVES:**

479 A. Purpose: The incentives set forth in this ~~section~~ ~~chapter~~ are intended to encourage the
480 development of affordable housing. The provisions within this section are intended to
481 facilitate the construction of affordable housing by allowing more inclusive development
482 than would otherwise be permitted in the base zoning districts. Housing constructed using
483 the incentives is intended to be compatible in form with the neighborhood and provide for
484 safe and comfortable places to live and play.
485

486 SECTION 29. Amending the text of Salt Lake City Code Subsection 21A.52.050.G.3.

487 That Subsection 21A.52.050.G.3 of the *Salt Lake City Code* (Zoning: Zoning Incentives:

488 Affordable Housing Incentives: Incentives) shall be and hereby is amended to read as follows:

489

490 3. Incentives in the CB Community Business, CC Corridor Commercial, CG General
491 Commercial, and I Institutional Zoning Districts:

492 a. The following housing types: row houses, sideways row houses, and cottage
493 developments are authorized ~~provided the affordability requirements in~~
494 ~~subsection b. are complied with;~~

495 b. The minimum open space requirements in the I Institutional zoning district do
496 not apply.

497 c. To be eligible for the incentives listed in this subsection 3a., a development shall
498 meet the affordability requirements for Type C in Table 21A.52.050.G.

499

500 SECTION 30. Amending the text of Salt Lake City Code Chapter 21A.52. That Chapter

501 21A.52 of the *Salt Lake City Code* (Zoning: Zoning Incentives) shall be, and hereby is amended

502 to add a new Section 21A.52.060, with no other revisions to the chapter, to read as follows:

503 **21A.52.060: BUILDING PRESERVATION INCENTIVES:**

504 The provisions in this section provide optional incentives to development projects that include
505 the preservation of an existing building. The incentives located in Subsection 21A.52.060.A may
506 be combined with the incentives outlined in Subsection 21A.52.060.B.

507 A. Adaptive Reuse for Additional Uses in Eligible Buildings:

508

509 1. Purpose: To allow additional land uses in buildings that generally contribute to the
510 character of the city so they can be redeveloped for economically viable uses. These

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511 buildings may be underutilized or have outlived their original use due to economic
512 conditions, size of the building, a substantial degree of deterioration of the property,
513 or other factors. Eligible buildings may hold historical or cultural significance or
514 contribute to the existing neighborhood fabric through their architectural features,
515 size, or previous use.
516

517 2. Applicability: The incentives in this subsection apply to adaptive reuse of a building
518 that meets the eligibility standards in 21A.52.060.A.3.
519

520 3. Eligibility Standards:

521 a. The following buildings are eligible for the incentives in this subsection:

522 (1) Landmark Sites;

523 (2) Buildings individually listed on the National Register of Historic Places;

524 (3) Buildings designed and formerly used for schools, hospitals, places of
525 worship, or other similar institutional uses; and

526 (4) Buildings that the planning director has deemed significant based on the
527 structure's association with events that have contributed to broad patterns of
528 history, association with lives of persons important in the city's past, or
529 displays distinctive characteristics of a type, period, or method of
530 construction.

531 b. Exterior features that are important in defining the overall character of the
532 building shall be retained.

533 c. Exterior alterations to the eligible building shall meet the standards in
534 21A.34.020.G.

535 d. The proposed use is conducive to the preservation of the building.

536 e. A change of use to a residential use is not permitted in the OS (Open Space)
537 zoning district.

538 f. If the eligible building is located in a residential zoning district, and the existing
539 use is residential, a change of use to nonresidential is not permitted.

540 g. Properties subject to the H Historic Preservation Overlay must obtain a Certificate
541 of Appropriateness in accordance with 21A.34.020.

542 4. Incentives:

543 a. Additional Uses: Unless prohibited by Subsection 21A.52.060.A.4.a(1), any use
544 may be allowed as a permitted or conditional use in zoning districts where
545 Adaptive Reuse for Additional Uses in Eligible Buildings is listed in the land use
546 tables in Chapter 21A.33, subject to the provisions in this subsection and any
547 specific provisions applicable to the use in this title. Any conditional use shall be
548 reviewed pursuant to the procedures and standards outlined in Chapter 21A.54.

549 (1) Prohibited Uses: A change of use to one of the following uses is prohibited:

550 Ambulance services (indoor and outdoor), amusement park, auditorium, bio-
551 medical facility, bus line station/terminal, bus line yard and repair facility, car
552 wash, check cashing/payday loan business, community correctional facility
553 (large and small), contractor's yard/office, drive-through facility associated
554 with any use, equipment rental (indoor and outdoor), gas station, heliport,
555 hotel/motel, impound lot, intermodal transit passenger hub, jail, large wind
556 energy system, laundry and dry cleaning establishments, limousine service

