

PLANNING COMMISSION STAFF REPORT

Amendments to the Zoning District Purpose Statements Petition PLNPCM2009-00173 Zoning Text Amendment August 12, 2009



Planning and Zoning Division
Department of Community and
Economic Development

Applicant: Salt Lake City
Council

Staff: Nick Norris, 535-6173 or
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Tax ID: NA

Current Zone: NA

Master Plan Designation:
NA

Council District: City Wide

Lot Size: NA

Current Use: NA

**Applicable Land Use
Regulations:**

- 21A.24 Residential Districts
- 21A.26 Commercial Districts
- 21A.28 Manufacturing Districts
- 21A.30 Downtown Districts
- 21A.31 Gateway Districts
- 21A.32 Special Purpose Districts
- 21A.50 Amendments

Notification

- Notice mailed on July 29, 2009
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites and in the newspaper July 29, 2009

Attachments:

- A. Proposed Purpose Statements
- B. Task Force Meeting Notes

Request

The Planning Division is requesting that the Planning Commission make a recommendation to the City Council to amend the purpose statements for the Residential, Commercial, Manufacturing, Downtown, Gateway and Special Purpose Zoning Districts. The purpose of the request is to:

- Remove contradictory statements;
- Ensure that each zoning district is implementing the adopted policies of applicable master plans;
- Ensure that the purpose statement is consistent with the goals of the Zoning Ordinance;
- Ensure that each district is fulfilling the applicable intent statements for the applicable zoning class (residential, commercial, manufacturing, etc);
- Assist in administering the zoning ordinance.

Staff Recommendation

Based on the analysis and findings listed in the staff report, it is the Planning Staff's opinion that the Planning Commission transmit a positive recommendation to the City Council regarding amending the general intent statement for the Commercial Districts and the Purpose Statements for the Residential, Commercial, Manufacturing, Downtown, Gateway and Special Purpose Zoning Districts for the following reasons:

1. The proposed amendments are consistent with the recommendations, policies and actions found in the Salt Lake City Futures Commission Report, the Salt Lake City Vision and Strategic Plan Final Report and the Salt Lake City Housing Plan;
2. The proposed amendments are consistent with the general purpose and intent of the Zoning Ordinance as stated in Zoning Ordinance section 21A.02.030;
3. The proposed amendments are generally consistent with the factors of consideration for zoning amendments found in Zoning Ordinance Section 21A.50.050; and
4. The proposed amendments do not create any new zoning regulations that would adversely impact property within the City.

<p>C. Public Comment</p> <p>D. July 8, 2009 Planning Commission Minutes</p> <p>E. Planning Staff response to public comment regarding the Commercial District Intent Statement</p>	<p>Options:</p> <ol style="list-style-type: none"> 1. The Planning Commission may adopt the findings and recommendation of the Planning Division and send a recommendation to the City Council that they approve the zoning text amendment. The Planning Commission may also recommend specific changes to the proposed purpose statements to the City Council as part of this option.; or 2. The Planning Commission may find that the proposal does not comply with the factors to be considered and send a recommendation to the City Council that they deny the zoning text amendment. 3. The Planning Commission may continue the item if they determine not enough information is available to make a recommendation to the City Council.
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Background

Project Description

In 2008, the City Council hired a consultant to review specific types of land uses, whether those uses should be permitted or conditional and in what zoning districts they would be allowed, and the standards for conditional uses. As part of that process, several issues were identified that were outside the scope of the conditional use review. One of the issues identified was that the purpose statements of the individual zoning districts were not adequately identifying the type of development that should be occurring in each district. In response, the Planning Division was asked to review the Purpose Statements, among other issues, and work with stakeholders in order to draft revised purpose statements.

The Purpose Statement project is intended to achieve the following:

- Remove contradictory statements;
- Ensure that each zoning district is implementing the adopted policies of applicable master plans;
- Ensure that the purpose statement is consistent with the goals of the Zoning Ordinance;
- Ensure that each district is fulfilling the applicable intent statements for the applicable zoning class (residential, commercial, manufacturing, etc);
- Assist in administering the zoning ordinance.

The Purpose Statements found in the Salt Lake City Zoning Ordinance include two parts: a general statement about the nature of the district and a paragraph about land uses that are allowed in the district. This review is limited to Paragraph A, the general statement about the nature of the district. The Planning Division is concurrently working on a comprehensive zoning text and map amendments relating to neighborhood scale commercial uses. Part of that review will include changes to the CN Neighborhood Commercial and CB Community Business zoning districts. Therefore, no changes to the purpose statements for the CN and CB zoning districts are being proposed as part of the Purpose Statement Project.

Master Plan Information

The proposed amendments to the Zoning District purpose statements impact the entire City. Therefore, all existing City Wide Plans, Community Master Plans and Small Area Master Plans have some impact on the proposed purpose statements. The purposes statements were crafted with the general goals of these master plan documents in mind.

Salt Lake City Futures Commission Report (1998)

The Salt Lake City Futures Commission Report includes multiple goals and objectives that are intended to guide policy decision on land use. This Executive Summary of this document includes statements about creating vibrant neighborhoods, implementing excellent urban design, establishing a strong economic base and creating a multimodal transportation system. The draft purpose statements reflect this vision by including a variety of housing options, mixed use zoning districts, strong commercial and manufacturing districts, and identifying districts that support different forms of transportation.

Within the Built Environment Chapter of the Futures Commission Report, there are several assertions made that are applicable to the proposed purpose statements. Assertion B states “Urban design focuses first on the needs of pedestrians and bicyclists, second on mass transit and third on the automobile; public transit systems such as light rail are user friendly and designed with the pedestrian in mind; all citizens have access to public transit within 1,200 feet of their homes.” The purpose statements place heavy emphasis on development being oriented towards the pedestrian. Appropriate zoning districts are identified that can take advantage of their proximity to mass transit. Assertion C similarly states “The city is designed to the highest aesthetic standards and is pedestrian friendly, convenient and inviting.” The other assertions found in this section refer to creating unique neighborhoods for people to live and work in, creating streets with character, preserving historic buildings and neighborhoods, preserving and providing access to both natural and manmade open spaces, a mix of housing types, etc. Assertion O reflects the planning process that the purpose statement review has gone through. Assertion O states “all people of the city have a stake in the planning and building of the city. Planning and building must reflect a balanced approach in the best interest of a diverse community.

The Economic Subcommittee Chapter of the Futures Commission Report states that planning and zoning are important economic development tools in promoting quality economic development projects. The proposed changes to the purpose statements do not change any existing standard but do set the stage for identifying appropriate development in each zoning district. With appropriate development characteristics identified in the purpose statements, appropriate standards can be put in place (if not already in place) that makes it simpler for desired development to occur. This chapter continues by stating that the City should adopt policies to encourage urban neighborhoods, promoting mixed use developments of sufficient density to foster a healthy and complementary mix of businesses and residents.”

Salt Lake City Vision and Strategic Plan Final Report (1993)

The Salt Lake City Vision and Strategic Plan Final Report is intended to define a vision for the City and identify how that vision can be achieved. The document was adopted in 1993 and includes major strategies, action steps and progress indicators. The key objectives include environmental stewardship, celebrating the heritage and culture of a diverse population; provide affordable housing opportunities in attractive, friendly neighborhoods that provide a safe environment for families, economic vitality and responsive government. Within each goal is a series of objectives and actions steps to implement the plan. Perhaps the strongest impact of this document on the proposed purpose statements is the economic vitality section. This section identifies key concepts, including facilitating complementary retail opportunities in city neighborhoods and commercial areas of the City. There are several mixed use zoning districts that are intended to provide areas for a mix of housing and commercial opportunities. The Plan also specifically discusses strengthening the role of Downtown in the region. The proposal includes adding more language to the D-1 Zoning District purpose statement to identify that it is the center of the region.

Salt Lake City Community Housing Plan (2001)

The purpose of the Salt Lake City Community Housing Plan is to

- Create a wide variety of housing types across the City;

- Preserving, rehabilitating and replacing (when necessary) the existing housing stock;
- Encouraging innovation in housing design;
- Encourage mixed use and mixed income housing
- Create transit oriented housing developments;
- Create affordable and transitional housing;
- Explore innovative funding mechanisms for the creation of housing;
- Alter zoning regulations to encourage the potential for innovation in housing developments; and
- Supporting home ownership for a variety of income levels

While the purpose statements do not create specific zoning regulations, many of the proposed changes to the purpose statements help fulfill the purpose of this plan. For example, housing has been identified as a key component of those districts where housing is appropriate. The Housing Plan specifically identifies Industrial areas as places where housing should not be allowed.

The Housing Plan includes specific policy statements related to zoning. The document states that the City Council endorses:

1. Policies and programs that preserve housing opportunities as well as business opportunities within the City to ensure the continued existence of a population base and business base. While the Council supports mixed use development, it also recognizes that there are some zones that are not conducive to residential development. As such, the Council will discourage any housing development in industrial type zones.
2. Co Housing developments.
3. A zoning designation to permit transitional housing on a small scale basis.
4. Higher densities in affordable and mixed income housing developments if the developer incorporates features to minimize intrusions such as buffer landscaping, useable open space, on site amenities, support services, underground vehicle, parking, etc.
5. Accessory housing units in single family zones, subject to restrictions designed to limit impacts and protect neighborhood character.
6. Small scale, low density scattered site development, 100% low income residential development based on quality design, good management, and an established neighborhood social support structure.
7. Neighborhood anchor areas or commercial uses that are necessary to the function of residential neighborhoods or are compatible with residential activity.

Some of these policies are specific to zoning concepts, which are often found in purpose statements while some are focused on specific types of land uses. The policies directly related to specific types of land uses that would normally be found in the standards and use tables of a specific zoning district.

Community Master Plans

The City has adopted seven community master plans: Avenues, Capitol Hill, Central Community, East Bench, Northwest, Sugar House and West Salt Lake. The Community Master Plans include Future Land Use Maps that indicate where certain types of land uses should be located on a broad basis. The proposed purpose statements include references to the Community Master Plans in order to provide guidance as to where specific types of zoning districts are appropriate. Along with the maps, the Community Master Plans include policies on various issues related to land use. Some of these plans include specific development concepts, such as transit oriented development, that are also used in decision making processes. Linking the purpose statements to the applicable Community Master Plans strengthens the role the master plans play in the decision making process. The Community Master Plans are important when the City considers zoning amendments, particularly map amendments, and other land use related petitions.

Small Area Master Plans

The City has adopted several small area master plans. Small area master plans generally apply to a small area (typically one or two blocks) and provide more specific policies than Community Master Plans. The land use policies and future land use maps found in the small area master plans are used to determine which zoning districts are appropriate in a similar fashion as the Community Master Plans. Referencing the master plans in the purpose statements strengthens the relationship between master plans and the zoning ordinance and improves the zoning ordinance as a tool to implement the master plans of the City.

Comments

Public Comments

The Planning Division has attempted to gather input from several sources. Two open houses have been held to gather public input on the Purpose Statements. A preliminary open house was held on February 19, 2009 with the purpose of identifying issues with the existing purpose statements. A total of eight people signed the roll sheet. A second open house was held on June 25th. The purpose of the second open house was to gather comments on the proposed changes to the purpose statements. No comments were received and no one attended the second open house.

As mentioned earlier in this report, the Planning Division worked with a Task Force to identify issues, gather input and collect comments on proposed changes to the purpose statements. The Planning Division met with the Task Force on three separate occasions. Generally the comments from the task force including addressing the interface between residential and commercial uses and encouraging economic development, primarily through creating an environment that supported small businesses. The notes from the task force meetings are attached (see Attachment B). During this process, all documents that were presented to the Task Force were also placed on the Planning Division web site to provide access to the documents and for the public to review the process.

