

STATE OF UTAH,

City and County of Salt Lake,

} ss.

I, .... Beverly Jones ..... Deputy ..... City Recorder of Salt Lake City, Utah, do hereby

certify that the attached document is a full, true and correct copy of ... Ordinance 20 of 1995 .....  
..enacting Section 21.80.310 providing a temporary moratorium prohibiting the.....  
..issuance of any subdivision approvals, changes of use, building permits or other..  
..development approvals for certain specified developments within the corporate.....  
..limits of Salt Lake City, pending the adoption of a comprehensive new zoning.....  
..ordinance pursuant to Petition No. 400-94-97.....  
passed by City Council/Executive Action of Salt Lake City, Utah, March 15..... 19.95  
as appears of record in my office.

6048652

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City,  
this ..... 27 ..... day of ..... March ..... 19.95.



*Beverly Jones*

Deputy City Recorder

..... March 18 ..... 19.95

BK7122PG2563

SALT LAKE CITY ORDINANCE  
No. 20 of 1995  
(Enacting Section 21.80.310 providing a temporary moratorium prohibiting the issuance of any subdivision approvals, changes of use, building permits or other development approvals for certain specified developments within the corporate limits of Salt Lake City, pending the adoption of a comprehensive new zoning ordinance pursuant to Petition No. 400-94-97.)

AN ORDINANCE ENACTING SECTION 21.80.310 OF THE SALT LAKE CITY CODE PROVIDING A TEMPORARY MORATORIUM ON THE ISSUANCE OF ANY SUBDIVISION APPROVALS, CHANGES OF USE, BUILDING PERMITS OR OTHER SPECIFIED DEVELOPMENT ACTIVITIES WITHIN THE CORPORATE LIMITS OF SALT LAKE CITY, PENDING THE CITY'S ADOPTION OF A COMPREHENSIVE NEW ZONING ORDINANCE.

WHEREAS, Section 10-9-404, Utah Code Annotated, allows cities, without a public hearing, to enact ordinances establishing temporary zoning regulations for any part or all of the city if the city council makes a finding of compelling, countervailing public interest; and

WHEREAS, Section 10-9-404, U.C.A., allows the City in the temporary regulation to prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure; and

WHEREAS, Petition No. 400-94-97, dated October 13, 1994 has been submitted by the Salt Lake City Planning Division requesting the City to adopt a comprehensive new zoning ordinance for the entire City; and

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WHEREAS, the Planning Commission has submitted to the City Council this recommendation, dated February 16, 1995, following public hearings; and

WHEREAS, this new zoning ordinance is the result of an extensive and comprehensive public hearing process; and

WHEREAS, the new zoning ordinance will further the best interests of the City specifically including:

- A. Implementation of City Master Plans;
- B. Reflection of existing conditions of developed areas;
- C. Simplification of development standards, processes and procedures; and

WHEREAS, during the public process prior to the City Council's adoption of the new zoning ordinance it is possible that development proposals will be submitted to the City that do not conform with the new zoning ordinance and which would, if allowed, create incompatible land uses or development characteristics which might obtain some vested rights and which would materially and adversely affect the interests of the City in adopting the new zoning ordinance; and

WHEREAS, public safety and welfare may be threatened by development not consistent with the new zoning ordinance in that such developments may have adverse impacts including increased traffic, increased demand for police services and other negative impacts which would be mitigated by the new zoning ordinance; and

WHEREAS, incompatible characteristics of possible development with those contemplated by the new zoning ordinance

may have adverse effects on surrounding property values and aesthetic interests; and

WHEREAS, developments may have negative impacts of excessive height, inadequate landscaping and buffer strips, and inadequate usable open space; and

WHEREAS, the City Council finds that the City's interests in adopting this temporary moratorium outweigh any private interests in developing under existing standards within the areas and for the purposes described in this ordinance; and

WHEREAS, the City Council finds it appropriate to allow the Planning Director during the temporary prohibition provided by this ordinance to make certain modifications on specified developments to certain building standards such as setbacks, landscape buffers and building coverage where such developments and variations would be in the best interests of the City and in compliance with the general plan and where both the use and the density of the proposed development is allowable under both the currently existing and the proposed new zoning ordinances;

Therefore, the City Council of Salt Lake City, Utah, enacts Section 21.80.310 of the Salt Lake City Code.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 21.80.310, Salt Lake City Code, be, and the same hereby is, enacted to read as follows:

21.16.061           Temporary prohibition on specified development within Salt Lake City, pending the adoption of the City's new zoning ordinance.

