

# PLANNING COMMISSION STAFF REPORT

## Salt Lake City Code Maintenance Zoning Text Amendment Petition PLNPCM2009- 00105 – City-wide March 25, 2009



Planning Division  
Department of Community and  
Economic Development

**Applicant:** Salt Lake City Mayor

**Staff:** Bill Peperone 535-7214  
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**Master Plan Designation:**  
City-wide

**Council District:** City-wide

**Applicable Land Use Regulations:**

*Affected Text:*  
21A.50.050, Standards for General  
Amendments

**Notification**

- Notice mailed on 2009

**Attachments:**

- A. Minutes from March 9,  
2004 city council meeting
- B. Summary Table of the  
Amendment

### ***Request***

The Salt Lake City Council has requested that the Planning Division bring forth an amendment to Section 21A.50.050 of the Salt Lake City Zoning Ordinance. The purpose of this amendment is to differentiate between proposed amendments to the text of the Zoning Ordinance versus proposed amendment to the city's zoning map.

### ***Staff Recommendation***

Based on the comments and analysis given in the staff report, the Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to adopt the proposed text amendment for Standards for General Amendments.

### ***Potential Motion***

*Approval of the proposed amendments to Section 21A.50.050 of the Zoning Ordinance*  
I move to forward a recommendation to the City Council for approval of PLNPCM2009-00105 for the proposed amendments to Section 21A.50.050 of the Salt Lake City Zoning Ordinance, based on the following findings:

1. That distinction between zoning text amendments and zoning map amendments is beneficial to the city;
2. That the current language of Section 21A.50.050 of the Salt Lake City Zoning Ordinance makes no such distinction;

## ***Background/ Project Description***

On March 9, 2004, the City Council adopted Ordinance 13 of 2004 which included a “request that the Administration and Planning Commission advance an update to the zoning ordinance to establish separate criteria for analyzing amendments to the zoning text and zoning maps.”

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

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

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

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

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

## ***Comments***

### **Public Comments**

A Task Force meeting was held in January 2009. Members of the business community who were present suggested that an additional criteria be added to text amendments that would consider the impact a proposed amendment may have on existing or future commercial or industrial businesses. An Open House was held on February 19, 2009. Notice of the Open House was sent to Community Council chairs and those whose names are on the Planning Divisions List serve. Notice was also posted on the City’s website. There were no comments received directly related to this Open House issue.

### **City Department Comments:**

Staff sent information regarding the proposed text changes to applicable City Departments. **Department responses are included in Attachment B. Department issues received were reviewed and addressed within the proposed text amendments.**

## Analysis and Findings

The proposed amendment to Section 21A.50.050 is as follows:

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

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

- A. In making its decision concerning a proposed text amendment, the city council should consider the following factors:
  - 1. Whether ~~the~~ a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the ~~adopted general plan of Salt Lake City~~ City as stated through its various adopted planning documents;
  - 2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;
  - 3. Whether ~~the~~ a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
  - 4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.
- B. In making a decision to amend the zoning map, the city council should consider the following:
  - 1. Whether ~~the~~ a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the ~~adopted general plan of Salt Lake City~~ City as stated through its various adopted planning documents;
  - 2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;
- ~~B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property;~~
- C. 3. The extent to which ~~the~~ a proposed map amendment will adversely affect adjacent properties;
- D. 4. Whether ~~the~~ a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
- E. 5. 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, stormwater drainage systems, water supplies, and wastewater and refuse collection. (Ord. 26-95  
♦ 2(254), 1995)

Exhibit A  
Minutes to March 9, 2009 City Council meeting

**Exhibit B**  
**Table Summary of Proposed Changes**