COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Nick Tarbet, Policy Analyst

DATE: April 15, 2025

RE: Mixed-Use Zoning Consolidation
PLNPCM2024-00707

PROJECT TIMELINE:
Briefing 1: February 4, 2025
Briefing 2: April 8, 2025
Briefing 3: April 15, 2025
Set Date: April 1, 2025
Public Hearing: May 6, 2025
Potential Action: TBD

APRIL 8 WORK SESSION SUMMARY

During the Council's April 8 briefing, the Council went over the first eleven straw polls, which they indicated support for each of those recommendations.

The Council will have a follow-up briefing on April 15 to go over the rest of the straw polls. The public hearing is set for May 6.

Straw Poll Results from 4.8.2025 Briefing

	Issue	Yes	No
1	Allow drive through facilities for financial intuitions in Sugar House districts.	X	
2	Allow up to 150' in Sugar House area (south of 2100 south, 1300 E McClelland to freeway). MU11 type height *(with the addition of the conditions outlined in the Granary Area sections)*	X	
3	Change max height for row house in MU-5 and above to 45 feet	X	

4	Clarify language to allow for "vertical stacking" in row houses. Request to include the change below DWELLING, ROW HOUSE: A series of attached single-family dwellings that share at least one common wall with an adjacent dwelling unit and where the entry of each unit faces a public street. Units may be stacked vertically and/or attached horizontally. Each attached unit may be on its own lot. Proposed Chage: "DWELLING, ROW HOUSE: A series of attached ~~single-family dwellings~~ residential units that share…	X	
5	Remove language that requires roof pitch / height be similar to adjacent properties in MU-3. Proposed removing this in MU-3 • Staff proposes removing this in MU-2 and MU-3	X	
6a	Standardizing setback for similar zones Urban House/Two-Family/Cottage 1. Open Space: Revise all to 10% open space with 20% vegetation	X	
6b	Row House 1. Front/corner side yard (min.) ▪ MU-2/3: Maintain 5 ft in both, merge additional language about landscaping and hardscape. 2. Front/corner side yard (max.) ▪ MU-2/3: Eliminate maximum for MU-3 to match MU-2 3. Rear Yard ▪ MU-11: Make consistent with MU-5/6/8, by increasing MU-11 to 10' 4. Open Space Area (min) ▪ ALL 10% OS / 20% vegetation	X	
6c	Vertical Mixed Use, Storefront and Multi-family 1. Front/corner Side Yard min ▪ MU2, MU3: Make both consistent, apply the 5' min. MU-2 standard to MU-3.		

	▪ MU5, MU-6-MU- 8: Make all consistent, apply the variable use based 0' to 10' setback in MU-5/6 to MU-8. 2. Front /Corner Side Yard (max) ▪ MU-2/3: No Max ▪ MU-5/6/8: Apply MU-5/6 setback to MU-8. 3. Rear Yard: Merge rear yard language for MU-2/3. 4. Open Space Area (min) ▪ ALL 10% OS / 20% vegetation	**X**	
7	Add "Contractor's Yard/Office (Indoor)" use to the Transitional Overlay as a Conditional Use. ○ *Staff recommends including this use.*	**X**	
8	Areas unintentionally included as requiring activity use due to a code provision in the recently adopted MU-8 code. ○ *Staff recommends removing "Richard Street, from Harvard Avenue to Kelsey Avenue" as an area requiring an "Enhanced Active Ground Floor Use."* ○ *400 South, located between 500 West (start of rail overpass) and the I-15 interchange (~800 West), was unintentionally included in the requirement for a high activity use. Staff recommends excluding this area from the use requirement due to poor viability*	**X**	
9	Delete the requirement for a 6' walkway between multiple buildings that are over 75' in façade length. ○ *Staff recommends deleting this requirement*	**X**	
10	Add a prohibition on mature coverage counting toward the required park strip vegetation coverage of 33% in MU-8 and MU-11. ○ *Staff recommends applying the requirement to other high-intensity MU zones, the MU-8 and MU-11*	**X**	
11	Add a transition period to the MU zone adoption.	**X**	

	○ *Staff recommends that the City Council include a transition period of 3-6 months where developers could still utilize the prior regulations. The Council expressed support for a 3 month flex period where developers could use either zone.*		

The following information was provided for the April 8, 2025, work session briefing.

