



COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: July 9, 2024

**RE: Form Based Zone Corrections Text Amendment
PLNPCM2024-00155**

Item Schedule:

Briefing: July 9, 2024

Set Date: July 9, 2024

Public Hearing: August 13, 2024

Potential Action: August 20, 2024

The Council will be briefed about a proposal from the Administration to correct sections of Chapter 21A.27 Salt Lake City Code regarding form-based districts. In the time since form-based districts were adopted in 2016 and the ordinance was amended in 2023, Planning staff identified language that is incorrect, inconsistent, or incompatible with the chapter's intent. The purpose of this text amendment is to revise the ordinance language, so it is correct, consistent, and compatible with the zoning chapter's intent.

Form-based districts emphasize the built environment over land use and focus on the form of a development, how buildings are oriented toward public spaces, development scale, and interaction of uses within the city. These districts provide places for people to live, work and recreate.

The Planning Commission reviewed the proposal at its April 10, 2024 meeting and held a public hearing at which no one spoke. **The Commission voted unanimously to forward a positive recommendation to the City Council for the proposed text amendment.**

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

POLICY QUESTION

1. The Council may wish to ask the Administration if there are concerns multiple small additions could negatively impact required open space areas like the potential of bypassing building form and street type standards discussed in consideration 2 below.



ADDITIONAL INFORMATION

Current code language exempts some building additions from setback, height, density and design standards which does not align with the chapter’s intent. The proposed changes include:

- Allow modifications to existing buildings which do not affect a building entrance to proceed without requiring compliance with entry features standards.
- Small additions would not trigger open space area requirements.
- Clarification that balconies must look over a public street and not a side yard.
- Deletes a footnote error referencing the corner of West Temple and Fayette Avenue and adds the correct corner of 200 West and Fayette Avenue in the list of street corners that allow additional height.
- Requires screening of waste and recycling dumpsters.
- Deletes a list of nonresidential districts that inadvertently omitted form-based districts in the chapter regulating fences, walls, and hedges. The proposed change references the correct range of code chapters rather than listing individual districts.

KEY CONSIDERATIONS

Planning staff identified two key considerations 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 Commission staff report.

Consideration 1 – Ensuring Language Reflects Intent

Proposed changes revise and clarify the ordinance to ensure the chapter’s language aligns with the intent. Potential changes are listed in the bullet points above.

Consideration 2 – Potential Outcomes if Ordinance is Not Revised

Planning noted the current ordinance language allows building additions up to 25% of the footprint or 1,000 square feet, whichever is less, without a requirement to adhere to building form and street type standards. It would be possible to add a series of 1,000 square foot additions to a building without complying with these standards. It is Planning’s opinion that being able to bypass the standards undermines the ordinance’s intent.

ANALYSIS OF STANDARDS

Attachment B (pages 6-7) 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>N/A</i>

The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.	<i>Complies</i>
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PROJECT CHRONOLOGY

- February 6, 2024 – Petition initiated by Mayor Mendenhall and assigned to Noah Elmore, Associate Planner.
- February-March 2024 – Planning staff drafted language to support goals of the petition.
- February 8, 2024 – Notice of petition sent to all City recognized community organizations.
- February 12, 2024 – Petition posted to the Planning Division’s online open house webpage.
- March 25, 2024 – 45-day recognized community organization public comment period ends.
- March 28, 2024 – Planning Commission agenda posted to the website and emailed to the Planning Division listserv.
- April 10, 2024 – Planning Commission briefing and public hearing. The Commission forwards a unanimous positive recommendation to the City Council.
- April 10, 2024 – Planning Division requests ordinance from the City Attorney’s Office.
- April 30, 2024 – Ordinance from Attorney’s Office received by Planning Division.
- May 9, 2024 – Transmittal received in City Council Office.