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- 557 (large and small), heavy manufacturing, pet cemetery, recycling collection
558 station, sexually oriented business, sign painting/fabrication, storage
559 (outdoor), public storage (outdoor), wireless telecommunications facility,
560 homeless resource centers, and any other uses that are only allowed in the
561 manufacturing districts.
- 562 b. Parking and Loading: The following are the minimum off-street parking and
563 loading requirements for the eligible building. These minimums may be further
564 reduced with the alternatives to minimum parking calculations in 21A.44.050.
565 (1) Multi-Family: 0.5 off-street parking space per dwelling unit is required;
566 (2) Nonresidential: The minimum number of required off-street parking spaces
567 for the proposed use listed in the general context of the required off-street
568 parking table in 21A.44 may be reduced by 40%;
569 (3) Existing Parking Below the Minimum: If the existing parking for the eligible
570 building does not meet the minimum off-street parking requirements above,
571 no additional parking shall be required;
572 (4) Loading areas as indicated in Table 21A.44.070-A shall not be required.
- 573 c. Minimum Lot Area and Lot Width: Minimum lot area and lot width requirements
574 of the zoning district do not apply for the adaptive reuse in all zoning districts. In
575 the RMF-30 zoning district, the minimum lot size per dwelling unit does not
576 apply.
- 577
- 578 5. Restrictive Covenant Required: Any owner who uses the incentives in Subsection
579 21A.52.060.A shall enter into a legally binding restrictive covenant, the form of
580 which shall be approved by the city attorney. The restrictive covenant shall be
581 recorded on the property with the Salt Lake County Recorder prior to issuance of a
582 building permit for a building using the incentives. The restrictive covenant shall run
583 with the land for the duration of the adaptive reuse and shall provide for the
584 following, without limitation:
- 585 a. Acknowledge the use of the incentives, the nature of the approval, and any
586 conditions thereof;
- 587 b. Shall guarantee that the physical elements of the eligible building used to qualify
588 for the incentives shall remain in substantially the same form and exterior features
589 important to the character of the building shall be preserved for the duration of the
590 adaptive reuse or if subject to 21A.34.020, indefinitely unless otherwise permitted
591 by the terms of a certificate of appropriateness;
- 592 c. The terms of compliance with all applicable regulations and the potential
593 enforcement actions for any violation of the restrictive covenant.
- 594
- 595 6. Modifications to Approved Adaptive Reuse: Any modification to the use approved
596 under these incentives requires a new zoning incentives application. Any new
597 adaptive reuse shall also require a new zoning incentives application unless the new
598 use is permitted in the table of permitted and conditional uses for the zoning district.
599
- 600 7. Enforcement: Violations of this Subsection A, or the restrictive covenant on the
601 property as set forth in 21A.52.060.A.5, shall be investigated and prosecuted pursuant
602 to 21A.20. The city shall have additional remedies or financial penalties for

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603 violations as identified in the terms of the restrictive covenant required by Subsection
604 21A.52.060.A.5, which shall be reasonably related to enforcement of the
605 requirements and purpose of Subsection 21A.52.060.A.
606

607 B. Preservation of a Principal Building:
608

- 609 1. Purpose: The incentives set forth in this section are intended to encourage the
610 preservation of buildings, supporting city goals related to sustainability,
611 neighborhoods, economy, and housing. The provisions are designed to support
612 developments that include preserving an eligible building by allowing flexibility with
613 certain zoning regulations while still maintaining the unique urban fabric and
614 character of neighborhoods.
615
- 616 2. Applicability: The incentives in this subsection apply to projects in all zoning districts
617 that preserve an existing principal building that meets the eligibility standards in
618 21A.52.060.B.3. These incentives may be applied to existing principal buildings and
619 new construction within the same development area. For the purposes of this
620 subsection, the development area may include multiple abutting lots or parcels.
621
- 622 3. Eligibility Standards:
 - 623 a. Minimum Building Age: The existing building to be preserved shall be a
624 minimum of 50 years old.
 - 625 b. Minimum Footprint of Eligible Building: The footprint of the eligible building to
626 be preserved covers a minimum of 25% of the development area. A lower
627 percentage may be considered by the planning director if the building has frontage
628 on a public street, contains a publicly accessible use such as retail, restaurant, or
629 entertainment, or would be highly visible from public spaces within the interior of
630 the site.
 - 631 c. Retention of All Existing Principal Structures: In the FR-1, FR-2, FR-3, R -
632 1/12,000, R-1/7,000 and R-1/5,000, R-2, SR-1, SR-1A, SR-3, and all RMF zoning
633 districts, all existing principal structures included in the overall development area
634 shall be retained.
 - 635 d. Modifications to Existing Building: A maximum of 25% of each street facing
636 building wall may be removed to accommodate modifications or additions. No
637 more than 50% of the building's exterior walls may be removed. Portions of a
638 building wall with character defining architectural features shall not be removed.
639 e. Retention of Existing Active Commercial Uses: Eligible buildings with existing
640 active commercial uses with ground level street frontage are subject to the
641 following requirements. For the purpose of this subsection, active commercial
642 uses are those that support the vibrancy and usability of the public realm adjacent
643 to a building and encourage pedestrian activity and walk-in traffic. Active uses
644 may include retail goods/service establishments, restaurants, bars, art and craft
645 studios, or other uses determined to be substantially similar in terms of activation
646 by the planning director.
 - 647 (1) A minimum of 50% of the length shall be retained along the street frontage in
648 the existing building or be included as part of the new development. If

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649 included in the new development, the active commercial use shall have the
650 primary entrance on the street frontage with direct public access from the
651 street frontage.

652 (2) The existing depth of the active commercial use shall be maintained or a
653 minimum depth of 25 feet, whichever is less.

654 (3) These requirements do not apply to nonconforming active commercial uses
655 with ground level street frontage.

4. Incentives:

656
657
658 a. Planned Development Waived: A planned development is not required for the
659 following:

660 (1) More Than One Principal Building Per Lot: More than one principal building
661 per lot is allowed without having frontage along a public street.

662 (2) Lots without Frontage on a Public Street: Lots do not require frontage on a
663 public street if necessary cross access easements are provided.

664 b. Administrative Planned Development: The following are authorized through an
665 administrative planned development pursuant to the procedures and standards in
666 Chapter 21A.55. The minimum planned development size required by
667 21A.55.060 does not apply:

668 (1) Modification to the minimum yard requirements.

669 (2) Modification to the open space and landscaping requirements when the
670 modification specifically relates to preserving the existing building(s).

671 (3) Modifications to the provisions for awnings and canopies, balconies, patios,
672 and porches in Table 21A.36.020.B, Obstructions in Required Yards.

673 (4) Modifications to the parking location and setback requirements in Table
674 21A.44.060.A.

675 (5) Parking within the boundary of a planned development area but located on a
676 different parcel or lot than the use(s) it is intended to serve, is allowed and is
677 not considered off-site parking. The parking must only serve the uses within
678 the planned development area unless otherwise authorized by other provisions
679 of this title.

680 c. Minimum Lot Area, Width & Coverage:

681 (1) The minimum lot width for the land use found in the minimum lot area and lot
682 width tables of the zoning district does not apply.

683 (2) The minimum lot area for the land use found in the minimum lot area and lot
684 width tables of the zoning district only applies for the following zoning
685 districts: FR-1, FR-2, FR-3, R -1/12,000, R-1/7,000 and R-1/5,000.

