



Memorandum

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Aaron Barlow, Senior Planner, 801-535-6182, aaron.barlow@slc.gov
Kristina Gilmore, Planning Manager, kristina.gilmore@slc.gov
Date: October 28, 2026
Re: PLNPCM2026-00611 – Updates to the Processes and Requirements for Planned Development Petitions, including the introduction of Community Benefit Requirements

Planned Developments & Community Benefits

Agenda Item:

The Planning Commission will be briefed on this city-initiated petition to amend [Chapter 21A.55](#), Planned Developments, of the Salt Lake City zoning ordinance. The proposed amendments would establish two tiers of planned development review, require a community benefit for major planned developments, create a process for transferring unused building height within a planned development, and require tenant protections and the replacement of demolished housing. The draft amendments are attached to this memorandum.

Action Required:

Planning staff requests that the Planning Commission review the proposed updates to the processes and requirements for planned development petitions and provide initial feedback. Using this feedback and input from the community, Planning staff will refine the proposal before returning it to the Planning Commission for a public hearing, at which the Planning Commission will make a recommendation to the City Council. The proposed updates would then go to the City Council for a final decision.

Attachments:

A. [Draft Proposal](#)

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Background

Mayor Erin Mendenhall has initiated a petition to amend Section [21A.55 of Salt Lake City's Zoning Ordinance](#) (and other related parts of the code, if necessary) to update the procedures and requirements for Planned Development (PD) petitions. These amendments are intended to align these applications with recently adopted city plans and policies; streamline approval for small-scale projects; clarify how the PD process interacts with other petitions, such as Zoning Incentives; embed community benefit and tenant displacement policies into the process; and encourage creative solutions that promote higher-quality development.

Key Proposal Objectives

- Align Planned Developments with updated general plan goals
- Streamline the review process for smaller-scale residential projects
- Clarify the relationship between Planned Developments and other processes, including Zoning Incentives
- Address displacement and loss of existing housing
- Encourage creative solutions that promote higher-quality development

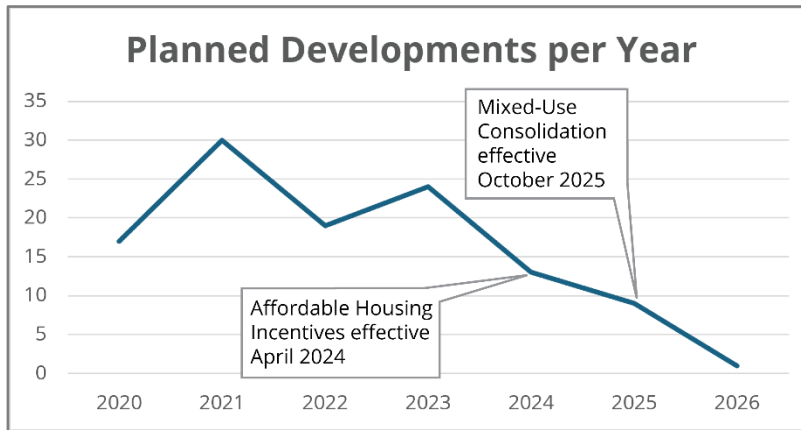


Figure 2 - Planned Development applications by year since 2020

Planning staff reviewed PD applications from 2020 to 2026. Salt Lake City saw a significant increase in these requests at the beginning of the decade. In addition to other applications (including Design Review and Rezone applications), this increase consumed much of the Planning Division's available capacity. However, PD applications have declined significantly since 2021, when the Planning Commission reviewed

30 such requests. So far in 2026, only one has been submitted. While factors beyond the City's control bear significant responsibility, it is notable that application numbers have continued to fall since the introduction of new initiatives, including the [Affordable Housing Incentives](#) and the [Mixed-Use Consolidation](#).

Looking back at applications from this period, staff found that roughly half of all PDs requested a change to a required setback. The next most common requests involved lots and buildings without public street frontage. In many cases, especially when impacts on neighbors were likely to be minimal, staff-level review and approval would probably have been enough. Many of these requests would also likely qualify for over-the-counter approval under current regulations.

Type of Zoning Modification Requested Through Planned Development (2020-Present)	% of PD Requests
Setback Modification	50%
No Frontage Along a Public Street	41%
Lot Width	25%
Landscaping	19%
Encroachment Standards	16%
Building Height	18%
Other	10%
Lot Area	9%
Building Coverage	8%
Driveway Standard	8%
Open Space	5%
Parking Modification	5%
Total Number of PD Requests (2020-Present)	114

Figure 1 - Types of zoning modifications requested since 2020. Some Planned Developments included multiple modification categories

What is a Planned Development?

Planned Developments (PDs) are a special zoning process that lets Salt Lake City modify standard zoning rules for unique, higher-quality projects that typically benefit the community in some way. Currently, Salt Lake City's Planned Development process allows modifications to all zoning code requirements except height, density, and use, provided the project meets at least one PD objective and complies with standards ensuring neighborhood compatibility.

Keep in mind that denying a PD request does not necessarily prevent a property from being developed, even when any development of that property is unpopular. Property owners retain their right to make certain changes to their land, whether or not a PD application is approved. The PD process instead offers flexibility in zoning regulations, allowing for creative site development in exchange for greater scrutiny of project details and the inclusion of a public benefit. It also gives the community a valuable opportunity to share its views on new development in the neighborhood.

Why Make These Changes Now?

Since the last major update to Planned Developments, Salt Lake City's needs, priorities, and environment have changed significantly, while PD regulations haven't kept pace with today's development realities. Updating these regulations will help Salt Lake City better realize the vision its community and elected officials have shaped in recent years.

- 1. Align Planned Developments with Updated General Plan Goals:** In recent years, the Salt Lake City Council has adopted a significant number of updated plans and policies including, but not limited to, [Housing SLC \(2023\)](#), [Thriving in Place: Salt Lake City's Anti-Displacement Strategy \(2023\)](#), [Connect SLC: Citywide Transportation Plan \(2024\)](#), the [Urban Forest Action Plan \(2025\)](#), and the [Water Conservation Plan \(2025\)](#). This proposal would allow future PD applications to support the goals and objectives listed in these plans through updated approval standards and through additional community benefit options.
- 2. Streamline the Process for Small-Scale Projects:** Some PDs can be approved administratively if they meet the Affordable Housing Incentives or Building Preservation Incentives and the requirements in [Chapter 21A.52](#), but most require Planning Commission approval. Under current rules, a resident seeking to add to a single-family home faces the same process as a corporate developer proposing a major mixed-use development. This proposal would simplify the process for PDs that are likely to have little to no impact on neighbors, freeing staff time for city initiatives and more consequential projects.
- 3. Clarify the Relationship Between Planned Developments and Other Applications, Including Zoning Incentives:** Planned Developments and Zoning Incentives are both tools meant to encourage higher-quality development that differ in their approach. In some cases, Zoning Incentives allow for a quicker and less complex Planned Development Review by staff. Before the introduction of Zoning Incentives in 2024, Planned Developments were reviewed solely by the Planning Commission. The relationship between administrative (or staff-level) and standard (or Planning Commission-level) applications can still be unclear in certain cases. This proposal would clearly define these two review tiers and specify when a staff-level project must be forwarded to the Planning Commission.
- 4. Address Displacement and Loss of Existing Housing:** [Thriving in Place: Salt Lake City's Anti-Displacement Strategy \(2023\)](#) outlines several approaches to balancing growth and investment in new housing with the preservation of existing units, the protection of tenants, and the advancement of equitable development that benefits all residents, especially those most at risk of displacement. Several policies from the strategy have been incorporated into the Zoning and General Plan Amendment processes. This proposal aims to extend those policies to the Planned Development process.
- 5. Encourage Creative Solutions for Higher-Quality Development:** To encourage more innovation, flexibility, and creativity, this proposal would introduce additional tools, including Transfer of Building Height and multiple Community Benefit options. With more tools at their

disposal, developers will be expected to provide higher-quality community benefits. Many of the lofty goals listed in the City's adopted plans will require

