

# PLANNING COMMISSION STAFF REPORT

## Salt Lake City Code Maintenance Zoning Text Amendment Petition PLNPCM2008-00538 – City-wide October 8, 2008



Planning Division  
Department of Community and  
Economic Development

**Applicant:** Salt Lake City Mayor

**Staff:** Everett Joyce 535-7930  
everett.joyce@slcgov.com

**Master Plan Designation:**  
City-wide

**Council District:** City-wide

**Applicable Land Use Regulations:**

*Review Standards:* 21A.50.050  
Standards for General Amendments

*Affected Text:*  
Chapter 20 Subdivisions  
21A.24 Residential Districts  
21A.26 Commercial Districts  
21A.32 Special Purpose Districts  
21A.34 Overlay Districts  
21A.36 General Provisions  
21A.52 Special Exceptions

**Notification**

- Notice mailed on September 23, 2008

**Attachments:**

- Proposed Text Amendments
- Department Comments

**REQUEST**

Salt Lake City Mayor Ralph Becker is requesting the Planning Commission analyze and adjust the City Code including the Subdivision and Zoning Ordinances to provide for clarity and efficiency of use as part of an ongoing process of code maintenance. Five minor Fine Tuning text amendments being processed with this petition address the following issues.

- 1) Subdivision Posting – Change posting period from 14 to 10 days,
- 2) Maximum Building Height – Use number of feet standard only, eliminate number of stories standard,
- 3) Unit Legalization – Change apartment license requirement from 5 dwelling units to 3 dwelling units,
- 4) Minimum Lot Area - Reference in RMU-35 and RMU-45 Zoning Districts, and
- 5) Multiple Structures in MU Zoning District – Allow more than one principal building on a lot in the MU Mixed-Use Zoning District.

**STAFF RECOMMENDATION:**

Based on the comments, analysis and findings of fact listed in the staff report, Planning Staff recommends the Planning Commission transmit a favorable recommendation to the City Council to adopt the proposed text amendments for code maintenance purposes.

## **Background/ Project Description**

The City adopted a comprehensive Zoning Ordinance in April 1995. At that time, it was understood that adjustments to the Zoning Ordinance would be necessary once it had been implemented, and people had an opportunity to work with it. Salt Lake City intermittently processes Fine Tuning ordinance adjustments to provide code maintenance for the City's ordinances. Previous ordinance adjustments have been processed by the Administration in 1995, 1999 and in 2004.

Overall, the framework and structure of Salt Lake City's zoning regulations and development standards are sound and do not require wholesale restructuring of the code. However, at times significant code changes are processed due to land use policy changes adopted by the City or because of State enabling regulation changes. It would be beneficial for Salt Lake City to make minor code revisions that lead to a greater ease of use and understanding.

Amendments to the City Code selected for Fine Tuning processing meet the following objectives:

- Improves the clarity and usability of the Zoning Code without changing the intent behind the specific regulation in question, and clarifies wording that may be open to interpretation;
- Addresses ongoing problems with administration of the existing Code language, and may result in a minor policy change of low significance;
- Implement the City's Comprehensive Plan: and
- Provide ordinance consistency with existing policies and objectives.

The type of code amendments processed through the fine tuning, include the consistency, clarification and correction. Consistency amendments are intended to eliminate conflicts or ambiguities within existing language. Clarification amendments are intended to clarify existing language to facilitate daily use and improve readability of the code. Correction amendments identify typographical errors within the text of the code or incorrect placement of lines on maps within the Zoning District Maps.

**Summary of Proposed Code Changes.** The Salt Lake Planning Division is processing Fine Tuning code adjustments to the Salt Lake City code. A summary of the proposed text changes proposed are discussed below. Exhibit A – Proposed Ordinance Amendments includes a more detailed report on the specific code changes.

### **1. Chapter 20 Subdivisions**

Posting requirements for Zoning Ordinance processes and Subdivision processes have different posting periods. Zoning posting notices are required 10 days prior to the public hearing and subdivision posting notices are 14 days prior to the hearing. The proposed text change will provide consistent posting periods for conditional uses, special exceptions, demolition of landmark sites and subdivisions. Staff recommends establishing a posting period of 10 days for subdivision processes equivalent to requirements of Section 21A.10.020 for Zoning Ordinance processes.

