

Underlined text is new; text with strikethrough is proposed to be deleted. All other text is existing with no proposed change.

21A.10.015: PUBLIC ENGAGEMENT:

The purpose of the public engagement process is to inform the public of certain land use projects early in the process, provide a reasonable timeframe for feedback on a proposal, and establish a process to hear from the public prior to making a decision on a particular land use project.

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

21A.10.020: PUBLIC NOTICE REQUIREMENTS:

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

the requirements of Chapter 21A.59, or the planned development not complying the requirements of 21A.55, the planning director may refer the matter to the planning commission for their review and decision on the application.

21A.24.010: GENERAL PROVISIONS:

~~S. Adaptive Reuse Of A Landmark Building In Residential Districts:~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~— (i) Traffic;~~

~~— (ii) Parking;~~

~~— (iii) Signs;~~

~~— (iv) Lighting;~~

~~— (v) Removal of landscaping; and~~

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

~~— (vii) Noise, fumes or odors;~~

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

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

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

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

~~SF. Dwelling Unit Occupancy: A dwelling unit may not be occupied by more than one "family" as defined in [chapter 21A.62](#) of this title.~~

~~U. Residential Building Foundation Standard: Each dwelling shall have poured concrete footings, the top of which must be placed below the applicable frost line. Except as otherwise authorized by the Planning Director and the chief building official in foothill districts, each dwelling shall have a site built concrete or masonry foundation/perimeter skirting constructed around the entire perimeter with interior supports as necessary to meet applicable building codes and adopted seismic loading requirements. The dwelling shall be permanently tied to the foundation system in accordance with applicable building codes and adequately weatherproofed.~~

V. Entrance Landing: At each exit door, there must be a concrete or wood landing that is a minimum of thirty six inches by thirty six inches (36" x 36"), constructed to meet the minimum requirements of the Uniform Building Code with adequate foundation support and permanent attachment to the building.

TW. Compliance With Noise Regulations Required: Any construction work in residential zoning districts shall comply with section [9.28.040](#), "Noises Prohibited", of this Code. (Ord. 64-21, 2021: Ord. 46-17, 2017)

(Staff note: The following changes would be made to the existing land use tables.)

21A.33.020: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS:

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	R-M F-30	R-M F-35	R-M F-45	R-M F-75	R-B	R-M U-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 ⁸

Qualifying provisions:

- Reserved. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a design review.
- Subject to conformance with the provisions of subsection [21A.52.060.A](#) ~~[21A.24.010](#)~~ of this title.

21A.33.030: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

Use	Permitted and Conditional Uses by District					
	CN	CB	CS ¹	CC	CSHBD ¹	CG
Adaptive reuse of a landmark site	P	P	P	P	P	P

21A.33.035: TABLE OF PERMITTED AND CONDITIONAL USES FOR TRANSIT STATION AREA DISTRICTS:

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	

21A.33.040: TABLE OF PERMITTED AND CONDITIONAL USES FOR MANUFACTURING DISTRICTS:

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

Qualifying provisions:

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

21A.33.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

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

Qualifying provisions:

4. Reserved. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a design review ([chapter 21A.59](#) of this title).

21A.33.060: TABLE OF PERMITTED AND CONDITIONAL USES IN THE GATEWAY DISTRICT:

Use	G-MU
Adaptive reuse of a landmark site	P

21A.33.070: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

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	C ²	C ²	C ²			P ²

Qualifying provisions:

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

21A.33.080: TABLE OF PERMITTED AND CONDITIONAL USES IN FORM BASED DISTRICTS:

Use	Permitted and Conditional Uses by District				
	FB-UN1	FB-UN2	FB-Mixed Use	FB-SC	FB-SE
Adaptive reuse for additional uses in eligible of a landmark buildings	C ⁹		11 P		

Qualifying provisions:

9. Subject to conformance with the provisions of subsection 21A.52.060.A of this title.

21A.26.010: GENERAL PROVISIONS:

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

- ~~1. Conditional Use Required: Where not otherwise authorized by this title and after conditional use approval by the Planning Commission pursuant to [chapter 21A.54](#) of this title, landmark sites in a CN or CB District may be used for a bed and breakfast establishment or reception center subject to the following standards:~~