Proposed Updates

This proposal would update Chapter 21A.55 in several ways, listed below:

- Establishes two tiers of planned development review, minor and major.
- Requires a community benefit for major planned developments,
- Creates a process for transferring unused building height,
- Adds tenant protections and housing replacement requirements,
- Revises approval standards and several related procedures.

The proposal also clarifies that the applicable area of a planned development may include a single lot or parcel, or any number of contiguous lots or parcels that are not separated by a public street.

Minor and Major Planned Developments

These updates would establish a two-tier review process that would allow for quicker, staff-level approvals of minor modifications while major modifications or requests for multiple modifications would require planning commission approval:

Minor Planned Developments: Intended for small-scale projects with modest zoning modifications or projects that incorporate Zoning Incentives (such as Affordable Housing Incentives or Building Preservation Incentives). Minor planned developments may be approved administratively (at the staff level) unless impacts, public concern, or multiple modifications trigger planning commission review. Community Benefits are not required for minor planned developments.

Major Planned Developments: Larger or more impactful projects, projects displacing housing, or those needing greater flexibility would be considered major planned developments. The planning commission would review these requests, and they must provide a community benefit.

Minor Planned Developments

Intended for small-scale projects with modest zoning modifications or projects that incorporate Zoning Incentives (such as Affordable Housing Incentives or Building Preservation Incentives). Minor planned developments may be approved administratively (at the staff level) unless impacts, public concern, or multiple modifications trigger planning commission review:

1. **Zoning Incentives:** Projects that need planned development approval to modify a standard in Chapter 21A.52 and meet the qualifying provisions in that chapter.
2. **Utility Requirements:** Modifications to base setback standards that are necessary because of a public utility easement.
3. **Minor Modifications:** Projects of at least 10,000 square feet that include between one and three of the following: more than one principal building on a lot without street frontage; lots without frontage on a public street (with necessary cross-access easements); modification of a yard requirement, with each requested setback reduction counting as a separate modification; new lots that do not meet the minimum lot width; or modification of maximum building coverage.

Except for projects using Zoning Incentives, a minor planned development must be forwarded to the Planning Commission if any of the following apply:

- It is associated with another application that requires Planning Commission approval.
- It includes more than three qualifying modifications.
- Public comments raise concerns that the project may not meet the approval standards for compatibility with adjacent properties or neighborhood character.
- The applicant does not agree to the conditions of approval required by the planning director.

Minor planned developments are not permitted for projects requesting a height exception through a transfer of building height or for projects displacing residential units, except those using Affordable Housing Incentives. A community benefit is not required for a minor planned development. In exchange for modest zoning modifications, these smaller projects must provide an enhanced development product in accordance with the standards of approval.

Major Planned Developments

Major planned developments are projects that would require greater zoning flexibility, have the potential to significantly affect surrounding properties, risk displacing residents, or do not qualify as minor planned developments. These projects would be reviewed by the Planning Commission and must include at least one community benefit. A project would require major planned development review if it:

- Includes a request to modify one or more zoning or subdivision requirements that do not qualify for minor planned development review.
- Proposes a height exception through a transfer of building height.
- Displaces any residential units, unless the project includes affordable housing incentives.

Community Benefits

A major planned development would be required to include one or more community benefits that support the community or further the goals and policies of the general plan. The benefit must be reasonably related to and proportional to the scale of the project and the extent of the requested modifications. Proposed benefits must fall within one of the following categories:

Open Space

Open space that is created or preserved beyond the minimum required by the underlying zoning district. This may include public plazas, active recreation areas, or natural open space. The Planning Commission would consider the total area, how the space fulfills general plan goals, how it fits within the surrounding area, the amenities provided, and its accessibility to the public beyond the occupants of the planned development.

Preservation of Historic Buildings, Structures, or Landscapes

Preservation of historic buildings, structures, or landscapes within the planned development. Qualifying resources may not be located within an existing local historic district, though local landmark sites and individually listed National Register resources may be considered. The applicant must provide an intensive-level survey (or a cultural landscape report for landscapes) if one is not already available, and the work must follow the Secretary of the Interior's Standards for Preservation.

Housing

The proposal includes three housing-related benefits:

- **Affordable Housing:** Income-restricted units that exceed the minimum requirements of the Affordable Housing Incentives for the applicable district in both number of units and level of affordability. The project must also meet the reporting and eligibility standards for those incentives.
- **Accessible Housing:** Units designed for individuals with disabilities that exceed the minimum number required by law. Applicants must provide details confirmed by the Building Official and a report outlining local need for accessible or visitable housing. Projects with four or fewer units must include at least one accessible or visitable unit.
- **Multi-Bedroom Housing:** At least 20% of units with three or more bedrooms and two bathrooms, with at least one bathroom including a shower or tub.

Remediation of a Contaminated Site

Remediation of soil pollution on the site, including sites remediated since January 1, 2010. The remediation must be approved by the Utah Department of Environmental Quality, and written documentation of completed remediation must be provided before a building permit for above-ground construction is issued.

Public Utility Infrastructure Improvements

Public infrastructure improvements that expand capacity for future development in the neighborhood beyond what the planned development requires. No building permit may be issued until the Department of Public Utilities confirms an agreement and security holding the property owner responsible for the improvements.

Community Facilities

Affordable space for an organization, business, or entity that provides services or facilities benefiting the surrounding community, such as daycares, local art organizations, health clinics, food pantries, or space for new small businesses. The Planning Commission may consider the size of the space, the types of entities using it, the rent charged, and whether the entity fulfills a local need.

Transportation

Publicly accessible transportation infrastructure beyond what the planned development requires, such as bike paths, public trails, mid-block walkways, sidewalks, roads, or space for public transit facilities. Multiple transportation-focused benefits may be combined.

Other Community Benefits

Benefits not specifically listed may be considered if they are consistent with and advance the general plan. The Planning Commission considers whether the benefit advances a public purpose that would not otherwise be achieved under the base zoning, its scope relative to the project, and how it compares to the listed benefits. Community engagement in developing the benefit may also be considered.

