



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: Everett Joyce 801-535-7930
Date: April 8, 2015
Re: PLNPCM2010-00406 Open Space Land Use

Zoning Text Amendment

PROPERTY ADDRESS: Citywide

PARCEL ID: Citywide

MASTER PLAN: Citywide

ZONING DISTRICT: OS – Open Space and NOS – Natural Open Space Zoning Districts

REQUEST: The petitioner, Salt Lake City Mayor Ralph Becker is requesting the City analyze the appropriateness of amending the Zoning Ordinance relating to Open Space regulations. The amendments include text changes that address issues such as varied development standards based on park size, update of the use tables and sign regulations related to park and open space zoning and the functions of parks, golf courses, water treatment facilities and utility structures.

RECOMMENDATION/MOTION: Staff recommends that the Planning Commission take public comment and close the public hearing. The proposed amendments will be presented to the Parks, Natural Lands, Trails and Urban Forestry Advisory (PNUT) Board on April 16, 2015. Staff will brief the Planning Commission on any recommended changes to the proposed ordinance based on Planning Commission public hearing comments and on PNUT Board comments at the next available Planning Commission meeting.

Anticipated motion at the follow-up Planning Commission meeting is: based on the information and findings in this staff report, public input and discussion I move to transmit a favorable recommendation to the City Council to adopt the proposed zoning text amendments relating to open space zoning.

ATTACHMENTS:

- A. Evaluation of Key Text Changes
- B. Proposed Regulation Changes
- C. Open House Information Handout
- D. Example Neighborhood Parks
- E. Open Space Signs
- F. Existing Master Plan Policy
- G. Analysis of Standards
- H. Public Process and Comments
- I. Department Comments
- J. Motions

PROJECT DESCRIPTION:

The petition analyzes open space regulations. This project includes two steps. The first step is to change the text of the zoning ordinance as it pertains to open space. The second step will include changes to the zoning map so that public open spaces are appropriately zoned. The mapping issues are still in the evaluation process and are dependent upon the final outcome of the proposed amendments to the zoning text.

The proposed text amendments address issues related to park and open space land uses and zoning standards. The analysis has resulted in proposed text changes related to the following issues:

1. identify appropriate development standards for structures in developed parks,
2. address water treatment and utility structures in the OS zone,
3. address golf courses and accessory uses to golf courses;
4. provide flexibility in park design on smaller parcels,
5. address wayfinding signs for parks and open space lands
6. provide appropriate dimensional regulations (setbacks, building height) for small and large scale parks
7. update of the Table of Permitted and Conditional Uses related to open space uses
8. clarify definitions and other smaller, technical changes that will make the ordinance simpler to administer.

Specific zoning ordinance sections being modified are:

- *Section 21A.32.100 OS Open Space District*
- *Section 21A.32.105 NOS Natural Open Space District*
- *Section 21A.33.070 Table of Permitted and Conditional Uses for Special Purpose Districts*
- *Section 21A.36 General Provisions*
 - *Table 21A.36.020B Obstructions in Required Yards*
 - *Table 21A.36.020C Height Exceptions*
- *Section 21A.46.120 Sign Regulations for Special Purpose Districts*
- *Section 21A.62 Definitions*
- *Delineation of Open Space and Open Space Area terminology*
 - *Sections 21A.24.164, 21A.24.168, 21A.24.170, 21A.26.078, 21A.27.050, 21A.30.040, 21A.32.020, 21A.32.030, 21A.32.080, 21A.32.09, 21A.32.110, 21A.32.130, and 21A.58.010*

BACKGROUND

Multiple Zoning Districts Evaluation

With the establishment of the Parks, Natural Lands, Trails, and Urban Forestry Board, definitions were adopted that help define the types of open space lands managed by this board. There were two distinct categories, Natural Lands and Parks. City golf courses are zoned open space and are operated under a separate enterprise board. The OS district also applies to Public Utility properties as well as other private properties (golf course, cemetery, wetlands). The City has two open space zoning districts that are applied to open space properties. These are the OS and NOS zones. The FP Foothill Protection District prohibits development on slopes greater than 30 percent but allows for limited residential development.

The initial evaluation took the approach of dividing OS zoned lands into Public Lands zoning districts by adding PL3, PL-4 and PL-5 districts. The intent was to separate the parks lands into the natural lands and parks categories and watershed lands into different zoning districts. Golf courses and private properties would remain in the OS zoning district.

Evaluation of the initial proposal found that the approach was more about separating parcels into different programs for management purposes and not necessarily land use categories. The Planning Division recommended a different approach because it is not appropriate to use the zoning ordinance to address day to day management issues.

Recommended Project Direction

The separation of natural lands and park lands can be accomplished through the current Open Space and Natural Open Space zoning classifications with text and future mapping changes. The existing Riparian and Lowland Conservancy Overlay Districts provide a level of separation and protection of sensitive lands above the OS and NOS Zoning District classifications.

Staff has worked with the Parks and Public Lands Division and the Public Utilities Department to analyze zoning issues related to the operations and development of open space lands. The various city department review of existing ordinances felt that for appropriate development of properties and to aid in the implementation of park design and enhanced use of parks and open space text modifications were needed. The proposed text changes support the city department needs.

KEY ISSUES:

The key issues listed below have been identified through the multi-department analysis for the open space regulations analysis project.

Issue 1 Development standards for smaller parks

The proposed text changes provide appropriate dimensional regulations (setbacks, building height) for both small and large scale park and recreational developments. The current zoning ordinance allows parks less than 4 acres in size within most residential zoning districts. Applying a single zoning setback standard limits the flexibility to provide neighborhood recreation elements on smaller parcels. Staff has recommended the provision of separate standards for smaller scale developments. Examples of neighborhood parks that have playground equipment in setback areas are provided on page 31 in Attachment D Examples of Neighborhood Parks.

Issue 2 Address land use issues in OS and NOS zones

The two open space zoning districts tables of permitted and conditional uses were established in 1995. Existing open space zoned lands contain outdoor storage areas, retail sale and service accessory uses, daycare centers, amphitheaters, and agricultural uses. These uses are not listed in the Table of Permitted and Conditional uses for the Open Space Zoning District. The proposed changes reflect how the use of parks and open spaces has changed over the past 20 years.

Issue 3 Signs in parks and open spaces

Update the zoning ordinance sign criteria for open space districts. The proposed changes reflect implementation of the City's Parks and Public Lands Division comprehensive sign system for the City's open spaces. The open space signage master plan was approved by the Parks, Natural Lands, Trails, and Urban Forestry Advisory Board. The plans signage program should create a recognizable brand and graphic aesthetic for the lands managed by the City's Parks and Public Lands Division. The signage system coordinates the various types of signs required, such as way-finding, directional, destination, park entry, interpretive, regulatory, boundary, donation, and trail markers.

The existing ordinance has no sign standards for interpretive and way finding signs in open space areas. Government signs are being added to help with placement of signs identifying temporary closure of open space areas for restoration purposes. Examples of signs proposed in the comprehensive sign system are provided on page 33 in Attachment E Open Space Signs.

Issue 4: Minimum lot area

Several mini-parks and tot lots exist that are noncomplying as to minimum lot area or width. The proposal to have no minimum lot area or width would make these properties complying. This text modification would support future small parks within the Open Space zoning district.

Issue 5: Development scale

All open space zoned lands have the same building height and minimum yard requirements. The same standards are applied to small parks and to large regional parks. The existing ordinance allows for parks less than 4 acres in size within residential zoning districts. Staff has separated development standards into

two categories, those less than 4 acres and those greater than 4 acres in size. This action reflects existing ordinance structure and existing park development patterns.

Additional building height requirements are provided in the proposed text changes that reflect existing development patterns within the OS Zoning District. Two examples are Hogle Zoo and Raging Waters which have building and structure heights that exceed what is allowed.

DISCUSSION:

An evaluation of the key text changes is provided in a summary table located in Attachment A. The full text amendments proposed are located in Attachment B.

The related master plan policies for open space and recreation are summarized in Attachment D.

NEXT STEPS:

The Planning Commission action to recommend approval or denial of the proposed text amendment will be transmitted to the City Council for final action.

If approved by the City Council, the proposed open space text amendments will add more current and effective to the regulations regarding open space lands within the city. Any applicants for development proposals within the open space land regulations would need to adhere to the updated regulations.

If denied by the City Council, future development would need to meet the existing ordinance requirements.

