

Project Title: Planned Development Amendments and Community Benefit Requirements

Petition No.: PLNPCM2026-00611

Version: Internal Staff Review Draft

Date Prepared: July 22, 2026

Planning Commission Action:

This amendment does four key things (for summary purposes):

1. Creates two tiers of review:

- **Minor Planned Developments:** Intended for small-scale projects with modest zoning modifications. May be approved administratively unless impacts, public concern, or multiple modifications trigger planning commission review. Community Benefits are not required for Minor Planned Developments because the proportional benefit would not be significant. Instead, an appropriately scaled benefit is more easily implemented by requiring an enhanced product that meets the approval standards.
- **Major Planned Developments:** Larger or more impactful projects, projects displacing housing, or those needing greater flexibility. These applications are reviewed by the planning commission, and they must provide a community benefit.

2. Requires a community benefit for major PDs: Major Planned Developments must provide proportional public benefits such as open space, historic preservation, affordable/accessible housing, site remediation, public infrastructure improvements, community facilities, or transportation improvements.

3. Creates a transfer of building height process: Allows unused height from one proposed building within a planned development to be moved to another in specified zones, subject to design review standards. Height cannot be moved between planned developments or from outside the planned development.

4. Requires tenant protection & housing replacement: Planned developments that demolish housing may be required to provide tenant relocation assistance and replace demolished units.

Underlined text is new; text with strikethrough is proposed to be deleted. Modifications made as part of the Planning Commission recommendation are highlighted in yellow. All other text is existing with no proposed change.

If adopted by the City Council, the Salt Lake City Council ordains the following, in substantial compliance with the following:

21A.55.010: PURPOSE STATEMENT:

A planned development is intended to encourage the efficient use of land and resources, ~~promoting~~ promote greater efficiency in public and utility services, and ~~encouraging~~ encourage innovation in the planning and building of all types of development. ~~Further, a planned development implements the purpose statement of the zoning district in which the project is located, utilizing an alternative approach to the design of the property and related physical facilities.~~ A planned development incorporates special development characteristics proportionate to the scope of the proposal that help to achieve City goals identified in the adopted Master Plans general plan and that provide an overall benefit to the community as determined by the planned development objectives. A planned development will ~~result in a more enhanced product~~ help to implement goals found in the adopted general plan, and deliver a higher-quality product than would be achievable through the strict application of land use regulations, ~~while enabling the development to be compatible~~ Planned developments are intended to be compatible with adjacent and nearby ~~land~~ developments. The applicable area of a planned development may include a single lot or parcel, or any number of contiguous lots and/or parcels that are not separated by a public street. ~~The City seeks to achieve at least one or any combination of the following objectives through the planned development process. Each objective includes strategies that are intended to be used to determine if an objective has been accomplished through a specific proposal:~~

A. ~~Open Space And Natural Lands: Preserving, protecting or creating open space and natural lands:~~

- ~~1. Inclusion of community gathering places or public recreational opportunities, such as new trails or trails that connect to existing or planned trail systems, playgrounds or other similar types of facilities.~~
- ~~2. Preservation of critical lands, watershed areas, riparian corridors and/or the urban forest.~~
- ~~3. Development of connected greenways and/or wildlife corridors.~~
- ~~4. Daylighting of creeks/water bodies.~~
- ~~5. Inclusion of local food production areas, such as community gardens.~~
- ~~6. Clustering of development to preserve open spaces.~~

B. ~~Historic Preservation:~~

- ~~1. Preservation, restoration, or adaptive reuse of buildings or structures that contribute to the character of the City either architecturally and/or historically, and that contribute to the general welfare of the residents of the City.~~
- ~~2. Preservation of, or enhancement to, historically significant landscapes that contribute to the character of the City and contribute to the general welfare of the City's residents.~~

C. ~~Housing: Providing affordable housing or types of housing that helps achieve the City's housing goals and policies:~~

- ~~1. Affordable housing that meets the requirements of Section 21A.52.050.~~
- ~~2. The proposal includes housing types that are not commonly found in the existing neighborhood~~

but are of a scale that is typical to the neighborhood.

~~D. Mobility: Enhances accessibility and mobility:~~

~~1. Creating new interior block walkway connections that connect through a block or improve connectivity to transit or the bicycle network.~~

~~2. Improvements that encourage transportation options other than just the automobile.~~

~~E. Sustainability: Creation of a project that achieves exceptional performance with regards to resource consumption and impact on natural systems:~~

~~1. Energy Use And Generation: Design of the building, its systems, and/or site that allow for a significant reduction in energy usage as compared with other buildings of similar type and/or the generation of energy from an on-site renewable resource.~~

~~2. Reuse Of Priority Site: Locate on a brownfield where soil or groundwater contamination has been identified, and where the local, State, or national authority (whichever has jurisdiction) requires its remediation. Perform remediation to the satisfaction of that authority.~~

~~F. Master Plan Implementation: A project that helps implement portions of an adopted Master Plan in instances where the Master Plan provides specific guidance on the character of the immediate vicinity of the proposal:~~

~~1. A project that is consistent with the guidance of the Master Plan related to building scale, building orientation, site layout, or other similar character defining features.~~

21A.55.020: AUTHORITY:

A. Administrative Review: The planning director may approve, approve with modifications, deny, or refer to the planning commission modifications to specific zoning standards outlined in Subsection 21A.52.060.B.4.b for projects that meet the qualifying provisions in Subsection 21A.52.060.B in accordance with the standards and procedures set forth in this chapter and other regulations applicable to the district in which the property is located.

B. Planning Commission Review: The planning commission may approve planned developments for uses listed in the tables of permitted and conditional uses for each category of zoning district or districts. The approval shall be in accordance with the standards and procedures set forth in this chapter and other regulations applicable to the district in which the property is located.

In approving a planned development, the planning commission may change, alter, modify or waive the following provisions of this title:

1. Zoning and Subdivision Regulations: Any provisions of this title or of the city's subdivision regulations as they apply to the proposed planned development except that the planning commission cannot approve a use that is not allowed in the zoning district in which the planned development is located.

2. Off Site Parking: Parking within the boundary of a planned development area, but located on a different parcel or lot than the use(s) it is intended to serve, is allowed and not considered off site parking. The parking must only serve the uses within the planned development area unless

otherwise authorized by other provisions of this title.