Affected Sections: 20.20.060, 20.31.080, 20.31.120, 20.31.180, and 20.31.190

### **2. Chapter 21A Zoning Districts Maximum Building Height**

Building height in some zoning districts of the code are regulated by both a specific number of feet and a number of stories. Recent text changes have designated for certain zoning districts that the maximum building height permitted in zoning districts is a specific number of feet only. Staff recommends text

changes that provide a consistent standard with the regulations by only identifying the maximum number of feet allowed as the specific element regulating building height in all zoning districts.

Affected Sections: 21A.24.120 RMF-30, 21A.24.130 RMF-35, 21A.24.160 RB, 21A.24.164 R-MU-35, 21A.24.168 R-MU-45, 21A.24.170 R-MU, 21A.24.180 RO, 21A.24.200 Summary Table, 21A.26.020 CN, 21A.26.030 CB, 21A.26.040 CS, 21A.26.050 CC, 21A.26.070 CG, 21A.26.090 Summary Table, 21A.32.030 BP, 21A.32.050 AG, 21A.32.052 AG-2, 21A.32.054 AG-5, 21A.32.110 MH, 21A.32.150 Summary Table, 21A.34.030 T Transitional Overlay, 21A.34.090 SSSC Overlay

### **3. Chapter 21A Zoning 21A.52.100E.2. Unit Legalization**

In the unit legalization section of the Zoning Ordinance an apartment license is required for buildings with five or more dwelling units. However, the definitions section of the Zoning Ordinance identifies that a structure containing three or more dwelling units is considered a multi-family dwelling. Furthermore, the Business License Department requires an apartment license for any building containing three or more units. Staff recommends a text change that will match the requirement for an apartment license within the unit legalization text of Section 21A.52.100E.2 with the Business License requirements and the Zoning Ordinance definition for multifamily dwellings.

### **4. Chapter 21A Zoning 21A.24.164.C and 21A.24.168.C Minimum Lot Area and Width**

Within the Qualifying Provisions reference section of the RMU-35 and RMU-45 Zoning districts, the minimum lot area and width requirements reference the wrong section of the Zoning Ordinance. The proposed text change is to correct the subsection reference of the Qualifying Provision to the appropriate section of the ordinance.

### **5. 21A.36.010.1 One principal building per lot**

The MU - Mixed Use Zoning District does not prohibit multiple structures on a lot. Section 21A.36.010.1 addresses which zoning districts permit more than one principal building per lot. The MU zone is not listed as one of the zones allowing multiple buildings per lot. The proposed text change would add the MU Zoning District to the list of zones allowing more than one principal building per lot.

## **Comments**

### **Public Comments**

An Open House was held on August 21, 2008. Notice of the Open House was sent to Community Council chairs and those whose names are on the Planning Divisions List serve. Notice was also posted on the City's website. There were no attendees to the Open House.

Staff presented the proposal to the Community Council chairs who attended the Mayors monthly meeting on August 7, 2008. Staff responded to questions regarding the text amendment process but did not receive any additional comments regarding issues with the proposed text amendments.

### **City Department Comments:**

Staff sent information regarding the proposed text changes to applicable City Departments. Department responses are included in Attachment B. No issues or concerns were raised through department review of the proposed text amendments.

## **Analysis and Findings**

### **21A.50.050 Standards for general amendments.**

A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment, the city council should consider the following factors:

#### **A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City;**

**Analysis:** The community master plan land use policies generally define neighborhood, community and regional land use locations and characteristics. They do not specifically address the level of detail that code maintenance addresses.

In Salt Lake City, the Zoning Ordinance and Subdivision Ordinance has been the main tools used to implement the goals and objectives of the adopted land use planning documents. All of the proposed changes to the text, as outlined, are intended to clarify or further advance the purposes, goals, objectives and policies of the adopted general plan of Salt Lake City. The proposed changes do not alter the various purpose statements included in the Zoning Ordinance and the Subdivision Ordinance. The proposed amendments will help insure compatibility with the adopted master plans of the City.

