



SALT LAKE CITY TRANSMITTAL

To:
Salt Lake City Council Chair

Submission Date:
04/10/2025

Date Sent to Council:
04/10/2025

From:

Department*
Attorney

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Department Director Signature

Mark E. Kittrell

Chief Administrator Officer's Signature

Jill Love

Director Signed Date
04/10/2025

Chief Administrator Officer's Signed Date
04/10/2025

Subject:
Temporary Land Use Regulations - Authorizing a Temporary Increase

Additional Staff Contact:
Katherine Pasker, Andrew Johnston

Presenters/Staff Table
Katherine Pasker
Andrew Johnston

Document Type
Ordinance

Budget Impact?
☐ Yes
☒ No

Recommendation:
The City Council adopt the ordinances authorizing a temporary increase in overnight capacity for 180 days from May 1, 2025.

Background/Discussion

A municipality, without prior consideration and recommendation from the municipality's planning commission, may enact a temporary land use regulation for any part or all of a municipality if the governing body makes a finding of compelling countervailing public interest. Addressed in each of the attached ordinances is the request to increase capacity at the Homeless Resource Centers located in Salt Lake City for 180 days from May 1, 2025.

The attached ordinances reflect that authorization for the following Homeless Resource Centers:

Geraldine E. King Resource Center (131 East 700 South) - Increase capacity by no more than 50 beds
Gail Miller Resource Center (242 West Paramount Avenue) - Increase capacity by no more than 50 beds
Youth Homeless Resource Center (888 South 400 West) - Increase capacity by no more than 20 beds
St. Vincent de Paul Center (437 West 200 South) - Increase capacity for continued overnight sleeping accommodations on an emergency basis.

Will there need to be a public hearing for this item? *

☐ Yes
☒ No

Public Process

None

Corrected Transmittal Background Information:

A municipality, without prior consideration and recommendation from the municipality's planning commission, may enact a temporary land use regulation for any part or all of a municipality if the governing body makes a finding of compelling countervailing public interest. Addressed in each of the attached ordinances is the request to increase capacity at the Homeless Resource Centers located in Salt Lake City for 180 days from the date specified in the Ordinance.

The attached ordinances reflect that authorization for the following Homeless Resource Centers:

Geraldine E. King Resource Center (131 East 700 South) - Increase capacity by no more than 50 beds effective May 1, 2025.

Gail Miller Resource Center (242 West Paramount Avenue) - Increase capacity by no more than 50 beds effective May 1, 2025.

Youth Homeless Resource Center (888 South 400 West) - Increase capacity by no more than 20 beds effective June 4, 2025.

St. Vincent de Paul Center (437 West 200 South) - Increase capacity for continued overnight sleeping accommodations on an emergency basis effective April 16, 2025.

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SALT LAKE CITY ORDINANCE

No. ____ of 2025

(An Ordinance Enacting Temporary Zoning Regulations Authorizing a
Temporary Increase in Overnight Capacity at the Geraldine E. King
Women's Resource Center located at 131 East 700 South)

WHEREAS, Section 10-9a-504 of the Utah Code permits a municipality, without prior consideration and recommendation from the municipality's planning commission, to enact a temporary land use regulation for any part or all of a municipality if the governing body makes a finding of a compelling countervailing public interest; and

WHEREAS, on April 11, 2018, the Salt Lake City Planning Commission granted a conditional use permit to Shelter the Homeless to operate a 200-bed homeless resource center at 131 East 700 South (the "HRC"); and

WHEREAS, despite the efforts at various levels of government, the number of individuals experiencing homelessness and the challenge addressing the needs of those individuals has been compounded by the economic, humanitarian, and other various rising social crises; and

WHEREAS, that until additional homeless resource centers are opened (or permanent housing is made available) there should be flexibility in temporarily increasing the overnight capacity at the HRC; and

WHEREAS, the City is continuing to experience year over year increases in the number of individuals experiencing homelessness; and

WHEREAS, the Salt Lake City Council is committed to ensuring that individuals experiencing homelessness have access to shelter; and

WHEREAS, increasing the overnight capacity at an existing shelter, as opposed to siting an additional shelter, imposes a lesser impact on the community as a whole; and

WHEREAS, the State of Utah is in the process of siting a permanent homeless resource campus but additional time is needed in order to locate and prepare the location, and during such period it is in the best interests of the city to allow additional capacity at existing homeless resource centers; and

WHEREAS, increasing the availability of emergency shelter beds is an important element of the City's Public Safety Plan; and

WHEREAS, the Salt Lake City Council desires to allow for a period of 180 days, no more than 50 additional overnight sleeping accommodations at the HRC on an emergency basis, subject to the provisions herein; and