686 (3) RMF-30 zoning district: The minimum lot size per dwelling unit does not
687 apply.

688 (4) Lot coverage may be calculated for the overall development area not the
689 individual lot or parcel within the development area.

690 d. Height: Additional building height is authorized in zoning districts as indicated in
691 the following sections through administrative design review. The maximum
692 height per story of the additional building height incentive shall not exceed 12
693 feet. Administrative design review shall be reviewed pursuant to the procedures
694 and standards in Chapter 21A.59. The additional height authorized by this

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695 subsection shall not be combined with the additional height authorized by
 696 Subsection 21A.52.050, Affordable Housing Incentives.

697
 698 (1) Residential districts:

<u>Zoning District</u>	<u>Permitted Maximum Height with Incentive</u>
<u>RMU-35</u>	<u>45', regardless of abutting use or zone.</u>
<u>RMU-45</u>	<u>55', regardless of abutting use or zone.</u>
<u>RB</u>	<u>1 additional story equal to or less than the average height of the other stories in the building.</u>
<u>RMU</u>	<u>3 additional stories equal to or less than the average height of the other stories in the building.</u>
<u>RO</u>	<u>1 additional story equal to or less than the average height of the other stories in the building.</u>

699
 700 (2) Commercial Districts:

<u>Zoning District</u>	<u>Permitted Maximum Height with Incentive</u>
<u>CB</u>	<u>1 additional story equal to or less than the average height of the other stories in the building.</u>
<u>CN</u>	<u>May build one additional story equal to or less than the average height of the other stories in the building.</u>
<u>CC</u>	<u>45'</u>
<u>CG</u>	<u>2 additional stories equal to or less than the average height of the other stories in the building.</u> <u>3 additional stories equal to or less than the average height of the other stories in the building for properties in the boundary described in 21A.26.070.G.</u>
<u>CSHBD1</u>	<u>105' and 2 additional stories equal to or less than the average height of the other stories in the building.</u>
<u>CSHBD2</u>	<u>60' and 1 additional story equal to or less than the average height of the other stories in the building.</u>
<u>TSA-Transition</u>	<u>1 additional story equal to or less than the average height of the other stories in the building.</u>
<u>TSA-Core</u>	<u>2 additional stories equal to or less than the average height of the other stories in the building.</u>

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(3) Form-based districts:

<u>Zoning District</u>	<u>Permitted Maximum Height with Incentive</u>
<u>MU-8</u>	<u>90' and 2 additional stories equal to or less than the average height of the other stories in the building.</u>
<u>FB-MU11</u>	<u>125' and 3 additional stories equal to or less than the average height of the other stories in the building.</u>
<u>FB-UN2</u>	<u>1 additional story equal to the average height of the other stories in the building.</u>
<u>FB-SC</u>	<u>1 additional story equal to the average height of the other stories in the building.</u>
<u>FB-SE</u>	<u>1 additional story equal to the average height of the other stories in the building.</u>
<u>FB-UN1</u>	<u>3 stories and 30' in height.</u>

703

704

(4) Downtown districts:

<u>Zoning District</u>	<u>Permitted Maximum Height with Incentive</u>
<u>D-2</u>	<u>120' and 2 additional stories equal to or less than the average height of the other stories in the building.</u>
<u>D-3</u>	<u>180' and 3 additional stories equal to or less than the average height of the other stories in the building.</u>

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706

(5) Other districts:

<u>Zoning District</u>	<u>Permitted Maximum Height with Incentive</u>
<u>GMU</u>	<u>180' and 2 additional stories equal to or less than the average height of the other stories in the building.</u>
<u>MU</u>	<u>60' provided that the additional height is for residential uses only.</u>
<u>I</u>	<u>Building heights in excess of 35' but not more than 75' provided, that for each foot of height over 35', each required yard shall be increased 1'.</u>
<u>UI</u>	<u>Building heights in excess of 75' but not more 120' provided that the additional height is supported by the master plan and compatible with the adjacent neighborhood.</u>
<u>OS – Lots greater than 4 acres</u>	<u>Building heights in excess of 45' up to 60' provided that for each foot of height over 45', each required yard and landscaped yard shall be increased by 1'.</u>

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- e. Administrative design review is permitted for the following:
 - (1) Buildings in the CSHBD1 or CSHBD2 zoning district that exceed 20,000 square feet in size.
 - (2) Buildings in the CB zoning district that exceed 7,500 gross square feet of floor area for a first-floor footprint or in excess of 15,000 gross square feet floor area.
 - f. Parking: The following are the minimum off-street parking requirements unless a lesser requirement is listed in the required off-street parking table in 21A.44. These minimums may be further reduced with the alternatives to minimum parking calculations in 21A.44.050.
 - (1) Residential: 0.5 space per dwelling unit for multi-family; 1 space per dwelling unit for all other residential uses.
 - (2) Nonresidential: The minimum number of required off-street parking spaces for the proposed use listed in the required off-street parking table in 21A.44 may be reduced by 40%.
 - (3) Existing Parking Below the Minimum: If the existing parking for the eligible building does not meet the minimum off-street parking requirements above, no additional parking shall be required.
 - (4) Loading areas as indicated in Table 21A.44.070-A shall not be required.
 - g. Minimum Required Yards: The minimum required yards may apply to the perimeter of the development area and not to the individual lot or parcel within the development area.
5. Design Standards for New Construction: Unless a stricter design standard related to each of the following is included in the base zone or Chapter 21A.37, the following design standards are required for all zones except single and two-family zoning districts:
- a. Building Materials: Other than windows and doors, 50% of any street facing facade shall be clad in durable materials. Durable materials include stone, brick, masonry, textured or patterned concrete, fiber cement board or other material that includes a minimum manufacturer warranty of 20 years from color fading, weather, and local climate induced degradation of the material. Other materials may be used for the remainder of the facade facing the street. Other materials proposed to satisfy the durable requirement may be approved at the discretion of the planning director if it is found that the proposed material is durable and is appropriate for the proposed location on the building.
 - b. Glass: The surface area of the façade of each floor facing a street must contain a minimum of 50% glass. If the ground level of the building is occupied by residential uses that face the street the specified minimum glass requirement may be reduced to 25%.
 - c. Maximum Length of a Blank Wall: The maximum length of any blank wall uninterrupted by windows or doors at the ground floor level along any street facing façade is 15 feet. Emergency exit doors and doors to access structured parking or utility equipment shall not count as an interruption.

