



COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: September 3, 2024

**RE: Zoning Map Amendment at 450 East 700 South
PLNPCM2023-00452**

Item Schedule:

Briefing: September 3, 2024

Set Date: September 17, 2024

Public Hearing: October 1, 2024

Potential Action: October 15, 2024

The Council will be briefed about a proposal to amend the zoning map for the approximately 0.22-acre parcel at 450 East 700 South in Council District Four from its current RMF-35 (Moderate Density Multi-Family Residential) zoning to RMF-30 (Low Density Multi-Family Residential). The petitioner's stated objective is to develop unused portions of the property with two additional homes in a configuration it may have been in historically. An existing home on the site is proposed to remain. An official development application hasn't been submitted, but the petitioner included a preliminary development plan submitted with the application and can be found on page 3 of the Planning Commission staff report.

RMF-35 zoning requires lot sizes of at least 5,000 square feet and with a 50-foot minimum width. Lot sizes within RMF-30 zoning may be as small as 2,000 square feet, and there is no minimum lot width.

An easement was purchased by Preservation Utah in 1993 and prohibits demolition or significant exterior changes to the home without consent of the easement holder. Zoning of the property is not dictated by the easement. It is worth noting that this is a private easement, and the City has no legal interest in it. In addition to meeting City requirements, development on the site would need to be approved Preservation Utah's Historic Properties Committee.

The Planning Commission reviewed the proposal at its February 14, 2024 meeting and held a public hearing at which two people spoke. One commenter recommended a development agreement recognizing the responsibility of Preservation Utah regarding the property. The other commenter expressed general support for the proposal. **Planning staff recommended and the Commission voted unanimously to forward a positive 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 ask the applicant if housing planned for the site is anticipated to be rental or for sale and if they will be affordable units.
2. The Council may wish to ask the Administration how the Affordable Housing Incentives may impact this petition or development potential on the property.
3. The Council may wish to ask the petitioner what sustainable features such as all electric homes, solar panels, high efficiency HVAC systems, etc. are planned for the new homes.

As shown in the map below, area zoning is primarily RMF-35 fronting the south side of 700 South, with some RMF-30 to the east and on the north side of 700 South. The surrounding neighborhood is primarily residential with single-family homes, row houses, and apartment buildings. Two notable buildings in the area include the Liberty Wells Community Center on the southeast corner of 400 East and 700 South, and a church on the southwest corner of 500 East and 700 South.



Area zoning map with subject parcel highlighted in blue.

ADDITIONAL INFORMATION

The Council is only being asked to consider rezoning the property. No formal site plan has been submitted to the City nor is it within the scope of the Council's authority to review the plans. 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.

KEY CONSIDERATIONS

Planning staff identified three key considerations related to the proposal which are found on pages 5-7 of the Planning Commission staff report and summarized below. For the complete analysis, please see the staff report.

Consideration 1 – Master Plan Compatibility

Planning staff found that the proposed zoning map amendment supports several initiatives in *Plan Salt Lake* (2015) including Neighborhood, Growth, Housing, and Beautiful City. In addition, the (2005) *Central Community Master Plan* suggests 15-30 dwelling units per acre, which both the current RMF-35 and proposed RMF-30 zoning districts meet. It is Planning staff’s opinion that rezoning the property would not affect the property’s compatibility with the *Central Community Master Plan*’s future land use map. Finally, Planning found that the requested zoning map amendment supports the spirit of *Housing SLC* (2023) though few initiatives within the plan specifically apply to the proposal.

Consideration 2 – Housing Loss Mitigation

Petitions that change zoning allowing a nonresidential use of the land including residential units must have an approved housing loss mitigation plan. The cost to replace the existing structure is greater than that structure’s value, resulting in a negative number (though it would be very difficult to get approval to demolish the existing home because of the preservation easement). Since it is a negative number, no mitigation fee is required.

Consideration 3 – Preservation Easement

As discussed above, Preservation Utah holds a preservation easement on the subject property intended to preserve the existing historic home. Some requirements of the easement include:

- No construction, alteration, remodeling, demolition, or any other modification that would change exterior materials or dimensions is allowed without Preservation Utah’s consent.
- The property owner must keep the house in good repair.
- Additions visible from the street are not allowed.
- No new buildings shall be constructed without express permission from Preservation Utah.

Preservation Utah does not have a position on the proposed new homes since no official development plans have been submitted.

As previously mentioned, the preservation easement does not prevent changes to the property’s zoning or future land use designation.

A zoning district comparison is included on page 19 of the Planning Commission staff report. It is replicated here for convenience.

	<i>RMF-35 (Existing)</i>	<i>RMF-30 (Proposed)</i>
Maximum Building Height	35 feet	Single- and two-family: 30 feet Row houses: 30 feet. Cottage development: 23 feet (pitched roof) 16 feet (flat roof).

