



# COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

**TO:** City Council Members

**FROM:** Brian Fullmer  
Policy Analyst

**DATE:** March 1, 2022

**RE: Airport Flight Path Protection Influence Zone A (2333 West North Temple)  
PLNPCM2021-00915**

Item Schedule:

Briefing: March 1, 2022

Set Date: March 1, 2022

Public Hearing: March 22, 2022

Potential Action: April 5, 2022

The Council will be briefed about an Administration initiated petition amending the zoning map to remove property at 2333 West North Temple from the Airport Flight Path Protection (AFPP) Influence Zone A in Chapter 21A.34.040 *Salt Lake City Code*. The Airport Inn is currently located on the property and is operating as a hotel. The proposal's intent is to allow transitional housing in this extended-stay hotel as part of the City's goals related to homelessness.

Hotels and motels are allowed in the TSA-MUEC-C (Transit station Area District Mixed-Use Employment Center-Core) and within the AFPP Influence Zone A. Under City Code rooms/dwelling units available for rent or lease for less than 30 days are considered hotels or motels. Lease or rental periods of more than 30 days are typically considered residential use which is not allowed under the AFPP Influence Zone A. The Department of Airports' preferred method of addressing this issue is to modify the influence zone boundary so it does not apply to the subject property. The Council adopted a temporary land use regulation to allow it to operate an emergency winter overflow shelter in December 2020 (motion attached). After the winter overflow period, the operator shifted to a hotel model focused on seniors and veterans.

If adopted by the Council, the operator of the facility would be able to adjust its business model at this location from a hotel to multi-family housing with stays longer than 30 days. A longer-term goal is to accept housing vouchers for providing a more stable option for people transitioning out of homelessness. Such uses are allowed within the TSA-MUEC-C zoning district. Other social services benefitting the residents are also allowed under the zoning district.



Planning staff found the proposal meets standards, objectives, and policy considerations for zoning map amendments. They recommended the Planning Commission forward a positive recommendation to the City Council with the following condition:

*A development agreement shall be recorded on the property that requires any new development or substantial remodel of existing development to be constructed with air circulation systems of at least thirty (30) dBs of sound attenuation in sleeping areas and at least twenty-five (25) dBs of sound attenuation elsewhere.*

The recommended sound attenuation is to help mitigate noise from nearby airport operations.

The Planning Commission reviewed this proposal at its December 15, 2021 meeting and held a public hearing. There were no comments at the hearing and the Commission forwarded a unanimous positive recommendation to the City Council for the proposal.



*Aerial image with Airport Flight Path Protection Influence Zone A Overlay shaded red.  
Subject property is in the red hashed area.  
Image credit: Salt Lake City Department of Airports*

**Goal of the briefing:** Review the proposed master plan and zoning map amendments, determine if the Council supports moving forward with the proposal.

## **POLICY QUESTIONS**

1. The proposed zoning map amendment would “carve out” the subject property creating an irregular boundary line. Does the Council have concerns with this?
2. Removing the AFPP Influence Zone A overlay from the subject property would permit uses in the TSA-MUEC-C zoning district listed in Key Consideration 1. Does the Council have concerns with this?
3. The Council may wish to have a broader policy discussion as it relates to using hotels as transitional housing for those exiting homelessness.
4. Is the Council supportive of the proposed zoning map amendment?

## **ADDITIONAL INFORMATION**

Planning staff identified two key considerations related to the proposal which are found on pages 3-4 of the Planning Commission staff report. They are summarized below. For the complete analysis, please see the staff report.

### **Consideration 1-Development Potential**

Removing the subject property from the AFPP Influence Zone A would allow any use permitted in the TSA-MUEC-C zoning district. The zoning map amendment intent is not to allow any other type of residential use than the transitional housing discussed above, removal of the influence zone overlay would allow prohibited uses listed below:

- *Residential uses (note: single-family detached housing is not allowed in the TSA-MUEC-C zoning district).*
- *Commercial uses, except those constructed with air circulation systems and at least twenty-five (25) dBs of sound attenuation.*
- *Institutional uses such as schools, hospitals, churches, and rest homes.*
- *Hotels and motels, except those constructed with air circulation systems and at least thirty (30) dBs of sound attenuation in sleeping areas and at last twenty-five (25) dBs of sound attenuation elsewhere.*

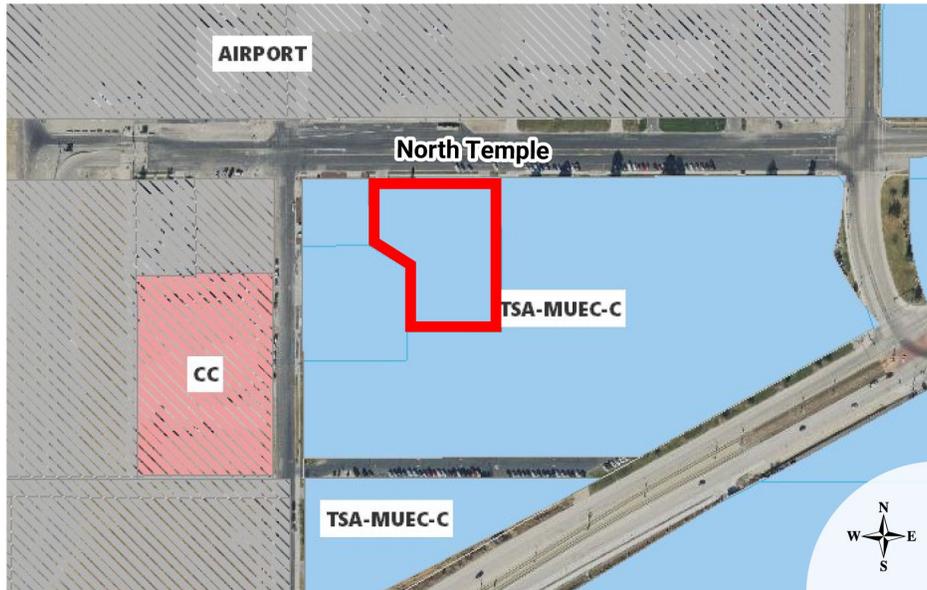
Planning staff noted some institutional uses are allowed in the TSA-MUEC-C zoning district, but the location and constraints associated with the zone are barriers to those standalone uses. Removal of the Influence Zone A allows for onsite community serving uses associated with the Airport Inn such as a community clinic.