- ~~a. Standards: In addition to the standards for conditional uses, section [21A.54.080](#) of this title, the Planning Commission shall find the following:~~

- ~~(1) The structure is designated as a landmark site on the Salt Lake City Register of Cultural Resources. The designation process must be completed prior to the City accepting a conditional use application for the structure unless the Planning~~

Director determines that it is in the best interest of the City to process the designation and conditional use applications at the same time because of the risk of probable demolition;

- (2) The use is conducive to the preservation of the landmark site;
- (3) The use is compatible with the surrounding residential neighborhood; and
- (4) The use does not result in the removal of residential characteristics of the structure (if the structure is a residential structure), including mature landscaping.

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

~~21A.36.170: REUSE OF CHURCH AND SCHOOL BUILDINGS:~~

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

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

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

— 2. Application: The application for a temporary use of a closed school or church shall include, in addition to the application submission requirements of [chapter 21A.54](#) of this title, the following information:

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

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

- (1) Hours and days of operation;
- (2) Evidence of noise, odor or vibration emissions;
- (3) Evidence of the number of classes, including hours taught, days taught, and the expected class size;
- (4) Average number of clients per day and the frequency of turnover of the clients, and
- (5) Number of employees, staff or volunteers, both total and expected to be on the premises at any given time.

~~—3. Prohibition: No provision of this section shall be construed to allow any use in a closed school or church for retail, residential or industrial purposes, or any use involving any type of correctional or institutional facility.~~

~~—4. Ownership: The School Board or church shall remain the owner of the property during the period of time for which the conditional use is granted and any change of ownership away from the School Board or church shall immediately cause the conditional use to terminate.~~

~~—5. Automatic Termination Of Use: If the School Board or church group determines that no future public or religious use will be made of the building as a public school or church, the conditional use as granted under this section shall immediately cease and the property shall thereafter be used only for uses permitted in the zoning district.~~

~~—6. Temporary Use: The conditional use provided by this section shall be temporary only. The time of such use shall be subject to the decision of the Planning Commission based on its consideration of the criteria specified in subsection B7 of this section. The Planning Commission may authorize the conditional use for a period not to exceed five (5) years, which may be renewed for additional periods not in excess of five (5) years.~~

~~—7. Termination For Excess Use: If the Planning Commission determines that the conditional use is being used substantially in excess of the plan for use submitted pursuant to subsection B2b of this section, the Planning Commission may, after an informal hearing, revoke the conditional use if it determines that the excess use is having a negative impact on the neighborhood. (Ord. 46-17, 2017)~~

New Chapter:

21A.52 Zoning Incentives

21A.52.010 Purpose: The purpose of this chapter is to establish zoning incentives to support achieving adopted goals within the City's adopted plans and policy documents.

21A.52.020 Applicability: This chapter applies as indicated within each subsection.

21A.52.030 Relationship to base zoning districts and overlay zoning districts: Unless otherwise indicated in this chapter, all base zoning district or overlay zoning district standards and requirements take precedence except as indicated in this section.

21A.52.040 Approval Process: Any process required by this title shall apply to this chapter unless specifically exempt or modified within this chapter.

- A. The Planned Development process in 21A.55 may be modified as indicated within this chapter.
- B. The Design Review process in 21A.59 may be modified as indicated within this chapter.
- C. Developments authorized by this chapter are exempt from 21A.10.020.B.1.

21A.52.060 Incentives for Preservation of Existing Buildings:

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

A. Adaptive Reuse for Additional Uses in Eligible Buildings:

1. Purpose: To allow additional land uses for buildings that generally contribute to the character of the city so they can be redeveloped for economically viable uses. These buildings may be underutilized or have outlived their original use due to economic conditions, size of the building, a substantial degree of deterioration of the property, or other factors, but are still part of existing neighborhood fabric due to their historic or cultural significance.
2. Applicability: The incentives in this section apply to adaptive reuse of an eligible building. Eligible buildings include the following:
 - a. Landmark Sites;
 - b. Buildings individually listed on the National Register of Historic Places;
 - c. Buildings formerly used for schools, hospitals, places of worship, or other institutional uses;
 - d. Buildings that the Planning Director has deemed as significant based on the structure's association with events that have contributed to broad patterns of history, association with lives of persons important in the city's past, or displays distinctive characteristics of a type, period, or method of construction.
3. Incentives:
 - a. Additional Uses: Unless prohibited in Subsection A.3.a(1), any use may be allowed as a conditional use in zoning districts where Adaptive Reuse for Additional Uses in Eligible Buildings is listed in the land use tables in Chapter 21A.33, subject to the provisions in this section and any specific provisions applicable to the use in this title. The conditional use shall be reviewed pursuant to the procedures and standards outlined in chapter 21A.54 of this title. The additional uses authorized by this section only apply to the eligible building.
 - (1) Prohibited Uses: A change of use to one of the following uses is prohibited: Ambulance services (indoor and outdoor), amusement park, auditorium, bio-medical facility, bus line station/terminal, bus line yard and repair facility, car wash, check cashing/payday loan business, community correctional facility (large and small), contractor's yard/office, drive-through facility associated with any use, equipment rental (indoor and outdoor), gas station, hotel/motel, impound lot, intermodal transit passenger hub, large wind energy system, laundry and dry cleaning establishments, limousine service (large and small), heavy manufacturing, pet cemetery, recycling collection station, sexually oriented business, sign painting/fabrication, storage (outdoor), public storage (outdoor), wireless telecommunications facility, and homeless resource center.
 - b. Parking: No additional parking shall be required beyond what currently exists for the building.
 - c. Density: The qualifying provisions for density found in the minimum lot area and lot width tables of the zoning district do not apply, and in the RMF-30 zoning district, the minimum lot size per dwelling unit does not apply.
4. Qualifying Provisions:
 - a. The new use requires minimal change to exterior features that are important in defining the overall character of the building;
 - b. The proposed use is conducive to the preservation of the building;

- c. A change of use to a residential use is not permitted in the OS (Open Space) zoning district.
- d. If the site is located in a residential zone and the existing use is residential, a change of use to nonresidential is not permitted.

B. Preservation of an Existing Principal Building:

- 1. Purpose: The purpose of these incentives is to encourage preservation of existing buildings to lessen the impact that demolition has on the environment. Preserving an existing building extends the life of the building and keeps substantial amounts of materials out of landfills and reduces energy consumption. The goal is to retain existing buildings in order to achieve sustainability benefits.
- 2. Applicability: The incentives in this section apply to developments in all zoning districts except FR and R-1, SR-1, and SR-1A, zones that retain an existing principal building. These incentives may be applied to existing principal buildings and new buildings within the same development that meet the qualifying provisions in this section. For the purposes of this section, the same development may include multiple abutting parcels.
- 3. Qualifying Provisions:
 - a. The existing building is at least 30 years old;
 - b. The footprint of the existing building covers a minimum of 25% of the entire development site. A lower percentage may be considered by the Planning Director if the existing 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; and
 - c. Modifications to existing building: Where there are no character defining architectural features present, a maximum of 25% of each exterior street facing building wall, and a maximum of 50% of each non-street facing façade may be removed to accommodate modifications or additions.
 - d. Retention of Existing Commercial Uses: If there is an existing commercial use in the eligible building, the commercial use shall be retained in the existing building or as part of the new development. If part of the new development, the commercial use shall have street frontage with public access from the street frontage. The commercial use shall be a minimum of 75% of the existing commercial space or 400 SF, whichever is greater. Retention of the commercial use does not apply to nonconforming commercial uses.
- 4. Incentives:
 - a. Planned Development Waived: A Planned Development is not required for modifications to the following standards:
 - (1) 21A.36.010.B: Multiple buildings on a single parcel are allowed without having street frontage.
 - (2) 21A.36.010. C and 20.12.010: Lots without public street frontage standards in 21A.36.010.C. and 20.12.010 if necessary cross access easements are provided and subject to complying with the adopted building and fire codes;
 - (3) Off-site parking in zoning districts where off-site parking is not an allowed use. The parking must be located within the same development and can only be used for the uses within the same development area.