The proposed purpose statements were presented to the Business Advisory Board on May 13th. While formal comments were not returned to the Planning Division, members of the Business Advisory Board were concerned with creating a business friendly environment.

City Department Comments

The comments received from pertinent City Departments / Divisions are as follows:

Transportation (Barry Walsh): The division of transportation review comments and recommendations are for approval as follows:

The purpose statements presented do not change or revise the existing transportation requirements or issues for pedestrian or vehicular access, or parking requirements of each designated use.

There are statements that: safe pedestrian access is needed to adjacent streets, along with a statement that, safe pedestrian and bicycle connections to adjacent streets and neighborhoods are necessary. These statements are compatible with the current "Complete Streets" directives.

Public Utilities (Justin Stoker): Public Utilities have no objection to the proposed changes.

Engineering (Craig Smith): Engineering has no objections.

Building Services (Alan Hardman): Our office has no comments on this proposal at this time.

Economic Development (Bob Farrington): It might be useful in trying to better understand the differences in opinions and perspectives regarding commercial districts and the residential interface to look at examples (visual) in the city of what is working and not working, other examples or best practices around the country, and apply some additional visualization/graphics to the proposed changes. I know this would be additional work, but perhaps the University of Utah College of Architecture and Planning can be deployed. It seems like much of the discussion is about the form, design, function and intensity of the commercial zones, not necessarily the land use. A visual component can help where words are not adequate. If you think this is worthwhile let me know and I can see how we can help.

RDA (Mathew Dahl): GM-U: I do not think industrial uses are appropriate in GM-U. To enhance the environment, public health and pedestrian friendliness of the public realm, drive-thru windows should no longer be permitted in any zone. Is there any chance of phasing out the CG District? It does not really further out objectives anymore. Why would we zone property RMF-75 if the existing character is single family homes on 0.10 acre lots?

In addition to those Departments that provided feedback, the proposed purpose statements were also routed to the Airport and Police Department as well as the Mayor's Cabinet.

Project Review

In January 2009, the Planning Division began reviewing the existing purpose statements. The initial review identified the key parts of a good purpose statement. Those parts include identifying what the zoning district is intended to do, where certain zoning districts are appropriate and why the zoning district exists. The Planning Division also began analyzing zoning districts from other communities to identify examples that included the key parts of a good purpose statement. This review included looking at examples from Utah communities, places outside the state (Portland, OR; Denver, CO) and places outside of the country (Vancouver, BC).

In addition to an internal review, the Planning Division began meeting with a group of stakeholders (called the Task Force) that included Community Council representatives, interested citizens, business groups and business owners, property owners, City staff, etc. On March 2, 2009 the Planning Division met with the group to identify issues that the Task Force had with the current purpose statements and with land use in general. The Planning Division took the list of issues and began drafting new purpose statements.

The second (April 27, 2009) and third meetings (May 11, 2009) with the Task Force consisted of a review of proposed purpose statements with the purpose of getting specific feedback. The Task Force looked at each individual purpose statement and provided feedback.

A final draft of the purpose statements was produced in June 2009 and made available to the public. The draft versions took into consideration the comments received from the Task Force, from other City Departments and that fulfilled the overall intent of the project as well as best professional practice and adopted City policies. Because the scope of the project includes different goals, not all comments received from the Task Force are reflected in the draft Purpose Statements. Staff has used profession judgment to ensure a balance between competing interests in addressing the issues raised through the public process.

The proposed purpose statements were presented to the Planning Commission during a work session on June 24, 2009. A follow up briefing was held on July 8, 2009. The Planning Commission provided staff with some direction and some concepts to consider. The first issue revolved around the concept of sustainability. In

drafting the purpose statements, staff made an attempt to stay away from the word “sustainability” and focus on specific aspects of sustainability. This was done by adding language to strengthen the role the foothill zoning districts play in preserving sensitive lands, referencing pedestrian orientation, identifying districts intended to promote walkability and transit use, and by promoting economic development in appropriate districts.

The Planning Commission also questioned the lack of inclusion of “live/work” development within the purpose statements. After reviewing the concept and the purpose statements, it is staff’s opinion that “live/work” types of development are a type of mixed use development, which is allowed in a number of zoning districts. Furthermore, a “live/work” unit is a specific type of land use and it is more appropriate to add this type of use to the table of permitted and conditional uses in appropriate zoning districts. As part of the overall zoning ordinance review, the Planning Division is reviewing the tables of permitted and conditional uses and their definitions. “Live/work” will be addressed as part of that review.

The Planning Commission also recommended a few edits, which have been made. The Planning Division’s final proposed purpose statements are attached (see Attachment A).

Zoning Review

The proposed amendments to the Zoning District Purpose Statements do not create any new standards or change the tables of permitted and conditional uses. However, because the Planning Division is reviewing a number of proposed changes to standards and the land use tables, it is appropriate to address the purpose statements so that they provide a vision for each zoning district that can be used in the decision making process to determine appropriate standards, appropriate land uses, etc.

Analysis and Findings

Options

With regard to zoning text amendments, the Planning Commission makes a recommendation to the City Council and the City Council has the decision making authority. The Planning Commission has the discretion to recommend the changes as proposed by Planning Staff or to make modifications to the proposal by Planning Staff or recommend to the City Council not to amend the proposed changes.

Analysis

Section 21A.50.050. 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;**

Discussion: The proposed amendments to the Zoning District Purpose Statements include language that refers back to the applicable master plans of the City. The purpose for adding this to the Purpose Statements is to strengthen the role that the master plans play in the administration of the zoning ordinance, improve the decision making process and implement the adopted master plans.

Finding: The proposed text amendment is consistent with the purposes, goals, objectives and policies of the adopted master plans of the City.

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

Discussion: The proposed purpose statements include a review of each zoning district by a Task Force made up of an array of stakeholders. One of the common themes that routinely came up was how the land uses located on the boundaries of different zoning districts impact each other. The primary concern was how to appropriately buffer the interfaces of different land uses from one another. This issue is more appropriately addressed through specific standards and not necessarily through the purpose statements. Strong, active, vibrant neighborhoods require a balance of land uses that are compatible and support one another. The approach recommended by various members of the Task Force and taken by Planning Staff was to stress compatibility versus adverse impacts.

Finding: The proposed text amendment provides a framework for the existing and future standards to create appropriate standards to allow for a variety of land uses and ensure compatibility between existing land uses and new land uses.

c. The extent to which the proposed amendment will adversely affect adjacent properties;

Discussion: The proposed amendment does not create any new development standards and does not allow any new types of land uses to any of the zoning districts in the City. Therefore, the proposed amendments will not create any adverse impacts.

Finding: The proposed amendments do not create any adverse impacts because they do not create any new standards and do not add any new land uses to the table of permitted and conditional uses.

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

Discussion: The proposed amendments do not create any new standards that may be contradictory to any existing overlay zoning district. Furthermore, the overlay zoning districts were not reviewed as part of this proposal.

Finding: The overlay zoning districts will not be impacted by the proposed changes to the Zoning District Purpose Statements.

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.

Discussion: The proposed amendments to the purpose statements do not create any impact on public facilities or services.

Finding: The proposed amendments will not adversely impact any public facility or service.

Attachment A

Proposed Purpose Statements

Residential Districts

21A.24010 General Provisions

- A. **Statement of Intent:** The residential districts are intended to provide a range of housing choices to meet the needs of Salt Lake City's citizens, to offer a balance of housing types and densities, to preserve and maintain the city's neighborhoods as safe and convenient places to live, to promote the harmonious development of residential communities, to ensure compatible infill development, and to help implement adopted plans.

21A.24.020 FR-1/43,560 Foothills Estate Residential District:

- A. **Purpose Statement:** The purpose of the FR-1/43,560 foothills estate residential district is to promote environmentally sensitive and visually compatible development of lots not less than forty three thousand five hundred sixty (43,560) square feet in size, suitable for foothills locations as indicated in the applicable Community Master Plan. The district is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character of foothill areas ~~not suitable for~~ by limiting development; to promote the safety and well being of present and future residents of foothill areas; to protect wildlife habitat; and to ensure the efficient expenditure of public funds.

21A.24.030 FR-2/21,780 Foothills Residential District:

- A. **Purpose Statement:** The purpose of the FR-2/21,780 foothills residential district is to promote environmentally sensitive and visually compatible development of lots not less than twenty one thousand seven hundred eighty (21,780) square feet in size, suitable for foothills locations as indicated in the applicable Community Master Plan. The district is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character of foothill areas ~~not suitable for~~ by limiting development; to promote the safety and well being of present and future residents of foothill areas; to protect wildlife habitat; and to ensure the efficient expenditure of public funds.

21A.24.040 FR-3/12,000 Foothills Residential District

- A. **Purpose Statement:** The purpose of the FR-3/12,000 foothills residential district is to promote environmentally sensitive and visually compatible development of lots not less than twelve thousand (12,000) square feet in size, suitable for foothills locations as indicated in the applicable Community Master Plan. The district is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character of foothill areas ~~not suitable for~~ by limiting development; to promote the safety and well being of present and future residents of foothill areas; to protect wildlife habitat; and to ensure the efficient expenditure of public funds. The FR-3/12,000 foothills residential district is intended for application in most areas of foothills development existing as of April 12, 1995.

21A.24.050 R-1/12,000 Single-Family Residential District:

- A. **Purpose Statement:** The purpose of the R-1/12,000 single-family residential district is to provide for conventional single-family residential neighborhoods with lots twelve thousand (12,000) square feet in size or larger. This district is appropriate in areas of the City as identified in the applicable Community Master Plan. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

21A.24.060 R-1/7,000 Single-Family Residential District:

- A. **Purpose Statement:** The purpose of the R-1/7,000 single-family residential district is to provide for conventional single-family residential neighborhoods with lots not less than seven thousand (7,000) square feet in size. This district is appropriate in areas of the City as identified in the applicable Community Master Plan. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

21A.24.070 R-1/5,000 Single-Family Residential District:

- A. **Purpose Statement:** The purpose of the R-1/5,000 single-family residential district is to provide for conventional single-family residential neighborhoods on lots not less than five thousand (5,000) square feet in size. This district is appropriate in areas of the City as identified in the applicable Community Master Plan. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

21A.24.080 SR-1 and SR-1A Special Development Pattern Residential District:

- A. **Purpose Statement:** The purpose of the SR-1 special development pattern residential district is to maintain the unique character of older predominantly single-family and two-family dwelling neighborhoods that display a variety of yards, lot sizes and bulk characteristics. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

21A.24.100 SR-3 Special Development Pattern Residential District:

- A. **Purpose Statement:** The purpose of the SR-3 special development pattern residential district is to provide lot, bulk and use regulations, including a variety of housing types, in scale with the character of development located within the interior portions of city blocks. Uses are intended to be compatible with the existing scale, density and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood. This is a medium density zoning district. Off site parking facilities in this district to supply required parking for new development may be approved as part of the conditional use process.

21A.24.110 R-2 Single and Two-Family Residential District:

- A. **Purpose Statement:** The purpose of the R-2 single- and two-family residential district is to preserve and protect for single-family dwellings the character of existing neighborhoods which exhibit a mix of single- and two-family dwellings by controlling the concentration of two-family dwelling units. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play and to promote sustainable and compatible development patterns.