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- 754 d. Maximum Length of Street Facing Facades:
755 (1) The maximum length of each street facing building facade shall not exceed
756 100 feet in the RMF-30, RMF-35, RMF-45 and RMF-75 districts.
757 (2) The maximum length of each street facing building facade shall not
758 exceed 175 feet in all other zoning districts.
- 759 e. Building Entrances: At least one operable building entrance on the ground floor is
760 required for every street facing facade. Additional operable building entrances
761 shall be required on street facing facades every 40 feet for nonresidential uses and
762 every 75 feet for residential uses. All units adjacent to a public street shall have
763 the primary entrance on the street facing facade of the building with an
764 unenclosed entry porch, canopy or awning feature.
- 765 f. Garage Doors Facing Street: Garage doors are prohibited on the facade of the
766 building that is parallel to, or located along, a public street.
- 767 g. Screening of Mechanical Equipment: All mechanical equipment shall be screened
768 from public view and sited to minimize their visibility and impact. Examples of
769 siting include on the roof, enclosed or otherwise integrated into the architectural
770 design of the building, or in a rear or side yard area subject to yard location
771 restrictions found in Section 21A.36.020, Table 21A.36.020B, “Obstructions In
772 Required Yards”.
773
- 774 6. Restrictive Covenant Required: Any owner who uses the incentives in Subsection
775 21A.52.060.B shall enter into a legally binding restrictive covenant, the form of
776 which shall be approved by the city attorney. The restrictive covenant shall be
777 recorded on the property with the Salt Lake County Recorder prior to issuance of a
778 building permit for a building using the incentives. The restrictive covenant shall run
779 with the land and shall provide for the following, without limitation:
- 780 a. Acknowledge the use of the incentives, the nature of the approval, and any
781 conditions thereof;
- 782 b. Shall guarantee that the physical elements of the eligible building used to qualify
783 for the incentives shall remain in substantially the same form and exterior features
784 important to the character of the building shall be preserved during the term;
- 785 c. Projects that apply the incentives to new buildings on the development site shall
786 guarantee retention of the eligible building used to qualify for the incentives for a
787 minimum term of 30 years or, if the eligible building is subject to 21A.34.020,
788 indefinitely unless otherwise permitted by the terms of a certificate of
789 appropriateness after such 30 year period;
- 790 d. The terms of compliance with all applicable regulations and the city’s potential
791 remedies for any violation of the restrictive covenant.
792
- 793 7. Enforcement: Violations of this Subsection B, or the restrictive covenant on the
794 property as set forth in 21A.52.060.B.6, shall be investigated and prosecuted pursuant
795 to 21A.20. The city shall have additional remedies or financial penalties for violations
796 as identified in the terms of the restrictive covenant required by Subsection
797 21A.52.060.B.6, which shall be reasonably related to enforcement of the
798 requirements and purpose of Subsection 21A.52.060.B. Financial remedies for a
799 violation of the covenant may include liquidated damages representing a reasonable

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800 estimate of the value of the incentives, plus other associated damages valued up to
801 20% of the tax assessed value of the preserved building over the three preceding
802 years.

803
804
805 SECTION 31. Amending the text of Salt Lake City Code Section 21A.55.020. That
806 Section 21A.55.020 of the *Salt Lake City Code* (Zoning: Planned Developments: Authority) shall
807 be, and hereby is amended to read as follows:

808
809 **21A.55.020: AUTHORITY:**

- 810 A. Administrative Review: The planning director may approve, approve with
811 modifications, deny, or refer to the planning commission modifications to specific
812 zoning standards outlined in 21A.52.060.B.4.b for projects that meet the qualifying
813 provisions in 21A.52.060.B in accordance with the standards and procedures set forth in
814 this chapter and other regulations applicable to the district in which the property is
815 located.
- 816
817 B. Planning Commission Review: The Pplanning Ccommission may approve planned
818 developments for uses listed in the tables of permitted and conditional uses for each
819 category of zoning district or districts. The approval shall be in accordance with the
820 standards and procedures set forth in this chapter and other regulations applicable to the
821 district in which the property is located.

822 In approving a planned development, the Pplanning Ccommission may change, alter,
823 modify or waive the following provisions of this title:

- 824 1A. Zoning Aand Subdivision Regulations: Any provisions of this title or of the Ccity's
825 subdivision regulations as they apply to the proposed planned development except
826 that the Pplanning Ccommission cannot approve a use that is not allowed in the
827 zoning district in which the planned development is located, ~~with the exception of~~
828 off-site parking as further described in this section.
- 829 2B. Off-Site-Parking: Off-site pParking within the boundary of a planned development
830 area, but located on a different parcel or lot than the use(s) it is intended to serve, is
831 in zoning districts where off-site parking is not an allowed and not considered off-
832 site parking use. The parking must only serve the uses be located within the planned
833 development area unless otherwise authorized by other provisions of this title.
- 834 3C. Building Height: Up to five feet (5') of additional building height, except in the FR,
835 R-1, SR, or R-2 Zzoning Ddistricts where additional building height cannot be
836 approved through the planned development process.
- 837 4D. Density: Residential planned developments shall not exceed the density limitation
838 of the zoning district where the planned development is proposed except as allowed
839 below. The calculation of planned development density may include open space that
840 is provided as an amenity to the planned development. Public streets located within

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841 or adjacent to a planned development shall not be included in the planned
842 development area for the purpose of calculating density.

843 a4. In the RMF Z zoning D districts and on lots 0.20 acres or more in size,
844 developments that change a nonconforming commercial use to a residential use
845 that is allowed in the zoning district are exempt from the density limitations of
846 the zoning district when approved as a planned development.