ATTACHMENT A: EVALUATION OF KEY TEXT CHANGES

Proposed Open Space Land Use - Text Amendments (Excluding Table of Permitted and Conditional Uses for Special Purpose Districts)			
Item	Existing Regulation	Proposed Regulation	Purpose of Amendment
<i>Section 21A.32.100 OS Open Space District</i>			
21A.32.100.C Minimum Lot	Minimum lot area: 10,000 square feet. Minimum lot width: 50.	No minimum lot area or width	Allow flexible lot requirements to meet existing parks and open space developments, particularly tot lots and mini-parks
Development Scale All parks have the same building height and minimum yard requirements. These standards are provided below and address the provision of separate development standards for parks less than 4 acres in size and those greater than 4 acres.			
21A.32.100.D Maximum Building Height	35' – Provided, that for each foot of height in excess of twenty feet (20'), each required yard and landscaped yard shall be increased one foot (1').	<u>Lots less than 4 Acres</u> : 35' <u>Lots greater than 4 acres</u> : Building height shall be limited to 35'. Building heights in excess of 35' but not more than 45' may be permitted provided, that for each foot of height over 35', each required yard shall be increased one foot. Building heights in excess of 45' but not more than 55' may be approved through the Conditional Building and Site Design Review process provided that for each foot of height over 35, each required yard shall be increased one foot.	Provide building height requirements that reflect the existing development patterns within the OS Zoning District. (Examples: Hogle Zoo and Raging Waters building and structure heights.)
21A.32.100.E Minimum Yard Requirements	Front Yard: 30' Corner Side Yard: 30' Interior Side Yard: 20' Rear Yard: 30'.	<u>Lots less than 4 Acres</u> : Front Yard: 10' Corner Side Yard: 10' Interior Side Yard: 10' Rear Yard: 10' <u>Lots greater than 4 acres</u> : Front Yard: 10' Corner Side Yard: 10' Interior Side Yard: 15' Rear Yard: 15'	Proposed setbacks reflect existing development patterns for parks and open space uses.
21A.32.100.F Landscaped Yard Requirements	Landscape yards shall be required for each use in the OS open space district and shall be improved in conformance with the requirements of chapter 21A.48 , "Landscaping And Buffers", of this title. Front Yard: 20' Corner Side Yard: 20' Interior Side Yard: 10' Rear Yard: 10'.	All required yards shall be maintained as landscaped yards excluding authorized accessory buildings and structures in conformance with the requirements of chapter 21A.48 , "Landscaping And Buffers", of this title.	Modify landscape yard requirements to match the minimum yard requirements. This allows some park structures to be located closer to property lines, particularly property lines adjacent to a street.

Item	Existing Regulation	Proposed Regulation	Purpose of Amendment
21A.32.100.H Traffic and Parking Impact	Not addressed directly in open space zones.	Traffic and Parking Impact: The traffic and parking characteristics of certain recreation uses can have an impact on adjacent residential neighborhoods. To ensure that these characteristics do not impair the safety or enjoyment of adjacent properties, the Zoning Administrator may require upon recommendation from the development review team that a traffic and parking study be submitted to the city whenever a new or existing use requires an increase in parking requirements by more than fifteen (15) parking spaces. In such cases, the use shall not be permitted unless the traffic and parking study provides evidence that no significant impacts will occur.	To require additional analysis of larger recreation developments to support mitigation of potential impacts.
21A.32.100.I Lighting	Not addressed directly in open space zones.	All uses and developments shall provide adequate lighting so as to assure safety and security. Lighting installations shall not have an adverse impact on traffic safety or on surrounding properties and uses. Light sources shall be shielded to minimize light spillover onto adjacent properties.	To minimize impacts of open space uses upon adjacent properties.
<i>Section 21A.32.105 NOS Natural Open Space District</i>			
21A.32.105.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.	The purpose of the NOS Natural Open Space district is to specifically delineate areas and regulate development of lands with limited and appropriate development to support the preservation of natural areas. This district is appropriate in areas of the city where the applicable master plans support this type of land use.	Clarity
<i>Section 21A.36 General Provisions</i>			
21A.36.020 Conformance with Lot and Bulk Controls Table 21A.36.020B Obstructions in Required Yard Areas	Recreational (playground) equipment. (Permitted in rear yard)	Recreational (playground) equipment, private. (Permitted in rear yard) Recreational (playground) equipment, public park or public open space on a lot less than 4 acres in size. (Permitted in the front and corner side yard, side yard and rear yard)	To allow flexibility in design of neighborhood parks on smaller lots to minimize expansion of parks and potential loss of housing in order to provide recreation services at the neighborhood level. This provision would apply to public parks and open spaces within all zoning districts.

Item	Existing Regulation	Proposed Regulation	Purpose of Amendment
21A.36.020 Conformance with Lot and Bulk Controls Table 21A.36.020C Height Exceptions	None	<u>Type:</u> Sports field light poles. Light poles for ballparks, stadiums, soccer fields, golf driving ranges and sport fields. <u>Extent Above Maximum Building Height:</u> Maximum height of the zoning district or 70 feet whichever is greater. Conditional use approval is required for any further additional height or if the lights are located closer than 30 feet from adjacent residential structures. <u>Applicable Districts:</u> All zoning districts that allow sport field activities, stadiums and in parks greater than 4 acres in size.	To allow appropriate lighting for sport field activities in zoning districts with restrictive building heights that impede adequately light playing fields. Numerous sport fields have existing lighting that exceeds the base zoning height restriction.
<i>Section 21A.46.120 Sign Regulations for Special Purpose Districts</i>			
21A.46.120.E.5.a Standards for the OS District	None	Government sign	Permit for regulation and information signs within the OS District. Provide consistency with other zoning district sign standards.
	None	Public parks and open space interpretive or orientation signs and pole signs	To support interpretive sign programs in open space lands and to allow open space interpretive and orientation signs identified in the Parks Division's new signage master plan.
21A.46.120.E.6.a Standards for the NOS District	None	Government, private directional and public safety signs	Permit for regulation and information signs within the OS District. Provide consistency with other zoning district sign standard.
	None	Development entry, opens space interpretive or orientation signs	To support interpretive sign programs in open space lands and to allow open space interpretive and orientation signs identified in the Parks Division's new signage master plan. Provide consistency with other zoning district sign standard.
<i>Section 21A.62 Definitions</i>			
Definitions		Several definitions have been modified for consistency with the existing zoning ordinance text. Other definitions have been added to define existing uses listed in the ordinance.	Clarity purposes and to provide additional definitions.
<i>Open Space Requirements</i>			
Open space requirements of various sections of the zoning ordinance	"Open space: requirements	The term "open space" requirements of various sections of the zoning ordinance. The proposed changes modify the term "open space" to "open space area".	The purpose of these text changes is to eliminate conflict with the Open Space land use definition.

ATTACHMENT B: PROPOSED REGULATION CHANGES

NOTE: Proposed text changes are highlighted in green.

Chapter 21A.32 Special Purpose Districts

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 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.

B. Uses: Uses in the OS open space district, specified in section [21A.33.070](#), "Table Of Permitted And Conditional Uses For Special Purpose Districts", of this title, are permitted subject to the general provisions set forth in section [21A.32.010](#) of this chapter and this section.

C. Minimum Lot ~~Size~~ Area and Lot Width: None required.

~~1. Minimum lot area: Ten thousand (10,000) square feet.~~

~~2. Minimum lot width: Fifty feet (50').~~

D. Maximum Building Height:

1. Lots less than four (4) acres. Building height shall be limited to thirty five feet (35'); provided that for each foot of height in excess of twenty feet (20'), each required yard and landscaped yard shall be increased one foot (1').
2. Lots greater than four (4) acres. Building height shall be limited to thirty five feet (35'). Building heights in excess of thirty five feet (35') but not more than forty five feet (45') may be permitted provided, that for each foot of height over thirty five feet (35'), each required yard shall be increased one foot (1'). Building heights in excess of forty five feet (45') but not more than fifty five feet (55') may be approved through the Conditional Building and Site Design Review process provided, that for each foot of height over thirty five feet (35'), each required yard shall be increased one foot (1').

E. Minimum Yard Requirements:

1. Lots four (4) acres or less:

a. Front Yard: Ten feet (10').

b. Corner Side Yard: Ten feet (10').

c. Interior Side Yard: Ten feet (10').

d. Rear Yard: Ten feet (10').

2. Lots greater than four (4) acres:

a1. Front Yard: ~~Thirty~~ Ten feet ~~(30')~~ (10').

b2. Corner Side Yard: ~~Thirty Ten~~ feet ~~(30')~~ (10').

c3. Interior Side Yard: ~~Twenty Fifteen~~ feet ~~(20')~~ (15').

d4. Rear Yard: Thirty Fifteen feet ~~(30)~~ (15').

35. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in required yard areas subject to section [21A.36.020](#), table [21A.36.020B](#), "Obstructions In Required Yards", of this title.

F. Landscape Yard Requirements: All required yards shall be maintained as landscaped yards excluding authorized accessory buildings and structures. Landscape yards shall be required for each use in the OS open space district and shall be improved in conformance with the requirements of [chapter 21A.48](#), "Landscaping And Buffers", of this title.