3. ~~Building Height: Up to five feet (5') of additional building height, except in the FR, R-1, SR, or R-2 zoning districts where additional building height cannot be approved through the planned development process.~~

4. ~~Density: Residential planned developments shall not exceed the density limitation of the zoning district where the planned development is proposed except as allowed below. The calculation of planned development density may include open space that is provided as an amenity to the planned development. Public streets located within or adjacent to a planned development shall not be included in the planned development area for the purpose of calculating density.~~

~~a. In the RMF zoning districts and on lots 0.20 acres or more in size, developments that change a nonconforming commercial use to a residential use that is allowed in the zoning district are exempt from the density limitations of the zoning district when approved as a planned development.~~

A. Minor Planned Developments: Minor planned developments are projects that fulfill the stated purpose of a planned development and would either have a limited impact on their surrounding area, or incorporate one or more of the zoning incentives established in Chapter 21A.52 of this title. The following shall apply to all minor planned developments:

1. Minor planned developments shall only include projects that meet at least one of the following qualifying provisions:

a. Zoning Incentives: Projects that require planned development approval for modifications to specific zoning standards outlined in Chapter 21A.52 and meet the qualifying provisions outlined in the associated section of that same chapter.

b. Utility Requirements: Modifications to base zoning setback standards that are necessary due to an obstruction by a public utility easement.

c. Minor Modifications: Projects located within the R-1, SR, R-2, RMF-30, or FB-UN1 districts with a minimum development area of 10,000 square feet, or projects of any size within the M-1, M-2, BP, or PL districts, that are requesting one or more of the following modifications:

(1) More Than One Principal Building Per Lot: More than one principal building on a lot without frontage along a public street.

(2) Lots Without Frontage on a Public Street: Lots that do not have frontage on a public street, provided that necessary cross-access easements are provided.

(3) Modification to the Minimum Yard Requirements: Any modification to the front or corner yard requirements.

(4) Minimum Lot Width: New lots proposed as part of a planned development that do not comply with the minimum lot width requirement of the associated

zoning district.

(5) Building Coverage: Modifications to maximum building coverage requirements.

2. The planning director or their designee may approve, approve with modifications, deny, or refer to the planning commission a minor planned development request.

3. Except for projects utilizing Zoning Incentives, a minor planned development shall be forwarded to the planning commission when at least one of the following applies:

a. The proposal includes at least one other application authorized by Title 19 General Plan or Title 21A Zoning requiring planning commission approval that is associated with the minor planned development;

b. The minor planned development request includes more than three qualifying modifications from base zoning standards;

d. Public comment received during the public notice period raises concerns about any element(s) of the minor planned development that does not align with applicable approval standards regarding its compatibility with adjacent properties or neighborhood character;
or

e. The proposal does not comply with any one of the standard of approval for a planned development, and the applicant does not agree to the recommended conditions of approval that would result in the application complying with the standards of approval.

4. Minor planned developments shall not be permitted for the following:

a. Projects requesting a height exception through a transfer of building height.

b. Projects displacing any residential units, except those utilizing affordable housing incentives.

B. Major Planned Developments: Major planned developments are projects that are typically larger in scale, require greater flexibility of applicable zoning requirements, have a greater potential impact on surrounding development, risk displacing existing occupants of a dwelling unit, or do not qualify as a minor planned development. The following shall apply to all Major Planned Developments:

1. Major planned developments shall be reviewed by the planning commission in accordance with the standards and procedures set forth in this chapter.

2. Major planned developments shall fulfill the stated purpose of a planned development proposal and incorporate at least one of the community benefits listed in Section 21A.55.060 of this chapter.

3. A project that meets any one of the following conditions shall require major planned development review:

a. Projects requesting modifications to any zoning or subdivision requirement that do not

- 146 qualify for minor planned development review.
- 147 b. Projects requesting a height exception through a transfer of building height.
- 148 c. Project displacing any residential units, except those utilizing affordable housing
- 149 incentives.
- 150 C. Planning Commission Authority: In approving a major planned development, the planning
- 151 commission may change, alter, modify, or waive the following provisions of this title:
- 152 1. Zoning and Subdivision Regulations: Any provisions of this title or of the city's subdivision
- 153 regulations as they apply to the proposed planned development, unless specifically prohibited by
- 154 this title.
- 155 2. Off-Site Parking: Parking within the boundary of a planned development but located on a
- 156 different parcel or lot than the use(s) it is intended to serve is allowed and not considered off-site
- 157 parking. The qualifying off-site parking must serve only the uses within the planned development
- 158 unless otherwise authorized by other provisions of this title.
- 159 3. Building Height: Except as authorized under Section 21A.55.025 Transfer of Building Height,
- 160 up to five feet of additional building height may be granted. This shall not apply to projects within
- 161 the FR, R-1, SR, or R-2 zoning districts, where additional building height cannot be approved
- 162 through the planned development process.
- 163 4. Density: A residential planned development shall comply with the following provisions:
- 164 a. The maximum density of a residential planned development shall not exceed the
- 165 limitations of the zoning district where it is proposed, whether it is established through a
- 166 minimum lot area or a lot size per dwelling unit requirement;
- 167 b. Density calculation for minimum lot area or lot size per dwelling unit may include any
- 168 open space provided within the planned development. Public streets located within or
- 169 adjacent to a planned development shall not be included for the purpose of calculating
- 170 density;
- 171 c. The allowed density shall be based upon the dwelling or building type with the most
- 172 permissible minimum lot size or lot area per dwelling unit of the applicable zoning
- 173 district. The allowed density may be arranged in any combination of the building or
- 174 dwelling types that are permitted by the base zoning district; and
- 175 d. Developments approved as a Planned Development in the RMF zoning districts that
- 176 change a nonconforming commercial use to a residential use that is allowed in the zoning
- 177 district are exempt from the density limitations of that zoning district.
- 178 D. Limit to Planned Development Approval: The planned development process shall not be used for the
- 179 following:
- 180 1. The approval of a land use that is not allowed in the zoning district in which the planned
- 181 development is located, as established in Chapter 21A.33.

182 2. Changing, altering, modifying, or waiving any standard from an applicable overlay district
183 listed in Chapter 21A.34, unless the regulations for an applicable overlay district explicitly
184 authorize a modification through the planned development process.

185 3. Changing, altering, modifying, or waiving any standard required for a special approval process,
186 including processes identified in 21A.34.020, Amendments (as listed in Chapter 21A.50),
187 Conditional Uses (as listed in Chapter 21A.54), Design Reviews (as listed in Chapter 21A.59),
188 and Zoning Incentives (as listed in Chapter 21A.52).

189 21A.55.030: DECISION:

190 A. No Presumption of Approval: A request for a planned development does not constitute an assurance
191 or presumption that ~~such~~ the planned development will be approved. Rather, each proposed planned
192 development shall be evaluated on an individual basis, in relation to its compliance with the standards ~~and~~
193 ~~factors~~ set forth in this chapter and with the standards for the zoning district in which it is located, ~~in order~~
194 to determine whether the planned development is appropriate at a particular location.

195 B. Approval: The planning commission, or planning director in the case of ~~administrative~~ minor planned
196 developments, may approve a planned development as proposed or may impose conditions necessary or
197 appropriate for the planned development to comply with the standards and factors set forth in this chapter.

198 C. Denial: The planning commission, or planning director in the case of ~~administrative~~ minor planned
199 developments, may deny an application for a planned development if ~~it~~ they find that the proposal ~~does~~
200 ~~not meet the intent of the base zoning district, does not meet the purpose of this chapter, or is not~~
201 consistent with the standards ~~and factors~~ as set forth in this chapter.

