To: Mary Woodhead, Salt Lake City Appeals Hearing Officer
From: John Anderson, john.anderson@slcgov.com, 801-535-7214
Date: July 7, 2016 (hearing date)
Re: PLNAPP2016-00386 Catholic Community Services Appeal of Administrative Decision

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** Appeal of Administrative Decision **

** PROPERTY ADDRESS:** 745 E. 300 S.
** PARCEL ID:** 16-05-159-026
** ZONING DISTRICT/ORDINANCE SECTION:** RMF-45 Moderate/High Density Multi-Family Residential District; 21A.62 Definitions; 21A.33.020 Table of Permitted and Conditional Uses for Residential Districts

** APPELLANT:** Michael Sanders, AIA representing Catholic Community Services of Utah.

** INTERPRETATION ISSUE:**
Whether Catholic Community Services’ proposal to use an existing structure for their Refugee Resettlement and Refugee Foster Care Program should be considered to be an eleemosynary facility.

** ZONING ADMINISTRATOR’S DETERMINATION:**
The Zoning Administrator finds that the description of the services provided by the Refugee Resettlement and Refugee Foster Care Programs of the Catholic Community Services of Utah cannot be considered as an eleemosynary facility as housing is not provided on site as a component of their services and social and community service organizations are specifically identified in the definition as uses that do not qualify as eleemosynary facilities. The use should be considered as general office which is not a permitted use in the zoning district.

** APPEAL:**
The appellant claims the determination errs in interpreting the definition of eleemosynary facility and believes that their proposed use does meet all of the requirements of an eleemosynary facility as listed in the definition.

** PROJECT DESCRIPTION:**
Catholic Community Services of Utah is looking to remodel their existing structure located at 745 E. 300 S. to create additional office space for their Refugee Resettlement and Refugee Foster Care Program. The area that is proposed to be remodeled is currently occupied by living quarters for those involved in a large group home. The property is located in the RMF-45 Moderate/High Density Multi-Family Residential District. Commercial uses are not permitted in the RMF-45 zoning district.

The original use of the property in question was medical office; a large medical clinic operated there until 2006. After the clinic closed, the property was sold to Catholic Community Services of Utah. A conditional use was approved by the city for a residential substance abuse treatment home at the location in question in 2006. The term “residential substance abuse treatment home” was later removed from the Zoning Ordinance and the use is now categorized as a large group home dwelling.
At the same time the building also housed administrative offices for the Refugee Resettlement and Refugee Foster Care Programs of the Catholic Community Services of Utah. The applicant would like to expand the area currently being used by that program. The group home would remain in other areas of the building albeit in a reduced area.

The Refugee Resettlement and Refugee Foster Care Programs provide supportive services to newly arrived refugees helping them to transition to a new life in this country. Those involved in that program would not be housed at the site. The program would be administered at the property in question and staff would meet with clients on site.

PLANNING DIVISION RESPONSE TO APPEAL:
The Planning Division has reviewed the appellant’s claims and the division and the zoning administrator stand by the original decision. The definition of eleemosynary facility describes the use as an organization which exists, “to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members.” As described the programs related to the Refugee Resettlement and Refugee Foster Care Programs at the property in question do provide assistance to individuals many of who may be suffering from trauma. However, in this situation there would be no temporary housing provided for those working with these programs. To qualify as an eleemosynary facility the program must provide assistance as well as temporary housing. In this case, only assistance would be provided at the site. Further, the definition specifically indicates that social and community service organizations cannot be considered to be eleemosynary facilities.

ISSUES:
To assist the Hearing Officer in reviewing this request, the Planning Division has provided the following response to the appellant’s claims.

Claim 1: The refugee services program meets the definition of eleemosynary facility as defined in the Zoning Ordinance as well as the Merriam-Webster Dictionary.

When interpreting the Zoning Ordinance staff utilizes the definitions of terms as listed in 21A.62 Definitions. In situations where a term is not defined in 21A.62 staff shall utilize the definition found in the Webster’s Collegiate Dictionary. In this case, the term eleemosynary facility is a term defined in 21A.62. It is defined as:

**ELEEMOSYNARY FACILITY:** A facility operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate, and private funding. The term "eleemosynary facility" does not include places of worship, social and community services organizations, homeless shelters, community dining halls, group home dwellings, residential support dwellings, and other similar facilities.

The appellant argues that the their refugee programs meet the definition of eleemosynary facility as they are a non-profit charitable organization; they provide assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members; and that they provide temporary housing. The housing they provide is not provided onsite but is provided through host families in the community. The appellant further argues that the definition does not specifically indicate that the housing must be provided at the location.

Staff agrees that the requirement for temporary housing to be located on site may not be clear in the definition but it has been a requirement for existing eleemosynary facilities such as the Ronald McDonald House and the Hope Lodge. However, the definition also includes language that specifies uses that may not be considered as eleemosynary facilities. Catholic Community Services is a charitable organization that provides programs for the betterment of the community and staff believes that their use is similar to a social or community services organization which is specifically listed as ineligible to be considered as an eleemosynary facility.
Claim 2: The Administrative Interpretation (Attachment C) identified that the programs as proposed are more similar to an office use but the appellant disagrees.

The Administrative Interpretation stated that the proposed use should be considered an office use and not as an eleemosynary facility. The Zoning Ordinance defines office as:

**OFFICE**: A type of business use, which may or may not offer services to the public, that is engaged in the processing, manipulation or application of business information or professional expertise. An office use is not materially involved in fabricating, assembling or warehousing of physical products for the retail or wholesale market, nor is an office engaged in the repair of products or retail services. Examples of professional offices include accounting, investment services, architecture, engineering, legal services and real estate services. Unless otherwise specified, office use shall include doctors’ and dentists’ offices. Office use shall not include any use or other type of establishment which is otherwise specifically listed in the table of permitted and conditional uses for the applicable zoning districts.

The appellant disagrees stating that the proposed use does not fit the terms of the definition for the following reasons:

- Catholic Community Services does not conduct a “business”, rather it provides charitable services through staff and volunteers at the location.
- Catholic Community Services does not process, manipulate or apply “business” information or expertise.

When discussing office uses the Zoning Ordinance does not differentiate between for profit and non-profit entities. Although there may not be professional business practices occurring as interpreted by the appellant, the group does provide services with professional expertise to their clients in an office environment as they support the transition of refugees into society.

The proposed remodel of the building for the refugee programs (Attachment E) includes adding offices, areas for cubicles and a conference room. This type of layout is similar to a typical office environment and the impacts of the use to the surrounding community would be similar to an office use. The intent of the eleemosynary facility is not to be the base of operations for a community or social services organization as was earlier discussed.

Claim 3: When the ordinance which added the definition for eleemosynary facility was adopted which added a definition for an eleemosynary facility the staff report specifically mentioned non-housing uses in the report. The Children’s Justice Center of Salt Lake was mentioned as a specific example of an eleemosynary facility that does not include housing as a component of their services.

The staff report to the City Council (Attachment F) which is referenced by the appellant describes the types of facilities which would customarily be considered to be an eleemosynary facility. It states that these facilities may provide the following services:

a. Residential facilities providing short-term rooming for use by persons visiting patients or patients receiving medical services provided by area hospitals or extended care facilities, such as the Ronald McDonald House;

b. Facilities that provide a safe place for children who are taken from their homes due to domestic violence, such as the Christmas Box House;

c. Facilities that provide a child-friendly atmosphere where children receive coordinated
services during the child abuse investigative process, such as the Children’s Justice Center of Salt Lake; and
d. Other similar uses.

Although the staff report does reference a use such as the Children’s Justice Center of Salt Lake that does not provide housing, the ordinance that was approved by the Salt Lake City Council on 10 May 2010 included a definition that states that an eleemosynary use must provide temporary housing as well as assistance to its clientele.

The Children’s Justice Center opened in 1991 at 257 E. 11th Avenue. It is currently located in the FR-3 zoning district which conditionally allows for eleemosynary facilities. In 1991, the property was zoned as Hospital District. At that time the Zoning Ordinance defined Eleemosynary or Philanthropic Institutions in Sec. 21.04.210:

“Eleemosynary or philanthropic institutions” means a charitable nonprofit institution providing for the diagnosis, treatment and care of persons suffering from injury or disease.

At that time, there was no requirement for an eleemosynary facility to provide housing for those that were provided services. The current definition does require that temporary housing is a necessary component of an eleemosynary facility.

Summary:
Although Catholic Community Services does provide important services to the community through their Refugee Resettlement and Refugee Foster Care Programs it is done as a community or social services organization. The definition of eleemosynary facility clearly states that a community or social services organization does not qualify as an eleemosynary facility. Further, although the program will find temporary housing for their clients the housing is not provided on site.

This is an appeal of an administration decision. Therefore, the standard of review for the appeal shall be ‘de novo’. The Appeals Hearing Officer shall review the matter appealed anew, based upon applicable procedures and standards for approval, and shall give no deference to the original decision. A public hearing must be held prior to the Appeal Hearing Officer making a decision.