**Finding:** The proposed text amendments provide additional refinement of the zoning regulations of the City's code by providing corrections, clarification and consistency within existing regulations. The proposed fine tuning regulations are consistent with the City's land use policies.

#### **B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property;**

**Analysis:** The proposed amendments are not site specific. Therefore, they will not interfere with the character of specific properties. The proposed amendments reflect minor code maintenance issues and do not modify any intent or purposes of the exiting City code.

**Finding:** The proposed amendments are part of a citywide code maintenance approach and do not impact the overall character of existing development.

#### **C. The extent to which the proposed amendment will adversely affect adjacent properties;**

**Analysis:** The technical standards of the subdivision and zoning ordinances generally will not change their functions. The amendments are minor and they will improve the consistency and clarity of existing City code sections. This standard is site specific and does not relate to the general amendments proposed for the text of the ordinance.

**Finding:** The proposed text changes will not adversely affect adjacent properties.

**D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards; and**

**Analysis:** The proposed text amendments do not specifically relate, nor impact provisions of any adopted overlay zone.

**Finding:** The proposed text amendments are consistent with the provisions of all applicable overlay zoning districts that may impose additional standards.

**E. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection.**

**Analysis:** The proposed ordinance changes do not relate to provisions governing public facilities and services.

**Finding:** The proposed ordinance changes should not impact the adequacy of public facilities and/or services.

**Exhibit A**  
**Proposed Ordinance Amendments**  
**Salt Lake City Code Maintenance**

# Code Maintenance – Zoning Ordinance Fine Tuning Projects

August 2008

## Code Maintenance or Fine Tuning

The City adopted a comprehensive Zoning Ordinance in April 1995. At that time, it was understood that adjustments to the Zoning Ordinance would be necessary once it had been implemented, and people had an opportunity to work with it. At times minor adjustments are required. They include corrections to text, tables, clarification of definitions or intent, maintenance of consistency from one section to another and boundary corrections to the zoning district maps. Typically, “Fine Tuning” zoning ordinance amendments do not include major policy decisions or impact existing policies.

## Item 1. Chapter 20 Subdivisions

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### Commentary

Onsite sign posting requirements for Zoning Ordinance processes and Subdivision processes have different posting periods. The Zoning Ordinance requires a sign to be posted on the subject property 10 days prior to the public hearing and subdivision posting notices are 14 days prior to the hearing. The proposed text change will provide consistent posting periods for conditional uses, special exceptions, demolition of contributing structures and subdivisions. Proposed is to establish a posting period of 10 days for subdivision processes equivalent to requirements of Section 21A.10.020 for Zoning Ordinance processes.

Affected Sections: 20.20.060, 20.31.080, 20.31.120, 20.31.180, and 20.31.190

### Recommended Code Language

Language to be **added** is underlined.

Language to be **deleted** is ~~striketrough~~

#### 20.20.060 Public Notice Of Administrative Consideration:

- D. For any petition filed after January 1, 1995, notice shall also be posted at least ~~fourteen~~ ten (10) days prior to the scheduled administrative consideration pursuant to regulations adopted by the planning director.

#### 20.31.080 Administrative Hearing:

- B. Notice of the administrative hearing shall be mailed to all individuals and entities identified in subsection 20.31.030D of this Chapter or its successor, and shall also be posted on the subject property at least ~~fourteen (14)~~ ten (10) days prior to the scheduled hearing.

**20.31.120 Planning Commission Hearing:**

- B. Notice of the Planning Commission hearing shall be mailed to all individuals and entities identified in subsection 20.31.030D of this Chapter, or its successor, and shall also be posted on the subject property at least ~~fourteen (14)~~ ten (10) days prior to the scheduled hearing.

**20.31.180 Planning Commission Hearing:**

- B. Notice of the Planning Commission hearing shall be mailed to all individuals and entities identified in subsection 20.31.030D of this Chapter or its successor, and shall also be posted on the subject property at least ~~fourteen (14)~~ ten (10) days prior to the scheduled hearing.

**20.31.190 City Council Hearing:**

- B. A notice of public hearing before the Salt Lake City Council shall be mailed to all individuals and entities identified in subsection 20.31.030D of this Chapter, or its successor, shall be posted on the subject property at least ~~fourteen (14)~~ ten (10) days prior to the scheduled administrative hearing, and shall be published once a week for four (4) consecutive weeks before the hearing in a newspaper of general circulation in the City.