1. Front Yard: Twenty feet (20').

2. Corner Side Yard: Twenty feet (20').

3. Interior Side Yard: Ten feet (10').

4. Rear Yard: Ten feet (10').

G. Special Conditional Use Controls Over Communications Towers:

1. Designation Of Telecommunication Site: Within the OS open space zoning district there is set aside a telecommunication site to accommodate the erection of microwave, radio or other communication towers and related facilities, located north of Ensign Peak in Salt Lake County, Utah, and described as follows:

- a. Beginning at a point that is located S. 19° 10' 29" E. 1.533.61 feet from the northwest corner of Section 19, T.1N., R.1E., SLB&M; thence § 32° 33' 21" E. 364.42 feet; thence S. 57° 26' 39" W. 2.890.15 feet; thence N. 32° 33' 21" N-W. 285.15 feet; thence N. 55° 52' 23" E. 2.891.23 feet to the point of beginning, containing 21.549 acres, more or less.
- b. This telecommunication site is set aside in order to promote the location of communications towers in a manageable area and to protect the aesthetics and environment of the site.

2. Special Conditional Use Standards: A conditional use may be authorized by the planning commission pursuant to the standards and procedures for conditional uses set forth in [chapter 21A.54](#) of this title, to permit a communication tower within the established telecommunications site provided the planning commission makes the additional findings:

- a. The facility is located within the telecommunication site described above;
- b. The facilities and access roads are designed and constructed so as to minimally disturb the natural terrain; and
- c. The owner of the communications tower agrees to accommodate the multiple use of the tower where feasible.

3. Title To Site To Remain With City: Pursuant to section 69-3-1, Utah Code Annotated, or its successor, the city shall retain title to all property which it presently owns within such site.

4. Exceptions: This section shall not affect the use, operation, expansion or construction of towers and related facilities on property owned by telecommunication companies as of January 1, 1986.

H. Traffic and Parking Impact: The traffic and parking characteristics of certain recreation uses can have an impact on adjacent residential neighborhoods. To ensure that these characteristics do not impair the safety or enjoyment of adjacent properties, the Zoning Administrator may require upon recommendation from the development review team that a traffic and parking study be submitted to the city whenever a new or existing use requires an increase in parking

requirements by more than fifteen (15) parking spaces. In such cases, the use shall not be permitted unless the traffic and parking study provides evidence that no significant impacts will occur.

- I. Lighting: All uses and developments shall provide adequate lighting so as to assure safety and security. Lighting installations shall not have an adverse impact on traffic safety or on surrounding properties and uses. Lighting shall be shielded to eliminate excessive glare or light into adjacent properties and have cutoffs to protect the view of the night sky.

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.~~

A. Purpose Statement: The purpose of the NOS Natural Open Space district is to specifically delineate areas and regulate development of lands with limited and appropriate development to support the preservation of natural areas. This district is appropriate in areas of the city where the applicable master plans support this type of land use.

B. Definition: "Natural open space" areas are lands which are principally undeveloped with near native vegetation and may include environmentally sensitive areas; areas of geologic significance; wetlands; stream corridors; foothills; mountains; shorelands; uplands and areas of significant wildlife habitat.

C. Uses: Permitted activities in this district are limited to ecosystem management, conservation and passive recreational uses as listed in section [21A.33.070](#), "Table Of Permitted And Conditional Uses For Special Purpose Districts", of this title.

21A.36.020: CONFORMANCE WITH LOT AND BULK CONTROLS:

A. Conformance With District Requirements: No structure or lot shall be developed, used or occupied unless it meets the lot area, lot width, yards, building height, and other requirements established in the applicable district regulations, except where specifically established otherwise elsewhere in this title.

In any residential district, on a lot legally established prior to April 12, 1995, a single-family dwelling may be erected regardless of the size of the lot, subject to complying with all yard area requirements of the R-1/5,000 district. Legal conforming lots in nonresidential districts shall be approved for any permitted use or conditional use allowed in the zoning district subject to complying with all yard area requirements of the district in which the lot is located.

B. Obstructions In Required Yards: Accessory uses and structures, and projections of the principal structure, may be located in a required yard only as indicated ("X") in table 21A.36.020B of this section. No portion of an obstruction authorized in table 21A.36.020B of this section shall extend beyond the authorized projection. Dimensions shall be measured from the finished surface of the building or structure.

TABLE 21A.36.020B OBSTRUCTIONS IN REQUIRED YARDS¹

Type Of Structure Or Use Obstruction	Front And Corner Side Yards	Side Yard	Rear Yard
Accessory buildings subject to the provisions of chapter 21A.40 of this title, and located at least 1 foot from the side property line except for the FP and FR districts where no accessory building is permitted in any yard. Accessory buildings shall be at least 10 feet from a principal residential building on an adjacent lot		X ³	X
Arbors and trellises not to exceed 12 feet in height or 120 square feet in residential districts. This requirement shall also apply to nonresidential districts unless otherwise authorized	X	X	X
Architectural ornament not elsewhere regulated projecting not more than 4 inches	X	X	X
Awnings and canopies, extending not more than 2½ feet into front, corner side, or side yards and not more than 5 feet into rear yards allowed in residential districts only	X	X	X
Balconies projecting not more than 5 feet			X
Basketball hoop and backboard on or adjacent to permitted driveways	X	X	X
Bay windows which are 1 story high, not more than 10 feet long, project 2 feet or less and are located not less than 4 feet from a lot line	X	X	X
Below grade encroachments ²	X	X	X
Breezeways and open porches			X
Central air conditioning systems, heating, ventilating, pool and filtering equipment, the outside elements shall be located not less than 4 feet from a lot line. Structures less than 4 feet from the property line shall be reviewed as a special exception according to the provisions of section 21A.52.030 of this title		X	X
Changes of established grade for commercial or industrial uses in zones, where conditionally or otherwise permitted, the grade is changed to accommodate site retention or detention requirements	X	X	X
Changes of established grade of 4 feet or less except for the FP and FR districts which shall be subject to the provisions of subsection 21A.24.010P of this title. (All grade changes located on a property line shall be supported by a retaining wall.) For properties outside of the H historic preservation overlay, changes of established grade greater than 4 feet are special exceptions subject to the standards and factors in chapter 21A.52 of this title	X	X	X
Chimneys projecting 2 feet or less into the yard must be located not less than 2 feet from a lot line		X	X

Decks (open) 2 feet high or less	X	X	X
Eaves, not including gutters projecting 2 feet or less into the yard. 4 foot eave may project into a 20 foot yard area	X	X	X
Fallout shelters (completely underground), conforming to applicable civil defense regulations and located not less than 4 feet from a lot line			X
Fences or walls subject to applicable height restrictions of chapter 21A.40 of this title	X	X	X
Fire escapes projecting 4 feet or less			X
Flagpoles: Residential districts: 1 permanent flagpole per street frontage Nonresidential districts: 3 flagpoles per street frontage Subject to provisions of table 21A.36.020C of this section	X X	X X	X X
Ground mounted utility boxes subject to the provisions of section 21A.40.160 of this title	X	X	X
Ham radio antennas subject to provisions of subsection 21A.40.090D of this title			X
Landscaping, including decorative berms 4 feet or less in height with no grade change along any property line, provided that if such landscaping obstructs the visibility of an intersection the city may require its pruning or removal	X	X	X
Laundry drying equipment (clothesline and poles)			X
Parking, carports and covered parking spaces except as otherwise expressly authorized by section 21A.44.060 of this title			X
Patios on grade	X	X	X
Patios on grade (attached, covered and unenclosed) maintaining a minimum 15 foot setback from the rear property line			X
Porches (attached, covered and unenclosed) projecting 5 feet or less			X
Recreational (playground) equipment, <u>private</u> <u>Recreational (playground) equipment, public park or public open space on a lot less than 4 acres in size</u>	<u>X</u>	<u>X</u>	<u>X</u> <u>X</u>
Refuse and recycling dumpster			X
Removable ramp for persons with disabilities (when approved as a special exception)	X	X	X
Satellite dish antennas		X	X
Signs, subject to the provisions of chapter 21A.46 of this title	X	X	X
Steps and required landings 4 feet or less above or below grade which are necessary for access to a permitted building and located not less than 4 feet from a lot line	X	X	X
Swimming pools (measured to the water line), tennis courts, game courts, and similar uses		X	X

shall not be located less than 10 feet from a property line			
Window mounted refrigerated air conditioners and evaporative "swamp" coolers located at least 2 feet from the property line. Window mounted refrigerated air conditioner units and "swamp" coolers less than 2 feet from the property line shall be reviewed as a special exception according to the provisions of section 21A.52.030 of this title	X	X	X
Window wells not over 6 feet in width and projecting not more than 3 feet from structure	X	X	X

Notes:

1. "X" denotes where obstructions are allowed.
2. Below grade encroachments (encroachments which are completely below grade where the surface grade remains intact and where the below grade encroachment is not visible from the surface) into required yards shall be treated as a special exception in accordance with the procedures set forth in chapter 21A.52 of this title.
3. The accessory structure shall be located wholly behind the primary structure on the property.

C. Height Exceptions: Exceptions to the maximum building height in all zoning districts are allowed as indicated in table 21A.36.020C of this section.