NEXT STEPS:
If the administrative decision is upheld, the appellant will not be able to remodel the facility as they have proposed although this does not guarantee that the large group home will remain in operation at the site. If the administrative decision and the proposed use are considered to be an eleemosynary facility, the appellant will be able to remodel the facility as proposed. Any decision on this appeal can be appealed to Third District Court within 30 days.

ATTACHMENTS:

A. Vicinity Map
B. Appeal Application and Documentation of Evidence
C. Administrative Interpretation
D. Background Documentation
E. Layout of Proposed Remodel
F. City Council Staff Report from April 22, 2010
ATTACHMENT A: Vicinity Map
ATTACHMENT B: Appeal Application and Documentation of Evidence
Appeal of a Decision

OFFICE USE ONLY

Appeal #: RAP2016-003816

Project # Being Appealed: P2017A02016

Received By: C Anglin

Date Received: 5/19/16

Appealed decision made by:

☐ Planning Commission
☐ Administrative Decision
☐ Historic Landmark Commission

Appeal will be forwarded to:

☐ Planning Commission
☐ Appeal Hearing Officer
☐ Historic Landmark Commission

Project Name:
Catholic Community Services - Remodel

PLEASE PROVIDE THE FOLLOWING INFORMATION

Decision Appealed:
Zoning RM45 - for a spot zone approval of an eleemosynary facility - for charity use

Address of Subject Property:
745 East 300 South

Name of Appellant:
Michael D. Sanders AIA

Phone: 801-621-7303

Address of Appellant:
2668 Grant Ave. Ogden, Utah 84401

E-mail of Appellant:
mike@sandersarch.com

Cell/Fax: 801-628-8187

Name of Property Owner (if different from appellant):
Catholic Community Services of Utah - Bradford R. Drake Executive Director

E-mail of Property Owner:
bdrake@ccsutah.org

Phone: 801-428-1222

Appellant's Interest in Subject Property:
Architect and Designer of the remodel

AVAILABLE CONSULTATION

⇒ Please call (801) 535-7700 if you have any questions regarding the requirements of this application.

APPEAL PERIODS

⇒ An appeal shall be submitted within ten (10) days of the decision.

REQUIRED FEE

⇒ Filing fee of $243.
⇒ Plus additional fee for required public notices.

SIGNATURE

⇒ If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent: [Signature]

Date: 5/19/16

Updated 7/8/15
A written description of the alleged error and the reason for this appeal.

WHERE TO FILE THE COMPLETE APPLICATION

<table>
<thead>
<tr>
<th>Mailing Address:</th>
<th>Planning Counter</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO Box 145471</td>
<td>451 South State Street, Room 215</td>
</tr>
<tr>
<td>Salt Lake City, UT 84114</td>
<td>Telephone: (801) 535-7700</td>
</tr>
</tbody>
</table>

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

Additional Guidelines for Those Appealing a Planning Commission or Landmarks Commission Decision

A person who challenges a decision by the Planning Commission or the Landmarks Commission bears the burden of showing that the decision made by the commission was in error.

The hearing officer, according to state statute, must assume that the decision is correct and only reverse it if it is illegal or not supported by substantial evidence in the record.

"Substantial evidence" means information that is relevant to the decision and credible. Substantial evidence does not include public clamor and emotion. It involves facts and not mere speculation. A witness with particular expertise can provide substantial evidence, but conjecture and public opinion alone are not substantial evidence.

The "record" includes information, including the application by the person seeking approval, the staff report, the minutes of the meeting, and any information submitted to the commission by members of the public, the applicant or others, before the decision was made. It does not include facts or opinion, even expert opinion, expressed after the decision is made or which was not available to the commission at the time the decision was made.

A decision is "illegal" if it is contrary to local ordinance, state statute or case law, or federal law. An applicant is entitled to approval if the application complies with the law, so a person challenging a denial should show that the application complied with the law; a person challenging an approval should show that the application did not conform to the relevant law. Issues of legality are not restricted to the record of the decision, but the facts supporting or opposing the decision are limited to those in the record.

With regard to the factual information and evidence that supports a decision, the person bringing the appeal, according to a long line of decisions handed down by the Utah State Supreme Court and the Court of Appeals, has a burden to "marshal the evidence" and then to demonstrate that the evidence which has been marshaled is not sufficient to support the decision.

The appellant is therefore to:
1. Identify the alleged facts which are the basis for the decision, and any information available to the commission when the decision is made that supports the decision. Spell it out. For example, your statement might begin with: "The following information and evidence may have been relied upon by the Commission to support their decision . . . ."
2. Show why that basis, including facts and opinion expressed to the commission is either irrelevant or not credible. Your next statement might begin with: "The information and evidence which may have been relied upon cannot sustain the decision because . . . ."

If the evidence supporting the decision is not marshaled and responded to, the hearing officer cannot grant your appeal. It may be wise to seek the advice of an attorney experienced in local land use regulation to assist you.

Updated 7/8/15
**SALT LAKE CITY CORPORATION**  
Buzz Center  
451 South State Street, Room 215  Phone: (801) 535-7700  
P.O. Box 145471  Fax: (801) 535-7750  
Salt Lake City, Utah 84114  

Date: May 19, 2016

**MICHAEL SANDERS**  
2668 GRANT AVE.  
OGDEN, UT 84401

**Project Name:** ELEEMOSYNARY FACILITY FOR CHARITY USE  
**Project Address:** 745 E 300 S, INVALI

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**APPEAL APPLICATION**

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**Detailed Description:**

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**Description** | **Qty** | **Dept** | **C Ctr** | **Obj** | **Invoice** | **Paid** | **Due**  
--- | --- | --- | --- | --- | --- | --- | ---  
Postage | 148 | 06 | 00600 | 1890 | $72.52 | $0.00 | $72.52  
Filing Fee | 1 | 06 | 00900 | 125111 | $243.00 | $0.00 | $243.00  
**Total for invoice 1332350** | | | | | $315.52 | $0.00 | $315.52  
**Total for PLNAPP2016-00386** | | | | | $315.52 | $0.00 | $315.52

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**OFFICE USE ONLY**  
Intake By: AA1589  
CAP ID #  
PLNAPP2016-00386  
Total Due: $315.52

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www.slcpermits.com
CATHOLIC COMMUNITY SERVICES OF UTAH
APPEAL OF A DECISION
MAY 2016

Catholic Community Services of Utah (CCS) appeals the Administrative Interpretation of the Salt Lake City Planning Department finding that the operations of its Refugee Resettlement and Refugee Foster Care Programs at 745 East 300 South are not a permitted “Eleemosynary Facility” in the RMF-45 zone. For the following reasons, the Refugee Resettlement and Refugee Foster Care Programs should be considered eleemosynary uses, not office uses as determined by the Planning Department.

1. The Refugee Resettlement and Refugee Foster Care Programs use the building at 745 East 300 South as “a facility operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members.” The program meets all the requirements of the definition:
   a. CCS is a non-profit charitable organization.
   b. CCS is providing temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and their family members. CCS receives refugee children and families who have been traumatized by violence and oppression in their foreign nations. While the housing is provided through host-families off-site, all the training and operations of these services are being provided at the building at 745 East 300 South. The ordinance does not specifically indicate that the housing must be provided at the location. As described below, the ordinance when adopted specifically considered non-housing uses. As a result, the Planning Department should interpret the ordinance broadly to allow this charitable use to continue at the facility.

2. Eleemosynary is defined in the Merriam-Webster Dictionary as “of, relating to, or supported by charity”. Housing is not a requisite element of an eleemosynary function.

3. The Refugee Resettlement and Refugee Foster Care Program services being operated at 745 East 300 South are not an Office use as found by the Planning Department. Office use is considered a “type of business use, which may or may not offer services to the public that is engaged in the processing, manipulation or application of business information or professional expertise.” CCS does not meet the terms of the office definition because:
   a. CCS does not conduct a “business”, rather it provides charitable services through staff and volunteers at the location.
   b. CCS does not process, manipulate or apply “business” information or expertise. Again, CCS provides charitable services at the location, not “business” services.

4. CCS does not meet any of the examples of professional offices provided in the definition of Office uses.
   a. CCS does not provide accounting, investment services, architecture, engineering, legal services and real estate services.
   b. CCS meets the term of Eleemosynary Facility as a Permitted Use in the RMF-45 Zone by providing temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members.
5. In Salt Lake City’s adoption of its ordinance, it specifically considered non-housing facilities. On April 8, 2010, Janice Jardine in her Salt Lake City Council Staff Report specifically mentioned non-housing uses in the report.

“Types of facilities which customarily fall into the eleemosynary facilities use category may provide the following services: a. Residential facilities providing short-term rooming for use by persons visiting patients or patients receiving medical services provided by area hospitals or extended care facilities, such as the Ronald McDonald House; b. Facilities that provide a safe place for children who are taken from their homes due to domestic violence, such as the Christmas Box House; c. Facilities that provide a child-friendly atmosphere where children receive coordinated services during the child abuse investigative process, such as the Children’s Justice Center of Salt Lake; and d. Other similar uses.”