21A.24.120 RMF-30 Low Density Multi-Family Residential District:

- A. **Purpose Statement:** The purpose of the RMF-30 low density multi-family residential district is to provide an environment suitable for a variety of housing types of a low density nature, including single family, two family, and multi-family dwellings, with a maximum height of 30 feet. This district is

appropriate in areas where the applicable master plan policies recommend multi-family housing with a density of less than 15 dwelling units per acre. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

21A.24.130 RMF-35 Moderate Density Multi-Family Residential District:

- A. **Purpose Statement:** The purpose of the RMF-35 Moderate Density Multi-Family Residential District is to provide an environment suitable for a variety of moderate density housing types, including single family, two family, and multi-family dwellings with a maximum height of 35 feet. This district is appropriate in areas where the applicable master plan policies recommend a density of less than 30 dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving the neighborhood. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

21A.24.140 RMF-45 Moderate/High Density Multi-Family Residential District:

- A. **Purpose Statement:** The purpose of the RMF-45 Moderate/High Density Multi-Family Residential District is to provide an environment suitable for multi-family dwellings of a moderate/high density with a maximum building height of 45 feet. This district is appropriate in areas where the applicable master plan policies recommend a density of less than 43 dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving the neighborhood. Such uses are designed to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

21A.24.150 RMF-75 High Density Multi-Family Residential District:

- A. **Purpose Statement:** The purpose of the RMF-75 high density multi-family residential district is to provide an environment suitable for high density multi-family dwellings. This district is appropriate in areas where the applicable master plan policies recommend a maximum density less than 85 dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving the neighborhood. Such uses are designed to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

21A.24.160 RB Residential/Business District:

- A. **Purpose Statement:** The purpose of the RB residential/business district is ~~to provide for limited commercial use opportunities within existing residential areas located to~~ create vibrant small scale retail, service, and office uses oriented to the local area within residential neighborhoods along higher volume streets while preserving the attractiveness of the area for single-family residential use. Such commercial areas are. Development is intended to be oriented to the street and pedestrian ~~and transit oriented~~, while acknowledging the need for automobile access and parking. Building design should be focused on compatibility with a residential setting This district is appropriate in areas where supported by applicable master plans. The standards for the district are intended to promote appropriate scaled building and site design that focuses on compatibility with existing uses.

21A.24.164 R-MU-35 Residential/Mixed Use District:

- A. **Purpose Statement:** The purpose of the R-MU-35 residential/mixed use district is to ~~implement the objective of the applicable master plan through district regulations that reinforce the residential character of the area and encourage the development of areas as low/medium density residential urban neighborhoods containing supportive retail, service commercial, and small scale office uses.~~ provide areas within the city for mixed use development that promote residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. This district is appropriate in areas where the applicable master plan policies recommend mixed use with a residential density less than 30 dwelling units per acre. The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented. This zone is intended to provide a buffer for lower density residential uses and nearby collector, arterial streets and higher intensity land uses.

21A.24.168 R-MU-45 Residential/Mixed Use District:

- A. **Purpose Statement:** The purpose of the R-MU-45 residential/mixed use district is to ~~implement the objective of the applicable master plan through district regulations that reinforce the residential character of the area and encourage the development of areas as medium density residential urban neighborhoods containing supportive retail, service commercial, and small scale office uses.~~ provide areas within the city for mixed use development that promotes residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. This district is appropriate in areas where the applicable master plan policies recommend mixed use with a residential density less than 44 dwelling units per acre. The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented.

21A.24.170 R-MU Residential/Mixed Use District:

- A. **Purpose Statement:** The purpose of the R-MU residential/mixed use district is to reinforce the ~~residential~~ mixed use character of the area and encourage the development of areas as high density residential urban neighborhoods containing ~~supportive~~ retail, service commercial, and small scale office uses. This district is appropriate in areas of the city where the applicable master plans support high density, mixed use development. The design guidelines standards for the district are intended to facilitate the creation of a walkable urban neighborhood with an emphasis on pedestrian scale activity while acknowledging the need for transit and automobile access.

21A.24.180 RO Residential/Office District:

- A. **Purpose Statement:** The RO residential/office district is intended to provide a suitable environment for ~~existing and future mixed use areas consisting of a combination of residential dwellings and office use. This district should encourage the maintenance and rehabilitation of appropriate existing buildings and neighborhood scale.~~ This district is appropriate in areas of the city where the applicable master plans support high density mixed use development. The standards encourage the conversion of historic structures to office uses for the purpose of preserving the structure and promote new development that is appropriately scaled and compatible with the surrounding neighborhood.

Commercial Districts

21A.26.010 General Provisions:

- A. **Statement Of Intent:** The commercial districts are intended to provide controlled and compatible settings for office and business/commerce developments, to enhance employment opportunities, to

encourage the efficient use of land, to enhance property values and the tax base, to ensure high quality of design, and to help implement officially adopted master plans.

21A.26.040 CS Community Shopping District:

- A. Purpose Statement:** The purpose of the CS community shopping district is to provide an environment for vibrant, efficient and attractive shopping center development at a community level scale while promoting compatibility with adjacent neighborhoods through design standards. This district provides economic development opportunities through a mix of land uses, including retail sales and services, entertainment, office and residential. This district is appropriate in areas where supported by applicable master plans, along City and State arterial streets and where the mass and scale of development is compatible with adjacent land uses. Development is intended to be oriented towards the pedestrian while accommodating other transportation modes.

21A.26.050 CC Corridor Commercial District:

- A. Purpose Statement:** The purpose of the CC corridor commercial district is to provide an environment for efficient and attractive ~~automobile-oriented~~ commercial development with a local and regional market area along arterial and major collector streets while promoting compatibility with adjacent neighborhoods through design standards. This district provides economic development opportunities through a mix of land uses, including retail sales and services, entertainment, office and residential. While development in this zone is primarily accessed by the automobile, safe pedestrian connections to adjacent streets and neighborhoods are necessary. This district is appropriate in areas where supported by applicable master plans. The standards are intended to promote a safe and aesthetically pleasing environment to all users.

21A.26.060 CSHBD Sugar House Business District (CSHBD1 And CSHBD2):

In this chapter and the associated zoning map, the CSHBD zone is divided into two (2) subareas for the purpose of defining design criteria. In other portions of this text, the CSHBD1 and CSHBD2 zones are jointly referred to as the CSHBD zone because all other standards in the zoning ordinance are the same.

- A. Purpose Statement:** The purpose of the CSHBD Sugar House business district is to promote a walkable community with a transit-oriented, mixed-use town center that can support a twenty four (24) hour population. The CSHBD provides for residential, commercial and office use opportunities, with incentives for high density residential land use in a manner compatible with the existing form and function of the Sugar House master plan and the Sugar House business district.

21A.26.070 CG General Commercial District:

- A. Purpose Statement:** The purpose of the CG general commercial district is to provide an environment for a variety of commercial uses, some of which involve the outdoor display/storage of merchandise or materials. This district provides economic development opportunities through a mix of land uses, including retail sales and services, entertainment, office, residential, heavy commercial and low intensities of manufacturing and warehouse uses. This district is appropriate in locations where supported by applicable master plans and along major arterials. While development in this zone is primarily accessed by the automobile, safe pedestrian and bicycle connections to adjacent streets and neighborhoods are necessary. The standards are intended to create a safe and aesthetically pleasing commercial environment for all users.

21A.26.077 TC-75 Transit Corridor District:

- A. Purpose Statement:** The purpose of the TC-75 transit corridor district is to create transit oriented neighborhoods near stations along major transit corridors with a high residential density that promotes

commercial and economic growth, increases transit ridership and improves the vitality of the community. provide an environment for efficient and attractive transit and pedestrian-oriented commercial, residential and mixed-use development along major transit corridors. The primary focus is to increase residential density through development that takes advantage of the proximity to transit and creates a sustainable, transit oriented neighborhood. The design guidelines standards for the district are intended to create a pedestrian friendly environment and to emphasize that pedestrian and mass transit access is the primary focus of development.

Manufacturing Districts

21A.28.010 General Provisions

- A. Statement Of Intent:** The manufacturing districts are intended to provide appropriate locations for manufacturing, fabrication, processing, packaging, distribution, storage, shipping and other transportation activities contributing to the economic base of the city; to enhance employment opportunities; to encourage the efficient use of land; to enhance property values and the tax base; to improve the design quality of industrial areas; and to help implement adopted plans.

21A.28.020 M-1 Light Manufacturing District:

- A. Purpose Statement:** The purpose of the M-1 light manufacturing district is to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting. This zone is appropriate in locations that are supported by the applicable master plan policies adopted by the City. This district is intended to provide areas in the City that generate employment opportunities and to promote economic development. The uses include other types of land uses that support and provide service to manufacturing and industrial uses. Certain land uses are prohibited in order to preserve land for manufacturing uses.

21A.28.030 M-2 Heavy Manufacturing District:

- A. Purpose Statement:** The purpose of the M-2 heavy manufacturing district is to provide an environment for larger and more intensive industrial uses that do not require, and may not be appropriate, for a nuisance free environment. This zone is appropriate in locations that are supported by the applicable master plan policies adopted by the City. This district is intended to provide areas in the City that generate employment opportunities and to promote economic development. The uses include other types of land uses that support and provide service to manufacturing and industrial uses. Due to the nature of uses allowed in this zone, land uses that may be adversely impacted by heavy manufacturing activities are not permitted. Certain land uses are prohibited in order to preserve land for manufacturing uses.

Downtown Districts

21A.30.010 General Provisions:

- A. Statement Of Intent:** The downtown districts are intended to provide use, bulk, urban design and other controls and regulations appropriate to the commercial core of the City and adjacent areas in order to enhance employment opportunities; to encourage the efficient use of land; to enhance property values; to improve the design quality of downtown areas; to create a unique downtown center which fosters the arts, entertainment, financial, office, retail and governmental activities; to provide safety and security; encourage permitted residential uses within the downtown area; and to help implement adopted plans.

21A.30.020 D-1 Central Business District:

- A. **Purpose Statement:** The purpose of the D-1 Central Business District is to provide for commercial and economic development within Salt Lake City's most urban and intense areas. A broad range of uses, including very high density housing, are intended to foster a 24-hour activity environment consistent with the area's function as the business, office, retail, entertainment, cultural and tourist center of the community and the region. Development is intended to be very intense with high lot coverage and large buildings that are placed close together while being oriented towards the pedestrian with a strong emphasis on a safe and attractive streetscape and preserving the urban nature of the downtown area. This district is appropriate in areas where supported by applicable master plans. The standards are intended ~~Inherent in this purpose is the need for careful review of proposed development in order to achieve established objectives for urban design, pedestrian amenities and land use control. particularly in relation to retail commercial uses.~~

21A.30.030 D-2 Downtown Support District:

- A. **Purpose Statement:** The purpose of the D-2 downtown support commercial district is to provide an area that fosters the development of a sustainable urban neighborhood that accommodates commercial, office, residential and other associated activities uses that relate to and support the central business district but do not require a location within the central business district. Development within the D-2 downtown support commercial district is intended to be less intensive than that of the central business district, with high lot coverage and buildings placed close to the sidewalk. This district is appropriate in areas where supported by applicable master plans. Design standards are intended to promote pedestrian oriented development with a strong emphasis on a safe and attractive streetscape.

