

Attachment B

CB and CS Zoning District Regulations and Allowed Uses

21A.26.030: CB COMMUNITY BUSINESS DISTRICT:

- A. Purpose Statement: The CB community business district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.
- B. Uses: Uses in the CB community business district as specified in section [21A.26.080](#), "Table Of Permitted And Conditional Uses For Commercial Districts", of this chapter are permitted subject to the general provisions set forth in section [21A.26.010](#) of this chapter and this section.
- C. Planned Development Review: Planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the planning commission pursuant to the provisions of chapter 21A.55 of this title.
- D. Lot Size Requirements: No minimum lot area or lot width is required, however any lot exceeding four (4) acres in size shall be allowed only as a conditional use.
- E. Maximum Building Size: Any building having a fifteen thousand (15,000) gross square foot floor area of the first floor or a total floor area of twenty thousand (20,000) gross square feet or more, shall be allowed only as a conditional use. An unfinished basement used only for storage or parking shall be allowed in addition to the total square footage.
- F. Minimum Yard Requirements:
 - 1. Front Or Corner Side Yard: No minimum yard is required. If a front yard is provided, it shall comply with all provisions of this title applicable to front or corner side yards, including landscaping, fencing, and obstructions.
 - 2. Interior Side Yard: None required.
 - 3. Rear Yard: Ten feet (10').
 - 4. Buffer Yards: Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of chapter 21A.48 of this title.
 - 5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in a required yard subject to table [21A.36.020B](#) of this title.
 - 6. Maximum Setback: A maximum setback is required for at least seventy five percent (75%) of the building facade. The maximum setback is fifteen feet (15').

Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Appeal of administrative decision is to the planning commission.

7. Parking Setback: Surface parking is prohibited in a front or corner side yard. Surface parking lots within an interior side yard shall maintain a twenty foot (20') landscape setback from the front property line or be located behind the primary structure. Parking structures shall maintain a thirty five foot (35') minimum setback from a front or corner side yard property line or be located behind the primary structure. There are no minimum or maximum setback restrictions on underground parking. The planning director may modify or waive this requirement if the planning director finds the following:

- a. The parking is compatible with the architecture/design of the original structure or the surrounding architecture.
- b. The parking is not part of a series of incremental additions intended to subvert the intent of the ordinance.
- c. The horizontal landscaping is replaced with vertical screening in the form of berms, plant materials, architectural features, fencing and/or other forms of screening.
- d. The landscaped setback is consistent with the surrounding neighborhood character.
- e. The overall project is consistent with section [21A.59.060](#) of this title.

Appeal of administrative decision is to the planning commission.

G. Landscape Yard Requirements: If a front or corner side yard is provided, such yard shall be maintained as a landscape yard. The landscape yard can take the form of a patio or plaza, subject to site plan review approval.

H. Maximum Height: Thirty feet (30').

I. Entrance And Visual Access:

1. Minimum First Floor Glass: The first floor elevation facing a street of all new buildings or buildings in which the property owner is modifying the size of windows on the front facade, shall not have less than forty percent (40%) glass surfaces. All first floor glass shall be nonreflective. Display windows that are three-dimensional and are at least two feet (2') deep are permitted and may be counted toward the forty percent (40%) glass requirement. Exceptions to this requirement may be authorized as conditional building and site design review, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director may approve a modification to this requirement if the planning director finds:

a. The requirement would negatively impact the historic character of the building,

b. The requirement would negatively impact the structural stability of the building, or

c. The ground level of the building is occupied by residential uses, in which case the forty percent (40%) glass requirement may be reduced to twenty five percent (25%).

Appeal of administrative decision is to the planning commission.

2. Facades: Provide at least one operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on any street, if the facades for all streets meet the forty percent (40%) glass requirement as outlined in subsection I1 of this section.

3. Maximum Length: The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be fifteen feet (15').

4. Screening: All building equipment and service areas, including on grade and roof mechanical equipment and transformers that are readily visible from the public right of way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact, or enclosed as to appear to be an integral part of the architectural design of the building.

J. Parking Lot/Structure Lighting: If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for the parking lot/structure security lighting are limited to sixteen feet (16') in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.