Proportionality

The Planning Commission evaluates each proposed benefit for proportionality to determine whether it is generally commensurate with the scale of the project and the modifications requested. Factors include:

- The number, type, and magnitude of the modifications.
- The nature and extent of the impacts created by those modifications.
- The degree to which the benefit addresses, mitigates, or offsets those impacts.
- How much the benefit advances general plan policies.
- The benefit's relevance to the needs of surrounding neighborhoods.
- The physical scale, duration, and permanence of the benefit.
- The extent to which the benefit serves a clearly defined public purpose.

The Planning Commission may require that community benefits be secured through a legal instrument, such as a development agreement, public access easement, or restrictive covenant, recorded on the property title and enforceable to ensure compliance. The instrument must allow up to one year from recording for a building permit application to be submitted. If no application is submitted, or a submitted application expires, the planned development approval expires, and the recorded agreement becomes null and void.

Transfer of Building Height

A transfer of building height allows unused permitted height from a proposed or existing building, or from space used for a community benefit, to be moved to other proposed buildings within the same planned development. Height cannot be moved between planned developments or from outside the planned development. The following would apply:

Review: A transfer is only permitted through major planned development approval by the Planning Commission.

Eligible Zones: Downtown (D) districts, Mixed Use (MU) districts, the G-MU Gateway District, the PL-2 Public Lands District, and the UI Urban Institutional District. A transfer is not permitted in the H Historic Preservation Overlay District, and projects may not exceed the height limitations of the AFPP Flight Path Protection Overlay District.

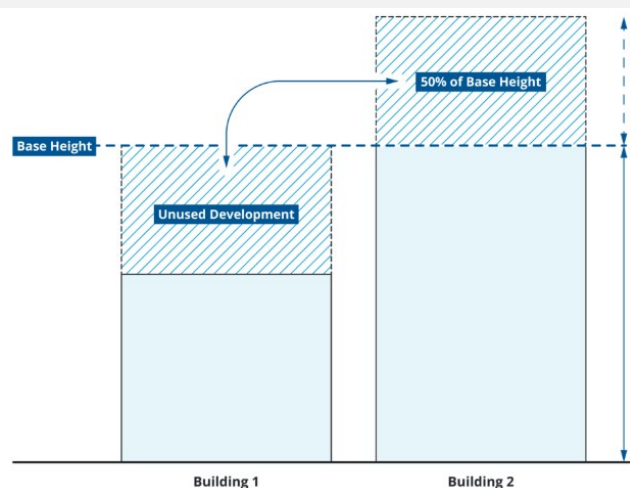


Figure 3 - Building 1 isn't built to the district's maximum height, leaving unused capacity (outlined in blue). That capacity can be transferred to Building 2, allowing it to rise above the base zone height by up to an extra 50% of the base height.

Limit: A transfer would not be allowed to increase a receiving building's height by more than 50% of the maximum height allowed in the underlying zoning district. For sending buildings in districts with no maximum height, the transfer is limited to 75 feet.

Design Review Standards: Unless there is a concurrent design review application, the project is subject to the design review approval standards in 21A.59.050. A design review application is not required to use a transfer.

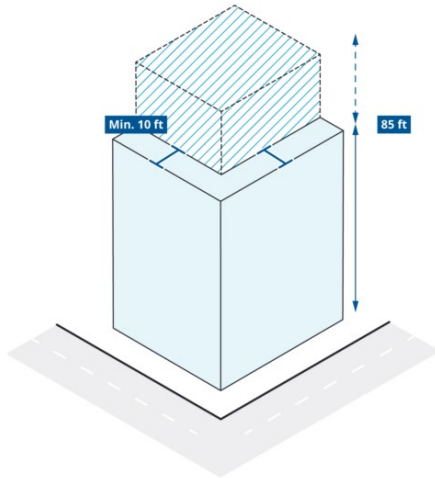


Figure 5 - Buildings over 85 feet that have received additional building height would need to have a 10-foot setback from the front and corner side yards

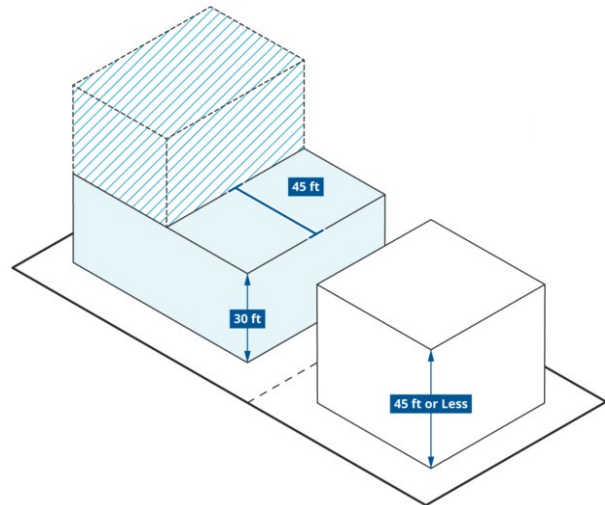


Figure 4 - Buildings utilizing a transfer of building height would need to have a 45-foot setback starting within the first 30 feet of building height.

Impact Standards: Street-facing façades of buildings over 85 feet tall require a minimum 10-foot setback (or a 10-foot front or corner side yard setback in lieu). The first full floor and all floors above 30 feet must be set back at least 45 feet from the required minimum yard abutting a district with a maximum height under 45 feet, a public trail, or public open space, unless separated by a public street.

Restrictive Covenant: A restrictive covenant must be recorded before a building permit is issued. It must describe the transferring and receiving buildings and open space, prohibit additional height on the buildings or open space that transferred height, require a new planned development application for any future permit that alters its terms, and be enforceable by the City or any adversely affected party, with the prevailing party awarded attorneys' fees. It may only be removed with City approval.

Tenant Displacement and Unit Replacement

If a planned development would demolish an existing dwelling, the Planning Commission can require the applicant to provide relocation assistance, a replacement dwelling, or both for each unit lost. Tenants may not be terminated, denied lease renewal, or evicted to avoid these obligations.

Relocation Assistance

Relocation assistance covers moving costs (up to \$1,500), the application fee and deposit for a new unit, and the gap between the old and new monthly rent (up to \$7,200). If the owner relocates the tenant to another unit they own in Salt Lake City at the same rent, with no new fees or deposit, only the moving-expense portion applies. Payments must be received 24 hours before the tenant leaves the unit. Projects subject to the federal Uniform Relocation Assistance Act follow that act instead.

If a unit was demolished, rendered uninhabitable, or added to the city's boarded building inventory within the five years before an application is submitted, the Planning Commission may still apply these protections to the displaced tenants or require the payment to be made to the city for other tenant relocation assistance.

Replacement Units

Separately, the Planning Commission may require that any unit demolished or neglected to the point of being uninhabitable in the five years before the application, or placed on the boarded building inventory, be replaced with a unit that has at least the same number of bedrooms.

Standards of Approval

The proposal includes changes to the standards of approval, listed below:

Justification for Requested Modifications: The applicant must show how the modifications meet the purpose statement. For major planned developments, the Planning Commission also considers whether the community benefit is proportional to the project and its modifications.