21A.30.040 D-3 Downtown Warehouse/Residential District:

- A. **Purpose Statement:** The purpose of the D-3 downtown warehouse/residential district is to provide for the reuse of existing warehouse buildings for multi-family and mixed-use while also allowing for continued retail, office and warehouse use within the district. The reuse of existing buildings and the construction of new buildings are to be done as multi family residential or mixed use developments containing retail or office uses on the lower floors and residential on the upper floors. This district is appropriate in areas where supported by applicable master plans. The standards are intended to create a unique and sustainable downtown neighborhood with a strong emphasis on urban design, adaptive reuse of existing buildings, alternative forms of transportation and pedestrian orientation.

21A.30.045 D-4 Downtown Secondary Central Business District:

- A. **Purpose Statement:** The purpose of the D-4 secondary central business district is to foster an environment consistent with the area's function as a housing, entertainment, cultural, convention, business, and retail section of the city that supports the Central Business District. ~~Inherent in this purpose is the need for careful review of proposed development in order to~~ Development is intended to support the regional venues in the district, such as the Salt Palace Convention Center, and to be less intense than in the Central Business District. This district is appropriate in areas where supported by applicable master plans. The standards are intended to achieve established objectives for urban and historic design, pedestrian amenities, and land use control, particularly in relation to retail commercial uses.

Gateway Districts

21A.31.010 General Provisions

- A. **Statement of Intent:** The gateways districts are intended to provide controlled and compatible settings for residential, commercial, and industrial development and implement the objectives of the adopted Gateway Development Master Plan through district regulations that reinforce the mixed use character of the area and encourage the development of urban neighborhoods containing supportive retail, service commercial, office, industrial uses and high density residential.

21A.31.020 G-MU Gateway Mixed Use District

- A. **Purpose Statement:** The G-MU Mixed-Use District is intended to implement the objectives of the adopted Gateway Development Master Plan and encourage the mixture of residential, commercial and ~~industrial~~ assembly uses within an urban neighborhood atmosphere. The 200 South corridor is intended to encourage ~~neighborhood~~ commercial development on an urban scale and the 500 West corridor is intended to be a primary residential corridor from North Temple to 400 South. Development in this district is intended to create an urban neighborhood that provides employment and economic development opportunities that are oriented towards the pedestrian with a strong emphasis on a safe and attractive streetscape. The standards are intended to achieve established objectives for urban and historic design, pedestrian amenities and land use control-regulation.

Special Purpose Districts

21A.32.010 General Provisions:

- A. **Statement Of Intent:** Certain geographic areas of the city contain land uses or platting patterns that do not fit traditional zoning classifications (e.g., residential, commercial, industrial) or uniform bulk regulations. These areas currently contain special land uses (e.g., airports or medical centers) which have a unique character, or contain mixed land uses which are difficult to regulate using uniform bulk and density standards. Because these areas have unique land uses, platting patterns and resources, special districts are needed to respond to these conditions. These special purpose districts are further intended to maintain the integrity of these areas, allow for greater flexibility in site design, and achieve the specialized goals for these areas.

21A.32.020 RP Research Park District:

- A. **Purpose Statement:** The purpose of the RP research park district is to provide a ~~nuisance-free~~, campus like environment for high technology research and development uses and related activities and to create employment centers that may benefit from being located near the University of Utah. This district is appropriate in areas of the City where the applicable master plans support this type of land use. The standards promote development that is intended to create an environment that is compatible with nearby areas.

21A.32.030 BP Business Park District:

- A. **Purpose Statement:** The purpose of the BP business park district is to provide ~~a nuisance free~~, an attractive environment for modern offices, light assembly and warehouse development and to create employment and economic development opportunities within the City in a campus like setting?. This district is appropriate in areas of the City where the applicable master plans support this type of land use. The standards promote development that is intended to create an environment that is compatible with nearby, existing developed areas.

21A.32.040 FP Foothills Protection District:

- A. **Purpose Statement:** The purpose of the FP foothills protection district is to protect the foothill areas from intensive development in order to protect the scenic value of these areas, wildlife habitats and to minimize flooding and erosion. This district is appropriate in areas where supported by applicable master plans.

21A.32.050 AG Agricultural District:

- A. **Purpose Statement:** The purpose of the AG Agricultural District is to preserve and protect agricultural uses in suitable portions of Salt Lake City until these lands can be developed for the most appropriate use. These regulations are also designed to minimize conflicts between agricultural and nonagricultural uses. This district is appropriate in areas of the City where the applicable master plans support this type of land use.

21A.32.052 AG-2 Agricultural District:

- A. **Purpose Statement:** The purpose of the AG-2 Agricultural District is to preserve and protect agricultural uses in suitable portions of Salt Lake City on lots not less than two (2) acres. These regulations are also designed to minimize conflicts between agricultural and nonagricultural uses. This district is appropriate in areas of the City where the applicable master plans support this type of land use.

21A.32.054 AG-5 Agricultural District:

- A. **Purpose Statement:** The purpose of the AG-5 Agricultural District is to preserve and protect agricultural uses in suitable portions of Salt Lake City on lots not less than five (5) acres. These regulations are also designed to minimize conflicts between agricultural and nonagricultural uses. This district is appropriate in areas of the City where the applicable master plans support this type of land use.

21A.32.056 AG-20 Agricultural District:

- A. **Purpose Statement:** The purpose of the AG-20 agricultural district is to preserve and protect agricultural uses, on lots not less than twenty (20) acres, in suitable portions of Salt Lake City. These regulations are also designed to minimize conflicts between agricultural and nonagricultural uses. This district is appropriate in areas of the City where the applicable master plans support this type of land use.

21A.32.060 A Airport District:

- A. **Purpose Statement:** The purpose of the A airport district is to provide a suitable environment for the Salt Lake City international airport and private uses that function in support of the airport facility. This district is appropriate in areas of the City where the applicable master plans support this type of land use.

21A.32.070 PL Public Lands District:

- A. **Purpose Statement:** The purpose of the PL public lands district is to specifically delineate areas of public use and to control the potential redevelopment of public uses, lands and facilities. This district is appropriate in areas of the City where the applicable master plans support this type of land use.

21A.32.075 PL-2 Public Lands District:

- A. **Purpose Statement:** The purpose of the PL-2 public lands district is to specifically delineate areas of public use and to control the potential redevelopment of public uses, lands and facilities in an urban context. This district is appropriate in areas of the City where the applicable master plans support this type of land use.

21A.32.080 I Institutional District:

- A. **Purpose Statement:** The purpose of the I institutional district is to regulate the development of larger public, ~~and~~ semipublic and private institutional uses in a manner harmonious with surrounding uses. The uses regulated by this district are generally those having multiple buildings on a campus like ~~site~~ setting. Such uses are intended to be compatible with the existing scale and intensity of the neighborhood and to enhance the character of the neighborhood. This district is appropriate in areas of the City where the applicable master plans support this type of land use.

21A.32.090 UI urban institutional district.

- A. **Purpose Statement:** The purpose of the UI urban institutional district is to regulate the development of larger public, semipublic and private institutional uses in an urban context. The uses regulated by this district are generally those having multiple buildings on a campus like ~~site~~ setting, located within a developed community. Such uses are intended to be compatible with the existing scale and intensity of the neighborhood and to enhance the character of the neighborhood. This district is appropriate in areas of the City where the applicable master plans support this type of land use.

21A.32.100 OS Open Space District:

- A. **Purpose Statement:** The purpose of the OS open space district is to preserve and protect areas of public and private open space and exert a greater level of ~~control~~ regulation over any potential redevelopment of existing open space areas. This district is appropriate in areas of the City where the applicable master plans support this type of land use.

21A.32.105 NOS Natural Open Space District:

- A. **Purpose Statement:** The purpose of the NOS natural open space district is to protect and ensure stewardship over important natural open land areas of citywide or regional importance. This district is appropriate in areas of the City where the applicable master plans support this type of land use.

21A.32.110 MH Mobile Home Park District:

- A. **Purpose Statement:** The purpose of the MH mobile home park district is to create an environment suitable for mobile home dwelling units. This district establishes regulations for the development of sites suitable for mobile homes. This district is appropriate in areas of the City where the applicable master plans support this type of land use.

21A.32.120 EI Extractive Industries District:

- A. **Purpose Statement:** The purpose of the EI extractive industries district is to provide locational control over extractive uses and to promote the reclamation of these sites. Inherent in this purpose is the need to provide appropriate buffering adjacent to other zoning districts. This district is appropriate in areas of the City where the applicable master plans support this type of land use.

21A.32.130 MU Mixed Use District:

- A. **Purpose Statement:** The purpose of the MU mixed use district is to encourage the development of areas as a mix of compatible residential and commercial uses. The district is to provide for limited commercial use opportunities within existing mixed use areas while preserving the attractiveness of the

area for residential use. The district is intended to provide a higher level of control over nonresidential uses to ensure that the use and enjoyment of residential properties is not substantially diminished by nonresidential redevelopment. The intent of this district shall be achieved by designating certain nonresidential uses as conditional uses within the mixed use district and requiring future development and redevelopment to comply with established standards for compatibility and buffering as set forth in this section. The design ~~guidelines~~ standards are intended to facilitate walkable communities that are pedestrian and mass transit oriented while still ensuring adequate automobile access to the site.

Attachment B

Task Force Meeting Notes

March 2, 2009

Below are the notes from the Task Force meeting on March 2, 2009. The notes are as written and I have purposefully tried not to interpret the comments by adding my own language to them. This is how they were written down on the flip chart. I did organize them into general comments that are likely to apply to all districts and to district specific comments. Any staff comment is in red colored text.

Over the next few weeks, I will begin to draft proposed language for each zoning district. The proposed language will address the stated goals and issues of the project as well as the issues identified at the Task Force meeting. Not all of the issues identified are related to the purpose statements, and those will be indicated up front so that the Task Force can focus on the purpose statements. An example of one of these issues is found under 2F below: requiring a violator to prove they aren't violating an ordinance.

1) General Notes about the meeting

- A. The lecture style format of the room makes face to face dialogue difficult. Look at using a similar format to the first task force meeting, but in a room where it is easier to hear and where everyone can fit at the table.
- B. Have a brain storming session of the fears, conflicts, and pressures between zones, particularly the interface between commercial and residential.

2) General Notes relating to all zoning districts

- A. Need to sharpen the language of all districts: what does "provide for" mean? Do we want to encourage or require (carrot vs., the stick?) Which way is more effective. .
 - a. City needs to take lead on addressing the impact issues;
- B. Need language that has teeth (use shall, not should or may);
- C. Adequate enforcement needs to be maintained by City (unit legalizations);
 - a. City needs to follow up: once a decision is made, ensure implemented through inspections, etc. (this is more related to administration of the ordinance, and not necessarily the purpose statement.)
- D. Need to make violator prove they are not violating rather than make the person filing the complaint do it. This is likely an unconstitutional approach to ordinance enforcement. Generally, defendants are considered innocent until proven guilty.
- E. Allow non residential in historic structures to ensure they are preserved;
- F. Be explicit about what the issues are.
- G. Obstacles between developing mixed use projects include a lack of local developers who can do it, insurance issues, financing issues, code (including building codes) issues.
 - a. Insurance costs differ depending on type of use (retail costs more to insure than office)
 - b. Market is also an issue (overbuilt housing or over built office space
 - c. Market realities change
 - d. Carrying capacity created by zoning and land area may be greater than the market can handle.
 - e. Too ambitious, won't happen all at once.
 - f. We zone some areas as if there is no limit to demand.
- H. General Issue throughout is dealing with the interface between different land uses.
- I.