The Children’s Justice Center of Salt Lake is not a housing facility rather an intake facility where children are interviewed and examined. As a result, the Refugee Resettlement and Refugee Foster Care Programs at 745 East 300 South should likewise fit under the Eleemosynary Facility even if CCS does not provide housing.
ATTACHMENT C: Administrative Interpretation
REQUEST:
This is a request for an administrative interpretation regarding whether the operations of the Refugee Resettlement and Refugee Foster Care Programs of the Catholic Community Services of Utah at 745 East 300 South can be considered to be an eleemosynary facility. The property is located in the RMF-45 moderate/high density multi-family residential district.

DECISION:
The Zoning Administrator finds that the description of the services provided by the Refugee Resettlement and Refugee Foster Care Programs of the Catholic Community Services of Utah cannot be considered as an eleemosynary use and must be considered as general office which is not a permitted use in the zoning district.

FINDINGS:
The Salt Lake City Zoning Ordinance in 21A.62.040 defines the terms “Eleemosynary Facility”, “Office” and “ Dwelling, Group Home (Large)” as:

**ELEEMOSYNARY FACILITY**: A facility operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate, and private funding. The term “eleemosynary facility” does not include places of worship, social and community services organizations, homeless shelters, community dining halls, group home dwellings, residential support dwellings, and other similar facilities.

**OFFICE**: A type of business use, which may or may not offer services to the public, that is engaged in the processing, manipulation or application of business information or professional expertise. An office use is not materially involved in fabricating, assembling or warehousing of physical products for the retail or wholesale market, nor is an office engaged in the repair of products or retail services. Examples of professional offices include accounting, investment services, architecture, engineering, legal services and real estate services. Unless otherwise specified, office use shall include doctors’ and dentists’ offices. Office use shall not include any use or other type of establishment which is otherwise specifically listed in the table of permitted and conditional uses for the applicable zoning districts.

**DWELLING, GROUP HOME (LARGE)**: A residential treatment facility, occupied by seven (7) or more individuals, licensed by the state of Utah under title 62A, chapter 2 of the Utah code or its successor that provides a twenty-four (24) hour group living environment for individuals unrelated to the owner or provider that offers room or board and specialized treatment, behavior modification, rehabilitation, discipline, emotional growth, or habilitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies. A group home dwelling includes a recovery residence, but does not include a boarding school or foster home as defined in title 62A, chapter 2 of the Utah code or its successor, or a residential support dwelling as defined in this chapter.

The original use at the property in question was a medical office. After the property was sold to Catholic Community Services, a conditional use was approved by Salt Lake City for a residential substance abuse treatment home at the location in question in 2006. The term “residential substance abuse treatment home” was deleted from the Zoning Ordinance and the use is now categorized as a large group home dwelling. At the same time the building also housed administrative offices for the Refugee Resettlement
and Refugee Foster Care Programs of the Catholic Community Services of Utah. The applicant would like
to remodel a portion of the building that has been used as some of the living quarters for those residing at
the group home into expanded office and meeting spaces related to the Refugee Resettlement and
Refugee Foster Care Programs of the Catholic Community Services of Utah. The treatment facility would
remain in other areas of the building albeit in a reduced area.

The Refugee Resettlement and Refugee Foster Care Programs provide supportive services to newly
arrived refugees helping them to transition to a new life in this country. Those involved in that program
would not be housed at the site. The program would be administered at the site and staff would meet with
clients.

The definition of eleemosynary facility as listed above describes the use as an organization which exists,
“to provide temporary housing and assistance to individuals who suffer from and are being treated for
trauma, injury or disease and/or their family members.” As described the programs related to the Refugee
Resettlement and Refugee Foster Care Programs at the property in question does provide assistance to
individuals many of who may be suffering from trauma. However, in this situation there would be no
temporary housing provided for those working with these programs. To qualify as an eleemosynary use
the program must provide assistance as well as temporary housing. In this case, only assistance would be
provided.

As described in the submitted application the services provided by the Refugee Resettlement and Refugee
Foster Care Programs of the Catholic Community Services of Utah at the location in question should be
considered as office which is not a permitted use in the RMF-45 zoning district.

APPEAL PROCESS:
An applicant or any other person or entity adversely affected by a decision administering or interpreting
this Title may appeal to the Appeals Hearing Officer. Notice of appeal shall be filed within ten (10) days of
the administrative decision. The appeal shall be filed with the Planning Division and shall specify the
decision appealed and the reasons the appellant claims the decision to be in error. Applications for
appeals are located on the Planning Division website at http://www.slcdocs.com/Planning/Applications
along with information about the applicable fee. Appeals may be filed in person at the Planning Counter,
451 South State Street, Room 215 or by mail at Planning Counter PO BOX 145471, SLC UT 84114.

NOTICE:
Please be advised that a determination finding a particular use to be a permitted use or a conditional use
shall not authorize the establishment of such use nor the development, construction, reconstruction,
alteration, or moving of any building or structure. It shall merely authorize the preparation, filing, and
processing of applications for any approvals and permits that may be required by the codes and
ordinances of the City including, but not limited to, a zoning certificate, a building permit, and a
certificate of occupancy, subdivision approval, and a site plan approval.

Dated this 9th day of May, 2016 in Salt Lake City, Utah.

Nick Norris
Planning Manager
ATTACHMENT D: Background Documentation
Catholic Community Services of Utah (CCS)

To: John Anderson, Senior Planner, Planning Division, Community and Economic Development Salt Lake City Corporation
From: Jose Lazaro
CC: Brad Drake, Rose Olivas
Date: 5/4/2016
Re: Overview of CCS and the Refugee Resettlement Program and the utilization history of CCS’s building on 745 East 300 South, Salt Lake City, Utah 84102

Since 1945, Catholic Community Services of Utah has been empowering people in need to reach self-sufficiency by providing essential services through 8 distinctive programs along the Wasatch Front and throughout northern Utah. By giving strength to the weakest in our midst, CCS lovingly provides help and creates hope to those with the greatest need in our community, regardless of their race, religion, disability or other personal circumstances.

CCS’ programs serve the two most populous areas in Utah, which are the Salt Lake County area and the Ogden metropolitan area. Our current departments and programs are as follows:

Homeless Services-Salt Lake
- St. Vincent de Paul Dining Hall
- Weigand Homeless Resource Center
Refugee Resettlement (currently located at 745 East 300 South)
- Refugee Resettlement
- Refugee Foster Care
- Immigration Services
Catholic Community Services of Northern Utah
- Joyce Hansen Hall Food Bank
- St. Martha’s Baby Project
- Bridging the Gap

The Refugee Resettlement program at Catholic Community Services of Utah (CCS) assists newly arriving refugees by providing supportive services that help them through their difficult transition. Each year, CCS (acting under a cooperative agreement with the US Department of State) resettles approximately 600 refugees in Salt Lake City and surrounds them with programs that help them become stable, healthy, and happy. Our goal is to help those who have never known liberty a chance to achieve the American dream and find self-supporting employment. Every incoming refugee client is low-income.

CCS’s utilization history at the building located at 745 East 300 South also known as “The Old Bryner Clinic.”

- In 2007, CCS moved into the building. At that time the building housed CCS’ St. Mary’s Home for Men (residential treatment program for men), Marillac House (residential treatment services for women), Refugee Resettlement and our administration team.

- In 2008, CCS closed Marillac House (residential treatment program for women) due to a lack of funding. That same year, CCS leased the unoccupied space to Odyssey House (residential treatment program for men). The building continued to house CCS’ Refugee Resettlement Program, St. Mary’s Home for Men (residential treatment services for men) and our administration team.

- In 2015, CCS closed St. Mary’s Home for Men (residential treatment program for men) due to a lack of funding. The building continued to house CCS’ Refugee Resettlement Program, our administration team and Odyssey House (residential treatment program for men), which continued to lease space.
• In 2016, CCS submitted a proposal to remodel its building increasing the office space to provide additional case management services to meet the growing needs of our refugee community. The building would house Refugee Resettlement, our administration team and Odyssey House (residential treatment program for men), which would continue to lease space.

If you require additional information or have question please feel free to contact me at 801-428-1230 or jlazaro@ccsutah.org.
ATTACHMENT E: Layout of Proposed Remodel
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: April 22, 2010

SUBJECT: Petition PLNPCM2008-00937 - Proposed changes to the City’s zoning regulations relating to non-profit, charitable organizations or government entities that provide temporary housing and assistance for individuals and their families experiencing trauma, abuse, injury or illness. (Eleemosynary Facilities)

AFFECTED COUNCIL DISTRICTS: If the ordinance is adopted the zoning regulation changes would affect Council Districts citywide

STAFF REPORT BY: Janice Jardine, Land Use Policy Analyst

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Community Development Department, Planning Division

POTENTIAL MOTIONS:

1. [“I move that the Council”] Refer this item to a future Council meeting.

2. [“I move that the Council”] Adopt the ordinance changing the City’s zoning regulations relating to non-profit, charitable organizations or government entities that provide temporary housing and assistance for individuals and their families experiencing trauma, abuse, injury or illness.

3. [“I move that the Council”] Not adopt the ordinance changing the City’s zoning regulations relating to non-profit, charitable organizations or government entities that provide temporary housing and assistance for individuals and their families experiencing trauma, abuse, injury or illness.