General Plan Compatibility: The project must advance goals and policies of the applicable general plan, rather than being “generally consistent” with them.

Design and Compatibility: Considerations include whether impacts from modifications to height, width, or setbacks exceed those of a project without the modifications and, if so, whether the design advances a public purpose or the impacts can be mitigated. Street-facing façades are tied to the design standards in Chapter 21A.37, and the Commission may require more than the minimum when a modification undermines a design standard or when mitigation is needed.

Landscaping: Updated requirements would include the preservation of specimen trees identified by the city forester, equivalent replacement of removed buffering, additional trees beyond the minimum, and water conservation measures beyond what the code requires.

Mobility: Minor adjustments to existing regulations. This standard addresses pedestrian access, bicycle facilities, public transit orientation, improvements to abutting street frontages consistent with the Transportation Division’s design guide, and general plan streets, midblock walkways, or trails open to the public.

Infrastructure: The standard is expanded to cover streets, drainage, water, sewer, and other systems, and requires that the design not impair the City’s ability to maintain or upgrade its infrastructure.

Lighting, Service Areas, and Parking Areas: These are new standalone standards covering dark-sky principles, screening and impacts of service areas, and minimizing impacts from parking areas.

The proposal also adds a section on Conditions of Approval, allowing the Planning Commission—or the planning director for minor planned developments—to impose reasonable conditions to minimize impacts, address outstanding issues later in the process, or increase community benefits. Conditions may cover the scope of a community benefit; recorded documents and easements; the character and design of modifications; hazards and nuisance impacts; increased setbacks or stepbacks; and grading and retaining walls. The decision-maker must identify the specific impacts each condition is intended to address and may deny a planned development if those impacts cannot be adequately mitigated.

Other Updates

Modifications After Approval:

Modifications to an approved plan are categorized as technical, minor, or major. Technical modifications address building, fire, utility, or engineering requirements; minor modifications are limited to a defined list (such as adjusting distances between buildings or the type of landscaping); and all other changes require a new application under the standards in effect at that time. The Planning Commission may require that technical or minor modifications be reviewed by the Commission as a condition of approval.

Time Limits of Approvals

An approval expires after 12 months unless a building permit application, a development agreement or restrictive covenant, or a final plat application is submitted. A one-time, one-year extension may be granted.

Documentation Following Approval

Disclosure of private infrastructure costs now applies to planned developments that divide property into separate ownership with shared infrastructure, and the required documents, such as a Declaration of Covenants, Conditions, and Restrictions, must be recorded.

Responsibilities After Construction:

The approved planned development runs with the land, and future owners must comply with it and maintain public access and public elements. Post-construction modifications generally require a new planned development application.

Public Engagement and Noticing:

Minor planned developments using Zoning Incentives follow the existing 12-day administrative notice. All other minor planned developments follow Chapter 2.60 and Section 21A.10.015 notification requirements, including a 45-day comment period for neighbors and nearby residents, notification to the associated community council, and a sign posted at the project site. No public hearing would be required for minor planned developments. Planned developments reviewed by the Planning Commission follow those same rules in Chapter 2.60 and Section 21A.10.015, and any required hearing is noticed under Section 21A.10.020.A.

Public Process

Planning Staff hosted two public open houses, one at Neighborhood House and one at Tracey Aviary, to provide an overview of the proposal and answer questions. In addition, planning staff presented the proposal at six Recognized Community Organization meetings.

Overall, feedback has been positive. The primary concern was that minor planned developments would not receive the same level of public input as planned developments currently do, since the original proposal included only a 12-day notice period. In response, staff revised the proposal so that minor planned developments remain subject to the 45-day review period and RCO notice.

Next Steps

The 45-day Early Engagement process concluded on September 14, 2026. Following this briefing, Planning Staff will make any necessary revisions to the proposal and then bring it back to the Planning Commission for a public hearing, tentatively scheduled for November.

Attachment A: Draft Proposal

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Project Title: Planned Development Amendments and Community Benefit Requirements

Petition No.:

Version: Internal Staff Review Draft

Date Prepared: October 21, 2026

APPROVED AS TO FORM

Salt Lake City Attorney's Office

Date: _____

By: _____
Attorney Name, *Senior City Attorney*

Planning Commission Action:

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

- **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. In exchange for modest zoning modifications, these smaller projects will be required to provide an enhanced development product in accordance with established standards.
 - **Major Planned Developments:** Larger or more impactful projects, projects displacing housing, or those needing greater flexibility. The planning commission reviews these applications, and they must provide a community benefit.
- **Requires a community benefit for major PDs:** Major Planned Developments must provide public benefits such as open space, historic preservation, affordable/accessible housing, site remediation, public infrastructure improvements, community facilities, or transportation improvements.
- **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.
- **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:

1. Amends Section 21A.55.010 as follows:

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, ~~through utilizing an alternative design 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 advance help to achieve City goals identified in the adopted Master Plans general plan- and benefit the community, delivers a higher quality project than strict application of land use regulations would achieve, and is compatible with nearby development. 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 than would be achievable through strict application of land use regulations, while enabling the development 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:

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. (Ord. 74-23, 2023; Ord. 8-18, 2018)~~

2. Amends Section 21A.55.020 as follows:

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.~~

A. Area: 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.

B. Minor Planned Developments: Projects that could have a limited impact on their surrounding area or incorporate one or more of the zoning incentives established in Chapter 21A.52. 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:

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

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

46 c. Minor Modifications: Projects of at least 10,000 square feet total area that
47 include one or more, but no more than three, of the following:

48 (1) More than one principal building on a lot without frontage along a
49 public street.

50 (2) Lots that do not have frontage on a public street, provided that
51 necessary cross-access easements are provided.

52 (3) Any modification to a yard requirement. Each requested reduction to a
53 required setback shall be considered a separate modification.

54 (4) New lots proposed as part of a planned development that do not
55 comply with the minimum lot width requirement of the associated zoning
56 district.

57 (5) Modifications to maximum building coverage requirements.

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

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

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

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

67 c. Public comments submitted during the notice period raise concerns that the
68 minor planned development may not meet the approval standards for
69 compatibility with adjacent properties or with the neighborhood's character; or

70 d. The applicant does not agree to the conditions of approval required by the
71 planning director.

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

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

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

76 ~~B. Planning Commission Review: The planning commission may approve~~
77 ~~planned developments for uses listed in the tables of permitted and conditional~~
78 ~~uses for each category of zoning district or districts. The approval shall be in~~

79 accordance with the standards and procedures set forth in this chapter and other
80 regulations applicable to the district in which the property is located.

81 C. Major Planned Developments: Projects that require greater zoning flexibility, may
82 significantly affect surrounding properties, or risk displacing residents, or do not qualify as a
83 minor planned development. The following shall apply to all major planned developments:

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

86 2. Major planned developments shall fulfill the planned development purpose statement
87 and incorporate at least one of the community benefits listed in Section 21A.55.060 of
88 this chapter.

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

91 a. Projects requesting modifications to any zoning or subdivision requirement
92 that do not qualify for minor planned development review.

