



Staff Report

PLANNING DIVISION
COMMUNITY & NEIGHORHOOD DEVELOPMENT

To: Salt Lake City Planning Commission
From: Krissy Gilmore, 801-535-7780, kristina.gilmore@slcgov.com
Date: December 15, 2021
Re: PLNPCM2021-00915 Airport Flight Path Protection Influence Zone A

Zoning Map Amendment

PROPERTY ADDRESS: 2333 W North Temple
PARCEL ID: 08-33-452-004-0000
MASTER PLAN: Airport Master Plan
ZONING DISTRICT: *Current* – Base zone of TSA-MUEC-C and Airport Flight Path Protection Zone A Overlay
Proposed – Remove Airport Flight Path Protection Zone A Overlay, retain base zone of TSA-MUEC-C

REQUEST:

Salt Lake City Mayor Erin Mendenhall initiated a petition to amend the zoning map to remove the property at 2333 W North Temple from the Airport Flight Path Protection Influence Zone A, described under City Code 21A.34.040. The property is currently occupied by a commercial building, the Airport Inn, and associated parking. The desired result is to allow the Airport Inn to operate a new model of extended-stay hotels as transitional housing to advance the City's overall goals related to homelessness.

RECOMMENDATION:

Based on the analysis and findings of fact in this staff report, planning staff finds that the zoning map amendment petition meets the standards, objectives and policy considerations of the city for a zoning map amendment and recommends that the Planning Commission forward a positive recommendation to the City Council with the following condition:

1. 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.

ATTACHMENTS:

- A. [Proposed Overlay Boundary](#)
- B. [Memo to Initiate Petition](#)

- C. [Property & Vicinity Photographs](#)
- D. [City Master Plan Policies](#)
- E. [Analysis of Standards – Zoning Map Amendment](#)
- F. [Public Process and Comments](#)
- G. [Department Review Comments](#)

Petition Description

The proposal includes a zoning map amendment to remove the property located at 2333 W North Temple from the Airport Flight Path Protection Influence Zone A, described under City Code 21A.34.040. The Department of Airports has been working to accommodate the development of a new model of transitional housing for people experiencing homelessness by working with nonprofit organizations to refurbish and utilize existing extended-stay hotels. The petition would update an area of the Airport Influence Zone to support the implementation of the city's adopted policies related to assisting people experiencing homelessness.



The current hotel/motel use is permitted in the TSA-MUEC-C zoning district and within the Airport Influence Zone A. The longer-term goal is to be able to accept housing vouchers for transitional housing to provide a more predictable and stable option for those people transitioning out of homelessness. An extended stay motel is not eligible to accept vouchers. The preferred path forward indicated by the Department of Airports is to modify the boundary of the Airport Overlay so that it would not apply to this property. If adopted, the nonprofit will switch their business model and the hotel will be considered multi-family housing, which is a permitted use in the TSA-MUEC-C zoning district. It would also allow them to offer other sorts of social services because most social services that benefit the residents of the facility are also permitted uses in the TSA zoning district.

The result would allow the Airport Inn to accommodate stays greater than 30 days as transitional housing. The zoning code does not include a land use that directly matches this kind of supportive housing, whether permanent, short term, or any time frame in between those two. Under City Code, units/rooms that are available for rental or lease for periods of less than one month are considered a hotel/motel, while dwellings that are rented for periods of longer than one month generally fall into a residential land use and would prohibit the Airport Inn from operating this model of transitional housing if under the Airport Influence Zone A.

Applicable Review Processes and Standards

Review Processes: Zoning Map Amendment

Zoning map amendment proposals are reviewed against a set of considerations from the Zoning Code. The considerations are listed in [Attachment E](#). Planning staff is required by ordinance to

analyze proposed zoning map amendments against existing adopted City policies and other related adopted City regulations, as well as consider how a zoning map amendment will affect adjacent properties. However, ultimately, a decision to amend the zoning map is up to the discretion of the City Council.