WHEREAS, the Salt Lake City Council finds that providing housing for the City's unsheltered pending the creation of a larger state run facility constitutes a compelling, countervailing public interest which justifies a temporary land use regulation; and

WHEREAS, the Salt Lake City Council intends for this temporary ordinance to be effective only until 180 days after the effective date of this ordinance; and

WHEREAS, the Salt Lake City Council encourages the State, County, public interest groups, other cities, and community organizations to continue to work together with the City to proactively address the causes and effects of the myriad of social, economic, humanitarian, and public health crises that continue to increase the number of individuals experiencing homelessness and compound the efforts to address the needs of those experiencing homelessness; and

WHEREAS, the Salt Lake City Council encourages other cities in Utah to permit new and expand existing shelter locations in their communities.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Finding of Compelling Countervailing Public Interest. Pursuant to Section 10-9a-504 of the Utah Code, the Salt Lake City Council finds that temporarily increasing the overnight capacity of existing shelter resources, pending the creation of a larger state-run facility, to help ensure that individuals experiencing homelessness have access to shelter constitutes a compelling, countervailing public interest sufficient to justify this temporary land use regulation.

SECTION 2. Location. This temporary land use regulation shall apply to the property located at 131 East 700 South, which is already operating as a homeless resource center.

SECTION 3. Uses Authorized. Increasing the overnight capacity at the HRC to 250 beds is hereby authorized subject to the conditions listed in Section 4.

SECTION 4. Conditions. The temporary increase in the number of beds at the HRC is authorized subject to the following:

- a. The HRC shall meet all building and fire code requirements for such use unless other reasonable means or methods are approved, in writing, by the Fire Marshal and/or the Building Official. A decision on whether a plan for alternative means and methods under this section provides sufficient assurance for life safety protection shall be made in the sole discretion of the Building Official and/or Fire Marshal and shall not be appealable.
- b. Shelter the Homeless, as the operator, will maintain a staff to client ratio in compliance with minimums set forth in state licensing code. Security guards may not be counted as part of this staffing ratio.
- c. The overnight occupancy, including supervisory staff, shall not exceed the occupancy limits identified in a temporary certificate of occupancy issued by

the City, but in no case shall the number of overnight occupants exceed 250 individuals, excluding staff. Such temporary certificate of occupancy must be issued prior to any increase in overnight occupancy of the HRC pursuant to this Ordinance.

- d. All other conditions not expressly superseded by this temporary land use regulation set forth in the conditional use permit issued to the HRC on or about April 11, 2018 remain in full force and effect.

SECTION 5. Duration. This Ordinance shall remain in effect until 180 days after its effective date unless earlier amended, modified, or repealed.

SECTION 6. Effective Date. After publication, this Ordinance shall take effect on May 1, 2025.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2025.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER
(SEAL)

Bill No. _____ of 2025.

Published: _____.

KING TLUR 4.9.2025

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date: <u>April 9, 2025</u>
By: <u>Katherine Pasker</u>
Katherine Pasker, Senior City Attorney

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SALT LAKE CITY ORDINANCE

No. ____ of 2025

(An Ordinance Enacting Temporary Zoning Regulations Authorizing a Temporary Increase in Overnight Capacity at the Gail Miller Resource Center located at 242 West Paramount Avenue)

WHEREAS, Section 10-9a-504 of the Utah Code permits a municipality, without prior consideration and recommendation from the municipality's planning commission, to enact a temporary land use regulation for any part or all of a municipality if the governing body makes a finding of a compelling countervailing public interest; and

WHEREAS, on April 11, 2018, the Salt Lake City Planning Commission granted a conditional use permit to Shelter the Homeless to operate a 200-bed homeless resource center at 242 West Paramount Avenue (the "HRC"); and

WHEREAS, despite the efforts at various levels of government, the number of individuals experiencing homelessness and the challenge addressing the needs of those individuals has been compounded by the economic, humanitarian, and other various rising social crises; and

WHEREAS, that until additional homeless resource centers are opened (or permanent housing is made available) there should be flexibility in temporarily increasing the overnight capacity at the HRC; and

WHEREAS, the City is continuing to experience year over year increases in the number of individuals experiencing homelessness; and

WHEREAS, the Salt Lake City Council is committed to ensuring that individuals experiencing homelessness have access to shelter; and

WHEREAS, increasing the overnight capacity at an existing shelter, as opposed to siting an additional shelter, imposes a lesser impact on the community as a whole; and

