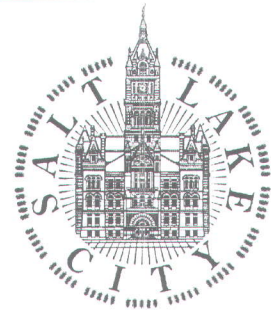


PLANNING COMMISSION STAFF REPORT

Salt Lake City Code Maintenance, Fine Tuning Zoning Text Amendment PLNPCM2009-00616 City-wide

June 24, 2009



Planning and Zoning Division
Department of Community and
Economic Development

Applicant: Salt Lake City Mayor
Ralph Becker

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

Tax ID: n/a

Current Zone: n/a

Master Plan Designation:
City-wide.

Council District: City-wide

Lot Size: n/a

Current Use: n/a

**Applicable Land Use
Regulations:**

Review Standards: 21A.50.050
Standards for General Amendments

Affected Text:

21A.32.140, Table Of Permitted And
Conditional Uses For Special
Purpose Districts

Notification

- Notice mailed on June 9, 2009
- Agenda posted on the Planning
Division and Utah Public Meeting
Notice websites June 9, 2009
- Newspaper Notice on June 10,
2009

Attachments:

- A. .Proposed Ordinance
Amendments
- B. Public Input
- C. Department Comments

Request

Salt Lake City Mayor Ralph Becker is requesting the Planning Commission analyze and adjust the City Ordinances to allow public parks in the Public Lands Zoning District. The specific code change is to add public parks as a permitted use in Table 21A.32.140 Table Of Permitted And Conditional Uses For Special Purpose Districts within the Public Lands Zoning District.

Staff Recommendation

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the project generally meets the applicable standards and therefore, recommends the Planning Commission transmit a favorable recommendation to the City Council.

Background

Project Description

Salt Lake City is designing improvements for a new public park at 1920 West 400 North. The subject property is zoned PL – Public Lands Zoning District. The property used to be under the ownership of the Salt Lake City School District and therefore was zoned Public Lands consistent with the practice of zoning public school properties Public Lands.

The Public Lands Zoning District is part of the City's Special Purpose Chapter. The existing zoning ordinance Table 21A.32.140 Table Of Permitted And Conditional Uses For Special Purpose Districts does not allow for public parks as a permitted or conditional use in the Public Lands Zoning District. There are other existing public parks or spaces in the city that are currently zoned Public Lands, such as Washington Square, the site of the City and County Building. The purpose of the public lands district is to specifically delineate areas of public use and to control the potential redevelopment of public uses, lands and facilities.

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

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

The specific proposed code changes are provided in Exhibit A – Proposed Ordinance Amendments.

Comments

Public Comments

An Open House was held on June 17, 2009. Notice of the Open House was sent to Community Council chairs, business groups and those whose names are on the Planning Divisions List serve. Notice was also posted on the City's website. There were no comments received directly related to the Open House issue.

City Department Comments

The Planning Division received comments from the applicable City Departments / Divisions. The specific responses are included within Attachment B. In summary the department issues were related the applicability of other PL Zoning District standards and the provision of an avigation easement for those properties that lie within the Airport influence zones.

Analysis and Findings

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;

Analysis: The community master plan land use policies generally define neighborhood, community and regional land use locations and characteristics. They do not specifically address the level of detail that are specific to individual zoning classifications or the specific zoning district tables of permitted and conditional uses. Several of the city's master plans support public parks through the entire community. These plans identify the land use category but do not specifically address which zoning district is appropriate for such uses.

Finding: The proposed change does not alter the purpose statements in the Zoning Ordinance. The proposed text change further advances the purposes, goals, objectives and policies of the adopted general plan of Salt Lake City.

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

Analysis: The proposed amendment is in response to a specific site however, the text change affects all properties zoned Public Lands. The proposed text change will not interfere with the character of existing development of a specific property. The proposed text change will not modify any existing setback or buffer regulations of the Public Lands Zoning District.

Finding: Considering the type and character of development allowed within the Public Lands Zoning District a public park would be consistent with the overall character of Public Land development and adjacent development. The proposed amendment does not impact the overall character of existing development within the immediate vicinity.

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

Analysis: This amendment is not project specific. Development of specific public parks will be required to be consistent with the standards of the Public Lands Zoning district. These standards maintain setbacks and buffer requirements deemed appropriate for where the Public Lands zoning is mapped and the types of uses allowed within the district.

Finding: The proposed text changes will not adversely affect adjacent properties. The proposed text change does not modify any existing setback, buffer or other regulations of the Public Lands Zoning District and would have no adverse affect on adjacent properties.

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

Analysis: The proposed text amendment does not specifically relate, nor impact provisions of any adopted overlay zone.

