21A.33.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

Publisher's Note: This Section has been **AMENDED** by new legislation (Ord. <u>63-2024</u>, passed 8-27-2024). The text of the amendment will be incorporated below when the ordinance is codified.

Legend:	C =	Conditional	P =	Permitted
- 3 -	_			

	Permitted And Conditional Uses By District				
Use	D-1	D-2	D-3	D-4	
Hoo	Permitted And Conditional Uses By District				
Use	D-1	D-2	D-3	D-4	
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	Р	Р	Р	Р	
Affordable housing incentives development	Р	Р	Р	Р	
Alcohol:					
Bar establishment (indoor)	Р6	C ⁶	C ⁶	P ⁶	
Bar establishment (outdoor)	P6	C6	C6	P ⁶	
Brewpub (indoor)	P ⁶	P ⁶	P ⁶	P ⁶	
Brewpub (outdoor)	Р6	P ⁶	P ⁶	P ⁶	
Tavern (indoor)	P ⁶	C ⁶	C ⁶	P ⁶	
Tavern (outdoor)	P ⁶	C ⁶	C ⁶	P ⁶	
Animal, veterinary office		Р	Р		
Antenna, communication tower	Р	Р	Р	Р	
Antenna, communication tower, exceeding the maximum building height	С	С	С	С	
Art gallery	Р	Р	Р	Р	
Artisan food production	P14,18	P ¹⁸	P ¹⁸	P ¹⁸	
Bed and breakfast	Р	Р	Р	Р	
Bed and breakfast inn	Р	Р	Р	Р	
Bed and breakfast manor	Р	Р	Р	Р	
Bio-medical facility	P17,18	P17,18	P17,18	P17,18	
Blood donation center		Р			
Bus line station/terminal	P ⁷	P ⁷	P ⁷	P ⁷	
Bus line yard and repair facility		Р			
Car wash		P3			
Charity dining hall		С	С		
Check cashing/payday loan business	P ⁵				
Clinic (medical, dental)	Р	Р	Р	Р	
Commercial food preparation	P ¹⁸	P ¹⁸	P ¹⁸	P ¹⁸	
Community garden	Р	Р	Р	Р	
Convention center				Р	
Crematorium	Р	Р	Р		
Daycare center, adult	Р	Р	Р	Р	
Daycare center, child	Р	Р	Р	Р	
Dwelling:					
Accessory unit	Р	Р	Р	Р	
Artists' loft/studio	Р	Р	Р	Р	
Assisted living facility (large)	Р	Р	Р	Р	
Assisted living facility (limited capacity)		Р	Р	Р	
Assisted living facility (small)	Р	Р	Р	Р	
Congregate care facility (large)	С	С	С	С	

Congregate care facility (small)	Р	Р	Р	Р
Group home (large)	<u> </u>	C	C	<u>'</u>
Group home (small)	P	P	P	Р
Multi-family	<u>.</u> Р	P	P	P
Residential support (large)	•	С	С	
Residential support (small)		С	С	
Exhibition hall				Р
Farmers' market			Р	
Financial institution	Р	Р	Р	Р
Financial institution with drive-through facility		P ⁸		P8
Funeral home	Р	Р	Р	
Gas station		Р	_P 7	_P 7
Government facility	С	С	С	С
Government facility requiring special design features for security purposes			P ⁷	P ⁷
Heliport, accessory	С	С		С
Home occupation	P ¹³	P ¹³	P ¹³	P ¹³
Homeless resource center		C ¹⁵	c ¹⁵	
Homeless shelter		C ¹⁵	C ¹⁵	
Hotel/motel	Р	Р	Р	Р
Industrial assembly		C ¹⁸	C ¹⁸	
Laboratory, medical related	P ¹⁸	P ¹⁸	P ¹⁸	P ¹⁸
Laundry, commercial		P ¹⁸		
Library	Р	Р	Р	Р
Limousine service		Р		
Mixed use development	Р	Р	Р	Р
Mobile food business (operation in the public right-of-way)	Р	Р	Р	Р
Mobile food business (operation on private property)	Р	Р	Р	Р
Mobile food court	Р	Р	Р	Р
Municipal services uses including city utility uses and police and fire stations	Р	Р	Р	Р
Museum	Р	Р	Р	Р
Office	Р	Р	Р	Р
Office, publishing company	Р	Р	Р	Р
Open space on lots less than 4 acres in size	P ⁷	P ⁷	P ⁷	P ⁷
Park	Р	Р	Р	Р
Parking, commercial	C ¹⁹	P ¹⁹	C ¹⁹	C ¹⁹
Parking, off site	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹
Performing arts production facility	Р	Р	Р	Р
Place of worship	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Radio, television station	Р	Р		Р
Railroad, passenger station	Р	Р	Р	Р
Reception center	P	P	P	P
Recreation (indoor)	Р	Р	Р	Р
Recreation (outdoor)	40	P 10	40	40
Research and development facility	P ¹⁸	P ¹⁸	P ¹⁸	P ¹⁸
Restaurant	Р	Р	Р	Р