TABLE 21A.36.020C HEIGHT EXCEPTIONS

Type	Extent Above Maximum Building Height Allowed By The District	Applicable Districts
Chimney	As required by local, state or federal regulations	All zoning districts
Church steeples or spires	No limit	All zoning districts
Elevator/stairway tower or bulkhead	16 feet	All commercial, manufacturing, downtown, FB-UN2, RO, R-MU, RMF-45, RMF-75, RP, BP, I, UI, A, PL and PL-2 districts
Flagpole	Maximum height of the zoning district in which the flagpole is located or 60 feet, whichever is less. Conditional use approval is required for additional height	All zoning districts
<u>Light poles for sport fields such as ballparks, stadiums, soccer fields, golf driving ranges and similar uses¹</u>	<u>Maximum height of the zoning district or 70 feet whichever is greater. Conditional use approval is required for any further additional height or if the lights are located closer than 30 feet from adjacent residential structures</u>	<u>All zoning districts that allow sport field activities and stadiums excluding parks less than 4 acres in size</u>
Mechanical equipment parapet wall	5 feet	All zoning districts, other than the FP, FR-1, FR-2, FR-3, and open space districts

Notes:

1. Lighting shall be shielded to eliminate excessive glare or light into adjacent properties and have cutoffs to protect the view of the night sky.

Chapter 21A.46.120 Sign Regulations for Special Purpose Districts

E. Sign Regulations For The UI, PL, PL-2, I, ~~And~~ OS and ~~NOS~~ Districts:

1. Purpose: Sign regulations for the PL, PL-2, I, UI, ~~and~~ OS ~~and NOS~~ districts are established to control signage for public and semipublic uses and facilities. These regulations are intended to respond to larger campus type settings as well as development on individual lots.
2. Applicability: Regulations in subsections E3, E4, ~~and~~ E5 ~~and E6~~ of this section, respectively, shall apply to all lots within the UI, PL, PL-2, I, ~~and~~ OS ~~and NOS~~ districts.
3. Sign Type, Size And Height Standards for the UI District:

STANDARDS FOR THE UI DISTRICT

Types Of Signs Permitted	Maximum Area Per Sign Face	Maximum Height Of Freestanding Signs ¹	Minimum Setback ²	Number Of Signs Permitted
Construction sign	32 square feet	8 feet	10 feet	1 per street frontage
Development entry sign	40 square feet each	8 feet	10 feet	1 per street frontage
Flat sign	0.5 square foot per linear foot of building frontage	See note 1	n/a	1 for each frontage of each use
Monument sign	60 square feet	8 feet	10 feet	1 per street frontage
Nameplates	2 square feet	See note 1	n/a	1 per building entry
New development sign	160 square feet maximum per sign; 200 square feet for 2 signs	8 feet	10 feet	1 per street frontage
Political sign	16 square feet	8 feet	10 feet	No limit
Private directional sign	8 square feet	4 feet	5 feet	No limit
Public safety sign	8 square feet	6 feet	10 feet	No limit
Real estate sign	32 square feet	8 feet	10 feet	1 per street frontage
Window sign	12 square feet	See note 1	n/a	No limit

5. Sign Type, Size And Height Standards For The OS District:

a. Standards For The OS District:

Types Of Signs Permitted	Maximum Area Per Sign Face	Maximum Height Of Freestanding Signs ¹	Minimum Setback ²	Number Of Signs Permitted
Construction sign	24 square feet	8 feet	10 feet	1 per street frontage
Development entry sign	32 square feet each	4 feet	10 feet	1 per street frontage
Flat sign	0.5 square foot per linear foot of building frontage; total not to exceed 60 square feet	No limit	n/a	1 for each frontage of each use
<u>Government sign</u>	<u>8 square feet</u>	<u>6 feet</u>	<u>None</u>	<u>No limit</u>
Monument sign	60 square feet	8 feet	10 feet	1 per building frontage
Monument sign in parks 28 acres or greater ³	60 square feet	10 feet	10 feet	1 per building frontage
New development sign	160 square feet maximum per sign; 200 square feet for 2 signs	8 feet	10 feet	1 per street frontage
Park banner sign, park identity banner ^{3,4,5}	12 square feet	18 feet	10 feet	1 set of 3 signs per 5 acres of park land relating to the specific park
Park banner sign, permanent venue ^{3,4}	12 square feet	18 feet	10 feet	1 set of 3 banners per permanent venue
<u>Public parks and open space interpretative or orientation sign⁶</u>	<u>32 square feet</u>	<u>8 feet</u>	<u>10 feet</u>	<u>1 set of 5 per venue</u>
<u>Pole sign⁷</u>	<u>24 square feet</u>	<u>12 feet</u>	<u>10 feet</u>	<u>1 for each frontage of each use</u>
Political sign	16 square feet	8 feet	10 feet	No limit
Private directional sign ⁸	8 square feet	4 feet	5 feet	No limit
Public safety sign ⁸	8 square feet	6 feet	10 feet	No limit
Real estate sign	24 square feet	8 feet	10 feet	1 per street frontage
Window sign	12 square feet	See note 1	n/a	No limit

Notes:

1. For height limits on building signs, see subsection [21A.46.070J](#) of this chapter.

2. Not applicable to temporary signs mounted as flat signs.
3. Allowed only in parks 28 acres or larger, and does not apply to public property used for cemeteries, golf courses, river banks, trails or natural open space areas.
4. Park banner signs must be grouped within an 18 foot radius.
5. Park banner signs must have a consistent design.
6. Interpretative or orientation signs are allowed on public open space lands subject to minimum setback standards and subject to location and number approval by the Parks, Trails, Natural Lands and Urban Forestry Board consistent with this section.
7. Pole signs without clearance standards are permitted on public open space lands subject to being placed in manner that they do not project over any walk or pathway and are subject to minimum setback standards and location approval by the Parks, Trails, Natural Lands and Urban Forestry Board consistent with this section.
8. Trail wayfinding signs are a type of directional and public safety sign that are required to be setback two feet from the trail edge with a maximum height of 6 feet and a minimum setback of 5 feet from a public right of way line.

6. Sign Type, Size And Height Standards For The NOS District:

a. Standards For The NOS District¹

<u>Types Of Signs Permitted</u>	<u>Maximum Area Per Sign Face</u>	<u>Maximum Height Of Freestanding Signs</u>	<u>Minimum Setback</u>	<u>Number Of Signs Permitted</u>
<u>Development entry sign</u>	<u>18 square feet each</u>	<u>4 feet</u>	<u>10 feet</u>	<u>1 per street frontage</u>
<u>Government sign</u>	<u>8 square feet</u>	<u>6 feet</u>	<u>None</u>	<u>No limit</u>
<u>Open space interpretative or orientation sign²</u>	<u>32 square feet</u>	<u>8 feet</u>	<u>10 feet</u>	<u>1 set of 5 per venue</u>
<u>Pole sign³</u>	<u>24 square feet</u>	<u>12 feet</u>	<u>10 feet</u>	<u>1 for each frontage of each use</u>
<u>Private directional sign⁴</u>	<u>6 square feet</u>	<u>4 feet</u>	<u>5 feet</u>	<u>No limit</u>
<u>Public safety sign</u>	<u>8 square feet</u>	<u>6 feet</u>	<u>10 feet</u>	<u>No limit</u>

Notes:

1. All signs within the NOS District shall not be illuminated.
2. Interpretive or orientation signs are allowed on public natural open space lands subject to minimum setback standards and subject to location and number approval by the Parks, Trails, Natural Lands and Urban Forestry Board consistent with this section.
3. Pole signs without clearance standards are permitted on public natural open space lands subject to being placed in manner that they do not project over any walk or pathway and are subject to minimum setback standards and location approval by the Parks, Trails, Natural Lands and Urban Forestry Board consistent with this section.
4. Trail wayfinding signs are a type of directional and public safety sign that are required to be setback two feet from the trail edge with a maximum height of 6 feet and a minimum setback of 5 feet from a public right of way line.

6.7. Illumination: Illuminated signs where permitted, shall be limited to flat signs, monument signs, window signs, and development entry signs.

Chapter 21A.62 Definitions

Section 21A.62.040

MUNICIPAL SERVICE USES, INCLUDING CITY UTILITY USES AND POLICE AND FIRE STATIONS: City or county government operations and governmental authorities providing services from specialized facilities, such as police service, street/highway department maintenance/construction, fire protection, major sewer and water treatment and storage facilities services, etc. City or county operations and governmental authorities providing services from nonspecialized facilities shall be considered office uses.

OPEN SPACE AREA: Any area of a lot which is completely free and unobstructed from any structure or parking areas. Landscaping, walkways, uncovered patio areas, light poles and other ornamental features shall not be considered as obstructions for purposes of this definition. Driveways that provide access to parking lots shall not be considered as an obstruction subject to the driveways not exceeding twenty percent (20%) of any required yard area that they provide access through.

OPEN SPACE: Land and water areas in a predominately open or undeveloped condition used or retained for resource protection, such as natural lands, wildlife habitat, wetlands, watershed lands, stream and river corridors and greenways. Open space includes passive or active recreation such as trails.

