



# COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

**TO:** City Council Members

**FROM:** Brian Fullmer  
Policy Analyst

**DATE:** October 8, 2019

**RE:** **Zoning Map and Master Plan Amendments: 504 South 900 East from RMF-35 to R-MU-35  
PLNPCM2018-00839 and PLNPCM2018-00898**

**Item Schedule:**

Briefing: July 16, 2019

Set Date: July 16, 2019

Public Hearing: August 27, 2019  
and October 8, 2019

Potential Action: October 15, 2019

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## **PUBLIC HEARING SUMMARY**

Several people spoke at the August 27 public hearing on this proposed rezone. Comments were generally favorable of the project, but most people expressed concern about more vehicles parking on the street. The Council voted to continue the public hearing.

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***The following information was provided for the August 27 public hearing. It is provided again for background purposes.***

## **WORK SESSION SUMMARY**

During its July 16 work session, the Council did not raise any significant concerns about the proposed rezone.

The public hearing is set for August 27, 2019.

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***The following information was provided for the July 16 work session. It is provided again for background purposes.***

## **ISSUE AT-A-GLANCE**



The Council will be briefed about an ordinance that would make the following changes to the parcel located at 504 South 900 East:

- Amend the zoning map from RMF-35, Medium Density Multi-Family Residential District to R-MU-35, Medium Residential/Mixed Use District.
- Amend the Central Community Master Plan Future Land Use Map for the property from Medium Density Residential to Medium Residential/Mixed Use.

Though the applicant has not submitted a site plan or proposal, the requested amendments are anticipated to allow site redevelopment to include a mixed-use building with residential units and a small commercial space. 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

The property is approximately 5,750 square feet and includes two structures formerly used for commercial purposes and converted to residential use in the early 2000s. Current RMF-35 zoning requires a minimum 9,000 square foot lot size which would preclude a multi-family development on this parcel. The proposed RMU-35 zoning designation is a residential/mixed-use district that does not regulate residential density by lot size. It includes design standards for street facing façades in new developments.

Planning staff recommended and the Planning Commission forwarded a positive recommendation to the City Council for both the rezone and master plan amendment.



*Map showing area proposed for rezoning highlighted in yellow with existing adjacent zoning identified*

## **POLICY QUESTIONS**

1. The Council may discuss whether they support the proposed zoning.
2. The Council may ask if other zoning options would accommodate the proposed development.

## **ADDITIONAL INFORMATION**

Pages 19 - 22 of the Administration's transmittal identify four main issues for review. A short description of each issue and the finding is provided below for reference. Please see the Planning Commission staff report for full analysis.

### **1. Compatibility with the Central Community Master Plan**

- Planning Staff recommended and the applicant proposed a master plan amendment to change the land use to Medium Residential/Mixed Use.
  - The proposed land use would allow 10-50 dwelling units/acre (which is greater than the current 15-30 dwelling units/acre under the current Medium Density Residential designation).
  - A small commercial use is anticipated on the site which would be allowed under the proposed zoning, but not under existing zoning.
  - The neighborhood includes a mix of land use types and densities with some higher density multi-family developments nearby.
  - Planning staff noted the proposed rezoning would allow for a development providing housing and a commercial space that could serve as a neighborhood gathering place. The location is close to transit and accessible to pedestrians.

### **2. Compatibility with Citywide Adopted Planning Documents**

- Planning Staff found the proposed master plan amendment and zoning map amendment are compatible with *Plan Salt Lake* and *Growing SLC: A Five Year Housing Plan*.

### **3. Zoning Compatibility With Adjacent Properties**

- Surrounding properties are zoned RMF-30 and TSA-UN-T.
  - The RMF-30 zone is slightly less intense than the subject parcel's existing zoning and allows a maximum building height of 30 feet. This zone is generally limited to single family residences for lots less than 8,000 square feet.
  - TSA-UN-T zoning is more intense, allowing a building height of 50 feet with a greater variety of commercial and residential uses.
  - Planning staff found the expected use of the subject site with predominantly residential and a small commercial area would serve as a transition from more intensive zoning to the north to less intensive zoning to the south.

### **4. Existing Zoning Limitations and Proposed Zone**

- The subject property's current RMF-35 zoning allows for moderate density multi-family residential, but these dwellings require a minimum 9,000 square foot lot. Other uses allowed under this zoning such as places of worship, municipal uses and open space require a lot size larger than the size of this property.
- The applicant's proposed future use of the site as mixed use with residential and a small commercial space is consistent with street facing façade design standards.
- The proposed R-MU-35 zoning is not used in close proximity to the site. It is used in limited areas of the city. The closest properties to this site are approximately one half mile to the southwest near Trolley Square.