KEY CONSIDERATIONS:

The below considerations were identified through the analysis of the proposal and the zoning amendment consideration standards:

1. [Development Potential](#)
2. [Compatibility with Adjacent Properties](#)

Consideration 1: Development Potential

The primary development potential difference is that the map amendment would allow for any permitted use in the Transit Service Area Mixed Employment Center Core (TSA-MUEC-C) zoning district. Under current AFPP Influence Zone A, residential uses are incompatible and prohibited. While the intent of the map amendment is not to allow any other type of residential use than the transitional housing described earlier in this report and the Department of Airports has indicated that traditional single-family detached residential uses are not appropriate, removing the influence zone would allow the prohibited uses from the list below. Of note, single-family detached residential is not a permitted land use in the TSA-MUEC-C zoning district. However, the Department of Airports supports removing the small section of Influence Zone A to meet the city's goals to provide transitional housing for those experiencing homelessness.

Airport Flight Path Protection Influence Zone A Prohibited Uses

1. Airport Influence Zone A: The following uses are incompatible in this zone and are prohibited:

- a. Residential uses;*
- b. Commercial uses, except those constructed with air circulation systems and at least twenty five (25) dBs of sound attenuation;*
- c. Institutional uses such as schools, hospitals, churches and rest homes;*
- d. Hotels and motels, except those constructed with air circulation systems and at least thirty (30) dBs of sound attenuation in sleeping areas and at least twenty five (25) dBs of sound attenuation elsewhere.*

Some institutional uses are permitted in the TSA-MEUC-C zoning district, but the general location, zoning constraints, such as the TSA Scorecard, Design Guidelines, parking, setbacks, and the size of site are barriers to those standalone land uses. The removal of the Influence Zone A does allow for onsite community serving uses to be associated with the Airport Inn, such as a community clinic.

No other zoning code changes, such as setbacks or lot coverage, would be impacted by the removal of the Influence Zone A. The base zone standards of the TSA-MUEC-C zoning district would still apply. A suggested condition of approval is to include the sound attenuation requirement of the current Influence Zone A on any future development to limit noise impacts.

Consideration 2: Compatibility with Adjacent Properties

As part of a zoning amendment request, staff is directed to analyze how adjacent properties may be affected by a change in zoning to the property. In this case, the property is directly adjacent to properties zoned TSA-MUEC-C (Transit Service Area Mixed Employment Center Station Core) to the east, west, and south and A (Airport) zoning across the street to the north. All adjacent properties are within the either Airport Influence Zone A or B.

The overall development pattern of the area is dominated by commercial and light industrial uses, as well as the airport. The surrounding land uses include a large-scale development and research building to the west, as well as rental car facilities to the west. As such, from an aerial photograph perspective, much of the adjacent land appears to be dedicated to parking.

The Airport Inn is not planning any new building associated with the zoning map amendment and would utilize their current rooms. They are currently remodeling existing rooms to facilitate an extended stay model hotel. Therefore, there should be minimal impact to the surrounding properties, as the occupancy numbers will not change. Additionally, other permitted uses would be compatible given the development potential of the site and condition of approval for sound attenuation.



Map showing adjacent base zoning



Map showing adjacent properties

DISCUSSION:

The proposal has been reviewed against the Zoning Amendment consideration criteria in [Attachment E](#), including criteria regarding the proposed zoning's impact and compatibility on adjacent properties, and compatibility with the associated master plan.

The applicant has proposed a map amendment to the property to remove the Airport Flight Path Protection Influence Zone A. It is staff's opinion that the change in zoning for these properties would not negatively impact the character of the area. As such, staff finds that the requested zone change is appropriate when considered in the context of the area and is recommending that the Planning Commission forward a positive recommendation to the City Council.

NEXT STEPS:

The Planning Commission can provide a positive or negative recommendation for the proposed map amendment. The recommendation will be sent to the City Council, who will hold a briefing and additional public hearing on the proposed zoning map amendment. The City Council may

make modifications to the proposal and approve or decline to approve the proposed zoning map amendment.

If the zoning map amendment is approved by the City Council, the property owner could propose development and/or land uses that meet the standards of the TSA-MUEC-C zoning for the entire property. If denied, the property owner could continue to operate as an extended stay motel, but would be prohibited from accepting housing vouchers. The property could also develop in a manner that meets the existing zoning standards and Influence Zone A.