PARK: A noncommercial, not for profit facility designed to serve the recreation needs of the residents of the community. Such facilities may include a park, playground, swimming pool, golf course or athletic field within the city. This definition is further supplemented by the definitions of Section 2.94.030 of the City code.

RECREATION (OUTDOOR): Public or private golf courses, golf driving ranges, miniature golf, swimming pools, tennis courts, country clubs, ball fields, ball courts, fishing piers, skateboarding courses, water slides, mechanical rides, go-cart or motorcycle courses, raceways, drag strips, stadiums, marinas, overnight camping, or gun firing ranges, or other similar type uses which are not enclosed in buildings and are operated for the use of persons who do not reside on the same lot as that on which the recreational use is located. The term "recreation (outdoor)" shall include any accessory uses, such as snack bars, pro shops, and clubhouses which are designed and intended primarily for the use of patrons of the principal recreational use. The term "recreation (outdoor)" shall not include any use which is otherwise listed specifically in the table of permitted and conditional uses.

UTILITY, BUILDING OR STRUCTURE: Minor buildings or structures needed to provide distribution, transmittal and maintenance of public utility services for water, sewer and flood control including wells, pumping stations reservoirs, water storage tanks, detention basins, lift stations, regulators and other similar facilities unless exempted in Section 21A.02.050.

UTILITY, SEWAGE TREATMENT PLANT: A facility used for the treatment of industrial, commercial or domestic wastewater approved by the appropriate county, state, city, or federal agencies, which provides a collection network and a central wastewater treatment facility for a community, or a region.

NOTE: The following text changes relate to amendment of the term “open space” requirements of various sections of the zoning ordinance. The proposed changes modify the term “open space” to “open space area”. The purpose of these text changes is to eliminate conflict with the Open Space land use definition.

21A.24.164: R-MU-35 RESIDENTIAL/MIXED USE DISTRICT:

F. Minimum Open Space **Area:** For residential uses and mixed uses containing residential uses, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas, balconies and courtyards, subject to site plan review approval.

21A.24.168: R-MU-45 RESIDENTIAL/MIXED USE DISTRICT:

F. Minimum Open Space **Area:** For residential uses and mixed uses containing residential uses, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas, balconies and courtyards, subject to site plan review approval.

21A.24.170: R-MU RESIDENTIAL/MIXED USE DISTRICT:

G. Minimum Open Space **Area:** For residential uses and mixed uses containing residential use, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscape yards or plazas and courtyards, subject to site plan review approval.

21A.26.078: TSA TRANSIT STATION AREA DISTRICT:

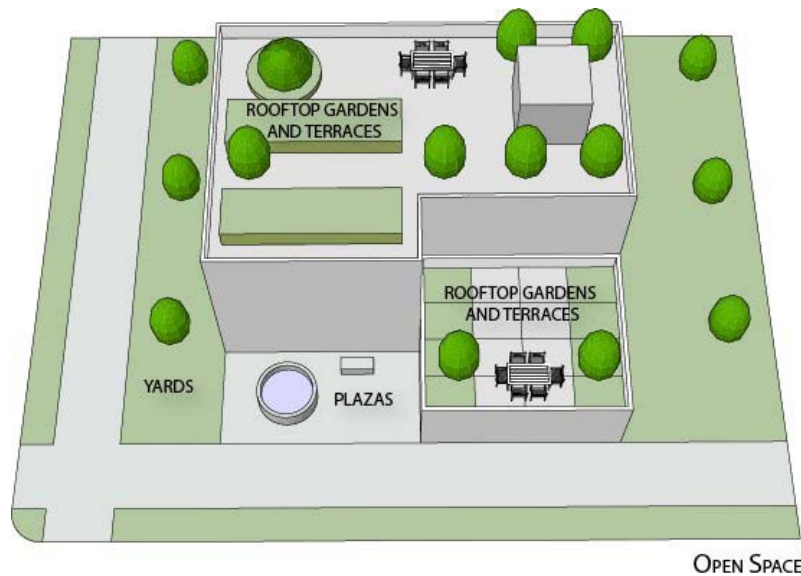
G. Development Standards:

1. Intent: The purpose of the following development standards is to promote an intense and efficient use of land at increased densities in the station areas. The development standards are intended to create a safe and pleasant environment near transit stations by encouraging an intensive area of mixed use development and activities, pedestrian amenities and by limiting conflicts between vehicles and pedestrians. Development standards are intended to create a reasonably continuous building edge that defines the exterior spatial enclosure of the street or open space and protect adjacent low density residential zoning districts. With some exceptions, buildings line a street at or near the public right of way to the greatest extent possible.
 2. Application: The dimensional requirements of this section apply to all new buildings and developments as well as additions to existing buildings. The following development standards apply to the core and transition areas of all station types:
- d. Open Space **Area:** In order to provide space for passive and active recreation, public and private use, offset storm drainage due to nonpermeable surfaces and as an amenity to individual developments and their residents, employees and customers, open space is required for all new developments.

(1) Core Area:

(A) Within the core area, open space may include landscaped yards, patios, public plazas, pocket parks, courtyards, rooftop and terrace gardens and other similar types of open space amenity.

(B) A minimum of ten percent (10%) of the land area up to five thousand (5,000) square feet.



(2) Transition Area:

(A) Within the transition area, open space may include landscaped yards, patios, public plazas, pocket parks, courtyards, rooftop gardens and terraces, community gardens and other similar types of amenities.

(B) The minimum open space requirement is ten percent (10%) of the land area up to two thousand five hundred (2,500) square feet.

(3) Access To Open Space: All required open space shall be accessible to the users of the building(s).

N. Developments Over Five Acres:

g. Open Space **Area**: In order to provide space for passive and active recreation, public and private gatherings, offset storm drainage due to nonpermeable surfaces and as an amenity to individual developments and their residents, employees and customers, usable open space is required for all new developments.

(1) Required: In the core and transition areas of all station areas, a minimum of ten percent (10%) of the site, up to fifteen thousand (15,000) square feet, shall be devoted to open space. "Usable open space" is defined as landscaped areas, plazas, outdoor dining areas, terraces, rooftop gardens, stormwater retention areas, and any other similar type of area.

(2) Connectivity To Adjacent Open Space: When adjacent to public open space, parks, trails and pathways, open space on developments over five (5) acres in size are encouraged to provide access to the public open space.

21A.27.050: FB-UN1 AND FB-UN2 FORM BASED URBAN NEIGHBORHOOD DISTRICT:

TABLE 21A.27.050E2
 FB-UN2 BUILDING FORM STANDARDS

Building Regulation	Building Form				
	Cottage Development ¹	Row House	Multi-Family Residential	Mixed Use	Storefront
Building configuration:					
Building entry	Minimum of 1 building entry per street frontage. An additional entry feature is required for every 75' of building wall adjacent to street. Side entries for multiple dwelling unit buildings are permitted provided there is at least 1 primary entrance facing a public street				
Pedestrian connections	Pedestrian access to public walkway is required for each unit		Pedestrian access to public walkway is required		
Ground floor transparency	Minimum of 60% of street facing facade, located between 2' and 8' above the grade of the sidewalk, shall be transparent glass. This may be reduced to 30% if ground floor is occupied by residential uses				
Building fenestration	Required as per subsection F of this section				
Open space <u>area</u>	A minimum of 10% of lot area shall be provided for open space. Open space may include landscaped yards, patios, dining areas, balconies, rooftop gardens, and other similar outdoor living spaces. Required parking lot landscaping or perimeter parking lot landscaping shall not count toward the minimum open space requirement				
Upper level outdoor space	All street facing residential units above the ground floor shall contain a usable balcony that is a minimum of 4' in depth. Balconies may overhang any required yard				
Building facade materials	A minimum of 70% of any street facing building facade shall be clad in glass, brick, masonry, textured or patterned concrete, wood, or stone. Other materials may count up to 30% of the street facing building facade				
Attached garages and carports	Attached garages and carports are required to be in the rear yard where the rear yard is accessible by an alley with access rights to the subject property. If there is no access to the rear yard, an attached garage may be accessed from the front or corner side yard provided that the garage door (or doors) is no wider than 50% of the front facade of the structure and the entry to the garage is set back at least 10' from the street facing building facade and at least 20' from a public sidewalk. Side loaded garages are permitted				

G. Cottage Development Standards:

1. Setbacks Between Individual Cottages: All cottages shall have a minimum setback of eight feet (8') from another cottage.
2. Footprint: No cottage shall have a footprint in excess of eight hundred fifty (850) square feet.

3. Building Entrance: All building entrances shall face a public street or a common open space.
4. Open Space **Area**: A minimum of two hundred fifty (250) square feet of common, open space is required per cottage up to a maximum of one thousand (1,000) square feet. At least fifty percent (50%) of the open space shall be contiguous and include landscaping, walkways or other amenities intended to serve the residents of the development.