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

94 c. Projects displacing any residential units, except those utilizing affordable
95 housing incentives.

96 D. Planning Commission Authority: In approving a major planned development, the planning
97 commission may change, alter, modify, or waive the following provisions of this title:

98 1. Zoning and Subdivision Regulations: Any provisions of this title or of the city's
99 subdivision regulations as they apply to the proposed planned development, unless
100 specifically prohibited by this title, may be altered through the planned development
101 process except that the planning commission cannot approve a use that is not allowed in
102 the zoning district in which the planned development is located.

103 2. Off-Site Parking: Parking within the boundary of a planned development area, but
104 located on a different parcel or lot than the use(s) it is intended to serve, is allowed and
105 not considered off-site parking. The qualifying off-site parking must only serve only the
106 uses within the planned development area unless otherwise authorized by other
107 provisions of this title.

108 3. Building Height: Up~~Except as authorized under Section 21A.55.045, Transfer of~~
109 Building Height, up to five feet (5') of additional building height, except in ~~may be~~
110 granted. This shall not apply to projects within the FR, R-1, SR, or R-2 zoning districts,
111 where additional building height cannot be approved through the planned development
112 process.

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

a. The maximum density of a planned development within a residential zoning district shall not exceed the limitations of the zoning district where it is proposed, whether it is established through a minimum lot area or a lot size per dwelling unit requirement;

b. Density calculation for minimum lot area or lot size per dwelling unit may include any open space provided within the planned development. Public streets located within or adjacent to a planned development shall not be included for the purpose of calculating density;

c. The allowed density shall be based upon the dwelling or building type with the most permissible minimum lot size or lot area per dwelling unit of the applicable zoning district. The allowed density may be arranged in any combination of the building or dwelling types that are permitted by the base zoning district; and

ad. Developments approved as a Planned Development in the RMF zoning districtsPlanned developments in any RMF zoning district that change a nonconforming commercial use to a residential use that is allowed in the zoning district are exempt from the density limitations of that zoning district. (~~Ord. 74C-25, 2025; Ord. 56-24, 2024; Ord. 8-18, 2018~~)

E. Limit to Planned Development Approval: The planned development process shall not be used for the following:

1. The approval of a land use that is not allowed in the zoning district in which the planned development is located, as established in Chapter 21A.33.

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

3. Any reduction to the minimum design standard requirements established in Chapter 21A.37. Modifications to design standards shall comply with the procedures established in Section 21A.37.040.

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

3. *Amends Section 21A.55.030 as follows:*

21A.55.030: DECISION:

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

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

163 C. Denial: The planning commission, or planning director in the case of administrative minor
164 planned developments, may deny an application for a planned development if ~~it finds~~they find
165 ~~that the proposal does not meet the intent of the base zoning district, does not meet the purpose~~
166 ~~of this chapter, or~~ is not consistent with the standards and factors as set forth in this chapter.
167 (~~Ord. 56-24, 2024: Ord. 8-18, 2018~~)

168 4. *Amends Section 21A.55.040 as follows:*

169 **21A.55.040: PROCEDURES:**

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

177 1. A complete description of the proposed planned development. The description shall
178 list the zoning or subdivision standards that would be modified or waived through the
179 planned development, explain how the requested modifications to the zoning and/or
180 subdivision regulations meet the purpose statement for a planned development, and
181 demonstrate how the proposal meets the applicable standards of approval listed in this
182 chapter including the zoning regulations being modified in the planned development and
183 the planning objectives being met;

184 2. For major planned developments, a description of the proposed community benefit
185 that would be provided with the project and how the proposed benefits meet the
186 applicable standards of approval listed in this chapter;

187 23. When the proposed planned development includes provisions for common open
188 space or recreational facilities, a statement describing the provision to be made for the
189 care and maintenance of such open space or recreational facilities and any material
190 necessary to fulfill the requirements of Section 21A.55.110;

191 34. A written statement with supporting graphics showing how the proposed planned
192 development is compatible with other property in the neighborhood;

193 45. Plans, as required pursuant to ~~chapter~~Section 21A.58.060 of this title, with the
194 exception of the number of copies required;

195 56. Architectural graphics including floor plans, elevations, profiles and cross sections of
196 all buildings and structures;

197 67. A preliminary subdivision plat, ~~if required~~ application if any component of the
198 planned development meets the applicability requirements listed in Section 20.02.040 of
199 Title 20, Subdivision Ordinance;

78. Traffic impact analysis, where required by the City Transportation Division; and

89. Other information or documentation the ~~zoning administrator~~ 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 Developments Under Planning Director Review:

a. Minor planned development applications utilizing zoning incentives, as authorized by Chapter 21A.52, are subject to the special noticing requirements for administrative approval found in Section 21A.10.020.B.

b. All other minor planned development applications are subject to the notification requirements found in Chapter 2.60 and Section 21A.10.015. No public hearing is required. Prior to the approval of an application that qualifies for administrative review, the planning director shall provide written notice as provided in Chapter 21A.10.020.B.

2. Required Notice for Major and Minor Planned Developments Requiring Planning Commission Review:

a. Applications subject to planning commission review are subject to the notification requirements ~~of found in~~ Chapter 2.60 and Section 21A.10.015.

b. Any required public hearing is subject to the public hearing notice requirements found in ~~Chapter~~ Section 21A.10.020.A. (Ord. 3-26, 2026: Ord. 56-24, 2024: Ord. 8-18, 2018)

5. *Creates a new Section 21A.55.045 as follows:*

21A.55.045: TRANSFER OF BUILDING HEIGHT:

A transfer of building height is the relocation of unused permitted height from a proposed or existing building, or from buildable area used for a community benefit, to other proposed buildings within the same planned development. This transfer may allow the receiving building or buildings to exceed the base height permitted under the underlying zoning district, including any height permitted through design review.

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.

- 238 b. Pitched-roof buildings: From the average height between the roof ridge and
239 eave above the highest full floor to the maximum allowed height.
- 240 2. For the purposes of this section, the area of any transferred building height shall be
241 measured according to the following:
- 242 a. The area transferred from any existing or proposed buildings shall equal the
243 footprint of a qualifying building.
- 244 b. The area transferred from open space shall exclude any existing or proposed
245 surface parking lots, parking lot landscaping, driveways, drive aisles, landscape
246 buffers, and undeveloped land not open to the public as part of a community
247 benefit.
- 248 c. The area transferred from space used for a community benefit shall exclude
249 any setback established by the planned development, existing easements,
250 encroachments, and undeveloped land not open to the public as part of a
251 community benefit.
- 252 3. With the exception of additional building height granted through design review, a
253 transfer of building height shall not be combined with any additional height that may be
254 authorized in this title, including additional height authorized by any section within
255 Chapter 21A.52, Zoning Incentives.
- 256 4. Only properties located within the following zoning districts are eligible to utilize a
257 transfer of building height:
- 258 a. All D Downtown Districts listed in Chapter 21A.30;
259 b. All MU Mixed Use Districts listed in Chapter 21A.25;
260 c. The G-MU Gateway District listed in Chapter 21A.31;
261 d. The PL-2 Public Lands District in 21A.32.075; and
262 e. The UI Urban Institutional District in 21A.32.090.
- 263 5. Any additional height granted through design review approval shall be included in the
264 underlying zone's maximum permitted building height. For sending buildings within
265 districts without a maximum height, the transferred height shall be no more than 75 feet.
- 266 6. A transfer of building height shall not increase the height of any receiving building by
267 more than 50% of the underlying zoning district's maximum permitted building height.
- 268 7. Unless there is a concurrent design review application, a major planned development
269 that includes a transfer of building height shall be subject to all design review approval
270 standards set forth in 21A.59.050. A design review application is not required to utilize a
271 transfer of building height.
- 272 8. The following impact standards shall apply to any building receiving a transfer of
273 building height:
- 274 a. Unless a greater stepback is required, street-facing facades of buildings over 85
275 feet in height shall have a stepback with a minimum depth of 10 feet. The
276 stepback can be at any height above the ground floor of the building. A 10-foot
277 front or corner side yard setback may be provided in lieu of this requirement.