ATTACHMENT A: Proposed Overlay Zone



ATTACHMENT B: Petition Initiation Memo

MEMORANDUM

**PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS**

To: Mayor Erin Mendenhall

Cc: Lisa Shaffer, Chief Administrative Officer; Blake Thomas, Department of Community and Neighborhoods Director; Michaela Oktay, Deputy Planning Director; Bill Wyatt, Executive Director Department of Airports; Brady Fredrickson, Planning Director, Department of Airports

From: Nick Norris, Planning Director

Date: August 23, 2021

Re: Initiating a zoning amendment to amend the Airport Influence Zone Map.

The Planning Division would like to request that a zoning map amendment be initiated to update an area of the Airport Influence Zone to support the implementation of the City's adopted policies related to assisting people experiencing homelessness. The Department of Airports has been working with Planning to accommodate the development of a new model of transitional housing for people experiencing homelessness by working with nonprofit organizations to refurbish and utilize existing extended-stay hotels. The proposal would include amending the Airport Overlay Map to remove a limited area from the Airport Influence Zone A. The desired result is to facilitate the feasibility of sustaining the new model of extended-stay hotels as transitional housing, work within the existing coordinated-entry program, and create the ability for operators of such extended-stay hotels the ability to utilize additional funding to advance the City's overall goals related to homelessness. The facility will still meet all current sound attenuation requirements.

The process will include an engagement process recommended by Planning and led by the Department of Airports, which will include the community and other interested parties. The Planning Division will help coordinate outreach through the city's Recognized Organizations. After the proposal is vetted through the engagement process, the proposal will be presented to the Planning Commission for a public hearing and transmitted to the City Council. The anticipated timeline is approximately 60 days for the public engagement process and 30 days for the Planning Commission. The timeline is subject to available workloads of staff participating on the project, planning commission agenda process, and if any unforeseen issues arise as part of the engagement process.

The proposal includes a text amendment and zoning map amendment to remove a small area adjacent to 2400 West and south of North Temple from the Airport Influence Zone A, described under City Code 21A.34.040 and as depicted in in the maps attached.

This memo includes a signature block to initiate the petition if that is the decided course of action. If the decided course of action is to not initiate the application, the signature block should remain

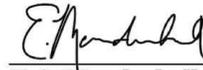
SALT LAKE CITY CORPORATION
451 SOUTH STATE STREET, ROOM 406
PO BOX 145480 SALT LAKE CITY, UT 84114-5480

WWW.SLC.GOV
TEL 801-535-7757 FAX 801-535-6174

blank. Please notify the Planning Division when the memo is signed or if the decision is made to not initiate the petition.

Please contact me at ext. 6173 or nick.norris@slcgov.com if you have any questions. Thank you.

Concurrence to initiate the zoning text and map amendment petition as noted above.



Erin Mendenhall, Mayor

09/02/2021
Date

ATTACHMENT C: Property & Vicinity Photographs



Photo of site



Airport property across the street



Adjacent properties to the west and east

ATTACHMENT D: **City Master Plan Policies**

Plan Salt Lake Elements and Considerations

Plan Salt Lake (December 2015) outlines an overall vision of sustainable growth and development in the city. This includes the development of a diverse mix of uses which is essential to accommodate responsible growth. At the same time, compatibility, which is how new development fits into the scale and character of existing neighborhoods is an important consideration. New development should be sensitive to the context of surrounding development while also providing opportunities for new growth.

Guiding Principles outlined in Plan Salt Lake that would relate to the proposed change include the following:

- 1) *Neighborhoods that provide a safe environment, opportunities for social interaction, and services needed for the wellbeing of the community therein.*
- 3) *Access to a wide variety of housing types for all income levels throughout the City, providing the basic human need for safety and responding to changing demographics.*
- 11) *Ensure access to all City amenities for all citizens while treating everyone equitably with fairness, justice and respect.*

The Housing chapter of Plan Salt Lake includes a number of initiatives intended to help implement the Plan. The initiative to “Support homeless services” is specifically identified. The Plan also references “*collaboration with community partners...*” in terms of access and equity to City services and amenities.

The proposed change is in concert with the general principles and strategies identified in Plan Salt Lake.