847

848 SECTION 32. Amending the text of Salt Lake City Code Section 21A.55.030. That
849 Section 21A.55.030 of the *Salt Lake City Code* (Zoning: Planned Developments: Planning
850 Commission Decision) shall be and hereby is amended to read as follows:

851
852 **21A.55.030: ~~PLANNING COMMISSION DECISION:~~**

- 853
- 854 A. No Presumption ~~Of~~ Approval: A request for a planned development does not constitute
855 an assurance or presumption that such planned development will be approved. Rather,
856 each proposed planned development shall be evaluated on an individual basis, in relation
857 to its compliance with the standards and factors set forth in this chapter and with the
858 standards for the zoning district in which it is located, in order to determine whether the
859 planned development is appropriate at a particular location.
 - 860
 - 861 B. Approval: The ~~P~~planning ~~C~~commission or planning director in the case of administrative
862 planned developments, may approve a planned development as proposed or may impose
863 conditions necessary or appropriate for the planned development to comply with the
864 standards and factors set forth in this chapter.
 - 865
 - 866 C. Denial: The ~~P~~planning ~~C~~commission or planning director in the case of administrative
867 planned developments, may deny an application for a planned development if it finds that
868 the proposal does not meet the intent of the base zoning district, does not meet the
869 purpose of this chapter, or is not consistent with the standards and factors as set forth in
870 this chapter.

871

872

873 SECTION 33. Amending the text of Salt Lake City Code Section 21A.55.040. That
874 Section 21A.55.040 of the *Salt Lake City Code* (Zoning: Planned Developments: Procedures)
875 shall be and hereby is amended to read as follows:

876
877 **21A.55.040: PROCEDURES:**

878

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879 A. Application: An application for a planned development shall be made on an application
880 form prepared by the zoning administrator and accompanied by applicable fees as noted
881 in the Salt Lake City consolidated fee schedule. The applicant shall also be responsible
882 for payment of all mailing fees established for required public noticing. The applicant
883 must file an application for planned development approval with the Planning Director. A
884 complete application shall contain at least the following information submitted by the
885 applicant, unless certain information is determined by the zoning administrator Planning
886 Director to be inapplicable or unnecessary to appropriately evaluate the application. The
887 application submittal shall include one paper copy and one digital copy:
888

- 889 1. A complete description of the proposed planned development including the zoning
890 regulations being modified in the planned development and the planning objectives
891 being met;
- 892 2. When the proposed planned development includes provisions for common open space
893 or recreational facilities, a statement describing the provision to be made for the care
894 and maintenance of such open space or recreational facilities;
- 895 3. A written statement with supporting graphics showing how the proposed planned
896 development is compatible with other property in the neighborhood;
- 897 4. Plans, as required pursuant to sSection 21A.58.060 of this title, with the exception of
898 the number of copies required;
- 899 5. Architectural graphics including floor plans, elevations, profiles and cross sections;
- 900 6. A preliminary subdivision plat, if required;
- 901 7. Traffic impact analysis, where required by the City Transportation Division; and
- 902 8. Other information or documentation the zoning administrator~~Planning Director~~ may
903 deem necessary for proper review and analysis of a particular application.

904
905 B. Determination ~~Of~~ Completeness: Upon receipt of an application for a planned
906 development, the zoning administrator~~Planning Director~~ shall make a determination of
907 completeness of the application pursuant to sSection 21A.10.010 of this title.
908

909 C. Public Notification and Engagement:

- 910 1. Notice of Application for Administrative Review: Prior to the approval of an
911 application that qualifies for administrative review, the planning director shall
912 provide written notice as provided in Chapter 21A.10.020.B.
- 913 2. Required Notice for Planning Commission Review:
 - 914 a. Applications subject to planning commission review are subject to the notification
915 requirements of Chapter 2.60.
 - 916 b. Any required public hearing is subject to the public hearing notice requirements
917 found in Chapter 21A.10.

918
919
920
921 ~~Staff Report: Upon completing a site plan review and receiving recommendations from~~
922 ~~applicable City department(s)/division(s), a staff report evaluating the planned development~~
923 ~~application shall be prepared by the Planning Division and forwarded to the applicant and the~~
924 ~~Planning Commission.~~

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~~D. Public Hearing: The Planning Commission shall hold a public hearing to review the planned development application in accordance with the standards and procedures set forth in chapter 21A.10 of this title.~~

~~E. Planning Commission Action: Following the public hearing, the Planning Commission shall decide, on the basis of the standards contained in section 21A.55.050 of this chapter whether to approve, approve with modifications or conditions, or deny the application.~~

~~F. Notification Of Decision: The Planning Director shall notify the applicant of the decision of the Planning Commission in writing, accompanied by one copy of the submitted plans marked to show such decision and a copy of the motion approving, approving with modifications, or denying the development plan application.~~

SECTION 34. Amending the text of Salt Lake City Code Section 21A.55.050. That

941 Section 21A.55.050 of the *Salt Lake City Code* (Zoning: Planned Developments: Standards for
942 Planned Developments) shall be, and hereby is amended, as to the preamble only with
943 Subsections A through G unchanged:

944
945 **21A.55.050: STANDARDS FOR PLANNED DEVELOPMENTS:**

946
947 The Pplanning Ccommission, or the planning director in the case of an administrative planned
948 development, may approve, approve with conditions, or deny a planned development based upon
949 written findings of fact according to each of the following standards. It is the responsibility of the
950 applicant to provide written and graphic evidence demonstrating compliance with the following
951 standards:

952
953
954 SECTION 35. Amending the text of Salt Lake City Code Section 21A.55.070. That

955 Section 21A.55.070 of the *Salt Lake City Code* (Zoning: Planned Developments: Appeal of the
956 Planning Commission Decision) shall be and hereby is amended to read as follows:

957
958 **21A.55.070: APPEAL OF THE PLANNING COMMISSION DECISION:**

959 Any person adversely affected by a final decision of the Pplanning Ccommission or planning
960 director in the case of administrative planned developments, ~~on an application for a planned~~
961 ~~development~~ may appeal to the Aappeals Hhearing Oofficer in accordance with the provisions

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962 of eChapter 21A.16 of this title. The filing of the appeal shall not stay the pending the outcome
963 of the appeal, except as provided for under sSection 21A.16.030F of this title.