202 21A.55.040: PROCEDURES:

203 A. Application: ~~An application~~ Applications for a planned developments shall be made on ~~an~~ the
204 associated application form prepared by the zoning administrator and accompanied by applicable fees as
205 noted in the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment
206 of all mailing fees established for required public noticing. A complete application shall contain at least
207 the following information submitted by the applicant, unless certain information is determined by the
208 zoning administrator to be inapplicable or unnecessary to appropriately evaluate the application:

209 1. A complete description of the proposed planned development. The description shall list the
210 zoning or subdivision standards that would be ~~including the zoning regulations being modified or~~
211 waived through in the planned development, and the planning objectives being met; explain how
212 the requested modifications to the zoning and/or subdivision regulations meet the purpose
213 statement for a planned development, and demonstrate how the proposal meets the applicable
214 standards of approval listed in this chapter.

215 2. For major planned developments, a description of the proposed community benefit that would
216 be provided with the project and how the proposed benefits are proportional to the scale of the
217 request, including any zoning or subdivision standards requested to be modified or waived.

218 23. When the proposed planned development includes provisions for common open space or
219 recreational facilities, a statement describing the provision to be made for the care and
220 maintenance of such open space or recreational facilities;

34. A written statement with supporting graphics showing how the proposed planned development is compatible with other property in the neighborhood;
45. Plans, as required pursuant to Section 21A.58.060 of this title, ~~with the exception of the number of copies required;~~
56. Architectural graphics including floor plans, elevations, profiles and cross sections of all buildings and structures;
67. A preliminary subdivision plat application if any component of the planned development meets the applicability requirements listed in Section 20.02.040 of Title 20, Subdivision Ordinance, if required;
78. Traffic impact analysis, where required by the City Transportation Division; and
89. Other information or documentation the planning director may deem necessary for proper review and analysis of a particular application.

B. Determination of Completeness: Upon receipt of an application for a planned development, the zoning administrator shall make a determination of completeness of the application pursuant to Section 21A.10.010 of this title. An application shall not be considered complete if any of the submittal requirements are not provided or have not been waived by the planning director.

C. Public Notification and Engagement:

1. Notice of Application for ~~Administrative~~ Minor Planned Development Review: Prior to the approval of an application that qualifies for ~~administrative~~ planning director review, the planning director shall provide written notice as provided in Chapter 21A.10.015.A.

2. Required Notice for Planning Commission Review: Any required public hearing is subject to the public hearing notice requirements found in Chapter 21A.10.

~~a. Applications subject to planning commission review are subject to the notification requirements of Chapter 2.60.~~

~~b. Any required public hearing is subject to the public hearing notice requirements found in Chapter 21A.10.~~

21A.55.045: TRANSFER OF BUILDING HEIGHT:

A transfer of building height is the relocation of unused permitted building height from any proposed or existing building or any buildable area used for a community benefit within a single planned development, to other proposed buildings within that same planned development. Such transfers may allow height in excess of the base height otherwise permitted by the underlying zoning district for the building or buildings receiving additional height.

A. A transfer of building height is only permitted through major planned development approval by the planning commission, and is subject to the following:

1. For the purposes of this section, the transferred building height shall be measured to the maximum allowed height according to the following.

a. Flat-roof buildings: From the top of a parapet wall above the highest full floor to the maximum allowed height.

b. Pitched-roof buildings: From the average height between the roof ridge and eave above the highest full floor to the maximum allowed height.

c. For buildings within districts without a maximum height, the transferred building height shall be 50% of its height or no more than 75 feet, whichever is less.

2. For the purposes of this section, the area of any transferred building height shall be measured according to the following.

a. The area transferred from any existing or proposed buildings shall equal the footprint of a qualifying building.

b. The area transferred from shall exclude any proposed or remaining parking lots, parking lot landscaping, driveways, drive aisles, landscape buffers, or required setbacks.

c. The area transferred from buildable area used for a community benefit shall exclude any required setback, existing easements or encroachments.

3. With the exception of additional building height granted through design review, a transfer of building height shall not be combined with any additional height that may be authorized in this title, including additional height authorized by any section within [Chapter 21A.52, Zoning Incentives](#).

4. Only properties located within the following zoning districts are eligible to utilize a transfer of building height:

a. All D Downtown Districts listed in [Chapter 21A.30](#)

b. All MU Mixed Use Districts listed in [Chapter 21A.25](#)

c. The G-MU Gateway District listed in [Chapter 21A.31](#)

d. The PL-2 Public Lands District in [21A.32.075](#); and

e. The UI Urban Institutional District in [21A.32.090](#).

5. A transfer of building height shall not increase the height of any receiving building by more than 50% of the maximum permitted building height of the underlying zoning district. Any additional height granted through design review approval shall be included in the maximum permitted building height of the underlying zone.

6. Unless there is a concurrent design review application, a major planned development that includes a transfer of building height shall be subject to all design review approval standards set forth in [21A.59.050](#). A design review application is not required to utilize a transfer of building height.

7. The following impact standards shall apply to any building receiving a transfer of building height:

a. Unless a greater stepback is required, street-facing facades of buildings over 85 feet in height shall have a stepback with a minimum depth of 10 feet. The stepback can be at any height above the ground floor of the building. A 10-foot front or corner side yard setback may be provided in lieu of this requirement.

b. Except when a greater stepback is required, the first full floor and all floors above 30 feet in height shall be set back at least 45 feet from the required minimum yard that abuts any of the following, unless they are separated from the planned development by a public street:

(1) Any parcel or lot in a district with a maximum height that is less than 45 feet

(2) A public trail, or

(3) Public open space.

8. Limit to Transfer of Building Height: The Transfer of Building Height process is not permitted for any property located within the H Historic Preservation Overlay District.

B. Legal Agreement for Transfer of Building Height: Approved planned developments that incorporate a transfer of building height shall have a restrictive covenant recorded at the Salt Lake County Recorder's Office against the property or properties within the planned development. The restrictive covenant shall be recorded against all lots within the planned development before a building permit is issued for any part of the approved planned development. The restrictive covenant shall include the following information:

1. A legal description of the planned development where the transfer of building height has occurred.

2. A statement acknowledging that a transfer of building height was approved for the planned development.

3. A statement prohibiting additional building height on the building(s) or open space(s) from which building height and area have been transferred.

4. The location, height (in feet), and footprint (in square feet) of any existing building that is transferring unused building height.

5. The location, dimensions, and area (in square feet) of any open space area that is transferring unused building height.

6. The amount of height and building area being transferred.

7. A statement acknowledging the height of the building receiving the transfer of building height.

8. A statement that all future development involving any building or required open space affected by the transfer of building height shall require a new planned development application.

9. A statement that the restrictive covenant shall be enforceable to ensure full compliance with all applicable provisions.

10. A statement that the restrictive covenant may only be removed from a property if approved by

Salt Lake City Corporation.

11. At statement establishing that the terms of the restrictive covenant are enforceable by the city, or, pursuant to Utah Code Section 10-20-802 (or its successor), any adversely affected party, and that in any such enforcement action the court shall award the prevailing party its attorneys' fees.