WHEREAS, the State of Utah is in the process of siting a permanent homeless resource campus but additional time is needed in order to locate and prepare the location, and during such period it is in the best interests of the city to allow additional capacity at existing homeless resource centers; and

WHEREAS, increasing the availability of emergency shelter beds is an important element of the City's Public Safety Plan; and

WHEREAS, the Salt Lake City Council desires to allow for a period of 180 days, no more than 50 additional overnight sleeping accommodations at the HRC on an emergency basis, subject to the provisions herein; and

WHEREAS, the Salt Lake City Council finds that providing housing for the City's unsheltered pending the creation of a larger state run facility constitutes a compelling, countervailing public interest which justifies a temporary land use regulation; and

WHEREAS, the Salt Lake City Council intends for this temporary ordinance to be effective only until 180 days after the effective date of this ordinance; and

WHEREAS, the Salt Lake City Council encourages the State, County, public interest groups, other cities, and community organizations to continue to work together with the City to proactively address the causes and effects of the myriad of social, economic, humanitarian, and public health crises that continue to increase the number of individuals experiencing homelessness and compound the efforts to address the needs of those experiencing homelessness; and

WHEREAS, the Salt Lake City Council encourages other cities in Utah to permit new and expand existing shelter locations in their communities.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Finding of Compelling Countervailing Public Interest. Pursuant to Section 10-9a-504 of the Utah Code, the Salt Lake City Council finds that temporarily increasing the overnight capacity of existing shelter resources, pending the creation of a larger state-run facility, to help ensure that individuals experiencing homelessness have access to shelter constitutes a compelling, countervailing public interest sufficient to justify this temporary land use regulation.

SECTION 2. Location. This temporary land use regulation shall apply to the property located at 242 West Paramount Avenue, which is already operating as a homeless resource center.

SECTION 3. Uses Authorized. Increasing the overnight capacity at the HRC to 250 beds is hereby authorized subject to the conditions listed in Section 4.

SECTION 4. Conditions. The temporary increase in the number of beds at the HRC is authorized subject to the following:

- a. The HRC shall meet all building and fire code requirements for such use unless other reasonable means or methods are approved, in writing, by the Fire Marshal and/or the Building Official. A decision on whether a plan for alternative means and methods under this section provides sufficient assurance for life safety protection shall be made in the sole discretion of the Building Official and/or Fire Marshal and shall not be appealable.
- b. Shelter the Homeless, as the operator, will maintain a staff to client ratio in compliance with minimums set forth in state licensing code. Security guards may not be counted as part of this staffing ratio.
- c. The overnight occupancy, including supervisory staff, shall not exceed the occupancy limits identified in a temporary certificate of occupancy issued by

the City, but in no case shall the number of overnight occupants exceed 250 individuals, excluding staff. Such temporary certificate of occupancy must be issued prior to any increase in overnight occupancy of the HRC pursuant to this Ordinance.

- d. All other conditions not expressly superseded by this temporary land use regulation set forth in the conditional use permit issued to the HRC on or about April 11, 2018 remain in full force and effect.

SECTION 5. Duration. This Ordinance shall remain in effect until 180 days after its effective date unless earlier amended, modified, or repealed.

SECTION 6. Effective Date. After publication, this Ordinance shall take effect on May 1, 2025.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2025.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

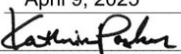
MAYOR

CITY RECORDER
(SEAL)

Bill No. _____ of 2025.

Published: _____.

MILLER TLUR 4.9.2025

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date: April 9, 2025
By: 
Katherine Pasker, Senior City Attorney

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SALT LAKE CITY ORDINANCE

No. ____ of 2025

(An Ordinance Enacting Temporary Zoning Regulations
Authorizing Temporary Increase in Overnight Capacity
at the Youth Homeless Resource Center at 888 S 400 W)

WHEREAS, Section 10-9a-504 of the Utah Code permits a municipality, without prior consideration and recommendation from the municipality's planning commission, to enact a temporary land use regulation for any part or all of a municipality if the governing body makes a finding of a compelling countervailing public interest; and

WHEREAS, on August 27, 2014, the Salt Lake City Planning Commission granted a conditional use permit to Volunteers of America to operate a thirty-bed homeless youth shelter at 888 S 400 W (the "Shelter"); and

WHEREAS, from 2022 to 2023 there was a nearly 10% increase in students experiencing homelessness with more than 13,000 Utah students classified as homeless in 2023; and

WHEREAS, each year in Utah 100 youth "age out" of foster care, with roughly 30% of those becoming homeless in young adulthood; and

WHEREAS, as measured at the Point-in-Time Count, Utah saw a statewide increase in unaccompanied homeless youth of 20.6% from 2023 to 2024; and

