



COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: March 22, 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

BRIEFING UPDATE

At the March 1 briefing the Council expressed some concerns with the proposal including changing the building's use to one with which the Council might not agree.

In Fiscal Year 2021, the building was used as a temporary winter overflow shelter and the City provided \$750,000 of one-time Federal grant funds to help pay for operations. In Fiscal Year 2022, \$3 million of State grant funding to help the winter overflow shelter operator (the nonprofit Switchpoint) purchase and renovate the property was processed through the City and approved by the City Council. The City also provided \$2 million from the General Fund and Funding Our Future to assist Switchpoint and make the grant application more competitive.

It is now proposed to be permanent supportive housing for older adults experiencing homelessness. The Council voiced a desire to not create a pattern of converting temporary shelters into permanent ones. Others noted the process is similar to other property owners who are under contract or purchased property and want to change the zoning designation allowing a different use.

A Council Member shared concern about nearby businesses that are struggling to stay open. While it was acknowledged the population being served at this shelter would not likely have a negative impact, there won't be a significant benefit to the businesses.

Another Council Member stated the City is not being equitable in decisions about locations for this type of housing. It was also expressed the influence zone designed to protect people from airport noise is being removed to allow people to live there. It may give an impression the City cares less about the population being served at this location.



A suggestion was made to have further discussion on differences between standalone deeply affordable housing and homeless resource centers that provide wrap around services to residents.

A Council Member asked if sound attenuation improvements were made at the facility to mitigate airport noise, or if the City could require it. Planning contacted the property owner and was told improvements were made to the building for noise attenuation following City requirements. It appears conditions recommended for a development agreement have been met, but the Council may still wish to consider a development agreement so future building improvements maintain the noise attenuation. Airport staff also suggested the Council include a development agreement requiring noise attenuation for this reason.

The following information was provided for the March 1, briefing. It is provided again for background purposes.

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.

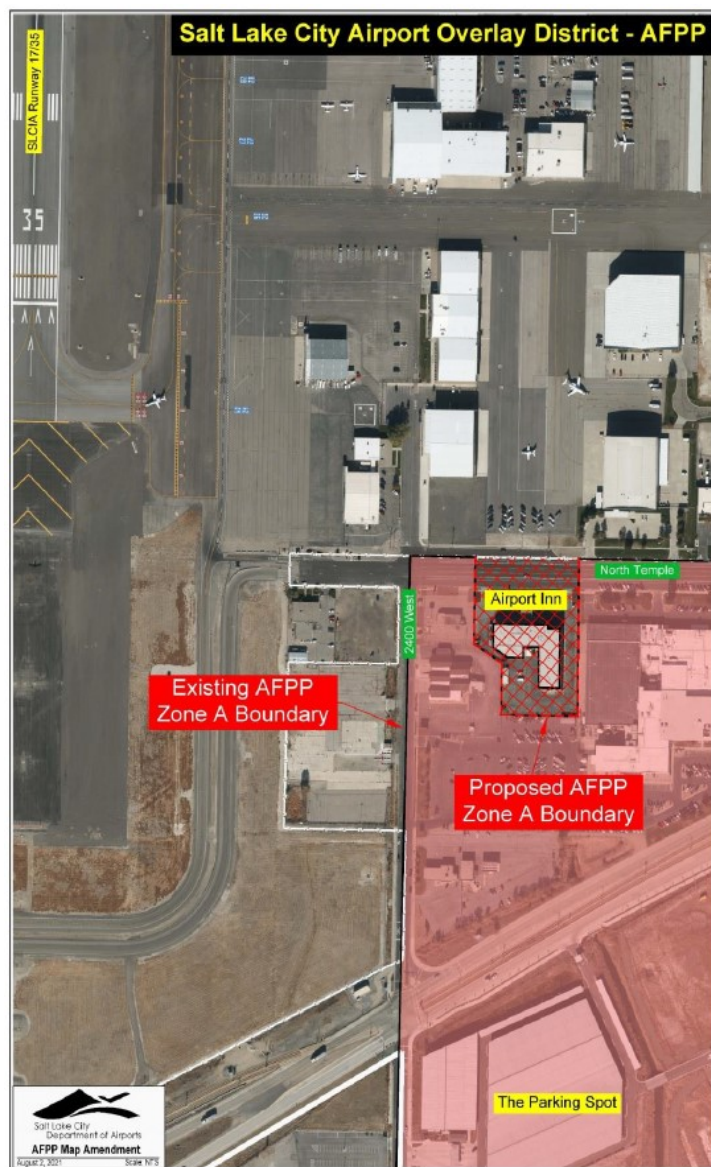
If adopted by the Council, the operator of the facility would be able to adjust its business model at this location from a hotel to multi-family housing with stays longer than 30 days. A longer-term goal is to accept housing vouchers for providing a more stable option for people transitioning out of 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.*

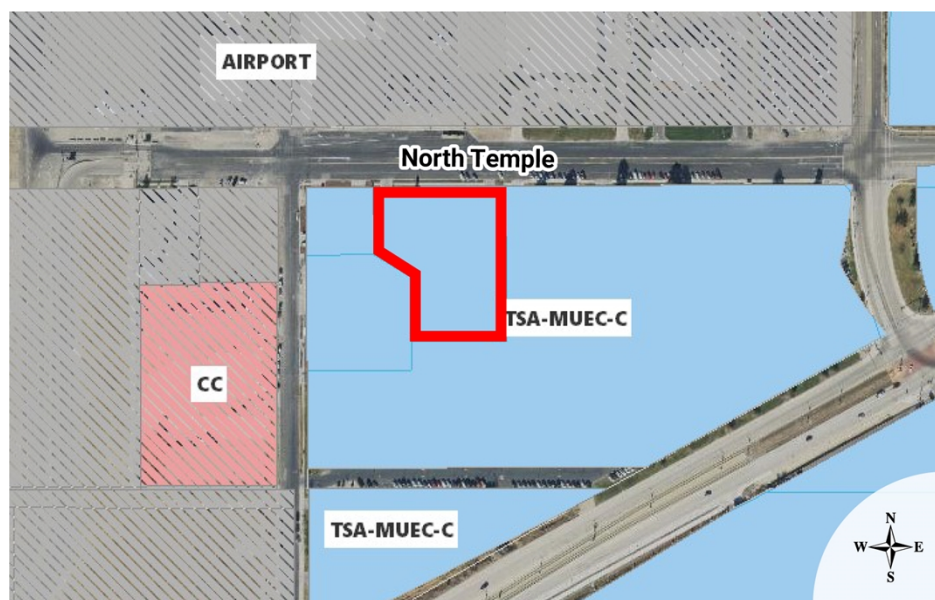
Planning staff noted some institutional uses are allowed in the TSA-MUEC-C zoning district, but the location and constraints associated with the zone are barriers to those standalone uses. Removal of the Influence Zone A allows for onsite community serving uses associated with the Airport Inn such as 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 anticipated to create any substantial new negative impacts that wouldn't be</i>

	<i>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