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Restaurant with drive-through facility		P8		
Retail goods establishment	Р	Р	Р	Р
Retail service establishment	Р	Р	Р	Р
Retail service establishment, upholstery shop	_	Р	Р	_
Sales and display (outdoor)	Р	Р	Р	Р
School:	_		_	_
College or university	Р	Р	P -	P
K - 12 private			P	P
K - 12 public			Р	Р
Music conservatory	Р	P	Р	Р
Professional and vocational	Р	P	Р	P
Seminary and religious institute	Р	P P	Р	Р
Shared housing	Р		Р	Р
Small brewery		C ¹⁸		
Social service mission		С	С	
Stadium	С	С		С
Storage, self	P ¹⁶	Р	Р	
Store:				
Department	Р	Р		Р
Fashion oriented department	P ²			
Mass merchandising	Р	Р		Р
Pawnshop		Р		
Specialty	Р	Р		Р
Superstore and hypermarket		Р		
Studio, art	Р	Р	Р	Р
Technology facility	P ¹⁸	P ¹⁸	P ¹⁸	P ¹⁸
Theater, live performance	P ⁹	P ⁹	P ⁹	P ⁹
Theater, movie	Р	Р	Р	Р
Utility, buildings or structure	P ¹	P ¹	P ¹	P ¹
Utility, transmission wire, line, pipe or pole	P ¹	P ¹	P ¹	P1
Vehicle:				
Automobile repair (major)		Р	_P 7	P ⁷
Automobile repair (minor)		Р	_P 7	_P 7
Automobile sales/rental and service	P10	Р	P10	
Vending cart, private property	P	Р	P	Р
Vending cart, public property				
Warehouse		P18		
Warehouse, accessory		Р	Р	
Wholesale distribution		P ¹⁸		
Wireless telecommunications facility (see section 21A.40.090, table 21A.40.090E of this title)				

Qualifying provisions:

- 1. Subject to conformance to the provisions in subsection 21A.02.050B of this title.
- 2. Uses allowed only within the boundaries and subject to the provisions of the Downtown Main Street Core Overlay District (section 21A.34.110 of this title).
 - 3. A car wash located within 165 feet (including streets) of a residential use shall not be allowed.
 - 4. Reserved.

- 5. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
- 6. Subject to conformance with the provisions in section 21A.36.300, "Alcohol Related Establishments", of this title.
- 7. Subject to conformance with the provisions of chapter 21A.59, "Design Review", of this title.
- 8. Subject to conformance to the provisions in section 21A.40.060 of this title for drive-through use regulations.
- 9. Prohibited within 1,000 feet of a Single- or Two-Family Zoning District.
- 10. Must be located in a fully enclosed building and entirely indoors.
- 11. If a place of worship is proposed to be located within 600 feet of a tavern, bar establishment, or brewpub, the place of worship must submit a written waiver of spacing requirement as a condition of approval.
 - 12. Reserved.
 - 13. Allowed only within legal conforming single-family, duplex, and multi-family dwellings and subject to section 21A.36.030 of this title.
 - 14. Must contain retail component for on-site food sales.
 - 15. Subject to conformance with the provisions of Section 21A.36.350 of this title.
- 16. Limited to basement/below ground levels only. Not allowed on the ground or upper levels of the building, with the exception of associated public leasing/office space.
- 17. Prohibited within 1/2 mile of a residential use if the facility produces hazardous or radioactive waste as defined by the Utah Department of Environmental Quality administrative rules.
 - 18. Consult the water use and/or consumption limitations of Subsection 21A.33.010.D.1.
- 19. Parking lots, garages or parking structures, proposed as the only principal use on a property that has frontage on a public street that would result in a building demolition are prohibited subject to the provisions of Subsection 21A.30.010.F.3.