WHEREAS, with these increases in homelessness among youth there has not been a commensurate increase in the shelter space available for homeless youth; and

WHEREAS, despite the efforts at various levels of government, the number of youth experiencing homelessness and the efforts to address the needs of those youth experiencing homelessness has been compounded by the economic, humanitarian, and other various rising social crises; and

WHEREAS, that until additional homeless youth resource centers are opened (or permanent housing is made available) there should be flexibility in temporarily increasing the overnight capacity at the Shelter; and

WHEREAS, the City is committed to ensuring that youth experiencing homelessness have access to shelter; and

WHEREAS, increasing the overnight capacity at an existing shelter, as opposed to siting an additional shelter, imposes a lesser impact on the community as a whole; and

WHEREAS, the Shelter has received a conditional use permit allowing an increased number of beds conditioned on making certain building modifications necessary for this increase, which modifications are currently being pursued; and

WHEREAS, the Salt Lake City Council desires to allow for a period of 180 days, no more than twenty additional overnight sleeping accommodations for youth less than twenty three years old at the Shelter on an emergency basis to provide shelter to youth experiencing homelessness (a “temporary overflow homeless shelter use”), subject to the provisions herein; and

WHEREAS, the Salt Lake City Council finds that providing housing for the City’s unsheltered youth pending consideration of an amendment to the Shelter’s conditional use permit constitutes a compelling, countervailing public interest which justifies a temporary land use regulation; and

WHEREAS, the Salt Lake City Council intends for this temporary ordinance to be effective only until 180 days after the effective date of this ordinance; and

WHEREAS, the Salt Lake City Council encourages the State, County, public interest groups, other cities, and community organizations to continue to work together with the City

to proactively address the causes and effects of the myriad of social, economic, humanitarian, and public health crises that continue to increase the number of individuals experiencing homelessness and compound the efforts to address the needs of those experiencing homelessness; and

WHEREAS, the Salt Lake City Council encourages other cities in Utah to permit youth shelter locations in their communities.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Finding of Compelling Countervailing Public Interest. Pursuant to Section 10-9a-504 of the Utah Code, the Salt Lake City Council finds that providing safe housing for the City's unsheltered youth pending consideration of the conditional use permit amendment to permit the increased number of beds constitutes a compelling, countervailing public interest sufficient to justify this temporary land use regulation.

SECTION 2. Location. This temporary land use regulation shall apply to the property located at 888 S 400 W, which is already operating as a youth homeless shelter.

SECTION 3. Uses Authorized. Increasing the overnight capacity from thirty beds to fifty beds for homeless youth less than twenty three years old at the location identified in Section 2 above is hereby authorized subject to the conditions listed in Section 4.

SECTION 4. Conditions. The temporary increase in the number of beds at the Shelter is authorized subject to the following:

- a. The Shelter shall meet all building and fire code requirements for such use unless other reasonable means or methods are approved, in writing, by the

Fire Marshal and/or the Building Official. A decision on whether a plan for alternative means and methods under this section provides sufficient assurance for life safety protection shall be made in the sole discretion of the Building Official and/or Fire Marshal and shall not be appealable.

- b. Volunteers of America, as the operator, will maintain a staff to client ratio in compliance with minimums set forth in state licensing code. Security guards may not be counted as part of this staffing ratio.
- c. The overnight occupancy, including supervisory staff, shall not exceed the occupancy limits identified in a temporary certificate of occupancy issued by the City, but in no case shall the number of overnight occupants exceed fifty individuals, excluding staff. Such temporary certificate of occupancy must be issued prior to any increase in overnight occupancy of the Shelter pursuant to this Ordinance.
- d. All other conditions not expressly superseded by this temporary land use regulation set forth in the conditional use permit issued to the Shelter on August 27, 2014 remain in full force and effect.

SECTION 5. Duration. This temporary zoning ordinance shall remain in effect until 180 days after its effective date unless earlier amended, modified, or repealed.

SECTION 6. Effective Date. After publication, this Ordinance shall take effect on June 4, 2025.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2025.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2025.

Published: _____.