Additionally, Attachment E of the Planning Commission staff report (pages 42 - 44 of the Administration's transmittal) outlines standards that should be considered as the Council reviews this proposal. *An outline of the analysis is summarized below, please see the Planning Commission staff report for full details.*

1. 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.
  - *With an amendment to the Central Community Master Plan, the proposed zoning amendment is consistent with adopted planning documents.*

2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.
  - *Proposed changes would support the following purposes of the zoning ordinance:*
    - *Provide residential and mixed use development promoting a variety of related uses.*
    - *Reinforce the mixed-use character of the area and promote appropriately scaled development.*
  
3. The extent to which a proposed map amendment will affect adjacent properties.
  - *The proposed predominantly residential structure as a transition from the transit zoned land to the north and adjacent to the surrounding mix of single family and multi-family units is appropriate in this area that has a mix of densities and existing building types.*
  
4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.
  - *The site is located within the Groundwater Source Protection Overlay District. This is a broad overlay that covers nearly half of the City and imposes additional regulations on development related to protecting the drinking water supply. New development would be required to comply with any of its provisions and the proposed underlying R-MU-35 zoning does not create any unusual conditions that would be inconsistent with the regulations of that overlay.*
  
5. 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, storm water drainage systems, water supplies, and wastewater and refuse collection.
  - *The subject property is located within a built environment where public facilities and services already exist. Future development on this property may require upgrading or installation of utilities and drainage systems.*
  - *No concerns were received from other City departments regarding the zoning amendment or the potential for development of these properties as long as normal development requirements are met.*

## **PUBLIC PROCESS**

Notice of application was sent to East Central Community Council Chair November 6, 2018. The community council submitted a letter in opposition to the proposal citing concerns about the master plan amendment and land use, number of units permitted in the proposed zone and potential for additional parking issues. Planning staff discussed the proposal with the community council chair via phone and email in December 2018. The East Central Community Council sent a letter March 4, 2019 changing its position to conditionally supporting the rezone and master plan amendment based on revisions the petitioner committed to, addressing concerns.

- Notice of the application was sent to property owners within 300' was sent November 14, 2018.
- A public hearing notice was posted March 1, 2019.
- Public notice was posted on City and State websites and the Planning Division's list serve March 1, 2019.
- A public hearing notice was sent to property owners within 300' on March 1, 2019.

## **Public Input**

Planning staff received phone calls from four property owners. Two were opposed to the project, one was supportive and another expressed concern. Those in opposition or expressing concern discussed issues with the proposed use, proposed number of units, potential additional parking issues with more residents in the area and how the proposed development might affect a narrow right-of-way south of the subject property.

A resident emailed Planning staff with concerns. His emails are included on pages 48 - 49 of the Administration's transmittal.

The Planning Commission held a public hearing at its March 13, 2019 meeting. One person spoke in opposition to the proposal citing concerns about a lack of required housing in the R-MU-35 zone.

The Planning Commission voted unanimously in favor of forwarding a positive recommendation to the City Council for both the zoning map and master plan amendments.

**CURRENT AND PROPOSED SETBACKS AND BUILDING COVERAGE**

The tables below compare RMF-35 and R-MU-35 zoning districts' setbacks and building coverage. Information in these tables and allowed uses in each zone are also included as Attachment D (pages xx-xx) of the Administration's transmittal.

| <b>RMF-35 Moderate Density Multi-Family Residential District</b> |  |                         |                                 |               |                             |
|--|--|-------------------------|---------------------------------|---------------|-----------------------------|
| <b>Front Yard</b>  | <b>Rear Yard</b>   | <b>Corner Side Yard</b> | <b>Interior Side Yards (MF)</b> | <b>Height</b> | <b>Building Coverage</b>    |
| 20'  | 25% of lot depth, not less than 20', and need not exceed 25' | 10'                     | 10'                             | 35'           | 45-60% depending on the use |

| <b>R-MU-35 Residential/Mixed Use District: Nonresidential. Multi-Family Residential and Mixed Use</b> |   |   |   |                   |
|---|---|---|---|-------------------|
| <b>Front Yard/Corner Side Yard</b>  | <b>Rear Yard</b>                            | <b>Interior Side Yards</b>                  | <b>Height</b>                               | <b>Open Space</b> |
| Minimum 5'<br>Maximum 15'   | 25% of lot depth, need not be more than 30' | None unless abutting SF or two-story family | 35', 45' with CBSDR;<br>Nonresidential: 20' | Minimum 20%       |