FEBRUARY 4 WORK SESSION SUMMARY

During the Council's February 4 briefing, Planning provided an overview of the zoning amendments. Council Members asked a variety of questions about building height, setbacks, parking, design standards, open space and potential changes to the proposed zoning map amendments. At the briefing, some Council Members asked to meet with Planning staff to discuss details of the zoning amendments.

Based on the briefing and follow-up meetings, the straw polls below have been prepared for the Council to review and provide direction to staff on which to incorporate into the final draft ordinance.

The public hearing will be held on May 6.

Straw Polls

Items from Transmittal and Council Discussions

1. Allow drive through facilities for financial intuitions in Sugar House districts.

2. Allow up to 150' in Sugar House area (south of 2100 south, 1300 E McClelland to freeway). MU11 type height

3. Change max height for row house in MU-5 and above to 45 feet.

4. Clarify language to allow for "vertical stacking" in row houses.

   Request to include the change below

   DWELLING, ROW HOUSE: A series of attached single-family dwellings that share at least one common wall with an adjacent dwelling unit and where the entry of each unit faces a public street. Units may be stacked vertically and/or attached horizontally. Each attached unit may be on its own lot.
   Proposed Chage: "DWELLING, ROW HOUSE: A series of attached ~~single-family dwellings~~ residential units that share…

5. Remove language that requires roof pitch / height be similar to adjacent properties in MU-3. Proposed removing this in MU-3
   - Staff proposes removing this in MU-2 and MU-3

6. Standardizing setback for similar zones Proposed Changes

a. A. Urban House/Two-Family/Cottage Open Space: Revise all to 10% open space with 20% vegetation

b. Row House

    1. Front/corner side yard (min.): MU-2/3: Maintain 5 ft in both, merge additional language about landscaping and hardscape.

    2. Front/corner side yard (max.): MU-2/3: Eliminate maximum for MU-3 to match MU-2

    3. Rear Yard: MU-11: Make consistent with MU-5/6/8, by increasing MU-11 to 10'.

    4. Open Space Area (min): ALL 10% OS / 20% vegetation

c. Vertical Mixed Use, Storefront and Multi-family

    1. Front/corner Side Yard min

        - MU2, MU3: Make both consistent, apply the 5' min. MU-2 standard to MU-3.

        - MU5, MU-6-MU- 8: Make all consistent, apply the variable use based 0' to 10' setback in MU-5/6 to MU-8.

    2. Front /Corner Side Yard (max)

        - MU-2/3: No Max

        - MU-5/6/8: Apply MU-5/6 setback to MU-8.

    3. Rear Yard: Merge rear yard language for MU-2/3.

    4. Open Space Area (min) ALL 10% OS / 20% vegetation

7. Add “Contractor’s Yard/Office (Indoor)” use to the Transitional Overlay as a Conditional Use.
    1. *Staff recommends including this use.*

8. Areas unintentionally included as an requiring activity use due to a code provision in the recently adopted MU-8 code.
    a. Staff recommends removing “Richard Street, from Harvard Avenue to Kelsey Avenue” as an area requiring an “Enhanced Active Ground Floor Use.”

    b. 400 South, located between 500 West (start of rail overpass) and the I-15 interchange (~800 West), was unintentionally included in the requirement for a high activity use. Staff recommends excluding this area from the use requirement due to poor viability

9. Delete the requirement for a 6' walkway between multiple buildings that are over 75' in façade length.
    1. *Staff recommends deleting this requirement*

10. Add a prohibition on mature coverage counting toward the required park strip vegetation coverage of 33% in MU-8 and MU-11.
    1. *Staff recommends applying the requirement to other high-intensity MU zones, the MU-8 and MU-11*

11. Add a transition period to the MU zone adoption.
    1. *Staff recommends that the City Council include a transition period of 3-6 months where developers could still utilize the prior regulations.*

12. Modify the height limit for "private directional signs" from 4' to 8'.
    1. *Staff recommends increasing the height so that private parking-related signs can be at eye level.*