b. Except when a greater setback 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.

9. Limit to Transfer of Building Height:

a. The transfer of building height process is not permitted for any property located within the H Historic Preservation Overlay District.

b. Planned developments using the transfer of building height process within the AFPP Flight Path Protection Overlay District shall not exceed the district's maximum height limitations.

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. A statement that any future building permits for the site shall be subject to the terms of the planned development and any permit that seeks to alter those terms shall require a new planned development application.

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

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

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

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

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

316 10. A statement that the restrictive covenant may only be removed from a property if
317 approved by Salt Lake City Corporation.

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

322 6. *Amends Section 21A.55.050 as follows:*

323 **21A.55.050: STANDARDS FOR PLANNED DEVELOPMENTS:**

324 The planning commission, or the planning director in the case of ~~an administrative~~ a minor
325 planned development, may approve, approve with conditions, or deny a planned development
326 based upon written findings of fact according to each of the following standards. Unless
327 otherwise noted, all standards shall apply to both minor and major planned developments. It is
328 the responsibility of the applicant to provide written and graphic evidence demonstrating
329 compliance with the following standards:

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

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

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

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

353 2. For major planned developments, whether the proposed community benefit, in the
354 context of the variables set forth in 21A.55.060, is generally commensurate with the scale
355 of the major planned development and the extent of the requested modifications
356 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; and
- g. The extent to which a community benefit serves a clearly defined public purpose.

~~BD.~~ Master General Plan Compatibility: The proposed planned development is ~~generally consistent with adopted policies~~ advances goals and policies set forth in the Citywide, community, and/or small area ~~Master Plan~~ general plan 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 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;~~ 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. If the impacts are greater, the following should be considered:
 - a. How the design of the project advances a public purpose; or
 - b. How those impacts would be mitigated according to section 21A.55.055.
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 Plan~~ general plan 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 Plan~~ general plan;

- 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.~~
- ed. 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 established by compliance with applicable design standards in 21A.37. The planning commission may require more than the minimum standards found in 21A.37 when the following applies:
- a. If any modifications requested with the proposed planned development negatively affect the stated purpose of a design standard;
- b. If impacts from the proposed planned development need to be mitigated as determined by section 21A.55.055; or
- c. As established in section 21A.55.020.D.3, reductions to minimum design standards shall comply with the procedures established in section 21A.37.040.
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.~~
- DE. Landscaping: The proposed planned development preserves, maintains, or provides native and 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 Section 21A.48.090 are preserved and maintained;
2. Whether existing landscaping that provides additional buffering to the abutting properties is maintained and preserved or, if removed, replaced with landscaping that provides equivalent buffering;
3. Whether proposed landscaping is designed to lessen potential impacts created by the requested modifications that are part of 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.

436 E.G. Mobility: The proposed planned development supports Ccitywide transportation goals and
437 promotes safe and efficient circulation within the siteplanned development and surrounding
438 neighborhood. In determining mobility, the Pplanning Ccommission, or planning director in the
439 case of minor planned developments, should consider:

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

442 21. Whether the site design considers safe circulationprovides a safe circulation network
443 for a range of transportation options, including:

444 a. ~~Safe and accommodating pedestrian environment and pedestrian oriented~~
445 ~~design~~How the planned development is designed to encourage safe pedestrian
446 access and mobility;

447 b. Whether the site provides Bbicycle facilities and connections, where
448 appropriate, and orientation to public transit, where available; and

449 c. ~~Minimizing conflicts between different transportation modes~~How traffic
450 circulation is designed to minimize conflicts between different modes of
451 transportation.;

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

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

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

458 5. Whether any streets, midblock walkways, or public trails identified in the general plan
459 are included in the proposal and are open to the public.

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

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

464 GI. Utilities: Existing and/or planned utilities will adequately serve the development and not
465 have a detrimental effect on the surrounding area. (Ord. 56-24, 2024; Ord. 8-18,

466 2018)Infrastructure: The proposed planned development is designed to accommodate adequate
467 public infrastructure, including streets, drainage, water, sewer, and other necessary systems.

468 Planned utilities shall not have a detrimental effect on the surrounding area. The site design shall
469 not impair the municipality's ability to maintain, repair, or upgrade existing or planned
470 infrastructure.

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

473 K. Service Areas: All service areas, including utility boxes, dumpsters and recycling facilities,
474 loading docks, and other similar service needs, are located and designed to be screened from
475 public spaces, minimize any odor or noise, minimize impacts to any sidewalk or pedestrian path,

avoid 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.

7. Creates a new Section 21A.55.055 as follows:

21A.55.055: CONDITIONS OF APPROVAL:

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. Conditions of approval may be necessary to minimize adverse impacts to surrounding properties resulting from requested modifications to the zoning and/or subdivision regulations, to address outstanding issues later in the entitlement process, or to enhance the proposed community benefit.

B. When necessary, conditions may include, but are not limited to, one or more of the following to ensure compliance with the standards of approval for a planned development listed in section 21A.55.050:

1. Conditions requiring modifications to the scope of a proposed community benefit if the planning commission finds that it is not sufficient to comply with section 21A.55.050.C.3;

2. Conditions that are necessary to ensure compliance with any requirement of this chapter after the planned development is approved, including, but not limited to, the recording of any restrictive covenant, financial disclosure, easement, or subdivision plat on the subject property; completion of any process required by another city department or governing entity; or approval of a concurrent application from a different entity;

3. Conditions relating to the scope of any requested modification in terms of character, location, architecture, signage, construction, landscaping, access, loading and parking, sanitation, drainage and utilities, fencing and screening, and setbacks;

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

5. Conditions that increase 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;

6. Conditions modifying windows or doors, materials for walls, or any screening to address privacy, safety, or visual compatibility impacts;

7. Conditions regarding elevation changes, retaining walls, or grading modifications to mitigate impacts from proposed modifications; and

8. Any other 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.

8. Amends Section 21A.55.060 as follows:

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

(Ord. 3-25, 2025; Ord. 8-18, 2018)

21A.55.060: COMMUNITY BENEFIT:

An application for a major planned development shall identify one or more community benefits that support the Salt Lake City community or advance adopted general plan goals and policies. Benefits should generally exceed applicable city code minimums and fall within one or more of the following categories:

A. Open Space: A proposal to create or preserve open space in a planned development beyond the minimum requirement of an underlying zoning district. This may include public plazas for gathering and pedestrian traffic; active spaces for sports, recreation, or play; or natural areas that preserve wildlife and native habitats, protect watersheds, and support low-impact recreation.

