

**Project Title:** Zoning Text Amendments - Utility Installation Exemptions 21A.02.050.B.2

**Petition No.:** PLNPCM2024-01352

**Version:** Attorney Review Draft

**Date Prepared:** April 16, 2025

**APPROVED AS TO FORM**

Salt Lake City Attorney's Office

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Katherine D. Pasker, *Senior City Attorney*

**Recommended by Planning Commission:** Yes

This proposed ordinance makes the following amendments (for summary purposes only):

- Amends Section 21A.02.050.B.2 to clarify exemptions for certain above-ground public utility structures.
- Amends Section 21A.33.020, Table of Permitted and Conditional Uses in Residential Districts, to provide clearer and more consistent language regarding exemptions in footnotes.
- Amends Section 21A.33.030, Table of Permitted and Conditional Uses for Mixed Use Districts, to add the utility exemptions footnote to Antenna land uses.
- Amends Section 21A.33.040, Table of Permitted and Conditional Uses for Manufacturing Districts, to add the utility exemptions footnote to Antenna land uses.
- Amends Section 21A.33.050, Table of Permitted and Conditional Uses for Downtown, to add the utility exemptions footnote to Antenna land uses.
- Amends Section 21A.33.060, Table of Permitted and Conditional Uses for Gateway Districts, to add the utility exemptions footnote to Antenna land uses.
- Amends Section 21A.33.00, Table of Permitted and Conditional Uses for Special Purpose Districts, to add the utility exemptions footnote to Antenna land uses.
- Amends Section 21A.34.020.F.1, Administrative Authority, to grant administrative authority to the planning director or designee for public utility buildings and structures when requiring a certificate of appropriateness.
- Amends Section 21A.37.020, to exclude public utility buildings and structures from design review standards found in 21A.37.
- Amends Section 21A.55.020, to grant administrative authority to the planning director or designee when a public utility or structure is applying for a planned development and exempt these uses from minimum area requirements.
- Amends Section 21A.62.040, Definitions, to redefine "Utility, Building or Structure" to encompass a broader range.

Underlined text is new; text with strikethrough is proposed to be deleted. Modifications made as part of the Planning Commission recommendation are highlighted in yellow. All other text is existing with no proposed change.

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1. *Amends 21A.02.050. B.2 as follows:*

2. Utility Installations: Equipment or structures for the provision of essential services to the public as listed below:

- a. Public utility infrastructure such as w~~ires, cables, poles, conduits, vaults, laterals, pipes, mains, valves or other similar equipment for the distribution to consumers of telephone or~~

~~other telecommunications, electricity, gas or water, or the collection of, water, sewer sewage, or stormwater, or transportation. Such infrastructure shall be when owned, operated and/or maintained by a governmental entity or a public utility. Such installations and shall comply with Federal Communications Commission and Federal Aviation Administration rules and regulations and those of other authorities having jurisdiction.~~

- b. ~~This exemption includes~~ Ground mounted utility boxes installed by a governmental entity in the public right-of-way for public safety and management purposes, such as traffic control devices, utility boxes for lighting and parking meters. ~~All other ground mounted utility boxes shall not be exempt from the regulations of this title and are subject to section 21A.40.160, "Ground Mounted Utility Boxes", of this title.~~
- c. Government owned and operated antennas, including communication towers, for public safety purposes, except when located within the Airport Flight Path Protection Overlay, in which case, shall comply with the provisions in section 21A.34.040.
- d. Fences or walls only when necessary to restrict access and promote safety of public utility land uses or structures.
- e. All other utility land uses, buildings or structures, shall comply with the applicable standards of this title.

2. *Amends Section 21A.33.020 to make changes to the following existing footnote:*

~~5. See subsection 21A.02.050.B for utility regulations. Certain utility installations may be exempt from the regulations of this title. See Subsection 21A.02.050.B.~~

3. *Amends Section 21A.33.030 to add the following table:*

**21A.33.030: TABLE OF PERMITTED AND CONDITIONAL USES FOR MIXED USE DISTRICTS:**

Use	Permitted And Conditional Uses by District					
	MU-2	MU-3	MU-5	MU-6	MU-8	MU-11
Antenna, Communication Tower			P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>
Antenna, Communication Tower exceeding the maximum height in the zoning district			C <sup>18</sup>	C <sup>18</sup>	C <sup>18</sup>	C <sup>18</sup>
Utility, building or structure	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>	P <sup>18</sup>

~~18. Certain utility installations may be exempt from the regulations of this title. See Subsection 21A.02.050.B.~~

4. *Amends Section 21A.33.040 to modify the following table:*

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

Use	Permitted And Conditional Uses By District	
	M-1	M-2
Antenna, eCommunication tTower	P <sup>1</sup>	P <sup>1</sup>
Antenna, eCommunication tTower exceeding the maximum-building height in the zoning district	C <sup>1</sup>	C <sup>1</sup>
Utility:		
Bbuilding or structure	P <sup>1</sup>	P <sup>1</sup>

~~1. See Subsection 21A.02.050.B of this title for utility regulations. Certain utility installations may be exempt from the regulations of this title. See Subsection 21A.02.050.B.~~

5. Amends Section 21A.33.050 to add the following table:

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

Use	Permitted And Conditional Use By District			
	D-1	D-2	D-3	D-4
Antenna, eCommunication tTower	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>
Antenna, eCommunication tTower exceeding the maximum-building height in the zoning district	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>

1. Subject to conformance to the provisions in subsection 21A.02.050B of this title. Certain utility installations may be exempt from the regulations of this title. See Subsection 21A.02.050.B.