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

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

Analysis: This standard relates to ensuring new development can be served by existing public facilities. Allowing parks in the Public Lands Zoning District does not directly relate to a specific development. This standard is not applicable since this is a text amendment affecting all parcels zoned Public Lands.

Finding: The proposed zoning text amendment is not project specific and therefore this standard is not applicable.

Attachment A
Proposed Ordinance Amendment

Petition PLNPCM2009-00616 Salt Lake City Code Maintenance

Recommended Code Text Changes

Language to be **added** is underlined.

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

21A.32.140: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Legend: C = Conditional use P = Permitted use

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Recreation, cultural and entertainment:																	
Park (public)	C							P			<u>P</u>	P		P			P

Attachment B
Department Comments

Joyce, Everett

From: Miller, David
Sent: Tuesday, June 02, 2009 8:16 AM
To: Joyce, Everett
Cc: McCandless, Allen
Subject: RE: Petition PLNPCM2009-00616 Zoning Text Amendment

Categories: Program/Policy

Everett ,

Thank you for the notice regarding proposed amendment to the Salt Lake City Zoning Ordinance, to allow "public parks" in the Public Lands Zoning District. The requested text amendment will allow for a new public park at 1920 West 400 North. This address is in the Salt Lake City's airport influence zone "C" and is listed as a area exposed to moderate levels of aircraft noise and having specific height restrictions. Salt Lake City requires an avigation easement for new development in this zone. The owner or developer should contact me at the address or email below, to complete the avigation easement if one has not already been created. This project creates no observed impacts to airport operations.

David Miller
Airport Principal Planner
Salt Lake City Department of Airports
P.O. Box 145550
Salt Lake City, UT 84114-5550
801.575.2972
david.miller@slcgov.com

From: Joyce, Everett
Sent: Wednesday, May 27, 2009 9:29 AM
To: Walsh, Barry; Smith, Craig; Garcia, Peggy; Itchon, Edward; Butcher, Larry; Brede, Richard; McCandless, Allen
Cc: Harpst, Tim; Peterson, Max; Niermeyer, Jeff; Goff, Orion; Riley, Maureen; Spencer, John
Subject: Petition PLNPCM2009-00616 Zoning Text Amendment

The Planning Division is reviewing a petition request by Mayor Becker to amend the Salt Lake City Zoning Ordinance, to allow "public parks" in the Public Lands Zoning District. Please see the attached documents and review and provide comment.

Thank you for your assistance.

Everett L. Joyce, AICP
Senior Planner
801-535-7930
Salt Lake City Planning Division
451 South State Street, Rm 406
PO Box 145480
Salt Lake City, UT 84114-5480

Joyce, Everett

From: Butcher, Larry
Sent: Wednesday, May 27, 2009 3:05 PM
To: Joyce, Everett
Subject: RE: Petition PLNPCM2009-00616 Zoning Text Amendment

Categories: Program/Policy

Everett,

I assume that the heights, setbacks, and lot area requirement will be the same as the "other uses" category.

Larry

From: Joyce, Everett
Sent: Wednesday, May 27, 2009 9:29 AM
To: Walsh, Barry; Smith, Craig; Garcia, Peggy; Itchon, Edward; Butcher, Larry; Brede, Richard; McCandless, Allen
Cc: Harpst, Tim; Peterson, Max; Niermeyer, Jeff; Goff, Orion; Riley, Maureen; Spencer, John
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Salt Lake City, UT 84114-5480

Joyce, Everett

From: Stoker, Justin
Sent: Friday, June 05, 2009 12:03 PM
To: Joyce, Everett
Cc: Garcia, Peggy
Subject: FW: Petition PLNPCM2009-00616 Zoning Text Amendment
Attachments: Request for Comments.doc; PLNPCM2009-00616 Proposed Text Change.doc

Categories: Program/Policy

Public Utilities supports the proposed text change.

Justin

Justin D. Stoker, PE, LEED® AP
Salt Lake City Public Utilities
1530 S. West Temple, SLC, UT 84115
ph. (801) 483-6786 - justin.stoker@slcgov.com



Please consider the environment before printing this e-mail

From: Garcia, Peggy
Sent: Wednesday, May 27, 2009 3:24 PM
To: Stoker, Justin
Subject: FW: Petition PLNPCM2009-00616 Zoning Text Amendment

Please respond to Planning before June 4, 2009

From: Joyce, Everett
Sent: Wednesday, May 27, 2009 9:29 AM
To: Walsh, Barry; Smith, Craig; Garcia, Peggy; Itchon, Edward; Butcher, Larry; Brede, Richard; McCandless, Allen
Cc: Harpst, Tim; Peterson, Max; Niermeyer, Jeff; Goff, Orion; Riley, Maureen; Spencer, John
Subject: Petition PLNPCM2009-00616 Zoning Text Amendment

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