21A.55.050: STANDARDS FOR PLANNED DEVELOPMENTS:

The planning commission, or the planning director in the case of an ~~administrative~~ minor planned development, may approve, approve with conditions, or deny a planned development based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance with the following standards:

A. Minor Planned Development Objectives Purpose Statement: The planned development shall meet the purpose statement for a planned development (section 21A.55.010 of this chapter) and will achieve at least one of the objectives stated in said section. To determine if a planned development objective has been achieved, the applicant shall demonstrate that at least one of the strategies associated with the objective are included in the proposed planned development. The applicant shall also demonstrate why modifications to the zoning regulations are necessary to meet the purpose statement for a planned development. The Planning Commission should consider the relationship between the proposed modifications to the zoning regulations and the purpose of a planned development, and determine if the project will result in a more enhanced product than would be achievable through strict application of the land use regulations. A minor planned development shall meet the purpose statement for a planned development (found in section 21A.55.010 of this chapter) and shall result in a more enhanced product than would be achievable through strict application of land use regulations. A community benefit is not required for minor planned development approval.

B. Major Planned Development Purpose Statement: A major planned development shall meet the purpose statement for a planned development (section 21A.55.010 of this chapter) and achieve at least one of the community benefits listed in section 21A.55.060 of this chapter.

C. Justification for Requested Modifications: The applicant shall demonstrate how the requested modifications to the zoning and/or subdivision regulations meet the purpose statement for a planned development (section 21A.55.010 of this chapter). In determining if the planned development will result in a more enhanced product than would be achievable through strict application of the land use regulations, the planning commission shall consider the following:

1. The relationship between the requested modification to the zoning and/or subdivision regulations and the purpose statement for a planned development.

2. How the requested modifications to the zoning and/or subdivision regulations are related to the goals listed in the general plan.
3. For major planned developments, whether the proposed community benefit is reasonably related and roughly proportional to the scale of the major planned development and the extent of the requested modifications according to the following factors:

a. The number, type, and magnitude of modifications to the zoning and/or subdivision regulations as opposed to strictly applying the zoning code;

- b. The nature and extent of impacts created by those modifications as opposed to strictly applying the zoning code;
- c. The degree to which a proposed community benefit addresses, mitigates, or offsets any identified impacts;
- d. How much a proposed community benefit advances or supports adopted policies in the general plan;
- e. The community benefit's relevance to the needs or issues of surrounding neighborhoods or affected communities adjacent to and in nearby proximity to the planned development;
- f. The physical scale, duration, and permanence of the proposed community benefit;
- g. The extent to which a community benefit serves a clearly defined public purpose; and
- h. The extent to which any burden from the proposed community benefit is reasonably related and roughly proportional to the impacts, costs, or demands the development may place upon the city and surrounding community.

~~BD.~~ Master General Plan Compatibility: The proposed planned development advances goals and policies set forth in the Citywide, community, and/or small area Master general pPlan that is applicable to the site where the planned development will be located.

~~CE.~~ Design And Compatibility: The proposed planned development is compatible with the area ~~the planned development in which it will be located and is designed to achieve a more enhanced product than would be achievable through strict application of land use regulations~~ facilitates pedestrian interest and interaction. In determining design and compatibility, the ~~P~~planning ~~C~~ommission should consider:

1. Whether the impacts resulting from any proposed modifications to the building height, width, or setbacks of the planned development are greater than the impacts that would occur if the development were built without the planned development modifications; and if the impacts are greater, how that (i) advances a public purpose, or (ii) how those impacts will be mitigated according to section 21A.55.055. ~~scale, mass, and intensity of the proposed planned development is compatible with the neighborhood where the planned development will be located and/or the policies stated in an applicable Master Plan related to building and site design;~~
2. Whether the building orientation and building materials in the proposed planned development are compatible with the neighborhood where the planned development will be located and/or the policies stated in an applicable Master general pPlan related to building and site design;
3. Whether modifications to building setbacks along the perimeter of the development:
 - a. Maintain the visual character of the neighborhood or the character described in the applicable Master general pPlan;
 - b. Provide sufficient space for private amenities;
 - c. Provide sufficient ~~open space~~ buffering or other mitigation measures between the

proposed development and neighboring properties to minimize impacts related to privacy and noise; and

~~d. Provide adequate sight lines to streets, driveways and sidewalks.~~

~~e.~~ Provide sufficient space for maintenance of the property and buildings.

4. Whether ~~street-facing~~ building facades offer ground floor transparency, access, and ~~architectural detailing~~ visual interest to facilitate pedestrian interest and interaction as determined by compliance with applicable design standards in 21A.37. The planning commission may require more than what is required by 21A.37 if the proposed planned development impacts the applicable design standards.

~~5. Whether lighting is designed for safety and visual interest while minimizing impacts on surrounding property;~~

~~6. Whether dumpsters, loading docks and/or service areas are appropriately screened; and~~

~~7. Whether parking areas are appropriately buffered from adjacent uses.~~

~~DF.~~ Landscaping: The proposed planned development preserves, maintains or provides native or mature landscaping where appropriate. In determining the landscaping for the proposed planned development, the ~~P~~planning ~~C~~ommission, or planning director in the case of minor planned developments, should consider:

1. Whether ~~mature native specimen~~ trees located along the periphery of the property and along ~~the street~~ identified by the city forester according to 21A.48.090 are preserved and maintained;

2. Whether existing landscaping that provides additional buffering to the abutting properties is maintained and preserved; If such landscaping is proposed to be removed, the planning commission should consider whether the proposed landscaping provides equivalent buffering to the abutting properties;

3. Whether proposed landscaping is designed to lessen potential impacts created by the proposed planned development; ~~and~~

4. Whether proposed landscaping is appropriate for the scale of the development;

5. Whether proposed landscaping includes additional trees beyond the minimum required by code; and

6. Whether the proposed landscaping incorporates water conservation measures that are greater than what is otherwise required by this title.

~~EG.~~ Mobility: The proposed planned development supports ~~e~~Citywide transportation goals and promotes safe and efficient circulation within the planned development and surrounding neighborhood. In determining mobility, the ~~P~~planning ~~C~~ommission, or planning director in the case of minor planned developments, should consider:

1. ~~Whether drive access to local streets will negatively impact the safety, purpose and character of the street;~~

21. Whether the site design ~~considers~~ provides a safe circulation network for a range of transportation options, including:

a. How the planned development site is designed to encourage safe pedestrian access and mobility;

b. Bicycle facilities and connections where appropriate, and orientation to public transit where available; and

c. How traffic circulation is designed to minimize conflicts between different modes of transportation;

32. Whether the site design ~~of the proposed development~~ promotes or enables access to adjacent uses and amenities;

3. Whether the planned development provides improvements to the abutting street frontage(s) according to the principles outlined in the Transportation Division's Street and Intersection Typologies Design Guide or its successor;

4. Whether the proposed design provides adequate emergency vehicle access; and

5. Whether any streets, midblock walkways, or public trails identified in the General Plan are included in the proposal and are open to the public.

5. ~~Whether loading access and service areas are adequate for the site and minimize impacts to the surrounding area and public rights of way.~~

FH. Existing Site Features: The proposed planned development preserves natural and built features that significantly contribute to the character of the neighborhood and/or environment.