The following information was provided previously for the Council Work Session on April 13, 2010. It is provided again for background purposes.

KEY ELEMENTS:

A. An ordinance has been prepared for Council consideration that would change the City’s zoning regulations relating to non-profit, charitable organizations or government entities that provide temporary housing and assistance for individuals and their families experiencing trauma, abuse, injury or illness.

1. Types of facilities which customarily fall into the eleemosynary facilities use category may provide the following services:
   a. Residential facilities providing short-term rooming for use by persons visiting patients or patients receiving medical services provided by area hospitals or extended care facilities, such as the Ronald McDonald House;
   b. Facilities that provide a safe place for children who are taken from their homes due to domestic violence, such as the Christmas Box House;
c. Facilities that provide a child-friendly atmosphere where children receive coordinated services during the child abuse investigative process, such as the Children’s Justice Center of Salt Lake; and
d. Other similar uses.

2. These types of uses are typically located in larger urban areas where they are close to associated uses such as hospitals, government offices and other institutional uses.

3. In reviewing other cities zoning codes, eleemosynary facilities fall under the same category as group homes, group care homes, protective housing, and service organizations. Such uses are either permitted or allowed as conditional uses within residential and nonresidential zoning categories.

4. The proposed amendment implements current planning practices.

5. Prior to 1995, eleemosynary facilities uses were defined in the Zoning Ordinance and were allowed in a variety of zoning districts. The parking requirements were the same as for boarding houses.

6. The 1995 Zoning Rewrite project and adopted zoning ordinance did not include these types of uses.

B. The ordinance would:

1. Define Eleemosynary Facility as a facility operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease as well as support for their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate and private funding. The term “Eleemosynary Facility” shall not include places of worship, social and community services organizations, homeless shelters, community dining halls, group homes, transitional treatment homes, transitional victim homes, residential substance abuse treatment homes and other similar non-profits.

2. Allow eleemosynary facilities as a conditional use within low density residential and medium density multi-family/mixed use residential zoning districts.

3. Allow eleemosynary facilities as a permitted use in high-density multi-family/mixed use and commercial zoning districts as well as in downtown, gateway, transit corridor, public lands and institutional zoning districts.

C. The Planning staff report provides findings for the Zoning Ordinance Section 21A.50.050 - Standards for General Amendments. The standards were evaluated in the Planning staff report and considered by the Planning Commission. (Discussion and findings for the standards are found on pgs. 3-5 of the Planning staff report.)

D. The public process included a Planning Division sponsored open house and written notification of the Planning Commission hearing to Community Council Chairs and the Planning Division electronic list serve. Notice was also posted on the City and State websites. No comments were received.

E. On January 13, 2010, the Planning Commission held a public hearing. No public comments were received and no issues were identified. The Commission voted to forward a positive recommendation to the City Council to adopt the proposed zoning regulation changes. (Please see the Planning Commission minutes in the Administration’s paperwork for additional details.)

**MASTER PLAN AND POLICY CONSIDERATIONS:**

A. The Administration’s paperwork and Planning staff report note the following related to master plan and policy considerations:

1. No specific policy document identifies detailed policy that addresses eleemosynary uses.

2. The various adopted planning documents of the City support a variety of housing needs and social service needs.
3. The inclusion of Eleemosynary Facilities throughout the city implements the city master plan’s visions by supporting institutional land uses that attract and provide services to community and regional populations.

4. The proposed text amendment does support the general policies for the provision of a variety of housing and social service opportunities within the City.

5. The community master plan land use policies generally define neighborhood, community and regional land use locations and characteristics.

6. In Salt Lake City, the Zoning Ordinance and Subdivision Ordinance have been the main tools used to implement the goals and objectives of the adopted land use planning documents.

7. The proposed changes do not alter the various purpose statements included in the Zoning Ordinance.

8. The proposed amendments will help insure compatibility with the adopted master plans of the City.

- Additional citywide Master Plan and Policy considerations are provided below.

A. The City’s Strategic Plan and the Futures Commission Report express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting, but not at the expense of minimizing environmental stewardship or neighborhood vitality. The Plans emphasize placing a high priority on maintaining and developing new affordable residential housing in attractive, friendly, safe environments and creating attractive conditions for business expansion including retention and attraction of large and small businesses.

B. The Council’s growth policy notes that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
   1. Is aesthetically pleasing;
   2. Contributes to a livable community environment;
   3. Yields no negative net fiscal impact unless an overriding public purpose is served; and
   4. Forestalls negative impacts associated with inactivity.

C. The City’s 1990 Urban Design Element includes statements that emphasize preserving the City’s image, neighborhood character and maintaining livability while being sensitive to social and economic realities. Policy concepts include:
   1. Allow individual districts to develop in response to their unique characteristics within the overall urban design scheme for the city.
   2. Ensure that land uses make a positive contribution to neighborhood improvement and stability.
   3. Ensure that building restoration and new construction enhance district character.
   4. Require private development efforts to be compatible with urban design policies of the city regardless of whether city financial assistance is provided.
   5. Treat building height, scale and character as significant features of a district’s image.
   6. Ensure that features of building design such as color, detail, materials and scale are responsive to district character, neighboring buildings, and the pedestrian.

D. The City’s Comprehensive Housing Plan policy statements address a variety of housing issues including quality design, architectural designs compatible with neighborhoods, public and neighborhood participation and interaction, accommodating different types and intensities of residential developments, transit-oriented development, encouraging mixed-income and mixed-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.
E. The City’s Transportation Master Plan includes general policy statements summarized below:
   1. Focus on ways to transport people, not on moving vehicles at the expense of neighborhoods.
   2. Support transportation decisions that increase the quality of life, not necessarily the quantity of
devlopment.
   3. Support the creation of linkages (provisions and incentives) to foster appropriate growth in
   currently defined growth centers.
   4. Support public/private partnerships in which all who benefit from capital improvements
participate in funding those improvements.
   5. Consider impacts on neighborhoods on an equal basis with impacts on transportation systems.
   6. Give all neighborhoods equal consideration in transportation decisions.

**CHRONOLOGY:**

The Administration’s transmittal provides a chronology of events relating to the proposed zoning
regulation changes. Key dates are listed below. Please refer to the Administration’s chronology for details.

- December 12, 2008 Petition initiated
- December 29, 2008 Petition received in the Planning office
- October 29, 2009 Petition assigned to Everett Joyce
- December 17, 2009 Planning Division Open House
- January 13, 2010 Planning Commission hearing
- January 13, 2010 Ordinance requested from City Attorney’s office
- February 24, 2010 Transmittal paperwork received in Council office

cc: David Everitt, Karen Hale, Bianca Shreeve, Holly Hilton, Ed Rutan, Lynn Pace, Paul Nielson, Jeff Niermeyer,
Tom Ward, Rick Graham, Frank Gray, Mary De La Mare-Schafer, Tim Harpst, Kevin Young, Wilf Sommerkorn,
Pat Comarell, Cheri Coffey, Joel Paterson, Everett Joyce Craig Spangenberg, Randy Isbell, Orion Goff, Les Koch,
Larry Butcher, City Council Liaisons, Mayors Liaisons

File Location: Community and Economic Development Dept., Planning Division, Zoning regulation
changes, Eleemosynary Facilities
TO: Salt Lake City Council
JT Martin, Chair

DATE: February 18, 2010

FROM: Frank Gray, Community & Economic Development Department Director

RE: Petition PLNPCM2008-00937: Zoning Text Amendment to allow Eleemosynary Facilities

STAFF CONTACTS: Everett Joyce, Senior Planner at 801-535-7930 or everett.joyce@slcgov.com

RECOMMENDATION: That the City Council hold a briefing and schedule a Public Hearing

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

DISCUSSION:

Issue Origin: Petition PLNPCM2008-00937, by Mayor Becker, addresses zoning text amendment for Eleemosynary Facilities. The proposed text amendment redefines Eleemosynary Facilities and allows such facilities, as appropriate, in various zoning districts. The proposal includes allowing the use as a conditional use within low-medium density residential/mixed use zoning districts. The proposal also includes allowing the use as a permitted use in high-density residential/mixed use and in commercial, transit corridor, Downtown and Gateway zoning districts, as well as in public lands and institutional zoning districts. The proposed text change affects zoning districts city-wide.
Prior to 1995, such uses were defined in the Zoning Ordinance and were allowed in various zoning districts. The parking requirements were the same as for boarding houses. The 1995 Zoning Rewrite project and adopted zoning ordinance did not include such uses.

Salt Lake City is a regional center of the intermountain area. The position of Salt Lake City as a regional center has encouraged the establishment of several hospitals to serve the local metropolitan area, as well as the intermountain region. Facilities within Salt Lake City that provide regional services are: University of Utah, LDS, Salt Lake Regional, VA Medical Center, Primary Children’s and Shriners Children’s hospitals.