3) Residential Zoning Districts

- A. General Notes relating to all residential districts

1. Define what is meant by low, moderate, medium, high density.
2. Mix of structure so the structures do not all look the same (suburbia i.e. don't have residential that is so homogenous.)
3. Look at ratio of lot size to building size.
4. Don't focus on need to gentrify areas of the City. It is good to keep diverse neighborhoods.
5. Need to consider alternatives to housing choices, both in size, type, cost, owner occupied, etc.

B. Foothill Districts

1. Provide protection for view corridors looking to the foothills from the rest of the City

C. R-1 Districts

D. SR Districts

E. R-2 Districts

F. RMF Districts

1. Is there a way to include a specific ratio for mixed uses in order to distinguish between RMF and RMU zones?

G. RB

1. Exterior treatment of structures is important; pedestrian and street orientation;
2. The zone provides locations for business incubators;
3. Lack of buffering (i.e. light trespass, noise, service vehicles) between businesses and adjacent residential uses is an issue;
4. RB zone takes away housing from neighborhood;
5. Great zone for neighborhood business;
6. Essential to the lifecycle of the city. Allows a small business in a home on a busy road until a future date when a conversion to another use is viable;
7. Preserves property;
8. California Avenue would be a good spot for additional RB zoning;
9. The purpose statement should indicate that the RB zone is a transition zone;
10. Include how to mitigate impacts when small businesses become really successful;
11. Parking and traffic are real issues with small businesses due to impacts on abutting residential; ; Allow non residential in historic structures to ensure they are preserved;

H. RMU Zones

1. Is the goal to create vertical mixed use or spread it out through a district? Example is 960 E 100 South. It started as an office/residential (eye clinic with residential space for eye doctors; now all residential.

I. RO District

1. Use of zone is spotty; a lot of parcels in this district are split zoned.
2. Is the use trying to encourage the reuse of existing buildings for a specific reason?

2) **Commercial Zoning Districts**

A. Commercial Zones General Comments

1. Put Portland language in place of commercial intent statements;
2. Identify commercial zoning as an economic asset to the community

B. CN District

1. May be too intensive for small corner areas; standards may be too broad;
2. Need another zone that better fits those former small business lots (former grocery store lots);
3. Impacts of new parking regulations on neighborhood; parking, delivery impacts etc.;
4. Address how the businesses are serviced (alleys access has an impact on residential uses);
5. Hard to find a business that can survive strictly on pedestrian traffic, must address vehicles;

6. Cumulative impact: Eggs in the City restaurant and new development on NE corner of 1300 S 1700 E gets back to % of uses in a mixed use area. Is there a way to base uses off of trip generation? Can this be done by reducing vehicle miles traveled; increased density, sustainability?
7. How to deal with the success of small neighborhood businesses

C. CB District

1. CB maybe utilize this zone differently. See the University Commercial area. It is the same zoning as Smiths on 9th and 9th.
2. CB and CN have similar impacts, but because of the size allowed in CB the cumulative impacts are greater.
3. Look at carrying capacity of adjacent roads.

D. CC District

E. CG District

1. Pedestrian access needs to be thought about for uses like Big Box retail. Can be geared toward the car and oriented to the street and still take into account the pedestrian
2. Address connectivity issues with adjacent and nearby residential uses and find ways to penetrate the property without using cars.

F. TC-75 District

1. The purpose statement doesn't emphasize housing although the standards in the zone do.
2. Issues with zoning in general are that it doesn't take into account compatibility regulations with abutting uses.
3. There is a fine balance between incentives and regulation.
4. Problem is that it addresses a corridor versus a node.
5. Node concept could be applied to North Temple and West Temple as well.

3) Manufacturing Zoning Districts

A. M-1 District & M-2

1. Include services that provide a convenience to the employees working in the manufacturing industries.

4) Downtown Zoning Districts

A. D1 District

1. Nothing about housing in D1, D-2.
2. Increase entertainment, tourism, hospitality in D-1;
3. Include sustainability in all zones. NICK- WASN'T SUSTAINABILITY SOMETHING THAT SHOULD BE IN ALL OF THE ZONES (I.E. PUT SHI ISSUE UP ON THE FIRST PAGE?)

B. D-2 District

1. Nothing about housing D-2.
2. Include sustainability in all zones.

C. D-3 District

1. Include sustainability in all zones.

D. D-4 District

1. D-4 may be becoming the hospitality/entertainment district;
2. Include sustainability in all zones.

5) Gateway Zoning District

A. GMU District

1. Incorporate gateway neighborhood into downtown better.
 - a. Perhaps add the gateway zone as a downtown zone?

6) Special Purpose Zoning Districts

A. I District

1. How to deal with buffering these uses when they are in neighborhoods (Westminster College, Judge Memorial, etc)
2. Include the word private by public and semi public so it matches UI district language.

B. EI District

1. Typically about open space or manufacturing.
2. Include REGULATIONS RELATING TO impacts on adjacent properties and users.

7) Next Steps

- A. Draft Purpose Statement Language to address issues
- B. Review of Draft language by task force
- C. Review of Draft language by public at open house.
- D. Review of draft language by Planning Commission
- E. Planning Commission Public Hearing
- F. Proposed language transmitted to City Council
- G. City Council briefing
- H. City Council Public Hearing and adoption

April 27, 2009

The City needs to prepare a Vision Statement for what it wants which includes businesses not being a burden to neighborhoods but rather an integral part of what makes the neighborhoods vibrant and the City thrive. Don't make commercial uses **suffrage** to the other types of uses.

Foothill Residential Zones

How do you decide where to map the different foothill residential zones? What dictates what the minimum lot size should be (is it the master plan, sensitive lands, etc?) That reasoning should be reflected in the different purpose statements for residential foothill zones.

Since the construction of a single-family home is development, clarify that the purpose is to protect the natural area from intensive development by only allowing low intensive, low density types of residential development rather than allowing typical residential subdivision type of development.

R-1 and Multi-Family Residential zones

Don't use the term "other uses." No one knows what that means.

Uses that are appropriate in some of the more intensive / higher density multi-family zones are not appropriate in the lower intensive / lower density multi-family zones.

Use language to focus and encourage development of the primary use of the zone. Since these are residential zones, use language that encourages residential uses, rather than other uses that are also allowed in the zone.

Residential / mixed use types of zones

When the Co-Housing development was being built in Glendale, it was problematic to try and cluster the housing to provide more open space. They also desired to add some commercial services which would have helped make the residential area more vibrant but were not allowed to because of the zoning district.

There needs to be a conversation about a larger vision- umbrella statement that helps foster the mix of uses and integrates the desire for the commercial uses with the residential uses to make the neighborhoods more vibrant.

Where is it ok to build the 9th and 9th types of commercial centers? Are they appropriate anywhere or just in certain areas?

The language in the purpose statements is appropriate. It ties back to the master plan and is general enough to be flexible. The use tables identify the appropriate uses for the zones so the purpose statements don't need to be that specific (in terms of what types of uses are appropriate).

Put language in the Residential Intent Statements to identify that some districts are to foster mixed use developments.

Do we need a purpose statement for the SR-1A zoning district?

For the zones that have a number relating to height in the title, ensure that in the purpose statements include the digit as well as spell out the number. It makes it easier to see for those using the ordinance; i.e. RMF-30; spell out "thirty" as well as "(30)."

Can you put in the purpose statement what the maximum height in the zone is so people aren't confused as to what the number refers to? Many think the number relates to the maximum density allowed.

Should we define "Adverse Impact?" The definition is different depending on what the zone is.

RB Zone

Create a walkable, vibrant neighborhood.

RB is a commercial zone. Remove it from the Residential Chapter. (Staff has determined that it may be appropriate to put all of the mixed use types of zones into a new mixed use zoning district chapter)

Get rid of the bias to single-family uses. Delete the language "*preserve attractiveness for single family uses*" and keep the language about mitigating adverse impacts (on any use, not just residential).

Preserve desirability for residential development

Focus on business, small business. Don't discriminate on businesses.

If the regulations are too advantageous to business, the residential will be impacted.

Focus on compatibility between the two uses (residential and commercial).

The issue for commercial uses is intensity of the use. Need to focus on where the different intensities of commercial uses are appropriate.

Are there instances where residential land use has negatively impacted / done damage to commercial land uses?

Concern of when business gets too successful for the existing site.

There can be a nice residential area with supportive commercial uses. Need to allow enough density and a variety of circulation modes to ensure businesses can thrive.

Can't say only locally owned businesses.

It is difficult to development a mixed use / walkable City due to

- the width of the street,
- the low density / intensity of uses,
- the difficulty in finding developers to build mixed use and financiers to finance it.

Encroachment of business is the issue. The abutting residential use moves out and the business moves to that lot or else the property is not maintained.

The RB is the least intensive mixed use zoning district in the City. The others get more intensive (RMU-35, RMU-45 etc.)

What is Transit? Does that include bus and light rail? There are many bus routes that are in residential areas and on residential streets where it would not be appropriate to allow mixed use or commercial development along the entire corridor.

The purpose of the RB zoning district is to ensure that the character of the use fits in. 1100 East is a good example. It is not a strip mall development. Size matters. This type of zone would be good along California Avenue in the Glendale Neighborhood.

RMU-35, RMU-45 and RMU district.

Reinforce mix of residential and commercial uses.
Change the title of RMU to RMU-75.

RO zone.

This is an adaptive reuse zoning district, which is appropriate.

Topics not related to the Purpose District Language.

In the RMF-30 zoning district, single family and two family dwellings are also allowed. However, a 30 foot height maximum is problematic, in terms of compatibility, for single-family and two family dwellings. In the RMF-35 zoning district, a single-family or two-family dwelling is allowed to be 35 feet high, which is generally not compatible with other similar uses. Can you have a lower height for single-family and two family dwellings in the multi-family zoning districts? Does not having a lower height encourage demolition?

Need to look at changing the zoning maps to ensure where the various zones are mapped is appropriate for the area. An example where it is not correct is in the 1300 East 200 South business area. It is zoned CB. Should it be zoned CN?

Look at rezoning 400 South east of 700 East to RMU-45 rather than a Transit Corridor zone.

May 11, 2009

Members Present

Barbara Green, Jerry Green, David Fitzsimmons, Vasilios Priskos, Steve Rosenberg, Jim Ack, Cindy Cromer, Helen Peters, Jeremy King, Judi Short, Dave Richards, Grace Sperry and Bill Nighswonger

Members Absent

Rex Olsen, Carla Wiese, Mary Corporon, Tracy Oulman, Jason Mathis, Alison Einerson, Betsy Burton, Ellen Reddick, Esther Hunter, Tom DeVroom, Jim Fisher, Jeremy Witty, Ron Jarrett, Greg Morrow, Ray Whitchurch, Lori Gutierrez, Listette Gibson, Sydney Fannesbeck, Michael Polacek, Maria Garciaz, Bob Lund, Sandra Hatch.

Staff Present

Mary De La Mare-Schaeffer, Community and Economic Development Deputy Director; Cheri Coffey, Planning Manager; Nick Norris, Senior Planner; Mike Akerlow, Economic Development

Review of Summary Notes

Minor changes were requested by Cindy Cromer which staff has incorporated into the final document.

Continued Discussion on Revised Purpose Statements

Comments and questions that were raised at the Task Force meeting are listed below. Please note that because the Mayor has initiated a petition to analyze various regulations associated with small business in the City, the purpose statements relating to CN and CB were referred to that process and not reviewed as part of this project.