21A.30.040: D-3 DOWNTOWN WAREHOUSE/RESIDENTIAL DISTRICT:

- J. Minimum Open Space **Area**: All lots containing dwelling units shall provide common open space in the amount of twenty percent (20%) of the lot area. This common open space may take the form of ground level plazas, interior atriums, landscape areas, roof gardens and decks on top of buildings or other such forms of open space available for the common use by residents of the property.

21A.32.020: RP RESEARCH PARK DISTRICT:

- E. Minimum Open Space **Area**: The minimum open space for any use shall not be less than thirty percent (30%) of the lot area.

21A.32.030: BP BUSINESS PARK DISTRICT:

- E. Minimum Open Space **Area**: The minimum open space for any use shall not be less than thirty percent (30%) of the lot area.

21A.32.080: I INSTITUTIONAL DISTRICT:

- E. Minimum Open Space **Area**: The minimum open space for any use shall not be less than forty percent (40%) of the lot area

21A.32.090: UI URBAN INSTITUTIONAL DISTRICT:

- E. Minimum Open Space **Area**: The minimum open space for any use shall not be less than twenty percent (20%) of the lot area.

21A.32.110: MH MOBILE HOME PARK DISTRICT:

- J. Common Open Space **Area**: Common open space shall be provided for the use and enjoyment of the residents of a mobile home park. The amount of common open space provided shall equal two hundred fifty (250) square feet per dwelling unit.

21A.32.130: MU MIXED USE DISTRICT:

- H. Minimum Open Space **Area**: For residential uses and mixed uses containing residential use, not less than twenty percent (20%) of the lot area shall be maintained as open space. This open space may take the form of landscaped yards or plazas and courtyards, subject to site plan review approval.

Chapter 21A.58 SITE PLAN REVIEW: 21A.58.010: PURPOSE STATEMENT:

- B. The quantity, quality, utility, size and type of a project's required open space **area** and proposed landscaping improvements;

21A.33.070: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Legend	C =	Conditional use	P =	Permitted use
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Permitted and Conditional Uses By District																		
Use	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU	
Accessory use, except those that are otherwise specifically regulated in this chapter or elsewhere in this title	P	P	P	P	P	P	P	P ¹⁶		P	P	P	P	P	P	P	P	
Adaptive reuse of a landmark site								P ²									P ²	
Agricultural use		C		P	P	P	P	P		P								
Air cargo terminals and package delivery facility		P								P								
Airport										P								
Alcohol, brewpub (2,500 square feet or less in floor area)																	C ¹²	
Alcohol, dining club (2,500 square feet or less in floor area)																	C ¹²	
Alcohol, social club (2,500 square feet or less in floor area)																	C ¹²	
Alcohol, tavern (2,500 square feet or less in floor area)																	C ¹²	
Ambulance service (indoor)	P	P																
Ambulance service (outdoor)	P ¹⁰	P ¹⁰																
Amphitheater								P	C			C						
Animal, kennel on lots of 5 acres or larger		C		P ⁸	P ⁸	P ⁸	P ⁸											
Animal, pet cemetery				P ⁴	P ⁴	P ⁴	P ⁴	P ^{4,5}										
Animal, stable (private)				P	P	P	P											
Animal, stable (public)				P	P	P	P											
Animal, veterinary office		P															P	
Antenna, communication tower	P	P	C	P	P	P	P			P	P	C	P	P		P		
Antenna, communication tower, exceeding the maximum building height in the zone	C	C								P		P ¹¹	C	C		C		
Art gallery								C			P	P	P	P			P	
Bed and breakfast													P ²	P			P	
Bed and breakfast inn													P ²	P			P	
Bed and breakfast manor													P ²	P			P	
Botanical garden	P							P			P	P						
Cemetery								P										
Clinic (medical, dental)	P	P											P	P			P	
Community garden	P	P	P	P	P	P	P	P			P	P	P	P	P		P	

Use	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Convent/monastery													P	P			
Daycare center, adult	P	P									P	P	P	P			P
Daycare center, child	P	P						<u>P¹⁶</u>		P	P	P	P	P			P
Dental laboratory/research facility	P	P											C	C			P
Dwelling, assisted living facility													P	P			P
Dwelling, congregate care facility													P	P			P
Dwelling, group home (large)																	C
Dwelling, group home (small)			P	P	P	P											P
Dwelling, living quarter for caretaker or security guard	P	P						<u>C</u>			P		P	P			P
Dwelling, manufactured home				P	P	P											P
Dwelling, mobile home															P		
Dwelling, multi-family														P			P
Dwelling, resident healthcare facility													P	P			P
Dwelling, residential substance abuse treatment home (large)														P			C
Dwelling, residential substance abuse treatment home (small)														P			P
Dwelling, rooming (boarding) house																	P
Dwelling, single-family (attached)																	P
Dwelling, single-family (detached)			P	P	P	P											P
Dwelling, transitional victim home (large)																	C
Dwelling, transitional victim home (small)																	P
Dwelling, twin home and two-family																	P
Eleemosynary facilities											P	P	P	P			P
Exhibition hall											C	P	C	P			
Extractive industry																P	
Fairground											C						
Farm stand, seasonal				P	P	P	P	<u>C</u>									P
Financial institution	P	P															P
Financial institution with drive-through facility	P ¹⁴	P ¹⁴															
Gas station		P ⁷															
Government facility	C	C						<u>C¹⁶</u>		P	C	C	C ¹³	C		P	C
Government facility requiring special design features for security purposes																	C

Use	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Government office	P	P						<u>P</u> ¹⁶		P	P	P	P	P			P
Heliport	C	C								P		P	C	C			
Hospital, including accessory lodging facility	C												P	P			
Hotel/Motel	C	C								P							P
Industrial assembly		P								P							
Jail											C						
Jewelry fabrication		P															
Large wind energy system	C	C		C	C	C	C			C			P	P			
Library											P	P	P	P			P
Light manufacturing		C								P							
Manufacturing, concrete or asphalt																P ¹⁵	
Meeting hall of membership organization		P										P	P	P			P
Mixed use development																	P
Mobile food business (operation on private property)	P	P												P	P		P
Municipal service uses, including city utility uses and police and fire stations	C	C						<u>C</u>		P	C	C	C	C		P	C
Museum	C							P			P	P	P	P			P
Nursing care facility													P	P			P
Office	P	P						<u>P</u> ¹⁶		P	P	P	P	P			P
Open space	P	P	P	P	P	P	P	<u>P</u>	P ⁹	P	P	P	P	P	P	P	P
Park	<u>C</u> <u>P</u>	<u>P</u>						<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Parking, commercial		C															
Parking, off-site								<u>P</u>		P	P	P	P	P			C
Parking, park and ride lot										P	C						
Parking, park and ride lot shared with existing use	P	P								P	P		P	P		P	P
Performing arts production facility		P															P
Philanthropic use												P	P	P			P
Place of worship	P	P											P	P			P
Radio, television station		P ⁶										P					
Reception center											C	P	P	P			P
Recreation (indoor)		C						P			P	P	P	P			P
Recreation (outdoor)								P		P	P	<u>P</u>					
Research and development facility	P	P									P	P					C
Research facility (medical)	P												P	P			P
Restaurant		P ⁷															P
Restaurant with drive-through facility		P ^{7,14}															P ³

Use	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Retail goods establishment		P ¹										P					P
Retail, sales and service accessory use when located within a principal building								P ¹⁶				P					
Retail, sales and service accessory use when located within a principal building and operated primarily for the convenience of employees								P ¹⁶		P	P	P	P	P			P
School, college or university												P	P	P			
School, K - 12 private											P	P	P	P			
School, K - 12 public											P	P	P	P			
School, music conservatory													P	P			P
School, professional and vocational	P	P								P			P	P			
School, seminary and religious institute													P	P			C
Solar array	P	P		P						P	P		P				
Stadium								C			C		C	C			
Storage, accessory (outdoor)		P						P		P							P
Studio, art																	P
Theater, live performance	C ¹⁵	C ¹⁵									C ¹⁵	C ¹⁵	C ¹	C ¹⁵			C ¹⁵
Theater, movie													C				C
Transportation terminal, including bus, rail and trucking										P							
Urban farm	P	P	P	P	P	P	P	P			P	P	P	P			
Utility, building or structure	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹
Utility, transmission wire, line, pipe or pole	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹
Vehicle, automobile rental agency		P								P							
Vending cart, private property	P	P															
Vending cart, public property								P									
Warehouse		P								P							
Warehouse, accessory to retail and wholesale business (maximum 5,000 square foot floor plate)																	P
Wholesale distribution		P								P							
Wireless telecommunications facility (see table 21A.40.090E of this title)																	
Zoological park								P									

Qualifying provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050B of this title.
2. When located in a building listed on the Salt Lake City register of cultural resources.
3. When located on an arterial street.
4. Subject to Salt Lake Valley health department approval
5. In conjunction with, and within the boundaries of, a cemetery for human remains.
6. Radio station equipment and antennas shall be required to go through the site plan review process to ensure that the color, design and location of all proposed equipment and antennas are screened or integrated into the architecture of the project and are compatible with surrounding uses.
7. When approved as part of a business park planned development pursuant to the provisions of chapter 21A.55 of this title.
8. Kennels, public or private, whether within penned enclosures or within enclosed buildings, shall not be permitted within 200 feet of an existing single-family dwelling on an adjacent lot.
9. Trails and trailheads without parking lots and with signage subject to Chapter 21A.46.E Sign Regulations For The UI, PL, PL-2, I, OS and NOS Districts ~~without directional and informational signage specific to trail usage~~ shall be permitted.
10. Greater than 3 ambulances at location require a conditional use.
11. Maximum of 1 monopole per property and only when it is government owned and operated for public safety purposes.
12. Subject to conformance with the provisions in Chapter 21A.36.300 – Alcohol Related Establishments.
13. If located on a collector or arterial street according to the Salt Lake City Transportation Master Plan – Major Street Plan: Roadway Functional Classification map.
14. Subject to conformance to the provisions in section 21A.40.060 of this title for drive-through use regulations.
15. Prohibited within 1,000 feet of a single or two-family zoning district.
16. When customarily provided with the principal use and is ancillary to the principal use.