21A.26.040: CS COMMUNITY SHOPPING DISTRICT:

- A. Purpose Statement: The purpose of the CS community shopping district is to provide an environment for efficient and attractive shopping center development at a community level scale.
- B. Uses: Uses in the CS community shopping district as specified in section [21A.26.080](#), "Table Of Permitted And Conditional Uses For Commercial Districts", of this chapter are permitted subject to the general provisions set forth in section [21A.26.010](#) of this chapter and this section.
- C. Planned Development Review: All new construction of principal buildings, uses, or additions that increases the floor area and/or parking requirement by twenty five percent (25%) in the CS community shopping district may be approved only as a planned development in conformance with the provisions of chapter 21A.55 of this title.
- D. Minimum Lot Size:
1. Minimum lot area: Sixty thousand (60,000) square feet, excluding shopping center pad sites.
 2. Minimum lot width: One hundred fifty feet (150').
- E. Minimum Yard Requirements:
1. Front And Corner Side Yard: Thirty feet (30').
 2. Interior Side Yard: Fifteen feet (15').
 3. Rear Yard: Thirty feet (30').
 4. Buffer Yards: All lots abutting property in a residential district shall conform to the buffer yard requirements of chapter 21A.48 of this title.
 5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in a required yard subject to table [21A.36.020B](#) of this title.
- F. Landscape Yard Requirements: A landscape yard of fifteen feet (15') shall be required on all front and corner side yards, conforming to the requirements of section [21A.48.090](#) of this title.
- G. Maximum Height: No building shall exceed forty five feet (45').

- H. Access Restrictions: To maintain safe traffic conditions, lots in the CS community shopping district shall not exceed one driveway per one hundred fifty feet (150') of frontage on arterial or major collector streets. The location of driveways shall be subject to review by the development review team through the site plan review process.

- I. Effect Of Planned Development On Minimum Standards: Pursuant to chapter 21A.55 of this title, the planning commission may modify the standards set forth in subsections D through H of this section in the approval of planned developments within this district.

Community Business (CB) and Community Shopping (CS) Districts - - Comparison of Allowed Uses

Wal-Mart is requesting an amendment to the Salt Lake City zoning map to rezone the property located at 2705 E. Parley's Way from Community Business (CB) to Community Shopping (CS). The following table provides a comparison of uses that are allowed in the (CB) and (CS) Districts. Each use is classified as a Permitted (P) or a Conditional (C) Use, and are defined as follows:

"Permitted Use" (P): Uses that are permitted "by-right", provided that they comply with all stated requirements of the zoning ordinance, and their applicable city, state, and federal regulations.

"Conditional Use" (C): A land use that because of its unique characteristics or potential impact on the municipality, surrounding neighbors or adjacent land uses may not be compatible in some area or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

(-): Use not allowed in the zoning district.

| Permitted and Conditional Uses By District | | |
|---|---|---|
| USE | EXISTING ZONE: Community Business (CB) | PROPOSED ZONE: Community Shopping (CS) |
| RESIDENTIAL: | | |
| Assisted living center, large | P | - |
| Assisted living center, small | P | - |
| Group home, small | P | P |
| Living quarters for caretaker or security guard | P | P |
| Mixed use developments | P | P |
| Multiple-family dwellings | P | P |
| Nursing home | P | - |
| Rooming (boarding) house | C | C |
| OFFICE AND RELATED USES: | | |
| Financial institutions with drive-through facilities | P | P |
| Financial institutions without drive-through facilities | P | P |

| USE | EXISTING ZONE: Community Business (CB) | PROPOSED ZONE: Community Shopping (CS) |
|--|--|--|
| Medical and dental clinics and offices | P | P |
| Offices | P | P |
| Veterinary offices, operating entirely within an enclosed building and keeping animals overnight only for treatment purposes | P | P |
| RETAIL SALES AND SERVICES: | | |
| Automobile repair, major | - | C |
| Automobile repair, minor | P | P |
| Car wash as accessory use to gas station or convenience store that sells gas | P | P |
| Car wash, with or without gasoline sales | - | P |
| Conventional department store | - | P |
| Furniture repair shop | P | P |
| "Gas station" | C | P |
| Health and fitness facility | P | P |
| Liquor store | C | C |
| Mass merchandising store | - | P |
| Restaurants with drive-through facilities | P | P |
| Restaurants without drive-through facilities | P | P |
| Retail goods establishments with drive-through facilities | P | P |
| Retail goods establishments without drive-through facilities | P | P |
| Retail services establishments with drive-through facilities | P | P |
| Retail services establishments without drive-through facilities | P | P |
| Speciality store | - | P |
| Superstore and hypermarket store | - | P |

| USE | EXISTING ZONE: Community Business (CB) | PROPOSED ZONE: Community Shopping (CS) |
|---|--|--|
| Upholstery shop | P | P |
| INSTITUTIONAL (SITES <2 ACRES): | | |
| Adult daycare center | P | P |
| Child daycare center | P | P |
| Community recreation centers on lots less than 4 acres in size | P | P |
| Government facilities (excluding those of an industrial nature and prisons) | P | P |
| Libraries | C | C |
| Museum | P | P |
| Music conservatory | P | P |
| Places of worship on lots less than 4 acres in size | P | P |
| Schools, professional and vocational | P | P |
| Seminaries and religious institutes | P | P |
| COMMERCIAL AND MANUFACTURING: | | |
| Laboratory, medical, dental, optical | P | P |
| Laboratory, testing | - | C |
| Motion picture studio | - | P |
| Photo finishing lab | - | P |
| Plant and garden shop, with outdoor retail sales area | C | C |
| RECREATION, CULTURAL AND ENTERTAINMENT: | | |
| Amusement park | - | P |
| Art gallery | P | P |
| Art studio | P | P |
| Commercial indoor recreation | - | P |
| Commercial outdoor recreation | - | C |