13. Include the proposed mapping changes
    1. *Staff recommends including the following changes in the final draft.*
        - FB-UN2 Corners to MU-6 in Central 9th
        - Residential/Office (RO) Zone to MU-8 East Downtown and West Temple
        - Green Street/2100 South
        - Federal Property at 2100 S/Redwood Road

14. Modifications to 21A.10 public hearing notices to better match changes to State code that were adopted this legislative session. Planning staff included some changes to 21A.10 in the consolidation to address what the state code referred to as geographic areas and that cities could define what that meant. This year, the state introduced “ministerial” code changes that do not have to include mailed notices that the city would want to include in that section.

15. Parking options from Planning Staff
    A few Council Members met with Community and Neighborhoods (CAN) staff to discuss how some developments create the necessity to remove some off-street parking stalls, thus impacting the neighborhoods where they are located. Planning staff provided the following options for the Council to consider that could address those concerns.

    a. Any multi-family project over a certain number of dwellings could be required to include a mix of dwelling sizes. An example could include requiring any development with over 20 units to provide at least 25% of the units with 2 or more bedrooms. This would limit a concentration of micro-units in any given area and promote more family sized housing. It would require a text amendment and consideration for applying it to any zone that allows larger apartment buildings and buildings four stories or greater.

    b. Mico-unit projects over a certain number of dwellings could be required to have a parking minimum to help alleviate on-street parking pressures. An example could include a micro-unit project with over 25 dwellings be required to have a .5 parking

ratio. This would require a text amendment and consideration for applying it to any zone that allows larger apartment buildings and buildings four stories or greater.

c. A requirement could be added that buildings be limited to 30' in height if the existing ROW does not satisfy aerial fire access requirements and no modifications to park strips, on street parking, etc. are allowed. Or, the City's consideration of removing on-street parking would only be allowed for projects that meet certain policy objectives such as affordable housing or family-sized housing. This could help reduce the expectation that property owners have about what can be built on their property and can address the perception that modifying the right of way by removing on street parking, narrowing a park strip, or removing street trees is essentially a public asset that is being "given" to a developer.

d. If a project is required to remove on-street parking to comply with fire code, the project could be required to provide the same number of parking stalls on-site, with the City recording a public easement to ensure that the parking stalls are available to the public and posted accordingly. Consideration should be given to the impact providing parking has on affordable housing, with possible exceptions for certain types of residential uses. This would require resources for enforcement.

Requests From the Public

16. Request to rezone property MU-8 instead of MU-5 for some parcels on North Temple. The constituent feels the MU-8 is better aligned with the project they would like to do.
    1. Located at approximately 69, 59, 53, and 51 N Chicago, 955 North Temple.

17. Add kennel as permitted use
    1. Current zoning allows a veterinary clinic which they plan to include. The constituent feels adding "animal kennel" to the zone would provide additional clarity so they can operate seamlessly without regulatory concerns.
        1. Planning Staff recommends adding as Conditional to MU2/3/5 to match MU-6/8/11 if the Council would like to make the use allowed

18. Legislative Actions pertaining to zoning

    a. Request the administration review interior blocks that were studied as part of the zoning consolidation, with narrow streets and have single family structures, and consider proposing a downzone for these properties.

    b. Request the Administration to analyze review and update parts of the Central City Master plan related to the State Street corridor with the goal of rezoning parcels to a higher density MU zoning district.

The following information was provided for the February 4, 2025, work session briefing.

ISSUE AT-A-GLANCE

The Council will receive a briefing on a proposal to update the City's zoning ordinance and zoning map by consolidating up to 27 existing commercial, form-based, and mixed-use zoning districts into six new mixed-use (MU) districts. The goal of these amendments is to simplify zoning regulations, improve clarity of language, and incorporate missing design standards. The new mixed-use districts will be similar to the current districts but will have changes to setbacks, building height, lot coverage, and permitted land uses.

Goal of the briefing: *Review the proposal, including Policy Questions (p. 4), and information provided following the planning commission discussion. Evaluate whether additional feedback needs to be provided prior to the Council's public hearing on March 4.*

OVERVIEW OF CHANGES

The Planning transmittal includes many attachments that succinctly summarize and visualize the draft ordinance. Council staff included them as an attachment to this memo for quick access.