964

965 SECTION 36. Amending the text of Salt Lake City Code Section 21A.55.080. That
966 Section 21A.55.080 of the *Salt Lake City Code* (Zoning: Planned Developments: Time Limit on
967 Approved Planned Development) shall be and hereby is amended to read as follows:

968

969 **21A.55.080: TIME LIMIT ON APPROVED PLANNED DEVELOPMENT:**

970 No planned development approval shall be valid for a period longer than one year unless a
971 building permit has been issued or complete building plans have been submitted to the Division
972 of Building Services and Licensing. The Pplanning Ccommission or planning director in the case
973 of an administrative planned development, may grant an extension of a planned development for
974 up to one additional year when the applicant is able to demonstrate no change in circumstance
975 that would result in an unmitigated impact. Extension requests must be submitted prior to the
976 expiration of the planned development approval.

977

978 SECTION 37. Amending the text of Salt Lake City Code Section 21A.55.090. That
979 Section 21A.55.090 of the *Salt Lake City Code* (Zoning: Planned Developments: Effect of
980 Approval of Planned Development) shall be and hereby is amended to read as follows:

981

982 **21A.55.090: EFFECT OF APPROVAL OF PLANNED DEVELOPMENT:**

983 The approval of a proposed planned development by the Pplanning Ccommission or planning
984 director in the case of an administrative planned development, shall not authorize the
985 establishment or extension of any use nor the development, construction, reconstruction,
986 alteration or moving of any building or structure, but shall authorize the preparation, filing and
987 processing of applications for any permits or approvals that may be required by the regulations
988 of the Ccity, including, but not limited to, a building permit, a certificate of occupancy and
989 subdivision approval.

990

991 SECTION 38. Amending the text of Salt Lake City Code Section 21A.55.100. That
992 Section 21A.55.100 of the *Salt Lake City Code* (Zoning: Planned Developments: Modifications
993 to Development Plan) shall be and hereby is amended to read as follows:

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994

995 **21A.55.100: MODIFICATIONS TO DEVELOPMENT PLAN:**

996 Following planned development approval, the development plan approved by the Planning
997 Commission or planning director in the case of an administrative planned development, shall
998 constitute the site design in relation to building placement and design, landscaping, mobility and
999 circulation elements, and any elements that were approved as zoning modifications through the
1000 planned development process. Modifications to the development plan may be allowed pursuant
1001 to this section.

1002 A. ~~New Application Required For Modifications And Amendments: No substantial~~
1003 ~~Modifications or amendments shall be made in the construction, development or use~~
1004 ~~without a new application under~~ subject to the provisions of this section. ~~Minor~~
1005 ~~modifications or amendments may be made subject to written approval of the Planning~~
1006 ~~Director and the date for completion may be extended by the Planning Commission upon~~
1007 ~~recommendation of the Planning Director.~~

1008 B. Minor Modifications: The Planning Director may authorize minor modifications to the
1009 approved development plan pursuant to the provisions for modifications to an approved
1010 site plan as set forth in chapter 21A.58 of this title when such modifications appear
1011 necessary in light of technical or engineering considerations necessary to comply with an
1012 adopted building, fire, or engineering code or standard or when the modification complies
1013 with the applicable standards in the underlying zoning district or overlay district. Such
1014 minor modifications shall be limited to the following elements:

- 1015 1. Adjusting the distance as shown on the approved development plan between any
1016 one structure or group of structures, and any other structure or group of structures,
1017 or any vehicular circulation element ~~or any boundary of the site~~;
- 1018 2. Adjusting the location of any open space;
- 1019 3. Adjusting any final grade;
- 1020 4. Altering the types of landscaping elements and their arrangement within the
1021 required landscaping buffer area;
- 1022 5. Signs;
- 1023 6. Relocation or construction of accessory structures that comply with the provisions
1024 of 21A.40 and any applicable accessory structure regulations; or
- 1025 7. Additions which comply with the lot and bulk requirements of the underlying
1026 zone.

1027 Such minor modifications shall be consistent with the intent and purpose of this title and
1028 the development plan as approved pursuant to this chapter and shall be the minimum
1029 necessary to ~~overcome the particular difficulty~~ comply with the standards of the
1030 underlying zoning district or the applicable building, fire, or engineering code or standard

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1031 ~~and shall not be approved if such modifications would result in a violation of any~~
1032 ~~standard or requirement of this title. A minor modification shall not be approved if the~~
1033 modification reduces a required building setback, authorizes an increase in lot coverage,
1034 or increases building height.

1035 C. Major Modifications: Any modifications to the approved development plan not
1036 authorized by ~~s~~Subsection B ~~of this section~~ shall be considered to be a major
1037 modification. The ~~P~~planning ~~C~~commission or planning director in the case of an
1038 administrative planned development, shall give notice to all property owners consistent
1039 with notification requirements located in chapter 21A.10 of this title. The ~~P~~planning
1040 ~~C~~commission or planning director in the case of an administrative planned development,
1041 may approve an application for a major modification to the approved development plan,
1042 not requiring a modification of written conditions of approval or recorded easements,
1043 upon finding that any changes in the plan as approved will be in substantial conformity
1044 with the approved development plan. If the commission or planning director in the case
1045 of an administrative planned development, determines that a major modification is not in
1046 substantial conformity with the approved development plan, then the commission or
1047 planning director in the case of an administrative planned development, shall review the
1048 request in accordance with the procedures set forth in this section.

1049 D. Other Modifications: Any modification to the planned development that complies with
1050 the standards of the underlying zoning district or overlay zoning district is allowed
1051 provided the modification does not violate a condition of approval or other requirement
1052 placed on the planned development as part of the approval of the application and required
1053 permits and approvals are obtained.