**Item 2. Chapter 21A Zoning Districts Maximum Building Height**

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**Commentary**

Building height in some zoning districts of the code are regulated by both a specific number of feet and a number of stories. Recent text changes have designated for certain zoning districts that the maximum building height permitted in zoning districts is only a specific number of feet. The proposed text changes provide a consistent standard with the regulations by only identifying the maximum number of feet allowed as the specific element regulating building height in all zoning districts.

Affected Sections: 21A.24.120 RMF-30, 21A.24.130 RMF-35, 21A.24.160 RB, 21A.24.164 R-MU-35, 21A.24.168 R-MU-45, 21A.24.170 R-MU, 21A.24.180 RO, 21A.24.200 Summary Table, 21A.26.020 CN, 21A.26.030 CB, 21A.26.040 CS, 21A.26.050 CC, 21A.26.070 CG, 21A.26.090 Summary Table, 21A.32.030 BP, 21A.32.050 AG, 21A.32.052 AG-2, 21A.32.054 AG-5, 21A.32.110 MH, 21A.32.150 Summary Table, 21A.34.030 T Transitional Overlay, 21A.34.090 SSSC Overlay



## Recommended Code Language

Language to be **added** is underlined.

Language to be **deleted** is ~~strikethrough~~

- 2a. **21A.24.120 RMF-30 D. Maximum Building Height:** The maximum building height permitted in this district is thirty feet (30') ~~or two and one-half (2 1/2) stories, whichever is less.~~
- 2b. **21A.24.130 RMF-35 D. Maximum Building Height:** The maximum building height permitted in this District is thirty five feet (35') ~~or three and one-half (3 1/2) stories, whichever is less.~~
- 2c. **21A.24.160 RB E. Maximum Building Height:** The maximum building height permitted in this district is thirty feet (30') ~~or two and one-half (2 1/2) stories, whichever is less.~~
- 2d. **21A.24.164 R-MU-35 E. Maximum Building Height:** The maximum building height shall not exceed thirty five feet (35'), except that nonresidential buildings and uses shall be limited by subsections E1 and E2 of this section. Buildings taller than thirty five feet (35'), up to a maximum of forty five feet (45'), may be authorized as conditional uses, subject to the requirements of part V, chapter 21A.54, "Conditional Uses", of this title; and provided, that the proposed conditional use is supported by the applicable master plan.
1. **Maximum Height For Nonresidential Buildings:** ~~One-story or twenty~~ Twenty feet (20'), ~~whichever is less.~~
- 2e. **21A.24.168 R-MU-45 E. Maximum Building Height:** The maximum building height shall not exceed forty five feet (45'), except that nonresidential buildings and uses shall be limited by subsections E1 and E2 of this section. Buildings taller than forty five feet (45'), up to a maximum of seventy five feet (75'), may be authorized as conditional uses, subject to the requirements of part V, chapter 21A.54, "Conditional Uses", of this title; and provided, that the proposed conditional use is supported by the applicable master plan.
1. **Maximum Height For Nonresidential Buildings:** ~~One-story or twenty~~ Twenty feet (20'), ~~whichever is less.~~
- 2f. **21A.24.170 R-MU F. Maximum Building Height:** The maximum building height shall not exceed seventy five feet (75'), except that nonresidential buildings and uses shall be limited by subsections F1 and F2 of this section. Buildings taller than seventy five feet (75'), up to a maximum of one hundred twenty five feet (125'), may be authorized as conditional uses, subject to the requirements of part V, chapter 21A.54, "Conditional Uses", of this title; and provided, that the proposed conditional use is located within the

one hundred twenty five foot (125') height zone of the height map of the east downtown master plan.