(Ord. 56-24, 2024: Ord. 10-24, 2024: Ord. 8-24, 2024: Ord. 74-23, 2023: Ord. 24B-23, 2023: Ord. 24-23, 2023: Ord. 17-23, 2023: Ord. 66-22, 2022: Ord. 15A- 22, 2022: Ord. 69-21, 2021: Ord. 67-21, 2021: Ord. 51-20, 2020: Ord. 20-19, 2019: Ord. 14-19, 2019: Ord. 13-19, 2019: Ord. 23-18, 2018: Ord. 60-17, 2017: Ord. 47-17, 2017: Ord. 46-17, 2017)

21A.30.030: D-2 DOWNTOWN SUPPORT DISTRICT:

- A. Purpose Statement: The purpose of the D-2 Downtown Support District is to provide an area that fosters the development of a sustainable urban neighborhood that accommodates commercial, office, residential and other uses that relate to and support the Central Business District. Development within the D-2 Downtown Support District is intended to be less intensive than that of the Central Business District, with high lot coverage and buildings placed close to the sidewalk. This district is appropriate in areas where supported by applicable master plans. Design standards are intended to promote pedestrian oriented development with a strong emphasis on a safe and attractive streetscape.
- B. Uses: Uses in the D-2 Downtown Support District, as specified in Section 21A.33.050, "Table of Permitted and Conditional Uses for Downtown Districts", of this title, are permitted subject to the general provisions set forth in Section 21A.30.010 of this chapter and this section.
 - C. Lot Size Requirements: No minimum lot area or lot width shall be required.
- D. Maximum Building Height: The maximum permitted building height shall not exceed one hundred twenty feet (120') subject to the following review process: Buildings over sixty five feet (65') in height are subject to design review according to the requirements of Chapter 21A.59 of this title.

E. Yard Requirements:

- 1. Front and Corner Side Yard: There is no minimum setback. The maximum setback is ten feet (10'). Buildings that contain ground floor residential uses shall have a front yard setback of a minimum of eight feet (8') and a maximum setback no greater than sixteen feet (16'). A provided yard for any use shall be considered a landscaped yard and subject to the provisions of Chapter 21A.48 for required landscaped yards.
 - a. If provided, the yard must include one of the following elements:
 - (1) Seating at a ratio of at least one bench for every five hundred (500) square feet of yard space; or
- (2) Landscaping that includes an increase of at least twenty five percent (25%) in the total number of trees required to be planted on the site; or
- (3) Awning or a similar form of weather protection that covers at least five feet (5') in width and length from all street-facing building entrances.
- b. Exceptions to this requirement may be authorized through the design review process, subject to the requirements of Chapter 21A.59 of this title.
- c. The planning director, in consultation with the transportation director, may modify this requirement to accommodate a wider sidewalk if the adjacent public sidewalk is less than fifteen feet (15') wide and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansions, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
- (1) The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture, or
 - (2) The addition reduces the extent of the noncompliance of the existing building.
- d. Regardless of the setback provided, doors shall be setback a minimum distance to allow the door to operate without swinging into a right of way or midblock walkway.
- 2. Interior Side Yards: No minimum side yard is required except a minimum of 10' is required when the side yard is abutting a zoning district with a maximum permitted height of 35' or less.
- 3. Rear Yard: No minimum rear yard is required except a minimum of 10' is required when the rear yard is abutting a zoning district with a maximum permitted height of 35' or less.
- 4. Landscape Buffer Yards: Any lot abutting a lot in a residential district shall conform to the landscape buffer yard requirements of Chapter 21A.48 of this title or the above standards, whichever is greater.
 - F. Existing Vehicle Sales or Lease Lots:
- 1. Vehicle Display Area: The parking provided in the vehicle display area will not be counted as off street parking when computing maximum parking requirements and is not considered to be a surface parking lot when determining required setbacks in this section.
- 2. Design Standards: Structures associated with accessory uses such as, but not limited to, repair shops or vehicle washing do not need to meet required design standards and may exceed the maximum front and corner side yard setbacks. These structures are required to have one of the following elements listed below:
 - a. Durable materials, as defined in Subsection 21A.37.050.B; or
 - b. Landscaping.