Eleemosynary services are provided through both local government and nonprofit corporations. Uses which would customarily fall into this use category may provide the following services:

- Residential facilities providing short-term rooming for use by persons visiting patients or patients receiving medical services provided by area hospitals or extended care facilities, such as the Ronald McDonald House;
- Facilities that provide a safe place for children who are taken from their homes due to domestic violence, such as the Christmas Box House;
- Facilities that provide a child-friendly atmosphere where children receive coordinated services during the child abuse investigative process, such as the Children’s Justice Center of Salt Lake; and
- Other similar uses.

Analysis: The proposed text changes to allow Eleemosynary Facilities affects the Residential, Special Purpose, Commercial, Downtown and Gateway Zoning Districts. The proposal amends Chapter 44 regarding off-street parking requirements and Chapter 62, Definitions.

The proposed definition that defines Eleemosynary Facilities is: “Eleemosynary facility” means a facility operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from, and are being treated for, trauma, injury or disease, as well as support for their family members. Eleemosynary facilities are traditionally not funded wholly by government, but are usually supported by philanthropic, corporate and private funding. The term “Eleemosynary facilities” shall not include places of worship, social and community services organizations, homeless shelters, community dining halls, group homes, transitional treatment homes, transitional victim homes, residential substance abuse treatment homes and other similar non-profits.

The following is synopsis of the proposed text changes:

1. Modify the table of Permitted and Conditional Uses to allow “eleemosynary facilities” as a conditional use in the Residential Districts FR-1 through RMF-35 and in the RMU-35 Zoning District.
2. Modify the table of Permitted and Conditional Uses to allow “eleemosynary facilities” as a permitted use in the Residential Districts RMF-45 through RO and in the PL, PL2, I, UI, MU, CB, CSHBD, TC-75, D-1 through D-4 and the GMU Zoning Districts.
3. Modify the Schedule of Minimum Off-Street Parking Requirements, requiring 1 parking space for each family, plus 1 parking space for every 4 individual
bedrooms, plus 1 parking space for every 2 support staff on the busiest shift for Eleemosynary Facilities.

4. Modify the Definitions Chapter to include a definition for Eleemosynary Facilities

**Master Plan Considerations:** No specific policy document identifies detailed policy that addresses eleemosynary uses. The various adopted planning documents of the City support a variety of housing needs and social service needs. The inclusion of Eleemosynary Facilities throughout the City implements the City Master Plan visions by supporting institutional land uses that attract and provide services to community and regional populations. The proposed text amendment does support the general policies for the provision of a variety of housing and social service opportunities within the City.

The community master plan land use policies generally define neighborhood, community, and regional land use locations and characteristics. They do not specifically address the level of detail that addresses a specific land use.

In Salt Lake City, the Zoning Ordinance has been one of the main tools used to implement the goals and objectives of the adopted land use planning documents. The proposed change to the text to allow Eleemosynary Facilities further advances the purposes, goals, objectives, and policies of the adopted General Plan of Salt Lake City. The proposed change does not alter the various purpose and intent statements included in the Zoning Ordinance.

**PUBLIC PROCESS:**

An Open House was held on December 17, 2009. Notice of the Open House was sent to Community Council Chairs and those whose names are on the Planning Division’s Listserve. Notice was also posted on the City’s website. There were no comments received.

The Planning Commission held a Public Hearing on January 13, 2010. There were no public comments and no issues were brought forward. The Planning Commission unanimously passed a motion to forward a favorable recommendation to the City Council.

**RELEVANT ORDINANCES:**

Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 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." It does, however, list standards, which should be analyzed prior to rezoning property (Section 21A.50.050 A-E). The standards are discussed in detail starting on page 3 of the Planning Commission Staff Report.
Table of Contents

1. Chronology

2. Ordinance / Development Agreement

3. City Council Notice and Mailing List
   i. Hearing Notice
   ii. Mailing List

4. Planning Commission
   i. Public Hearing Notice and Postmark / Agenda
   ii. Newspaper Notice for Master Plan Amendment
   iii. Planning Commission minutes
   iv. Planning Commission Staff Report

5. Original Petitions

   Petition PLNPCM2008-00937 Zoning Text Amendment
Exhibit 1
Chronology
Chronology

December 12, 2008  Petition initiated
December 29, 2008  Petition delivered to the Planning office
October, 29, 2009  Petition re-assigned to Everett Joyce
December 2, 2009  Requested City departmental review of petition request.
December 17, 2009  Open House
December 29, 2009  Mailed notices for Planning Commission public hearing
December 29, 2009  Posted public hearing notice on site
December 30, 2009  Newspaper notice published
January 8, 2009  Staff report posted on web page
January 13, 2010  Planning Commission public hearing
January 20, 2010  Ordinance request sent to City Attorney
January 27, 2010  Planning Commission ratified minutes of January 13, 2010 meeting
Exhibit 2
Ordinance
SALT LAKE CITY ORDINANCE
No. _____ of 2010

(An ordinance amending certain land use provisions of Title 21A (Zoning) of the Salt Lake City Code pertaining to Eleemosynary Facilities)

An ordinance amending certain sections of Title 21A (Zoning) of the Salt Lake City Code pursuant to Petition No. PLNPCM2008-00937 pertaining to Eleemosynary Facilities.

WHEREAS, the Salt Lake City Planning Commission ("Planning Commission") held a public hearing on January 13, 2010 to consider a request made by Salt Lake City Mayor Ralph Becker (petition no. PLNPCM2008-00937) to amend the text of certain sections of Title 21A (Zoning) of the Salt Lake City Code to allow Eleemosynary Facilities in certain zoning districts as permitted or conditional uses; and

WHEREAS, at its January 13, 2010 hearing, the Planning Commission voted in favor of recommending to the City Council that the City Council amend the sections of Title 21A of the Salt Lake City Code identified herein; and

WHEREAS, after a public hearing on this matter the City Council has determined that the following ordinance is in the City’s best interests,

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending text of Salt Lake City Code section 21A.24.190. That the table, titled "Table of Permitted and Conditional Uses for Residential Districts", which is located at section 21A.24.190 of the Salt Lake City Code, shall be, and hereby is, amended, in part, such that only the following provisions of said table are amended:

21A.24.190: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS:

Legend:  C = Conditional  P = Permitted

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<th></th>
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</thead>
<tbody>
<tr>
<td>C = Conditional</td>
<td>P = Permitted</td>
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</tbody>
</table>
## SECTION 2. Amending text of *Salt Lake City Code* section 21A.32.140. That the table, titled “Table of Permitted and Conditional Uses for Special Purpose Districts”, which is located at section 21A.32.140 of the *Salt Lake City Code*, shall be, and hereby is, amended, in part, such that only the following provisions of said table are amended:

### 21A.32.140: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

<table>
<thead>
<tr>
<th>Use</th>
<th>FR-1/43,560</th>
<th>FR-2/21,780</th>
<th>FR-3/12,000</th>
<th>R-1/12,000</th>
<th>R-1/7,000</th>
<th>R-1/5,000</th>
<th>SR-1</th>
<th>SR-2</th>
<th>SR-3</th>
<th>R-2</th>
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</thead>
<tbody>
<tr>
<td>Residential:</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
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<td>C</td>
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<tr>
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<tr>
<td>Facilities</td>
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## SECTION 3. Amending text of *Salt Lake City Code* section 21A.26.080. That the table, titled “Table of Permitted and Conditional Uses for Commercial Districts”, which is located at
section 21A.26.080 of the *Salt Lake City Code*, shall be, and hereby is, amended, in part, such that only the following provisions of said table are amended:

### 21A.26.080: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

<table>
<thead>
<tr>
<th>Use</th>
<th>CN</th>
<th>CB</th>
<th>CS</th>
<th>CC</th>
<th>CSHBD</th>
<th>CG</th>
<th>TC-75</th>
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</thead>
<tbody>
<tr>
<td>Residential:</td>
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<td></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Eleemosynary Facilities</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<td></td>
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</table>

SECTION 4. Amending text of *Salt Lake City Code* section 21A.30.050. That the table, titled “Table of Permitted and Conditional Uses for Downtown Districts”, which is located at section 21A.30.050 of the *Salt Lake City Code*, shall be, and hereby is, amended, in part, such that only the following provisions of said table are amended:

### 21A.30.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

<table>
<thead>
<tr>
<th>Use</th>
<th>D-1</th>
<th>D-2</th>
<th>D-3</th>
<th>D-4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential:</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Eleemosynary Facilities</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

SECTION 5. Amending text of *Salt Lake City Code* section 21A.31.050. That the table, titled “Table of Permitted and Conditional Uses in the Gateway District”, which is located at
section 21A.31.050 of the *Salt Lake City Code*, shall be, and hereby is, amended, in part, such that only the following provisions of said table are amended:

### 21A.31.050: TABLE OF PERMITTED AND CONDITIONAL USES IN THE GATEWAY DISTRICT:

<table>
<thead>
<tr>
<th>Legend:</th>
<th>C = Conditional</th>
<th>P = Permitted</th>
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</table>

<table>
<thead>
<tr>
<th>Use</th>
<th>G-MU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential:</td>
<td></td>
</tr>
<tr>
<td>Eleemosynary Facilities</td>
<td>P</td>
</tr>
</tbody>
</table>