Growing SLC: A Five Year Housing Plan – 2018-2022 (2017)

Growing SLC: A Five Year Housing Plan – 2018-2022 (the Salt Lake City Housing Plan) was adopted in late 2017 as the City’s first housing plan since 2000. The Housing Plan is intended to advance the vision that Salt Lake City is a place for a growing diverse population to find housing opportunities that are safe, secure, and enrich lives and communities. A big focus of the Plan is the protection and development of housing opportunities throughout the City, as well as supporting vulnerable populations. The plan describes the linkages and interaction between a lack of housing to very low-income renters and the City’s most vulnerable citizens. This lack of affordable housing can push some citizens into homelessness as they are priced out of the market.

The Housing Plan was developed using existing housing policy, primarily Plan Salt Lake and the Salt Lake City Comprehensive Housing Policy. The guiding principles of Plan Salt Lake are incorporated by reference including the initiative to “Support homeless services”.

The proposed change is in concert with the principles and strategies identified in Growing SLC.

ATTACHMENT E: Analysis of Standards – Zoning Map Amendment

ZONING MAP AMENDMENT

21A.50.050: A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. In making a decision to amend the zoning map, the City Council should consider the following:

FACTOR	FINDING	RATIONALE
<p>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;</p>	<p>The proposed amendment is generally consistent with the goals and policies of the applicable master plans.</p>	<p>Various purposes, goals, objectives, and policies identified in City documents including Plan Salt Lake and Growing SLC are consistent with the proposed changes.</p> <p>This is further articulated and discussed in the Key Considerations section of this report.</p>
<p>2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.</p>	<p>The proposal generally furthers the specific purpose statements of the zoning ordinance.</p>	<p>The purpose of the Zoning Ordinance is to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the city, and, in addition:</p> <ul style="list-style-type: none"> A. Lessen congestion in the streets or roads; B. Secure safety from fire and other dangers; C. Provide adequate light and air; D. Classify land uses and distribute land development and utilization; E. Protect the tax base; F. Secure economy in governmental expenditures; G. Foster the city's industrial, business and residential development; and H. Protect the environment. (Ord. 26-95 § 2(1-3), 1995) <p>The proposed zone change to remove the Airport Flight Path Protection Influence Zone A from the subject property would support the purposes of the zoning ordinance found in Chapter 21A.02.0303: Purpose and Intent as outlined above. It would</p>

		<p>promote the health, safety and welfare of some of the City’s most vulnerable residents, those experiencing homelessness.</p> <p>It would also help support the purpose statement of the proposed TSA-MEUC-C zoning district.</p>
<p>3. The extent to which a proposed map amendment will affect adjacent properties;</p>	<p>The change in zoning is not anticipated to create any substantial new negative impacts that wouldn’t be anticipated with the current zoning.</p>	<p>The proposed adjustment to the Airport Flight Path Protection Influence Zone A would allow the Airport Inn to utilizing extended stays as transitional housing which is not currently allowed by the overlay zone. The Airport Inn will utilize their current rooms and is not planning to increase capacity. The overall scale and allowed uses in the proposed zone would not be out of scale with the surrounding TSA zoning. The proposal is not anticipated to create new negative impacts on neighboring properties.</p>
<p>4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards</p>	<p>There is no applicable overlay district that imposes additional development standards on this property.</p>	<p>Removing the property from the Airport Flight Path Protection Influence Zone A is the intent of the map amendment. The Airport has been involved in the map amendment process and this project creates no observed impacts to airport operations.</p> <p>The subject property is also located within the Inland Port Overlay Zone. The impacts of the proposed change are minimal, as hotel and motel stays are already allowed, and should not conflict with the Inland Port Overlay Zone.</p>
<p>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, stormwater drainage systems, water supplies, and wastewater and refuse collection.</p>	<p>The proposal does not increase the need for improvements beyond that required by existing zoning allowances.</p>	<p>The proposal was reviewed by the various city departments tasked with administering public facilities and services. The use change of the property will have minimal impacts, as it will continue to operate as a hotel, but will allow some rooms to be used as transitional housing. The impact to city utilities and services is not anticipated to change.</p>

ATTACHMENT F: **Public Process and Comments**

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

- Early notification notices mailed out October 5, 2021
 - Notices were mailed to property owners/residents within ~300 feet of the proposal
 - Two inquiries were received regarding more details on the map amendment request.
 - A revised notification was mailed out on November 3, 2021 with an updated project area map
- The Planning Division provided a 45-day comment period notice to the associated community councils for the property, Poplar Grove and Jordan Meadows. The Westpointe Community Council requested that the city attend one of their meetings to discuss the proposal.
 - The Westpointe Community Council provided a letter stating concern that the proposed map amendment would set a precedence for future map amendments.
 - No letter or other input was received from the Poplar Grove or Jordan Meadows Community Council.
- An online open house was held on the proposal from October 18th to November 30th. Staff received two comments with concern regarding the proposal. See attached.