1054

1055 SECTION 39. Amending the text of Salt Lake City Code Subsection 21A.59.020.A. That
1056 Subsection 21A.59.020 of the *Salt Lake City Code* (Zoning: Design Review: Authority:
1057 Administrative Review) shall be, and hereby is amended to read as follows:

1058 A. Administrative Review: The planning director may approve, approve with modifications,
1059 deny or refer to the planning commission modifications to specific design standards when
1060 proposed as new construction, an addition or modification to the exterior of an existing
1061 structure, or a modification to an existing structure as authorized in Section 21A.59.040,
1062 Table 21A.59.040 of this chapter or when authorized ~~in the specific zoning district~~
1063 elsewhere in this title.

1064 1. The director shall approve a request to modify a design standard if the director
1065 finds that the proposal complies with the purpose of the individual zoning district,
1066 the purpose of the individual design standards that are applicable to the project,
1067 the proposed modification is compatible with the development pattern of other
1068 buildings on the block face or on the block face on the opposite side of the street,

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1069 and the project is compliant with the applicable design review objectives
1070 (Section 21A.59.050 of this chapter).

1071 2. The director may approve a request to modify a design standard with conditions
1072 or modifications to the design if the director determines a modification is
1073 necessary to comply with the purpose of the base zoning district, the purpose of
1074 the applicable design standards of the base zoning, to achieve compatibility with
1075 the development pattern of other buildings on the block face or on the block face
1076 on the opposite side of the street, or to achieve the applicable design review
1077 objectives.

1078 3. The director shall deny a request to modify a design standard if the design does
1079 not comply with the purpose of the base zoning district, the purpose of the
1080 applicable design standards or the applicable design review objectives and no
1081 modifications or conditions of approval can be applied that would make the
1082 design comply.

1083 4. The director may forward a request to modify a design standard to the planning
1084 commission if the director finds that the request for modification is greater than
1085 allowed by this chapter, a person receiving notice of the proposed modification
1086 can demonstrate that the request will negatively impact their property, or at the
1087 request of the applicant if the director is required to deny the request as provided
1088 in this section.

1089
1090 SECTION 40. Amending the text of Salt Lake City Code Section 21A.62.040. That
1091 Section 21A.62.040 of the *Salt Lake City Code* (Zoning: Definitions: Definitions of Terms) shall
1092 be, and hereby is amended to read as follows:

1093 a. Amending the definition of “ADAPTIVE REUSE OF A LANDMARK
1094 BUILDING.” That the definition shall be amended to read as follows:
1095 ADAPTIVE REUSE FOR ADDITIONAL USES IN ELIGIBLE OF A LANDMARK
1096 BUILDINGS: The process of reusing a building for a purpose other than which it was built or
1097 designed for landmark buildings original use is no longer feasible. Other land uses, in addition to
1098 those specifically listed in the land use tables, may be allowed as a permitted or conditional use
1099 subject to the provisions in Subsection 21A.52.060.A.

1100
1101 b. Amending the definition of “PARKING, OFF SITE.” That the definition of
1102 “PARKING, OFF SITE” shall be amended to read as follows:

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1103 PARKING, OFF SITE: An off-street parking area intended to serve one or more uses and that is
1104 located on a different parcel or lot than the use(s) it is intended to serve. Parking approved within
1105 the boundary of a planned development that only serves uses within the planned development
1106 area is not considered off-site parking.

1107 c. Repealing the definition “HOUSE MUSEUM IN A LANDMARK SITE” as
1108 follows:

1109 ~~HOUSE MUSEUM IN LANDMARK SITE: A dwelling unit which is converted from its original~~
1110 ~~principal use as a dwelling unit to a staffed institution dedicated to educational, aesthetic or~~
1111 ~~historic purposes. Such museum should include a staff who commands an appropriate body of~~
1112 ~~special knowledge necessary to convey the historical, aesthetic or architectural attributes of the~~
1113 ~~building and its collections to the general public. Such staff should also have the ability to reach~~
1114 ~~museumological decisions consonant with the experience of his or her peers and have access to and~~
1115 ~~acquaintance with the literature of the field. Such museum should maintain either regular hours~~
1116 ~~or be available for appointed visits such that access is reasonably convenient to the public.~~

1117

1118 SECTION 15. Effective Date. This Ordinance shall become effective on the date of its
1119 first publication.

1120 Passed by the City Council of Salt Lake City, Utah, this _____ day of _____,
1121 2024.

1122

1123

1124

CHAIRPERSON

1125 ATTEST AND COUNTERSIGN:

1126

1127

1128

CITY RECORDER

1130

1131

Transmitted to Mayor on _____.

1132

1133

1134

Mayor’s Action: _____ Approved. _____ Vetoed.

1135

1136

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1138

MAYOR

1139

1140

CITY RECORDER
(SEAL)

1141

1142

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1143 Bill No. _____ of 2024.
1144 Published: _____.
1145 Adaptive Reuse Preservation Incentives_Opt1(legislative)v1
1146

3. CHRONOLOGY

PROJECT CHRONOLOGY

Petition: PLNPCM2023-00155

February 16, 2023	Mayor Mendenhall signed the petition initiation
April 17, 2023	Initial information posted to the city's online open house webpage
April 20, 2023	Initial information emailed to recognized organizations, focus group and stakeholders, for the purpose of gathering early feedback to inform the draft ordinance
July 18, 2023	All recognized organizations were sent the 45-day required notice for text amendments that included a draft ordinance for review. Focus group and stakeholders were also provided with updated information with a draft ordinance for review
August 3, 2023	A briefing was held with the Historic Landmark Commission on the proposal
August 21, 2023	The proposal was presented to the Sugar House Land Use Committee.
September 27, 2023	The Planning Commission held a briefing to review the proposal
October 11, 2023	The proposal was presented to the Business Advisory Board
October 19, 2023	Public hearing notice posted to city and state websites and a notice of the hearing was posted in the following public libraries: Main, Corinne & Jack Sweet Branch, Marmalade, Fairpark, Glendale and Sprague.
October 26, 2023	Staff report for Historic Landmark Commission hearing posted to Planning's website
November 2, 2023	The Historic Landmark Commission held a public hearing and forwarded a unanimous positive recommendation to City Council
February 15, 2024	Public hearing notice posted city and state websites and a notice of the hearing was posted in the following public libraries: Main, Corinne & Jack Sweet Branch, Marmalade, Fairpark, Glendale and Sprague.
February 21, 2024	Staff report for Planning Commission hearing posted to Planning's website.