SECTION 6. Amending text of *Salt Lake City Code* section 21A.44.060.F. That the table, titled “Schedule of Minimum Off Street Parking Requirements”, which is located at section 21A.44.060.F of the *Salt Lake City Code*, shall be, and hereby is, amended, in part, such that only the following provisions of said table are amended:

### TABLE 21A.44.060F
SCHEDULE OF MINIMUM OFF STREET PARKING REQUIREMENTS

Each principal building or use shall have the following minimum number of parking spaces:

| Residential:       |      |
| Eleemosynary Facility | 1 parking space for each family, plus 1 parking space for every 4 individual bedrooms, plus 1 parking space for every 2 support staff on the busiest shift. |

SECTION 7. Amending text of *Salt Lake City Code* section 21A.60.020. That section 21A.60.020 of the *Salt Lake City Code* (Zoning: List of Terms), shall be, and hereby is, amended
to add the following term, to be inserted in alphabetical order, with no additional revisions to that section:

**Eleemosynary Facility**

SECTION 8. Amending text of *Salt Lake City Code* section 21A.62.040. That section 21A.62.040 of the *Salt Lake City Code (Zoning: Definition of Terms)*, shall be, and hereby is, amended add the following definition of Eleemosynary Facility, to be inserted in alphabetical order, with no additional revisions to that section:

"Eleemosynary Facility" means a facility operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate and private funding. The term "Eleemosynary facilities" shall not include places of worship, social and community services organizations, homeless shelters, community dining halls, group homes, transitional treatment homes, transitional victim homes, residential substance abuse treatment homes and other similar non-profit organizations.

SECTION 9. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of ____________, 2010.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER
Transmitted to Mayor on ____________________.

Mayor's Action: _______Approved. _______Vetoed.

________________________________________
MAYOR

________________________________________
CITY RECORDER

(SEAL)

Bill No. ________ of 2010.
Published: ________________.

HB_ATTY-#1 1676-v1-Ordinance_ Eleemosynary_Facilities.DOC
Exhibit 3
City Council Notice
and Mailing List
Exhibit 3i
City Council Hearing Notice
NOTICE OF PUBLIC HEARING

The Salt Lake City Council will review Petition No. PLNPCM2008-00937 requested by Mayor Becker to amend the Salt Lake City Zoning Ordinance, regarding Eleemosynary Facilities. The purpose of the request is to redefine and allow such facilities as appropriate in various zoning districts. The proposal includes allowing Eleemosynary Facilities as a conditional use within low and medium density residential/mixed use zoning districts. The proposal also allows such facilities as a permitted use in high-density residential/mixed use zoning districts as well as various nonresidential zoning districts. The proposed text change affects zoning districts citywide.

As part of this request the City Council is holding an advertised public hearing to receive comments regarding this petition request. During this hearing, the Planning staff may present information on the petition and anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

**DATE:**

**TIME:** 7:00 P.M.

**PLACE:** City Council Chambers
Room 415
City and County Building
451 South State Street
Salt Lake City

If you have any questions relating to this proposal, please attend the meeting or call Everett L. Joyce at 801-535-7930, between the hours of 8:30 a.m. and 5:30 p.m. Monday through Friday.

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this City Council meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Everett Joyce at 535-7930; TDD 535-6220.
Exhibit 3ii
City Council Mailing List
Downtown Alliance
Bob Farrington, Director
176 East 400 South #100
Salt Lake City, UT 84111

Sugar House Merchant's Assn.
C/o Barbara Green
Smith-Crown
2000 South 1100 East
Salt Lake City, UT 84106

Westside Alliance
C/o Neighborhood Housing Svcs.
Maria Garcia
622 West 500 North
Salt Lake City, UT 84116

S.L. Chamber of Commerce
175 East 400 South, Suite #100
Salt Lake City, UT 84111

Hispanic Chamber of Commerce
P.O. Box 1805
Salt Lake City, UT 84110

Altn: Carol Dibblee
Downtown Merchants Assn.
10 W. Broadway, Ste #420
P.O. Box
Salt Lake City, UT 84101

Vest Pocket Business Coalition
P.O. Box 521357
Salt Lake City, UT 85125-1357
Exhibit 4
Planning Commission

Public Hearing Notice/Postmark/Agenda
Newspaper Ad
Minutes
Staff Report
1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. In order to be considerate of everyone attending the meeting, public comments are limited to two (2) minutes per person, per item. A spokesperson who has already been asked by a group to summarize their concerns will be allowed five (5) minutes to speak. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting. Written comments should be sent to:
   Salt Lake City Planning Commission
   451 South State Street, Room 406
   Salt Lake City UT 84111
4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. The Salt Lake City Corporation complies with all ADA guidelines. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Office at 535-7757; TDD 535-6220.
SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA
In Room 326 of the City & County Building at 451 South State Street
Wednesday, January 13, 2010 at 5:45 p.m.

The field trip is scheduled to leave at 4:00 p.m. Dinner will be served to the Planning Commissioners and Staff at 4:45 p.m., in Room 126. Work Session—The Planning Commission may discuss project updates and minor administrative matters. This portion of the meeting is open to the public for observation.

Approval of Minutes from Wednesday, November 18, 2009 and December 9, 2009

Report of the Chair and Vice Chair

Report of the Director

Briefing

1. Petition PLNPCM2009-00510 North Temple Boulevard Station Area Plans—an amendment to the West Salt Lake and Northwest Community Master Plans regarding station area plans along the Airport Light Rail Line. Planning Staff will hand out draft copies of the plan and review the major components of the Plan with the Planning Commission. A Public Hearing for the plans will occur at a later date (Staff: Nick Norris at 801.535.6173 or nick.norris@slcgov.com).

Public Hearings

2. PLNPCM2008-00206 Christian Center Maranatha Place of Worship Conditional Use—a request by Maria Novoa and Melquiades Flores for conditional use approval for a Place of Worship located at approximately 755 West 800 South. The subject property is located in an M-1 (Light Manufacturing) zoning district in Council District 2, represented by Van Turner (Staff contact: Cheri Coffey at 801-535-6188 or cheri.coffey@slcgov.com).

3. PLNPCM2009-01231: Thatcher Company Street Closure and Declaration of Surplus Property—a request by the Thatcher Company for a Street Closure and Declaration of Surplus Property for approximately 985 feet of west Fortune Road at 1905 West. The property is zoned M-1 Light Manufacturing and is accessed only by property in the ownership of the Thatcher Company (Staff contact: Bill Peperone at 801.535.7214 or bill.peperone@slcgov.com).

4. PLNPCM2009-00167; Nonconforming and Noncomplying Zoning Text Amendment—a request by the Salt Lake City Council to amend Chapter 21A.38 of the Salt Lake City Zoning Ordinance, relating to nonconforming uses and noncomplying structures regulations. The purpose of petition is to simplify and clarify the existing regulations and to ensure consistency with State Law (Staff contact: Kevin LoPiccolo at 801.535.6003 or kevin.lopiccolo@slcgov.com)

5. Petition PLNPCM2008-00937, Zoning Text Amendment for Charitable Facilities—a request by Mayor Becker to amend the Salt Lake City Zoning Ordinance, regarding Eleemosynary Facilities. The purpose of the request is to redefine and allow such facilities as appropriate in various zoning districts. The proposal includes allowing the use as a conditional use within low density and medium density multi-family/mixed use residential zoning districts. The proposal also includes allowing the use as a permitted use in high-density multi-family/mixed use zoning districts as well as in transit corridor, public lands and institutional zoning districts. The proposed text change affects all residential, mixed use, transit corridor, public lands and institutional zoned properties city-wide (Staff contact: Everett Joyce at 801.535.7390 or everett.joyce@slcgov.com).

Visit the Planning Division's website at www.slcgov.com/CED/planning for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission.
Exhibit 4ii
Newspaper Ad
Order Confirmation for Ad #0000532393-01

<table>
<thead>
<tr>
<th>Client</th>
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<table>
<thead>
<tr>
<th>Fax</th>
<th>EMail</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><a href="mailto:everett.joyce@slogov.com">everett.joyce@slogov.com</a></td>
</tr>
</tbody>
</table>

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</tr>
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<tbody>
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<td>Salt Lake Tribune::</td>
<td>Legal Liner Notice - 0998</td>
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<tr>
<td>Scheduled Date(s):</td>
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</table>

<table>
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<td>Legal Liner Notice - 0998</td>
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<tr>
<td>Scheduled Date(s):</td>
<td>12/30/2009</td>
</tr>
</tbody>
</table>

On Wednesday January 13, 2010 at 3:45 P.M., the Salt Lake City Planning Commission will hold a hearing to take comment on petition number P1N0906-00037, regarding Emergency Facilities. The proposed action redesignates Emergency Facilities and allows such facilities as appropriate in various zoning districts. The proposal includes allowing the use as a conditional use within low density and medium density multi-family/mixed use residential zoning districts. The proposal also includes allowing the use as a permitted use in high-density multi-family/mixed use and commercial zoning districts as well as in transit centers, public lands and institutional zoning districts. The proposed text change affects various zoned properties city-wide.