- Attachment A – Zoning Standards / Illustrations for the MU Zones
- Attachment B – Overlay Summary for CG M1
- Attachment C – Parking Regulations for MU zones
- Attachment D – Neighborhood Level Maps of MU Zones

Planning staff also developed a project page that provides extensive information on the project. It is a helpful tool for anyone looking to get a deeper understanding of the proposed zoning amendments. Additionally, they developed an interactive map showing the new MU zones' locations throughout the city.

The Planning Commission held ten briefings on the MU consolidation project. Two public hearings were held, and a positive recommendation was ultimately forwarded to the City Council.

Since this item was forwarded to the Council, some unrelated zoning petitions that impact a few of the properties identified in this zoning petition were approved. The planning staff is updating the ordinance and zoning maps to reflect those changes. Policy question #3 below provides additional background.

MORE DETAILED VIEW OF KEY CHANGES

According to the transmittal letter (page 3), "consolidating these zoning districts will change the regulations that apply to thousands of properties within the city (approximately 6,300 directly affected properties)."

Pages 6-11 of the Transmittal Letter include a summary of each zone, Their purpose, and general zoning regulations. Below is a general outline of the key changes. See the Transmittal Letter and attachments for more in-depth information on the various zones.

1. **Land Use Tables**
    - Several amendments will be made to the Land Use tables. Many of the minor amendments to the existing tables include consolidated definitions, the removal of zoning districts being consolidated into the new land use table, and the removal of some land uses.

2. **Creates 6 new zoning districts and rezones properties to the new zoning districts.**

Attachment A is a fact sheet outlining the zoning standards for each new district, such as height, setbacks, building size, and design standards. The interactive map also shows the new MU zones' locations throughout the city.

MU-2	MU-3	MU-5
Consolidated Zones ○ Residential Business (RB), ○ Small Neighborhood Business (SNB) ○ Neighborhood Commercial (CN)	Consolidated Zones ○ Community Business (CB) ○ R-MU-35 (Residential Mixed Use - 35)	Consolidated Zones ○ Form-Based Urban Neighborhood 2 (FB-UN2), ○ Corridor Commercial (CC), ○ Community Shopping (CS), ○ Form-Based Special Purpose Corridor Edge (FB-SE), ○ Residential Mixed Use 45 (R-MU-45) ○ Transit Station Area Transitional (TSA-UN-T) ○ Mixed Use (MU) ○ South State Street Corridor Overlay (SSSC)
MU-6	**MU-8**	**MU-11**
Consolidated Zones ○ Form-Based Urban Neighborhood 2 (FB-UN2) ○ Form Based Special Purpose Corridor (FB-SE) ○ Sugar House Business District 2 (CSHBD-2) ○ Residential Office (RO) ○ Transit Station Area - Urban Core Transition (TSA-UC-T) ○ Special Purpose Transition (TSA-SP-T) ○ Mixed Use Employment Center Transition (TSA-MUEC-T)	Consolidated Zones ○ Residential Mixed Use (RMU) ○ Transit Station Area - Mixed Use Employment Center Core (TSA-MUEC-C) ○ Special Purpose Core (TSA-SP-C) ○ Urban Neighborhood Core (TSA-UN-C)	Consolidated Zones ○ CG (General Commercial), ○ FBMU-11 (Form-Based Mixed-Use 11) ○ TSAUC- C (Transit Station Area Urban Center Core) ○ CSHBD-1 (Sugar House Business District)

3. Establishes the general provisions that apply to all MU zones
See Attachment A

- MU Building Types
  - Cottage, Urban House, Two-Family
  - Row House
  - Storefront, Vertical Mixed-Use, Multi Family Residential