6. Amends Section 21A.33.060 to add the following table:

**21A.33.060: TABLE OF PERMITTED AND CONDITIONAL USES FOR GATEWAY DISTRICTS**

Use	Permitted And Conditional Use By District
	G-MU
Antenna, eCommunication tTower	P <sup>1</sup>
Antenna, eCommunication tTower exceeding the maximum-building height in the zoning district	C <sup>1</sup>

1. Subject to conformance to the provisions in subsection 21A.02.050B of this title. Certain utility installations may be exempt from the regulations of this title. See Subsection 21A.02.050.B.

7. Amends Section 21A.33.070 to add the following footnotes:

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

Use	Permitted And Conditional Use By District									
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A
Antenna, eCommunication tTower	P <sup>1</sup>	P <sup>1</sup>	C <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1,21</sup>		P <sup>1</sup>
Antenna, eCommunication tTower exceeding the maximum-building height in the zoning district	C <sup>1</sup>	C <sup>1</sup>						P <sup>1,21</sup>		
Permitted And Conditional Use By District										
PL	PL-2	I	UI	MH	EI					
P <sup>1</sup>	C <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>		P <sup>1</sup>					
	P <sup>1,11</sup>	C <sup>1</sup>	C <sup>1</sup>		C <sup>1</sup>					

1. Subject to conformance to the provisions in subsection 21A.02.050B of this title. Certain utility installations may be exempt from the regulations of this title. See Subsection 21A.02.050.B.

8. Amends Section 21A.34.020.F.1 as follows:

- 66  
67 1. Administrative Authority: The following may be decided by the planning director or designee:  
68 a. Minor alteration of or addition to a landmark site or contributing building or structure;  
69 b. Alteration of or addition to a noncontributing building or structure;  
70 c. Partial demolition of either a landmark site or a contributing principal building or structure;  
71 d. Demolition of an accessory building or structure; ~~and~~  
72 e. Demolition of a noncontributing building or structure-; and  
73 f. New construction of a public utility building or structure necessary for the provision of  
74 essential services to the public.  
75

76 9. *Amends Subsection 21A.37.020.D and adds E as follows:*  
77

78 D. Utility: Public utility buildings or structures necessary for the provision of essential services to  
79 the public shall be exempt from this chapter.  
80

81 E. Certificate of Appropriateness: All new construction, additions, exterior building work,  
82 structure work, and site work on property in an H Historic Preservation Overlay District or a  
83 landmark site remains subject to a certificate of appropriateness as required in  
84 Subsection 21A.34.020.E of this title.  
85

86 10. *Amends Section 21A.55.020.A as follows:*  
87

88 A. Administrative Review: The planning director may approve, approve with modifications, deny,  
89 or refer to the planning commission modifications ~~to specific zoning standards outlined in this~~  
90 ~~section. Subsection 21A.52.060.B.4.b for projects that meet the qualifying provisions in~~  
91 ~~Subsection 21A.52.060.B. The approval shall be~~ in accordance with the standards and procedures  
92 set forth in this chapter and other regulations applicable to the district in which the property is  
93 located.

- 94 1. Specific zoning standards outlined in Subsection 21A.52.060.B.4.b for projects that meet  
95 the qualifying provisions in Subsection 21A.52.060.B.  
96 2. Dimensional standards to accommodate a public utility building or structure necessary  
97 for the provision of essential services to the public. Additional building height shall be  
98 limited to 5 feet.  
99

100 11. *Adds Subsection 21A.55.060.C as follows:*  
101

102 C. Exemption: Minimum area requirements do not apply when the planned development is for  
103 public utility buildings or structures necessary for the provision of essential services to the public.  
104

105 12. *Amends the following definition in Section 21A.62.040:*  
106

107 UTILITY, BUILDING OR STRUCTURE: A building or structure owned, operated or maintained  
108 by a governmental entity or a public utility and needed to provide distribution, transmittal and or  
109 maintenance for the provision of public utility services for water, sewer and flood control  
110 including wells, pumping stations, reservoirs, water treatment plant, water storage tanks, detention  
111 basins, lift stations, regulators and other similar facilities unless exempted in section 21A.02.050

112 ~~of this title.~~ Utility, building or structure does not include offices or other uses otherwise defined in  
113 the code.

114  
115  
116

[end]