Removal of the Influence Zone A would not impact setbacks or lot coverage, required under the zoning designation. The base zone standards of the TSA-MUEC-C zoning district would still apply. Planning staff suggested Influence Zone A sound attenuation requirements on future development as a condition of approval. As noted above, the Planning Commission included this in its recommendation to the City Council.

### **Consideration 2-Compatibility with Adjacent Properties**

Adjacent parcels to the east, south and west are zoned TSA-MUEC-C, and across North Temple Street to the north, parcels have Airport (A) zoning designation as shown in the image below.

Current development is predominantly commercial and light industrial as well as the airport. A large commercial and research facility with associated parking areas is to the south and east of the subject parcel, with car rental facilities to the west.



Area zoning map with subject parcel outlined in red

No new buildings are planned as part of the proposed zoning map amendment to remove the subject parcel from the AFPP Influence Zone A. Existing rooms in the hotel are being remodeled during the transition to an extended stay motel. Planning staff believes there would be minimal impact to the surrounding community if the proposal is approved by the Council as occupancy numbers would not change. After reviewing the proposal, it is Planning staff's opinion the zoning change to remove the subject parcel from the AFPP Influence Zone A is appropriate.

**ANALYSIS OF STANDARDS**

Attachment E (pages 11-12) 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>The proposed amendment is generally consistent with the goals and policies of applicable master plans.</i>
Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	<i>The proposal generally furthers the specific purpose statements of the zoning ordinance.</i>
The extent to which a proposed map amendment will affect adjacent properties	<i>The change in zoning is not</i>

	<i>anticipated to create any substantial new negative impacts that wouldn't be anticipated with the current zoning.</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>There is no applicable overlay district that imposes additional development standards on this property.</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>The proposal does not increase the need for improvements beyond that required by existing zoning allowances.</i>

## PROJECT CHRONOLOGY

- September 2, 2021-Application submitted
- September 28, 2021-Petition assigned to Krissy Gilmore, Senior Planner
- October 5, 2021-Information about petition sent to the Poplar Grove and Jordan Meadows Community Council Chairs. The Jordan Meadows Community Council sent a letter expressing concern about a precedent being set to remove other parcels from the influence zone.
- October 5, 2021-Early notification sent to property owners and residents within 300' of the subject parcel.
- October 18, 2021-Proposal posted for online open house through November 30, 2021.
- December 3, 2021-Planning Commission public hearing notice emailed to interested parties and residents/property owners who requested notice. Planning Commission agenda posted to the Planning Commission website and the State of Utah Public Notice webpage. Public hearing notice posted on property.
- December 9, 2021-Sent to Planning Commission
- December 15, 2021-Planning Commission public hearing. There were no comments at the public hearing and the Commission voted unanimously to forward a positive recommendation to the City Council.
- December 20, 2021-Sent to Attorney's Office
- February 11, 2022-Transmitted to City Council



# MOTION SHEET

CITY COUNCIL *of* SALT LAKE CITY

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**TO:** City Council Members

**FROM:** Council Staff

**DATE:** December 11, 2020

**RE:** Ordinance: Enacting a Temporary Zoning Regulation to Allow a Temporary Overflow Homeless Shelter Use at Approximately 2333 West North Temple.

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## **MOTION 1**

I move that the Council adopt an ordinance enacting a temporary zoning regulation authorizing an overflow homeless shelter use at Approximately 2333 West North Temple.

## **MOTION 2**

I move the Council reject the ordinance

## **Attachment A -**

Potential Legislative Intent:



1. It is the Council's intent to continue working with Salt Lake County and the State of Utah to address the needs of westside communities and the disproportionate impact that homelessness has on those areas. We want to make our partners aware that adding a homeless population in this area, in such close proximity to places where problems currently exist, like the Jordan River trail and North Temple, makes the challenges this community already faces even harder. We look forward to help from our partners with mitigation efforts.
2. It is the Council's intent to request the State and County support for increased investment in westside neighborhoods generally. For example, County participation in the 9-Line RDA area that is currently under consideration.
3. It is the Council's intent to request State and County participation in developing a public market at the Fairpark to increase access to fresh food on the west side and provide a space for westside food businesses to grow.
4. It is the intent of the Council to encourage stakeholders to prioritize implementing the recommendations of the Gardner Policy Institute report on Utah Homeless Services, including providing sufficient funding to ensure homeless services are funded at the levels needed to ensure a functioning system to avoid the yearly scramble to have adequate space through the winter. The council believes that the public and partners need increased clarity about the roles and responsibilities of the various entities.
5. It is the Council's intent to ask the Salt Lake Valley Coalition to End Homelessness, the entity in charge of identifying and providing services, to have a public-facing website clearly sharing program bed capacity each day and ensuring that service providers and law enforcement have clear means for referring individuals into emergency shelter. We urge the coalition to provide increased public education about the link between an adequate number of beds to house individuals without shelter, and the legal ability of local governments to enforce the no-camping ordinances that exist in most cities.