Commercial Districts

CS Community Shopping District

1. How do you make this compatible with adjacent areas? Standards such as building setbacks, shielding lights, etc.
2. Do existing CS zones have any review? Additions of a certain size or new principal buildings automatically trigger the Planned Development process
3. How do you promote compatibility? Through appropriate design standards, mass and scale, building setbacks, etc. We can look at wording this differently.

CC Corridor Commercial

1. What does “appropriate design standards” mean? Everyone will have a different idea of what that means. We can look at different language.
2. Is it “promote compatibility” or mitigate difference? The verbiage was chosen to try to get away from negative language in the ordinance.
3. Why haven’t we gotten away from long zoning corridors that are auto focused? Corridor type of zoning is one way to create a buffer between large, busy roads and less intensive land uses, such as residential.
4. How do we encourage a different type of development?

CSHBD Commercial Sugar House Business District

1. No proposed changes

CG General Commercial

1. The purpose statement doesn't embrace alternate (non-auto) forms of transportation. We should encourage non polluting means of transportation.
2. Can we mix housing into the purpose statement?
3. Setbacks and entrances are often car oriented. Can we address that?
4. Why are all of the acronyms backwards?

TC-75 Transit Corridor with a 75 foot height maximum

1. Belongs in mixed use chapter
2. Heavy emphasis on residential
3. Need to be specific about distance from a transit stop. The Planning Division is looking at developing a transit station oriented development district versus a corridor district.

Downtown Districts

D-1 Central Business District

1. Clarify that this is the most intense zone in Salt Lake City
2. This gives good image of what this is about. Need to do more of this in the other districts.
3. What is the policy on saving a historic façade vs. saving an entire building? We need to look at tax credits, RDA assistance, or other incentives to encourage preservation. More of a carrot vs. a stick. Historic applies to districts or landmark sites.
4. Add "office" to purpose statements

D-2 Downtown Support District

1. Emphasis on urban neighborhoods and uses.
2. Are all historic buildings to be saved? Why is it mentioned in the purpose statement? Need to use incentives for historic preservation.
3. Zoning doesn't have anything to do with "historic" maybe talk about preserving historic fabric instead?
4. Economic development needs to dovetail with zoning.

D-3 Downtown Warehouse / Residential District

1. This statement is clearer on the historic issues, with an emphasis on reuse.
2. Can we work sustainability more into all of the purpose statements?
3. Need more than just retail on first floor. What about office, residential, etc?
4. Don't prohibit residential on first floor.

D-4 Downtown Secondary Central Business District

1. This needs a new name, maybe even cultural district, or an overlay, etc.
2. City isn't getting what it bargained for with this district.
3. Need to identify what existed historically and give it a name.
4. What about using this as something else and create a convention center overlay zone?
5. Perhaps it could be called Convention Center District or Salt Palace District?

Gateway

GMU Gateway mixed use

1. Morph into a downtown zone.
2. What does “controlled” mean? Can we use different language, like regulate?

Manufacturing

M-1 Light Manufacturing

1. No mention of residential. What are those residential uses that are already there? They are already nonconforming. The purpose statement is changing to reflect this zone being used primarily for manufacturing and uses that support the manufacturing uses.
2. What about the Rescue Mission and other institutional uses?
3. What about area just north of Gateway? What is going on there in terms of the M- 1 zoning?

M-2 Heavy Manufacturing

1. Most intense manufacturing zone
2. Economic Development is not a dirty word. It is mentioned in manufacturing zones, but also needs to be in other zones.

Special Purpose Districts

RP Research Park

1. What does “nuisance free” mean? This has a negative mind set. What is a nuisance to one person is not a nuisance to another. Look at different language.
2. Tone should be what we want to promote (i.e. pedestrian oriented, etc)

BP Business Park

1. No comments

AG Agricultural

1. What is the significant difference of the various agricultural zones? Mainly lot size

A Airport

1. Restricts residential, why? Due to the airport protection zones and FAA regulations.

PL-1 Public Lands

1. No comments

PL-2 Public Lands

1. Where is this? Primarily Library Square

UI Urban institutional

1. Where is this located? Primarily downtown

I Institutional

1. Includes schools, but at what size?
2. All schools may carry this designation

3. What about churches and other campuses wanting to move into neighborhoods? It is regulated through district standards.
4. Master plans identify areas where certain land use types are appropriate and where they are inappropriate.
5. Some Institutional uses, such as Westminster College or St. Josephs Villa need taller buildings. How does the zoning deal with that?
6. If not allowed, then the city needs to provide other places for those types of uses. See above answer.

MH Mobile Home

1. We need more of these areas because they provide lower income housing.

EI Extractive industries

1. Need to mention buffering between these uses and adjacent open spaces
2. Do substations have their own zoning designation and can the City control them? What about associated support structures, such as transmission lines?
3. How does recycling differ from extractive uses?

MU Mixed Use

1. Where are power plants allowed?

Attachment C

Public Comment

Norris, Nick

From: Angela Carter [angela.carter@comcast.net]
Sent: Thursday, June 11, 2009 2:02 PM
To: Norris, Nick
Subject: Zoning District Purpose Statements

Categories: Other

Mr. Norris,

My name is Angie Carter and I reside at 1403 E South Temple. I am curious if any of the proposed changes to the Zoning Ordinances (to be discussed 6/25/09) will directly affect my neighborhood. I am also curious who the "group of stakeholders" is? Is this comprised of neighbors, businesses, etc.? Thanks so much.

Angie Carter
angela.carter@comcast.net

Norris, Nick

From: VHylton@lecg.com
Sent: Thursday, June 11, 2009 12:14 PM
To: Norris, Nick
Subject: zoning district purpose statements

Categories: Other

Could you tell me where I could see a copy of these proposed statements?

Thanks,
Virginia Hylton

Norris, Nick

From: jja-1@comcast.net
Sent: Thursday, April 23, 2009 12:28 AM
To: Coffey, Cheri; Norris, Nick; Walkingshaw, Nole
Cc: Sommerkorn, Wilford; Jardine, Janice; Everitt, David; Comarell, Pat; Farrington, Bob
Subject: Fwd: Draft Purpose Statements - Comments
Attachments: draft Special Purpose Zones Purpose Statements (2).doc; Draft Commercial Zones Purpose Statements (2).doc; Draft Downtown Zones Purpose Statements.doc; Draft Gateway Purpose Statement.doc; Draft Manufacturing Zones Purpose Statements.doc; Draft Residential Purpose Statements.doc

Hi Cheri, Nick

As I read the draft commercial Statement of Intent and individual Purpose Statements, I am wondering why they are so watered down from a business-supportive/economic viability enhancement standpoint, and why they still carry so much "adverse impact" mitigation language. I feel as though the input of key ZAP committee business constituents' voices are not being fully translated; and that the Portland examples that we have specifically asked be used, are unreflected by these drafts. I am not sure how we can be more emphatic how enormous the difference in paradigms is between the Portland Statements and our current and Draft Statements; and just how important a paradigm like Portland's is to effecting a materially better outcome in Salt Lake. If the powers that be at the City are really unwilling to adopt this paradigm, as a ZAP committee member, may I respectfully ask why not? I would greatly appreciate a response.

For your reference, I am pasting language from my 3/1 email (including the Portland Statements) to you, below. Sorry if it's redundant. But, I think it is a mission-critical issue for the City.

Purpose Statements in the zoning codes are extremely important in that they are the fundamental reference point for both interpretation and execution of the rest of the code. The current non-CDB PurposeStatements obliquely imply that non-CBD business districts are squatters in neighborhoods and need to be disciplined and controlled. Unless I've lost track, which I may have because it's been a year or two since I revisited them, all of the Non-CBD zone Purpose Statements start with something to the effect of "...to provide the opportunities for businesses to exist, while limiting negative impacts on neighborhoods.". Why is it that when "neighborhood business" gets mentioned, the next thought is "negative impact", INSTEAD OF "tax base", "jobs", "vibrancy", "gathering places", "community" or "neighborhood assets"? And why is it "exist" instead of "thrive"? Businesses truly are gems of our neighborhoods and a principal tax base, not squatters. And somehow there needs to be a distinct paradigm shift by the City to nurture these areas instead of just restricting them. How? This is part of the economic conundrum the City now faces - that these areas have not been nurtured, directly or indirectly by the City as they have in other places (see Portland's code exerpt, below). So, I cannot stress how important, it seems to me, that the Purpose Statements are modified with robust input from not only the business community, and residents, but also from the City's Economic Development arm.

This paragraph pertains to the proposed revisions to Purpose Statements in the Conditional Use Ordinance from last year (I am not sure if they ~~were~~ revised or not): I am concerned about the revised purpose statements in the CN ("pedestrian as primary user") and CB zones ("pedestrian in orientation and scale"). This language may seem subtle and inconsequential. But, this type of potentially restrictive, language has the potential (and has been so used in the past) to be the lever that certain folks use as the justification for unfriendly restrictions to businesses - both general

(arguing for further use limitations within a district, e.g, no dry cleaners); and specific (e.g. lobbying against a particular business' conditional use application, or shared, off-site parking arrangement). The routine is - "Well, it's inconsistent with the purpose statement for this zone". I certainly do not mean to imply that we should ignore pedestrian orientation nor the importance of shifting more toward pedestrian friendliness as a means to sustainability. But, at the same time, this is a slippery slope, which has the potential to be to disadvantage property owners and entrepreneurs - especially small ones and start-ups; and little potential that I can see to be helpful to them (at least in the absence of linked economic development measures). I am unaware of any precedent in SLC for business viability in these zones which relies, or could rely, predominantly on foot traffic. And there doesn't seem to be prospect for such viability, until the City's mass transit system is considerably more robust and considerably more heavily utilized, which clearly is not a near term possibility. Further, it is inconsistent with the City's own data and planning patterns pertaining to Transit Oriented Developments, which, unless I am mistaken, rely on pedestrians being willing to walk NO FURTHER than 5 blocks from transit stops to residence, work or shopping. I'm not aware of a single business outside the CBD which does a significant portion, let alone a predominance of its business, from foot traffic from a five block radius?.

How about purpose statements that emphasize the viability and vibrancy of the businesses and districts as economic engines and community gathering places? After all, these are BUSINESS districts, not squatters in residential enclaves. Why should there be purpose statements that imply that the existence of these districts is problematic, instead of those which emphasize the necessary community functions they provide and the remarkable community assets and tax base which they represent (and the even more remarkable ones the COULD represent)? In my opinion, I would respectfully suggest that we are never going to get to "long term viable", let alone, "World class" without this paradigm shift

PORTLAND PURPOSE STATEMENTS:

This is the "General" Purpose Statement of Portland commercial zones (from 33.130.010; each individual zone, e.g. CN-1, has it's own Purpose Statement, but they each have a similar tone to this; CAPS are added by me for emphasis):

"The commercial zones implement the commercial policies and plan map designations of the Comprehensive Plan. The zones are for areas of the City designated by the Comprehensive Plan for Commercial uses. The differences in the zones reflect the diversity of commercial areas in the City. The zones are distinguished by the uses allowed and the intensity of development allowed. Some of the zones ENCOURAGE areas that are SUPPORTIVE of surrounding residential areas, while other zones allow commercial areas which have a community or regional market. The regulations PROMOTE uses and development which will ENHANCE THE ECONOMIC VIABILITY OF THE SPECIFIC COMMERCIAL DISTRICT AND THE CITY AS A WHOLE. In general, A WIDE RANGE OF USES is allowed in each zone. Limits on the intensity of uses and the development standards promote the desired character for the commercial area. The development standards are designed to ALLOW A LARGE DEGREE OF DEVELOPMENT FLEXIBILITY within parameters which support the intent of the specific zone. In addition, the regulations PROVIDE CERTAINTY to property owners, developers, and neighbors about the limits of what is allowed.