Primary structures that contain sales floors and auto display areas must meet all design standards and setbacks.

- 3. Landscaping: A landscaped yard of at least ten feet (10') in depth is required along any portion of the street frontage of the property that is not occupied by a permanent structure. All other landscaping requirements in Chapter 21A.48 remain applicable.
 - 4. Multiple Buildings: Vehicle sales or lease lots may have multiple buildings on a parcel subject to all buildings being

associated with the use of the lot as vehicles sales or lease. (Ord. 10-24, 2024: Ord. 24B-23, 2023: Ord. 24-23, 2023: Ord. 67-22, 2022: Ord. 44-19, 2019: Ord. 14-19, 2019: Ord. 66-13, 2013: Ord. 15-13, 2013: Ord. 12-11, 2011: Ord. 88-95 § 1 (Exh. A), 1995: Ord. 26-95 § 2(15-2), 1995)

SALT LAKE CITY ORDINANCE No. 63 of 2024

(An ordinance amending various sections of the Title 21A of the Salt Lake City Code related to the downtown entertainment district)

An ordinance amending various sections of Title 21A of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2024-00441 pertaining to facilitating a downtown entertainment district.

WHEREAS, the Salt Lake City Planning Commission ("Planning Commission") held a public hearing on June 12, 2024 to consider Petition No. PLNPCM2024-00441; and

WHEREAS, at its June 12, 2024, meeting, the Planning Commission voted in favor of transmitting a negative recommendation to the Salt Lake City Council ("City Council") on said petition; and

WHEREAS, after a public hearing on this matter the City Council has determined that adopting this ordinance is in the city's best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. <u>Amending the text of Salt Lake City Code</u> Subsection 21A.30.045.D. That Subsection 21A.30.045.D of the Salt Lake City Code (Zoning: Downtown Districts: D-4 Downtown Secondary Central Business District: Yard Requirements) shall be and hereby is amended to read as follows:

D. Yard Requirements:

- 1. Front and Corner Side Yards: No minimum yards are required. If a front or corner side yard is provided, the maximum setback shall be eight feet, except for plazas and other similar spaces.
 - a. If a yard is provided, the yard is required to have at least one of the following elements:

- (1) Seating at a ratio of at least one bench for every five hundred (500) square feet of yard space;
- (2) Landscaping that includes an increase of at least twenty five percent (25%) in the total number of trees required to be planted on the site; or
- (3) Awning or a similar form of weather protection that covers at least five feet (5') in width and length from all street-facing building entrances.
- b. Exceptions to this requirement may be authorized through the design review process, subject to the requirements of Chapter 21A.59 of this title.
- c. The planning director, in consultation with the transportation director, may modify this requirement to accommodate a wider sidewalk if the adjacent public sidewalk is less than fifteen feet (15') wide and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansions, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:
 - (1) The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture, or
 - (2) The addition reduces the extent of the noncompliance of the existing building.
- d. Regardless of the setback provided, doors shall be setback a minimum distance to allow the door to operate without swinging into a right of way or midblock walkway.
- 2. Interior Side Yards: No minimum side yard is required except a minimum of ten feet (10') is required when the side yard is adjacent abutting to a zoning district with a maximum permitted height of thirty five feet (35') or less.
- 3. Rear Yard: No minimum rear yard is required except a minimum of ten feet (10') is required when the rear yard is abutting to a zoning district with a maximum permitted height of thirty five feet (35') or less.