1. If open space is proposed as a 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. How the proposed open space relates to and fits within the area surrounding the planned development.

d. 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.

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

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

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

a. The historic significance of the building(s), structure(s), or landscape(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), structure(s), or landscape(s).

c. The size of the historic building(s), structure(s), or landscape(s).

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

a. The qualifying building(s), structure(s), or landscape(s) shall not be located within an existing local historic district. Local landmark sites and individually listed resources 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 any qualifying historic building(s), structure(s), or landscape(s) on the property. A cultural landscape report (CLR) may be provided for qualifying historic landscape(s).

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

d. Any modification to qualifying building(s), structure(s), or landscape(s) shall comply with the Secretary of the Interior's Standards for Preservation (or its successor), using the associated ILS or CLR as a reference.

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

f. New buildings shall also feature at least one horizontal element on street-facing facades (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.

g. Planned developments incorporating the preservation of a historic landscape may incorporate a treatment plan for the site. Any proposed treatment plan shall be reviewed according to the Secretary of the Interior's Standards for Preservation (or its successor) and recorded with the legal agreement establishing the community benefit.

3. As an alternative to the legal agreement for this community benefit required by 21A.55.110.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. Such listings must be approved by the City Council before a building permit may be issued.

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

1. Affordable housing: A planned development that includes income-restricted units. If affordable housing is proposed as a community benefit, the planning commission should consider all of the following in their review:

a. The level of affordability, the number of affordable units compared to the total number of proposed units, and the amount of time qualifying units are established as affordable shall be considered for the proportionality of this community benefit. Affordability shall be measured in accordance with the needs of the surrounding community.

b. The planned development shall provide affordable housing that exceeds the affordable housing incentives' minimum requirements for the applicable district listed in Table 21A.52.050.G in both the number of units and the level of affordability.

c. The planned development must comply with the reporting requirements (21A.52.050.D) and eligibility standards (21A.52.050.F) for Affordable Housing Incentives.

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. If accessible housing is proposed as a community benefit, the planning commission shall consider the following in their review:

a. The number of accessible or visitable units that exceed the minimum number required by law, the extent of qualifying units' accessibility, and the needs of the surrounding community may be considered for the proportionality of this community benefit.

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 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) A report that generally outlines the local community's needs for accessible or visitable housing (whichever applies), citing local advocacy groups, census data, or other sources not directly associated with the applicant.

3. Multi-bedroom housing: A planned development that includes a minimum of 20% of units with three or more bedrooms. If multi-bedroom dwelling units are proposed as a community benefit, the planning commission shall consider all of the following in their review:

a. 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 and bathrooms within each unit provided may be considered for the proportionality of the community benefit.

b. At least 20% of residential units in the development shall have three or more bedrooms and two bathrooms. Qualifying dwelling units shall have at least one bathroom that includes bathing facilities like a shower or tub.

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 in excess of what would otherwise be required to support the planned development. 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 and posting of security that holds the property owner responsible for qualifying improvements.

F. Development of Community Facilities: A proposal to provide affordable or rent-free space to an organization, business, or entity that provides services or facilities that benefit 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. Proportionality considerations may include the size of the space, the type of entities using it, the amount of rent charged to the qualifying entity, and whether the qualifying entity fulfills a local need.

G. Transportation: A proposal that includes the improvement or installation of publicly accessible transportation infrastructure in excess of what would otherwise be required to support the planned development. 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 whether the benefit advances a public purpose that otherwise would not be achieved through application of the underlying zoning district regulations, the scope of the benefit relative to the scale and intensity of the proposed development, the extent of the requested modifications, the degree to which the proposed community benefit is commensurate with the community benefits outlined in subparts A through G, 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.

9. Creates a new Section 21A.55.065 as follows:

21A.55.065: 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), and/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 planned development request could 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, refuse lease renewal, 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 the planning commission determines that a housing unit is demolished or neglected to the point of being uninhabitable, or is placed on the city's boarded building inventory at any time during the five years prior to the submittal of a planned development application, the planning commission may require this section to apply to tenants that were displaced by the demolition or substandard living space, or the commission may require the tenant relocation amount to be paid to the city for the purpose of other tenant relocation assistance.

B. Demolished Unit Replacement: If the planning commission determines that 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 if a housing unit is placed on the city's boarded building inventory, the planning commission 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.

10. *Amends Section 21A.55.070 as follows:*

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. (~~Ord. 56-24, 2024; Ord. 48-21, 2021; Ord. 8-18, 2018~~)

11. *Amends Section 21A.55.080 as follows:*

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

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 or 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 administrative 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. ~~(Ord. 15-26, 2026; Ord. 56-24, 2024; Ord. 8-18, 2018)~~

12. Amends Section 21A.55.090 as follows:

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 administrative~~ a 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. ~~(Ord. 56-24, 2024; Ord. 8-18, 2018)~~

13. Amends Sections 21A.55.100 and 21A.55.105 as follows:

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 administrative~~ a 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 pursuant to the provisions for modifications to an approved site plan. Minor modifications shall be limited to the elements necessary in light of~~

809 ~~technical or engineering considerations or those that comply with the standards of the underlying~~
810 ~~zone, including: when necessary to comply with an adopted building, fire, public utility, or~~
811 ~~engineering requirement. Technical modifications that do not comply with an applicable standard~~
812 ~~in this title shall be permitted provided that they are consistent with the intent and purposes of~~
813 ~~this title and do not violate a condition of approval or other requirement placed on the planned~~
814 ~~development as part of its approval.~~

- 815 ~~1. Adjusting the distance as shown on the approved development plan between any one~~
816 ~~structure or group of structures, and any other structure or group of structures, or any~~
817 ~~vehicular circulation element or any boundary of the site;~~
- 818 ~~2. Adjusting the location of any open space;~~
- 819 ~~3. Adjusting any final grade;~~
- 820 ~~4. Altering the types of landscaping elements and their arrangement within the required~~
821 ~~landscaping buffer area;~~
- 822 ~~5. Signs;~~
- 823 ~~6. Relocation or construction of accessory structures; or~~
- 824 ~~7. Additions and modifications which comply with the standards of the underlying zone~~
825 ~~and do not affect the planned development approval.~~

826 B. Minor Modifications: The planning director may authorize the following minor modifications
827 to the approved development plan, provided the modifications comply with the applicable
828 standards of this title, including the underlying zoning district or overlay district, are consistent
829 with the intent and purpose of this title and the approved development plan, and do not violate a
830 condition of approval or other requirement placed on the planned development:

- 831 1. Adjustments to the distance between buildings within the planned development,
832 provided the perimeter setback is not reduced;
- 833 2. Adjustments to the dimensions of a driveway, drive aisle, or parking stalls within a
834 parking lot or structure;
- 835 3. Adjustments to the dimensions of any open space area, provided the total amount of
836 open space is not reduced when compared to the originally approved development plan;
- 837 4. Adjustments to any final grade;
- 838 5. Alterations to the type of landscaping elements and their arrangement, provided they
839 reflect the character, scale, and function of the approved development plan and comply
840 with the provisions of Chapter 21A.48;
- 841 6. Adjustments to fences or hedges within the planned development, provided they
842 comply with the provisions of section 21A.40.120 and do not eliminate any required
843 screening;
- 844 7. The dimensions or location of any signs, provided they comply with the provisions of
845 Chapter 21A.46 and any other applicable regulations;
- 846 8. Relocation or construction of accessory structures that comply with the provisions of
847 Chapter 21A.40 and any other applicable regulations;

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

849 10. Adjustments necessary for a Certificate of Appropriateness.