b. Administrative Planned Development: A Planned Development may be approved administratively, provided the noticing requirements of 21A10.020.B and the standards in 21A.55 are met when requesting modifications to:

- (1) Minimum yard setback requirements when the modification specifically relates to retaining the existing building(s) on the development site;
- (2) Open space and landscaping requirements when the modification specifically relates to retaining the existing building(s) on the development site;
- (3) Standards for awnings and canopies, balconies, patios, and porches in table 21A.36.020.B Obstructions in Required Yards;
- (4) Allow five (5) feet of additional building height;

Such development is exempt from the minimum area requirements in 21A.55.060.

c. Density:

- a. The qualifying provisions for density found in the minimum lot area and lot width tables of the zoning district do not apply;
- b. RMF-30 zoning district: The minimum lot size per dwelling unit does not apply;
- c. RB zoning district: The qualifying provision for table 21A.33.020 that only allows for one residential unit above office and retail for a mixed use development does not apply.

d. Height: Additional building height is authorized in zoning districts as indicated in the following sections through administrative design review. Administrative design review shall be reviewed pursuant to the procedures and standards in Chapter 21A.59.

(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>

(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>

(3) Form-based districts:

<u>Zoning District</u>	<u>Permitted Maximum Height with Incentive</u>
<u>FB-Mixed Use 11</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>

(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>

(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>
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- e. Parking: In addition to the alternatives to minimum parking calculations in 21A.44.050:
 - (1) Unless there is a lesser parking requirement in 21A.44, only one off-street parking space per unit is required.
 - (2) The minimum number of required parking spaces for nonresidential uses may be reduced by 50%.
 - f. Minimum Required Yards: The minimum required yards shall apply to the perimeter of the development and not to the individual principal buildings within the development.
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:
- a. Building materials: 50% of any street facing facade shall be clad in durable materials. Durable materials include stone, brick, masonry, textured or patterned concrete, and fiber cement board. Other materials may be used for the remainder of the facade adjacent to a 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 structure.
 - b. Garage doors facing street: Garage doors are prohibited on the facade of the building that is parallel to, or located along, a public street.
 - c. Glass: The surface area of the facade 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%.
 - d. Blank wall: The maximum length of any blank wall uninterrupted by windows or doors at the ground floor level along any street facing facade is 15'. Emergency exit doors, doors to access structured parking or utility equipment do not count.
 - e. Screening of mechanical equipment: All mechanical equipment shall be screened from public view and sited to minimize their visibility and impact. Examples of siting include on the roof, enclosed or otherwise integrated into the architectural design of the building, or in a rear or side yard area subject to yard location restrictions found in section 21A.36.020, table 21A.36.020B, "Obstructions In Required Yards" of this title.
 - f. Building entry facing street: At least one operable building entrance on the ground floor is required for every street facing facade. Additional operable building entrances shall be required, at a minimum, every 40 FT for nonresidential uses and every 75 FT for residential uses of street facing building facade.
 - g. Building length facing street:
 - (1) The building length shall not exceed 100 feet in the RMF-30, RMF-35, RMF-45 and RMF-75 districts; and
 - (2) The building length shall not exceed 175 feet in other zoning districts.
6. Restrictive Covenant Required: Any owner who uses the incentives in Subsection 21A.52.060.B shall enter into a legally binding restrictive covenant, the form of which

shall be approved by the City Attorney. Prior to the issuance of a building permit for construction of a building using the incentives, the restrictive covenant shall be filed with the Salt Lake County Recorder. The agreement shall provide for the following, without limitation: Acknowledge the use of the incentives, the nature of the approval and any conditions thereof, the terms of compliance with all applicable regulations, shall guarantee compliance for a minimum term of 30 years transferable to any future owner, and the potential enforcement actions for any violation of the agreement. The agreement shall be recorded on the property with the Salt Lake County Recorder.

21A.55.020: AUTHORITY:

- A. Administrative Review: The Planning Director may approve, approve with modifications, deny, or refer to the Planning Commission modifications to specific zoning standards outlined in 21A.52.060.B.4.b for projects that meet the qualifying provisions in 21A.52.060.B in accordance with the standards and procedures set forth in this chapter and other regulations applicable to the district in which the property is located.
- B. Planning Commission Review: The Planning Commission may approve planned developments for uses listed in the tables of permitted and conditional uses for each category of zoning district or districts. The approval shall be in accordance with the standards and procedures set forth in this chapter and other regulations applicable to the district in which the property is located.