All persons interested and present will be given an opportunity to be heard. The hearing will be held in Room 225 of the Salt Lake City and County Building, 451 South State Street, Accessible parking and entrance is located on the east side of the building. Hearing impaired individuals who wish to attend the meeting should contact our TDD service number, 215-0200, four days in advance. For further information regarding this hearing, call Everett J. Joyce at 535-9395.
Exhibit 4iii
Minutes
Petition PLNPCM2008-00937, Zoning Text Amendment for Charitable Facilities—a request by Mayor Becker to amend the Salt Lake City Zoning Ordinance, regarding Eleemosynary Facilities. The purpose of the request is to redefine and allow such facilities as appropriate in various zoning districts. The proposal includes allowing the use as a conditional use within low density and medium density multi-family/mixed use residential zoning districts. The proposal also includes allowing the use as a permitted use in high-density multi-family/mixed use zoning districts as well as in transit corridor, public lands and institutional zoning districts. The proposed text change affects all residential, mixed use, transit corridor, public lands and institutional zoned properties city-wide.

Acting Chair Algarin recognized Everett Joyce as staff representative.

Mr. Joyce stated this was an item in the zoning ordinance until 1995 when it was unintentionally taken out. He stated the key item in this definition rewrite was there were certain things that eleemosynary facilities were not, including shelters. He stated staff looked at where these types of facilities should be allowed in the city as well, which was included in the staff report.

Public Hearing

Acting Chair Algarin opened the public hearing. He noted there was no one present to speak, and closed the public hearing.

Motion

Commissioner Woodhead made a motion regarding Petition PLNPCM2008-00937, the Planning Commission transmits a positive recommendation to the City Council based on the staff report and testimony from staff.

Commissioner Dean seconded the motion.
Exhibit 4iv
Staff Report
Applicant: Mayor Becker

Staff: Everett Joyce, 801-535-7930, everett.joyce@slcgov.com

Master Plan Designation: City-wide text amendment

Council District: City-wide

Council District: City-wide

Applicable Land Use Regulations:
21A.24.190; 21A.26.080;
21A.30.050; 21A.31.050;
21A.32.140; 21A.44.060;
21A.60.020; and 21A.62.040

Notification
• Newspaper Notice Salt Lake Tribune on December 30, 2009
• Notice mailed on December 29, 2009
• Agenda posted on the Planning Division and Utah Public Meeting Notice websites on December 29, 2009

Attachments:
A. Proposed Text
B. Department Input.

Request

This petition is a request to analyze the appropriateness of amending the Zoning Ordinance to allow eleemosynary uses in appropriate zoning districts. Eleemosynary uses are nonprofit organizations or government entities that provide temporary housing and assistance to individuals and their family members that suffer from and are being treated for trauma, injury or disease.

The proposed text changes redefine and allow such facilities as a conditional use within low density residential and medium density multi-family/mixed use residential zoning districts. Eleemosynary facilities would also be a permitted use in high-density multi-family/mixed use and commercial zoning districts as well as in downtown, gateway, transit corridor, public lands and institutional zoning districts.

Staff Recommendation

Based on the findings listed in the staff report, it is the Planning Staff’s opinion that overall the project generally meets the applicable standards and therefore, recommends the Planning Commission transmit a favorable recommendation to the City Council.
Background

Project Description

This petition was created so that Planning Staff could analyze and evaluate the appropriateness of amending the Zoning Ordinance to allow eleemosynary uses in appropriate zoning districts. Prior to 1995, such uses were defined in the Zoning Ordinance and were allowed in various zoning districts. The parking requirements were the same as for boarding houses. The 1995 Zoning Rewrite project and adopted zoning ordinance did not include such uses.

Uses which would customarily fall into this use category may provide the following services:

- Residential facilities providing short-term rooming for use by persons visiting patients or patients receiving medical services provided by area hospitals or extended care facilities, such as the Ronald McDonald House;
- Facilities that provide a safe place for children who are taken from their homes due to domestic violence, such as the Christmas Box House;
- Facilities that provide a child-friendly atmosphere where children receive coordinated services during the child abuse investigative process, such as the Children’s Justice Center of Salt Lake; and
- Other similar uses.

Salt Lake City is a regional center of the intermountain area. The position of Salt Lake City as a regional center has encouraged the establishment of several hospitals to serve the local metropolitan area population as well as for the intermountain region. Facilities within Salt Lake City that provide regional services are: University of Utah, LDS, Salt Lake Regional, VA Medical Center, Primary Children's and Shriners Children's hospitals. Additional eleemosynary services are provided through local government and nonprofit corporations. Examples are the Ronald McDonald House, Christmas Box House, Children’s Justice Center and United Way.

Proposed Text Changes

The proposed text changes redefine and allow Eleemosynary Facilities as a conditional use within low density residential and medium density multi-family/mixed use residential zoning districts. Eleemosynary Facilities will also be a permitted use in high-density multi-family/mixed use and commercial zoning districts as well as in downtown, gateway, transit corridor, public lands and institutional zoning districts. Attachment A shows the proposed text changes to accommodate Eleemosynary Facilities with Salt Lake City.

The following proposed definition defines Eleemosynary Facilities. “Eleemosynary facility” means a facility operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease as well as support for their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate and private funding. The term “Eleemosynary facilities” shall not include places of worship, social and community services organizations, homeless shelters, community dining halls, group homes, transitional treatment homes, transitional victim homes, residential substance abuse treatment homes and other similar non-profit.
Comments

Public Comments
An Open House was held on December 17, 2009 in the City and County Building 1st floor. There was one community council member that attended the open house. There were no comments received.

City Department Comments
The comments received from pertinent City Departments / Divisions are attached to this staff report in Attachment B. The Planning Division has not received comments from the applicable City Departments / Divisions that cannot reasonably be fulfilled or that warrant denial of the petition.

The Transportation Division’s concerns to not allow on-street parking credit for these types of facilities is a general philosophy issue regarding on-street parking credits. Staff further discussed the issue with Transportation staff and is of the opinion that there are adequate provisions through the conditional use process and the ability through the development review process to require Traffic Impact Reports if it is believed that potential problems may occur with a proposed eleemosynary facility.

Analysis and Findings

Futures Commission Report
The Salt Lake City Futures Commission Report identifies that Salt Lake City desires to provide a safe place where all people, regardless of age, ability, or economic condition, can live with dignity and respect and without fear.

Central Community Master Plan
The Salt Lake City Central Community Master Plan identifies key City policy regarding the Salt Lake’s integration with the larger community. The goals of the plan should be in accord with regional, local and community visions. The plan’s vision identifies the institutional land uses generate employment opportunities and attract community and regional populations that are part of a vital and sustainable commerce.

Findings

Section 21A.50.050 Standards for general amendments. 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.

A. In making its decision concerning a proposed text amendment, the city council should consider the following factors:

1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;

Finding: No specific policy document identifies detailed policy that addresses eleemosynary uses. The various adopted planning documents of the City support a variety of housing needs and social service needs. The inclusion of Eleemosynary Facilities throughout the city implements the city master plan’s visions by supporting institutional land uses that attract and provide services to community and regional
populations. The proposed text amendment does support the general policies for the provision of a variety of housing and social service opportunities within the City.

2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;

Discussion: The Zoning Ordinance contains the following general purpose and intent statements:

- **Chapter 21A.02 Title, Authority, Purpose And Applicability**: Purpose And Intent: The purpose of this title 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 to carry out the purposes of the municipal land use development and management act, title 10, chapter 9, of the Utah Code Annotated or its successor, and other relevant statutes.

- **Chapter 21A.24 Residential Districts**: Statement Of Intent: The residential districts are intended to provide a range of housing choices to meet the needs of Salt Lake City's citizens, to offer a balance of housing types and densities, to preserve and maintain the city's neighborhoods as safe and convenient places to live, to promote the harmonious development of residential communities, to ensure compatible infill development, and to help implement adopted plans.

- **Chapter 21A.26 Commercial Districts**: Statement Of Intent: The commercial districts are intended to provide controlled and compatible settings for office and business/commerce developments, to enhance employment opportunities, to encourage the efficient use of land, to enhance property values and the tax base, to ensure high quality of design, and to help implement officially adopted master plans.

- **Chapter 21A.30 Downtown Districts**: Statement Of Intent: The downtown districts are intended to provide use, bulk, urban design and other controls and regulations appropriate to the commercial core of the city and adjacent areas in order to enhance employment opportunities; to encourage the efficient use of land; to enhance property values; to improve the design quality of downtown areas; to create a unique downtown center which fosters the arts, entertainment, financial, office, retail and governmental activities; to provide safety and security; encourage permitted residential uses within the downtown area; and to help implement adopted plans.

- **Chapter 21A.31 Gateway Districts**: Statement Of Intent: The gateway districts are intended to provide controlled and compatible settings for residential, commercial, and industrial developments, and implement the objectives of the adopted gateway development master plan through district regulations that reinforce the mixed use character of the area and encourage the development of urban neighborhoods containing supportive retail, service commercial, office, industrial uses and high density residential.

