



COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: October 8, 2024

**RE: 3052 East and 3150 East Emigration Canyon Road Zoning Map Amendment
PLNPCM2022-01106**

Item Schedule:

Briefing: October 8, 2024

Set Date: October 15, 2024

Public Hearing: November 12, 2024

Potential Action: November 19, 2024

The Council will be briefed about a proposal to amend the zoning map for two parcels at 3052 East and 3150 East Emigration Canyon Road in City Council District Six from their current FR-2/21,780 (Foothills Residential) zoning to RMF-75 (High/Moderate Density Multi-Family Residential). The petitioner's stated objective is to construct a multi-family residential building with 199 units and underground parking. Current FR-2 zone only allows detached single-family dwellings with a minimum 21,780 square foot lot size. Approximately 12 homes could be built on the site under existing zoning.

Combined, the currently vacant and undeveloped parcels are slightly less than 6 acres. They are located at the mouth of Emigration Canyon, east of Hogle Zoo and Rotary Glen Park. Condominium buildings and a large radio tower are located up a steep slope to the south and west of the subject site. Development farther to the south and west is comprised primarily of single-family residential. Access to the site would be from Emigration Canyon Road rather than from neighborhood streets.

Planning staff and City departments and divisions have concerns with the proposed development which are discussed in Attachment F (pages 82-87 of the Planning Commission staff report) and summarized in the additional information section below.

The Planning Commission reviewed this proposal at its June 26, 2024 meeting and held a public hearing at which approximately a dozen people spoke or had their comments read expressing opposition to the proposed rezone. Concerns cited include inconsistencies with City plans, the property's location in a floodplain, potential environmental impact, the ability of Sunnyside Avenue and Emigration Canyon Road to handle additional traffic, cyclist safety, emergency egress for canyon residents, strain on the water

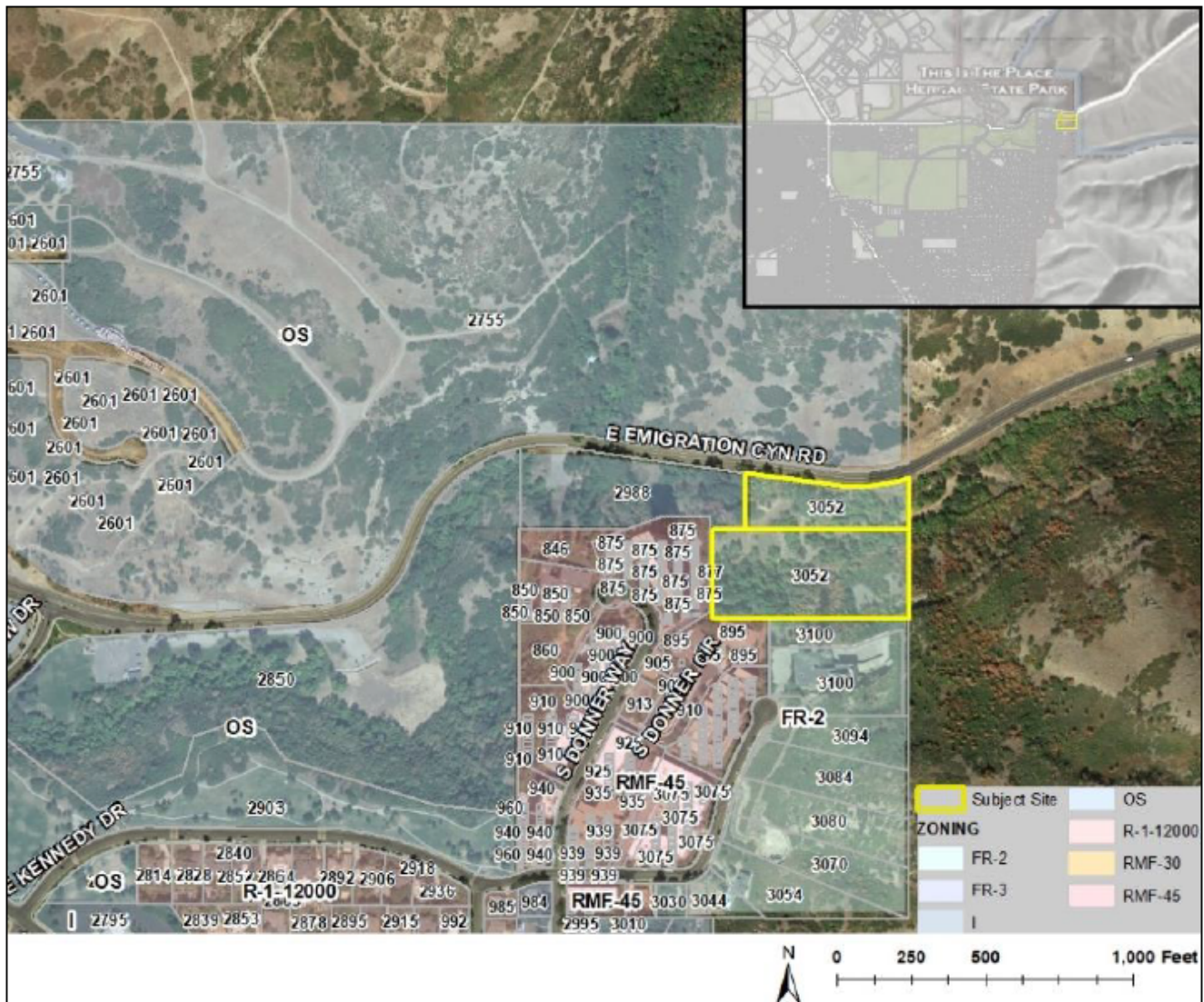


system, and density of the proposed project. **Planning staff recommended and the Commission voted unanimously to forward a negative recommendation to the Council.**