In approving a planned development, the Planning Commission may change, alter, modify or waive the following provisions of this title:

- ~~1A.~~ Zoning And Subdivision Regulations: Any provisions of this title or of the City's subdivision regulations as they apply to the proposed planned development except that the Planning Commission cannot approve a use that is not allowed in the zoning district in which the planned development is located, with the exception of off-site parking as further described in this section.
- ~~2B.~~ Off-Site Parking: Off-site parking in zoning districts where off-site parking is not an allowed use. The parking must be located within the planned development area and can only be used for the uses within the planned development.
- ~~3C.~~ Building Height: Up to five feet (5') of additional building height, except in the FR, R-1, SR, or R-2 Zoning Districts where additional building height cannot be approved through the planned development process.
- ~~4D.~~ Density: Residential planned developments shall not exceed the density limitation of the zoning district where the planned development is proposed except as allowed below. The calculation of planned development density may include open space that is provided as an amenity to the planned development. Public streets located within or adjacent to a planned development shall not be included in the planned development area for the purpose of calculating density.
- ~~4E.~~ In the RMF Zoning Districts and on lots 0.20 acres or more in size, developments that change a nonconforming commercial use to a residential use that is allowed in the zoning district are exempt from the density limitations of the zoning district when approved as a planned development.

21A.55.030: PLANNING COMMISSION DECISION:

- A. No Presumption Of Approval: A request for a planned development does not constitute an assurance or presumption that such planned development will be approved. Rather, each proposed planned development shall be evaluated on an individual basis, in relation to its compliance with the standards and factors set forth in this chapter and with the standards for the zoning district in which it is located, in order to determine whether the planned development is appropriate at a particular location.
- B. Approval: The Planning Commission or Planning Director in the case of administrative planned developments, may approve a planned development as proposed or may impose conditions necessary or appropriate for the planned development to comply with the standards and factors set forth in this chapter.
- C. Denial: The Planning Commission or Planning Director in the case of administrative planned developments, may deny an application for a planned development if it finds that the proposal does not meet the intent of the base zoning district, does not meet the purpose of this chapter, or is not consistent with the standards and factors as set forth in this chapter.

21A.55.040: PROCEDURES:

- A. Application: An application for Planned Development shall be made on an application form prepared by the Zoning Administrator and accompanied by applicable fees as noted in the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all mailing fees established for required public noticing. The applicant must file an application for planned development approval with the Planning Director. A complete application shall contain at least the following information submitted by the applicant, unless certain information is determined by the Zoning Administrator ~~Planning Director~~ to be inapplicable or unnecessary to appropriately evaluate the application. ~~The application submittal shall include one paper copy and one digital copy:~~
 - 1. A complete description of the proposed planned development including the zoning regulations being modified in the planned development and the planning objectives being met;
 - 2. When the proposed planned development includes provisions for common open space or recreational facilities, a statement describing the provision to be made for the care and maintenance of such open space or recreational facilities;
 - 3. A written statement with supporting graphics showing how the proposed planned development is compatible with other property in the neighborhood;
 - 4. Plans, as required pursuant to section 21A.58.060 of this title, with the exception of the number of copies required;
 - 5. Architectural graphics including floor plans, elevations, profiles and cross sections;
 - 6. A preliminary subdivision plat, if required;
 - 7. Traffic impact analysis, where required by the City Transportation Division; and
 - 8. Other information or documentation the Planning Director may deem necessary for proper review and analysis of a particular application.
- B. Determination Of Completeness: Upon receipt of an application for a planned development, the Planning Director shall make a determination of completeness of the application pursuant to section [21A.10.010](#) of this title
- C. Public Notification and Engagement:

1. Notice of Application for Administrative Review: Prior to the approval of an application that qualifies for administrative review, the planning director shall provide written notice as provided in chapter 21A.10.020.B of this title.
2. Required Notice for Planning Commission Review:
 - a. Applications subject to Planning Commission review of this chapter are subject to notification requirements of title 2, chapter 2.60 of this code.
 - b. Any required public hearing is subject to the public hearing notice requirements found in chapter 21A.10 of this title.