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

864 1. The modification complies with the conditions of approval;

865 2. The modification complies with the applicable standard(s) found in this chapter; and

866 3. The modification substantially complies with the approved development plan.

867 D. ~~Other Modifications: Any modification to the planned development that complies with the~~
868 ~~standards of the underlying zoning district or overlay zoning district is allowed provided the~~
869 ~~modification does not violate a condition of approval or other requirement placed on the planned~~
870 ~~development as part of the approval of the application and required permits and approvals are~~
871 ~~obtained. (Ord. 3-26, 2026: Ord. 56-24, 2024: Ord. 8-18, 2018)~~ New Application Required for
872 Modifications and Amendments: Any proposed modification that does not qualify as a technical,
873 minor, or major modification in accordance with this section shall require submission of a new
874 planned development application and shall be subject to the approval process and standards in
875 effect at the time a complete application is submitted.

876 E. The planning commission may require, as a condition of approval, that any technical or minor
877 modification be reviewed and decided by the commission.

878 **21A.55.105: SUBDIVISIONS AND PLANNED DEVELOPMENT APPROVAL:**

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

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

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

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

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

3. A planned development that approved buildings with dwellings may be subdivided to create lots or units provided the building locations remain unchanged on the development site. Modifications related to lot and building standards resulting from said subdivision may be administratively approved and are not considered modifications to the approved development plan. ~~(Ord. 47A-25, 2025)~~

14. Amends Section 21A.55.110 as follows:

21A.55.110: ~~DISCLOSURE OF PRIVATE INFRASTRUCTURE COSTS FOR PLANNED DEVELOPMENTS~~ DOCUMENTATION FOLLOWING APPROVAL:

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

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

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

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.

Đ5. 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. ~~(Ord. 8-18, 2018)~~

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 development agreement, 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 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.

4. The legal instrument shall allow up to one year from the date of recording for the submission of a building permit application for the planned development. If a building permit application is not submitted or a submitted application expires, approval of the planned development shall be deemed expired, and the recorded agreement shall be null and void.

15. *Creates a new Section 21A.55.130 as follows:*

21A.55.130: RESPONSIBILITIES AFTER PLANNED DEVELOPMENT CONSTRUCTION:

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

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

971 1. Ensuring compliance with the approved development plan;

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

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

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

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

980 B. Any modification to the approved development plan proposed by the owner, or any
981 subsequent owner, of the planned development after construction is completed shall require a
982 new planned development application, except for those permitted by the zoning or subdivision
983 regulations and those permitted as a minor modification under section 21A.55.100.B of this
984 chapter.

16. Amends Section 21A.10.015 as follows:

21A.10.015: PUBLIC ENGAGEMENT:

The purpose of the public engagement process is to inform the public of certain land use projects early in the process, provide a reasonable timeframe for feedback on a proposal, and establish a process to hear from the public prior to making a decision on a particular land use project.

A. - Land Use Projects Subject to Public Engagement: The following are considered land use projects for purposes of this chapter and are subject to the public engagement process and requirements herein:

1. Request for an alley/street closure or vacation;
2. Amendments to Title 21A;
3. Conditional use applications;
4. Design review applications that are subject to review by the planning commission as provided in Chapter 21A.59;
5. Applications to demolish one or more landmark sites or contributing structures located within a local historic district;
6. Master plans, including amendments, to be adopted by the city council;
7. Requests for certificates of appropriateness required for new construction of principal structures, except for single family and two family dwellings;
8. All Planned development applications that are subject to review by the planning commission as provided in Chapter 21A.55 except those that are associated with a Zoning Incentive Application as provided in Chapter 21A.52; and
9. Zoning map amendments.

17. Amends Section 21A.10.020.B as follows:

B. Special Noticing Requirements for Administrative Approvals:

1. Notice of Application for Design Review and Planned Developments associated with a Zoning Incentive Application as provided in Chapter 21A.52:

a. Notification: At least twelve (12) days before a land use decision is made for an administrative design review application as authorized in Chapter 21A.59 ~~of this title~~, or an administrative minor planned development as authorized by Chapter 21A.55 ~~of this title~~ that is associated with a Zoning Incentive Application as provided in Chapter 21A.52, the planning director shall provide written notice to the following:

- (1) All owners and identifiable tenants of the subject property, land abutting the subject property, and land located directly across the street from the subject

1019 property. In identifying the owners and tenants of the land the city shall use the
1020 Salt Lake City geographic information system records.

1021 (2) Recognized community organization(s) in which the subject property is
1022 located.

1023 b. Contents of the Notice of Application: The notice shall generally describe the
1024 subject matter of the application, where the public may review the application, the
1025 expected date when the planning director will authorize a final land use decision, and
1026 the procedures to appeal the land use decision.

1027 c. End of Notification Period: If the planning director receives comments identifying
1028 concerns related to the design review application not complying with the requirements
1029 of Chapter 21A.59, or the planned development not complying with the requirements
1030 of Chapter 21A.55, the planning director may refer the matter to the planning
1031 commission for their review and decision on the application.

1032 2. Notice of Application for Demolition of a Noncontributing Principal Structure Within An
1033 H Historic Preservation Overlay District: Prior to the approval of a certificate of
1034 appropriateness for demolition of a noncontributing principal structure, the city shall provide
1035 written notice by first class mail a minimum of twelve (12) calendar days in advance of the
1036 requested action to all owners of the land and tenants of abutting properties and those
1037 properties across the street from the subject property as shown on the Salt Lake City
1038 geographic information system records.

1039 a. Contents of the Notice of Application: The mailing notice shall generally describe
1040 the subject property, include a vicinity map, include a photograph of the
1041 noncontributing structure, date of construction, historic status from the most recent
1042 historic survey on file or from a historic status determination, where the application
1043 can be inspected by the public, and the date when the planning director will issue a
1044 certificate of appropriateness for demolition.

1045 *Effective Date. This Ordinance shall take effect immediately after it has been published in*
1046 *accordance with Utah Code § 10-3-711 and recorded in accordance with Utah Code § 10-3-713.*
1047 *[end]*