- Heights
    - The number in the title of each district generally identifies the number of building stories allowed by that zone. (some flexibility is granted for enhanced ground floor uses)
- Setbacks
    - Make consistent across the various zoning designations,
    - Require larger buffers and setbacks when next to a low-scale single-family/two-family
- Landscape buffers
    - A 10-foot landscape buffer is required when any of the MU zones abut single-family, two-family zones, and multifamily zones
    - step-back requirements between higher-scale MU zones and zones under 35 feet in height, including MU-2 and MU-3 zones,
- Lots/Buildings Without Public Street Frontage
    - Allow lots without public street frontage. Helps with deep lot configuration
- Open Space
    - In addition to the basic yard setback requirement, a general standard of 10% of the lot area will be required for open space
    - Minimum dimension of 15' x 15' to ensure useability
- Mid-block Walkways
    - All zones are proposed to require the implementation of a mid-block walkway on a property if one has been identified in an adopted City plan.

4. Create a Transitional Overlay for M-1 and CG properties
   See Attachment B for details
    - The zoning amendments would create a significant number of nonconforming uses.
    - A proposed "Transitional Overlay" would generally allow a selection of more intensive commercial and light industrial uses in these areas, allowing for reduced design standards while including buffer and landscaping requirements. (*Click on the interactive map link to see the transitional overlay boundaries*)

POLICY QUESTIONS

1. Effective Date—In the past, when the Council adopted significant zoning amendments that impacted many different zones and properties, a delayed effective date was included so that projects that may be caught up in the amendments, could either finish under the current zoning standards or use the new ordinance. Council staff received one request for the Council to consider delayed implementation for this petition.

   Does the Council support including a delayed effective date for the MU zoning consolidation?

2. Drive-through concerns – a constituent reached out to the City about the impacts the proposed amendment would have on a project they are working on that includes an existing drive-through.

Planning staff provided the following options to address the request for consideration:

a. Modify the land use table language to allow for financial institutions to have drive-throughs in the MU11 zone.
b. Allow the drive-through use at that location as approved through a development agreement
    - It would have to go to the Planning Commission and the City Council for approval.

The Council may wish to discuss these options with Planning staff and, if either option is supported, request that staff make the change in the final ordinance.

3. Post Planning Commission updates.
After the planning commission forwarded a positive recommendation, staff noted some technical and substantive changes that needed to be made to the draft ordinance. The planning staff is seeking Council direction on the following items, outlined on pages 15- 16 of the Transmittal Letter. The Council will be asked to conduct straw polls to determine if these changes are included in the final ordinance.
    a. Add "Contractor's Yard/Office (Indoor)" use to the Transitional Overlay as a Conditional Use.
        i. *Staff recommends including this use.*

    b. Richard Street was unintentionally included as an area requiring a high activity use due to a code provision in the recently adopted MU-8 code.
        i. *Staff recommends removing "Richard Street, from Harvard Avenue to Kelsey Avenue" as an area requiring an "Enhanced Active Ground Floor Use."*

    c. Delete the requirement for a 6' walkway between multiple buildings that are over 75' in façade length.
        i. *Staff recommends deleting this requirement*

    d. Add a prohibition on mature coverage counting toward the required park strip vegetation coverage of 33% in MU-8 and MU-11.
        i. *Staff recommends applying the requirement to other high-intensity MU zones, the MU-8 and MU-11*

    e. Add a transition period to the MU zone adoption (see policy question #2 above)
        i. *Staff recommends that the City Council include a transition period of 9 to 12 months where developers could still utilize the prior regulations.*

    f. Modify the height limit for "private directional signs" from 4' to 8'.
        i. *Staff recommends increasing the height so that private parking related signs can be at eye level.*

    g. Include the proposed mapping changes on pages 16-20
    Staff recommends including the following changes in the final draft.
        i. FB-UN2 Corners to MU-6 in Central 9th.
        ii. Residential/Office (RO) Zone to MU-8 East Downtown and West Temple.
        iii. Green Street/2100 South - maintain the FB-UN1 zoning on the west part of the property.

Federal Property at 2100 S/Redwood Road – leave as PL.

PUBLIC ENGAGEMENT

1. Pages 20-23 of the Transmittal Letter outlines the public process. Starting in April 2024, the public outreach included eight walking tours in various neighborhoods around the city, open houses, various community events such as town halls, presentations to recognized community organizations, and 10 briefings before the planning commission, along with 2 public hearings.