I respectfully submit that two key elements to successful non-CBD districts are strongly implied here: First, that there is a necessary linkage between zoning code and economic development with respect to these areas; and second, that the properties are given as much flexibility, support and certainty as possible, in order to encourage entrepreneurial risk. Please take a moment to compare this Purpose Statement to those appearing in SLC's code and see if you do not agree that, at present we do not have the right language or the right economic development/entrepreneurial support infrastructure to get us to a world-class place.

Thanks,

Jim

----- Forwarded Message -----

From: "Cheri Coffey" <Cheri.Coffey@slcgov.com>

To: "Alison Einerson" <alison@localfirst.org>, "Barbara Green"

<barbara@smithcrownvacuums.com>, "Betsy Burton" <btke@comcast.net>, "Bill Nighswonger"

<bnighswonger@qwest.net>, "Bob Evans" <evansnapa@gmail.com>, "Bob Lund"

<bob@nwsaltlake.org>, "Carla Wiese" <carla@downtownslc.org>, "Cindy Cromer"

<3cinslc@live.com>, "Cheri Coffey" <Cheri.Coffey@slcgov.com>, "Pat Comarell"

<Pat.Comarell@slcgov.com>, "Dallils Nordstrom" <dallis@gmail.com>, "Dave Richards"

<dave@daverichards-architects.com>, "David Fitzsimmons" <dfitz@xmission.com>, "Ellen Reddick"

<ellen@impactfactoryutah.com>, "Esther Hunter" <estherehunter@hotmail.com>, "Bob Farrington"

<Bob.Farrington@slcgov.com>, "Grace Sperry" <isellre111@aol.com>, "Gregg Morrow"

<gregg.morrow@schoolimprovement.com>, "Helen Peters" <helenmpeters@gmail.com>, "Janice

Jardine" <Janice.Jardine@slcgov.com>, "Jason Mathis" <jason@downtownslc.org>, "Jeremy King"

<jking@njraarchitects.com>, "Jeremy Witty" <thewittys@hotmail.com>, "Jerrold Green"

<jerroldt@comcast.net>, "Jim Ack" <jja-1@comcast.net>, "Jim Jenkin" <jim.jenkin@hsc.utah.edu>,

"Judi Short" <jpshort@exolo.com>, "Kirk Huffaker" <kirk@utahheritagefoundation.org>, "Liberty Wells

Community Council" <libertywells@msn.com>, "Lisette Gibson" <dmgib@xmission.com>, "Lori

Gutierrez" <lori.gutz@gmail.com>, "Margaret Brady" <Udrp91wc@aol.com>, "Maria Garciaz"

<maria@nwsaltlake.org>, "Maria Olguin" <aolguin@gmail.com>, "Maria Vyas"

<M.Vyas@fehrandpeers.com>, "Mary Corporon" <mcc@cwesq.net>, "Michael Polacek"

<michaelpolacek@msn.com>, "Paula Carl" <paulacarl@xmission.com>, "Ray Whitchurch"

<rwhitchurch@ibigroup.com>, "Rex Olsen" <rolsen@utah.gov>, "Ron Jarrett"

<r.jarrett@comcast.net>, "Sandra Hatch" <sandrasarch@hotmail.com>, "Shane Carlson"

<ComeBackShane@comcast.net>, "Wilford Sommerkorn" <Wilford.Sommerkorn@slcgov.com>,

"Steven Rosenberg" <steven@libertyheightsfresh.com>, "Sydney Foncesbeck"

<sfoncesbeck@comcast.net>, "Tracy Oulman" <maitlandroad@hotmail.com>, "Vasilios Priskos"

<vas@iproperties.com>

Cc: "Nick Norris" <Nick.Norris@slcgov.com>, "Nole Walkingshaw" <Nole.Walkingshaw@slcgov.com>

Sent: Wednesday, April 22, 2009 2:20:02 PM GMT -07:00 US/Canada Mountain

Subject: Draft Purpose Statements

Task Force Members:

Attached please find the draft Purpose Statement Documents for our Monday April 27, 2009 meeting.

Thanks

Norris, Nick

From: jja-1@comcast.net
Sent: Wednesday, March 04, 2009 6:32 PM
To: Coffey, Cheri
Cc: Farrington, Bob; Norris, Nick
Subject: Re: Zoning Text Amendments - Permitted uses

Hi again,

Thanks for the feedback, Cheri. One other thought....

As you are aware the City went to no small expense of time and money to have the community survey done and the open houses hosted in association with the Conditional Use ordinance. The result was some fairly clear community feedback that additional local business was desired in proximity to residential, that existing business was highly valued, and even which types of uses were desired. The info came from a much broader swath of the community than is reflected by the task force which is currently meeting. Given that effort and outcome, why is it desirable for us to revisit the issue of permitted uses?

Thanks,

Jim

----- Original Message -----

From: "Cheri Coffey" <Cheri.Coffey@slcgov.com>
To: jja-1@comcast.net
Cc: "Bob Farrington" <Bob.Farrington@slcgov.com>, "Nick Norris" <Nick.Norris@slcgov.com>
Sent: Wednesday, March 4, 2009 8:18:13 AM GMT -07:00 US/Canada Mountain
Subject: RE: Zoning Text Amendments

Thanks for your comments Jim. I think we need to do some more analysis of where these lower intensive commercial zones are and what we are trying to achieve.

Thanks.

From: jja-1@comcast.net [mailto:jja-1@comcast.net]
Sent: Tuesday, March 03, 2009 8:56 PM
To: Coffey, Cheri; Norris, Nick
Cc: Farrington, Bob
Subject: Re: Zoning Text Amendments

Hi Nick, Cheri

Wanted to share a couple of thoughts, as a follow-up to last night's meeting before I forgot...

There was an implication that there isn't really much difference between the CB and CN zones. I would differ with that conclusion for the following reasons. The CN zone Purpose Statement indicates that the zones are located **WITHIN** residential neighborhoods. These zones tend to be no more than a dozen or so properties, tops. This zone addresses 'small scale uses'. Also, unless I am mistaken, these are all located on streets with low traffic designations. This all implies a local to semi-regional draw. By contrast, the CB zone Purpose Statement indicates that the zones are located **ADJACENT TO** residential neighborhoods (implying a distinction between the commercial and residential areas, which I think is a reflection of current reality). These zones tend to be much larger than the CN zones, in both property numbers and the numbers of businesses in a given zone. The CB zone addresses 'moderately sized' structures. These zones tend to be on arterials and/or major collectors. This all implies local **AND** regional to extra-regional draw. As an example, 9th & 9th where my business is located, is CB/RB zoned, and is the junction of an arterial and a major collector. Also, folks don't often realize that (when last I counted), there are 45 commercially zoned properties and in excess of 60 businesses in the zone (18 and 35, respectively, in the "Core" CB zone). It is one of the larger non-CBD, non-commercial corridor districts in SLC. So, I think there really is a meaningful distinction between the CN and CB zones.

Personally, I don't think that the CN zone reflects properties that are excessive in size or lot size for location **WITHIN** residential districts. After one takes into account the setback requirements (especially on a corner, where there is setback impact on two sides) and the landscape buffer, which comes into play when a property abuts residential, there is scarcely enough utilizable ground to make building, reconstructing or renovating an economically viable incentive for an entrepreneur. I would encourage you to do the math on a few of these properties. It's pretty enlightening as far as how limiting the existing regulations really are. I can nearly promise you that if there is further restriction placed on the size or footprint of the properties in this zone, we will simultaneously be creating an entrepreneurial disincentive. Especially in economic times like these, we need to be very careful about restrictions to entrepreneurialism and reduction in the utility of commercial property, if our goals are sustainability and economic viability for the city as a whole. Let's look at how we can incentivize entrepreneurialism, while simultaneously encouraging community stewardship by property owners, both commercial and residential.

Thanks for your consideration,

Jim

Norris, Nick

From: jja-1@comcast.net
Sent: Tuesday, March 03, 2009 8:56 PM
To: Coffey, Cheri; Norris, Nick
Cc: Farrington, Bob
Subject: Re: Zoning Text Amendments

Hi Nick, Cheri

Wanted to share a couple of thoughts, as a follow-up to last night's meeting before I forgot...

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Thanks for your consideration,

Jim

Norris, Nick

From: Isellre111@aol.com
Sent: Tuesday, March 03, 2009 2:02 PM
To: Coffey, Cheri; Norris, Nick
Cc: Gray, Frank
Subject: The meeting last evening

Dear Cheri and Nick,

I wanted to complement you on one of the most productive, well run issues oriented meetings I have participated in, in a long time.

Thank You,
Grace

Anna Grace Bellis Sperry, CRS, CIPS, Broker Assc.
Keller Williams Realty, Salt Lake
1214 E. Wilmington Avenue
Salt Lake City, UT 84106
isellre111@aol.com
(801)326-8962 (desk)
(801)205-2436 (mobile)
(801)326-8801 (FAX)
www.sperryteam.yourkwagent.com

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Norris, Nick

From: jja-1@comcast.net
Sent: Sunday, March 01, 2009 2:02 PM
To: Coffey, Cheri; Norris, Nick
Cc: Jardine, Janice; Comarell, Pat; Farrington, Bob
Subject: Re: Zoning Text Amendments - Purpose Statements - Portland General

Hi Cheri, Nick

I feel it is important for the committee to see the "General" Purpose Statement of Portland commercial zones (from 33.130.010) which I reference, below. It is the umbrella under which the CN-1 zone falls and its business friendliness is a critical element (after all, these are commercial zones). It provides additional insight into Portland's nurturing of business districts, which the CN-1 Purpose statement, alone, does not. Will you please also disseminate it to the committee?

Thanks,

Jim

----- Original Message -----

From: jja-1@comcast.net
To: "Cheri Coffey" <Cheri.Coffey@slcgov.com>
Cc: "Janice Jardine" <Janice.Jardine@slcgov.com>, "pat comarell" <pat.comarell@slcgov.com>
Sent: Tuesday, February 10, 2009 2:41:22 PM GMT -07:00 US/Canada Mountain
Subject: Re: Zoning Text Amendments - Purpose Statements (take 2)

Hi,

The message below was inadvertently sent before I was done drafting it. Please consider the earlier one recalled. Nonetheless, I suppose it is pretty much what I was after, except that I would like to stress that I think it is really important for this process to include active participation by the City's economic development arm, if we are going to end up with an end product that is along the line of Portland's and truly supports economic viability and sustainability.

Thanks,

Jim

----- Original Message -----

From: jja-1@comcast.net
To: "Cheri Coffey" <Cheri.Coffey@slcgov.com>
Cc: "Janice Jardine" <Janice.Jardine@slcgov.com>
Sent: Tuesday, February 10, 2009 2:21:43 PM GMT -07:00 US/Canada Mountain
Subject: Zoning Text Amendments - Purpose Statements

Hi Cheri,

The following are excerpts from emails I have previously sent to council staff and/or council members on the issue of purpose statements. Hopefully food for thought as the process moves forward...