Goal of the briefing: Review the proposed zoning map amendments, determine if the Council supports moving forward with the proposal.

POLICY QUESTIONS

1. The Council may wish to discuss the benefits of additional housing versus challenges of developing on the subject parcels and impact to the area.
2. The Council may wish to ask the petitioner if the proposed units would be for rent or sale, and if any would be available for those earning less than area median income.



Area zoning map with the subject parcels outlined in yellow.
Image courtesy of Salt Lake City Planning Division

ADDITIONAL INFORMATION

The Council is only being asked to consider rezoning the property. Because zoning of a property can outlast the life of a building, any rezoning application should be considered on the merits of changing the zoning of that property, not simply based on a potential project.

City Department and Division Comments

Transportation

It is the Transportation Division's opinion that the zoning map amendment is inappropriate due to sight distance issues for vehicles turning left (westbound) out of the proposed development. There is a nearby curve in the road east of the subject properties which would cause difficulty for drivers to see westbound vehicles.

Transportation is working on preliminary designs for a roundabout requested by UTA at the intersection of Crestview Drive and Emigration Canyon Road. This would make it easier for buses to turn around and could provide infrastructure for public transit at the location.

Fire Department

The Fire Department said an access road of sufficient size to accommodate fire apparatus and include a turnaround would be required. The department reviewed a site plan for the proposed project and noted there are several issues that would need to be resolved, including a likely requirement for a fire pump to provide minimum water flow in the event of a fire.

Public Utilities

The Public Utilities Department has significant concerns with the proposed development for this site. They noted there is inadequate utility infrastructure with the nearest sewer main 700 feet away, which would require an extension to connect.

In addition, there are concerns about working within the floodplain, compliance with the Riparian Corridor Overlay, and off-site infrastructure enhancements that would be required for a development at this location.

Public Lands

The Public Lands Department is evaluating a potential extension of the Bonneville Shoreline Trail between Lakeline Drive and Emigration Canyon. A preferred scenario would connect the trail to Rotary Glen Park through an easement on one of the subject parcels. It is early in the trail design process and no discussions have happened between Public Lands and the property owner about a possible easement.

Public Lands is also designing an improved and expanded trailhead on the north side of Emigration Canyon across from the subject parcels. Included in the design is a new crosswalk at Crestview Drive and Emigration Canyon Road for increased safety for residents of a potential development on the site and other users of area trails.

KEY CONSIDERATIONS

Planning staff identified five key considerations related to the proposal which are found on pages 4-8 of the Planning Commission staff report and summarized below. For the complete analysis, please see the staff report.

Consideration 1 – Existing General Plan Policies for the Area

The subject parcels are within the East Bench Master Plan area. Planning staff reviewed the proposed zoning map amendment and how it meets goals and policies in the plan. The plan notes that low-density residential is appropriate in areas with sensitive natural features, and medium-density (2-3 story townhome or apartment) developments are more appropriate closer to Foothill Drive.

The plan calls for new development in areas with adequate infrastructure in place including transit and transportation. As noted above, preliminary design work is being done for a roundabout near the proposed development, but it is unknown when the roundabout might be completed. Until that time, the nearest bus stop is approximately 1.25 miles away, on Arapeen Drive by the Post Office.

It is Planning Staff's opinion that the zoning map amendment generally does not align with goals or policy statements in the *East Bench Master Plan*.

Consideration 2 – FR-2/21,780 (Foothills Residential) to RMF-75 (High-Density Residential Comparison)

Key differences between the current FR-2 and proposed RMF-75 include building height and density, permitted land uses, as well as the purpose of each zone and where they are appropriate. A table with additional information on the two zoning districts is included later in the report.

FR-2 zoning permits single detached homes with a maximum height of 28 feet and minimum lot size of 21,780 square feet. Planning staff estimates approximately 12 single-family homes could be built on the site, but constraints including the Riparian Corridor Overlay setbacks and slopes exceeding 30% would necessitate a planned development to achieve that number of units. Daycares and small group homes are also permitted uses in this zone.

RMF-75 is high-density zoning with a maximum building height of 75 feet. Multi-family developments in this zone on lots larger than one acre permit one unit per 500 square feet of lot area. Planning staff estimates 335 units could conceivably be constructed on the subject site. Developments with 200 or more units would require a second fire access road. The petitioner's current plan is to construct a development with 199 dwelling units.

