



COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: July 18, 2023

**RE: Riverside Cottages Zoning and Master Plan Amendments
(1500, 1516, 1520, 1522 West 500 North, and 552 North 1500 West)
PLNPCM2021-01075/01203 & PLNPCM2022-00674**

Item Schedule:

Briefing: June 13, 2023

Set Date: June 6, 2023

Public Hearing: July 11, 2023

Potential Action: July 18, 2023

PUBLIC HEARING UPDATE

Two people spoke at the July 11, 2023 public hearing opposing the proposed zoning map and master plan amendments. Concerns cited include neighborhood impacts such as pedestrian safety, parking, traffic and congestion, a lack of privacy for surrounding residents, and the plan doesn't maintain the neighborhood's visual character. Other concerns expressed include the proposed homes do not provide sightlines to streets, sidewalks and driveways, and the plan is inconsistent with the area master plan. The Council was asked to encourage the developer to develop the site under current zoning.

The Council closed the public hearing and deferred action to a future meeting.

BRIEFING UPDATE

During the June 6, 2023 briefing the petitioner said the proposed new homes will be for sale and located within the block's interior. From the petitioner's planned development application, it is anticipated the homes will have multiple floor plans with up to four bedrooms and three and a half bathrooms. Options for a studio apartment or accessory dwelling unit are also discussed. Existing homes on 500 North are rentals and are being renovated.

An existing walkway serving Backman Elementary School is not impacted by the proposed development. An additional walkway from 500 North through the development to Backman Elementary is included in the planned development currently being reviewed by Planning.



The Attorney's Office notified Council staff that the ordinance for this proposal includes a condition requiring replacement of demolished dwelling units. However, the zoning map amendment must be in place for construction of the replacement housing. It is recommended that the condition is clarified to require a development and use agreement or restrictive covenant against the property requiring replacement housing. Staff will work with the Attorney's Office to make this change to the ordinance.

The following information was provided for the June 13, 2023 Council briefing. It is included again for background purposes.

The Council will be briefed about the following proposed zoning amendments:

- Amend the zoning map for the southern 110 feet (approximately) of parcels located at 1500 West, 1516 West, 1520 West, and 1522 West 500 North from their current R-1/7,000 single-family residential zoning designation to R-1/5,000.
- Amend the Northwest Community Master Plan future land use map from low-density residential to medium density residential, and amend the zoning from R-1/7,000 single-family residential to SR-3 special development pattern residential for the following parcels:
 - 552 North 1500 West
 - Northern portions (beginning approximately 110 feet north of the 500 North right-of-way line) of the above-mentioned parcels at 1500 West, 1516 West, 1520 West, and 1522 West 500 North.

The petitioner's stated objective is to create an interior-block development of seventeen single-family detached homes in the blue shaded portion of the image below. Single-family homes are located on the four parcels fronting 500 North (shaded in green below) and would be retained under the proposal. There is a single-family home on the 552 North 1500 West parcel that would be removed under the proposal. Replacement housing would satisfy housing loss mitigation requirements.

If approved by the Council, one result is parcels fronting 500 North would be split-zoned as R-1/5,000 and SR-3. This would be resolved by a lot line adjustment through the planned development and subdivision processes associated with the project.

The Planning Commission reviewed the proposed zoning map and future land use map amendments at its September 28, 2022 meeting and held a public hearing at which one person spoke and a letter with petition from nearby residents was read. The letter expressed concern about on-street parking and speeding vehicles on 500 North, overcrowding of local schools, and opposition to changing the neighborhood's character. Commissioners stated they believed the project would not impact traffic on 500 North. They also said the proposed zoning district enables limited additional density without significant impact to existing properties.

The person who spoke agreed with concerns expressed in the letter. She also asked about water rights on the subject properties. The petitioner was asked about problems with water rights, and he said he was unaware of any. The Commission determined the issue was outside its purview.

Planning staff recommended and the Commission voted unanimously on all three petitions to forward positive recommendations to the Council. Following the meeting, Planning staff worked with the petitioner on additional information needed. (Please refer to the project chronology later in this report for additional information.)



Rezone to:  R-1/5,000  SR-3 + Master Plan Amendment  Project Area

*Area map showing proposed zoning changes
Image courtesy of Salt Lake City Planning Division*

Goal of the briefing: Review the proposed zoning and future land use map amendments, determine if the Council supports moving forward with the proposal.