1. **Maximum Height For Nonresidential Buildings:** ~~Three (3) stories or forty~~ Forty five feet (45'), ~~whichever is less.~~

2g. **21A.24.180 RO D. Maximum Building Height:** The maximum building height permitted in this district is ~~four (4) stories or sixty feet (60'), whichever is less~~ except:

1. The height for single-family dwellings and two-family dwellings shall be ~~two and one-half (2 1/2) stories or thirty feet (30'), whichever is less;~~ and

2. If the property abuts a zoning district with a greater maximum building height, then the maximum height in the RO district shall be ~~six (6) stories or ninety feet (90'), whichever is less.~~

2h. **21A.24.200 Summary Table**

District Symbol	District Name	YARD AND BULK REGULATIONS
		<b>Maximum Building Height</b>
RMF-30	Low density multi-family residential	30' <del>or 2 1/2 stories</del>
RMF-35	Moderate density multi-family residential	35' <del>or 3 1/2 stories</del>
RB	Residential business	30' <del>or 2 1/2 stories</del>
RO	Residential/ office	60' <del>or 4 stories</del> Exceptions: See subsection 21A.24.180D of this chapter

2i. **21A.26.020 CN H. Maximum Height:** Twenty five feet (25') ~~or two and one-half (2 1/2) stories, whichever is less.~~

2j. **21A.26.030 CB H. Maximum Height:** Thirty feet (30') ~~or two (2) stories, whichever is less.~~

2k. **21A.26.040 CS G. Maximum Height:** No building shall exceed forty five feet (45') ~~or three (3) stories, whichever is less.~~

2l. **21A.26.050 CC F. Maximum Height:** No building shall exceed thirty feet (30') ~~or two (2) stories, whichever is less.~~ Buildings higher than thirty feet (30') may be allowed in accordance with the provisions of subsections F1 and F2 of this section.

1. **Procedure For Modification:** A modification to the height regulations in this subsection F may be granted as a conditional use in conformance with the provisions of chapter 21A.54 of this title. In evaluating an application submitted pursuant to this

section, the planning commission shall find that the increased height will result in improved site layout and amenities.

**2. Landscaping:** If an additional floor is approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floor.

**3. Maximum Additional Height:** Additional height shall be limited to fifteen feet (15') ~~or one story, whichever is less.~~ (Ord. 3-01 § 1, 2001; Ord. 88-95 § 1 (Exh. A), 1995; Ord. 26-95 § 2(13-4), 1995)

**2m. 21A.26.070 CG F. Maximum Height:** No building shall exceed sixty feet (60') ~~or four (4) stories, whichever is less.~~ Buildings higher than sixty feet (60') may be allowed in accordance with the provision of subsections F1 and F2 of this section.

**1. Procedure For Modification:** A modification to the height regulations in this subsection F may be granted as a conditional use in conformance with the provisions of chapter 21A.54 of this title. In evaluating an application submitted pursuant to this section, the planning commission shall find that the increased height will result in improved site layout and amenities.

**2. Landscaping:** If additional floors are approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floors.

**3. Maximum Additional Height:** Additional height shall be limited to thirty feet (30') ~~or two (2) stories, whichever is less.~~ (Ord. 3-01 § 2, 2001; Ord. 35-99 § 27, 1999; Ord. 26-95 § 2(13-6), 1995)

**2n. 21A.26.090 Summary Table Of Yard And Bulk Requirements Commercial Districts:**

<b>Distrit District Symbol</b>	<b>District Name</b>	<b>YARD AND BULK REGULATIONS</b>
		<b>Maximum Building Height</b>
CB	Community business	30' <del>or 2 stories</del>
CC	Corridor commercial	30' <del>or 2 stories</del> ; conditional use: maximum 45' <del>or 3 stories</del>
CG	General commercial	60' <del>or 4 stories</del> ; conditional use: maximum 90' <del>or 6 stories</del>
CN	Neighborhood commercial	25' <del>or 2 1/2 stories</del>
CS	Community shopping	45' <del>or 3 stories</del>

2o. **21A.32.030 BP D. Maximum Building Height:** No building shall exceed ~~four (4) stories~~ or sixty feet (60') in height.

2p. **21A.32.050 AG D. Maximum Building Height:**

1. **Single-Family Dwellings:** ~~Two and one-half (21/2) stories or thirty~~ Thirty feet (30'); whichever is less.

2. **Small Group Homes:** ~~Two and one-half (21/2) stories or thirty~~ Thirty feet (30'); whichever is less.