Permitted uses in the RMF-75 zone include multi-family residential, small congregate care facility or group home, single-family (attached or detached), and nursing care facility among others.

The FR-2 purpose statement says:

The purpose of the FR-2/21,780 Foothills Residential District is to promote environmentally sensitive and visually compatible development of lots not less than twenty one thousand seven hundred eighty (21,780) square feet in size, suitable for foothills locations as indicated in the applicable community Master Plan. The district is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character of foothill areas by limiting development; to promote the safety and well being of present and future residents of foothill areas; to protect wildlife habitat; and to ensure the efficient expenditure of public funds.

The RMF-75 purpose statement:

The purpose of the RMF-75 High Density Multi-Family Residential District is to provide an environment suitable for high density multi-family dwellings. This district is appropriate in areas where the applicable Master Plan policies recommend a maximum density less than eighty five (85) dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving the neighborhood. Such uses are designed to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

It is Planning staff's opinion the proposed RMF-75 zone is not appropriate at this site.

Consideration 3 – Development Constraints

As discussed above, there are significant development constraints on the property. The City code restriction on developing or disturbance of slopes greater than 30% and a required 100-foot setback from Emigration Creek’s high-water line limit the buildable area of the site to approximately 40,000 square feet, or 15% of the total 262,780 square feet of the property.

Planning staff stated, “Navigating these challenges is conceivable, but accommodating the proposed density is likely to impose significant impacts on the site.”

Consideration 4 – Traffic Study and Impacts

The Transportation Division requested the applicant conduct a traffic study for the site which is included in Attachment B (pages 17-73 of the Planning Commission staff report) to assess potential impact a development and increased density would have in the area.

After reviewing the study, the Transportation Division determined an additional acceleration lane for left turns (westbound) out of the site would be necessary. This is due to a curve in the road discussed above that would make it difficult for drivers coming down the canyon to see vehicles exiting the proposed development.

Planning noted it is conceivable the challenges adding an acceleration lane to the road could be overcome, but there is no guarantee the lane would receive necessary approvals. Planning recommends an additional traffic study if the Council considers approving the rezone petition. Additional analysis would determine if the reported traffic volumes were typical given that the study was conducted during a non-peak season and day.

Consideration 5 –Public Opinion and Neighborhood Concerns

The Planning Division received significant public input and concern about the proposed zoning map amendment. Nearly all the comments Planning received are in opposition to the rezone, citing concerns like those expressed at the Planning Commission public hearing discussed above. Comments received by Planning up to the June 26, 2024 Planning Commission meeting are included in Attachment G (pages 88-321) of the Planning Commission staff report.

Attachment D (pages 77-78) of the Planning Commission staff report includes a table comparing the zoning districts. A portion of the table is replicated here for convenience. Please see the report for the complete table.

	<i>FR-2 (Current)</i>	<i>RMF-75 (Proposed)</i>
Building Height	28 feet.	75 feet.
Setbacks	Front: Average of block face or a minimum of 20 feet. Interior side yard: 20 feet. Corner side yard: 20 feet or average of block face. Rear: 40 feet.	Front: 25 feet, except for single-family attached or detached is 15 feet. Interior side yard: 15 feet, except single-family attached or detached is 4 feet. Corner side yard: 25 feet, except

		single-family attached or detached is 15 feet. Rear yard: 25% of lot depth but need not exceed 30 feet.
Lot Minimums	21,780 square feet.	Single-family detached: 2,000 square feet. Single-family attached and twin-home: 1,500 square feet. Two-family: 3,000 square feet.
Lot Width	100 feet.	16-100 feet depending on use.
Building Coverage	25%	60%

Analysis of Standards

Attachment E (pages 79-81) of the Planning Commission staff report outlines zoning map amendment standards that should be considered as the Council reviews this proposal. The standards and findings are summarized below. Please see the Planning Commission staff report for additional information.

Factor	Finding
Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents.	<i>Does not comply</i>
Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	<i>Does not comply</i>
The extent to which a proposed map amendment will affect adjacent properties	<i>Partially complies</i>
Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.	<i>Does not comply</i>
The adequacy of public facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.	<i>Does not comply</i>

PROJECT CHRONOLOGY

- December 15, 2022 – Assigned to Krissy Gilmore, Senior Planner.
- December 16, 2022 –
 - Early engagement notice emailed to East Bench Community Council.
 - Mailed notice sent to property owners and tenants within 300 feet of the property.
 - Proposed zoning amendment posted to the Planning Division’s webpage as an online open house.
- January 4, 2023 – Mailed notice resent to property owners and tenants within 300 feet of the property due to an error on the original mailing.
- January 18, 2023 – Applicant presented to the East Bench Community Council.
- June 26, 2024 – Planning Commission public hearing. The Commission voted 5:0 to forward a negative recommendation to the City Council.
- June 28, 2024 – Ordinance requested from the Attorney’s Office.
- July 16, 2024 – Ordinance received from City Attorney’s Office.
- August 13, 2024 – Transmittal received in City Council Office.