- **Chapter 21A.32 Special Purpose Districts**: Statement Of Intent: Certain geographic areas of the city contain land uses or platting patterns that do not fit traditional zoning classifications (e.g., residential, commercial, industrial) or uniform bulk regulations. These areas currently contain special land uses (e.g., airports or medical centers) which have a unique character, or contain mixed land uses which are difficult to regulate using uniform bulk and density standards. Because these areas have unique land uses, platting patterns and resources, special districts are needed to respond to these conditions. These special purpose districts are further intended to maintain the integrity of these areas, allow for greater flexibility in site design, and achieve the specialized goals for these areas.

- **Chapter 21A.44 Off Street Parking And Loading**: Purpose Statement: The requirements of this chapter are intended to promote the orderly use of land and buildings by identifying minimum and maximum standards for accessory parking and loading facilities that will promote safe and
convenient vehicular transportation and movement of goods. These requirements are also intended to help lessen traffic congestion and promote public health and welfare through a cleaner environment by reducing the number of vehicle trips. Encouraging nonmotorized transportation and relating parking requirements to the local land use/transportation system are consistent with the objectives of this chapter.

Finding: The proposed text amendment meets this standard in that it furthers the specific purpose and intent statements of the Zoning Ordinance. These types of uses are typically located in larger urban areas where they are close to associated uses such as hospitals, government offices and other institutional uses.

3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and

Finding: The proposed text amendment does not affect any overlay zoning districts. Any specific development proposal would have to comply with applicable Overlay Zone requirements.

4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

Finding: In review of other cities zoning codes, eleemosynary facilities fall under the same title or as group homes, group care homes, protective housing, and service organizations. Such uses are either permitted or allowed as conditional uses within residential and nonresidential zoning categories. The proposed amendment implements current planning practices. Other larger urban areas have similar uses as the eleemosynary facilities that support related facilities that serve the region.
The Planning Division is reviewing a petition requested by Mayor Becker to amend the Salt Lake City Zoning Ordinance, regarding Eleemosynary Facilities. The proposed text changes redefine and allow such facilities as a conditional use within low density residential and medium density multi-family/mixed use residential zoning districts. Eleemosynary facilities will also be a permitted use in high-density multi-family/mixed use zoning districts as well as in downtown, gateway, transit corridor, public lands and institutional zoning districts.

Proposed Text Changes

21A.24.190: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS:

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<th>FR-3/12,000</th>
<th>R-1/12,000</th>
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<td></td>
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<td>C</td>
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<td>C</td>
<td>C</td>
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Permitted And Conditional Uses, By District Residential Districts (Continued)

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<th>RMF-75</th>
<th>RB</th>
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### 21A.32.140: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

**Legend:**  
C = Conditional use  
P = Permitted use

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### 21A.26.080: TABLE OF PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS:

**Legend:**  
C = Conditional use  
P = Permitted use

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<th>CC</th>
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<th>CG</th>
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### 21A.30.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

**Legend:**  
C = Conditional use  
P = Permitted use

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21A.31.050: TABLE OF PERMITTED AND CONDITIONAL USES IN THE GATEWAY DISTRICT:

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<tr>
<td>Eleemosynary Facilities</td>
<td>P</td>
</tr>
</tbody>
</table>

21A.44.060: NUMBER OF OFF STREET PARKING SPACES REQUIRED:

TABLE 21A.44.060F
SCHEDULE OF MINIMUM OFF STREET PARKING REQUIREMENTS

Each principal building or use shall have the following minimum number of parking spaces:

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
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<tbody>
<tr>
<td>Residential:</td>
<td>1 parking space for each family, plus 1 parking space for every 4 individual bedrooms, plus 1 parking space every 2 support staff on the busiest shift.</td>
</tr>
<tr>
<td>Eleemosynary Facility</td>
<td>P</td>
</tr>
</tbody>
</table>
Section 21A.60.020 List of Defined Terms

Eleemosynary Facility

Section 21A.62.040 Definition of Terms:

"Eleemosynary facility" means a facility operated by a nonprofit charitable organization or government entity to provide temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members. Eleemosynary facilities are traditionally not funded wholly by government but are usually supported by philanthropic, corporate and private funding. The term "Eleemosynary facilities" shall not include places of worship, social and community services organizations, homeless shelters, community dining halls, group homes, transitional treatment homes, transitional victim homes, residential substance abuse treatment homes and other similar non-profit organizations.
Attachment B
City Department Input
December 3, 2009

Everett Joyce, Planning


The division of transportation review comments and recommendations are as follows:

Due to the multiple zoning district applications and possible conversion of an existing facility, the potential for parking provisions may become an issue. All parking provisions are to be provided on site per city design standards. On-street parking credits or provisions will not be accepted.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Scott Weiler, P.E.
Peggy Garcia, Public Utilities
Ted Itchon, Fire
Larry Butcher, Permits
File

To those who received the email regarding Petition PLNPCM2008-00937 - Eleemosynary zoning, examples of such uses are:

- Lodging for families whose children are hospitalized or receiving medical treatment, such as Ronald McDonald House;
- Facilities that provide a safe place for children who are taken from their homes due to domestic violence, such as the Christmas Box House; and
- Facilities that provide a child-friendly atmosphere where children receive coordinated services during the child abuse investigative process, such as the Children's Justice Center of Salt Lake.
Joyce, Everett

From: Weiler, Scott
Sent: Friday, December 04, 2009 11:51 AM
To: Joyce, Everett
Cc: Drummond, Randy
Subject: RE: Request to review and comment on Petition PLNPCM2008-00937 - Eleemosynary Zoning Text Changes

Categories: Other

Everett,

SLC Engineering has no comment on the proposed changes.
Please send future requests to Randy Drummond.

Thanks,
Scott

From: Joyce, Everett
Sent: Wednesday, December 02, 2009 1:34 PM
To: Walsh, Barry; Weiler, Scott; Garcia, Peggy; Itchon, Edward; Butcher, Larry; Brede, Richard; McCandless, Allen
Cc: Coffey, Cheri; Harpst, Tim; Niermeyer, Jeff; Graham, Rick; McKone, Dennis; Burbank, Chris; Boskoff, Nancy; Riley, Maureen; Clark, Luann; Creswell, Lyn; Gray, Frank; Baxter, DJ; Farrington, Bob; Rutan, Ed; Limburg, Garth
Subject: Request to review and comment on Petition PLNPCM2008-00937 - Eleemosynary Zoning Text Changes

Everett L. Joyce, AICP
Senior Planner
801-535-7930
Salt Lake City Planning Division
451 South State Street, Rm 406
PO Box 145480
Salt Lake City, UT 84114-5480
Everett:

Sorry this is late. The use examples you listed are related to youth and family oriented care. However, the definition does not appear to limit the facilities to families or youth (age?) that require temporary housing.

The parking requirement lists family units and youth bedrooms but does not contemplate individual adult bedrooms. I'm uncertain how we would determine if a room was for a child. It might be reasonable to remove the "youth" verbiage from the requirement.

I'm sure you have considered this but should the definition make a distinction between transitional victim facilities and these uses based upon the need for medical care or the age of the victim?

Again, sorry this is late.

LB
Exhibit 5
Original Petition
Petition Initiation

Request

Planning Division
Community & Economic Development Department

To: Mayor Becker
From: Wilf Sommerkorn
Date: December 10, 2008
CC: Frank Gray, Community & Economic Development Director; Mary De La Mare-Schaefer, Community & Economic Development Department Deputy Director; Pat Comarell, Assistant Planning Director; file

Re: Initiate Petition to amend the zoning ordinance to allow Eleemosynary / Philanthropic institutional uses in appropriate zoning districts.

The Planning Staff is requesting that you initiate a petition to analyze the appropriateness of amending the Zoning Ordinance to allow eleemosynary / philanthropic institutional uses in appropriate zoning districts. Prior to 1995, such uses were defined in the Zoning Ordinance and allowed in various zoning districts. The 1995 Zoning Ordinance did not include such uses. Uses which would fall into this category may provide the following:

- Lodging for families whose children are hospitalized or receiving medical treatment, such as the Ronald McDonald House,
- Facilities that provide a safe place for children who are taken from their homes due to domestic violence, such as the Christmas Box House,
- Facilities that provide a child-friendly atmosphere where children receive coordinated services during the child abuse investigative process, such as the Children's Justice Center of Salt Lake; and
- Other similar uses

As part of the process, the Planning Staff will review ordinances from other cities, gather information about what the needs are and what services are provided in order to develop a definition that comprehensively describes such services. Staff will then analyze what zones these types of uses should be allowed in and through what process the review should occur (such as permitted or conditional use process). Once a draft ordinance is prepared, the text amendment will be taken
through the formal City adoption process including citizen input and public hearings with the Planning Commission and City Council. If you have any questions, please contact me.

Thank you.

Concurrence to initiating the rezoning petition as noted above.

[Signature]

Ralph Becker, Mayor

Date 12/15/08
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<th>Remarks:</th>
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<td>Petition No: <strong>PLNPCM2008-00937</strong></td>
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<td><strong>By:</strong> Salt Lake City Planning Division</td>
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<td>Zoning Text Amendment – To Allow Eleemosynary / Philanthropic Institutional Uses in Appropriate Zoning Districts</td>
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<td>Date Filed: 12/12/2008</td>
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