



Recognized Organization Input Notification

Text Amendment – Rooftop Use in the FB-SE Zone

TO: Landon Clark, Chair, Sugar House Community Council
Caitlin Lutsch, Chair, Liberty Wells Community Council

FROM: Amy Thompson, Senior Planner, Salt Lake City Planning Division (amy.thompson@slcgov.com or 385-226-9001)

DATE: May 26, 2021

RE: PLNPCM2021-00431 – Text Amendment for Rooftop Commercial Uses in FB-SE Zone

The Planning Division has received the below request and is notifying your organization to solicit comments on the proposal:

Request Type: Zoning Text Amendment

Location: Citywide

Zone: Impacts FB-SE (Form Based Special Purpose Corridor Edge Subdistrict)

Request Description:

Bill Grodnik, owner of the property at approximately 2166 S 900 East, has submitted an application for a text amendment that would impact the FB-SE zoning district citywide. The FB-SE zone currently limits commercial or nonresidential uses to first two stories and a height of 30 feet. The proposed text amendment would allow for rooftop commercial or nonresidential uses above the two-story limitation.

The proposal is to amend the text of a section of table 21A.27.040.D. The proposed amendments are shown in red.

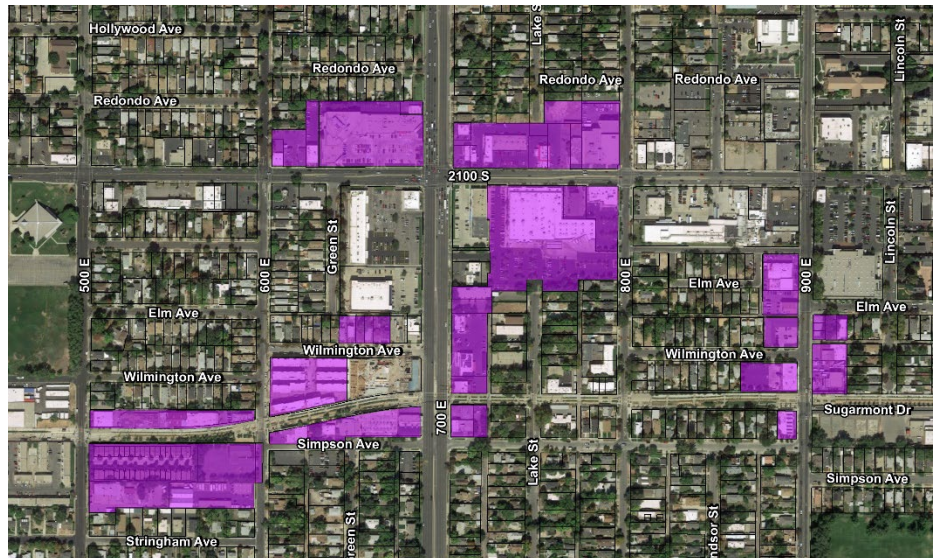


TABLE 21A.27.040.D
FB-SE BUILDING FORM STANDARDS

Limitation on Commercial Uses	Commercial or nonresidential uses are limited to the first 2 stories and a height of 30 ft. Commercial and nonresidential rooftop uses are allowed above the second story subject to meeting the 30 ft. height requirement.
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The specific request noted above is subject to the standards for General Amendments located in chapter 21A.50.050 of the zoning ordinance. I have included these standards in this notification letter. I have attached information submitted by the applicant relating to the project to facilitate your review.

The proposed text amendment is being taken to the public for comment and input. Following this input, the proposal may be revised. Staff will then take the proposed regulations to the Planning Commission for a public hearing and recommendation. That recommendation will then be sent to the City Council for another public hearing and decision. The City Council may adopt the proposal, adopt the proposal with changes, or decline to adopt the proposal. Dates for these public hearings have not yet been set.

Request for Input from Your Recognized Organization

As part of this process, the applicant is required to solicit comments from Recognized Organizations. The purpose of the Recognized Organization review is to inform the community of the project and solicit comments/concerns they have with the project. The Recognized Organization may also take a vote to determine whether there is support for the project, but this is not required.

Per City Code 2.60.050 - The recognized community organization chair(s) have **forty five (45) days** to provide comments, from the date the notice was sent. A public hearing will not be held, nor will a final decision be made about the project within the forty five (45) day notice period. This notice period ends on the following day:

July 10, 2021

Comment Guidance

Public comments will be received up to the date of the Planning Commission public hearing. However, you should submit your organization's comments within 45 days of receiving this notice in order for those comments to be included in the staff report.

As a Recognized Organization, we ask that you address the following questions in your comments:

- What issues were raised at the meeting and whether any suggestions were made to address the issues.
- The number of persons that attended the meeting (not including those with the applicant or City Staff).
- Whether a vote was taken on the matter and if so, what the vote tally was.

Comment Submission

You may submit your written comments via e-mail to amy.thompson@slcgov.com

Open House

The Planning Division will also be holding an online Open House to solicit comments on this project. Questions can be e-mailed to City staff from the webpage and answers will be posted on that webpage. Information about that online open house will be sent to the community council and neighboring property owners and residents once the webpage is online. The petition open house webpage will be accessible from this City webpage under "FB-SE Rooftop Text Amendment" when it is posted: <https://www.slc.gov/planning/open-houses/>. Comments and questions can be directed to City staff and the staff contact at the end of this letter at any time. If you have any questions, please call me at (385)226-9001 or contact me via e-mail.