Purpose Statements in the zoning codes are extremely important in that they are the fundamental reference point for both interpretation and execution of the rest of the code. The current non-CBD Purpose Statements obliquely imply that non-CBD business districts are squatters in neighborhoods and need to be disciplined and controlled. Unless I've lost track, which I may have because it's been a year or two since I revisited them, all of the Non-CBD zone Purpose Statements start with something to the effect of "...to provide the opportunities for businesses to exist, while limiting negative impacts on neighborhoods.". Why is it that when "neighborhood business" gets mentioned, the next thought is "negative impact", INSTEAD OF "tax base", "jobs", "vibrancy", "gathering places", "community" or "neighborhood assets"? And why is it "exist" instead of "thrive"? Businesses truly are gems of our neighborhoods and a principal tax base, not squatters. And somehow there needs to be a distinct paradigm shift by the City to nurture these areas instead of just restricting them. How? This is part of the economic conundrum the City now faces - that these areas have not been nurtured, directly or indirectly by the City as they have in other places (see Portland's code excerpt, below). So, I cannot stress how important, it seems to me, that the Purpose Statements are modified with robust input from not only the business community, and residents, but also from the City's Economic Development arm.

This paragraph pertains to the proposed revisions to Purpose Statements in the Conditional Use Ordinance from last year (I am not sure if they were revised or not): I am concerned about the revised purpose statements in the CN ("pedestrian as primary user") and CB zones ("pedestrian in orientation and scale"). This language may seem subtle and inconsequential. But, this type of potentially restrictive, language has the potential (and has been so used in the past) to be the lever that certain folks use as the justification for unfriendly restrictions to businesses - both general (arguing for further use limitations within a district, e.g. no dry cleaners); and specific (e.g. lobbying against a particular business' conditional use application, or shared, off-site parking arrangement). The routine is - "Well, it's inconsistent with the purpose statement for this zone". I certainly do not mean to imply that we should ignore pedestrian orientation nor the importance of shifting more toward pedestrian friendliness as a means to sustainability. But, at the same time, this is a slippery slope, which has the potential to be to disadvantage property owners and entrepreneurs - especially small ones and start-ups; and little potential that I can see to be helpful to them (at least in the absence of linked economic development measures). I am unaware of any precedent in SLC for business viability in these zones which relies, or could rely, predominantly on foot traffic. And there doesn't seem to be prospect for such viability, until the City's mass transit system is considerably more robust and considerably more heavily utilized, which clearly is not a near term possibility. Further, it is inconsistent with the City's own data and planning patterns pertaining to Transit Oriented Developments, which, unless I am mistaken, rely on pedestrians being willing to walk NO FURTHER than 5 blocks from transit stops to residence, work or shopping. I'm not aware of a single business outside the CBD which does a significant portion, let alone a predominance of its business, from foot traffic from a five block radius?.

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PORTLAND PURPOSE STATEMENTS:

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individual zone, e.g. CN-1, has it's own Purpose Statement, but they each have a similar tone to this; CAPS are added by me for emphasis):

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Thanks,

Jim

Norris, Nick

From: cindy cromer [3cinslc@live.com]
Sent: Saturday, February 28, 2009 10:27 AM
To: Coffey, Cheri; Norris, Nick
Cc: Jardine, Janice
Subject: Institutional

Cheri and Nick-Addition to the "to do" list for purpose statements based on my reading of the St. Joseph's file (Lex is one tidy guy; the file is beautifully maintained.)

It does not seem appropriate to include independent living facilities in the Institutional zone. They are RMF-whatever, but apartments for senior citizens are not an institutional use. Facilities for assisted living are more of a gray area because there are levels within assisted living. Still, I think it is questionable to include assisted living within the Institutional zone.

I have already identified what I consider the most problematic purpose statements in a conversation with Nick:

RB zone

TC zone

meaning of moderate, medium density

c

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Attachment D
Planning Staff response to
Public comment regarding the
Commercial District Intent Statement

Attachment C contains public comment regarding the role that the Commercial District Statement of Intent plays in relation to the purpose statements for the individual commercial zoning districts. The Planning Commission has the option to propose changes to the City Council regarding the Commercial Districts statement of intent found in zoning ordinance section 21A.26.010 A. The public comment recommends that the Planning Commission include the following intent statement as part of their recommendation to the City Council:

The commercial zones implement the commercial policies and plan map designations of the Comprehensive Plan. The zones are for areas of the City designated by the Comprehensive Plan for Commercial uses. The differences in the zones reflect the diversity of commercial areas in the City. The zones are distinguished by the uses allowed and the intensity of development allowed. Some of the zones encourage areas that are supportive of surrounding residential areas, while other zones allow commercial areas which have a community or regional market. The regulations promote uses and development which will enhance the economic viability of the specific commercial district and the city as a whole. In general, a wide range of uses is allowed in each zone. Limits on the intensity of uses and the development standards promote the desired character for the commercial area. The development standards are designed to allow a large degree of development flexibility within parameters which support the intent of the specific zone. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed.

The above statement is from Portland, Oregon's zoning code. In reviewing this statement and comparing it the City's current statement of intent, Planning Staff is of the opinion that the intent statement should be altered to provide a clear succinct vision of the role of the commercial zoning districts. Planning staff is also of the opinion that the existing statement includes some goals that are important and consistent with the City's adopted policies related to commercial development. If the Planning Commission determines that changes should be made to the overall intent statement for the Commercial Zoning Districts, Planning Staff recommends that the Commission consider an intent statement that is a combination of the two. Below is a proposal produced by Staff that combines the current intent statement with what is being proposed by the Task Force representatives from the business community:

21A.26.010 General Provisions:

Statement Of Intent: Salt Lake City commercial districts are intended to enhance the economic vitality of the specific commercial districts and the City as a whole, encourage sustainable and profitable businesses, create dynamic and vital business districts, and implement the adopted development policies of the City. The zoning districts differ in the range and intensity of uses to reflect the diverse nature of the commercial areas within the City. Some zoning districts encourage commercial development that supports residential neighborhoods while other zoning districts promote community and regional commercial areas. Each zoning district includes standards and land uses that are intended to provide certainty to property owners, business owners and neighbors about what is allowed and to enhance employment opportunities, encourage efficient use of land and to enhance property values and the tax base. The standards are intended to allow development

flexibility within parameters that support the purpose statement of the individual zoning districts and promote the desired character for the commercial area.

The above statement is generally consistent with the factors to be considered when reviewing proposed changes to the text of the Zoning Ordinance. The proposed statement of intent references the adopted policies of the City as they relate to commercial development. Any change to the statement of intent would not create any new regulation or standard that could cause an adverse impact to property. The proposed changes would not impact any existing overlay district. Because the standards in each zoning district determine the intensity of use, the proposed changes would not have an impact on any public infrastructure or utility.

The Planning Commission, if it wants to make amendments to the Commercial Districts Statement of Intent, would have to include language in the motion made regarding this proposal. The Planning Commission has the following options regarding changes to the proposed Commercial District Intent Statement:

- The Commission can include in the motion a recommendation to the City Council to include the proposed intent statement as indicated above;
- The Commission can make a recommendation to the City Council that does not include the proposed changes to the commercial intent statement; or
- The Commission can table the Petition and direct staff to further analyze the proposed changes to the intent statement prior to making a decision on the matter.

Attachment E

July 8, 2009 Planning Commission Minutes

SALT LAKE CITY PLANNING COMMISSION MEETING

In Room 326 of the City & County Building

451 South State Street, Salt Lake City, Utah

Wednesday, July 8, 2009

Present for the Planning Commission meeting were Vice Chair Susie McHugh; Commissioners Michael Gallegos, Angela Dean, Michael Fife, Tim Chambless, Kathleen Hill, Matthew Wirthlin, and Babs De Lay. Commissioner Frank Algarin and Chair Mary Woodhead were excused.

A field trip was held prior to the meeting. Planning Commissioners present were: Vice Chair Susie McHugh; Commissioners Tim Chambless, Michael Fife, Michael Gallegos, and Matthew Wirthlin. Staff members present were: Michael Maloy, Kevin LoPiccolo, Nick Britton, Ana Valdemoros, and Cheri Coffey.

A roll is being kept of all who attended the Planning Commission Meeting. Chair Woodhead called the meeting to order at 5:45 p.m. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time. Planning staff members present at the meeting were: Wilford Sommerkorn, Planning Director; Pat Comarell, Assistant Planning Director; Cheri Coffey, Programs Manager; Paul Neilson, City Attorney; Nick Norris, Senior Planner; Michael Maloy, Principal Planner, Kevin LoPiccolo, Planning Programs Supervisor; Robin Zeigler, Historic Preservation Planner; Nick Britton, Senior Planner; Ana Valdemoros, Associate Planner; and Tami Hansen, Planning Commission Secretary.

[7:42:51 PM](#) **PLNPCM2009-00173; Zoning District Purpose Statements**—a briefing regarding amendments to the Purpose Statements for the Residential, Commercial, Manufacturing, Downtown, Gateway and Special Purpose Zoning Districts. The purpose of the zoning text amendments is to ensure that the purpose statements are consistent with and reflect the overall purpose of Title 21A, ensure that the individual zones fulfill the intent statement of Part III of Title 21A, remove contradictory statements and assist in the administration of the Zoning Ordinance. The proposed changes are city-wide.

Acting Chair McHugh recognized Nick Norris as staff representative.

Mr. Norris stated that this was a follow-up briefing to the work session in June regarding conditional use issues the City Council had come up with. He stated that staff was looking to remove any contradictory statements as well as the zoning districts should also be implementing the policies of all the applicable master plans. He stated that the purpose statements were consistent with the overall intent statement of the zoning ordinance, so these proposed changes should improve and become a stronger tool for staff when it comes to zoning interpretations.

Mr. Norris stated that the zoning ordinance statements were divided into classification types: residential, commercial, manufacturing, downtown, gateway, and special purpose. He stated that within each one of these there were several specific zoning districts and each had a statement explaining what they were intended to do.

Mr. Norris stated that staff had worked with the City assembled taskforce to help with all of the zoning amendments and they also reviewed why the zone exists, what it was trying to do, where it was appropriate, who it impacted, And how to make the purposes reality. He stated that they also compared this to purpose statements from Portland, Oregon.

Commissioner De Lay stated that after reading through this, jargon such as *sustainability* and *live/work* were not found within the document. She wondered if staff had found such words inappropriate.

Mr. Norris stated that one of the reasons for that was staff was trying to make the language very specific regarding what each district was trying to do. He stated that a lot of those concepts were built into the purpose statements without using those specific words and actually there was a conscious effort to stay away from some of those terms because a lot of them were ambiguous and meant very different things to different people. He stated that staff wanted to focus on what that district was intending to do.

Commissioner Dean stated that she felt these were great values, but how was staff translating them into the actual ordinance.

Mr. Norris stated that was what the standards were for, and at this point in time those standards had not specifically been looked at, but staff had identified some that may not correlate to the purpose statements that may need to be looked at; for example in the TC-75 zoning district there were some standards within that which need to be modified in order to actually fulfill that purpose.

Commissioner Hill stated that she liked the use of the word, and the concept of pedestrians throughout the entire document.

Commissioner Dean inquired if there were current design standards for commercial corridors.

Mr. Norris stated that there were certain standards built into the various districts that would be design standards.

Commissioner Fife inquired if there was a definition of how many units per acre would make a sustainable community.

Mr. Norris stated that it would vary on what type of community was being created and what was sustainable for that community, for example in an urban core the answer would be as many units as possible. There were some studies that recommended 50 units per acre and up depending on what type of development it was.

Commissioner Muir inquired if preserving urban fabric was relevant in the D-1 zone, or if it should be changed to preserving contributing structures.

Mr. Norris stated the RDA had mentioned something about that and staff would look into it.

The meeting adjourned at 7:55 p.m.

A. Planning Staff response to public comment regarding the Commercial District Intent Statement