POLICY QUESTIONS

1. The Council may wish to ask the petitioner if the existing and proposed homes are anticipated to be for rent, for sale, or both.
2. In keeping with the Council's interest in housing affordability, the Council may wish to ask for more information about what price point the developer / petitioner will list the properties (whether for sale or rent). The Council may wish to ask the petitioner about the anticipated size of the proposed homes and number of bedrooms in each.

ADDITIONAL INFORMATION

Planning staff provided the following table summarizing the proposed amendments for each of the subject parcels.

	Site Conditions	Lot Area	Current Zoning	Proposed Zoning	Current Master Plan Designation	Proposed Master Plan Designation	Demo House?
<i>552 N 1500 W</i>	A single-family house with a large rear yard	1.08 Acres	R-1/7,000	SR-3	<i>Low Density Residential</i>	<i>Medium Density Residential</i>	Yes
<i>1500 W 500 N</i>	A single-family house	0.16 Acres	R-1/7,000	R-1/5,000 (front), SR-3 (rear)	<i>Low Density Residential</i>	<i>Medium Density Residential (rear)</i>	No
<i>1516 W 500 N</i>	A single-family house	0.16 Acres	R-1/7,000	R-1/5,000 (front), SR-3 (rear)	<i>Low Density Residential</i>	<i>Medium Density Residential (rear)</i>	No
<i>1520 W 500 N</i>	A single-family house with a long rear yard	0.46 Acres	R-1/7,000	R-1/5,000 (front), SR-3 (rear)	<i>Low Density Residential</i>	<i>Medium Density Residential (rear)</i>	No
<i>1522 W 500 N</i>	A single-family house with a long rear yard	0.46 Acres	R-1/7,000	R-1/5,000 (front), SR-3 (rear)	<i>Low Density Residential</i>	<i>Medium Density Residential (rear)</i>	No
Total	-	2.32 Acres	-	-	-	-	-

Table courtesy of Salt Lake City Planning Division

The Council is only being asked to consider rezoning the property and amending the future land use map. No formal site plan has been submitted to the City nor is it within the scope of the Council's role to review the plans. 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.

KEY CONSIDERATIONS

Planning staff identified four key considerations related to the proposal which are found on pages 4-5 of the Planning Commission staff report and summarized below. For the complete analysis, please see the staff report.

Consideration 1-Compliance with Relevant Master Plan Policies

The subject parcels are in the area covered by the *Northwest Community Master Plan*, adopted in 1992. That plan recommends preserving single-family development in the area and raises concerns about new development altering the neighborhood character. Current R-1/7,000 zoning is considered low-density residential, while the proposed R-1/5,000 and SR-3 zoning would be a mix of low- and medium-density residential. Policies within the more recent *Plan Salt Lake* (2015), and *Growing SLC* (2018) suggest infill development including medium-density housing in the city.

Planning stated they would be more concerned about potential negative impacts to the neighborhood if the proposal called for higher density or more intense uses. However, the requested SR-3 zoning is intended to promote infill development that is compatible with existing neighborhoods.

Consideration 2-Compatibility with Adjacent Properties

Zoning in the immediate area is largely R-1/7,000 zoning with single-family houses on lots larger than 7,000 square feet. There are some duplexes on adjacent property to the north, and a nearby small planned development to the west. The zoning for these is R-1/7,000 and R-2 (single- and two-family residential) which are both considered low-density residential. Planning staff believes development under the proposed SR-3 zoning would be comparable to these and compatible with the neighborhood.

Consideration 3-Traffic on 1500 West

The petitioner indicated he is planning to retain the four single-family homes fronting on 500 North. If that is the case, access to the proposed homes on the block's interior (blue shaded area in image above) would likely be from 1500 West. Student drop-off and pick-up for Backman Elementary (located northwest of the subject properties) is on 1500 West. In addition, Planning stated it appears that residents of the duplexes to the north also use the street for parking. New development that would use 1500 West for access could add to traffic and parking issues on this section of the road. Those would be considered with a development application.

Consideration 4-Housing Loss Mitigation Report

The petitioner submitted a housing loss mitigation plan and as noted above, satisfied requirements by providing replacement housing units. The plan was evaluated and approved by CAN Director Blake Thomas.

ZONING COMPARISON

Planning staff provided the following table on page 4 of the Planning Commission staff report. It is replicated here for convenience. Differences between the zoning districts are shown in **bold**.