		Tiny house: 16 feet. Nonresidential and multi-family: 30 feet.
Front and Corner Side Setback	Front yard: 20 feet Corner side yard: 10 feet	Front yard: 20 feet or block face average. Corner side yard: 10 feet.
Interior Side Setback	Detached single-family: 4 feet and 10 feet. Two-family (single lot): 4 feet and 10 feet. Twin home (split lot): 10 feet. Attached single-family: 4 feet (non-party wall). Multi-family: 10 feet.	Single- and two family: 4 feet and 10 feet. Row houses: 4 feet. Sideways row houses: 6 feet and 10 feet. Cottage development: 4 feet. Tiny house: 4 feet. Nonresidential: 30 feet. Multi-family: 10 feet.
Rear Setback	25% of lot depth, 20 foot minimum, 25 foot maximum.	Cottage development and tiny house: 10 feet. All others: 20% of lot depth, 25 foot maximum.
Minimum Lot Width	Detached single-family: 50 feet. Two-family: (single lot): 50 feet. Twin home (split lot): 25 feet per lot. Attached single-family: 22 feet (interior lots) 32 feet (corner lots). Multi-family: 80 feet.	None
Maximum Lot Width	None	110 feet, including combination of multiple lots.
Minimum Lot Size	Detached single-family: 5,000 square feet. Two-family (single lot): 8,000 square feet. Twin home (split lot): 4,000 square feet (per lot). Attached single-family: 3,000 square feet. Multi-family: 9,000 square feet (3 units) 2,000 square feet (per additional unit up to 11) 26,000 square feet (12 units) 1,000 square feet (per unit	Cottage development and tiny house: 1,500 square feet per unit. Non-residential: 5,000 square feet per building. All other uses: 2,000 square feet per unit.

	over 12).	
Building Coverage	Detached single-family: 45% of lot area. Two-family (single lot): 50% Twin home (split lot): 50% Attached single-family: 60% Multi-family: 60%	50%
Open Space, Landscape Yards, and Landscape Buffers	10-foot landscape buffer if abutting single- or two-family zoning district. Front and corner side yards must include landscape yard according to 21A.48.	10-foot landscape buffer if abutting single- or two-family zoning district. Front and corner side yards must include landscape yard according to 21A.48.

New buildings in the RMF-30 zoning district are subject to additional design standards that are not required in the RMF-35 district. These are outlined in a table on page 20 of the Planning Commission staff report and replicated below.

Requirement	Standard
Building materials, ground floor	At least 50% of street-facing facades must be clad in durable materials (excluding doors and windows).
Building materials, upper floors	At least 50% of street-facing facades must be clad in durable materials (excluding doors and windows).
Glass: ground floor	20% of street-facing facades must have transparent glass between 3 and 8 feet above grade.
Glass: upper floor	15% of street-facing facades must have transparent glass.
Building Entrances	Required for each residential unit facing the street.
Blank Wall Maximum Length	15 feet
Entry Features	Each entry required by the design standards must include a permitted entry feature, as listed in 21A.37.050.O

Analysis of Standards

Attachment F (pages 24-25) 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>Complies</i>

Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	<i>Complies</i>
The extent to which a proposed map amendment will affect adjacent properties	<i>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>N/A</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>Complies</i>

City Department Review

During City review of the petitions, no responding departments or divisions expressed concerns with the proposal but stated additional review and permits would be required if there is additional development on the property.

PROJECT CHRONOLOGY

- June 13, 2023 – Application submitted to Planning Division.
- June-September 2023 – Planning staff worked with applicant to remedy application deficiencies.
- October 9, 2023 –
 - 45-day notice required for recognized community organizations sent to community councils.
 - Early notification provided to neighbors within 300 feet of the development.
- November 24, 2023 – 45-day public comment period for recognized community organizations ended.
- July 3, 2023 –
 - Notice sent to Granary District Alliance, Ballpark Community Council, and Downtown Community Council.
 - Early notification sent to residents and property owners within 300 feet of the project site.
- November 2023-January 2024 – Online open house hosted to solicit public comments on the proposal.
- February 2, 2024 –
 - Public hearing notice mailed. Public notice posted on Cit and State websites and Planning Division listserv.
 - Public hearing notice posted on the property.
- February 14, 2024 – Planning Commission public hearing. The Planning Commission voted 7-0 to forward a positive recommendation to the City Council for the proposed zoning map amendment.

- March 13, 2024 – Ordinance requested from City Attorney’s Office.
 - *(Planning staff noted the City Attorney’s Office was limited due to a reduction in available personnel and a number of pressing cases taking up available staff time.)*
- June 20, 2024 – Planning received signed ordinance from the Attorney’s Office.
- July 16, 2024 – Transmittal received in City Council Office.