Notice of the public hearing for the proposal included:

- Public hearing notice mailed on December 3, 2021
- Public hearing notice posted on December 3, 2020
- Public notice posted on City and State websites and Planning Division list serve on December 3, 2020

From: [Dorothy Owen](#)
To: [Gilmore, Kristina](#)
Subject: (EXTERNAL) Comments from Westpointe Community Council regarding: PLNPCM2021-00915 Proposed amendment to Airport "Influence Zone" as it related to Airport Inn
Date: Tuesday, November 30, 2021 5:24:54 PM
Attachments: [Nov 10 Westpointe CC agenda final with rev link.doc](#)

We want to thank you and Brady Fredrickson of the Airport for attending our Nov 10th Community Council mtg. We are sending you a copy of the agenda and minutes to include in the official file along with the following comments. Initially, there was concern that the proposed change covered an area much larger than just the Airport Inn and that this would allow the development of apartments and other facilities not compatible with the airport zoning. Furthermore, we were concerned that such an opening, even if never used, would provide a precedent for further waivers in other parts of the Airport's "influence zone." We have already witnessed the aggressive efforts of developers of the Misty Rivers residential project to push the bounds of what is appropriate development adjacent to an airport. Therefore, we were most pleased that others within the City had expressed similar concerns and that the amendment had been changed to only apply to the current Airport Inn Building.

It is critical that the final ruling on this matter include specific language clearly explaining the unique set of circumstances that led up to this change and why this change is NOT a precedent for other exceptions to the Airport "Influence Zone." We ask that the final ruling provides safeguards that protect the airport and the community from a patchwork of future holes in the "influence zone." Many cities have suffered this fate and are envious of our success in the past of protecting the buffer between the community and the airport. Thank you.

Sent from [Mail](#) for Windows

From: [george.chapman](#)
To: [Gilmore, Kristina](#)
Subject: (EXTERNAL) Airport Influence Zone decrease should be Citywide not for just one small lot
Date: Monday, November 29, 2021 8:43:49 PM

The other side of the Airport has the International Center which could and should have housing to decrease the 50,000 plus employees from having to drive far to their residences and pollute the valley more. Don't worry about the Inland Port. Worry about no housing allowed in the International Center.

Again the City should not do onesy twosy lot changes of zoning. It should be Citywide. Didn't Nick Norris once say that?
George Chapman SLC

From: [george.chapman](#)
To: [Gilmore, Kristina](#); [Norris, Nick](#)
Subject: (EXTERNAL) I object to a text amendment for one property in the Airport Influence Zone A
Date: Tuesday, November 2, 2021 11:04:39 AM

I believe that text amendments should be general and citywide (although I reserve the right to object to further projects). If this property gets the text amendment, others on this side and on the other side of the Airport, should get to use the text amendment and zoning change to increase housing near work centers.

George Chapman SLC

The proposal is below:

The proposal includes a text amendment and zoning map amendment to remove a small area adjacent to 2400 West and south of North Temple from the Airport Influence Zone A, described under City Code 21A.34.040. The result would allow for residential land uses, which are not permitted under the overlay zone.

Petition Number: PLNPCM2021-00915

Zoning District: TSA-MUEC-C

Council District: District 1

Staff Planner: Krissy Gilmore

Email: kristina.gilmore@slcgov.com

Phone Number: 385-214-9714

ATTACHMENT G: Department Review Comments

Planning Staff Note: As this map amendment does not substantially change the development potential of the site and no immediate development has been proposed with the application, City departments, including Building Services, Engineering, Transportation, and Public Utilities did not provide any concerns with the map amendment.