2q. **21A.32.052 AG-2 D. Maximum Building Height:**

1. **Single-Family Dwellings:** ~~Two and one-half (21/2) stories or thirty~~ Thirty feet (30'); whichever is less.

2. **Small Group Homes:** ~~Two and one-half (21/2) stories or thirty~~ Thirty feet (30'); whichever is less.

2r. **21A.32.054 AG-5 D. Maximum Building Height:**

1. **Single-Family Dwellings:** ~~Two and one-half (21/2) stories or thirty~~ Thirty feet (30'); whichever is less.

2. **Small Group Homes:** ~~Two and one-half (21/2) stories or thirty~~ Thirty feet (30'); whichever is less.

2s. **21A.32.110 MH E. Maximum Building Height:** No dwelling unit shall exceed fifteen feet (15') in height. On site recreation buildings and clubhouses shall not exceed ~~two and one-half (21/2) stories or thirty~~ feet (30').

2t. **21A.32.150 Summary Table Of Yard And Bulk Requirements Special Purpose Districts:**

District Name	YARD AND BULK REGULATIONS
	<b>Maximum Building Height</b>
BP Business park	<del>4 stories/</del> 60'
AG Agricultural	Residential: 30' <del>or 21/2 stories</del> Agricultural: 45' Conditional: 45'
AG-2	Residential: 30' <del>or 21/2 stories</del> Agricultural: 45' Conditional: 45'
AG-5	Residential: 30' <del>or 21/2 stories</del> Agricultural: 45'

	Conditional: 45'
MH Mobile home park	30' (clubhouse) <del>or 2 1/2 stories</del> 15' dwelling units

- 2u. **21A.34.030 T Transitional Overlay G. Maximum Building Height.** The maximum building height for conditional uses shall be ~~two and one-half stories or thirty-five feet, whichever is less.~~
- 2v. **21A.34.090 SSSC Overlay B. Maximum Building Height Exemption:** Buildings located within the BP business park base zoning district within the SSSC South State Street corridor overlay district may exceed the height of the base zoning district to a height not to exceed ~~six (6) stories or ninety feet (90'), whichever is less.~~

### **Item 3. Chapter 21A Zoning 21A.52.100E.2. Unit Legalization**

#### **Commentary**

The Zoning Ordinance, Section 21A.52.100E.2 requires apartment license for buildings with five or more dwelling units. However, the Zoning Ordinance also identifies that a structure containing three or more dwelling units is considered a multi-family dwelling and the Business License Department requires an apartment license for any building containing three or more units. The proposed text change will match the requirement for an apartment license within the unit legalization text of Section 21A.52.100E.2 with the Business License requirements and the Zoning Ordinance definition for multifamily dwellings.

#### **Recommended Code Language**

Language to be **added** is underlined.  
Language to be **deleted** is ~~strikethrough~~

#### **Chapter 21A Zoning 21A.52.100E.**

**2. Required Findings:** The Board of Adjustment may authorize a special exception legalizing the excess number of dwelling units applied for upon making findings that support the following conclusions:

**a. Required Findings For Excess Dwelling Units Constructed Without A Permit Before 1970:**

iii. The owner has applied for an apartment license if the building contains ~~five (5)~~ three (3) or more dwelling units.

**b. Required Findings For Excess Dwelling Units Constructed Without A Permit After 1969 And Before January 1, 1980 For Units Not Constructed By The Owner Or An Immediate Family Relative Of Owner Or A Corporation Or Partnership With Similar Ownership And/Or Control:**

iv. The owner has applied for an apartment license if the building contains ~~five (5)~~ three (3) or more dwelling units;

**c. Required Findings For Excess Dwelling Units Constructed Without A Permit After 1969 And Before January 1, 1980 For Units Constructed By The Owner Or An Immediate Family Relative Of Owner Or A Corporation Or Partnership With Similar Ownership And/Or Control:**

iii. The owner has applied for an apartment license if the building contains ~~five (5)~~ three (3) or more dwelling units;

**Item 4. Chapter 21A Zoning 21A.24.164.C and 21A.24.168.C Minimum Lot Area and Width**

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**Commentary**

Within the Qualifying Provisions reference section of the RMU-35 and RMU-45 Zoning districts, the minimum lot area and width requirements reference the wrong the section of the ordinance. The proposed text change is to correct the subsection reference of the Qualifying Provision to the appropriate section of the ordinance.