| USE | EXISTING ZONE: Community Business (CB) | PROPOSED ZONE: Community Shopping (CS) |
|---|--|--|
| Community gardens | P | P |
| Dance studio | P | P |
| Live performance theaters | C | P |
| Miniature golf | - | P |
| Movie theaters | C | P |
| Natural open space and conservation areas | C | C |
| Parks and playgrounds, public and private, on lots less than 4 acres in | P | P |
| Pedestrian pathways, trails, and greenways | P | P |
| Private club | C | P |
| Squares and plazas on lots less than 4 acres in size | P | P |
| Tavern/lounge/brewpub, 2,500 square feet or less in floor area | - | P |
| Tavern/lounge/brewpub, more than 2,500 square feet in floor area | - | C |
| MISCELLANEOUS: | | |
| Accessory uses, except those that are specifically regulate in this chapter, or elsewhere in this title | P | P |
| Ambulance services, dispatching, stagin and maintenance conducted entirely within an enclosed building | P | P |
| Ambulance service, dispatching, staging and maintenance utilizing outdoor operations | P | P |
| Auditorium | - | P |
| Bed and breakfast | P | P |
| Bed and breakfast inn | P | P |
| Bed and breakfast manor (in a landmark site) | C | - |
| Check cashing/payday loan business | P | - |
| Communication towers | P | P |
| Communication towers, exceeding the maximum building height | C | C |

| USE | EXISTING ZONE: Community Business (CB) | PROPOSED ZONE: Community Shopping (CS) |
|---|--|--|
| Crematorium | - | C |
| Farmers' market | - | C |
| Flea market (indoor) | - | P |
| Funeral home | - | P |
| Hotel or motel | C | - |
| House museum in landmark sites | C | C |
| Limousine service utilizing not more than 3 limousines | C | - |
| Off site parking | P | P |
| Offices and reception centers in landmark sites | P | P |
| Outdoor sales and display | C | C |
| Park and ride lots | C | C |
| Park and ride, parking shared with existing use | P | P |
| Public/private utility buildings and structures | P | P |
| Public/private utility transmission wires, lines, pipes and poles | P | P |
| Radio, television station | - | C |
| Recycling collection station | P | P |
| Reverse vending machines | P | P |

Attachment C

City Department/Division Comments

CITY DEPARTMENT REVIEW
Walmart Master Plan and Zoning Map Amendment

Project Address: 2705 E. Parleys Way

Applicant: Ballard Spar LLP representing Walmart Stores Inc.

Department/Division: Fire
Reviewer: Ed Itchon
Phone: 535-6636
Review Comments: No comments received

Department/Division: Public Utilities
Reviewer: Justin Stoker
Phone: 483-6786
Review Comments: No objections. Future development must comply with City regulations.

Department/Division: Engineering
Reviewer: Randy Drummond, P.E.
Phone: 535-6204
Review Comments: Engineering has no concerns regarding this proposal.

Department/Division: Transportation
Reviewer: Kevin Young
Phone: 535-7108
Review Comments: The Transportation Division has reviewed Petition # PLNPCM2010-00556– A request to amend the East Bench Community Master Plan Future Land Use Map and Petition #PLNPCM2010-00557 - A request to rezone the property located at 2705 E. Parley’s Way from CB Community Business to CS Community Shopping. When a similar petition request was made a few years ago to rezone this property, a traffic impact study was done and submitted for city review. At that time no traffic improvements were recommended as part of the propose Walmart development.

With the new rezone petition, an update letter regarding the traffic impact report was submitted in August 2010 indicating that the size of the proposed store would be less than indicated at the time of the initial traffic report. With the decrease in size of the proposed building, the trips generated by the development would be less than the number used in the initial traffic report. Since no traffic improvements were initially recommended, it is still expected that no traffic improvements will be needed.

If the rezone petition is approved by the City Council, we look forward to reviewing the development plans that will be required to be submit to the City. Any specific traffic related issues would be addressed at that time according to development review procedures. Since Foothill Drive is a State road under the jurisdiction of UDOT, any traffic issues on this road would have to be addressed by them.

Department/Division: Zoning
Reviewer: Ken Brown
Phone: 535-6179

Review Comments: Regarding rezoning of this property to CS zoning, Building Services has the following comments; 1. 21A.26.040C requires Planned Development Review for all new construction. 2. Where a CS zoned property abuts a residential district, a 15' landscape buffer must be provided. 3. Any development proposal must comply with all development standards of the CS zone and other City/County/State regulations.