



# Staff Report

PLANNING DIVISION

**To:** Salt Lake City Planning Commission  
**From:** Nick Norris, [nick.norris@slcgov.com](mailto:nick.norris@slcgov.com) or 801-535-6173  
**Date:** February 14, 2024  
**Re:** Petition Initiation request

## PETITION INITIATION REQUEST

**PROPERTY ADDRESS:** NA  
**PARCEL ID:** NA  
**MASTER PLAN:** NA  
**ZONING DISTRICT:** NA

### REQUEST:

At the January 24, 2024 commission meeting, the commission asked to initiate a petition to update the zoning code to allow roof top use. Initiating a zoning text amendment is required to be placed on a meeting agenda and be notices with at least 24 hour notice.

### Background

The commission was presented with a planned development during the January 24, 2024 public hearing that included a request for an increase in building height to accommodate roof top use. The zoning code regulates rooftop use through the building height regulations. If a rooftop is to be used as habitable space, all of the required railings and other structures must be within the allowed building height.

Zoning code section 21A.36.020 includes tables that identify allowed encroachments into required yards and encroachments that are allowed to exceed the maximum building height. These tables would be modified to address rooftop use.

These tables have not seen major revisions since they were adopted in 1995. In addition, there have been some administrative interpretations and appeals regarding the tables that have found that some aspects of the current encroachment tables are vague or conflict with other sections of code. The Utah Legislature is currently considering a bill that would authorize certain encroachments as well. The Planning Division would like to request that if the commission chooses to initiate a petition to address roof top use, that it also include updating the encroachment tables to address these issues and in anticipation of pending changes proposed by the Utah Legislature.

## **NEXT STEPS**

If initiated, the Planning Division will identify the recommended changes to the tables and begin processing the proposal. If the commission decides not to initiate the petition the encroachment tables will not likely be modified until after the legislative session, at which time the division will likely ask the mayor to initiate the zoning text amendment along with other necessary code changes that may be required due to adopted changes to Utah Code.