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

~~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.~~

21A.55.050: STANDARDS FOR PLANNED DEVELOPMENTS:

The Planning Commission, or Planning Director in the case of administrative planned developments, may approve, approve with conditions, or deny a planned development based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance with the following standards:

21A.55.070: APPEAL OF THE PLANNING COMMISSION DECISION:

Any person adversely affected by a final decision of the Planning Commission or Planning Director in the case of administrative planned developments, ~~on an application for a planned development~~ may appeal to the Appeals Hearing Officer in accordance with the provisions of [chapter 21A.16](#) of this title. The filing of the appeal shall not stay the pending the outcome of the appeal, except as provided for under section [21A.16.030F](#) of this title. (Ord. 48-21, 2021: Ord. 8-18, 2018)

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

No planned development approval shall be valid for a period longer than one year unless a building permit has been issued or complete building plans have been submitted to the Division of Building Services and Licensing. The Planning Commission or Planning Director in the case of administrative planned developments, may grant an extension of a planned development for up to one additional year when the applicant is able to demonstrate no change in circumstance

that would result in an unmitigated impact. Extension requests must be submitted prior to the expiration of the planned development approval.

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

The approval of a proposed planned development by the Planning Commission or Planning Director in the case of administrative planned developments, shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration or moving of any building or structure, but shall authorize the preparation, filing and processing of applications for any permits or approvals that may be required by the regulations of the City, including, but not limited to, a building permit, a certificate of occupancy and subdivision approval. (Ord. 8-18, 2018)

21A.55.100: MODIFICATIONS TO DEVELOPMENT PLAN:

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

- A. ~~New Application Required For Modifications And Amendments: No substantial Modifications or amendments shall be made in the construction, development or use without a new application under subject to the provisions of this section. Minor modifications or amendments may be made subject to written approval of the Planning Director and the date for completion may be extended by the Planning Commission upon recommendation of the Planning Director.~~
- B. Minor Modifications: The Planning Director may authorize minor modifications to the approved development plan pursuant to the provisions for modifications to an approved site plan as set forth in chapter 21A.58 of this title planned development when such modifications appear necessary in light of technical or engineering considerations necessary to comply with an adopted building, fire, or engineering code or standard or when the modification complies with the applicable standards in the underlying zoning district or overlay district. Such minor modifications shall be limited to the following elements:
 - 1. Adjusting the distance as shown on the approved development plan between any one structure or group of structures, and any other structure or group of structures, or any vehicular circulation element ~~or any boundary of the site~~;
 - 2. Adjusting the location of any open space;
 - 3. Adjusting any final grade;
 - 4. Altering the types of landscaping elements and their arrangement within the required landscaping buffer area;
 - 5. Signs;

6. Relocation or construction of accessory structures that comply with the provisions of 21A.40 and any applicable accessory structure regulations; or
7. Additions which comply with the lot and bulk requirements of the underlying zone.

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

- C. Major Modifications: Any modifications to the approved development plan not authorized by subsection B of this section shall be considered to be a major modification. The Planning Commission or Planning Director in the case of administrative planned developments, shall give notice to all property owners consistent with notification requirements located in chapter 21A.10 of this title. The Planning Commission or Planning Director in the case of administrative planned developments, may approve an application for a major modification to the approved development plan, not requiring a modification of written conditions of approval or recorded easements, upon finding that any changes in the plan as approved will be in substantial conformity with the approved development plan. If the commission or Planning Director in the case of administrative planned developments, determines that a major modification is not in substantial conformity with the approved development plan, then the commission or Planning Director in the case of administrative planned developments, shall review the request in accordance with the procedures set forth in this section.
- D. Other Modifications. Any modification to the planned development that complies with the standards of the underlying zoning district or overlay zoning district is allowed provided the modification does not violate a condition of approval or other requirement placed on the planned development as part of the approval of the application and required permits and approvals are obtained.

21A.60.040: DEFINITION OF TERMS:

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