ATTACHMENT C: OPEN HOUSE INFORMATION HANDOUT

Petition PLNPCM2010-00406 Open Space Land Use and Zoning



Parks and Open Space Land Use Project

With the establishment of the Parks, Natural Lands, Trails and Urban Forestry Board, definitions were adopted that help define the types of open space lands managed by this board. There were two distinct categories, **Natural Lands** and **Parks**.

This project is an analysis of the City Code relating to public lands and open space regulations. The proposed text amendments address issues related to park and open space land uses and zoning, also addressed are the functions of golf courses, water treatment facilities and utility structures within the natural lands and park areas.

Text amendments include:

- Provision of appropriate dimensional regulations (setbacks, building height) for both small and large scale park and recreational developments.
- Update of the Table of Permitted and Conditional Uses for the OS—Open Space and NOS—Natural Open Space Zoning Districts.
- Signage for parks and open space areas.



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PROCESS

Following review and gathering of public comments, Salt Lake Planning Staff will then assess the input and take actions to modify the proposed text amendments to address the issues and concerns identified through public comment.

The next steps are then to process the open space zoning text amendments through public hearings with the Salt Lake City Planning Commission to obtain a recommendation that will be forwarded to the City Council for their processing with additional public input and then a final decision.

Background

In 2003, the Planning Commission recommended that staff review the City's open space zoning districts to investigate implementing further zoning divisions based on environmental or recreational considerations to separate open spaces from the recreational components allowed in open space zoning through categorizing and defining the different types of open spaces within the City.

In following up, staff initiated the Critical Lands Inventory which groups the City's open spaces into distinct categories based on existing land uses. The Critical Lands Inventory effort resulted in the identification of open space zoning districts or overlay zones that, over time, may be applied to the City's open spaces. These proposed zoning districts could more accurately reflect the actual and proper use of the City's open spaces.

Planning Division review of the Critical Lands Inventory resulted in a recommendation that applies existing zoning nomenclature to the various use characteristics identified in the inventory process. The Planning Division feels that the proposed new open space zones of the Critical Lands Inventory are adequately addressed through existing base zoning districts and existing applicable overlay districts.

The Planning and Sustainability Divisions requested a petition to analyze the appropriateness of amending the Zoning Ordinance and other applicable provisions of the City Code relating to the Public Lands and Open Space regulations. Specifically, the petition process would address various classifications of open space lands uses. The majority of the publically owned open space lands in Salt Lake City are owned or, managed by the US Forest Service, the State of Utah, Salt Lake County and the Salt Lake City Departments of Airport, Public Utilities and Public Services. There are also privately owned open space lands.

Recommended Project Direction

The separation of Natural Lands and Parks lands can be accomplished through the current OS- Open Space and NOS - Natural Open Space zoning classifications with minor changes. The existing Riparian and Lowland Conservancy Overlay Districts provide a level of separation and protection of sensitive lands above the OS and NOS Zoning District classifications. The FP Foothill Protection District protects development of property on slopes greater than 30 percent and limits density to 1 dwelling unit per 16 acres of land. The Planning Division feels that maintaining the current OS and NOS designations keeps the original purpose and intent of the Zoning Districts.

The Planning Division recognizes that there are zoning text changes needed to the OS and NOS zones and possibly other districts that affect parks lands and public utility lands. Issues such as providing for accessory uses for golf courses and addressing water treatment and utility structures within the OS zoning district are addressed in the proposed text changes. Staff has worked close with the Parks and Public Lands Divisions to analyze zoning district issues related to the operations and development of parks within other zoning districts such as residential districts that allow parks as a permitted use if less than 4 acres in size. The development of these properties need text modifications to mitigate potential impacts to park design and use of smaller parcels.

OS—Open Space District

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 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.

NOS—Natural Open Space District

Existing 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.

Proposed Purpose Statement: The purpose of the NOS Natural Open Space district is to specifically delineate areas and regulate development of public lands with limited and appropriate development to support the preservation of natural areas. This district is appropriate in areas of the city where the applicable master plans support this type of land use.



Proposed Standards for parks on less than 4 acres

Maximum Building Height:

Lots less than four (4) acres. Building height shall be limited to thirty five feet (35'); provided, that for each foot of height in excess of twenty feet (20'), each required yard and landscaped yard shall be increased one foot (1').

Minimum Yard Requirements:

Lots four (4) acres or less:

- a. Front Yard: Ten feet (10').
- b. Corner Side Yard: Ten feet (10').
- c. Interior Side Yard: Ten feet (10').
- d. Rear Yard: Ten feet (10').

To help place recreational (playground) equipment, in small public parks or public open space on a lot less than 4 acres in size such equipment would be allowed as an obstruction within the required yard areas. The zoning ordinance, section 21A.36.020B, allows certain obstructions in required yard areas that are accessory uses and structures to the principal use.



Puglsey Ouray Park—Required landscape setback limits play area equipment.



Westminster Park—Required landscape setback limits play area along street front.

Traffic and Parking Impacts

Traffic And Parking Impact: The traffic and parking characteristics of certain parks and recreation uses can have a significant impact on the nearby residential neighborhoods. To ensure that these characteristics do not impair the safety or enjoyment of property in nearby areas, a traffic and parking study shall be submitted to the city in conjunction with the site plan review provisions of this title whenever an expansion of an existing use increases off street parking requirement more than twenty (20) spaces or an expansion of the mapped district is proposed that exceeds five (5) acres. New institutional uses or expansions/intensifications of existing institutional uses shall not be permitted unless the traffic and parking study provides clear and convincing evidence that no significant impacts will occur or are mitigated. The zoning administrator may, upon recommendation of the development review team waive the requirement for a traffic and parking study if site conditions clearly indicate that no impact would result from the proposed development.



Lighting Impacts

Lighting: All uses and developments shall provide adequate lighting so as to assure safety and security. Lighting installations shall not have an adverse impact on traffic safety or on surrounding properties and uses. Light sources shall be shielded to minimize light spillover onto adjacent properties.



Signs

One of the new elements created in the sign text changes is to allow for interpretive signage programs in the natural open space and open space lands. The sign text changes also support the new signage master plan developed by the Parks Division.

Public Parks and open space interpretative or orientation signs

Maximum Area Per Sign Face

32 square feet

Maximum Height Of Freestanding Signs

8 feet

Minimum Setback

10 feet

Number Of Signs Permitted

1 set of 5 per venue

Interpretative or orientation signs are allowed on public open space lands subject to minimum setback standards and subject to location and number approval by the Parks, Trails, Natural Lands and Urban Forestry Board consistent with this section.

Trail way finding signs are a type of directional and public safety sign that are required to be setback two feet from the trail edge with a maximum height of 6 feet and a minimum setback of 5 feet from a public right of way line .



ATTACHMENT D: EXAMPLES NEIGHBORHOOD PARKS



Silver Park 126 W 500 N



Laird Park 1800 E Laird Ave



Westminster Park 986 E 1700 S



Gallagher Park 644 S Park St

ATTACHMENT E: OPEN SPACE SIGNS



Interpretive Sign



Vertical Naming Sign



Orientation Sign



Wood Trail Marker

ATTACHMENT F: EXISTING MASTER PLAN POLICY

The table below contains the applicable Salt Lake City master plan policies related to open space, parks and recreation land uses.