For your reference, the following are criteria that the City Council will use to make its decision. The City's technical staff will review the project to ensure it complies with adopted policies and regulations. Input from your organization may be more general in nature but we recommend that you also consider the criteria below:

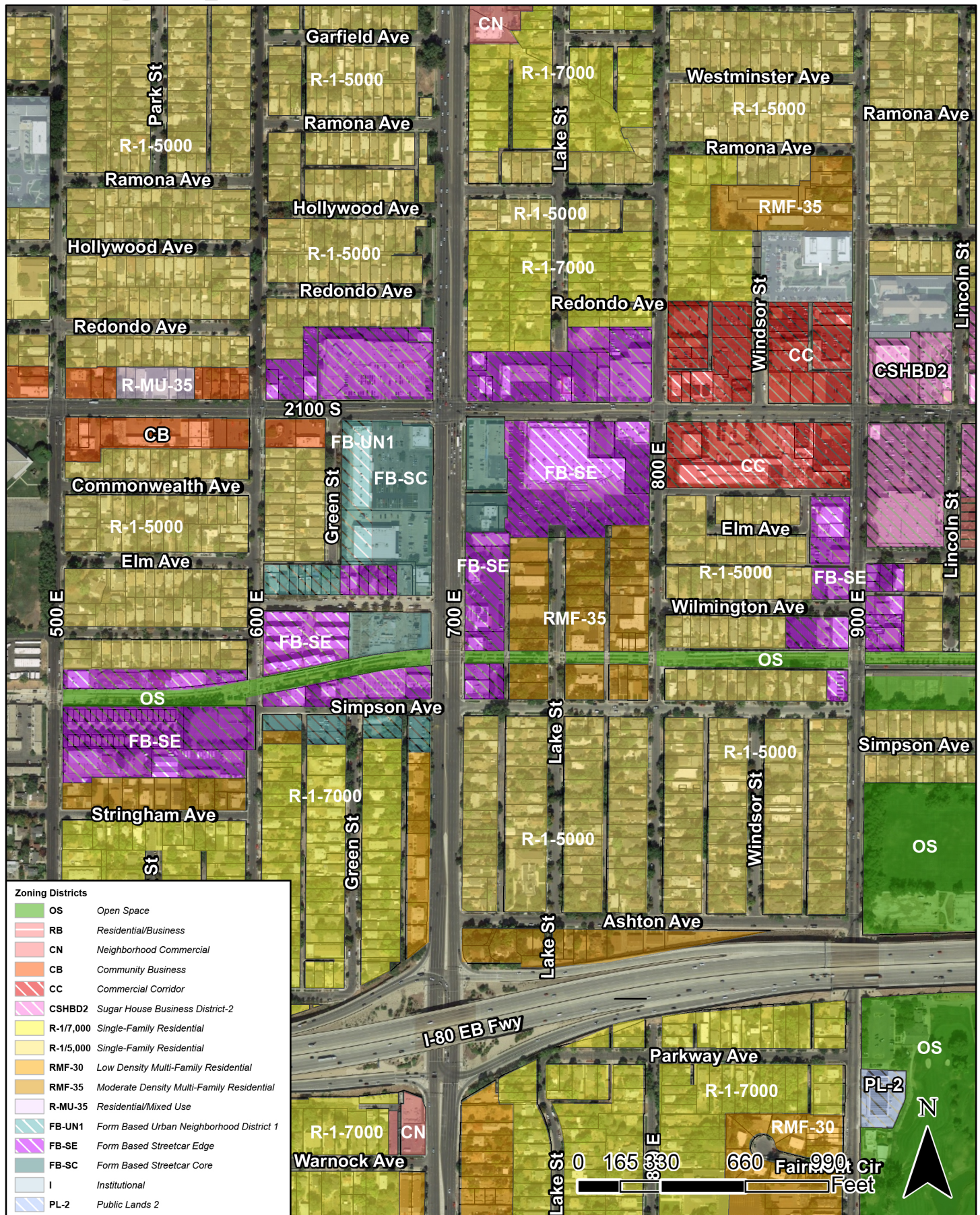
Standards for General Amendments [21A.50.050](#)

21A.50.050: STANDARDS FOR GENERAL AMENDMENTS:

A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard.

- A. In making its decision concerning a proposed text amendment, the City Council should consider the following factors:
1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;
 2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;
 3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
 4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

Zoning Map



Project Description

1. PURPOSE OF THE AMENDMENT

The purpose of the amendment is to be able to use an existing rooftop additional outdoor restaurant seating.

2. DESCRIPTION OF THE PROPOSED USE

The Entire two -story building is ready for use by a restaurant but is currently vacant. The restaurant operators who are interested in leasing the property want to be able to use the rooftop for additional restaurant seating when weather permits.

3. REASONS WHY PRESENT ZONING IS NOT APPROPRIATE

The restaurant operators who are interested in leasing the property will not sign a lease unless the rooftop is available for additional seating.

4. IS THE REQUEST AMENDING THE ZONING MAP?

No

5. IS THE REQUEST AMENDING THE TEXT OF THE ZONING ORDINANCE?

Yes, the current ordinance states "Commercial or nonresidential uses are limited to the first 2 stories and a height of 30 ft."

The proposed text amendment states ***"For commercial uses in the FB-SE Zone, rooftop uses are allowed if the rooftop is 30 feet or less in height and it is shown that the building and rooftop have been structurally engineered to safely support the proposed rooftop use."***