GI. ~~UtilitiesInfrastructure: Existing and/or planned utilities will adequately serve the development and not have a detrimental effect on the surrounding area. The proposed planned development is designed to~~ accommodate adequate public infrastructure, including streets, drainage, water, sewer, and other necessary systems. The site design shall not impair the municipality's ability to maintain, repair, or upgrade existing or planned infrastructure.

J. Lighting: the proposal incorporates dark sky principles into all exterior lighting fixtures and locates lighting fixtures to minimize light trespass onto adjacent properties.

K. Service Areas: all service areas, including utility boxes, dumpsters and recycling facilities, loading docks, and other similar service needs are located and designed to be screened from public spaces, minimize any odor or noise, minimize impacts to any sidewalk or pedestrian path, will not result in the removal of a public street tree, and minimize impacts to any existing or planned bicycle or utility infrastructure.

L. Parking Areas: all parking areas, including driveways, drive aisles, and parking stalls are designed and located to minimize impacts to adjacent property and public rights of way.

21A.55.055. MITIGATION OF IMPACTS

A. The planning commission, or the planning director in the case of a minor planned development, may impose reasonable conditions on any planned development approval when necessary to minimize adverse impacts to surrounding properties resulting from requested modifications to the zoning and/or subdivision regulations for the planned development.

B. Conditions may include, but are not limited to, one or more of the following, as necessary to address impacts resulting from the requested modifications in this title:

1. Conditions regarding the scope of any requested modification in terms of to its character, location, architecture, signage, construction, landscaping, access, loading and parking, sanitation, drainage and utilities, fencing and screening, and setbacks in accordance with the standards of approval for a planned development listed in 21A.55.050;

2. Conditions needed to mitigate any natural hazards, address public safety impacts, address environmental impacts, or conditions to mitigate odor, noise, or light impacts on adjacent properties.

3. Increased building setbacks, stepbacks, height, or buffer widths beyond those otherwise required in this title to mitigate impacts from requested modifications that reduce setbacks, increase building height, or increase building mass;

4. Increase or decrease in openings, including windows and doors, screening, materials for walls, windows, or fences to address privacy, safety, or visual compatibility impacts, in accordance with standards in this title;

5. Elevation changes, retaining walls, or grading modifications to mitigate impacts from proposed modifications in accordance with the standards of approval for a planned development listed in 21A.55.050; and

6. Any condition necessary to ensure the standards of approval for the planned development listed in 21A.55.050 are satisfied.

C. Findings Required: The planning commission, or the planning director in the case of a minor planned development, shall make findings that identify the specific adverse impacts that a condition is intended to minimize or mitigate.

D. Denial of a Planned Development: The planning commission, or planning director in the case of a minor planned development, may also determine that the adverse impacts of the proposed planned development cannot be adequately minimized or mitigated and, based on those findings, may deny the proposed planned development in whole or in part.

21A.55.060: MINIMUM AREA:

A. The total land area for a proposed planned development shall meet the minimum area requirement identified in Table 21A.55.060.

B. When a proposed planned development involves multiple zoning districts, the largest minimum lot area requirement, as identified in Table 21A.55.060, of the zoning districts within the planned development shall apply.

TABLE 21A.55.060

PLANNED DEVELOPMENTS

District	Minimum Planned Development Size
Residential districts:	-
FR 1/43,560 Foothills Estate Residential District	5 acres
FR 2/21,780 Foothills Residential District	5 acres
FR 3/12,000 Foothills Residential District	5 acres
R 1/12,000 Single Family Residential District	24,000 square feet
R 1/7,000 Single Family Residential District	14,000 square feet
R 1/5,000 Single Family Residential District	10,000 square feet
SR 1 and SR 1A Special Development Pattern Residential District	10,000 square feet
SR 2 Reserved	-
SR 3 Special Development Pattern Residential District	4,000 square feet
R 2 Single and Two Family Residential District	10,000 square feet
RMF 30 Low Density Multi Family Residential District	9,000 square feet
RMF 35 Moderate Density Multi Family Residential District	9,000 square feet
RMF 45 Moderate/High Density Multi Family Residential District	9,000 square feet
RMF 75 High Density Multi Family Residential District	9,000 square feet
RB Residential/Business District	No minimum required
R MU 35 Residential/Mixed Use District	9,000 square feet
R MU 45 Residential/Mixed Use District	9,000 square feet
R MU Residential/Mixed Use District	No minimum required
RO Residential/Office District	No minimum required
Commercial districts:	-
CN Neighborhood Commercial District	No minimum required

CB Community Business District	No minimum required
CS Community Shopping District	No minimum required
CC Corridor Commercial District	No minimum required
CSHBD Sugar House Business District	No minimum required
CG General Commercial District	No minimum required
TC 75 Transit Corridor District	No minimum required
Manufacturing districts:	-
M-1 Light Manufacturing District	No minimum required
M-2 Heavy Manufacturing District	No minimum required
M-1A Northpoint Light Manufacturing District	No minimum required
Downtown districts:	-
D-1 Central Business District	No minimum required
D-2 Downtown Support District	No minimum required
D-3 Downtown Warehouse/Residential District	No minimum required
D-4 Downtown Secondary Central Business District	No minimum required
Special purpose districts:	-
RP Research Park District	No minimum required
BP Business Park District	No minimum required
FP Foothills Protection District	32 acres
AG Agricultural District	10 acres
AG-2 Agricultural District	4 acres
AG-5 Agricultural District	10 acres
AG-20 Agricultural District	40 acres
A Airport District	No minimum required
PL Public Lands District	No minimum required
PL-2 Public Lands District	No minimum required
I Institutional District	No minimum required
UI Urban Institutional District	No minimum required
OS Open Space District	No minimum required
MH Mobile Home Park District	No minimum required
EI Extractive Industries District	No minimum required
MU Mixed Use District	No minimum required

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21A.55.060: COMMUNITY BENEFIT:

An application for a major planned development shall identify one or more community benefits provided by the proposal that support the Salt Lake City community or further adopted goals and policies within the general plan. The proposed community benefit(s) shall be within any of the following categories:

A. Open Space: A proposal to create or preserve existing open space within the proposed planned development. This may include public plazas (paved public spaces for public gathering and pedestrian traffic), active open space (areas designated for physical activities, organized sports, active recreation, and/or play), or natural open space (undeveloped areas of land and/or water that are largely in their natural state, used for purposes like preserving wildlife and native plant habitats, protecting watersheds, and offering low-impact, passive recreation opportunities).

1. If proposing open space as the community benefit, the planning commission should consider the following in their review:

a. The total area that is provided as open space within the planned development.

b. How the proposed open space fulfills any open-space-related goals or objectives in the general plan.

c. The quantity and extent of amenities included in the proposed open space. The following lists examples of such amenities.

(1) Amenities typically associated with public plazas include, but are not limited to, public seating areas, fountains, public art, and outdoor theaters.

(2) Amenities typically associated with active recreation include, but are not limited to, sports fields, playgrounds, picnic pavilions, splash pads, and public pools.

(3) Amenities typically associated with natural open space include, but are not limited to, public trails, wetland areas, education pavilions, and water body access.

d. The open space's accessibility to the public beyond occupants of the planned development.