SECTION 2. <u>Amending the text of Salt Lake City Code</u> Subsection 21A.30.045.E. That Subsection 21A.30.045.E of the Salt Lake City Code (Zoning: Downtown Districts: D-4 Downtown Secondary Central Business District: Building Height) shall be and hereby is amended to read as follows:

- E. Building Height: Buildings in the D-4 zoning district shall comply with the following provisions:
 - 1. The permitted building height shall not exceed 600 feet.
 - 2. Buildings taller than 200 feet and up to 600 feet shall only be authorized through the design review process, subject to the requirements of Chapter 21A.59 of this title and the following regulations.
 - a. Shall include a minimum stepback of five feet (5') or other architectural feature that can deflect snow and ice from falling directly onto a sidewalk, midblock walkway, or other public space. The stepback may be located above the first floor and below one hundred twenty feet (120') in height above the sidewalk or public space. Buildings with less than fifty percent (50%) of the total façade surface cladded in glass are exempt from this requirement;
 - b. The building includes at least one of the following options:
 - (1) Midblock walkway is provided on the property. The midblock walkway connects to an existing or planned street, midblock walkway, or publicly accessible public space and exceeds all the required dimensions of Section 21A.30.010.G by at least five feet;
 - (2) The building is utilizing affordable housing incentives identified in chapter 21A.52 of this title;
 - (3) The building exceeds the minimum requirement for ground floor uses identified in 21A.37.050.A.1 (Design Standards Defined, Ground Floor Use Only), the requirement must be increased to one hundred percent (100%). This option requires that the entire ground floor use of a building consists of retail good establishments, retail service establishments or restaurants, public service portions of businesses, department stores, art galleries, motion picture theaters, performing art facilities or similar uses that encourages walk-in traffic through an active use. Vehicle entry and exit ways, necessary for access to parking and loading and unloading areas required by this title are exempt from this requirement provided these areas do not exceed 20% of the length of a building façade that faces a public street or public space;
 - (4) The applicant provides a restrictive covenant on a historic building, a building that is fifty (50) years or older, or a building that is a nationally recognized property, located outside of the H Historic Preservation Overlay District for the purpose of preserving the structure for a minimum of fifty (50) years; or
 - (5) The proposal includes a privately owned, publicly accessible open space on the property or on another property within the geographic boundaries

of the Downtown Plan. To qualify for this provision, a restrictive covenant in the favor of the city shall be recorded against the open space portion of the property. The space shall be a minimum of five hundred (500) square feet and include enough trees to provide a shade canopy that covers at least sixty percent (60%) of the open space area.

c. Exception: The first fifty feet (50') of height shall not be set-back more than five feet (5') from the front property line, unless approved through the design review process or when otherwise allowed by this code.

SECTION 3. <u>Amending the text of Salt Lake City Code</u> Section 21A.33.050. That Section 21A.33.050 of the Salt Lake City Code (Zoning: Table of Permitted and Conditional Use for Downtown Districts) shall be amended, only as to the "Parking, Commercial" and "Stadium" uses, with no other changes to the table, as follows:

Use	Permitted and Condition Uses B			y District
	D-1	D-2	D-3	D-4
Parking, commercial	C^{19}	P^{19}	C^{19}	P^{19}
Stadium	С	С		P

SECTION 4. Amending the text of *Salt Lake City Code* Subsection 21A.46.110.A.3.b. That Subsection 21A.46.110.A.3.b of the *Salt Lake City Code* (Zoning: Signs: Sign Regulations for Downtown Districts: Sign Regulations for the D-1 and D-4 Downtown Districts: Sign Type, Size and Height Standards: Sports Arena Located on the Block Between South Temple and 100 South Between 300 and 400 West Streets) shall be and hereby is amended to read as follows:

b. Sports Arena and Convention Center Sign Regulations. The following signs shall be permitted on the blocks that contain the sports arena and convention center, described as follows: beginning at the southwest corner of the intersection of South Temple and West Temple Streets, heading south to the intersection of 200 South and West Temple Streets, thence west to the intersection of 200 South and 200 West Streets, thence north to the intersection of 100 South and 200 West, thence west to the intersection of 100 South and 400 West, thence east to the point of beginning. Modifications to sign regulations within this overlay may be approved as part of the design review process for any building that is

subject to 21A.59. Signs shall not include off-premise advertising. For the purpose of this section, signs may include advertising any business, facility, event or event or facility sponsor which are located within the boundaries of the sports arena and convention center sign regulations overlay.