**Recommended Code Language**

Language to be **added** is underlined.  
Language to be **deleted** is ~~strikethrough~~

**21A.24.164.C Qualifying Provisions 1.** A modification to the density regulations in subsection ~~21A.24.170D~~ 21A24.164.C

**21A.24.168.C Qualifying Provisions 1.** A modification to the density regulations in subsection ~~21A.24.170D~~ 21A24.168.C

## **Item 5. 21A.36.010.1 One principal building per lot**

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### **Commentary**

The MU - Mixed Use Zoning District does not prohibit multiple structures. Section 21A.36.010.1 addresses which zoning districts permit more than one principal building per lot. The MU zone is not listed as one of zones allowing multiple buildings per lot. The proposed text change would add the MU Zoning District to the list of zones allowing more than one principal building on a lot.

### **Recommended Code Language**

Language to be **added** is underlined.

Language to be **deleted** is ~~strikethrough~~

### **21A.36.010 Use Of Land And Buildings:**

**B. One Principal Building Per Lot:** Not more than one principal building shall be located on any lot, except that:

1. Lots in the SR-3, RMF-35, RMF-45, RMF-75, R-MU-35, R-MU-45, R-MU, RO, CB, CS, CC, CSHBD, CG, RP, BP, MU, M-1, M-2, A, I and UI districts may have more than one principal building on a lot, subject to all of the principal nonresidential buildings being occupied by one use, or all principal residential and nonresidential buildings having frontage on a public street and subject to site plan review approval, pursuant to part V, chapter 21A.58 of this title; and

Joyce, Everett

*Permits Office*

**From:** Butcher, Larry  
**Sent:** Friday, September 12, 2008 10:06 AM  
**To:** Joyce, Everett  
**Subject:** RE: Request for review and comments on Ordinance text changes - Fine Tuning  
**Categories:** Program/Policy

I have no additional comments.  
LB

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**From:** Joyce, Everett  
**Sent:** Thursday, September 11, 2008 6:01 PM  
**To:** Walsh, Barry; Smith, Craig; Garcia, Peggy; Itchon, Edward; Butcher, Larry; Askerlund, Dave  
**Cc:** Harpst, Tim; Peterson, Max; Niermeyer, Jeff; Goff, Orion; Burbank, Chris  
**Subject:** Request for review and comments on Ordinance text changes - Fine Tuning

All,

Attached is a request for review and comments on proposed minor subdivision and zoning ordinance text changes. Also attached is the specific text changes proposed.

Thank you for your assistance on this matter.

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Everett L. Joyce, AICP  
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451 South State Street, Rm 406  
PO Box 145480  
Salt Lake City, UT 84111-5480

9/26/2008



Joyce, Everett

Transportation

**From:** Walsh, Barry  
**Sent:** Tuesday, September 16, 2008 5:19 PM  
**To:** Joyce, Everett  
**Cc:** Young, Kevin  
**Subject:** RE: Request for review and comments on Ordinance text changes - Fine Tuning  
**Categories:** Program/Policy

September 16, 2008

Everett Joyce, Planning

Re: Ordinance text changes - Fine Tuning

The division of transportation review comments and recommendations are as follows:

In reviewing the proposed text revisions and clarifications we find no items that impact transportation issues. We appreciate being kept in the loop as to zoning changes.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.  
File

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**From:** Joyce, Everett  
**Sent:** Thursday, September 11, 2008 6:01 PM  
**To:** Walsh, Barry; Smith, Craig; Garcia, Peggy; Itchon, Edward; Butcher, Larry; Askerlund, Dave  
**Cc:** Harpst, Tim; Peterson, Max; Niermeyer, Jeff; Goff, Orion; Burbank, Chris  
**Subject:** Request for review and comments on Ordinance text changes - Fine Tuning

All,

Attached is a request for review and comments on proposed minor subdivision and zoning ordinance text changes. Also attached is the specific text changes proposed.

Thank you for your assistance on this matter.

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Everett L. Joyce, AICP  
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9/26/2008