B. Preservation of Historic Buildings or Structures: A proposal to preserve any historic buildings or structures within the proposed planned development.

1. If the preservation of historic buildings or structures is proposed as a community benefit, the planning commission should consider the following in their review:

a. The historic significance of the building(s) or structure(s) as determined by the planning director or their designee based on the criteria listed in section [21A.51.040: Local Historic Designation Criteria](#).

b. The amount of work required to preserve the building(s) or structure(s).

c. The size of the historic structure.

2. If the preservation of historic building(s) or structure(s) is proposed as a community benefit, the following shall apply:

a. The existing building shall not be located within an existing local historic district. Landmark Sites and buildings individually listed on the National Register of Historic Places may be considered.

b. If there is not one already available, the applicant shall provide an intensive level survey (ILS) of the historic building(s) on the property.

c. Any applicable building(s) or structure(s) shall be preserved according to the Secretary of the Interior's Standards for Preservation (or its successor), using the associated ILS as a reference.

d. New buildings shall relate in scale and massing to the scale and context of the preserved building through existing foundation lines, established cornice heights, building massing, step backs, or vertical emphasis.

e. New buildings shall also feature at least one horizontal element on street-facing façades (such as a base, belt course, frieze, cornice, etc.) that aligns with a corresponding element, eave, or overall height of the preserved building. The alignment shall foster visual continuity and respect the historic context.

3. As an alternative to the legal agreement for this community benefit required by 21A.55.120.B, the applicant may list the preserved building in the local landmark register according to the process established in [Chapter 21A.51: Local Historic Designations and Amendments](#).

C. Housing: The proposal includes at least one of the housing-related community benefit::

1. Affordable housing: A planned development that includes income-restricted units.

a. Both the level of affordability and the number of affordable units may be used to consider the proportionality of the community benefit.

b. If affordable housing is proposed as a community benefit, the planned development shall provide at least 4% of the units as deeply affordable housing units (affordable to renters earning 30% of AMI or less).

c. The planned development must comply with the [eligibility standards for the Affordable Housing incentives listed in section 21A.52.050.F](#).

2. Accessible housing: A planned development that includes units that are designed for individuals with disabilities according to adopted standards and best current professional practices.

a. Proportionality considerations should include the number of accessible or visitable units that exceed the minimum number required by law, and the extent of qualifying units' accessibility.

b. Accessible housing details shall be provided by the applicant on the submittal

requirements and confirmed by the Building Official. Projects that include accessible housing as a proposed community benefit shall include the following:

(1) The minimum number of required accessible or visitable units required according to an applicable federal, state, or local requirement. Planned developments utilizing this community benefit with four or fewer units shall have at least one accessible or visitable unit.

(2) Sufficient details to show how accessible or visitable units meet applicable building codes or professional standards, including, but not limited to, the American National Standards Institute (ANSI), or International Building Code (IBC). Accessible units within planned developments with four or fewer units shall not be exempt from this requirement.

3. Multi-bedroom housing: A planned development that includes a minimum of 20% of units with three or more bedrooms.

a. Proportionality considerations should include the number of multi-bedroom units in comparison to the total number of units on site, the size of each qualifying unit, and the number of bedrooms provided.

D. Remediation of a Contaminated Site: A planned development that includes the remediation of pollution found in the soils located on the site. This includes any site that has been remediated since January 1, 2010.

1. If the remediation of a contaminated site is proposed as a community benefit, the planning commission should consider the following in their review:

a. The potential risk to public health, groundwater, or adjacent properties if not remediated;

b. How the cleanup supports broader city goals; and

c. The extent to which the cleanup reduces environmental inequities in the surrounding neighborhoods.

2. The following shall apply to any planned development that includes the remediation of a contaminated site as a community benefit:

a. The remediation must be approved by the Utah Department of Environmental Quality and comply with all applicable regulations and requirements.

b. Written documentation of completed remediation must be provided to the city before a building permit for any above-ground construction can be issued.

E. Public Utility Infrastructure Improvements: A proposal that includes public infrastructure improvements that expand capacity for future development in the neighborhood where the proposed planned development is located. Proportionality shall be assessed based on the amount of capacity added compared to the overall need of the planned development.. No building permit shall be issued for the

planned development until after the Department of Public Utilities has confirmed the execution of an agreement holding the property owner responsible for qualifying improvements.

F. Development of Community Facilities: A proposal to provide space to an organization, business, or entity that provides services or facilities that are beneficial to the immediate and surrounding community. Such spaces may include, but are not limited to, community daycares, local art organizations, health clinics, food pantries, or spaces for new small businesses.

G. Transportation: A proposal that includes publicly accessible transportation infrastructure. This may include, but is not limited to, bike paths, public trails, mid-block walkways, sidewalks, roads, or space for public transit facilities. Proportionality considerations may include multiple transportation-focused community benefits, provided they are combined in a manner that supports the purpose statement and standards in this chapter.

H. Other Community Benefits: Proposals that provide a community benefit not specifically listed in this chapter may be considered, provided they are consistent with and advance the policies and objectives of the general plan. In approving a proposed community benefit, the planning commission shall consider the proportionality of the benefit relative to the scale and intensity of the proposed development, the extent of the requested modifications, and the number of general plan policies met or objectives fulfilled. Consideration may also be given to the degree of community engagement, including how nearby residents were consulted or involved in developing the community benefit proposal.

21A.55.070: TENANT DISPLACEMENT AND DEMOLISHED HOUSING REPLACEMENT

A. Displaced Tenant Resulting from Demolition of Housing: If a proposed planned development includes the demolition of any dwelling, the planning commission may require the applicant to provide relocation assistance for the current tenant(s), or a replacement dwelling as required by this section, for each demolished dwelling within a future development.

1. This subsection may be applied by the planning commission when a proposal for a major planned development is likely to result in the demolition of an existing housing unit due to the scope of requested changes, alterations, modifications, or waivers to zoning or subdivision standards.

2. An applicant or owner may not terminate a lease or evict a tenant for the purpose of evading the obligation to provide tenant relocation assistance and other requirements set forth in this section.

3. Tenant Relocation Assistance: When an application for a planned development will result in the demolition of a dwelling unit, the property owner may be required to provide the tenant with relocation assistance to supplement the costs of leasing a comparable replacement dwelling. The rental relocation assistance includes the following:

a. Moving expenses based on a reasonable estimate provided by the tenant, up to a maximum of \$1,500.

b. Application fees for the replacement housing.

c. The deposit that the displaced tenant would have to pay to secure replacement housing.

d. Monthly Rental Assistance payment. The rental assistance payment is based on the difference, if any, between the cost of the monthly rent for the demolished housing and a comparable unit. The rental assistance payment's total amount shall not exceed \$7,200.

e. If the property owner relocates the displaced tenant into an existing unit that is owned by the applicant within Salt Lake City at the same rental rate that the displaced tenant was paying and without an additional applicant fee or deposit, then paragraphs b, c, and d above do not apply.

f. Any and all payments shall be received by the tenant 24 hours in advance of leaving the unit to be demolished.