STANDARDS FOR THE SPORTS ARENA AND CONVENTION CENTER

Types of Signs Permitted ^{7, 8, 9}	Maximum Area per Sign Face	Maximum Height of Freestanding Signs ¹	Minimum Setback ²	Number of Signs Permitted per Sign Type
Awning/canopy signs	5 square feet per linear foot of canopy length (sign area only)	Shall not be located above the second floor level of the building for both awning and canopy signs	May extend 6 feet from face of building but not within 2 feet from back of curb	1 per first floor window/door, may be combined with adjacent doors/ windows
Flat sign (general building orientation)	5 square feet per linear foot of building face		n/a	1 per building face
Flat sign (storefront orientation)	Flat sign (storefront orientation)		n/a	3 per business storefront
Flat sign display, electronic changeable copy ³	No larger than 1,400 square feet per sign		n/a	5 per city block
Freestanding sign, electronic changeable copy ⁴	Not more than 1,600 square feet per sign, which may be located in a continuous round display	45 feet	n/a	2 per city block
Monument sign	3 square feet per linear foot of street frontage	20 feet	None	5 per street frontage

Private directional sign ⁵	100 square feet	20 feet	No setback	No limit
Roof sign	5 square feet per linear foot of building frontage	20 feet above the roof line or parapet wall	n/a	1 per building
Roof surface sign	30,000 square feet ⁶	n/a	n/a	1 per roof surface
Special event light pole sign	10 square feet	20 feet	n/a	2 per light pole
Special event sign	Sign may cover up to 60% of total building face ⁷	May not exceed the height of building	n/a	1 per street frontage
Window sign	90% of total frontage window area (interior or exterior) for sports arena events, not to exceed 6 months in duration for each calendar year unless otherwise allowed by the zoning administrator.	No Limit	n/a	No Limit

Notes:

- 1. Reserved
- 2. Public property lease and insurance required for projection over property line.
- 3. Flat sign, electronic changeable copy may display static or rotating messages or operate as outdoor television monitors.
- 4. An advertising face on a freestanding sign with electronic changeable copy that is not oriented to a public street may be operated to allow full motion video display.

- 5. Private directional sign may include electronic changeable copy within the sign area.
- 6. To be located on the horizontal plane of a roof surface, primarily viewable from planes and surrounding buildings located above the arena.
- 7. Advertising or corporate logos are limited to on premises advertising of sports arena events and sponsors only.
- 8. Dwell and Twirl time: Text, images, or graphics on an electronic message center shall not change more than once every eight (8) seconds. Twirl time between subsequent static text, images, or graphics shall not exceed one-fourth (0.25) second. Outdoor television monitors are exempt.
- 9. Brightness: No electronic message center shall exceed a brightness level of three-tenths (0.3) foot-candle as measured at a pre-set distance. The measurement distance shall be determined based on the area of the electronic message center using the following formula: the square root of (the electronic message center area times 100). Fractions shall be rounded to the nearest foot.

SECTION 5. <u>Effective Date</u>. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of	Salt Lake City, Utah thi	s 27th day of A	August , 2023.
ATTEST:	CHAIRP	ERSON	
CITY RECORDER			
Transmitted to Mayor on		<u>.</u>	
Mayor's Action:	Approved.	Vetoed	
	MAYOR		
CITY RECORDER			

(SEAL)		
Bill No.	63	of 2024.
Published	l:	•
Ordinance rela	ated to the	downtown entertainment district_final

APPROVED AS TO FORM Salt Lake City Attorney's Office	
By: Katherine D. Pasker, Senior City Attorney	