A. Findings of Countervailing Interest. Pursuant to Section 10-09-404, Utah Code Annotated, the City Council expressly finds that the adverse effects of allowing the development specified in this section within the corporate boundaries of the City, while the City conducts a public process leading to the adoption of a comprehensive new zoning ordinance is not in the best interests of the City and constitutes a compelling, countervailing public interest sufficient to justify a prohibition of less than six months.

B. Balancing of Public versus Private Interests. The City Council further specifically finds that any harm to private interests is de minimis and outweighed by the City's interests in consistency in adopting the new zoning ordinance. Further, the City Council finds that no developments, the plans for which were not submitted prior to 2:00 p.m. on March 14, 1995 in full compliance with existing zoning regulations have any right to develop under those existing regulations.

C. Prohibitions. The City shall not accept, process or grant an application for any of the following, if such application is not in compliance with the Public Hearing Draft of the Zoning Ordinance dated February 16, 1995 of the proposed new City Zoning Ordinance:

1. Subdivision approval;
2. Change of use;
3. Building permit or other development approval:

a. New residential construction, or residential remodeling or additions that increase the number of dwelling or boarding units;

b. Nonresidential new construction, or nonresidential remodeling or additions that increase the need for parking.

D. Boundaries of Temporary Prohibition. All properties located within the corporate boundaries of Salt Lake City, not included in the Temporary Moratorium Ordinance 94 of 1994.

E. Modifications. If the use and density of a development which would otherwise be subject to the prohibition provisions of this section is allowable either as a permitted or conditional use under the existing ordinance and the proposed new zoning ordinance, the standards for setbacks, landscape buffers and building coverage required under the new zoning ordinance may be modified, and development permitted, to standards not less than those under the existing ordinance. If the proposed use is a conditional use, the modification of such standards shall be considered as part of the conditional use process. If the proposed use is a permitted use, the Planning Director may make such modifications to these standards as the Planning Director finds to be in the best interests of the City, in compliance with any applicable adopted plans and in the spirit of the existing and new zoning ordinance.

F. Design Review. The functions of the Design Review Committee, established in Chapter 3 and provided in Chapter 15 of the Public Hearing Draft dated February 16, 1995, will be

performed by the Planning Commission while this Order is effective.


G. Length of Prohibition. This section shall be effective until April 14, 1995 or until the effective date of the City Council's action upon Petition No. 400-94-97, whichever is sooner.

Section 2. EFFECTIVE DATE. This ordinance shall take effect on its first publication and shall be recorded with the Salt Lake County Recorder.

Passed by the City Council of Salt Lake City, Utah, this 15 day of March, 1995.

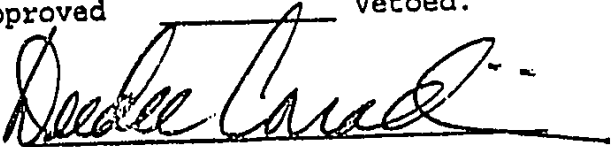
  
CHAIRPERSON

ATTEST:

  
CHRISTINE MEEKER  
CHIEF DEPUTY CITY RECORDER

Transmitted to the Mayor on March 16, 1995.

Mayor's action: XX Approved            Vetoed.

  
MAYOR

3-14-95  
A. Antler

OFFICE

ATTEST:

*Christine Meeker*  
CHIEF DEPUTY CITY RECORDER

(SEAL)



Bill No. 20  
Published: March 18, 1995

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RECORDED BY: NANCY WORKMAN  
SL CITY - RECORDER  
REC BY: S WEST , DEPUTY - WI