	<i>R-1/7,000 (current)</i>	<i>R-1/5,000 (proposed)</i>	<i>SR-3 (proposed)</i>
<i>Maximum Building Height</i>	28 feet to the ridge of the roof or the average height of other principal buildings on the block face – 20 feet to the top of a flat roof	28 feet to the ridge of the roof or the average height of other principal buildings on the block face – 20 feet to the top of a flat roof	28 feet to the ridge of the roof or the average height of other principal buildings on the block face – 20 feet to the top of a flat roof
<i>Front Setback</i>	Average of the front yards of existing buildings within the block face. 20 feet where there are no existing buildings within the block face. Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.	Average of the front yards of existing buildings within the block face. 20 feet where there are no existing buildings within the block face. Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.	Average of the front yards of existing buildings within the block face. 10 feet where there are no existing buildings within the block face. Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.
<i>Side Setback</i>	Corner side yard: 10 feet Interior: 6 feet on one side, 10 feet on the other	Corner side yard: 10 feet Interior: 4 feet on one side, 10 feet on the other	Corner side yard: 10 feet Interior: 4 feet (Single-family detached) Single-family attached and twin homes: No setback unless next to a single-family dwelling, then 4 feet required
<i>Rear Setback</i>	25 feet	25% of lot depth or 20 feet , whichever is less	20% of lot depth – not less than 15 feet not more than 30 feet
<i>Lot Size</i>	Single-family detached: 7,000 square feet	Single-family detached: 5,000 square feet	Single-family detached: 2,000 square feet Single-family attached: 1,500 square feet / unit Two-family/duplexes: 3,000 square feet
<i>Permitted Uses</i>	Single-family detached dwellings, parks, home occupations	Single-family detached dwellings, parks, home occupations, dormitories	Single-family dwellings (detached & attached), twin homes, duplexes , parks, home occupations

Analysis of Factors

Attachment F (pages 23-27) of the Planning Commission staff report outlines master plan and zoning map amendment standards that should be considered as the Council reviews this proposal. It is Planning staff's opinion that the proposed master plan amendment changing the future land use map to medium-density residential fulfills the intended outcomes of policies within *Plan Salt Lake*, *Growing SLC*, and *the Northwest Community Master Plan*.

In addition, Planning staff felt the proposed changes to R-1/5,000 and SR-3 zoning comply with the following applicable standards for zoning map amendments. 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>Complies</i>
Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	<i>Complies</i>
The extent to which a proposed map amendment will affect adjacent properties	<i>Complies</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>Not applicable</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>Complies</i>

City Department Review

During City review of the petitions, no responding departments or divisions expressed objections to the proposal, but stated additional comments would be provided if the property is developed.

PROJECT CHRONOLOGY

- December 13, 2021-Petition for zoning map amendment received by Planning Division.
- December 16, 2021-Zoning map amendment petitions assigned to Aaron Barlow, Principal Planner.
- March 31, 2022-Zoning map amendments determined to be complete after applicant submitted housing loss mitigation plan proposal.
- April 25, 2022- Public notice sent to Fairpark and Rose Park Community Council chairs, and surrounding property owners and occupants within 300 feet of the subject properties. An open house page posted to the Planning Division website.

- May 23, 2022-Planning staff determines the proposed SR-3 zone does not align with *Northwest Community Master Plan* future land use map. A master plan amendment petition will be necessary.
- July 12, 2022-Master plan amendment application submitted and assigned to Aaron Barlow, Principal Planner.
- July 29, 2022-Updated notice sent to the Fairpark and Rose Park Community Council Chairs and surrounding neighbors and property owners within 300 feet of the sites. The open house page on the Planning Division's website is updated.
- September 14, 2022-Planning Commission public hearing notice mailed to neighbors within 300 feet of the subject site. Notice posted on City and State websites and sent via the Planning listserv.
- September 16, 2022-Planning Commission public hearing notice posted on affected properties.
- September 28, 2022- Planning Commission public hearing. The Planning Commission voted unanimously to forward a positive recommendation to the City Council for the proposed master plan and zoning map amendments.
 - Planning staff requests accurate legal description of the areas to be rezoned.
- January 24, 2023-Petitioner submits accurate legal description of the subject properties.
- February 3, 2023-City Survey confirms submitted legal descriptions.
- February 21, 2023-Draft ordinance requested from Attorney's Office.
- March 14, 2023-Planning received draft ordinance from the Attorney's Office.
- April 5, 2023-Transmittal received in City Council Office.