



COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: October 1, 2024

**RE: Parking Text Amendment to Prohibit Demolition of Housing for Parking Uses
PLNPCM2023-00646**

Item Schedule:

Briefing: August 27, 2024

Set Date: August 27, 2024

Public Hearing: September 17, 2024

Potential Action: October 15, 2024

PUBLIC HEARING UPDATE

There were no comments at the September 17, 2024 public hearing. The Council continued the hearing due to a noticing error. Noticing was correctly provided for a public hearing on October 1.

The following information was provided for previous Council meetings. It is included again for background purposes.

BRIEFING UPDATE

During the August 27, 2024 briefing, Council Members and Planning staff discussed scenarios in which development is delayed or property where dwelling units were demolished is sold. Planning staff explained that new development does not have a time limit on when it needs to be completed provided there is progress is being made. If there is no progress, a building permit can be voided and enforcement, including fines, could begin.

If dwelling units are demolished and the property is sold before replacement housing is built, the new owner is responsible to construct housing. The community benefit ordinance requires details of demolished units including numbers of bedrooms, and whether they were above or below market rate are recorded on the property title and run with the land.

The Council will be briefed about a proposal requested by Mayor Mendenhall to prohibit demolition of housing units to develop standalone parking facilities. It also prohibits demolition of dwellings to expand parking facilities if the result is a net loss of housing units. It is worth noting that the proposal would allow



expansion of residential and commercial developments to add units while increasing parking, provided there is not a net loss of dwelling units.

Thriving in Place, the City's strategy and action plan addressing housing and community displacement issues was adopted by the City Council in 2023. A series of City Code text amendments implement *Thriving in Place*, including repealing the housing loss mitigation ordinance. That ordinance requires a plan for mitigating housing loss when expanding parking in residential zoning districts resulted in a loss of dwelling units. This proposed text amendment replaces that requirement with enhanced regulations prohibiting demolition of housing for parking and would apply citywide.

The Planning Commission reviewed the proposal at its February 14, 2024 meeting and held a public hearing at which one person spoke expressing concern for the loss of affordable housing units. The Commission voted to table this item to give Planning staff additional time to clarify the proposed text amendment's intent. (*Staff note: Planning staff's original and updated recommendations are included in the Additional Information section below.*)

The Commission reviewed Planning staff's updated recommendations and **voted unanimously to forward a positive recommendation to the City Council.**

Goal of the briefing: Review the proposed text amendment and determine if the Council supports moving forward with the proposal.

POLICY QUESTION

1. Council Members may wish to discuss whether they support Planning staff's updated recommendations which received Planning Commission support.

ADDITIONAL INFORMATION

As discussed above, the Planning Commission asked staff to add clarifying language about the text amendment's intent. Planning staff's original recommended and updated regulations are listed below.

Original recommended regulations:

1. Prevent the demolition of housing for the development of commercial parking lots, park-and-ride lots, and off-site parking facilities.
2. Prevent the demolition of housing if it results in the expansion of existing parking or the development of new parking.

Updated recommended regulations:

1. Prevent the demolition of housing if it results in the development of standalone parking uses. Standalone parking uses are commercial parking lots, park and ride lots, and off-site parking facilities. The proposed Zoning Ordinance text change would add a footnote to all parking-related land uses in each of the land use tables and would prohibit the particular use if it results in the demolition of a dwelling unit.
2. Prevent the expansion of parking for any existing land use when it includes the demolition of a dwelling unless it results in the replacement of the dwelling unit. The proposed amendments would add language to the Off-Street Parking chapter that would prohibit "increasing the number of parking stalls or modifying a parking lot" for existing uses if it results in a net loss of dwelling units. This language would allow for existing residential and commercial developments to add units or expand their current development while accommodating the required parking for their site, but not voluntary expansion of parking when including demolition of housing.

KEY CONSIDERATION

Planning staff identified one key consideration related to the proposal, found on pages 2-3 of the Planning Commission staff report, and summarized below. For the complete analysis, please see the Planning staff report.

Consideration 1 – How the proposal helps implement city goals and policies identified in adopted plans:

Planning staff found that the proposed amendment aligns with initiatives found in *Plan Salt Lake* and *Housing SLC* to preserve naturally occurring affordable housing. Additionally, Planning noted:

While the proposed amendments seek to prohibit demolition of dwelling units when there is an expansion of parking, it makes an exception when there is a net gain of units. While preservation of housing is extremely important, especially when replaced by a stand-alone parking use, the net gain of housing in the city is supported by this plan.

ANALYSIS OF STANDARDS

Attachment B (pages 8-9) of the Planning Commission staff report outlines zoning text 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 text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents.	<i>Complies</i>
Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance.	<i>Complies</i>
Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.	<i>Complies</i>
The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.	<i>Complies</i>

PROJECT CHRONOLOGY

- August 4, 2023 – Petition initiated by Mayor Mendenhall.
- October 12, 2023 – Petition assigned to Cassie Younger, Senior Planner.
- November 15, 2023 – Early notification to all recognized community councils. 45-day comment period begins.
- November 20, 2023 – Proposal posted for online open house.
- December 30, 2023 - 45-day recognized community organization notice period ends.
- February 1, 2024 –
 - Agenda posted to Planning Commission website and State of Utah public notice webpage.
 - Public hearing notice with project information and notice of the Planning Commission public hearing physically posted at various library noticing points citywide.

- February 14, 2024 – Planning Commission briefing and public hearing. The Commission tabled the item and directed staff to clarify proposed language.
- February 28, 2024 – Planning Commission reviewed changes and voted unanimously to forward a positive recommendation to the City Council.
- March 1, 2024 – Planning Division requests ordinance from the City Attorney’s Office.
- March 19, 2024 – Ordinance from Attorney’s Office received by Planning Division.
- April 8, 2024 – Transmittal received in City Council Office.