February 28, 2024	The Planning Commission held a public hearing and forwarded a unanimous positive recommendation to City Council
April 3, 2024	Ordinance requested from Attorney's Office
April 22, 2024	Final ordinance received from the Attorney's Office
April 23, 2024	Transmitted to CAN Administration

**4. NOTICE OF CITY
COUNCIL HEARING**

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition **PLNPCM2023-00155** – A petition initiated by Mayor Erin Mendenhall for a text amendment that would make changes to the zoning ordinance to support adaptive reuse and preservation of existing buildings. The goal of this proposed text amendment is to remove zoning barriers that prevent the reuse of buildings and offer zoning incentives to encourage a building to be reused rather than demolished. The proposed amendments involve multiple chapters of the Zoning Ordinance and would apply citywide.

DATE: Date #1 and Date #2

**PLACE: Electronic and in-person options.
451 South State Street, Room 326, Salt Lake City, Utah**

**** This meeting will be held via electronic means, while also providing for an in-person opportunity to attend or participate in the hearing at the City and County Building, located at 451 South State Street, Room 326, Salt Lake City, Utah. For more information, including Zoom connection information, please visit www.slc.gov/council/virtual-meetings. Comments may also be provided by calling the 24-Hour comment line at (801) 535-7654 or sending an email to council.comments@slcgov.com. All comments received through any source are shared with the Council and added to the public record.**

If you have any questions related to this proposal, please call Amy Thompson at 801-535-7281 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail amy.thompson@slcgov.com. The application details can be accessed at <https://citizenportal.slcgov.com/>, by selecting the “Planning” tab and entering the petition number PLNPCM2023-00155.

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to participate in this hearing. Please make requests at least two business days in advance. To make a request, please contact the City Council Office at council.comments@slcgov.com , 801-535-7600, or relay service 711.

5. PETITION INITIATION



MEMORANDUM

PLANNING DIVISION
DEPARTMENT *of* COMMUNITY *and* NEIGHBORHOODS

To: Mayor Erin Mendenhall

Cc: Lisa Shaffer, Chief Administrative Officer; Blake Thomas, Department of Community and Neighborhoods Director; Nick Norris, Planning Director

From: Michaela Oktay, Deputy Planning Director

Date: February 10, 2023

Re: Initiate Petition to Amend Text in the Zoning Ordinance to Establish Regulations for the Adaptive Reuse of Buildings

The Planning Division is requesting that you initiate a petition directing the Planning Division to make changes to the zoning ordinance to support adaptive reuse of existing buildings. The overall purpose of these zoning changes is to support and implement existing City plans and policies related to housing, historic preservation, sustainability and economic development.

Adaptive reuse is both a sustainable practice and a vital a planning tool that aids in meeting the City's various goals. The adaptive reuse of an existing structure retains a buildings original form while bypassing wasteful demolition. This process keeps substantial amounts of materials out of landfills and reduces energy consumption. Additionally, preserving these buildings which are often times historic or contain elements of unique architectural detailing, helps maintain neighborhood character and breathes new life into buildings that contribute to neighborhood fabric. Adaptive reuse allows existing buildings to serve our community for generations to come while continuing to tell the story of those who came before us.

As part of this petition the Planning Division will work with Sustainability to find ways to improve the function and performance of existing buildings to reduce their environmental impact in exchange for relaxing or modifying zoning regulations that may deter or prohibit the reuse of existing buildings.

The purpose of this zoning text amendment is to:

- Create a mechanism to allow for the adaptive reuse of buildings while maintaining and protecting the neighborhood's historic built form and character;
- Identify City codes and policies that effectively serve as barriers to the adaptive reuse of existing buildings;
- Identify a process for reviewing adaptive reuse projects; and,
- Identify possible incentives for projects that include an adaptive reuse component such as modifications to setbacks, height, density, parking, lot width and lot coverage.

As part of the process, the Planning Division will follow the City adoption process for zoning text amendments, which includes citizen input and public hearings with the Historic Landmark Commission, Planning Commission and City Council. Changes will be made to Title 21A: Zoning Ordinance but other chapters within the city code may also be changed if identified as necessary.

Please contact me at 385-214-5311 or michaela.oktav@slc.gov.com if you have any questions. Thank you.

C-011 concurrence to initiate the zoning text amendment petition as noted above.


Erin Mendenhall (Feb 16, 2023 16:23 MST)
Erin Mendenhall, Mayor

02/16/2023
Date

**6. ADDITIONAL PUBLIC
COMMENT RECEIVED**

From: [Turner Bitton](#)
To: [Planning Public Comments](#)
Subject: (EXTERNAL) Comments for Tonight's Meeting
Date: Wednesday, February 28, 2024 5:02:56 PM

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Hello,

I'm writing on behalf of SLC Neighbors for More Neighbors to express our comments on items on tonight's agenda. I have written out each of our comments below to correspond with each agenda item that we would like to submit comments on:

1) Parking Text Amendment: PLNPCM2023-00646

SLC Neighbors for More Neighbors strongly supports this proposal and encourages the planning commission to approve the proposal. Salt Lake City continues to need more housing, and the parking amendment is a way of preserving existing housing stock and preventing the creation of more unnecessary parking. In short, the proposal prioritizes people over parking and reflects our shared values.

2) Adaptive Reuse Text Amendment: PLNPCM2023-00155

SLC Neighbors for More Neighbors strongly supports the proposed adaptive reuse text amendments and thanks the planning staff for their comprehensive approach to the issue. Older buildings contribute to the culture, health, and vitality of neighborhoods. The proposal is thoughtfully crafted in a way that will provide new housing opportunities and types while also enhancing Salt Lake City's built environment. We encourage the planning commission to approve the proposal.

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Thanks for the opportunity to weigh in and for all of your work.

Thank you,
Turner C. Bitton (he/him)
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