Applicable Master Plan Policies Open Space, Parks and Recreation Land Use		
Plan	Open Space, Parks and Recreation	Maintenance and Improvements
Avenues	Provide recreation amenities for all age groups in convenient locations.	The city should continue to acquire and develop sites for mini-parks to improve recreation opportunities in the Avenues.
	Devise a growth management program that includes strategies to help protect the foothills from continued urban encroachment.	The Salt Lake City Parks and Recreation Master Plan, adopted in 1977, states a number of specific goals for the Avenues Community. These are generally still valid.
	Preserve the city's natural mountainous backdrop and recreation opportunities the mountains provide.	
	Foothill open space should be maintained in its natural state as a mountainous backdrop and watershed area for the city.	
Capitol Hill	Provide for and encourage parks and recreation areas in various forms and locations to enhance residential neighborhoods and the surrounding community.	Visually enhance publically owned property while creating recreational opportunities for the community.
	Identify the community's unique and natural amenities, resources and settings and designate natural areas to be preserved and improved as appropriate.	Continue to enforce existing watershed protection regulations to ensure development and recreational uses in the foothills do not negatively impact the City Creek Canyon watershed.
	The Capitol Hill Community will have a wide variety of recreational and open space opportunities for both the residents of Capitol Hill and other citizens and tourists.	
Central	Provide adequate, safe, and accessible recreation opportunities.	Increase the amount of parks and usable open space in order to achieve national standards for park space.
	Preserve existing parks.	Ensure adequate maintenance and repair of parks and open space.
	Promote multiple uses of park and recreation facilities.	
	Protect the natural open space areas within the Central Community.	
	Encourage the development of passive neighborhood parks, community gardens, dog parks, and open space areas.	
Gateway District	Provide a system of parks, recreation facilities, and open spaces that serve the needs of residents and employees.	Establish requirements for traditional and nontraditional open spaces.
	Integrate the Gateway District's open spaces into the larger open space network.	
	Establish Gateway Commons Open Space next to I-15.	
East Bench	Preserve the present unique scenic beauty, environmental habitat, recreational use, and accessibility of the Wasatch foothill, and ensure city control over foothill development in the East Bench Community.	As a general policy, the city should acquire park sites as soon as possible after determining their suitability.
	Parks along the foothills should provide parking and pedestrian access to foothill trails, a public view area where panoramic views of the city can be enjoyed, and a neighborhood recreation facility.	The city should consider establishing a land-banking program wherein funds could be for park property acquisition.
	Areas considered undevelopable from a geologic standpoint should be preserved as natural foothill open space.	

Plan	Open Space, Parks and Recreation	Maintenance and Improvements
Northwest	Locate adequate recreation facilities within walking distance of residential neighborhoods.	
	The city should consider shifting a greater portion of the neighborhood park responsibility to subdivision developers.	
	Designate and protect the Great Salt Lake and Jordan River Delta as a preserve area dedicated to open space, preservation, recreation, and education uses that are compatible with the sensitive environmental conditions.	
Northwest Quadrant	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 over any potential redevelopment of existing open space areas.	
West Salt Lake	Upgrade present recreation facilities and provide additional facilities where needed.	Implement the recommendations of the Salt Lake City Bikeways Master Plan and Open Space Master Plan that are relevant to the West Salt Lake community.
	Coordinate with the Jordan River Parkway Authority to continue the development of recreational opportunities along the Jordan River.	
Sugar House	Expand the urban forest of Sugar House through extensive tree plantings and landscaping, creating and maintaining urban parks and community gardens and promoting a network of regional open space areas and corridors.	Implement the open space plan as it relates to linking the parks and recreation areas with an open space trail system.
	Support a per capita ratio of public amenities funding methods for the purchase of land for public use.	Support funding for park maintenance and acquisition and development.
	Support the Sugar House Park authority to complete a master plan for Sugar House Park and invest the resources necessary to preserve it in optimal condition.	Preserve, restore and enhance the remaining natural areas in Sugar House where possible.
	Preserve the existing green space in Sugar House Park as passive open space to the extent possible.	
City Creek	Planning Goal: City Creek Canyon should serve as a valuable watershed and recreation/open space amenity of city-wide significance. These uses should take precedence over other land use alternatives.	Promote city property acquisition and annexation to insure future control over lands use in the canyon.
	Preserve the historic Canyon Road residential pocket and formal Memory Grove Park to depict the city's heritage, and as a link between the Central Business District (CBD) and the upper canyon.	Areas extending into the canyon from the formally maintained park should be maintained in their natural state with only minimal improvements to enhance recreation opportunities, stabilize hillsides and define public/private property boundaries in areas near the mouth of the canyon.
	Preserve the undeveloped canyon and hillsides as natural open space.	Prohibit future development and /or commercial endeavors.
	Preserve City Creek Canyon above Memory Grove for watershed and limited public recreation.	Identify and protect important flora and fauna.
	City Creek Canyon Above Bonneville Boulevard: Maintain the canyon in its natural state and limit canyon activities to watershed protection, water treatment facilities, and limited public recreation opportunities.	Emphasis should be shifted from accommodating through-traffic to providing access for recreation purposes such as bicycling, running, and providing reasonable vehicular access to recreation amenities in City Creek Canyon.
Open Space Plan	Conserve the natural environment.	
	Enhance open space amenities for all citizens.	
	Educate the citizens on proper use of open space.	
	Conservation of foothill transition area by managing access, restricting inappropriate uses, guiding development to minimize or eliminate adverse impacts, and promoting education for proper use.	
	In the Valley land form area connect existing park spaces, reinforce and improve the natural and man created existing linkages.	
	In the Lakeshore Uplands transitional area buffer wildlife habitat, improve access and manage growth and development.	

ATTACHMENT G: ANALYSIS OF STANDARDS

ZONING TEXT AMENDMENTS

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. In making a decision concerning a proposed text amendment, the City Council should consider the following:

Factor	Finding	Rationale
1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;	Complies The proposed text amendment is consistent with the purposes, goals, objectives and policies of the City.	The proposed text changes support and are consistent with goals and policies identified in attachment E, "Table of Salt Lake City Master Plan Policies". The text changes help to implement the community master plans, the City Creek master plan and the Open Space master plan policies.
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;	Complies The proposed text amendment furthers the specific purpose statements of the zoning ordinance.	The proposed changes clarify ordinance requirements, provides standards of appropriate scale to development size within the OS and NOS Zoning Districts and for parks less than 4 acres in size in other zoning districts. The proposed modifications create standards and factors for consideration that will facilitate appropriate development of open space lands and limit adverse impacts on neighboring property owners.
3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;	Complies The proposed text amendment does not impact any applicable overlay zoning districts.	The proposed text amendment is not site specific, and is not associated directly with any overlay zoning districts. When a particular development proposal is within an overlay zoning district, any applicable regulations of the overlay district must be met.
4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.	Complies The proposed amendments are in keeping with the best and current professional practices of urban planning and design.	The proposed text changes are intended to create appropriate standards for small scale park development, provide regulations for interpretative, regulatory and way finding signs within open space lands, creates new standards related to traffic impacts and lighting for open space lands.
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.	Not applicable	The proposed text amendment is citywide and does not apply directly to the development of any specific property and does not affect the adequacy of any public facilities.
NOTES:		

ATTACHMENT H: PUBLIC PROCESS AND COMMENTS

Proposed Open Space Text Amendments and an information handout were provided in a Citywide Open House on December 11, 2014.

No comments were received from the open house.

ATTACHMENT I: DEPARTMENT REVIEW COMMENTS

The proposed open space text amendments were developed with a working group of staff from the Parks and Public Lands, Open Space Lands program, Public Utilities Department and the Planning Division. The proposed open space text amendments were presented to the Parks, Natural Lands, Trails and Urban Forestry Advisory Board on June 19, 2014. The Parks Department Staff provided ongoing updates on the text amendment project to the Parks, Natural Lands, Trails and Urban Forestry Advisory Board since June 2014.

The final ordinance draft has not yet been reviewed by the Parks, Natural Lands, Trails and Urban Forestry Advisory Board. They will be reviewing the final proposed text changes on April 16th. Final comments will be provided to the Planning Commission.

ATTACHMENT J: MOTIONS

Consistent with Staff Recommendation: Based on the findings in the staff report, public input and discussion, I move to transmit a favorable recommendation to the City Council to adopt the proposed zoning text amendments to the following section of Chapter 21A Zoning.

- *Section 21A.32.100 OS Open Space District*
- *Section 21A.32.105 NOS Natural Open Space District*
- *Section 21A.33.070 Table of Permitted and Conditional Uses for Special Purpose Districts*
- *Section 21A.36 General Provisions*
 - *Table 21A.36.020B Obstructions in Required Yards*
 - *Table 21A.36.020C Height Exceptions*
- *Section 21A.46.120 Sign Regulations for Special Purpose Districts*
- *Section 21A.62 Definitions*
- *Delineation of Open Space and Open Space Area terminology*
 - *Sections 21A.24.164, 21A.24.168, 21A.24.170, 21A.26.078, 21A.27.050, 21A.30.040, 21A.32.020, 21A.32.030, 21A.32.080, 21A.32.09, 21A.32.110, 21A.32.130, and 21A.58.010*

Not Consistent with Staff Recommendation: Based on the staff report information, public input and discussion and the following finding(s), I move that the Planning Commission transmit a negative recommendation to the City Council relating to the requested amendments to the zoning ordinance.

The Planning Commission shall make findings on the Zoning Text Amendment standards as listed below:

1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the 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 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.
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.