4. Tenant Relocation Assistance Exemptions: If the project is receiving identified federal funds and subject to the Uniform Relocation Assistance (URA) and Real Property Acquisition Policies Act of 1970, as amended, 42. U.S.C 4601-4655, the relocation assistance rules for the developer/tenant under that act will govern, and the tenant relocation assistance outlined in this section will not apply. The developer shall inform the city if they are subject to URA and the details of assistance to be provided. Tenants who receive tenant relocation assistance from this section are not eligible to receive relocation benefits that may be required by this title.

5. If a housing unit is demolished or neglected to the point of being uninhabitable at any time during the five years prior to the submittal of a planned development application or is placed on the city's boarded building inventory, the planning commission may require this section to apply to tenants that were displaced by the demolition or require the tenant relocation amount to be paid to the city for the purpose of other tenant relocation assistance.

B. Demolished Unit Replacement. The planning commission, or the planning director in the case of a minor planned development, may require the replacement of any demolished housing unit within the planned development. The replacement housing unit shall have at least the same number of bedrooms as the demolished dwelling.

21A.55.070: APPEAL OF THE DECISION:

Any person adversely affected by a final decision of the planning commission or planning director in the case of ~~administrative~~ minor planned developments, may appeal to the appeals hearing officer in accordance with the provisions of Chapter 21A.16 of this title. The filing of the appeal shall not stay the pending the outcome of the appeal, except as provided for under Section 21A.16.030F of this title.

21A.55.080: TIME LIMIT ON APPROVED PLANNED DEVELOPMENT:

~~No planned development approval shall be valid for a period longer than one year unless a building permit has been issued or complete building plans have been submitted to the Division of Building Services and Licensing. The planning commission or planning director in the case of an administrative planned development, may grant an extension of a planned development for up to one additional year when the applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact. Extension requests must be submitted prior to the expiration of the planned development approval.~~

A. A planned development approval expires in 12 months from the date of approval unless one of the

following occurs before the approval expires:

1. A complete building permit application to construct at least one of the principal buildings approved as part of the planned development is submitted to the city;

2. A development agreement, if authorized by Utah Code and City Code, is signed and executed between the owner of the property and the city;

3. A restrictive covenant, if authorized by Utah Code and City Code, is signed and executed between the owner of the property and the city; or

3. A complete final plat application is submitted to the city if the planned development included approval of a preliminary subdivision application. For the purpose of this section, a subdivision includes a subdivision amendment if the planned development is located in an existing subdivision.

B. If one of the actions listed above expires, the planned development shall also be considered expired.

C. A one-time, one-year extension may be granted by the planning commission, or in the case of a minor planned development, the planning director for planned developments, if a written request for an extension is submitted by the applicant to the planning director prior to the expiration of the planned development. Extensions authorized by this section only apply to the planned development approval and not to any other required applications or approvals.

D. If the property owner, or someone authorized to act on the owner's behalf, submits a building permit, subdivision application, or other development authorized by city code that complies with the applicable regulations and is different than the approved planned development application, the approved planned development shall be considered voluntarily terminated by the property owner.

21A.55.090: EFFECT OF APPROVAL OF PLANNED DEVELOPMENT:

The approval of a proposed planned development by the planning commission or planning director in the case of an ~~an administrative~~ minor planned development, shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration or moving of any building or structure, but shall authorize the preparation, filing and processing of applications for any permits or approvals that may be required by the regulations of the city, including, but not limited to, a building permit, a certificate of occupancy and subdivision approval.

21A.55.100: MODIFICATIONS TO DEVELOPMENT PLAN:

Following planned development approval, the development plan approved by the planning commission or planning director in the case of an ~~an administrative~~ minor planned development, shall constitute the site design in relation to building placement and design, landscaping, mobility and circulation elements, and any elements that were approved as zoning modifications through the planned development process. Modifications to the development plan may be allowed pursuant to this section.

~~A. New Application Required for Modifications and Amendments: Modifications or amendments shall be subject to the provisions of this section.~~

BA. Minor Technical Modifications: The planning director may authorize ~~minor~~ technical modifications

to the approved development plan when such modifications ~~appear~~ are necessary in light of technical or engineering considerations necessary to comply with an adopted building, fire, public utility, or engineering requirement. Technical modifications that do not comply with an applicable standard in Title 21.A shall be permitted provided that they are consistent with the intent and purposes of said title and do not violate a condition of approval or other requirement placed on the planned development as part of its approval, or engineering code or standard or when the modification complies with the applicable standards in the underlying zoning district or overlay district. Such minor modifications shall be limited to the following elements:

- ~~1. Adjusting the distance as shown on the approved development plan between any one structure or group of structures, and any other structure or group of structures, or any vehicular circulation element;~~
- ~~2. Adjusting the location of any open space;~~
- ~~3. Adjusting any final grade;~~
- ~~4. Altering the types of landscaping elements and their arrangement within the required landscaping buffer area;~~
- ~~5. Signs;~~
- ~~6. Relocation or construction of accessory structures that comply with the provisions of Chapter 21A.40 and any applicable accessory structure regulations; or~~
- ~~7. Additions which comply with the lot and bulk requirements of the underlying zone.~~

~~Such minor modifications shall be consistent with the intent and purpose of this title and the development plan as approved pursuant to this chapter and shall be the minimum necessary to comply with the standards of the underlying zoning district or the applicable building, fire, or engineering code or standard. A minor modification shall not be approved if the modification reduces a required building setback, authorizes an increase in lot coverage, or increases building height.~~

B. Minor Modifications: The planning director may authorize the following minor modifications to the approved development plan provided they comply with applicable standards in Title 21.A, including the applicable standards in the underlying zoning district or overlay district. Such minor modifications shall be consistent with the intent and purpose of this title and the development plan as approved pursuant to this chapter and shall not violate a condition of approval or other requirement placed on the planned development as part of the approval of the application:

1. Adjustments to the distance between buildings within the planned development provided the perimeter setback is not reduced;
2. Adjustments to the dimensions of a driveway, drive aisle, or parking stalls within a parking lot or structure;
3. Adjustments to the dimensions of any open space area, provided the total amount of open space is not reduced when compared to the originally approved development plan;

4. Adjustments to any final grade;

5. Alterations to the type of landscaping elements and their arrangement, provided they reflect the character, scale, and function of the approved development plan and comply with the provisions of Chapter 21A.48;

6. Adjustments to fences or hedges within the planned development, provided they comply with the provisions of section 21A.40.120, and do not eliminate any required screening;

7. The dimensions or location of any signs, provided they comply with the provisions of Chapter 21A.46 and any other applicable regulations;

8. Relocation or construction of accessory structures that comply with the provisions of Chapter 21A.40 and any other applicable regulations;

9. Adjustments that comply with requirements of the underlying zone; or

10. Adjustments necessary for a Certificate of Appropriateness.

C. Major Modifications: Any modifications to the approved development plan not authorized by Subsections A or B shall be considered to be a major modification. The planning commission or planning director in the case of an ~~administrative-minor~~ planned development, shall give notice to all property owners consistent with notification requirements located in chapter 21A.10 of this title. The applicant shall be responsible for paying all noticing fees as indicated in the adopted fee schedule. The planning commission or planning director in the case of an ~~administrative-minor~~ planned development, may approve an application for a major modification to the approved development plan, ~~provided: not requiring a modification of written conditions of approval or recorded easements, upon finding that any changes in the plan as approved will be in substantial conformity with the approved development plan. If the commission or planning director in the case of an administrative planned development, determines that a major modification is not in substantial conformity with the approved development plan, then the commission or planning director in the case of an administrative planned development, shall review the request in accordance with the procedures set forth in this section.~~

a. The modification complies with the conditions of approval,

b. The modification complies with the applicable standard(s) found in 21A.55, and

c. The modification substantially complies with the approved development plan.

