

ATTACHMENT L: SPECIAL EXCEPTION REVIEW STANDARDS

21a.06.050(c) of the Zoning Ordinance authorizes the Historic Landmark Commission to review and approve or deny certain Special Exceptions for properties located within an H Historic Preservation Overlay District, including modifications to bulk and lot regulations of the underlying zoning district, where it is found that the underlying zoning would not be compatible with the historic district and/or landmark site.

21A.52.020(A): Definition: A “special exception” is an activity or use incidental to or in addition to the principal use(s) permitted in a zoning district or an adjustment to a fixed dimension standard permitted as exceptions to the requirements of this title of less potential impact than a conditional use but which requires a careful review of such factors as location, design, configuration and/or impacts to determine the desirability of authorizing its establishment on any given site.

General Standards and Considerations for Special Exceptions	Finding
<p>A. Compliance With Zoning Ordinance And District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.</p>	<p>Complies The purpose of the Zoning Ordinance is to “promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Salt Lake City.”</p> <p>The requested special exceptions will allow the proposed pump house to be constructed in a way that efficiently utilizes city resources for the purpose of supplying drinking water to Salt Lake City residents. This is in harmony with the purpose of the zoning ordinance in that it will help to promote the health and welfare to the City.</p> <p>The subject property is located in the OS zoning district. The purpose of the OS zone is to: <i>“Preserve and enhance public and private open space, natural areas, and improved park and recreational areas. These areas serve to provide opportunities for active and passive outdoor recreation; provide contrasts to the built environment; preserve scenic qualities; protect sensitive or fragile environmental areas such as wetlands, steep slopes, ridge lines, meadows, and stream corridors; preserve the capacity and water quality of the storm water drainage system; encourage sustainability, conservation and renewable energy and provide pedestrian and bicycle transportation connections.”</i></p> <p>The proposed special exceptions are related to the setback from the southern property line along street frontage. Allowing the building to encroach into the southern yard, is requested in order to utilize the existing well head. The placement of the structure within the setback does not impact the continuous open space or use of the park. This is consistent with the purpose of the OS zone in that it allows more space within the park for active and passive recreation.</p>
<p>B. No Substantial Impairment Of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.</p>	<p>Complies There has been no evidence submitted to indicate a diminishing or impairment of property value associated with these requested special exceptions.</p>

<p>C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.</p>	<p>Complies The subject property is located in the avenues Local Historic District. Development in this district must be reviewed in accordance with historic preservation standards to determine the project's compatibility with the character of the area. Staff has reviewed the proposal according to the applicable standards and believes the proposal will not have a material adverse effect upon the character of the area.</p> <p>The proposal will also not have a material adverse effect upon the public health, safety and general welfare. In fact, the project is necessary to improve the public health, safety and general welfare. The proposed structure is a required upgrade to an existing well that provides drinking water to Salt Lake City.</p>
<p>D. Compatible With Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.</p>	<p>Complies The site is located within the Avenues Local Historic District, which is regulated by H Historic Overlay (21A.34.020). The new construction requires the approval of the Historic Landmark Commission. The Historic Landmark Commission utilizes the new construction standards (21A.34.020.H). These standards review compatibility of the development with the neighboring properties and Staff has found that the project generally complies with the applicable standards.</p>
<p>E. No Destruction Of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.</p>	<p>Complies with Conditions The proposed pump house will occupy more space on the subject property than the existing well and will require the removal of three trees. The grass and landscaping are not the historic features of significant importance on the subject property. The subject property has been developed as a park; however, its historic function has been to provide drinking water to Salt Lake City. The pump house is an important safety improvement of the historic feature of significant importance on the property.</p> <p>In regard to the loss of existing trees, the applicant is proposing to work closely with an arborist, Urban Forestry and a Landscape Architect to ensure preservation of the largest tree onsite. The proposed conditions require Public Utilities to submit a tree mitigation program to Urban Forestry. The tree mitigation will require the replacement of the lost vegetation.</p>
<p>F. No Material Pollution Of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.</p>	<p>Complies The proposed facility includes components not uncommon to the treatment of drinking water. Salt Lake City Public Utilities manages similar facilities. There are strict regulations and protocols in place that ensure that the pump house will not cause material air, water, soil, noise or other types of pollution. Additionally, the proposed pump house has been designed to comply with these regulations and protocols.</p> <p>For the applicant information on sound attenuation, please refer to Attachment D.</p>
<p>G. Compliance With Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.</p>	<p>Complies This proposal does not incorporate additional standards of review, per chapter 21A.52.030.</p>