VOA TLUR 4.9.2025

APPROVED AS TO FORM

Salt Lake City Attorney's Office

Date: April 9, 2025

By: Katherine Pasker
Katherine Pasker, Senior City Attorney

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SALT LAKE CITY ORDINANCE

No. ____ of 2025

(An Ordinance Enacting Temporary Zoning Regulations Authorizing a Temporary Overnight Shelter at the St. Vincent de Paul Center located at 437 West 200 South)

WHEREAS, Section 10-9a-504 of the Utah Code permits a municipality, without prior consideration and recommendation from the municipality's planning commission, to enact a temporary land use regulation for any part or all of a municipality if the governing body makes a finding of a compelling countervailing public interest; and

WHEREAS, on August 13, 2014, the Salt Lake City Planning Commission granted a conditional use permit to The Road Home to operate an approximately 65-bed winter homeless shelter at 437 West 200 South (the "Shelter"); and

WHEREAS, despite the efforts at various levels of government, the number of individuals experiencing homelessness and the challenge addressing the needs of those individuals has been compounded by the economic, humanitarian, and other various rising social crises; and

WHEREAS, that until additional homeless resource centers are opened (or permanent housing is made available) there should be flexibility in temporarily extending the period in which the Shelter can provide overnight shelter services; and

WHEREAS, emergency shelter beds provide an avenue for those experiencing homelessness to gain access to supportive services; and

WHEREAS, year-round overflow beds experience the highest utilization in the City of any other type of emergency shelter; and

WHEREAS, the City is committed to ensuring that individuals experiencing homelessness have access to shelter; and

WHEREAS, extending the period during which an existing shelter can provide overnight accommodations, as opposed to siting an additional shelter, imposes a lesser impact on the community as a whole; and

WHEREAS, the State of Utah is in the process of siting a permanent homeless resource campus but additional time is needed in order to locate and prepare the location, and during such period it is in the best interests of the city to allow additional capacity at existing homeless resource centers; and

WHEREAS, increasing the availability of emergency shelter beds is an important element of the City's Public Safety Plan; and

WHEREAS, the Salt Lake City Council desires to allow for a period of 180 days, continued overnight sleeping accommodations at the Shelter on an emergency basis, subject to the provisions herein; and

WHEREAS, the Salt Lake City Council finds that providing housing for the City's unsheltered pending the creation of a larger state run facility constitutes a compelling, countervailing public interest which justifies a temporary land use regulation; and

WHEREAS, the Salt Lake City Council intends for this temporary ordinance to be effective only until 180 days after the effective date of this ordinance; and

WHEREAS, the Salt Lake City Council encourages the State, County, public interest groups, other cities, and community organizations to continue to work together with the City to proactively address the causes and effects of the myriad of social, economic, humanitarian, and public health crises that continue to increase the number of individuals experiencing homelessness and compound the efforts to address the needs of those experiencing homelessness; and

WHEREAS, the Salt Lake City Council encourages other cities in Utah to permit new and expand existing shelter locations in their communities.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Finding of Compelling Countervailing Public Interest. Pursuant to Section 10-9a-504 of the Utah Code, the Salt Lake City Council finds that temporarily extending the period in which the Shelter can provide overnight shelter services, pending the creation of a larger state-run facility, to help ensure that individuals experiencing homelessness have access to shelter constitutes a compelling, countervailing public interest sufficient to justify this temporary land use regulation.

SECTION 2. Location. This temporary land use regulation shall apply to the property located at 437 West 200 South, which is already operating as an overnight winter homeless emergency shelter for the period between October 1 and April 15 each year.

SECTION 3. Uses Authorized. The Shelter is hereby authorized to continue providing overnight homeless shelter accommodations beyond April 15th, and at the current level of occupancy, subject to the conditions listed in Section 4.

SECTION 4. Conditions. The Shelter may continue providing overnight shelter beyond April 15th, at the existing level of occupancy, subject to the following:

- a. The Shelter shall meet all building and fire code requirements for such use unless other reasonable means or methods are approved, in writing, by the Fire Marshal and/or the Building Official. A decision on whether a plan for alternative means and methods under this section provides sufficient assurance for life safety protection shall be made in the sole discretion of the Building Official and/or Fire Marshal and shall not be appealable.

- b. Catholic Community Services, as the operator, will maintain a staff to client ratio in compliance with minimums set forth in state licensing code. Security guards may not be counted as part of this staffing ratio.
- c. All other conditions not expressly superseded by this temporary land use regulation set forth in the conditional use permit issued to the Shelter on or about August 13, 2014 remain in full force and effect.

SECTION 5. Duration. This Ordinance shall remain in effect until 180 days after its effective date unless earlier amended, modified, or repealed.

SECTION 6. Effective Date. After publication, this Ordinance shall take effect on April 16, 2025.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2025.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER
(SEAL)

Bill No. _____ of 2025.

Published: _____.

SVDP TLUR 4.9.2025

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date: <u>April 9, 2025</u>
By: <u>Katherine Pasker</u>
Katherine Pasker, <i>Senior City Attorney</i>

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