

Chapter 19.90
AMENDMENTS AND REZONING

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19.90.010 Amendment procedure.

A. The city council may, from time to time, amend the number, shape, boundaries or area of any zone or any regulation within any zone or any other provisions of the zoning ordinance. The city council may not make any amendment authorized by this section unless the amendment was proposed by the planning commission or was first submitted to the planning commission for its recommendation. To become effective, zoning amendment applications which have received the positive recommendation of the planning commission must first receive the favorable vote of not less than a majority of the entire membership of the city council.

B. Zoning amendment applications which receive a recommendation of denial by the planning commission shall thereafter be considered by the city council as provided in section 19.90.030.

19.90.020 Hearing—Notice.

Before finally adopting any such amendment, the city council shall ensure that the planning commission has held a public hearing thereon preceded by all legally-required public notice.

19.90.030 Determination of city council.

The city council, after review of the recommendation of the planning commission, may affirm, reverse, alter or remand for further review and consideration any recommendation made by the planning commission.

19.90.040 Appeal procedure.

Any person adversely affected by a decision of the city council amending (a) the number, shape, boundaries or area of any zoning district; (b) any regulation of or within the zoning district; or (c) any other provision of a land use ordinance, may file a petition for review of such decision in the district court within 30 days after the city council's decision is final.

19.90.050 Disapproval of rezone application.

Disapproval by the city council of an application to amend the zoning map shall preclude the filing of another application to amend the zoning map to reclassify the same parcel of property, or any portion thereof, to the same zone classification, or, if the application is for a commercial classification, to the same or any other commercial classification, within one year after the date of the final disapproval of the application unless the planning commission finds that there has been a substantial change in the circumstances or sufficient new evidence since the disapproval of the application

to merit consideration of a second application within the one-year time period.

19.90.060 Conditions to zoning map amendment.

A. In order to provide more specific land use designations and to ensure land development suitability; to ensure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirement for development of property, additional limitations and restrictions (called in this section “conditions” or “zoning conditions”) may be attached to (and thereby made a part of) any zoning map amendment at the time of its adoption, which limit or restrict the following to a greater degree than otherwise would be applicable under the base zoning classification:

1. Conditional or permitted land uses;
2. Dwelling unit density;
3. Building square footage; and/or
4. Building structure height.

B. A zoning map amendment attaching any of the conditions set forth in subsection A of this section shall be designated “ZC” after the base zoning classification on the city’s zoning map. The subject zoning conditions shall be filed with the city recorder and shall be recorded in the official records of the Salt Lake County Recorder against title to the affected real property.

C. If any zoning condition(s) imposed in connection with a rezone of property is declared invalid by a court of competent jurisdiction, the zoning map amendment incorporating such zoning condition(s) shall be void, and the zoning designation of the property in question shall revert to its zoning

designation immediately prior to such voided rezone. Any proposed deletion of or change to city-approved zoning conditions shall be considered an amendment to the zoning ordinance and shall be subject to the requirements of this chapter.

D. The attachment of conditions to any zoning map amendment shall not affect the applicability of any other requirements of this title.

E. The attachment of conditions to a zoning map amendment under this section shall be permissible in any of the city’s current or future base zoning classifications except the following base zones:

1. Chapter 19.08—F-20 (Foothill Forestry Zone);
2. Chapter 19.11—F-1-43 (Foot-hill Residential Zone);
3. Chapter 19.14—F-1-43 (Foot-hill Residential Zone);
4. Chapter 19.17—RR-1-43 (Rural Residential Zone);
5. Chapter 19.18—RR-1-29 (Rural Residential Zone);
6. Chapter 19.20—RR-1-21 (Rural Residential Zone);
7. Chapter 19.23—R-1-15 (Residential Single Family Zone);
8. Chapter 19.23—R-1-10 (Residential Single Family Zone);
9. Chapter 19.23—R-1-8 (Residential Single Family Zone);
10. Chapter 19.23—R-1-6 (Residential Single Family Zone);
11. Chapter 19.46—PF (Public Facilities Zone).

19.90.070 General plan amendment—Procedure.

The city council may amend the general plan. A proposed amendment to the general plan shall not be made or become effective unless it is first

presented to the planning commission and, before making its recommendation concerning the proposed amendment, the planning commission holds a public hearing on the proposed amendment preceded by all required public notice. The planning commission thereafter shall forward the proposed amendment and its recommendation concerning it to the city council.

19.90.080 Determination of city council.

After the planning commission review, public hearing and recommendation as provided in section 19.90.070, the city council may adopt the general plan amendment as proposed; modify the proposed amendment and adopt it or reject it as modified; or reject the proposed amendment.

19.90.090 Periodic consideration of general plan applications.

The planning commission may establish policies and procedures whereunder pending applications for amendments to the general plan not initiated by the city will be considered by the planning commission only

periodically, provided that consideration by the planning commission of such pending applications occurs no more than three times annually at intervals of not less than four months. Any such policies and procedures shall be inapplicable to applications for amendments to the general plan initiated by the city, and the planning commission promptly shall consider any city-initiated proposal to amend the general plan.

19.90.100 Disapproval of general plan application.

Disapproval of an application to amend the city's general plan not initiated by the city shall preclude the filing of another application to amend the general plan text in the same or similar manner or to amend the general plan map for any parcel of property or portion thereof to the same land use designation within one year of the date of the final disapproval of the application unless the city council finds that there has been a substantial change in the circumstances or other significant reasons since the disapproval of the application to merit consideration of a second application within the one year time period.