D. New Application Required for Modifications and Amendments: Any proposed modification that does not qualify as a technical, minor, or major modification in accordance with Section 21A.55.100 shall require submission of a new planned development application and shall be subject to the approval process and standards in effect at the time a complete application is submitted. ~~Other Modifications: Any modification to the planned development that complies with the standards of the underlying zoning district or overlay zoning district is allowed provided the modification does not violate a condition of approval or other requirement placed on the planned development as part of the approval of the application and required permits and approvals are obtained.~~

E. The planning commission may require any modification that qualifies as a technical or minor

817 modification to be reviewed and decided by the commission as a condition of approval.

818 21A.55.105: SUBDIVISIONS AND PLANNED DEVELOPMENT APPROVAL:

819 A subdivision for a planned development may be approved as provided in this section.

820 A. Concurrent Review and Approval: A subdivision may be approved at the same time as a planned
821 development if the subdivision complies with the approved planned development.

822 B. Subdivision following Planned Development Approval: After a planned development is approved, the
823 property owner may submit an application authorized in Title 20 Subdivisions provided the application
824 complies with the approved development plan and this section.

825 1. A subdivision shall comply with the provisions of Title 20 unless a specific provision is
826 modified through the planned development or as authorized in Title 20. Any modification
827 authorized in Title 20 shall not alter the approved planned development plans.

828 2. A subdivision that results in any common area, shared access, or private infrastructure shall
829 provide appropriate cross access easements and shall include provisions for disclosure of future
830 private maintenance costs to unit owners as required in Section 21A.55.110.

831 3. A planned development that approved buildings with dwellings may be subdivided to create
832 lots or units provided the building locations remain unchanged on the development site.
833 Modifications related to lot and building standards resulting from said subdivision may be
834 administratively approved and are not considered modifications to the approved development
835 plan.

836 21A.55.110: ~~DISCLOSURE OF PRIVATE INFRASTRUCTURE COSTS FOR~~ REQUIREMENTS
837 AFTER PLANNED DEVELOPMENTS APPROVAL:

838 A. Disclosure of Private Infrastructure Costs: Planned developments proposed to divide property into
839 separate ownership with infrastructure shared by such owners shall include provisions for disclosure of
840 future private infrastructure maintenance and replacement costs to unit owners as follows. Planned
841 ~~developments, approved under this title after January 1, 1997, shall include provisions for disclosure of~~
842 ~~future private infrastructure maintenance and placement costs to unit owners.~~

843 A1. Infrastructure Maintenance Estimates (Reserve Study): Using generally accepted accounting
844 principles, the ~~applicant of any planned development~~ shall calculate an initial estimate of the costs
845 for maintenance and capital improvements of all shared infrastructure for the planned
846 development including roads, sidewalks, curbs, gutters, water and sewer pipes and related
847 facilities, drainage systems, landscaped or paved common areas and other similar facilities
848 ("infrastructure"), for a period of sixty (60) years following the recording of the subdivision plat
849 or the estimated date of first unit occupancy of the planned development, whichever is later.

850 ~~B2.~~ Initial Estimate Disclosure: The following measures shall be incorporated in planned
851 developments to assure that owners and future owners have received adequate disclosure of
852 potential infrastructure maintenance and replacement costs:

853 ~~1a.~~ The cost estimate shall be recorded with and referenced on the recorded plat for any

planned development. The initial disclosure estimate shall cover all private infrastructure items and shall be prepared for six (6) increments of ten (10) years each.

2b. The recorded plat shall also contain a statement entitled "notice to purchasers" disclosing that the infrastructure is privately owned and that the maintenance, repair, replacement and operation of the infrastructure is the responsibility of the property owners and will not be assumed by the City.

3c. The cost estimate shall be specifically and separately disclosed to the purchaser of any property in the planned development, upon initial purchase and also upon all future purchases for the duration of the sixty (60) year period. Provisions requiring such disclosure shall be included in any legal documentation establishing an entity responsible for the maintenance of such infrastructure.

3. Maintenance Responsibility Documentation: Legal documentation establishing responsibility for maintenance of the shared infrastructure, future maintenance statements, and required notices, such as a Declaration of Covenants, Conditions, and Restrictions, shall be recorded with the Salt Lake County Recorder.

4. Yearly Maintenance Statements: The entity responsible for the operation and maintenance of the infrastructure shall, at least once each calendar year, notify all property owners in the planned development of the estimated yearly expenditures for maintenance, repair, operation or replacement of infrastructure, and at least once each calendar year shall notify all property owners of the actual expenditures incurred, and shall specify the reason(s) for any variance between the estimated expenditures and the actual expenditures.

5. Maintenance Responsibilities: The property owners in a planned development shall be collectively and individually responsible, on a pro rata basis, for operating, maintaining, repairing and replacing infrastructure to the extent necessary to ensure that access to the planned development is available to the City for emergency and other services and to ensure that the condition of the private infrastructure allows for the City's continued and uninterrupted operation of public facilities to which the private infrastructure may be connected or to which it may be adjacent.)

B. Legal Agreements for Community Benefit: The planning commission may require that community benefits associated with a planned development be secured through an appropriate legal instrument, including but not limited to a public access easement or restrictive covenant.

1. The legal instrument shall specify, in sufficient detail, all required community benefits, relocation assistance, and any other conditions required by the planning commission.

2. The legal agreement shall be recorded on the title of the property with the Salt Lake County Recorder as well as on the title of any other property that is part of the property community benefit, tenant relocation assistance, or other requirement imposed by the planning commission.

3. The recorded agreement shall be enforceable to ensure full compliance with the conditions established by the planning commission.

21A.55.130 RESPONSIBILITIES AFTER PLANNED DEVELOPMENT IS CONSTRUCTED:

The following provisions shall apply to all planned developments, regardless of date or approval, or construction:

A. The approved planned development shall run with the land that is included within the approved planned development, and any future owner or owners of the planned development shall be responsible for the following:

1. Ensuring compliance with the approved development plan,

2. Maintenance of all private infrastructure or public infrastructure constructed as part of the approved planned development,

3. Maintenance of any common areas, landscaped areas, or other land within the approved development plan,

4. Ensuring public access is provided if public access was part of the planned development approval, and

5. Maintaining any park strip, sidewalk, street tree, or other public element installed as part of the planned development.

B. Any modification to the approved development plan proposed by the owner, or any subsequent owner, of the planned development after it is constructed shall require a new Planned Development application, except for those permitted as a minor modification under section 21A.55.110.B of this Chapter.